

**Charlotte** Planning Department  
**APPROVED BY CITY COUNCIL**  
 RZP-2023-094  
 Approved: 12/18/2023

VICINITY MAP

**DEVELOPMENT SUMMARY**

TAX PARCEL ID #:	029-301-29, 029-301-30
TOTAL SITE AREA:	3.52 AC (153,331 SF)
EXISTING ZONING:	N1-A
REZONING NUMBER:	N2-A (CD)
EXISTING USE:	SINGLE FAMILY RESIDENTIAL
PROPOSED USE:	MULTI-FAMILY ATTACHED RESIDENTIAL
MAX DENSITY:	UP TO 45 RESIDENTIAL UNITS
SETBACKS:	
FRONT:	24' FROM FB0C
SIDE:	5'
REAR:	20'
VEHICULAR PARKING:	
REQUIRED:	68 SPACES (1.5 PER UNIT)
PROPOSED:	86 SPACES
OPEN SPACE:	
REQUIRED:	11,250 SF (250 SF/UNIT)
PROPOSED:	48,577 SF
GREEN AREA (TREE SAVE):	
REQUIRED:	22,999 SF (15%)
PROPOSED:	24,406 SF (15.9%)

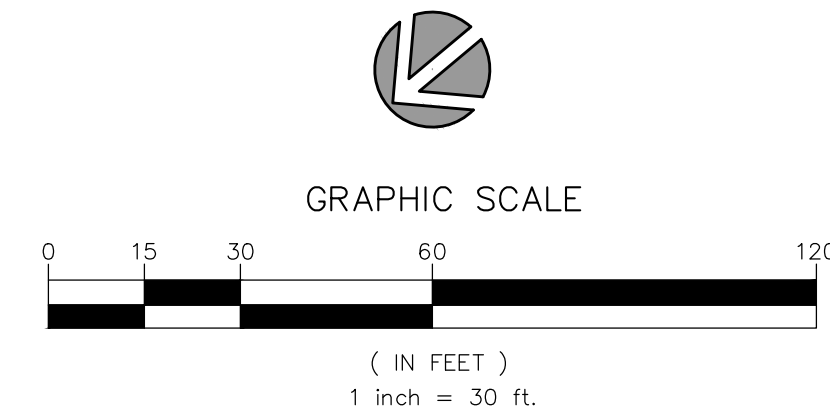
**LEGEND**

- UNDISTURBED TREE SAVE HATCH
- COMMON OPEN SPACE HATCH



- GENERAL PROVISIONS:**
- THESE DEVELOPMENT STANDARDS FORM PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY ROSGATE HOLDINGS, LLC (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A MULTIFAMILY ATTACHED RESIDENTIAL DEVELOPMENT ON AN APPROXIMATE 3.52 ACRE SITE LOCATED ON THE NORTH SIDE OF JOHNSTON OEHLER ROAD, WHICH IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBER 029-301-29 AND 029-301-30.
  - DEVELOPMENT OF THE SITE SHALL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE UNIFIED DEVELOPMENT ORDINANCE (THE "ORDINANCE"), UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE "N2-A" ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE. THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDINGS, PARKING AREAS, OPEN SPACE AND RIGHT-OF-WAY IMPROVEMENTS DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND THEREFORE ARE SUBJECT TO REFINEMENTS AS PART OF THE TOTAL DESIGN PROCESS.
- PERMITTED USES:**
- USES ALLOWED WITHIN THE REZONING AREA INCLUDED IN THIS PETITION ARE THOSE USES THAT ARE PERMITTED WITHIN THE N2-A ZONING DISTRICT INCLUDING UP TO FORTY-FIVE (45) MULTIFAMILY-ATTACHED DWELLING UNITS. HOWEVER, THOSE USES SHALL BE LIMITED AS DESCRIBED WITHIN THE FOLLOWING DEVELOPMENT CONDITIONS AND AS GENERALLY INDICATED WITHIN THIS PETITION.
- TRANSPORTATION:**
- VEHICULAR ACCESS TO PUBLIC RIGHTS OF WAY WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE SITE SHALL PROVIDE ONE (1) TWO-WAY VEHICULAR ACCESS POINTS ALONG JOHNSTON OEHLER ROAD AS DEPICTED ON THE SITE PLAN.
  - ALL TRANSPORTATION IMPROVEMENTS, INCLUDING SIDEWALK AND ACCESSIBLE RAMPS, WITHIN THE PUBLIC RIGHT OF WAY SHALL BE APPROVED AND CONSTRUCTED PRIOR TO THE SITES FIRST CERTIFICATE OF OCCUPANCY BEING ISSUED.
  - 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 NORTHEASTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.
  - THE PETITIONER SHALL DEDICATE AND PROVIDE FEE SIMPLE CONVEYANCE OF ALL RIGHT-OF-WAY TO THE CITY OF CHARLOTTE BEFORE THE SITES FIRST BUILDING CERTIFICATE OF OCCUPANCY BEING ISSUED.
  - THE PETITIONER SHALL DEDICATE A MINIMUM OF 35' OF RIGHT-OF-WAY FROM THE CENTERLINE OF JOHNSTON OEHLER ROAD.
