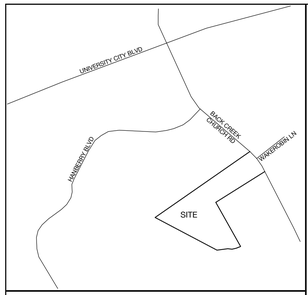
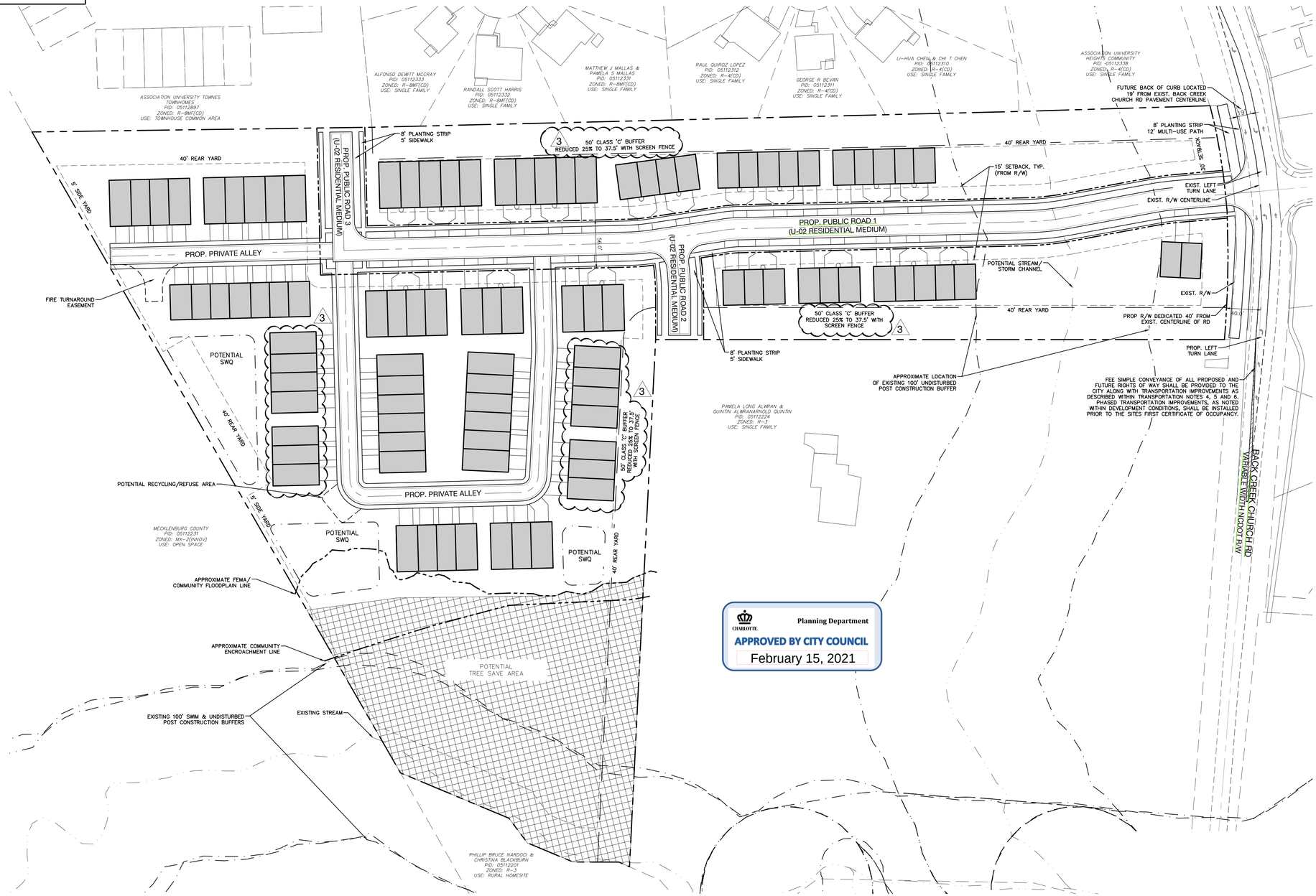


VICINITY MAP

Site Development Data:

Acreage:	+/- 12.13 AC
Tax Parcel:	051-122-03
Existing Zoning:	R-3
Proposed Zoning:	MX-2
Existing Uses:	Vacant
Proposed Uses:	Single-Family Attached (Land For Sale)
Maximum Density:	Up to (97) Dwelling Units



