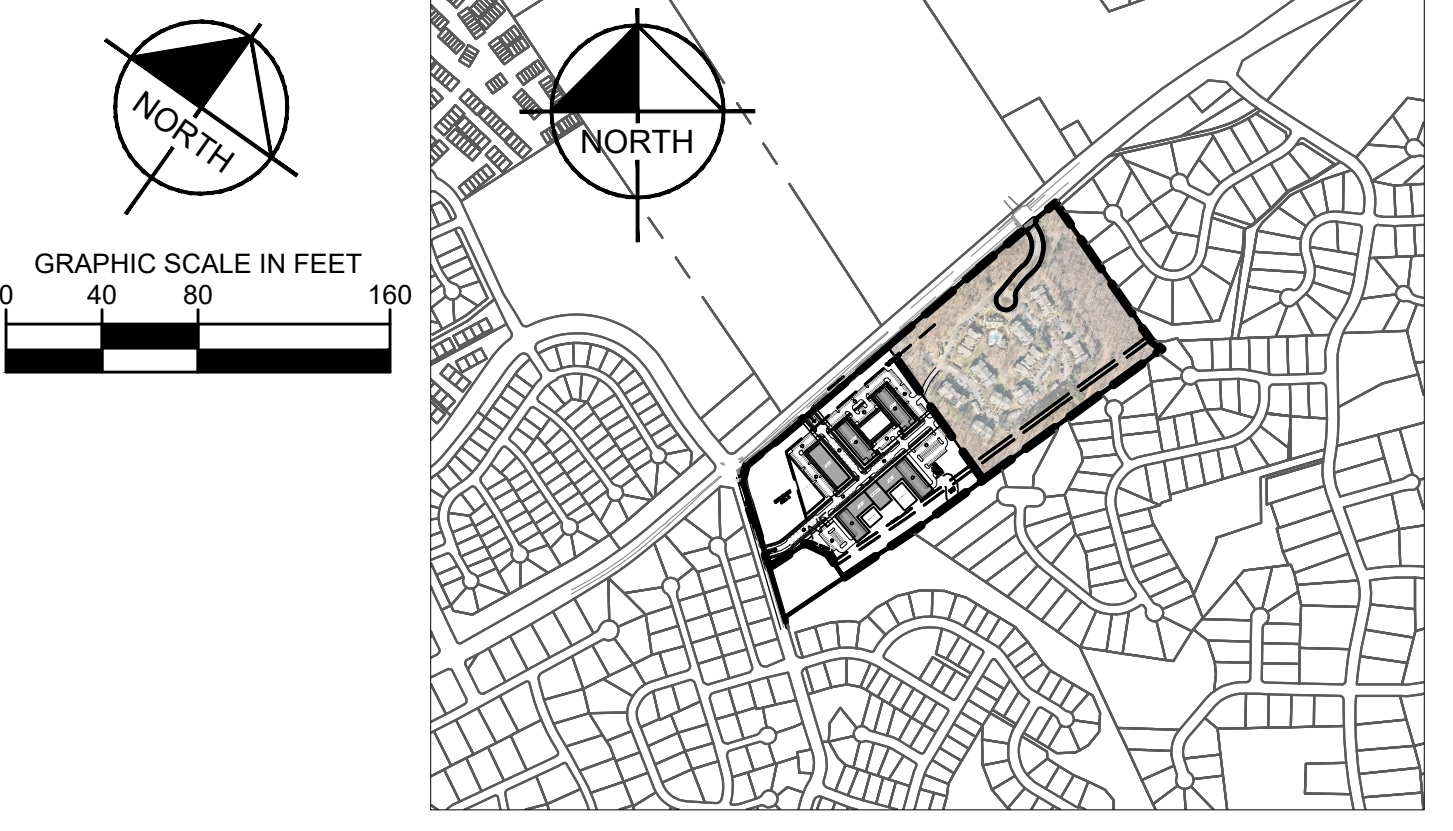
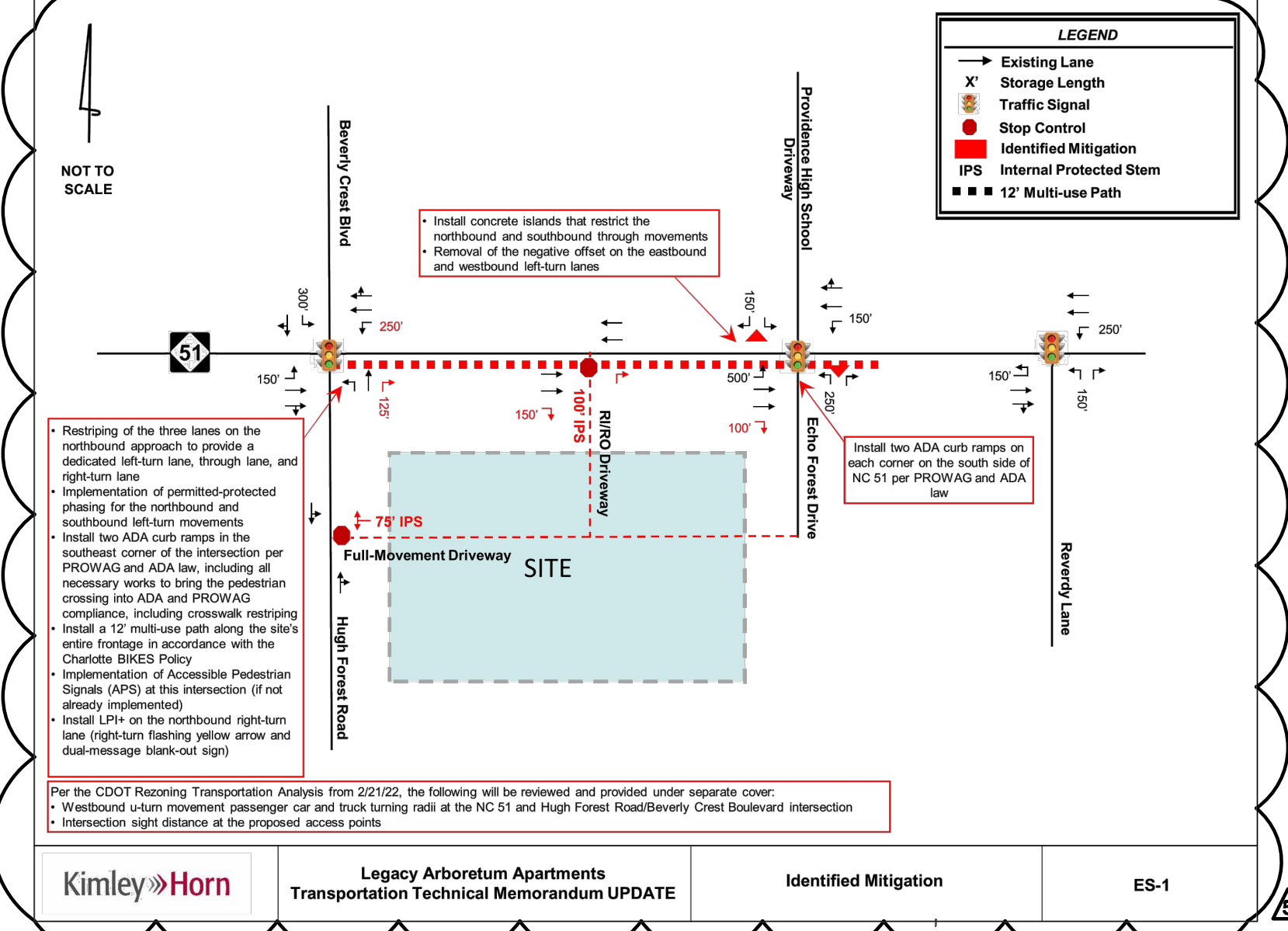
