

VICINITY MAP
NTS

APPROVED BY
CITY COUNCIL
DEC 17 2018

SITE DEVELOPMENT DATA

Site Acreage: 18.8 acres +/-
 Tax Parcels: 223-531-05 and 223-531-06
 Existing Zoning: R-3
 Proposed Zoning: UR-2 (CD)
 Existing Uses: Single-family/Vacant
 Proposed Uses: Multi-family Dwelling Units together with accessory structures and uses as allowed in the UR-2 Zoning District
 Maximum Dwelling Units: 281
 Maximum Density: 14.94 DUA
 Maximum Building Height: As allowed by Ordinance, but not to exceed 75 feet and four stories
 Maximum/Minimum Parking: Maximum 2 spaces per unit / Minimum 1.5 spaces per unit
 Minimum Open Space: 34%

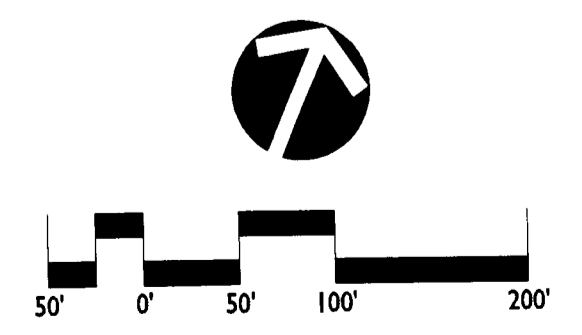
ADJACENT PROPERTY OWNER

1	R-3 MF (CD) 22314301 WILLIAM PATRICK KERNS C/O SUNSHINE HOUSE 1801 BYPASS 72 NE GREENWOOD, SC 29649	12	NS 22309125 PIEDMONT COMPANIES INC. 2967 E MAIN ST. LINCOLNTON, NC 28092	23	MX-2 (INNOV) 22309705 JOHN C BOTTOMS AND DIANE L BOTTOMS 11719 ROYAL CASTLE CT. CHARLOTTE, NC 28277
2	R-4 22314283 KENL WORTHAMBERLEIGH OWNERS AND ASSOCIATION PO BOX 472029 CHARLOTTE, NC 28247	13	MX-2 (INNOV) 22309714 INC KINGSLEY HOMEOWNERS ASSOC PO BOX 11906 CHARLOTTE, NC 28220	24	MX-2 (INNOV) 22309704 SARAH B RHYNE 11715 ROYAL CASTLE CT. CHARLOTTE, NC 28277
3	R-4 22314286 JAMES A III MORSE AND ERICKA L MORSE 15647 DONNINGTON DR. CHARLOTTE, NC 28277	14	MX-2 (INNOV) 22309799 KINGSLEY HOMEOWNERS ASSOC 141 SCALEYBARK RD CHARLOTTE, NC 28209	25	MX-2 (INNOV) 22309703 BARDY E MARTIN AND CATHERINE S MARTIN 11711 ROYAL CASTLE CT. CHARLOTTE, NC 28277
4	R-3 22327168 DALE D CARPENTER 16017 MARVIN RD. CHARLOTTE, NC 28277	15	MX-2 (INNOV) 22309713 JILL CARROLL SANDROCK 11821 ROYAL CASTLE CT. CHARLOTTE, NC 28277	26	MX-2 (INNOV) 22309702 JASON B DARDEN AND LESLIE T DARDEN 11707 ROYAL CASTLE CT. CHARLOTTE, NC 28277
