



**Charlotte-Mecklenburg Planning, Design, & Development**

**DATE:** September 12, 2019

**TO:** Sonja Sanders  
Zoning Supervisor

**FROM:** Taiwo Jaiyeoba  
Planning Director

**SUBJECT:** Administrative Approval for Petition No. 2018-146 NorthState Development, LLC

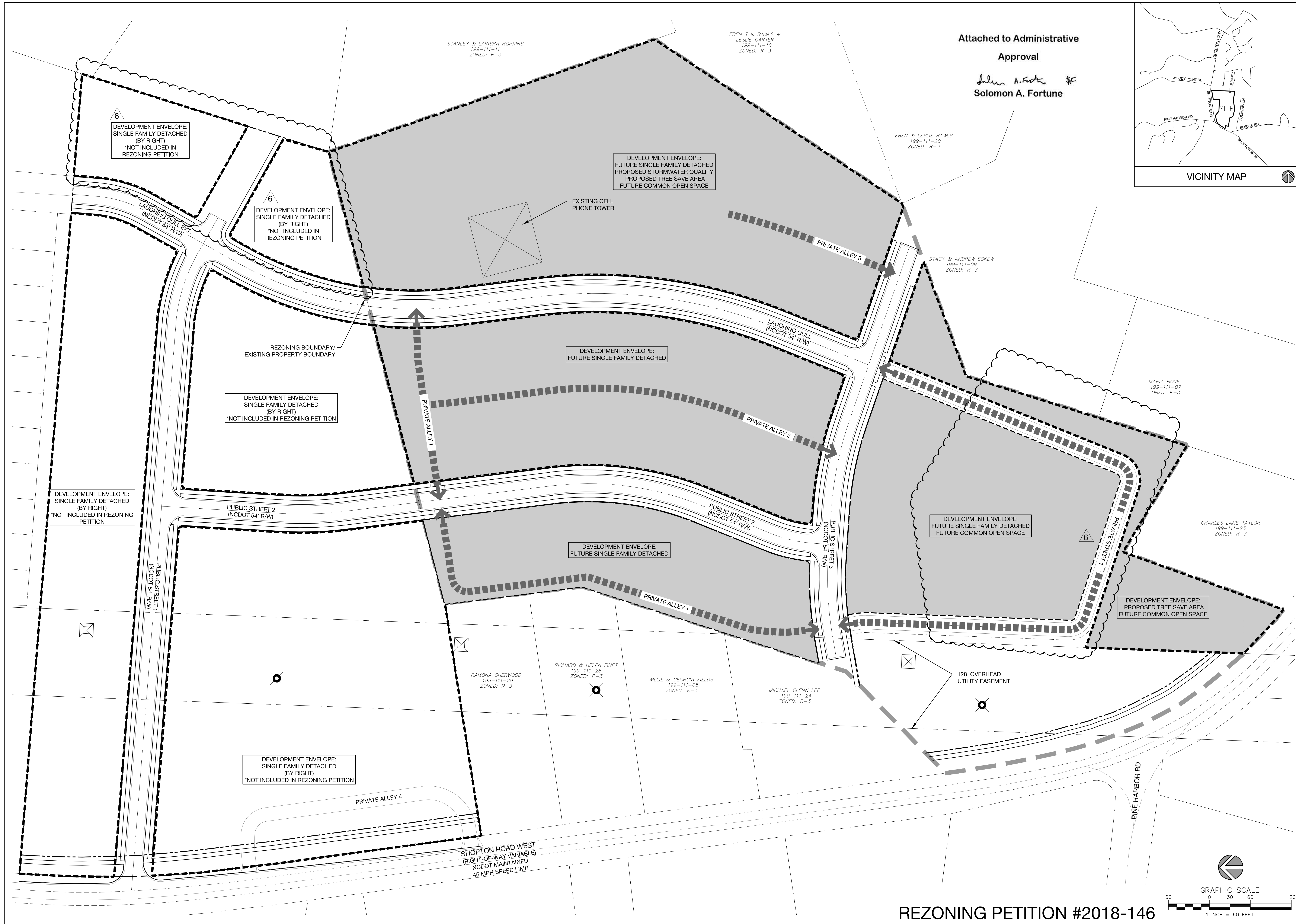
Attached is the revised site plan for the petition above. This request allows the modification of the proposed site plan as listed below. Since these changes do not alter the intent of the development and meets the requirements of the Charlotte Zoning Ordinance Section 6.207 Alterations to Approval,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

- To allow two additional single-family residential lots per section 6.207.
- To modify cross-section per NCDOT requirements.