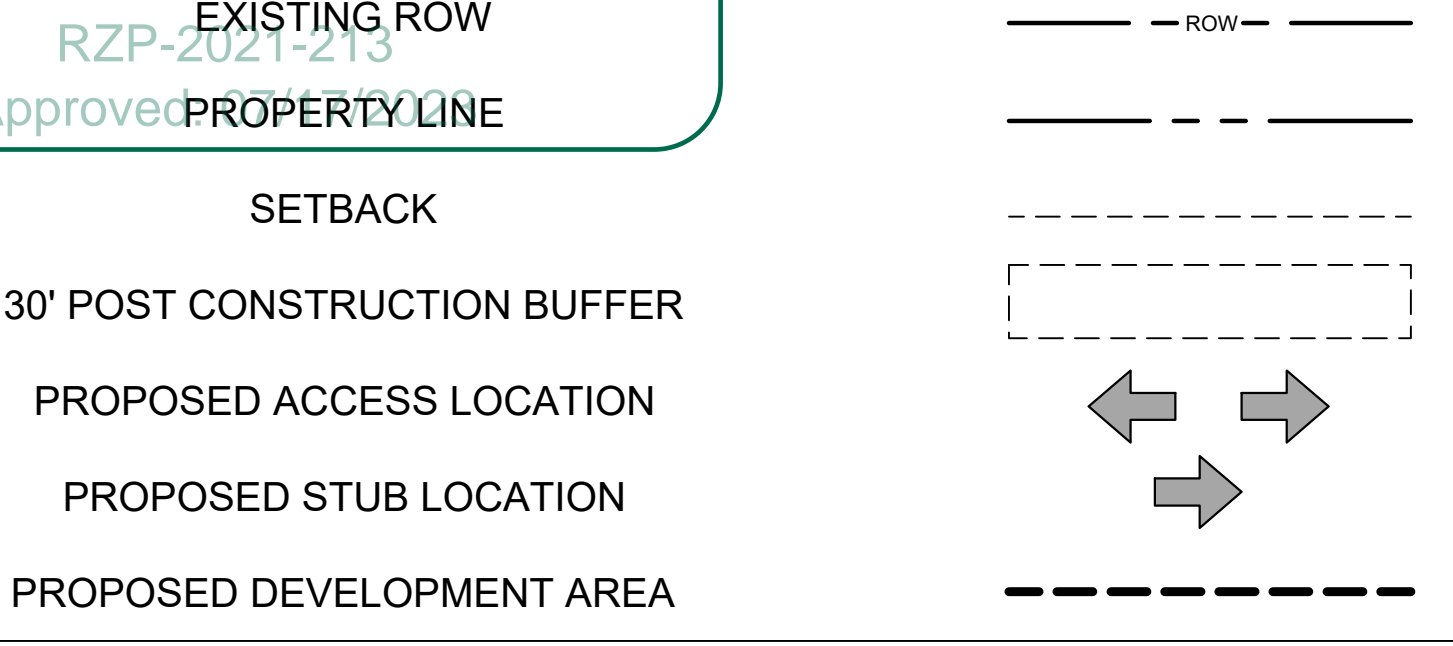