5	R-3 22327195 JOHN R JR HAYES AND MARY L HAYES 16014 MARVIN RD. CHARLOTTE, NC 28277	16	MX-2 (INNOV) 22309712 POLLY HUNT AND RYAN WARSHAWSKY 11813 ROYAL CASTLE CT. CHARLOTTE, NC 28277	27	MX-2 (INNOV) 22309701 BRIAN GASIOROWSKI AND MICHELLE Y GASIOROWSKI 11703 ROYAL CASTLE CT. CHARLOTTE, NC 28277
6	R-3 22327183 DAVID L MYERS AND LEIGH S MYERS 16201 MARVIN RD. CHARLOTTE, NC 28277	17	MX-2 (INNOV) 22309711 NEAL T SAUNDERS 11809 ROYAL CASTLE CT. CHARLOTTE, NC 28277	28	MX-2 (INNOV) 22309799 KINGSLEY HOMEOWNERS ASSOC 141 SCALEYBARK RD. CHARLOTTE, NC 28209
7	R-3 22353107 ROLLIN G GRAM AND WENDY G GRAM 16204 MARVIN RD. CHARLOTTE, NC 28277	18	MX-2 (INNOV) 22309710 JOSEPH R GREGORY AND LIAN GREGORY 11821 ROYAL CASTLE CT. CHARLOTTE, NC 28277	29	MX-2 (INNOV) 22309700 KINGSLEY HOMEOWNERS ASSOC W TRADE ST SUITE 800 CHARLOTTE, NC 28202
8	R-3 22353108 KENNETH C HAMMOND AND DENISE H HAMMOND 16202 MARVIN RD. CHARLOTTE, NC 28277	19	MX-2 (INNOV) 22309709 DAVID E HAGEY AND JENNIFER L COLE-HAGEY 11801 ROYAL CASTLE CT. CHARLOTTE, NC 28277	30	INST 22313217 GRACE CHRISTIAN CENTER INC. PO BOX 49208 CHARLOTTE, NC 28277-0075
9	R-3 22353109 ASHLEY REA BOLICK AND BRETT A BOLICK 2022 HARTWICKE PL CHARLOTTE, NC 28270	20	MX-2 (INNOV) 22309708 ENRIQUE AND PEREX AND GLADYS GINEZ 5248 NORTH EAST 6TH AVE. APT 502 FT. LAUDERDALE, FL 33334		
10	B-1 (CD) 22353103 RICHFAIR HUNTERS CROSSING LLC AND FERNOCROFT HUNTERS CROSSING LLC 500 EAST BLVD. CHARLOTTE, NC 28203	21	MX-2 (INNOV) 22309707 YOSEPH RAMET AND KIMENYA A RAMET 11729 ROYAL CASTLE CT. CHARLOTTE, NC 28277		
11	R-3 22353119 SUZANNE C LOCKETT FT BANK OF AMERICA 150 N. COLLEGE ST. NC-1028-29-03. CHARLOTTE, NC 28255	22	MX-2 (INNOV) 22309706 RODERICK LILLY AND AALECE O RUGHLILLY 11723 ROYAL CASTLE CT. CHARLOTTE, NC 28277		