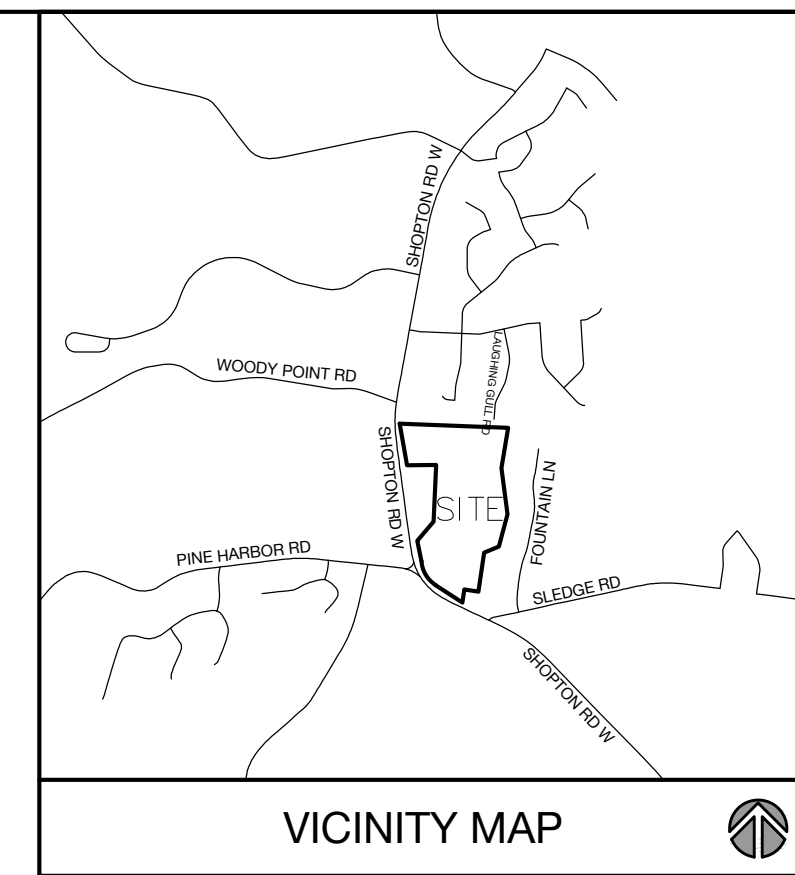
Staff supports of the request because:

- 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, PCSO Ordinances, conditional requirements and building codes still apply.**



Attached to Administrative  
Approval  
*Solomon A. Fortune*  
Solomon A. Fortune



**URBAN  
DESIGN  
PARTNERS**  
1318-e6 central ave. P 704.334.3303  
charlotte, nc 28205 F 704.334.3305  
urbandesignpartners.com  
nc firm no: P-0418  
se cca no: C-03044

Madison Simmons  
Homes & Communities, LLC  
16930 W. Catawba Ave, Ste 205  
Cornelius, NC 28031

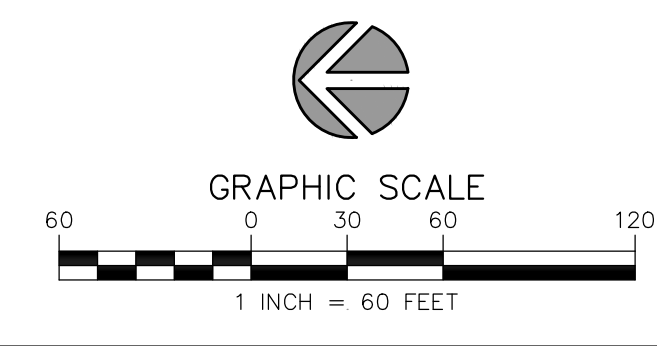
# Shopton Road West

## Administrative Amendment Technical Data Sheet

Charlotte, NC

NO.	DATE	BY:	REVISIONS:
1	01.14.19	UDP	PER CITY COMMENTS
2	02.15.19	UDP	PER CITY COMMENTS
3	03.11.19	UDP	PER CITY COMMENTS
4	04.22.19	UDP	PER CITY COMMENTS
5	05.20.19	UDP	PER NEIGHBORS REQUEST
6	08.15.19	UDP	ADMINISTRATIVE AMENDMENT

