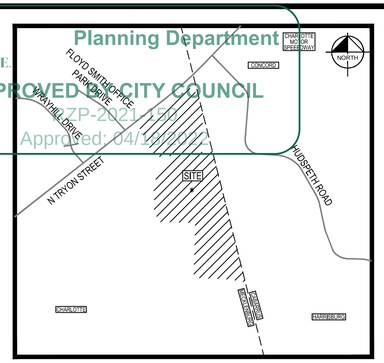
CHARLOTTE
Planning Department
APPROVED CITY COUNCIL
RZP-2021-150
Approved: 04/19/2022



VICINITY MAP
SCALE: NOT TO SCALE

SITE DATA

TOTAL ACREAGE:	± 37.04AC
NET ACREAGE:	± 30.98
PARCEL NUMBERS:	05109101, 05109106
SITE ADDRESS:	12900 N TRYON STREET
WATERSHED:	MALLARD
EXISTING ZONING:	R3 (MECKLENBURG COUNTY)
EXISTING USES:	WOODED/ VACANT
PROPOSED ZONING:	R-12 MF (CHARLOTTE)
PROPOSED USE:	APARTMENTS
PROPOSED UNITS:	UP TO 380 APARTMENT UNITS
BUILDINGS NOT TO EXCEED:	18 BUILDINGS

SETBACKS

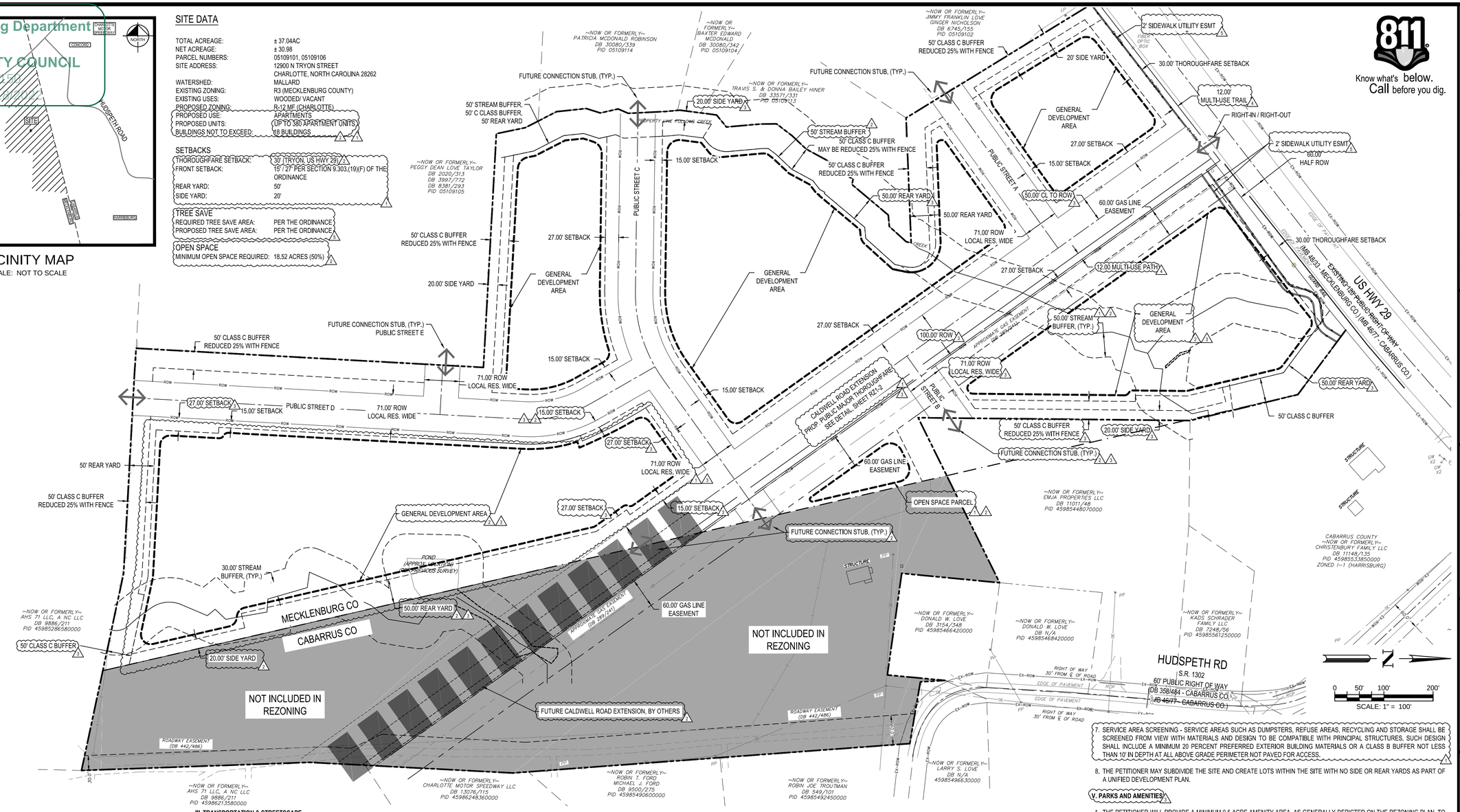
THOROUGHFARE SETBACK:	30' (TRYON, US HWY 29)
FRONT SETBACK:	15' / 27' PER SECTION 9.303.(19)(F) OF THE ORDINANCE
REAR YARD:	50'
SIDE YARD:	20'