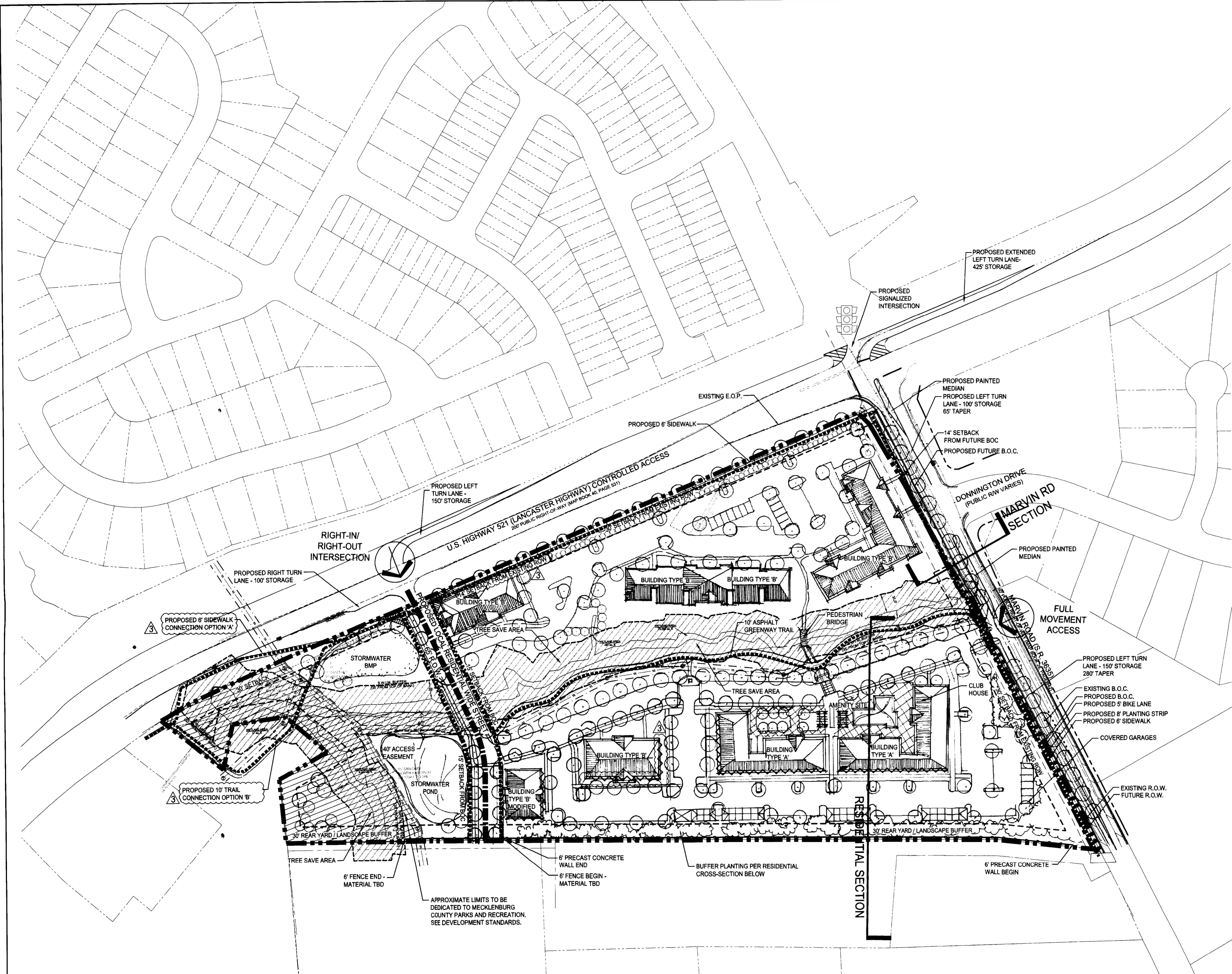
LEGEND
 - - - - - SITE BOUNDARY
 - - - - - PROPOSED INTERIOR STREET
 - - - - - SETBACK / REAR YARD
 ~~~~~ EXISTING TREES

2012-085

NOV 19 2012



REVISIONS  
 1) 09.14.12: CMPD COMMENTS  
 2) 10.15.12: O.C. PROPERTY, CAMP & CDOT  
 3) 11.16.12: CMPD COMMENTS

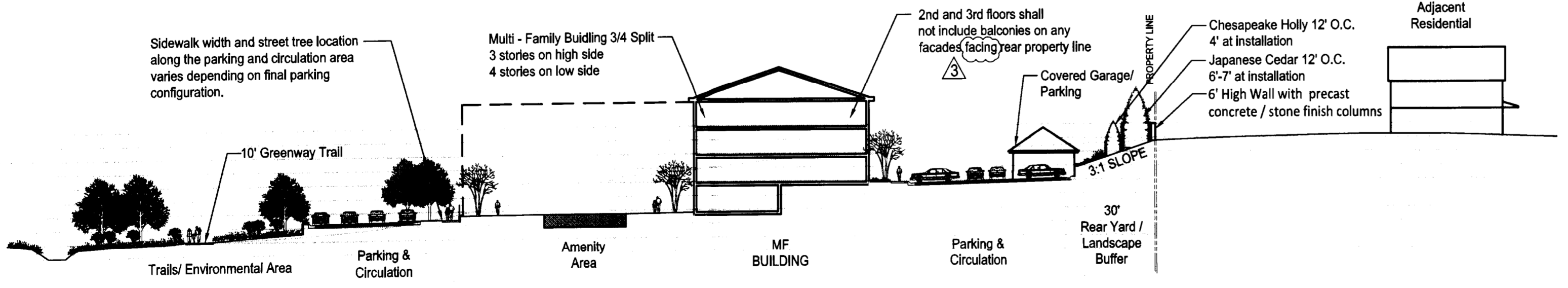
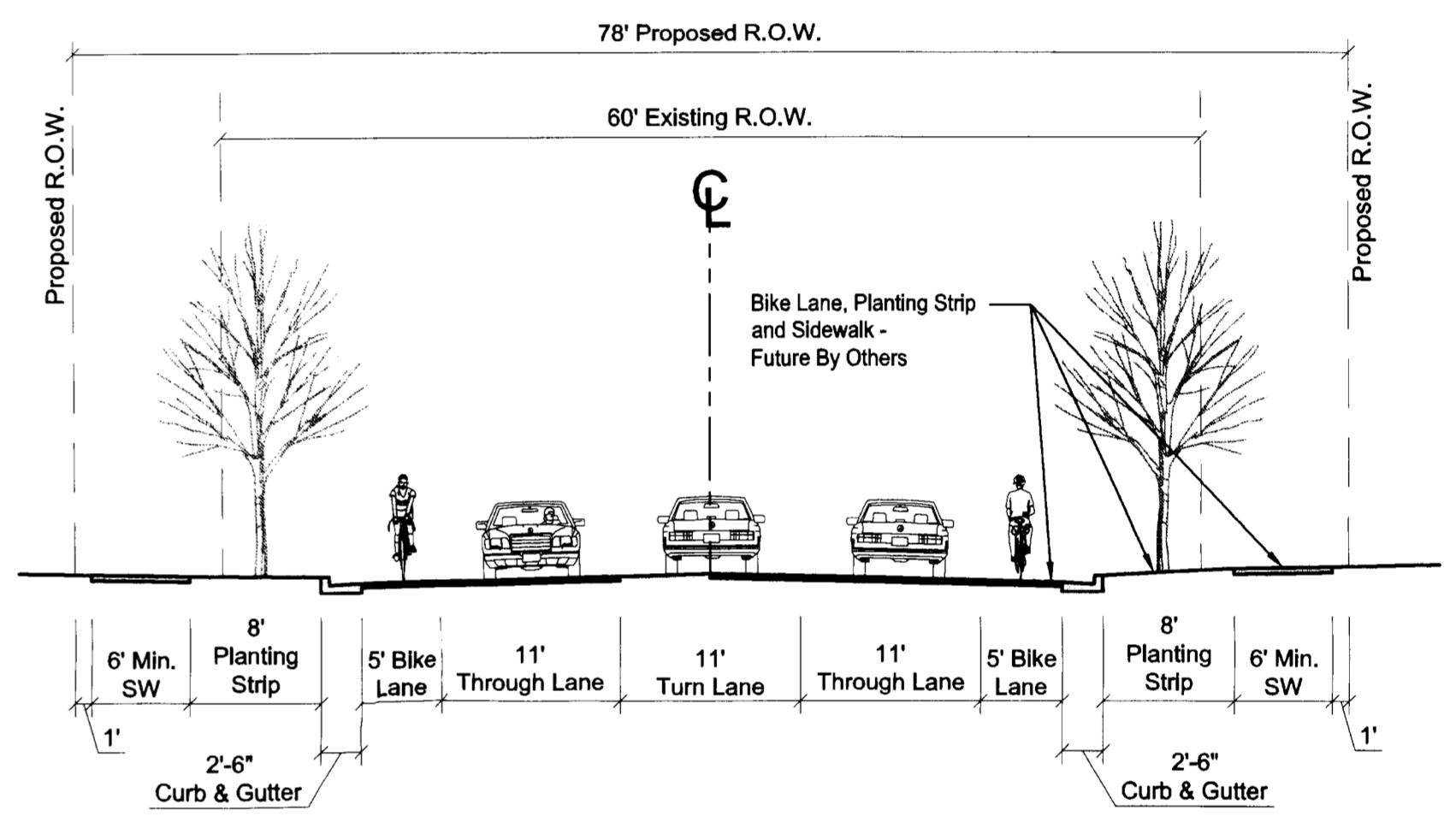


VICINITY MAP  
NTS

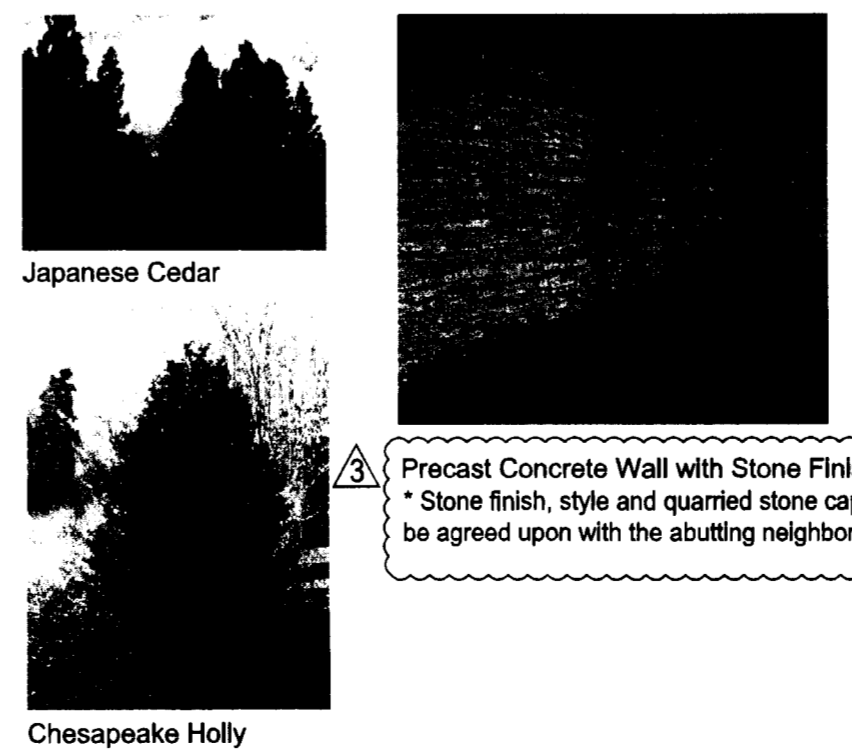
APPROVED BY  
CITY COUNCIL

DEC 17 2013

PROPOSED MARVIN ROAD SECTION

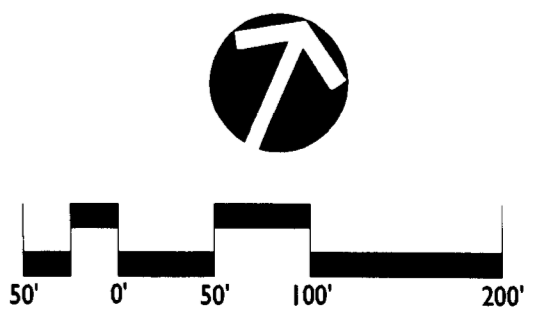


RESIDENTIAL SECTION



LEGEND

- ..... PEDESTRIAN CONNECTIONS
- SITE BOUNDARY
- PROPOSED INTERIOR STREET
- SETBACK / REAR YARD
- 2ND / 3RD FLOOR - NO BALCONIES



REVISIONS:  
1) 09.14.12, CMPD COMMENTS  
2) 10.05.12, ADJ. PROPERTY, OMPD & CDOT  
COMMENTS  
3) 11.16.12, CMPD COMMENTS

DATE: JULY 23, 2012  
DESIGNED BY: MRC  
DRAWN BY: KJK  
C.C. BY: MRC  
SCALE: 1"=100'  
PROJECT #1011302

DEVELOPMENT STANDARDS

SITE DATA TABLE

Site Acreage: 18.8 acres +/-
Tax Parcels: 223-531-05 and 223-531-06
Existing Zoning: R-3
Proposed Zoning: UR-2 (CD)
Existing Uses: Single-family/Vacant
Proposed Uses: Multi-family Dwelling Units together with accessory structures and uses as allowed in the UR-2 Zoning District

Maximum Dwelling Units: 281
Maximum Density: 14.94 DUA
Maximum Building Height: As allowed by Ordinance, but not to exceed 75 feet and four stories
Parking: Max. 2 spaces per unit/ Min. 1.5 spaces per unit
Minimum Open Space: 34%

DEVELOPMENT STANDARDS

General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Childress Klein Properties, to rezone an approximately 18.8 acre site located at the southeastern quadrant of the intersection of Johnston Road (US 521) and Marvin Road (the "Site").