Project No: 18-138  
Date: 11.26.2018  
Designed by: UDP  
Drawn By: UDP  
Sheet No:



REZONING PETITION #2018-146

**RZ-1.0**

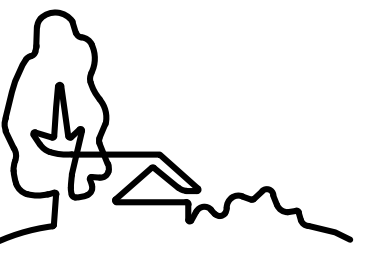
Attached to Administrative

Approval

*Solomon A. Fortune*  
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DEVELOPMENT SUMMARY

TAX PARCEL ID #:	199-111-06 (LOWER LAKE WYLIE PROTECTED AREA WATERSHED)
TOTAL SITE AREA:	± 18.39 AC
EXISTING ZONING:	R-3
PROPOSED ZONING:	MX-1 (INNOVATIVE)
LOT AREA:	MIN. 3,600 SF
LOT WIDTH:	MIN. 36'
SETBACKS:	PRINCIPAL BUILDING MIN. 5' COMMON OPEN SPACE 0'
YARDS:	SIDE: 5' REAR: 15' (UNLESS OTHERWISE NOTED)
TREE SAVE AREA:	MIN. 10%