TREE SAVE

REQUIRED TREE SAVE AREA:	PER THE ORDINANCE
PROPOSED TREE SAVE AREA:	PER THE ORDINANCE

OPEN SPACE

MINIMUM OPEN SPACE REQUIRED: 18.52 ACRES (50%)



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I. GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY TRIBUTE COMPANIES, INC. (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON THAT APPROXIMATELY 37.14-ACRE SITE LOCATED NEAR THE SOUTHEAST INTERSECTION OF NORTH TRYON STREET AND HUDSPETH ROAD, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBER 051-091-01 AND 051-091-06.
2. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE ZONING ORDINANCE (THE "ORDINANCE").
3. UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE REZONING FOR THE R-12MF ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF 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 ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD, LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THIS PLAN AND THE DEVELOPMENT STANDARDS. PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS 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 ORDINANCE. MINOR ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

II. PERMITTED USES

1. THE SITE MAY BE DEVOTED ONLY TO A RESIDENTIAL COMMUNITY CONTAINING A MAXIMUM OF THREE-HUNDRED AND EIGHTY (380) MULTI-FAMILY RESIDENTIAL DWELLING UNITS, AND ANY INCIDENTAL AND ACCESSORY USES RELATING THERETO THAT ARE PERMITTED IN THE R-12MF ZONING DISTRICT (THERE SHALL BE A MAXIMUM OF EIGHTEEN (18) PRIMARY BUILDINGS ON THE SITE (EXCLUDING ACCESSORY BUILDINGS SUCH AS MAINTENANCE BUILDINGS).

III. TRANSPORTATION & STREETSCAPE

1. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND AS REQUIRED FOR APPROVAL BY THE NORTH CAROLINA/CHARLOTTE DEPARTMENT OF TRANSPORTATION, AS APPLICABLE (NCDOT/CDOT).
2. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY INTERNAL PUBLIC AND/OR PRIVATE STREETS, AND MINOR ADJUSTMENTS TO THE LOCATION OF THESE STREETS SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS IN COORDINATION WITH NCDOT/CDOT.
3. PETITIONER SHALL PROVIDE A MINIMUM TWELVE (12) FOOT WIDE MULT-USE PATH AND A MINIMUM EIGHT (8) FOOT WIDE PLANTING STRIP, WHICH MAY MEANDER ALONG THE SITE'S FRONTAGE OF NORTH TRYON STREET AND THE PROPOSED CALDWELL ROAD EXTENSION AND A MINIMUM OF EIGHT (8) FOOT WIDE PLANTING STRIP AND SIX (6) FOOT WIDE SIDEWALK ALONG ALL INTERNAL PUBLIC STREET, WITH ACCESSIBLE CURB RAMPS PROVIDED AT EVERY INTERSECTION PER PROWAG AND ADA LAW.
4. PETITIONER SHALL CONSTRUCT A LEFTOVER AT THE SITE'S N TRYON STREET ACCESS POINT AND A U-TURN BULB AT THE HUDSPETH ROAD INTERSECTION NORTH OF THE SITE'S ACCESS POINT, ALONG WITH ANY WIDENING TO CONSTRUCT AN APPROPRIATE LEFTOVER DESIGN. U-TURN BULB DIMENSIONS SHALL BE DETERMINED TO FIT INSIDE THE EXISTING RIGHT-OF-WAY AND THE PETITIONER SHALL NOT BE REQUIRED TO ACQUIRE ADDITIONAL RIGHT-OF-WAY FOR THE INSTALLATION OF THE U-TURN BULB. IF THE U-TURN BULB CONSTRUCTION AND WIDENING CANNOT REASONABLY BE ACCOMPLISHED BY THE PETITIONER DUE TO HARDSHIPS OUTSIDE OF THE CONTROL OF THE PETITIONER, A COMPARABLE ALTERNATIVE IMPROVEMENT MAY BE PROPOSED BY THE PETITIONER / NCDOT / CDOT, AND APPROVED THROUGH THE ADMINISTRATIVE AMENDMENT PROCESS UPON THE DETERMINATION AND MUTUAL AGREEMENT OF PETITIONER, CDOT, PLANNING STAFF, AND NCDOT
5. PETITIONER SHALL DEDICATE ALL RIGHTS-OF-WAY WHERE NECESSARY, IN FEE SIMPLE CONVEYANCE TO NCDOT/CITY OF CHARLOTTE, AS APPLICABLE, PRIOR TO THE ISSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY, (INCLUDING THE DEDICATION OF 100' RIGHT-OF-WAY FOR THE PROPOSED PUBLIC STREET A / CALDWELL ROAD EXTENSION.
6. THE PETITIONER SHALL ENSURE THAT ALL TRANSPORTATION IMPROVEMENTS ARE SUBSTANTIALLY COMPLETED PRIOR TO THE ISSUANCE OF THE SITE'S FIFTH (5TH) BUILDING CERTIFICATE OF OCCUPANCY.
7. ALL PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCDOT, AS APPLICABLE, TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE BROAD NORTH EASTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