The purpose of this Petition is to request rezoning of the Site to the UR-2(CD) Zoning District in order to accommodate the construction of up to 281 Multi-family Dwelling units. UR-2 Zoning will enable the Petitioner to develop the Site in a manner that will preserve and emphasize the Site's unique environmental features, create a harmonious transition between the project and the adjoining properties to the south, and provide significant traffic improvements not only for the project but for the intersection between Johnston Road and Marvin Road as well which will benefit the surrounding community.

Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 Zoning District shall govern all development taking place on the Site.

The development depicted on the Schematic Site Plan is intended to reflect the arrangement of proposed uses on the Site, but the final configurations, placements and sizes of individual Site elements may be altered or modified so long as the maximum building envelope lines and intensity limitations established on the Technical Data Sheet are not violated and the proposed alterations or modifications do not exceed the parameters established under these Development Standards and under the Ordinance for the UR-2 Zoning District. However, any alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the Technical Data Sheet or its respective conditions as well as any changes 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.

1. Permitted Uses

The Site may be developed with up to 281 Multi-Family Dwelling Units together with accessory structures and uses allowed in the UR-2 Zoning District.

2. Transportation

All transportation improvements described in this section shall be implemented prior to the issuance of the first certificate of occupancy for a building on the Site.

- (a) Vehicular access to the Site will be provided from both Marvin Road and Johnston Road, as generally depicted on the Technical Data Sheet.
(b) Petitioner shall cause the installation of a partial traffic signal at the intersection of Johnston Road and Marvin Road which provides signaling for phasing to allow protected and permitted turning movements for southbound left turns from Johnston Road and northbound right turns from Marvin Road.
(c) Petitioner shall cause the existing southbound left-turn lane on Johnston road to be extended in order to provide 425 feet of total storage.
(d) Petitioner shall cause construction of a southbound directional crossover with a minimum of 150 feet of storage on Johnston Road to provide left-over access to the Site's access point to Johnston Road.
(e) Petitioner shall cause the construction of a northbound right-turn lane on Johnston Road that will provide a minimum of 100 feet of storage to serve the Site's access point to Johnston Road.
(f) Petitioner shall construct a new public street that meets the Residential Wide standards of the Urban Street Design Guidelines extending from Johnston Road in a southeasterly direction to the Site's boundary with Mecklenburg County Tax Parcel 223-531-09 as generally depicted on the Technical Data Sheet.
(g) Petitioner shall cause the installation of an eastbound left turn lane on Marvin Road with 100 feet of storage and 65 feet of taper to serve Donnington Drive.
(h) Petitioner shall cause the portion of Marvin Road between Johnston Road and the Site's access point to Marvin Road to be widened to a three-lane section.
(i) Petitioner shall cause the construction of a westbound left-turn lane on Marvin Road to serve the Site's access point to Marvin Road with 150 feet of storage and 280 feet of taper.
(j) Petitioner shall install a 6 foot sidewalk and 8 foot planting strip along Site's Marvin Road frontage. Petitioner shall dedicate additional right-of-way necessary to accommodate the planting strip and sidewalk.

(k) Petitioner shall install a 6 foot sidewalk and 8 foot planting strip along the Site's Johnston Road frontage extending from Marvin Road south to the new public street connection to Johnston Road.
(l) Petitioner shall work the City Staff to ensure compliance with the Subdivision Ordinance and will provide a pedestrian connection from the southern boundary of the new public street connection to Johnston Road to the existing sidewalk on Mecklenburg County Tax Parcel 223-531-03. Approval of this connection as well as requirements for signage, lighting, maintenance and confirmation of appropriate easements will be handled through the Subdivision review process. Petitioner shall have the option of providing this connection via a CDOT compliant sidewalk connection along the right-of-way of Johnston Road or via a Mecklenburg County Parks and Recreation Department compliant greenway trail, both options as generally depicted on the Schematic Site Plan. In the event that the Petitioner chooses to provide the connection via a greenway trail, such trail shall dedicated to and owned by Mecklenburg County Parks and Recreation Department, however Petitioner shall be responsible for maintaining said greenway trail until the Clem's Creek Greenway is developed by Mecklenburg County or until January 1, 2033, whichever occurs first. The pedestrian connection and related improvements shall be installed prior to the issuance of the first certificate of occupancy for a building on the Site. The placements and configurations of all proposed vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation ("CDOT"), and the North Carolina Department of Transportation (NCDOT), whichever may be applicable, as including alterations to accommodate any right of way needs and/or construction easements.

3. Architectural Standards

- (a) The Conceptual Schematic Architectural Renderings which accompany these Development Standards are intended to depict the general conceptual architectural style, character and elements of the buildings proposed to be constructed on the Site. Accordingly, any building constructed on the Site must be substantially similar in appearance to the relevant attached Conceptual Schematic Architectural Renderings in terms of its architectural style, character and elements. Changes and alterations which do not materially change the overall conceptual architectural style and character are permitted based upon final design/construction drawings.
(b) The primary exterior building materials for the multi-family dwellings to be constructed on the Site shall be a combination of brick, stone, precast stone, precast concrete, synthetic stone, wood, shake, hardi-plank, or cementitious siding material. Vinyl siding shall not be permitted as an exterior building material. However, vinyl elements may be used as architectural accent materials.
(c) At least 20% of the exterior of each building, exclusive of windows, doors and roofs, will be constructed of masonry materials, including but not limited to brick, stone, precast stone, synthetic stone, or precast concrete.
(d) Petitioner may construct garage structures as generally depicted on the Schematic Site Plan. The garage structures will reflect the architectural style and quality of the buildings constructed on the Site.
(e) With regard to buildings to be constructed within the area currently designated as Mecklenburg County Tax Parcel 223-531-06, second and third floor units that face Mecklenburg County Tax Parcel 223-531-08 shall incorporate sunrooms in lieu of balconies. Facades subject to these provisions are highlighted on sheet RZ-2.

4. Streetscape and Landscaping

- (a) A 30 foot-wide landscaping buffer shall installed and maintained along the Site's boundaries with Mecklenburg County Tax Parcels 223-531-08 and 223-531-09, all as generally depicted on RZ-2. At a minimum, the combination of existing vegetation and new vegetation to be planted within this buffer will meet or exceed the planting requirements for a Class B buffer.
(b) Within the portion of the landscaping buffer that abuts Mecklenburg County Tax Parcel 223-531-08 and extending south to the northern boundary of the new public street extending from Johnston Road to Mecklenburg County Tax Parcel 223-531-09, the Petitioner shall install and maintain Chesapeake Holly trees and Japanese Cedars planted twelve feet on center. Chesapeake Hollies shall measure at least four feet in height at the time of installation. Japanese Cedars shall measure at least six feet in height at the time of installation. An illustration of the buffer plan is shown on the Schematic Site Plan.
