



**Charlotte-Mecklenburg Planning Department**

**DATE:** July 2, 2018

**TO:** Donald Moore  
Zoning Supervisor

**FROM:** Taiwo Jaiyeoba  
Planning Director

**SUBJECT:** Administrative Approval for Petition No. 2016-126 Luxury, LLC

Attached is the revised site plan for the petition above. This request allows the modification of the proposed site plan as listed below. Since these changes do not alter the intent of the development and meets the requirements of the Charlotte Zoning Ordinance Section 6.207 Alterations to Approval, minor changes, I am administratively approving this plan. Please use these plans when evaluating requests for building permits and certificates of occupancy.

- Site plan with site layout changes
- Building elevations

Staff supports of the request because:

- The site plan complies with the conditional notes and still meets the intent of the original approval by the City Council.

**Note: All other Zoning, Subdivision, Tree Ordinances and conditional requirements still apply.**

- **Signage was not reviewed as part of this request.**

# ADMINISTRATIVE AMENDMENT TO PETITION #2016-126

Attached to Administrative Approval

*Solomon A. Fortune* \$  
**Solomon A. Fortune**

Luxity LLC  
Development Standards  
July 25, 2016  
Rezoning Petition No. 2016-126

**1. Development Data Table**

- **Acres:** Approximately .267 acres
- **Tax Parcel #s:** 073-216-01 and 073-216-02
- **Existing Zoning:** UR-1
- **Proposed Zoning:** UR-2(CD)
- **Existing Uses:** Vacant land.
- **Proposed Uses:** Seven (7) attached dwelling units together with accessory uses, as allowed in the UR-2 Zoning District.
- **Proposed Floor Area Ratio:** As allowed by the UR-2 Zoning District.
- **Maximum Building Height:** Building height will be limited to 3 stories excluding rooftop activities, not to exceed 40 feet
- **Parking:** Parking will comply with the minimum parking requirements of the UR-2 zoning district

**2. General Provisions**

- a. **Site Location.** These Development Standards, the Technical Data Sheet, Site Plan and additional graphics set forth on the attached Sheets form this rezoning plan (collectively, the "Rezoning Plan") associated with the Rezoning Petition filed by Luxity LLC ("Petitioner") to accommodate the development of a townhome community on an approximately .267 acre site located on the northeast corner of South Sycamore Street and Margaret Brown Street (the "Site").
- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the UR-2 zoning classification shall govern all development taking place on the Site.
- c. **Graphics and Alterations.** Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

**3. Permitted Uses**

Subject to the restrictions and limitation described herein, the building constructed on the Site may be developed with up to seven (7) attached dwelling units, together with accessory uses allowed in the UR-2 Zoning District.

**4. Transportation**

- a. Access to the Site will be via Margaret Brown Street as generally depicted on the Rezoning Plan.
- b. Parking will be located under and next to the building as generally illustrated on the Site Plan.
- c. The placement and configuration of the vehicular access point from Margaret Brown Street is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the Charlotte Department of Transportation in accordance with applicable published standards.
- d. The alignment of the vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation in accordance with its published standards so long as the street network set forth on the Rezoning Plan is not materially altered.
- e. All rights-of-way will be dedicated or conveyed in fee simple to the City before the project's first building certificate of occupancy is issued. The petitioner will dedicate the right-of-way to be located two feet from the back of sidewalk or at the back of sidewalk where building abuts the sidewalk.
- f. All transportation improvements will be constructed and approved before the project's first building certificate of occupancy is issued or phased per the project's development plan.

**5. Architectural Standards**

- a. The building materials used on the building(s) constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits, and on handrails/railings.
- b. The illustrative building elevations including in this Rezoning Plan reflect an architectural style and a quality of the buildings that may be constructed on the Site. The actual buildings constructed on the Site may vary from these illustrations provided that the design intent is preserved.
- c. All trash and recycling will be on-street roll out.
- d. All garages located on the Site will face the internal drive aisle.
- e. The four (4) dwelling units located along South Sycamore Street will include entrances/exits opening out to South Sycamore Street.

f. Except as otherwise provided in these Development Standards, the building will be constructed and operated in accordance with the restrictions described in the Ordinance.

g. The petitioner will submit building elevations to the Charlotte-Mecklenburg Planning Department for review prior to submitting to Engineering and Property Management for land development review.