IV. ARCHITECTURAL STANDARDS

1. PREFERRED EXTERIOR BUILDING MATERIALS: ALL PRINCIPAL AND ACCESSORY BUILDINGS ABUTTING A NETWORK REQUIRED PUBLIC OR PRIVATE STREET SHALL COMPRISE A MINIMUM OF 30% OF THAT BUILDING'S ENTIRE FAÇADE FACING SUCH NETWORK STREET USING BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), HARDIPLANK, STUCCO OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.
2. PROHIBITED EXTERIOR BUILDING MATERIALS:
   a. VINYL SIDING (BUT NOT VINYL HAND RAILS, WINDOWS OR DOOR TRIM); AND
   b. CONCRETE MASONRY UNITS NOT ARCHITECTURALLY FINISHED.
3. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:
   a. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FAÇADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE);
   b. PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND ANY NETWORK REQUIRED PUBLIC OR PRIVATE STREET; AND
   c. DRIVEWAYS INTENDED TO SERVE SINGLE UNITS SHALL BE PROHIBITED ON ALL NETWORK REQUIRED STREETS.
4. BUILDING MASSING AND HEIGHT SHALL BE DESIGNED TO BREAK UP LONG MONOLITHIC BUILDING FORMS AS FOLLOWS: BUILDING SIDES GREATER THAN 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/FAÇADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF TEN (10) FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF SIX (6) FEET EXTENDING THROUGH THE BUILDING.
5. ARCHITECTURAL ELEVATION DESIGN - ELEVATIONS SHALL BE DESIGNED TO CREATE VISUAL INTEREST AS FOLLOWS:
   a. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES WHICH MAY INCLUDE BUT NOT BE LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, RECESSES, PILASTERS, BANDING AND CHANGE IN MATERIALS OR COLORS.
   b. BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS. SUCH BASE MAY BE EXECUTED THROUGH USE OF PREFERRED EXTERIOR BUILDING MATERIALS OR ARTICULATED ARCHITECTURAL FAÇADE FEATURES AND COLOR CHANGES.
   c. BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT TO LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.
6. RESIDENTIAL ROOF FORM AND ARTICULATION - ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:
   a. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPS DORMERS OR PARAPETS.
   b. FOR PITCHED ROOFS THE MINIMUM ALLOWED IS 4:12 EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS
   c. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM THE NEAREST STREET.
7. SERVICE AREA SCREENING - SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM VIEW WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN SHALL INCLUDE A MINIMUM 20 PERCENT PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER NOT LESS THAN 10' IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS.
8. THE PETITIONER MAY SUBDIVIDE THE SITE AND CREATE LOTS WITHIN THE SITE WITH NO SIDE OR REAR YARDS AS PART OF A UNIFIED DEVELOPMENT PLAN.

