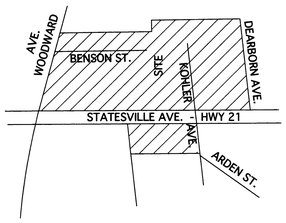


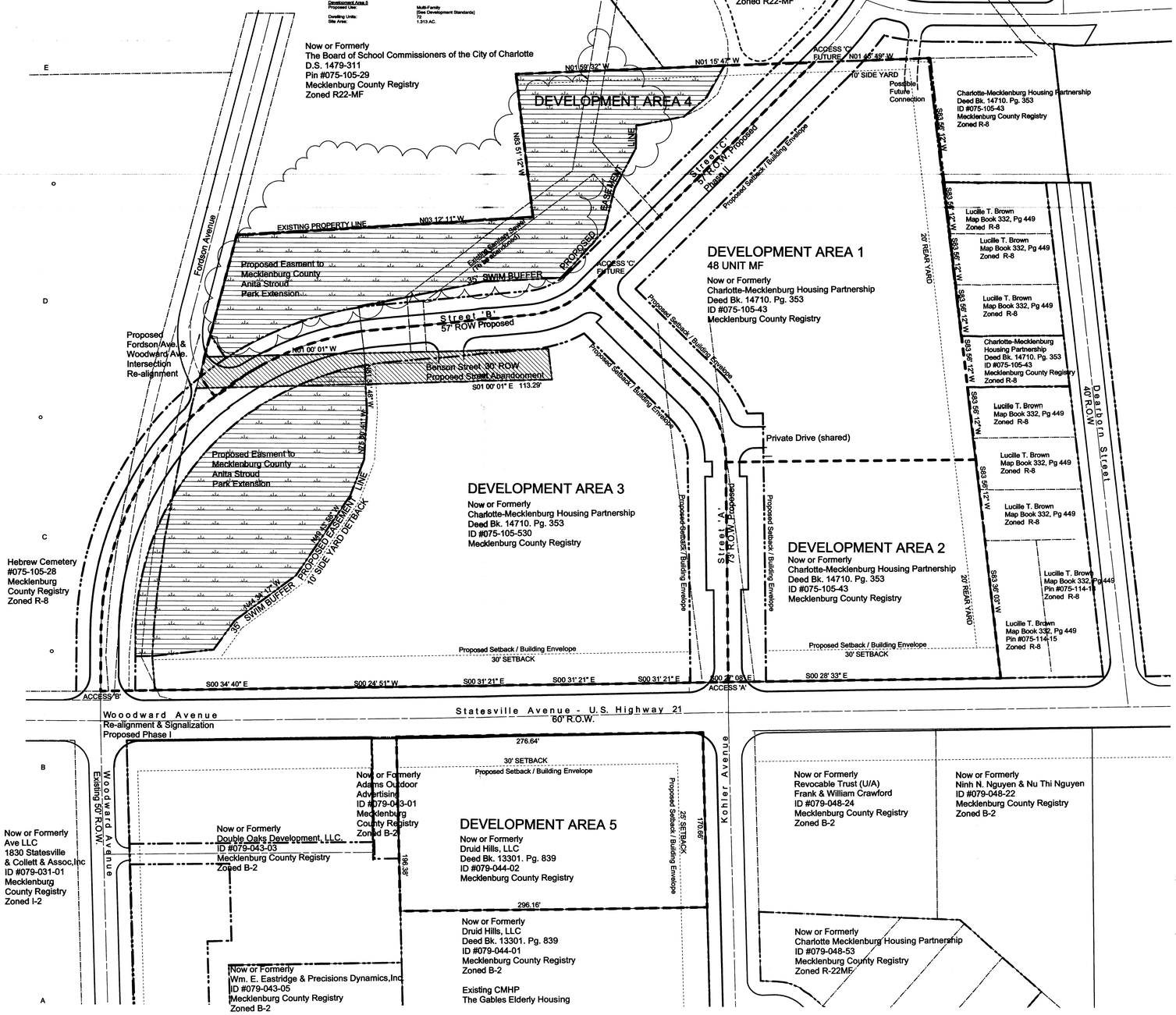
VICINITY MAP
Not To Scale

SITE DATA (EXISTING):

Owner:	Double Oaks Development, LLC
Address:	4601 Charlotte Park Dr., Suite # 350 Charlotte, NC 28217
Site Address:	Unassigned
Tax Parcel Numbers:	075-105-43
Existing Zoning:	R-12 MF (CD)
Area:	7.128 AC.
Tax Parcel Numbers:	075-105-30
Existing Zoning:	R-12MF (CD)
Area:	1.101 AC.
Tax Parcel Numbers:	075-105-37
Existing Zoning:	R-8
Area:	0.866 AC.
Tax Parcel Numbers:	079-044-02
Existing Zoning:	B-2
Area:	1.913 AC.
TOTAL SITE AREA:	10.407 AC
EASEMENT DEDICATION AREA:	1.83 AC.
NET AREA:	8.577 AC.