**6. Streetscape, Buffers and Landscaping**

a. The structure depicted on the Site Plan will adhere to the setbacks, side and rear yards as indicated thereon. Side yard setbacks shall be no less than five feet (5'); rear yard setbacks shall be no less than ten feet (10') and front setbacks shall be no less than fourteen feet (14') in accordance with applicable requirements contained in the Ordinance.

b. Streetscape improvements will include an eight (8) foot wide planting strip and six (6) foot wide sidewalk along South Sycamore Street and Margaret Brown Street.

c. Meter banks, HVAC and related mechanical equipment will be screened where visible from public view at grade level. Screening requirements of the Ordinance will be met.

d. Existing curb and gutter be replaced with new two-foot, six-inch curb and gutter.

**7. Environmental Features**

a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

b. The Site shall comply with the City of Charlotte Tree Ordinance.

**8. Fire Protection** – Reserved

**9. Lighting**

- a. All new detached and attached lighting shall be full cut-off type lighting fixtures, low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.
- b. All detached lighting will be directed downward.

**10. Phasing**

a. The project will be developed in a single phase.

**11. Amendments to the Rezoning Plan**

a. Amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then owner or owners of that portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

**12. Binding Effect of the Rezoning Application**

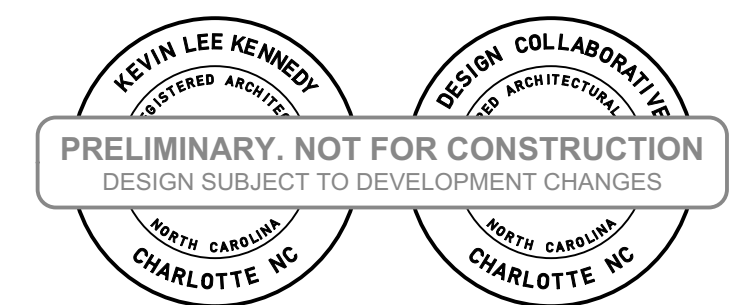
a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and more to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.



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Charlotte NC 28204

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Offices: CLT / NYC



PRELIMINARY. NOT FOR CONSTRUCTION  
DESIGN SUBJECT TO DEVELOPMENT CHANGES

Submitted: 00/00/00

1020-1024 Margaret Brown St.  
Charlotte, NC 28202

prepared for: Luxity, LLC

Mark	Date	Description
01	03/12/2018	Administrative Amendment
02	06/04/2018	Administrative Amendment Revisions

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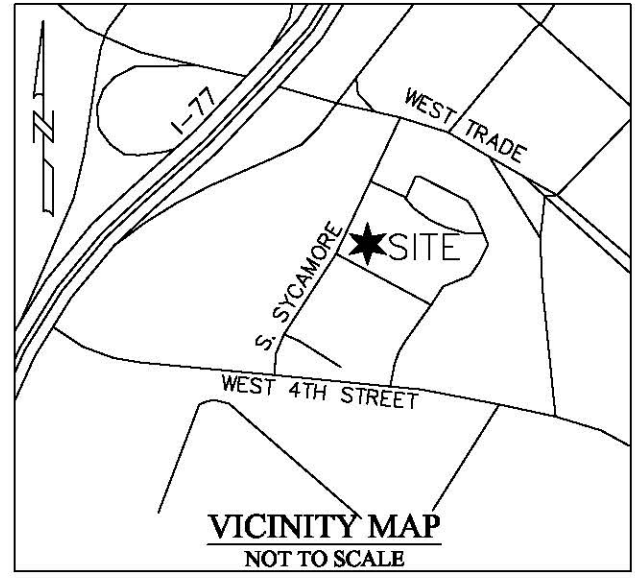
Project name/#: 17-122\_Margaret Brown Townhomes  
CAD File Name: MB\_Townhomes (MASTER).vwx