V. PARKS AND AMENITIES

1. THE PETITIONER WILL PROVIDE A MINIMUM 0.5-ACRE AMENITY AREA, AS GENERALLY DEPICTED ON THE REZONING PLAN, TO INCLUDE A MINIMUM OF TWO (2) OF THE FOLLOWING AMENITIES: POOL, CLUBHOUSE, GRILLS, COMMUNITY GARDEN, SEATING AREA, GYM, CABANA, DOG PARK, PICNIC TABLES, BENCHES, AND/OR ENHANCED LANDSCAPING.
2. PETITIONER SHALL DEDICATE AND CONVEY THE APPROXIMATELY 1.1-ACRE AREA LABELED AS "FUTURE NEIGHBORHOOD PARK" TO MECKLENBURG COUNTY, TO BE FURTHER COORDINATED WITH MECKLENBURG COUNTY PARK AND RECREATION DEPARTMENT (MCPR). THIS CONDITION SHALL EXPIRE IF MECKLENBURG COUNTY REFUSES TO ACCEPT THE AREA FOR DEDICATION OR ALTERNATIVE ARRANGEMENTS ARE MUTUALLY AGREED UPON BETWEEN THE PETITIONER AND MCPR.

VI. ENVIRONMENTAL FEATURES

1. THE PETITIONER SHALL COMPLY WITH THE POST CONSTRUCTION STORMWATER ORDINANCE. 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
2. THE PETITIONER SHALL COMPLY WITH THE TREE ORDINANCE.

VII. LIGHTING

1. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE GREATER THAN TWENTY-ONE (21) FEET IN TOTAL HEIGHT (I.E., EXCLUDING DECORATIVE LIGHTING LESS THAN 21' IN HEIGHT THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AS PEDESTRIAN/LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED.

VIII. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS WILL UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

REV	DATE	DESCRIPTION
5	04/01/2022	FINAL REZONING SUBMITTAL COMMENTS
4	02/14/2022	4TH REZONING SUBMITTAL COMMENTS
3	01/17/2022	3RD REZONING SUBMITTAL COMMENTS
2	12/13/2021	2ND REZONING SUBMITTAL COMMENTS
1	11/15/2021	1ST REZONING SUBMITTAL COMMENTS

DESIGNED BY: WSM
DRAWN BY: WSM
REVIEWED BY: AG

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1111 METROPOLITAN AVE, SUITE 250
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www.bgeinc.com
NC LICENSE #C-4397
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Tribute
TRIBUTE COMPANIES, INC
10 S. CARDINAL DRIVE
WILMINGTON, NC 28403

HUDSPETH
12900 N TRYON STREET
CHARLOTTE, NORTH CAROLINA 28262

REZONING PETITION #2021-150
REZONING PLAN AND
TECHNICAL DATA SHEET

NOT FOR CONSTRUCTION

FILE NUMBER: 8327-00

DATE: 06/11/2021

RZ 1-1

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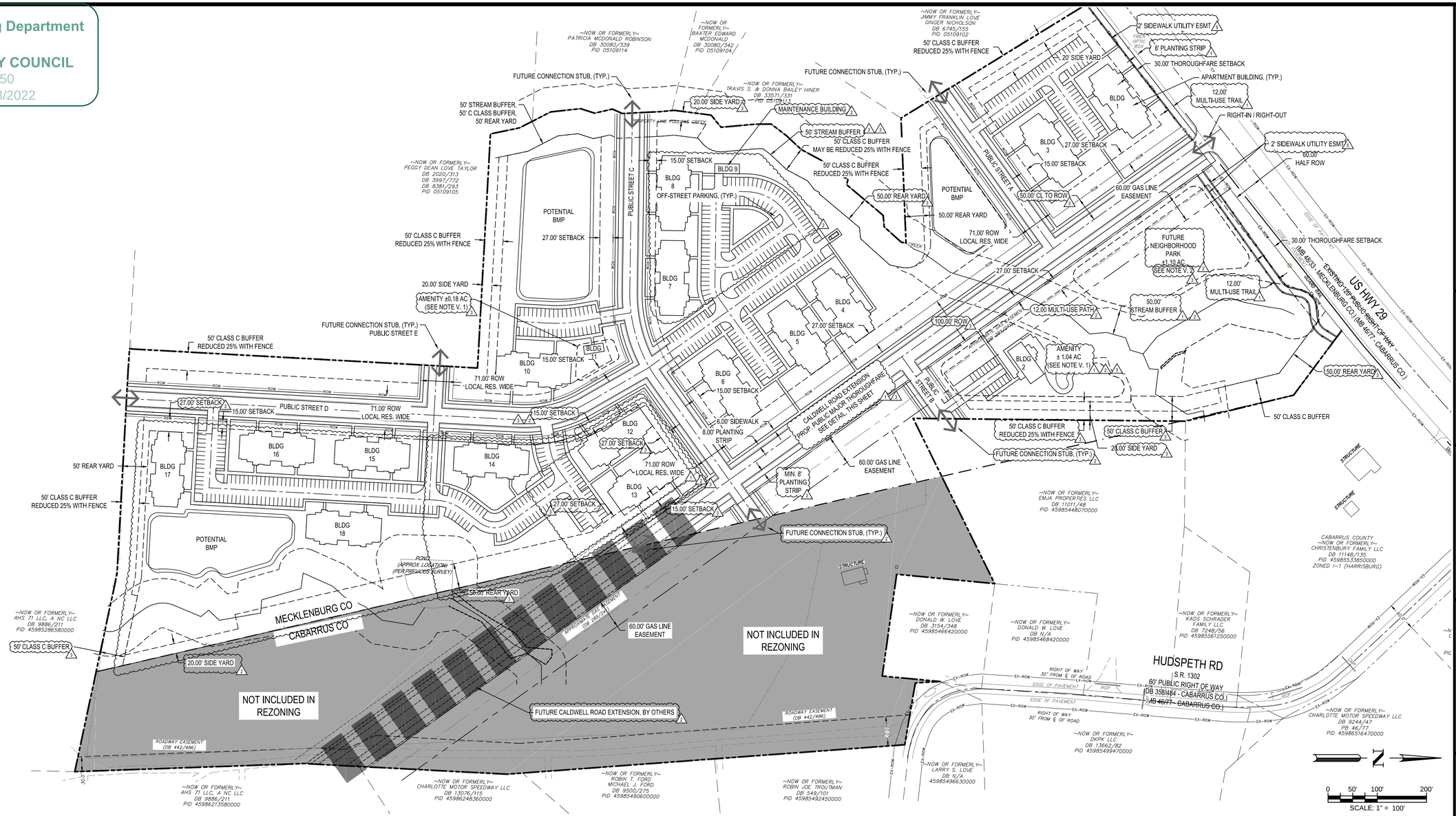
Planning Department
APPROVED BY CITY COUNCIL
RZP-2021-150
Approved: 04/18/2022