(c) The Petitioner shall install and maintain a six-foot high, engineered precast wall, using materials similar to a Carolina Wall Crest, along the property line between the Site and Mecklenburg County Tax Parcel 223-531-08. Stone finish, style and quarried stone caps to be agreed upon with the abutting neighbor. This wall shall extend from the southern boundary of the right-way-of Marvin Road to the northern boundary of the new public street extending from Johnston Road to Mecklenburg County Tax Parcel 223-531-09, as generally depicted on RZ-2.
(d) The Petitioner shall install and maintain a six-foot high solid wood privacy fence at the end of the above precast wall and continue along the property edge to the SWIM buffer abutting Mecklenburg County Tax Parcel 223-531-09, as generally depicted on RZ-2.
(e) Petitioner shall provide eight foot planting strips and six foot sidewalks along all public streets.
(f) Petitioner shall provide a five foot wide sidewalk and cross-walk network that links the buildings on the Site with one another and links each building to a sidewalk along a adjoining street.
(g) Petitioner shall provide a 10-foot asphalt greenway-style pedestrian corridor running through the Site along the S.W.I.M buffer area as generally depicted on the Schematic Site Plan. This trail will be built to Mecklenburg County Park and Recreation Department standards but will be privately owned, maintained and controlled.
(h) Petitioner shall provide a pedestrian bridge connection across the creek as generally depicted on the Schematic Site Plan.
(i) An amenity area shall be provided in the location generally shown on the Schematic Site Plan. Amenities shall include a swimming pool, seating areas and landscaping.
(j) Meter boxes and back flow preventors will be screened.
(k) All other screening and landscaping shall conform to the standards of the Ordinance.

5. Environmental Features

- (a) The Site shall comply with the requirements of the Post Construction Controls 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 submitted 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.
(b) No vertical development shall take place south of the proposed public street extending from Johnston Road to Mecklenburg County Tax Parcel 223-531-09.

6. Parks, Greenways and Open Space

- (a) Tree save areas equaling at least 15% of the area of the Site shall be provided.
(b) Prior to the issuance of the final certificate of occupancy for buildings on the Site, the Petitioner shall convey a portion of the Site to the Mecklenburg County Park and Recreation Department for use as a greenway. The area to be dedicated is generally depicted on the Technical Data Sheet, however the exact parameters of the dedication shall be determined by the Petitioner based on the final BMP and grading design.