Planning Department  
APPROVED BY CITY COUNCIL  
EXISTING ROW  
RZP-2021-213  
APPROVED PROPERTY LINE

REZONING LEGEND



SITE LOCATION MAP  
1"=1000'



REVISIONS	DATE
5 REZONING COMMENTS	05/18/23
4 REZONING COMMENTS	05/08/23
3 REZONING COMMENTS	05/10/22
2 REZONING COMMENTS	04/11/22
1 REVISED SITE PLAN AND NOTES	02/15/22

Kimley | Horn  
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.  
200 SOUTH TRYON ST., STE 200, CHARLOTTE, NC 28202  
PHONE: 704-333-5131  
WWW.KIMLEY-HORN.COM

REZONING PETITION

SCALE	DESIGNED BY	DRAWN BY	CHECKED BY
	ILG	ILG	MAE

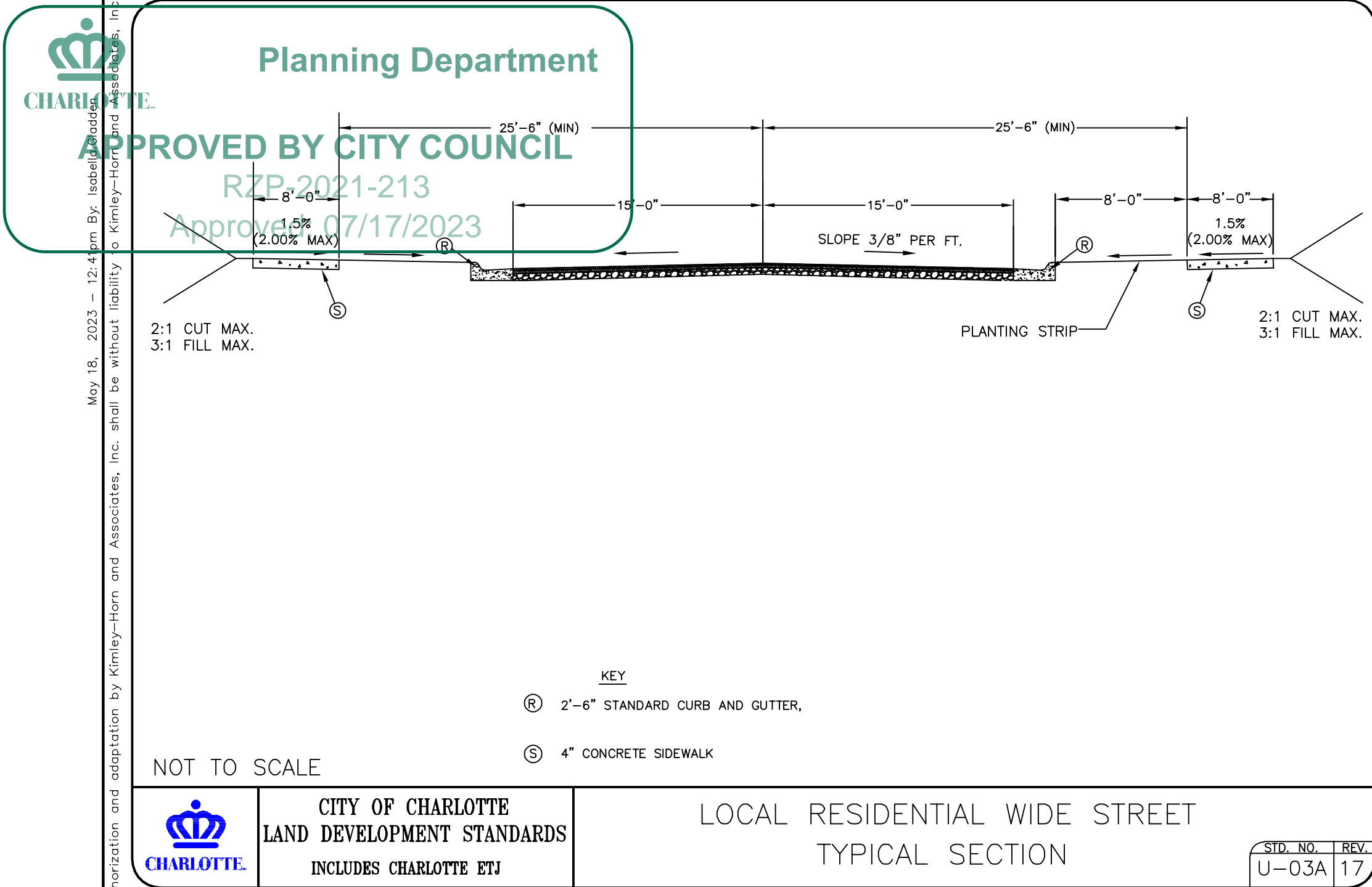
REZONING SITE PLAN  
REZONING PETITION #: 2021-213

LEGACY ARBORETUM APARTMENTS  
1729 ECHO FOREST DR  
CHARLOTTE, NORTH CAROLINA 28270  
MECKLENBURG COUNTY  
GCI RESIDENTIAL, LLC  
25101 CHAGRIN BLVD, SUITE 300  
BEACHWOOD, OH 44122

DATE	PROJECT NO.
05-18-2023	013329006

SHEET NUMBER  
RZ-1

K:\CHL\_PRA\013329006 - GCI\006 - Legacy Arboretum\02 - DMV\Rezoning\02-Long This document, together with the concepts and designs presented herein, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



**Site Development Data:**  
--Acreage: ± 42.85 acres  
--Tax Parcel #: 227-061-30  
--Existing Zoning: R-12MF(CD)  
--Proposed Zoning: R-12MF(CD) SPA  
--Existing Uses: Multi-family Residential  
--Proposed Uses: Residential dwellings units as permitted by right, and under prescribed conditions, together with accessory uses, as allowed in the R-12MF zoning district (all as more specifically described and restricted below in Section 3).

--Maximum Number of Residential Dwelling Units: Up to 478 multi-family residential dwelling units as allowed by right and under prescribed conditions in the R-12MF zoning district. The allowed 478 residential dwelling units will be composed of new and existing dwelling units. The Site will have two Development Areas: (i) within Development Area A up to 278 new residential dwellings unit are allowed, and (ii) within Development Area B up to 200 residential dwelling units made up of existing dwelling units are allowed.  
--Maximum Building Height: Not to exceed an average height of 48 feet as measured at the front building line. Height to be measured per the Ordinance.  
--Parking: As required by the Ordinance. The Petitioner will provide a minimum of five (5) Electric Vehicle (EV) charging stations. The five (5) stations will have a Level 2 Electrical Vehicle Supply Equipment charging station installed (EVSE-Installed: installation of a Level 2 electrical vehicle charging station).