Cover Sheet & Notes

# A000



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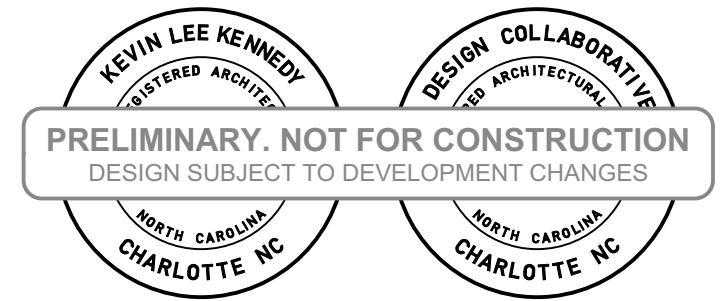
- GENERAL NOTES**
- 1) PORTION OF LOTS 21 & 22, BLOCK 2 #1024 MARGARET BROWN ST. PIN 07321601 AREA: 0.142 ± ACRES VACANT AT TIME OF SURVEY
  - 2) ZONING: UR-2 (CD)
  - 3) REQUIRED SETBACKS: FRONT SETBACK: 14'-0" SIDE YARD: 5'-0" REAR YARD: 10'-0"
  - 4) 7 PROPOSED RESIDENTIAL UNITS
  - 5) PETITION NUMBER #2016-126 SUBMITTAL 3, APRIL 10, 2017
  - 6) PETITIONER TO SPECIFY DEDICATION AND FEE SIMPLE CONVEYANCE OF ALL RIGHTS-OF-WAY TO THE CITY BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. PETITIONER AGREES TO DEDICATE RIGHT-OF-WAY LOCATED TWO FEET FROM THE BACK OF SIDEWALK OR AT THE BACK OF THE SIDEWALK WHERE BUILDING ABUTS THE SIDEWALK.
  - 7) ALL TRANSPORTATION IMPROVEMENTS WILL BE CONSTRUCTED AND APPROVED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED OR PHASED PER THE SITE'S DEVELOPMENT PLAN.



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Project name/#: 17-122\_Margaret Brown Townhomes  
CAD File Name: MB\_Townhomes (MASTER).vwx

Site Plan

A001

REVISION: FRONT ELEVATION MODIFICATIONS

HEATED USABLE SPACE ABOVE

REVISION: NEW 3'x10' FRONT PORCH AT UNIT ENTRY

HEATED USABLE SPACE ABOVE

REVISION: ADDITION OF LANDSCAPE IN REAR YARD

REVISION: ADDITION OF SHED ROOF OVER GARAGE

REVISION: ADDITION OF LANDSCAPE

REVISION: ADDITION OF UPPER STORY WINDOW BAY, TYPICAL

REVISION: NEW 5'x10' FRONT PORCH AT UNIT ENTRY

SINGLE FAMILY HOME

REVISION: FRONT ELEVATION MODIFICATIONS

A1 Proposed Site Plan  
Scale: 1" = 10 ft



Attached to Administrative  
Approval

*Solomon A. Fortune*   
Solomon A. Fortune

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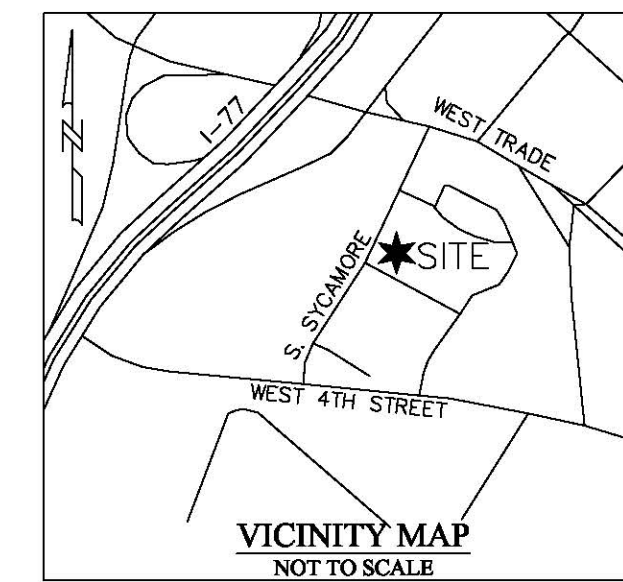
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**KEY NOTES**