REZONING PETITION #2020-125

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Accent Homes Carolinas, Inc
Jon Nicholls
200 Foxfield Lane
Matthews, NC 28105

Back Creek Residential Rezoning

Rezoning Site Plan

2040 Back Creek Church Rd, Charlotte, NC 28213

NO.	DATE:	BY:	REVISIONS:
1	11.16.20	UDP	PER CITY COMMENTS
2	12.14.20	UDP	PER CITY COMMENTS
3	1.25.21	UDP	PER CITY COMMENTS

Project No: 20-CLT-039
Date: 07.13.2020
Designed By: NCG
Checked By: GPP
Sheet No:

RZ-1.0

SITE DEVELOPMENT DATA:

ACREAGE:	+/- 12.13 AC
TAX PARCEL:	051-122-03
EXISTING ZONING:	R-3
PROPOSED ZONING:	MX-2
EXISTING USES:	VACANT
PROPOSED USES:	SINGLE-FAMILY ATTACHED (LAND FOR SALE)
MAXIMUM DENSITY:	UP TO (97) DWELLING UNITS

GENERAL PROVISIONS:

1. THESE DEVELOPMENT STANDARDS FORM PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY ACCENT HOMES CAROLINAS, INC. (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A SINGLE-FAMILY ATTACHED TOWNHOME RESIDENTIAL DEVELOPMENT ON AN APPROXIMATE 12.13 ACRE SITE LOCATED TO THE WEST OF BACK CREEK CHURCH ROAD IN THE CITY OF CHARLOTTE, WHICH IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBERS 051-122-03.

2. DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE").

3. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE "MX-2" ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

4. THE DEVELOPMENT AND STREET LAYOUT DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE FINAL LAYOUT, LOCATION AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATION OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY NE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD(S), LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THE REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATION SHALL BE MINOR IN NATURE AND NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

5. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER(S) OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ZONING ORDINANCE. MINOR ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

PERMITTED USES:

1. USES ALLOWED WITHIN THE REZONING AREA INCLUDED IN THIS PETITION ARE THOSE USES THAT ARE PERMITTED WITHIN THE MX-2(INNOVATIVE) ZONING DISTRICT CONTAINING A MAXIMUM OF (97) SINGLE-FAMILY ATTACHED TOWNHOME UNITS ALONG WITH ANY INCIDENTAL AND ACCESSORY USES RELATING TO AND ALLOWABLE WITHIN THE ASSOCIATED ZONING DISTRICT.

2. UTILIZING SECTION 11.207(2) OF THE ORDINANCE, COMMON OPEN SPACE DENSITY BONUS PROVISIONS SHALL BE PERMISSIBLE ABOVE THE BASE MX-2 ZONING DISTRICT MAXIMUM DENSITY.

TRANSPORTATION:

1. VEHICULAR ACCESS TO PUBLIC RIGHTS OF WAY WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. FINAL LOCATIONS, PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE REZONING PLAN ARE SUBJECT TO MINOR MODIFICATION REQUIRED TO ACCOMMODATE FINAL PERMITTING AND CONSTRUCTION PLAN ADJUSTMENTS AS REQUIRED BY NCDOT AND CDOT FOR APPROVAL.

2. THE SITE SHALL BE SERVED BY A COMBINATION OF PUBLIC ROADS, PRIVATE ROADS AND PRIVATE ALLEYS AS DEPICTED ON THE REZONING PLAN. FINAL LOCATIONS OF THESE DRIVES ARE SUBJECT TO MINOR MODIFICATIONS AND ADJUSTMENTS TO ACCOMMODATE FINAL PERMITTING AND CONSTRUCTION PLANS AS REQUIRED TO OBTAIN FINAL APPROVAL.

3. THE PETITIONER AGREES TO PROVIDE ACCESSIBLE SIDEWALK RAMPS AT EACH CORNER OF PUBLIC ROAD 1 AND BACK CREEK CHURCH ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PETITIONER SHALL ALSO PROVIDE SIDEWALK AND PLANTING STRIP ALONG BACK CREEK CHURCH ROAD ADJACENT THE SITE. THE SIDEWALK MAY MEANDER ADJACENT THE PROPERTY AND FINAL LOCATION SHALL BE COORDINATED WITH NCDOT AND CDOT.

4. THE PETITIONER AGREES TO INSTALL IMPROVEMENTS ADJACENT BACK CREEK CHURCH ROAD PRIOR TO THE SITES FIRST CERTIFICATE OF OCCUPANCY BEING ISSUED.