7. Signage

- (a) Signage shall comply with the requirements of the Ordinance.

8. Lighting

- (a) The maximum height of any detached lighting fixtures erected on the Site shall not exceed twenty five (25) feet in height.
(b) All freestanding lighting fixtures installed within the Site shall be shielded with full cut-off fixtures, capped and downwardly directed. However, low-level decorative lighting may be installed along driveways, sidewalks and parking areas.
(c) Wall-pak lighting will be prohibited throughout the Site.

9. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet, other sheets accompanying the Petition and these Development Standards may be applied for by the then Owner or Owners in accordance with the provisions of Chapter 6 of the Ordinance.

10. Binding Effect of the Rezoning Documents and Definitions

- (a) If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and 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.
(b) 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 the Site from time to time who may be involved in any future development thereof.
(c) Any reference to any City of Charlotte Ordinances or Policies herein shall be deemed to refer to the requirements of the Ordinance or Policy in effect as of the date this Rezoning Petition is approved.

APPROVED BY CITY COUNCIL

DEC 17 2013



JOHNSTON ROAD Development Standards CHILDRESS KLEIN

REZONING PETITION NO. 2012-085

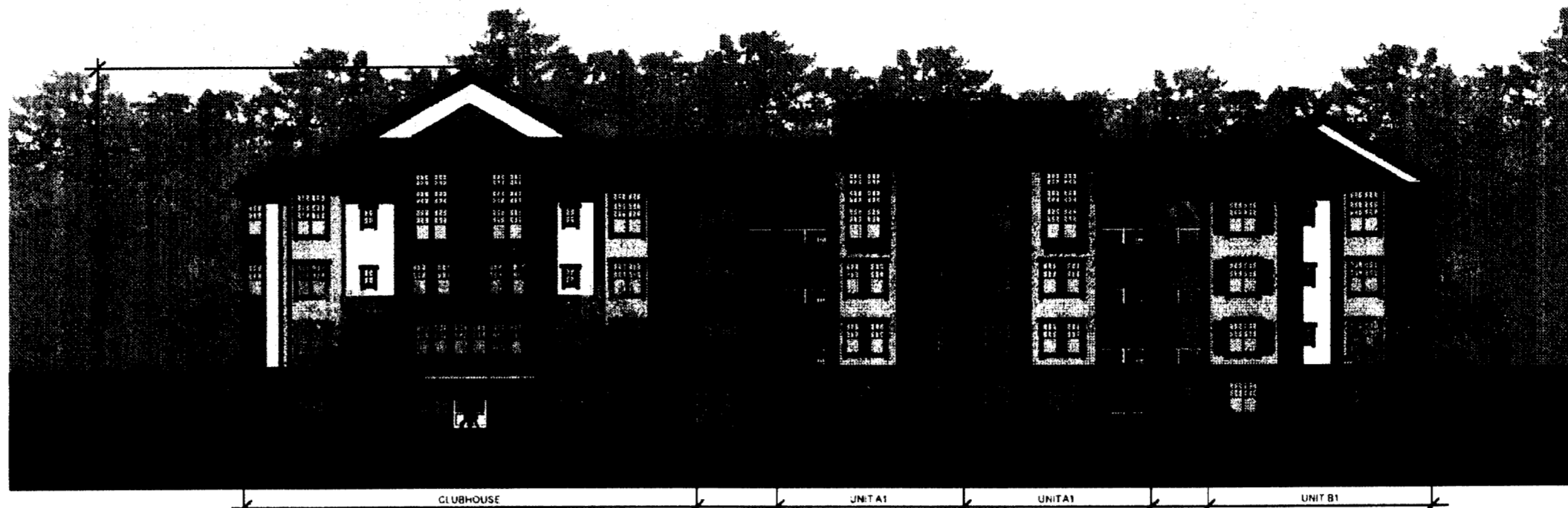
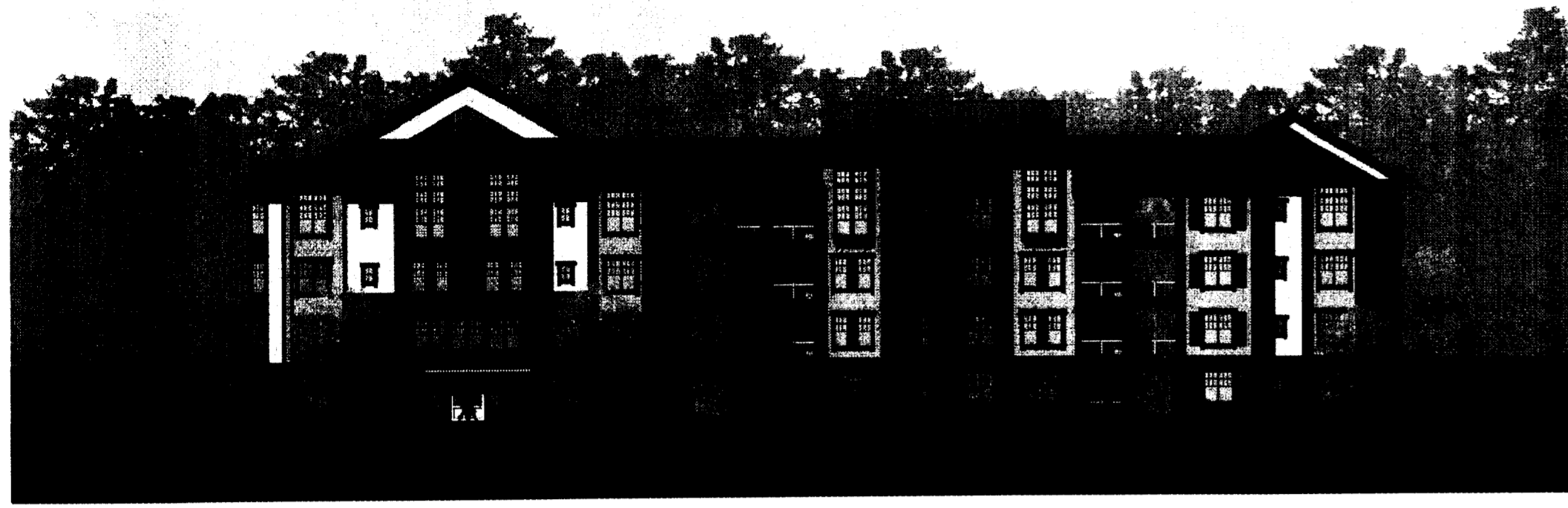
REVISIONS: 1) 08-14-12\_CMPD COMMENTS 2) 10-05-12\_ADJ. PROPERTY, CMPD & CDOT 3) 11-16-12\_CMPD COMMENTS

DATE: JULY 23, 2012 DESIGNED BY: MRC CHECKED BY: MRC C.C. BY: MRC SCALE: 1"=100' PROJECT #1011302 SHEET #:

RZ-3

LandDesign

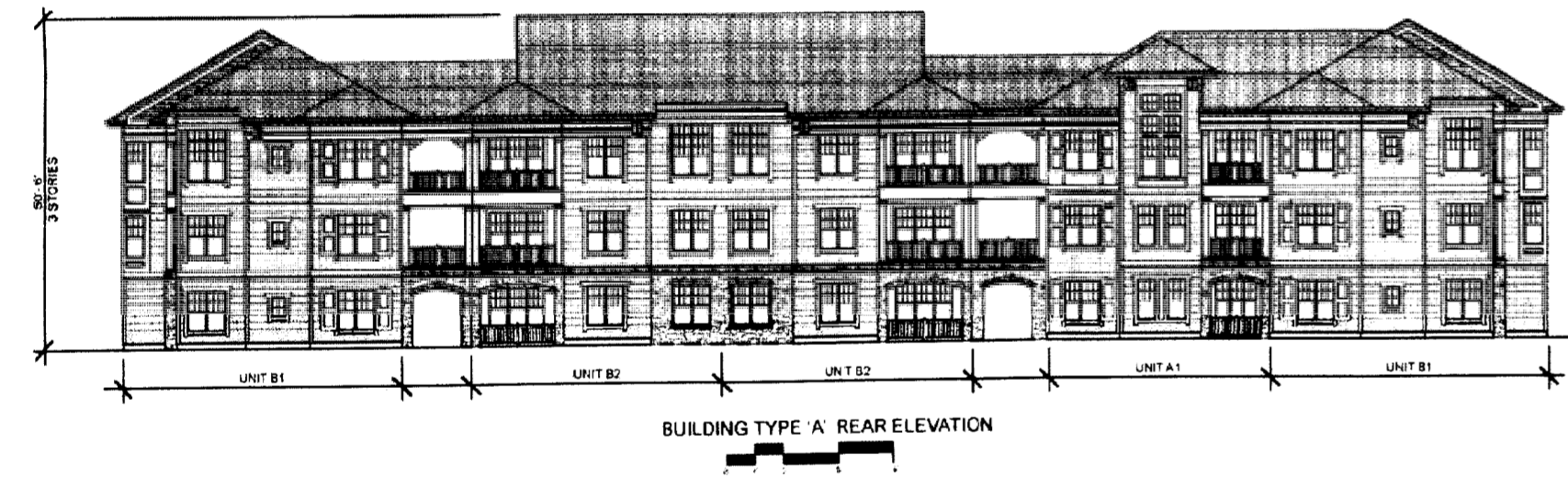
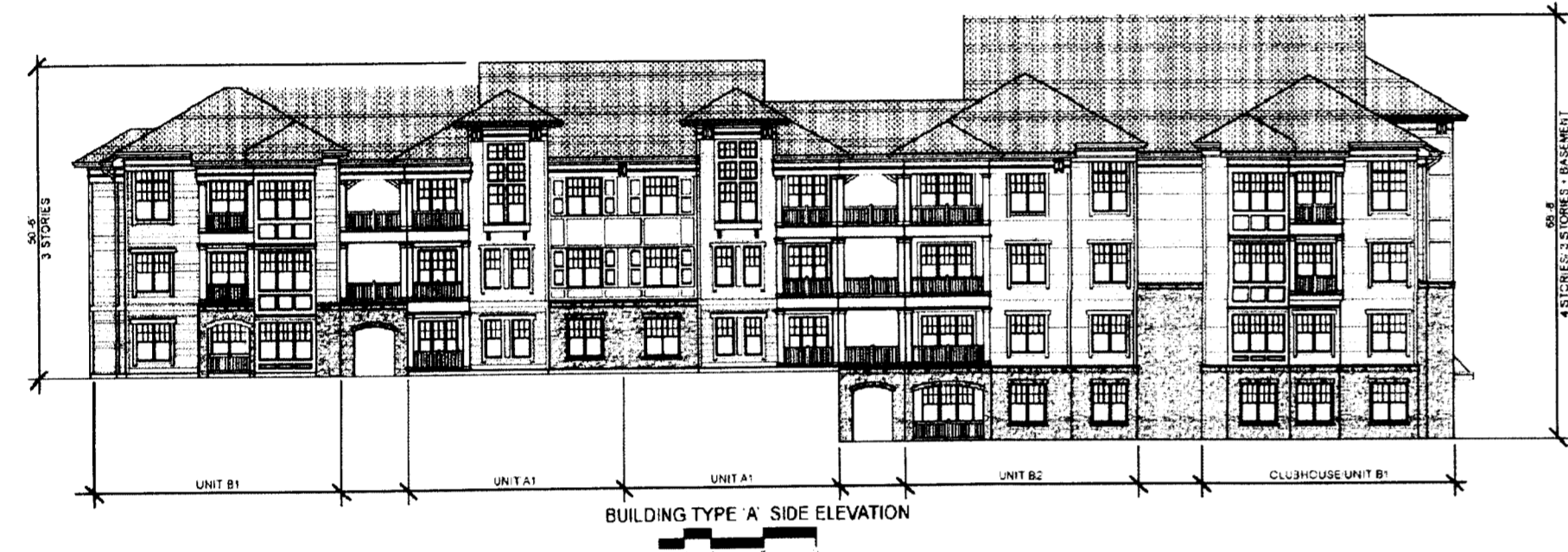
223 N Graham Street Charlotte, NC 28202 V: 704.333.0325 F: 704.331.3246 www.LandDesign.com NC License# C0658



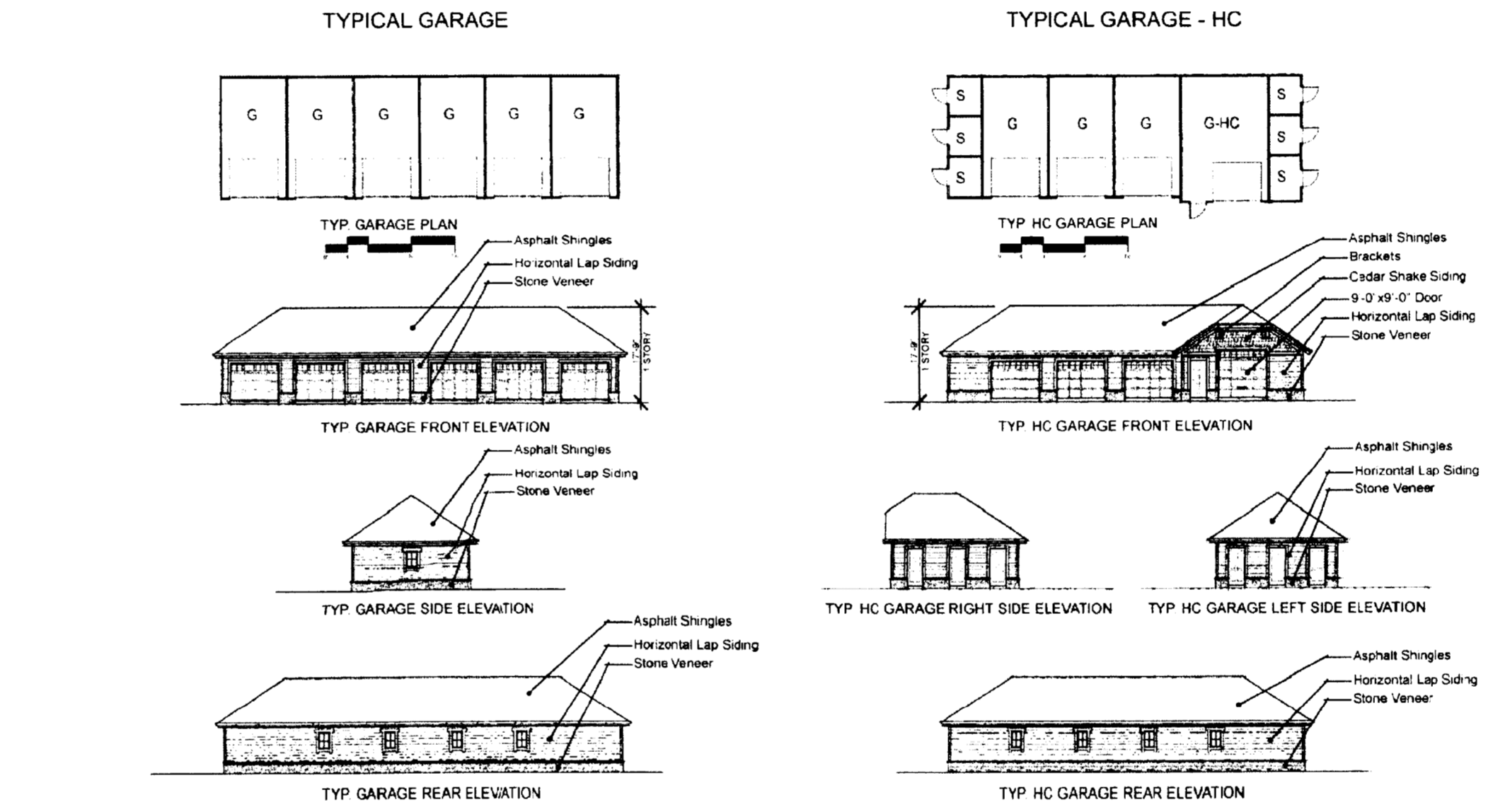
APPROVED BY  
CITY COUNCIL  
DEC 17 2013

**CLINE DESIGN** BUILDING TYPE 'A'  
October 16, 2012

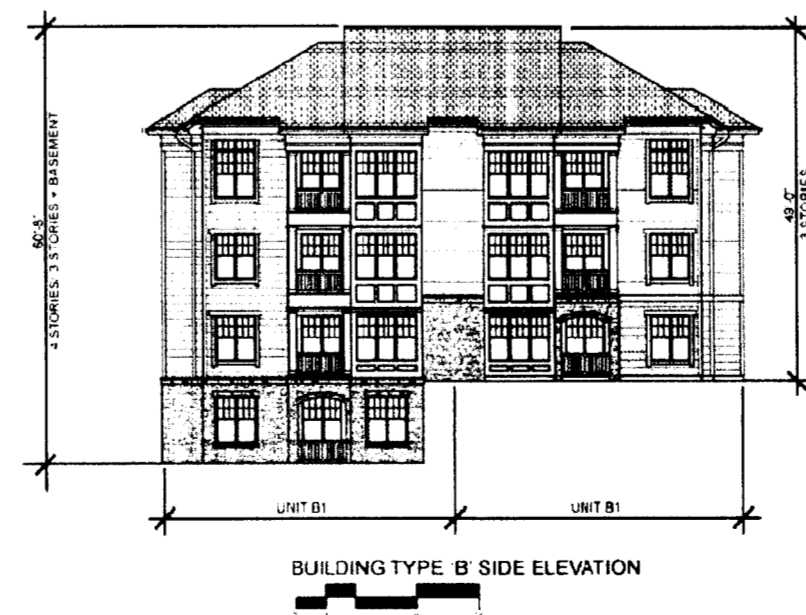
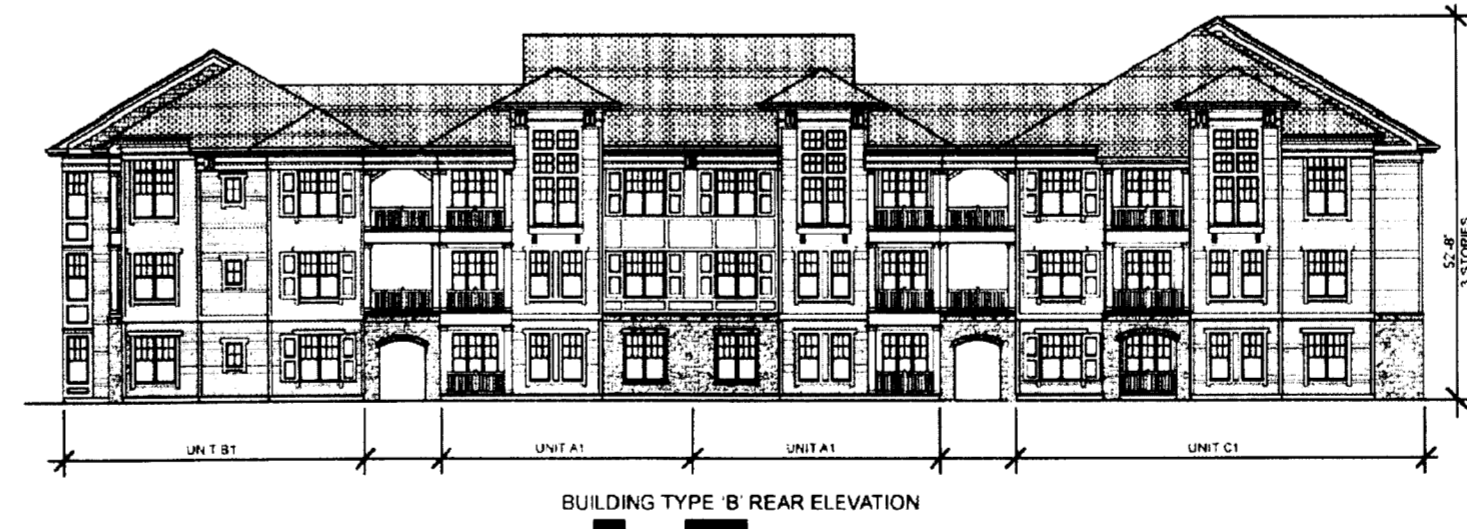
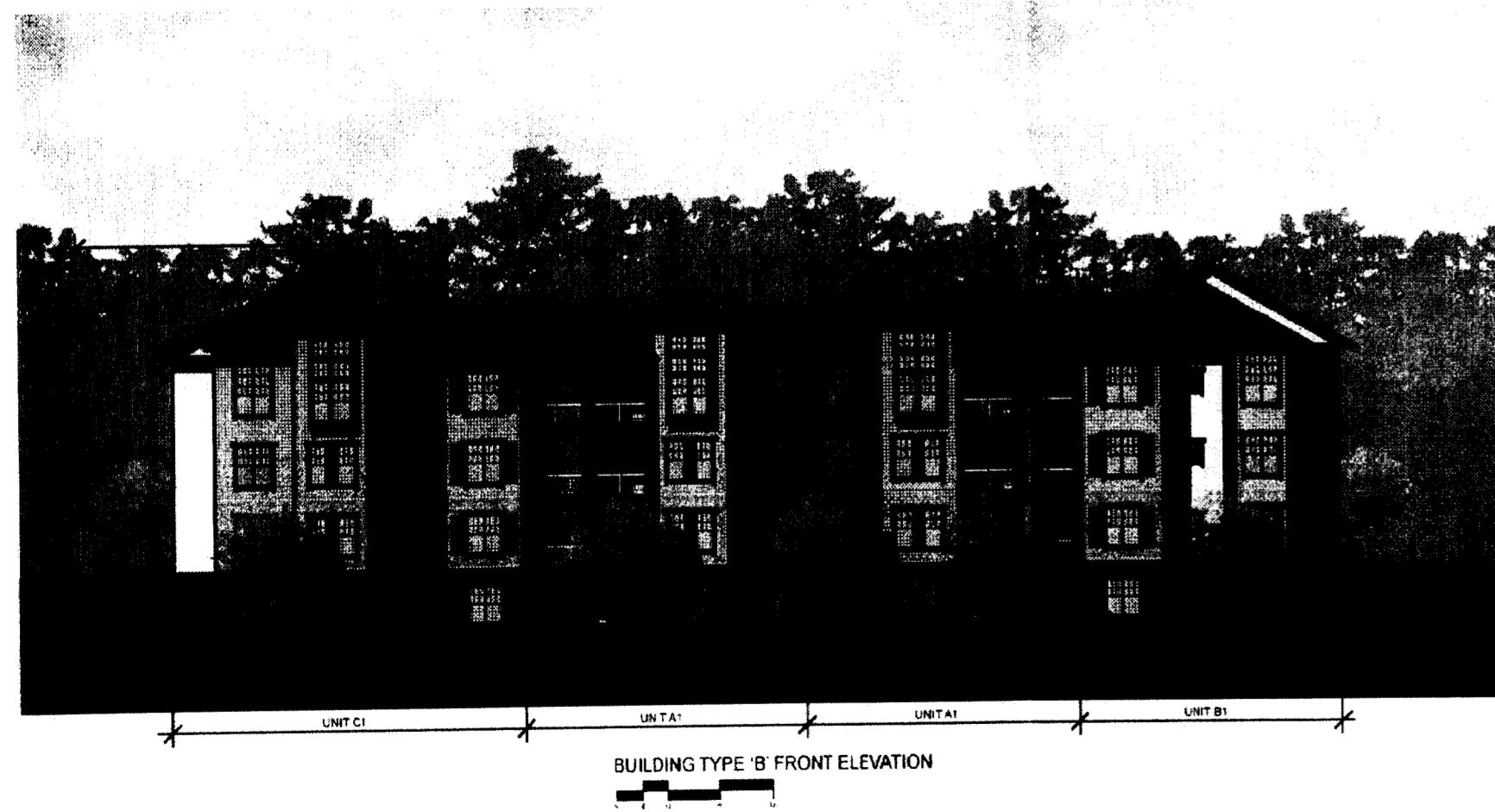
**CLINE DESIGN** BUILDING TYPE 'A'  
October 16, 2012



**CLINE DESIGN** BUILDING TYPE 'A'  
October 16, 2012



**CLINE DESIGN** GARAGES  
October 16, 2012



**CLINE DESIGN** BUILDING TYPE 'B'  
October 16, 2012

**CLINE DESIGN** BUILDING TYPE 'B'  
October 16, 2012



REVISIONS:  
1) 09.14.12 CMPD COMMENTS  
2) 10.05.12 ADJ. PROPERTY, CMPD & CDOT COMMITMENTS  
3) 11.16.12 CMPD COMMENTS

DATE: JULY 23, 2012  
DESIGNED BY: AMRC  
DRAWN BY: KJK  
CHECKED BY: AMRC  
C.C. BY: AMRC  
SCALE: 1"=100'  
PROJECT #1011302  
SHEET #:  
**RZ-4**