- 01. ADDED GABLE VENTS, TYPICAL
- 02. EMBELLISHED TRIM FOR THIRD STORY BALCONY, TYPICAL
- 03. ADDITIONAL WINDOWS ADDED
- 04. CLOSED OFF SECOND STORY BALCONY, TYPICAL
- 05. ADDED SMALL SHED ROOF ABOVE GARAGE
- 06. REMOVED ROOF TERRACES, TYPICAL
- 07. ADDED ROOF PROJECTION, TYPICAL
- 08. REPOSITIONED GABLE
- 09. ADDED ATTIC VENT, TYPICAL
- 10. ADDED SHUTTERS TO WINDOWS, TYPICAL
- 11. ADDED WINDOW BAY PROJECTION, TYPICAL
- 12. ASPHALT SHINGLE ROOF: COLOR TBD.
- 13. EVERGREEN VEGETATION BUFFER
- 14. PRIVATE DRIVE ACCESS WITH GARAGE BEYOND
- 15. METAL ROOF AT ENTRY CANOPY
- 16. TREES PLANTED PER ORDINANCE
- 17. SMOOTH CEMENTITIOUS FIBER BOARD LAP SIDING
- 18. CEMENTITIOUS FIBER BOARD HARDIE SHINGLE SIDING STRAIGHT EDGE PANEL
- 19. HEATED USABLE SPACE