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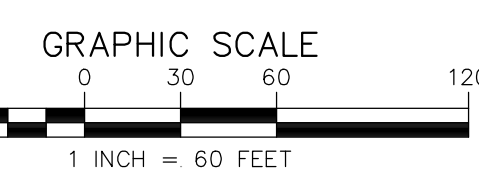
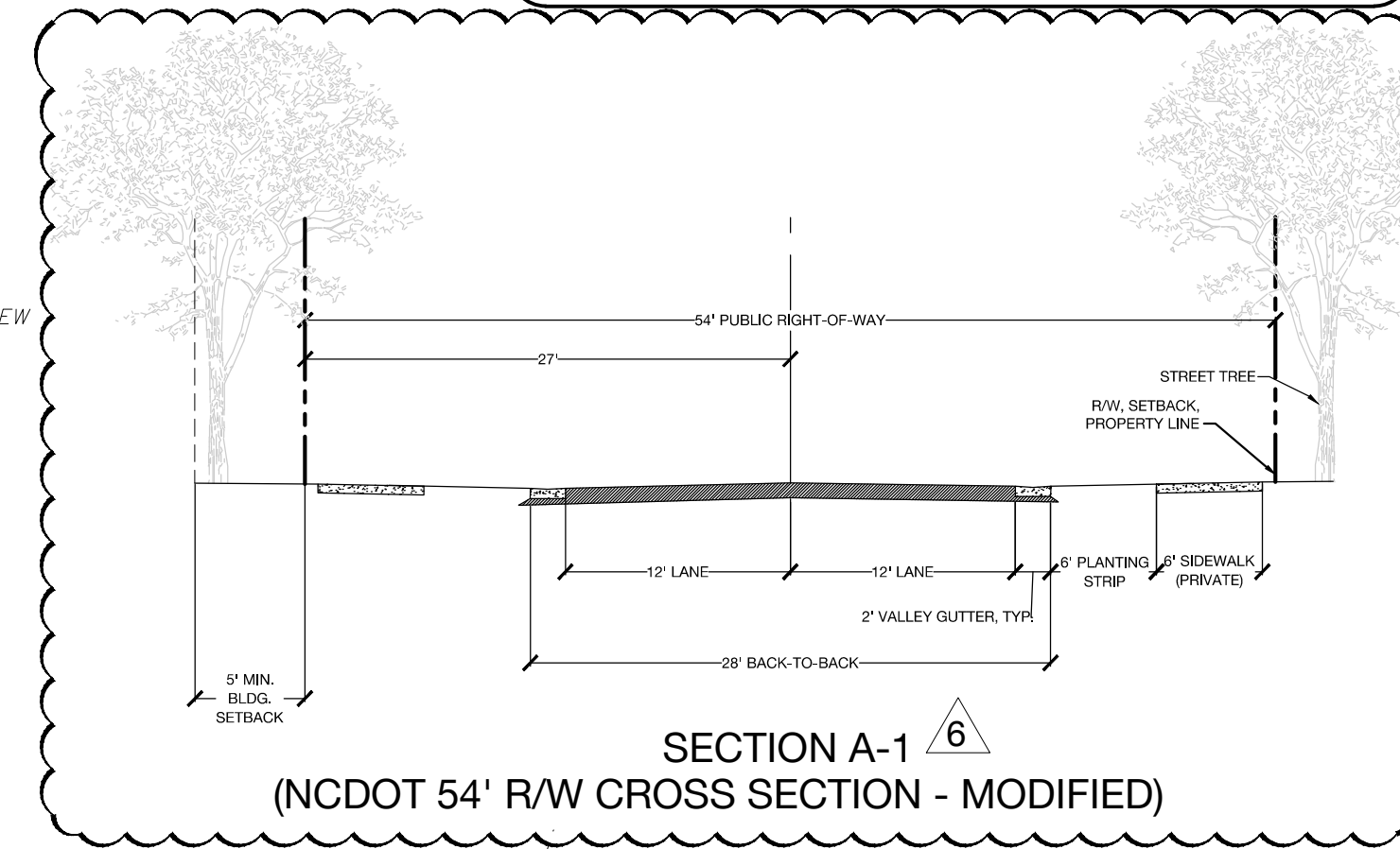
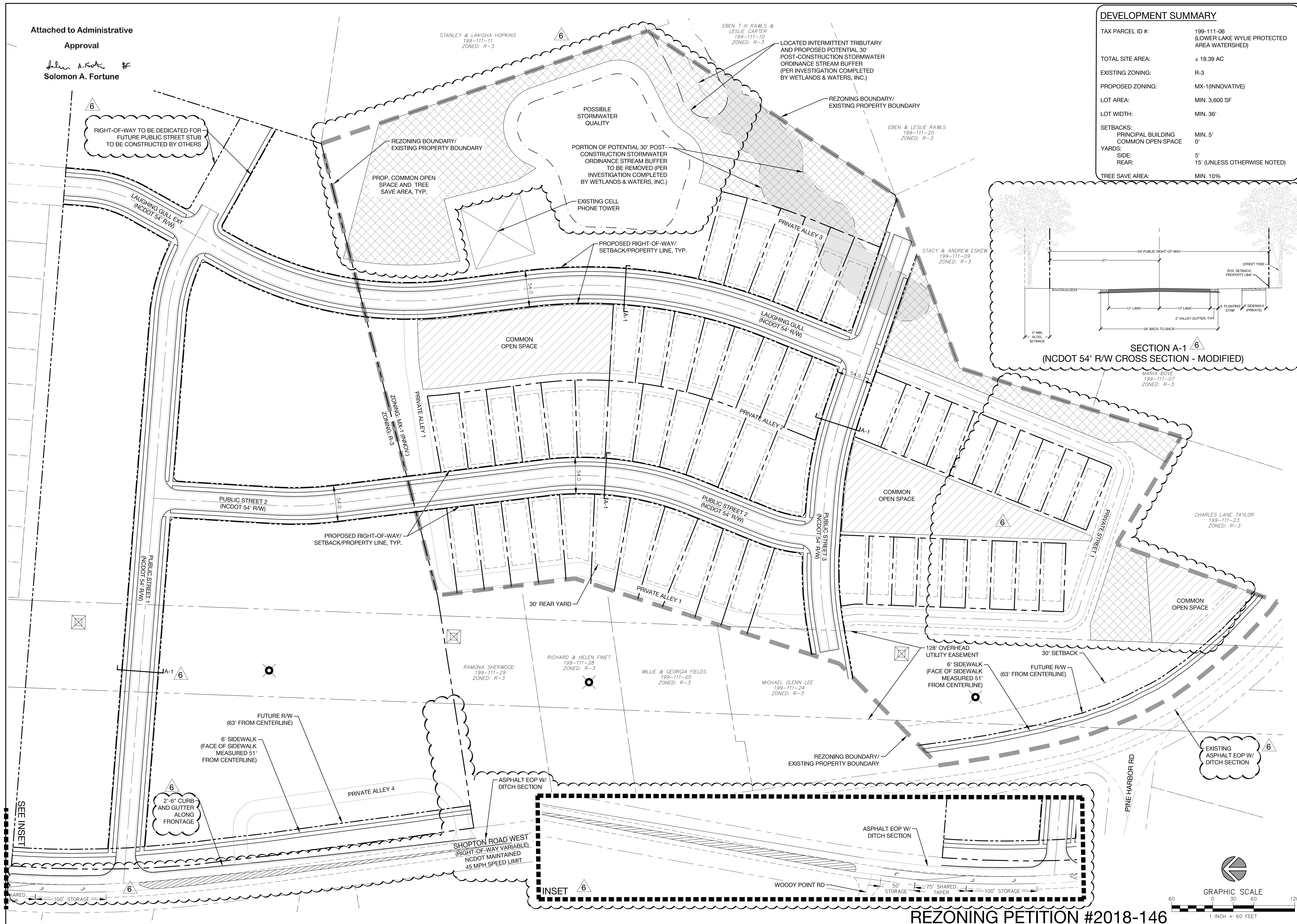
16930 W. Catawba Ave., Ste 205  
Cornelius, NC 28031