5. THE PETITIONER AGREES TO INSTALL PUBLIC ROAD 1, 2 AND 3 PRIOR TO THE SITES FOURTH CERTIFICATE OF OCCUPANCY BEING ISSUED.

6. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE ANY REQUIRED RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED.

7. THE PETITIONER SHALL DEDICATE FEE SIMPLE RIGHT OF WAY ALONG BACK CREEK CHURCH ROAD MEASURED 40' FROM THE EXISTING ROAD CENTERLINE AND AS GENERALLY DEPICTED ON THE SITE PLAN.

8. AN 8' PLANTING STRIP AND 6' SIDEWALK SHALL BE CONSTRUCTED ALONG ALL INTERNAL PUBLIC ROADS INCLUDING PUBLIC ROAD 1, 2 AND 3 AS GENERALLY DEPICTED ON THE SITE PLAN.

9. THE PETITIONER SHALL INSTALL A 12' MULTI-USE PATH AND 8' LANDSCAPE STRIP ALONG BACK CREEK CHURCH ROAD AS GENERALLY DEPICTED ON THE SITE PLAN.

10. THE PETITIONER SHALL INSTALL A NORTH BOUND LEFT TURN LANE ALONG BACK CREEK CHURCH ROAD AS DEPICTED ON THE SITE PLAN. FINAL COORDINATION OF LANE STORAGE AND TAPER REQUIREMENTS SHALL BE CONDUCTED WITH NCDOT.

11. TOWNHOME DRIVEWAYS ALONG PROPOSED PUBIC ROAD 1 SHALL HAVE A COMBINATION OF SHARED AND DEDICATED VEHICULAR DRIVEWAYS AS GENERALLY DEPICTED ON THE SITE PLAN TO MEET THE CITY OF CHARLOTTE REQUIRED 20' DRIVEWAY SPACING REQUIREMENTS. FINAL LAYOUT AND LOCATIONS OF DRIVEWAY MAY SHIFT DURING LAND DEVELOPMENT PERMITTING AS NECESSARY TO ACQUIRE FINAL PERMITS.

12. THE PETITIONER AGREES TO DEDICATE AND CONVEY PROPERTY FEE SIMPLE TO MECKLENBURG COUNTY PARKS AND RECREATION WITHIN THE EXISTING 100' SWIM BUFFER ADJACENT BACK CREEK FOR THE CONSTRUCTION OF A GREENWAY AS GENERALLY DEPICTED ON THE MCPR GREENWAY MASTER PLAN.

3 13. THE SITE MUST MEET SECTION 9.303(19)F OF THE ZONING ORDINANCE TO ALLOW FOR THE REDUCED 15' SETBACK ALONG PROPOSED PUBLIC ROADS NOTE AND ILLUSTRATED ON THE SITE PLAN.

ARCHITECTURAL AND DESIGN STANDARDS:

1. IN ADDITION TO DESIGN PROVISIONS CONTAINED WITHIN THE DISTRICT REGULATIONS OF THE ZONING ORDINANCE FOR THE MX-2 DISTRICT, THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE FOLLOWING PROVISIONS AND STANDARDS PRODUCED BY THE PETITIONER AND WHICH WILL BE BIDING ON THE DEVELOPMENT OF THE SITE.

2. A VARIETY OF PRINCIPAL BUILDING MATERIALS MAY BE UTILIZED ON SITE AND WILL BE A COMBINATION OF THE FOLLOWING: MASONRY, BRICK, CONCRETE, PRE-CAST CONCRETE, STONE, PRECAST STONE, PRE-FINISHED METAL, ALUMINUM, STEEL, STUCCO, WOOD, CERAMIC TILE, CEMENTITIOUS FIBER BOARD AND GLASS FIBER REINFORCED CONCRETE. VINYL, AS A BUILDING MATERIAL, WILL ONLY BE ALLOWED ON WINDOWS, SOFFITS AND TRIM FEATURES.