  - A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEM(S) (IRRIGATION SYSTEMS, DECORATIVE CONCRETE PAVEMENT, BRICK PAVERS, ETC.) WITHIN A PROPOSED/EXISTING CITY-MAINTAINED STREET RIGHT-OF-WAY BY A PRIVATE INDIVIDUAL, GROUP, BUSINESS, OR HOMEOWNER'S/BUSINESS ASSOCIATION. AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY CDOT PRIOR TO CONSTRUCTION/INSTALLATION. CONTACT CDOT FOR ADDITIONAL INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS.
  - THE PETITIONER AGREES TO ALIGN THE DRIVEWAY TO THE SITE WITH THE EXISTING RESIDENTIAL DRIVEWAY ON THE SOUTHERN SIDE OF THE ROADWAY.
  - THE PETITIONER SHALL DEDICATE AND CONVEY IN FEE SIMPLE ALL RIGHTS-OF-WAY TO THE CITY BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. CDOT REQUEST RIGHTS-OF-WAY SET AT 2' BEHIND BACK OF SIDEWALK WHERE FEASIBLE.
  - ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. THE PETITIONER MAY PHASE TRANSPORTATION IMPROVEMENTS IF SAID IMPROVEMENTS ARE APPROVED BY CDOT AND EXPLICITLY DESCRIBED IN SITE PLAN NOTES.
- ARCHITECTURAL AND DESIGN STANDARDS:**
- IN ADDITION TO DESIGN PROVISIONS CONTAINED WITHIN THE DISTRICT REGULATIONS OF THE UNIFIED DEVELOPMENT ORDINANCE FOR THE N2-A DISTRICT, THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE FOLLOWING PROVISIONS AND STANDARDS PRODUCED BY THE PETITIONER AND WHICH WILL BE BINDING ON THE DEVELOPMENT OF THE SITE.
  - PROPOSED RESIDENTIAL STRUCTURES CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS UTILIZED WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS SIDING (SUCH AS HARDI-PANEL), EIFS, METAL OR WOOD.
  - VINYL WILL NOT BE USED AS A PRIMARY EXTERIOR BUILDING MATERIAL, BUT MAY BE UTILIZED FOR TRIM, SOFFITS, ARCHITECTURAL DETAILING, AND/OR INSULATION.
  - PETITIONER SHALL PROVIDE BLANK WALL PROVISIONS THAT LIMIT THE MAXIMUM BLANK WALL EXPANSE TO 20 FEET ADJACENT PUBLIC STREETS ON ALL BUILDING LEVELS, INCLUDING BUT NOT LIMITED TO DOORS, WINDOWS, AWNINGS, AND/OR ARCHITECTURAL DESIGN ELEMENTS.
  - RESIDENTIAL UNITS SHALL BE PROVIDED WALKWAYS TO CONNECT TO PUBLIC RIGHTS OF WAY, AS GENERALLY DEPICTED ON THE SITE PLAN.
  - UNITS FRONTING JOHNSTON OEHLER ROAD SHALL PROVIDE ENTRANCES FACING THE STREET WITH A SIDEWALK CONNECTION TO A PUBLIC RIGHT OF WAY. SIDEWALK CONNECTION FROM RESIDENTIAL STRUCTURES TO PUBLIC RIGHT OF WAY MAY BE A SHARED PATH TO PUBLIC RIGHT OF WAY.
  - RESIDENTIAL UNIT FINISHED FLOOR ELEVATIONS SHALL BE ELEVATED A MINIMUM OF 12" AS RELATED TO THE ADJACENT PUBLIC SIDEWALK.
  - BASE MAXIMUM HEIGHT OF RESIDENTIAL BUILDINGS ON SITE SHALL BE MEASURED AT THE REQUIRED SIDE YARD LINE. ADDITIONAL HEIGHT SHALL BE ALLOWABLE AS DESCRIBED BY THE ZONING ORDINANCE BUT TO A MAXIMUM HEIGHT OF 48' MEASURED TO THE PEAK OF THE ROOF.
  - EACH UNIT ON SITE SHALL INCLUDE A ONE-CAR GARAGE AND HALF SHALL PROVIDE A DRIVEWAY PARKING SPACE TO SATISFY THE MINIMUM CITY OF CHARLOTTE PARKING REQUIREMENTS. IN ADDITION, OFF-STREET SURFACE PARKING SHALL BE PROVIDED ON SITE.