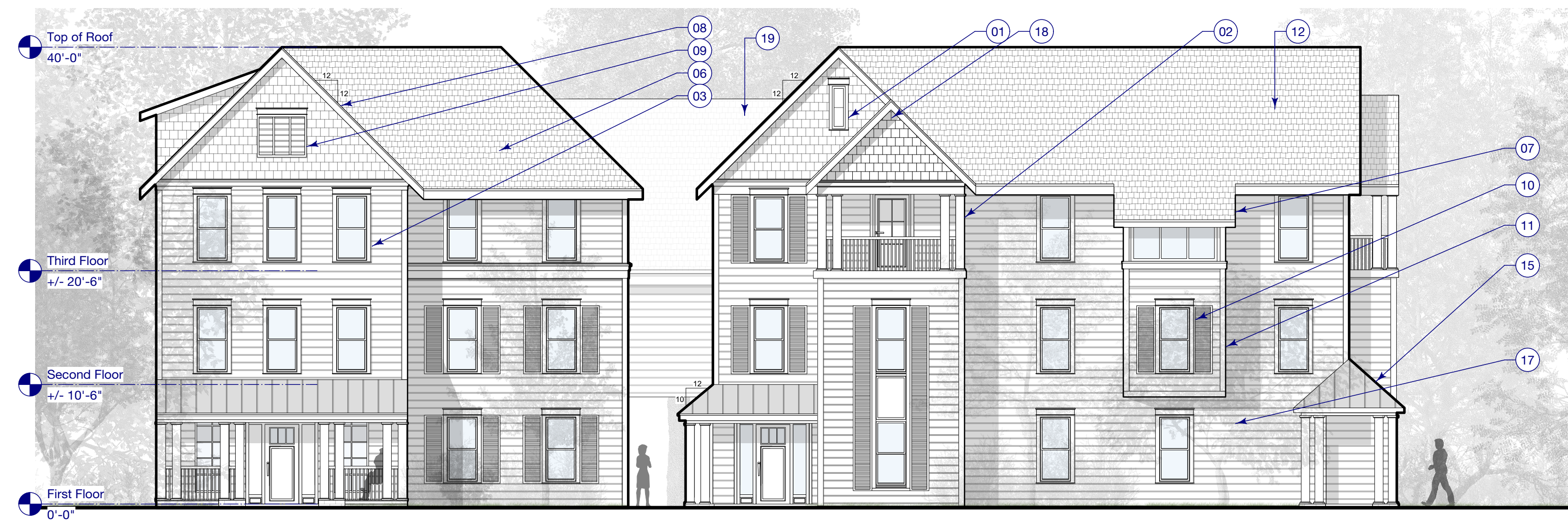
**GENERAL NOTES**

ALL EXTERIOR SIDING TO BE CEMENTITIOUS FIBER BOARD  
 ALL WINDOWS TO BE VINYL OR ALUMINUM  
 ALL HANDRAILS/RAILINGS TO BE METAL  
 ALL ROOFS TO BE ASPHALT SINGLE  
 ALL PORCH ENTRY CANOPY TO BE METAL

THE ILLUSTRATIVE BUILDING ELEVATIONS INCLUDING IN THIS REZONING PLAN REFLECT AN ARCHITECTURAL STYLE AND A QUALITY OF THE BUILDINGS THAT MAY BE CONSTRUCTED ON THE SITE. THE ACTUAL BUILDINGS CONSTRUCTED ON THE SITE MAY VARY FROM THESE ILLUSTRATIONS PROVIDED THAT THE DESIGN INTENT IS PRESERVED



**C1** Proposed Front Elevation - Margaret Brown  
 Scale: 1/8" = 1'-0"



**A1** Proposed Side Elevation - South Sycamore  
 Scale: 1/8" = 1'-0"



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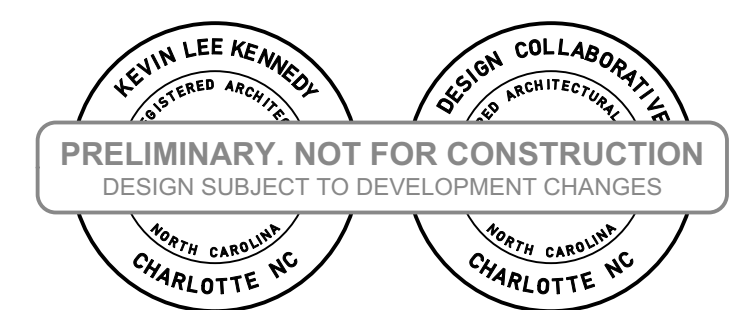
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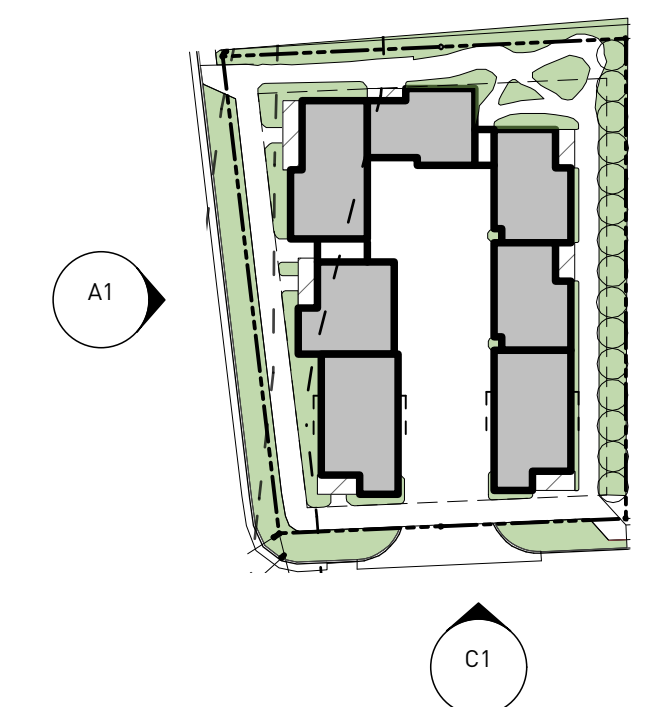
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Project name/#: 17-122\_Margaret Brown Townhomes  
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Exterior Elevations  
 South & West Face

**A002**

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