SITE DATA

TOTAL ACREAGE:	± 37.04AC
NET ACREAGE:	± 30.98
PARCEL NUMBERS:	05109101, 05109106
SITE ADDRESS:	12900 N TRYON STREET CHARLOTTE, NORTH CAROLINA 28262
WATERSHED:	MALLARD
EXISTING ZONING:	R3 (MECKLENBURG COUNTY)
EXISTING USES:	WOODED/ VACANT
PROPOSED ZONING:	R-12 MF (CHARLOTTE)
PROPOSED USE:	APARTMENTS
PROPOSED UNITS:	UP TO 380 APARTMENT UNITS
BUILDINGS NOT TO EXCEED:	18 BUILDINGS 1, 2

SETBACKS

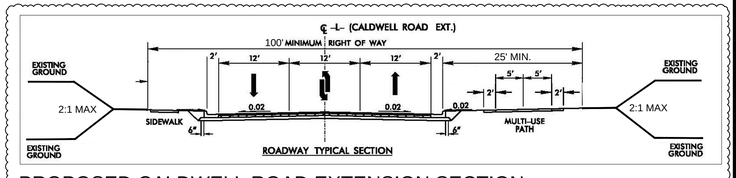
THOROUGHFARE SETBACK:	30' (TRYON, US HWY 29) 1
FRONT SETBACK:	15'/27' PER SECTION 9.303.(19)(F) OF THE ORDINANCE
REAR YARD:	50'
SIDE YARD:	20' 1

TREE SAVE

REQUIRED TREE SAVE AREA:	PER THE ORDINANCE
PROPOSED TREE SAVE AREA:	PER THE ORDINANCE 2

OPEN SPACE

MINIMUM OPEN SPACE REQUIRED:	18.52 ACRES (50%) 2



PROPOSED CALDWELL ROAD EXTENSION SECTION

SCALE: NOT TO SCALE 1, 2

NOTES:

1. PETITIONER SHALL DEDICATE AND CONVEY THE APPROXIMATELY 1.10 ACRE AREA LABELED AS "FUTURE NEIGHBORHOOD PARK" TO MECKLENBURG COUNTY, TO BE FURTHER COORDINATED WITH MECKLENBURG COUNTY PARK AND RECREATION DEPARTMENT (MCPR). THIS CONDITION SHALL EXPIRE IF MECKLENBURG COUNTY REFUSES TO ACCEPT THE AREA FOR DEDICATION OR ALTERNATIVE ARRANGEMENTS ARE MUTUALLY AGREED UPON BETWEEN THE PETITIONER AND MCPR. 1

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CHARLOTTE, NORTH CAROLINA 28262

REZONING PETITION #2021-150
SCHEMATIC SITE PLAN

NOT FOR CONSTRUCTION

FILE NUMBER: 8327-00

DATE: 06/11/2021

RZ 1-2

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