Note: The Site is currently developed with 266 multi-family units. The Rezoning Petition proposes to demolition 66 units located within Development Area A and replace them with 278 new residential units for a net increase of 212 units.

- General Provisions**
  - Site Location.** These Development Standards, the Technical Data Sheet, Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Goldberg Companies, Inc. ("Petitioner") to accommodate the redevelopment of a multi-family residential community on an approximately 42.85-acre site located at the southeast intersection of Pineville-Matthews Road and Hugh Forest Road (the "Site").
  - Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the R-12MF(CD) zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.
  - Development Areas.** For ease of reference and as an organizing principal associated with the master planned unified development, the Rezoning Plan sets forth two (2) development areas (and as applicable other sub-areas within the Development Areas) as generally depicted on the Technical Data Sheet as Development Areas A and B, (each a "Development Area" and collectively the "Development Areas"). The exact boundaries of the Development Areas may be subject to modifications to account for Development/Site Elements (as defined below) and other modifications needed to fulfill the design and development intent of the Rezoning Plan.
  - Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, building and parking envelopes other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site Elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance. Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:
    - minor and don't materially change the overall design intent depicted on the Rezoning Plan.The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.
  - Number of Buildings Principal and Accessory;** Accessory Building Design. Notwithstanding the number of buildings or lots shown on the Rezoning Plan, the total number of principal buildings to be developed: (i) on the portion of the Site designated as Development Area A on the Rezoning Plan shall not exceed four (4) principal buildings; and (ii) on the portion of the Site designated as Development Area B on the Rezoning Plan shall not exceed 10 principal buildings (equal to the number of existing buildings). Accessory buildings and structures located on the Site, including, without limitation, community clubhouses, picnic/gathering pavilions, garages, recreation and related uses, equipment storage structures and the like shall not be considered in any limitation on the number of buildings on the Site. New accessory buildings and structures will be constructed utilizing generally similar building materials, colors, architectural elements, and designs as the principal building(s) located within the same Development Area as the accessory structure/building.
  - Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the Development/Site Elements, Development Areas and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, public/private street frontage requirements, and other similar zoning/subdivision standards will not be required internally between improvements, Development Areas and other Development/Site Elements located on the Site.

Furthermore, the Petitioner and/or owners of the applicable portion of the Site under development reserve the right to subdivide the portions or all of the Site, including without limitation the Development Areas, and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and density requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all density requirements will be regulated by any development limitations set forth in Section 3 below as to the Site as a whole and not individual portions, Development Areas or lots located therein.

- Permitted Uses & Development Area Limitation:**
  - The Site may be developed with up to 478 multi-family residential dwellings units together with accessory uses allowed in the R-12MF zoning district as generally depicted on the Rezoning Plan. Within Development Area A up to 278 new residential dwelling units will be allowed; within Development Area B up to 200 residential dwelling units composed of existing dwelling units will be allowed.
- Transportation Improvements and Access:**
  - Access to the Site will be from Pineville-Matthews Road and Hugh Forest Road as generally depicted on the Rezoning Plan.
  - As part of the redevelopment of Development Area A the Petitioner will construct two new private streets as generally depicted on the Rezoning Plan. These two new private streets are network required streets and will be designed to meet residential wide street cross-section as generally depicted on the Rezoning Plan. Each street will be provided with a public access easement.

**Proposed Transportation Improvements:**  
The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvement, the improvement set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