  - PETITIONER AGREES TO PROVIDE A USABLE FRONT PORCH OR STOOP WITH A MINIMUM DEPTH OF 6 FEET AND RECESSING GARAGE DOORS A MINIMUM OF 2 FEET AND/OR ADDING TRANSPARENCY TO THE GARAGE DOORS.
  - OPEN SPACE REQUIREMENTS ARE BEING MET ON SITE THROUGH A COMBINATION OF PRIVATE OPEN SPACE LOCATED AT GRADE ON INDIVIDUAL SUB LOTS AND COMMON OPEN SPACE AS GENERALLY DEPICTED ON THE SITE PLAN. FINAL LOCATIONS AND ORIENTATION OF COMMON OPEN SPACE AND AT GRADE PRIVATE OPEN SPACE ON SITE SHALL BE DETERMINED DURING THE PERMITTING PROCESS.
- ENVIRONMENTAL FEATURES:**
- THE PETITIONER SHALL COMPLY WITH THE CITY OF CHARLOTTE POST CONSTRUCTION STORMWATER ORDINANCE.
  - THE SITE SHALL COMPLY WITH ARTICLE 21 OF THE UNIFIED DEVELOPMENT ORDINANCE AND RESERVE AREA, AS GENERALLY DEPICTED ON THE SITE PLAN, TO COMPLY WITH DUMPSTER/COMPACTOR AND RECYCLING CONTAINER PLACEMENT AS REQUIRED.
  - THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE LANDSCAPE, SCREENING, AND TREE PRESERVATION ORDINANCE.
  - THE PETITIONER AGREES TO PROVIDE EVERGREEN LANDSCAPE SCREENING AND A 6' WOOD PRIVACY FENCE ALONG ALL ADJACENT PROPERTY BOUNDARIES AS GENERALLY DEPICTED ON THE SITE PLAN.
  - IF IT IS DETERMINED A TREE TO REMAIN CANNOT BE MAINTAINED DURING CONSTRUCTION, THE PETITIONER AGREES TO WORK WITH URBAN FORESTRY TO LOCATE NEW TREE PLANTINGS ON SITE. NEW TREE PLANTINGS SHALL BE PLANTED AND MITIGATED ON SITE AT A RATE OF 1 CALIPER INCH FOR EVERY 2 CALIPER INCHES OF EXISTING TREES REMOVED.
  - NO BUILDINGS OR STRUCTURES ARE PERMITTED OVER OR ACROSS EXISTING STORMWATER DETENTION EASEMENTS AS GENERALLY SHOWN ON THE REZONING PLAN.
  - 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 TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
- SIGNAGE:**
- THE PETITIONER SHALL COMPLY WITH ARTICLE 22 OF THE UNIFIED DEVELOPMENT ORDINANCE.
- LIGHTING:**
- ALL EXTERIOR LIGHTING SHALL COMPLY WITH ARTICLES A, B, AND C OF CHAPTER 16.2 OF THE UNIFIED DEVELOPMENT ORDINANCE.
- AMENDMENTS TO REZONING PLAN:**
- FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET OR 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 ARTICLE 37 OF THE ORDINANCE.
- BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS:**
- 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.
  - 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 #2023-094**



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**PRELIMINARY DRAWING**  
 FOR REVIEW PURPOSES ONLY

Rosegate Holdings, LLC  
 4607 Bonner Drive  
 Matthews, NC 28104

**4000 Johnston Oehler Road**  
 Rezoning Site Plan  
 4000 Johnston Oehler Rd Charlotte, NC 28269

NO.	DATE:	BY:	REVISIONS:
01	10.16.2023	UDP	REZONING REVISION 1
02	11.16.2023	UDP	REZONING REVISION 2

Project No: 22-CLT-176  
 Date: 06.15.2023  
 Designed By: UDP  
 Checked By: UDP  
 Sheet No:

**RZ-1.0**