Shopton Road West  
Administrative Amendment  
Site Plan  
Charlotte, NC

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RZ-2.0



REZONING PETITION #2018-146

SEE INSET

INSET

DEVELOPMENT STANDARDS

Acreage: +/- 18.39 AC  
 Tax Parcel: 199-111-06  
 Existing Zoning: R-3  
 Proposed Zoning: MX-1 (Innovative)  
 Existing Uses: Single Family Detached  
 Proposed Uses: Single Family Detached

Overlay District: Lower Lake Wylie Watershed Protected Area  
 Max Density: Up to (57) Dwelling Units (Approximately 3.0 DUA)  
 General Provisions:

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by North State Development, LLC (the "Petitioner") to accommodate the development of a single family detached residential community located just north of the intersection of Shopton Road West and Pine Harbor Road, more specifically identified on the Rezoning Plan (the "Site"). The Site includes tax parcel 199-111-06.

Development of the Site will be governed by the accompanying Rezoning Plan, these Development Standards, and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Rezoning Plan is intended to reflect maximum development rights, building envelopes, the arrangements, and locations of access points and to ensure that any development of the Site is completed in a manner substantially consistent with the Rezoning Plan.

Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MX-1 Zoning District shall govern all development taking place on the Site.

The configurations, placements and sizes of lots, public and private roads, alleys, common area, tree save area and stormwater detention and quality areas depicted on the Rezoning Plan are schematic in nature and therefore are subject to refinements as part of the total design process.

Permitted Uses and Maximum Development:

- The Site development shall be limited to single family detached dwelling units, together with any incidental and accessory uses related thereto that are allowed in the MX-1 Zoning District.
- Maximum Density on the Site shall be 57 single-family detached homes.
- Long-term rentals will be restricted to no less than 6 month leases. Daily or nightly rentals are specifically prohibited.

Innovative Development Standards:

- The Petitioner seeks the innovative provisions described below in order to support a single family residential development.
  - Single family lots shall be permitted to front on private streets as noted within the Rezoning Plan.
  - Setbacks shall be 14' measured from back of curb along public rights of way.
  - The Petitioner shall adhere to the following Innovative Lot Standards:
    - Minimum Lot Area 3,600 SF
    - Minimum Lot Width: 36'
    - Minimum Principal Building Setback measured from back of Sidewalk: 5'
    - Minimum Setback measured from Common Open Space Boundary Line: 0'
    - Minimum Rear Yard: 15'
  - The Petitioner shall adhere to Zoning Ordinance section 12.108(7) as follows:
    - Proposed property lines associated with newly created residential lots shall be located a minimum of 200' from the center of the existing cell tower structure that is on site, as generally depicted on the Site Plan.
    - Proposed property lines associated with rights of way, common open space, tree save and easements within the proposed development shall be permitted to be within the 200' limit as described in section 12.108(7) of the Ordinance.