- NC 51 and Hugh Forest Road/Beverly Boulevard**
  - Extend the westbound left-turn on Hwy. 51 to provide 250 feet of storage and appropriate taper.
  - Construction of a northbound right-turn lane along Hugh Forest Road with 125 feet of storage and appropriate taper
  - Restriping of the three-lanes on the northbound approach to provide a dedicated left-turn lane, through lane, and right-turn lane
  - Implementation of permitted-protected phasing for the northbound and southbound left-turn movements
  - Implementation of Accessible Pedestrian Signals (APS) at this intersection (if not already implemented)
  - Install LPI+ on the northbound right-turn lane (right-turn flashing yellow arrow and dual-message blank-out sign
  - Install two ADA curb ramps in the southeast corner of the intersection per PROWAG and ADA law, including all necessary works to bring the pedestrian crossing into ADA and PROWAG compliance, including crosswalk restriping.
  - Install a 12' multi-use path along the site's entire frontage in accordance with the Charlotte BIKES Policy.
- NC 51 and Echo Forest Drive/Providence High School Driveway**
  - Install concrete islands that restrict the northbound and southbound through movements
  - Removal of the negative offset on the eastbound and westbound left-turn lanes.
  - Construction of an eastbound right-turn lane with 100 feet of storage and appropriate taper
  - Install two ADA curb ramps on each corner on the south side of NC 51 per PROWAG and ADA law
- NC 51 and Proposed Right-in/Right-out Driveway.**
  - Construction of the northbound approach with a single ingress lane, single egress lane, stop-control, and an IPS of 100'.
  - Construction of an eastbound right-turn lane along NC 51 with 150' of storage and appropriate taper.
- Hugh Forest and Proposed Full Movement Driveway**
  - Construction of the westbound approach with a single ingress lane, single egress lane, stop-control, and an IPS of 75'

- Per the CDOT Rezoning Transportation Analysis from 2/21/22, the following will be reviewed and provided under separate cover:
- Westbound u-turn movement passenger car and truck turning radii at the NC 51 and Hugh Forest Road/Beverly Crest Boulevard intersection
  - Intersection sight distance at the proposed access points
  - All transportation improvements shall be constructed and approved prior to the release of a certificate of occupancy for the first building constructed on the Development Area A. The petitioner may post a bond for any improvements not completed at the time a certificate of occupancy is requested.
  - The placement and configuration of the vehicular access point is subject to minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT and NCDOT in accordance with applicable published standards.
  - The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.
  - The Petitioner will dedicate and convey to NCDOT 50 feet of right-of-way from the existing centerline of Hwy. 51 and 36 feet of right-of-way from the existing center line of Hugh Forest Road will be dedicated to CDOT. The additional right-of-way will be dedicated and conveyed prior to the issuance of the first certificate of occupancy.
  - The Petitioner will dedicate via fee simple conveyance any additional right-of-way as required and indicated on the Rezoning Plan as right-of-way to be dedicated, the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.
  - 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 south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

- Streetscape, Buffers, Setbacks, Yards, Open Space and Landscaping:**
  - A 75-foot landscape building and parking setback as measured from the right-of-way of Pineville-Matthews Road will be provided as generally depicted on the Rezoning Plan. The Petitioner will use best efforts to maintain the existing vegetation within the 75-foot landscape setback, however, vegetation may be removed to allow the installing of required roadway improvements and the 12-foot MUP as well as grading for the proposed residential units and associated parking. Any areas disturbed will be replanted to meet Class B buffer standards.
  - A minimum of a 260-foot landscape building and parking setback as measured from the existing right-of-way of Hugh Forest Road will be provided as generally depicted on the Rezoning Plan. The existing berm and landscaping located along Hugh Forest Rd. will be preserved except as necessary to install the proposed access to Hugh Forest Rd. as generally depicted on the Rezoning Plan. This 260-foot landscape setback will be preserved as open space/tree save area. Portions of the landscape setback may also be improved with open space amenities for the residents of the MF community.
  - Along the internal network required private streets a 15-foot setback as allowed by Section 9.303(19)(f) the Ordinance will be provided. This 15-foot setback will be measured from the minimum right-of-way (51 feet) for a local residential wide street (U-03).
  - Along the Site's internal parking areas, the Petitioner will provide a sidewalk and crosswalk network that links to the building on the Site and to the sidewalks along the abutting public streets in the manner depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be six (6) feet.
  - The Petitioner will provide a 12-foot multi-use path along the Site's entire frontage on Hwy. 51. The 12-foot MUP may be located within the 75-foot landscape setback. The Petitioner will maintain the existing four (4) foot planting strip and six (6) foot sidewalk located along Hugh Forest Road as generally depicted on the Rezoning Plan.
  - A 100-foot buffer will be provided along the southern property line as generally depicted on the Rezoning Plan. Within Development Area A the outer 50 feet of this buffer as measured from the property line will be an undisturbed buffer. Within Development Area B the entire 100 feet will remain undisturbed. Buffer will made up of existing trees and new planting as specified below. Any areas disturbed during construction will be replanted to meet Class C Buffer standards.
  - A 200-foot undisturbed buffer will be maintained along the eastern boundary of Development Area B as generally depicted on the Rezoning Plan.