3. PLACEMENT AND DESIGN OF SINGLE-FAMILY ATTACHED TOWNHOME RESIDENTIAL UNITS ON SITE SHALL ADHERE TO THE FOLLOWING GUIDELINES TO ENHANCE THE ARCHITECTURAL CHARACTER OR THE PROPOSED STRUCTURES.

a) PITCHED ROOFS SHALL BE SYMMETRICALLY SLOPED NO LESS THAN 5:12 EXCEPT FOR ROOFS FOR PORCHES THAT SHALL BE NO LESS THAN 2:12.

b) USEABLE PORCHES AND STOOPS SHALL FORM A PREDOMINANT FEATURE OF THE BUILDING DESIGN AND BE LOCATED ON THE FRONT OF THE BUILDING. USABLE FRONT PORCHES MAY BE COVERED BUT NOT ENCLOSED.

c) ALL HVAC AND MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW.

d) BUILDINGS SHALL BE LIMITED TO A MAXIMUM OF FIVE (5) TOWNHOME UNITS PER BUILDING WHEN ADJACENT A PUBLIC RIGHT OF WAY.

e) PETITIONER SHALL PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 10 FEET ADJACENT PUBLIC STREETS ON ALL BUILDING LEVELS, INCLUDING BUT NOT LIMITED TO DOORS, WINDOWS, AWNINGS, AND/OR ARCHITECTURAL DESIGN ELEMENTS.

f) IN ORDER TO MINIMIZE THE IMPACT OF GARAGE DOORS, THOSE FACING PUBLIC OR PRIVATE STREETS, WILL BE RECESSED A MINIMUM OF 12" FROM THE BUILDING FAÇADE AND INCLUDE A COMBINATION OF TRANSLUCENT WINDOWS AND PROJECTING ELEMENTS OVER THE DOOR OPENING.

18. THE SITE SHALL COMPLY WITH SECTION 12.403 OF THE ZONING ORDINANCE. DUMPSTER AND RECYCLING SERVICE AREAS ASSOCIATED WITH RESIDENTIAL USES SHALL BE LOCATED AS GENERALLY DEPICTED ON THE SITE PLAN AND SHALL BE SCREENED FROM PUBLIC VIEW AND DESCRIBED WITHIN THE ORDINANCE.

STREETSCAPE AND LANDSCAPING:

3 1. THE PETITIONER SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

2. TREES WITHIN THE RIGHT OF WAY ALONG BACK CREEK CHURCH ROAD SHALL BE PRESERVED, UNLESS ROAD IMPROVEMENTS REQUIRED BY NCDOT OR SIGHT DISTANCE REQUIREMENTS FOR SAFE TURNING MOVEMENTS DEEMS REMOVAL OF EXISTING TREES WITHIN THE RIGHT OF WAY TO BE NECESSARY. REMOVAL OF TREES WITHIN THE STREET ROW MAY REQUIRE MITIGATION OF THOSE TREES. 3

ENVIRONMENTAL FEATURES:

1. THE PETITIONER SHALL COMPLY WITH THE CITY OF CHARLOTTE POST CONSTRUCTION ORDINANCE.

2. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

3. DEVELOPMENT WITHIN ANY SWIM/PCSO BUFFER SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATED IF REQUIRED BY CITY ORDINANCE. PETITIONER ACKNOWLEDGES INTERMITTENT/PERENNIAL STREAM DELINEATION REPORTS ARE SUBJECT TO REVIEW AND APPROVAL UPON SUBMISSION OF DEVELOPMENT PLANS FOR PERMITTING AND ARE NOT APPROVED WITH REZONING DECISIONS.

SIGNAGE:

1. THE PETITIONER SHALL COMPLY WITH THE CITY OF CHARLOTTE SIGNAGE ORDINANCE.

LIGHTING:

1. ALL ATTACHED AND DETACHED LIGHTING WILL BE FULL CUTOFF FIXTURES AND DOWNWARDLY DIRECTED. HOWEVER, UPWARD FACING ARCHITECTURAL AND LANDSCAPE ACCENT LIGHTING SHALL BE PERMITTED.

2. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO TWENTY-ONE (21') FEET IN HEIGHT.

AMENDMENTS TO REZONING PLAN:

FUTURE AMENDMENTS TO THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL OR PARCELS WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

FURTHER ALTERATIONS OR MODIFICATIONS TO THE REZONING PLAN WHICH, IN THE OPINION OF THE PLANNING DIRECTOR, SUBSTANTIALLY ALTER THE CHARACTER OF THE DEVELOPMENT OR SIGNIFICANTLY ALTER THE APPROVED TECHNICAL DATA SHEET OR ANY OF ITS CONDITIONS OR WHICH INCREASE THE INTENSITY OF DEVELOPMENT SHALL NOT BE DEEMED TO BE MINOR AND MAY ONLY BE MADE IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTIONS 6.207(1) OR (2) OF THE ORDINANCE, AS APPLICABLE.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS:

1. IF THIS SITE PLAN AMENDMENT IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE TECHNICAL DATA SHEET WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.

2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" AND "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

REZONING PETITION #2020-125

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Back Creek Residential Rezoning

Development Standards

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