Transportation:

- Vehicular access points shall be provided to the site as generally depicted on the Rezoning Plan.
  - Existing Laughing Gull Drive shall be extended across PN# 199-111-03 to the Site.
  - A single access point at PN#199-111-03 to Shopton Road West shall be provided by Public Street 1 as generally depicted on the Rezoning Site Plan.
  - Public Street 2 shall provide a second access point to the Site via Public Street 1.
  - The Petitioner shall provide Public Street 3 as depicted on the Site plan and shall stub up to the Western boundary, as allowable by Duke Power, line to allow for a future access point to Shopton Road West.
  - Private Street 1 shall be two-way and have two points of access to Public Street 3 as generally depicted on the rezoning plan.
  - The Petitioner shall construct 2'-6" curb and gutter on Shopton Road West along the frontage of PN# 199-111-03 as generally depicted on the Rezoning Site Plan.
  - Future public street right-of-way shall be dedicated at Public Street 3 as generally depicted on the Site Plan to satisfy Section 20-23 of the City of Charlotte Subdivision Ordinance.
  - Future public street right-of-way stub shall be dedicated and constructed at Public Street 1 associated with the by-right development as noted on the Rezoning Site Plan.
- The Petitioner shall install a minimum six (6) foot wide planting strip and a minimum six (6) foot wide sidewalk along all new public streets to be located within the Site.
- Petitioner shall install a minimum six (6) foot wide planting strip and minimum six (6) foot wide sidewalk within new Rights-of-Way associated with Laughing Gull Dr.
- Trees shall be planted a maximum of 40 feet on center behind right-of-way.
- Right-of-way dedication and all transportation improvements shall be completed prior to the issuance of the first certificate of occupancy or phased per the Site's development plans.

Architectural Standards and General Design Guidelines:

- General Materials:**
  - Houses and garage facades will be primarily constructed of cementitious siding (such as Hardi-plank) with accents of brick, cultured and simulated stone, pre-cast concrete, glass, wood and shall meet the following additional standards:
- Roofs**
  - Roofing materials shall include architectural shingle and/or standing metal seam or similar materials in appearance and durability. Flat roof sections shall not be allowable.
- Garages**
  - All homes shall provide an attached rear load garage served by a two-way alley or private street.
  - Front load garages along public streets shall not be permitted.
    - Corner lots shall not be provided garage access via driveway along a public street.
- Driveways**
  - Residential driveways will enter a lot from a private two-way alley or from a private street, except, six (6) lots east of Laughing Gull Drive reserve the right to be accessed from a public street.

Amenities, Streetscape and Common Open Space:

- The Petitioner shall provide community open space, as generally depicted on the Rezoning Plan which may include but shall not be limited to a pocket park, open air pavilion, flower garden, passive lawn areas and hardscape areas.

Environmental Features:

- The Petitioner shall comply with the Post Construction Stormwater Ordinance (PCSO) and tree save requirements. The location, size, and type of stormwater 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 stormwater treatment requirements and natural site discharge points.

- The Site is located within the Lower Lake Wylie Protected Area and shall comply with Chapter 10 Part 7 of the City of Charlotte Zoning Ordinance. Maximum allowable Built Upon Area shall be resticed as described within the overlay district. Maximum allowable built upon area associated with the residential low density option shall be 24% and 70% associated with the high density development option.
- The site shall comply with the City of Charlotte Tree Ordinance. Tree Save Areas shall be satisfied with a combination of tree preservation and new tree plantings.
- Land area associated with proposed rights-of-way to be dedicated and existing utility easements shall be excluded from tree save area calculations.
- A minimum of 10% land area shall be set aside as common open space and tree save area.
- Development within the 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.

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 Chapter 6 of the Ordinance.

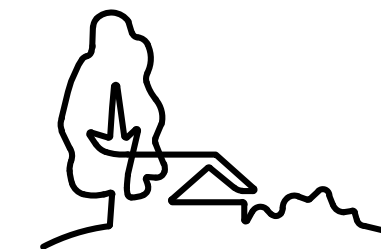
Further alteration or modifications to the Rezoning Plan which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the approved Technical Data Sheet or any of its conditions or which increase the intensity of development shall not be deemed 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:

- 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.

Attached to Administrative Approval

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