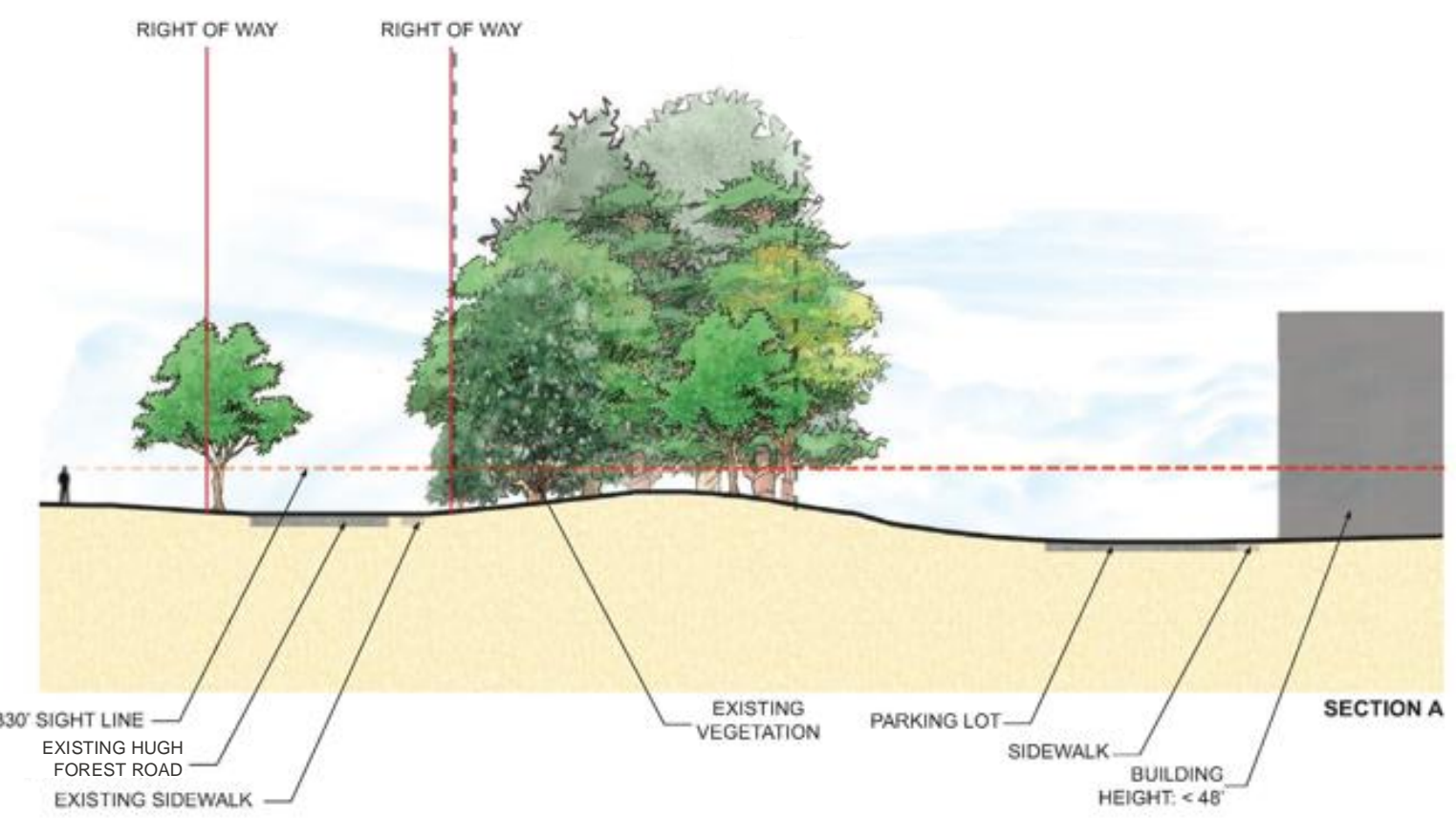
- General Design Guidelines for Development Area A:**
  - The principal buildings constructed on the Site (Development Areas A) may use a variety of building materials. The building materials used for buildings (other than structured parking facilities, if any) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardy-plank), EIFS or wood. Vinyl or aluminum as a primary building material will not be allowed except on windows, balcony railings, on trim elements, and soffits
  - The following architectural commitments shall apply to the new permanent buildings located in Development Area A; at least 30% of the exterior building facades facing the network required streets, exclusive of windows, doors, balconies and roofs, shall be constructed of brick, stone, pre-cast stone or pre-cast concrete.

- Buildings shall front (the side of a building that has windows will also be considered a front) a minimum of 45% of the total new network required street frontage (measured along each side of each street) within Development Area A (exclusive of driveways, pedestrian access points, usable open space, tree save areas, natural areas, and/or tree re-planting areas).
- Building Massing - Buildings exceeding 120 feet in length shall include modulations of the building massing/façade plane (recess, projection, architectural treatment, etc.). Modulations shall be a minimum of 8 feet wide and shall extend or recess a minimum of 4 feet, extending through all floors.
- Vertical Modulation and Rhythm - Building elevations shall be designed with recognizable vertical bays or articulated architectural facade features. The bays and features may include, but not limited to a combination of exterior wall offsets, projections, and/or recesses, pilasters, and change in materials.
- Building Base - Buildings shall be designed with a recognizable architectural base.
- Building elevations facing network required streets shall not have expanses of blank walls greater than 20 feet.
- Architectural features such as, but not limited to, banding, medallions, or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- Roof form and rooflines shall be designed to avoid the appearance of a large monolithic roof structure through the following standards:
  - Long rooflines (pitched or flat) shall avoid continuous expanses without variation by including changes in height and/or roof form (e.g. dormers, gables, etc.).
  - For pitched roofs the allowed minimum pitch shall be 4:12 (four feet in vertical height for every twelve feet in horizontal length), excluding buildings with a flat roof and parapet walls.
- Utility structures need to be screened architecturally or with evergreen plant material.
- Walls, but not including site retaining walls, shall be designed to match and complement the building architecture of the residential buildings of the subject property.

- Meter banks will be screened from adjoining properties and from the network required streets.
- HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
- Dumpster and recycling area will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal buildings. The location of the proposed dumpster and recycling area is generally depicted on the Rezoning Plan.
- Open Space for Development Area A:**
  - Improved open space areas will be provided as generally depicted on the Rezoning Plan. The proposed open space amenity areas will be improved with landscaping, seating areas, hardscape elements and shade structures other improvement may also be provided as appropriate to the proposed amenity area. A minimum of 10,000 square feet of improved open space will be provided within Development Area A.
  - Improved Public Open Space. As part of the construction of the 12-foot multi-use path along Hwy. 51 the Petitioner will provide two (2) improved open space areas adjacent to the 12-foot MUP that will be open to the public. The improved open space areas may be located within the 75-foot landscape setback. The open space areas will be improved with seating, and hardscape elements, and may also include lighting and a watering station. These improved public open spaces will be in addition to the improved open space described in note 6a above.

- Environmental Features:**
  - The Petitioner shall comply with the Charlotte City Council approved and adopted 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 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.
  - The Site will comply with the Tree Ordinance.
- Lighting:**
  - All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
  - New detached lighting on the Site will be limited to 21 feet in height. Lighting to be full cut-off type lighting.

- Amendments to the Rezoning Plan:**
  - Future amendments to the Rezoning Plan for rezoning petition 2021-213 (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.
- Binding Effect of the Rezoning Application:**
  - If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan, 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 heirs, devisees, personal representatives, successors in interest or assigns.



REVISIONS	DATE
5	05/18/23
4	05/08/23
3	05/10/22
2	04/11/22
1	02/16/22
NO	

**Kimley»Horn**  
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.  
200 SOUTH TRYON ST., STE. 200, CHARLOTTE, NC 28202  
PHONE: 704-333-5131  
WWW.KH-HORN.COM

**REZONING PETITION**

SCALE	DESIGNED BY	DRAWN BY	CHECKED BY
	JLG	JLG	MAL

**DEVELOPMENT STANDARDS**  
REZONING PETITION #: 2021-213

LEGACY ARBORETUM APARTMENTS  
1729 ECHO FOREST DR  
CHARLOTTE, NORTH CAROLINA 28270  
MECKLENBURG COUNTY  
GCI RESIDENTIAL, LLC  
25101 CHAGRIN BLVD, SUITE 300  
BEACHWOOD, OH 44122

DATE	05-18-2023
PROJECT NO.	013329006
SHEET NUMBER	

**RZ-2**