SITE DATA (PROPOSED):
Note: All Development Areas Below Proposed Neighborhood Services (NS)

Development Area 1	
Proposed Use:	Multi-Family [See Development Standards]
Dwelling Units:	48
Site Area:	1.27 AC.
Development Area 2	
Proposed Uses:	Mixed Use [Retail/Office – 10,370 SF] [See Development Standards]
Dwelling Units:	12
Site Area:	1.17 AC.
Development Area 3	
Proposed Uses:	Mixed Use [Retail/Office – 17,950 SF] [See Development Standards]
Dwelling Units:	150
Site Area:	2.99 AC.
Development Area 4/Easement	
Proposed Uses:	Green Way / Park via Easement [See Development Standards]
Site Area:	1.83 AC.
Development Area 5	
Proposed Use:	Multi-Family [See Development Standards]
Dwelling Units:	72
Site Area:	1.913 AC.



Kohler Avenue Re-Zoning Plan - TECHNICAL DATA SHEET

NOVEMBER 9, 2007

0 150 250 350 450 550 FT

N TRUE NORTH

DOUBLE OAKS MIXED-USE VILLAGE
DEVELOPMENT STANDARDS
December 19, 2007

1. **GENERAL PROVISIONS**

Unless more stringent standards are established by the Technical Data Sheet or these Development Standards, all development standards established under the Zoning Ordinance (the "Ordinance") for the NS zoning classification shall be followed. The development contemplated by this petition consists of five (5) Development Areas generally depicted on the Technical Data Sheet as (i) Development Area 1", "Development Area 2", "Development Area 3", "Development Area 4" and "Development Area 5" (each a "Development Area" and collectively the "Development Areas"). The Technical Data Sheet and these Development Standards (together the "Rezoning Plan") supersede in all respects all prior conditional use zoning plans with respect to the property that constitutes the Site.

The Technical Data Sheet is accompanied by a conceptual site plan for development within Development Area 1 (the "Development Area 1 Schematic Site Plan") and by a conceptual land use plan for Development Area 2, Development Area 3, Development Area 4 and Development Area 5 (collectively with the Development Area 1 Site Plan referred to as the "Site Plan"). Detailed site planning and building design for the Site, however, has not been finalized. The development depicted on the Site Plan is schematic in nature, and except as otherwise specified in these Development Standards, is intended only to describe the possible arrangements of uses and building elements and the schematic depictions of the uses, structures and building elements set forth on the Site Plan should be reviewed in conjunction with the provisions of these Development Standards. Consequently, except as otherwise expressly specified on the Technical Data Sheet and in these Development Standards, the ultimate layout of the development proposed, the exact alignments of streets, points of access, the numbers, the size, configuration and placements of buildings, the size, configuration and placements of parking areas, and the heights and masses of buildings have not been finally determined, and depictions of such elements on the Site Plan and any schematic building elevations are not intended to be specific site development plans but rather preliminary graphic representations of the types and quality of development proposed. They may, therefore, be altered or modified during design development and construction document phases within the maximum building/parking envelope lines established on the Technical Data Sheet and subject to the accompanying Development Standards and Section 6.206 (2) of the Ordinance. Parking layouts may be modified to accommodate final building locations and ancillary facilities and parking spaces may be located inside or outside development area boundaries to the extent permitted by the Ordinance. Sidewalks generally depicted on the Site Plan are intended to reflect the general pedestrian circulation for development on the Site but the specific locations of such sidewalks may be subject to minor variations that do not materially change the design intent generally depicted on the Site Plan. The dimensions and specific locations of building/parking envelopes and parking envelopes generally depicted on the Technical Data Sheet may be subject to minor variations that do not materially change the design intent generally depicted on the Schematic Site Plans. As described in Section 4.1 below, the Site shall be viewed as a unified development plan in accordance with the provisions set forth therein.

2. **PERMITTED USES AND BUILDING AREA RESTRICTIONS**

2.1 This proposal is intended to accommodate the development of retail, restaurant, office and residential uses which will be interconnected with open space, pedestrian and vehicular linkages.

For purposes of the development limitations set forth in this Section 2, the term "gross floor area" or "GFA" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building, and any accessory buildings or structures on the site measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude any surface or structured parking facilities, or related access areas, areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl spaces), or areas devoted to uses or structures accessory to residential uses on the site (limitations on the scope of residential uses being determined on a per unit, rather than floor area basis); provided, further, areas devoted to outdoor dining are not intended to be included in the calculation of gross floor area.

2.2 Development Area 1 as generally depicted on the Technical Data Sheet may be devoted to any of the following uses:

(a) Up to **[48]** residential units; and

(b) Associated surface and structured parking spaces and accessory uses and uses permitted under prescribed conditions under the Ordinance for the NS district.

2.3 Development Area 2 as generally depicted on the Technical Data Sheet may be devoted to any of the following uses:

(a) Up to **[48]** residential units; and

(b) Up to **[15,000]** square feet of gross floor area of retail and/or restaurant space and/or office space developed as part of mixed use residential/retail/restaurant/office building(s) located within Development Area 2; and

(c) Associated surface and structured parking spaces and accessory uses and uses permitted under prescribed conditions under the Ordinance.

2.4 Development Area 3 as generally depicted on the Technical Data Sheet may be devoted to any of the following uses:

(a) Up to **[150]** residential dwelling units;

(b) Up to **[20,000]** square feet of retail and/or restaurant space and/or office space developed as part of mixed use residential/retail/restaurant/office buildings located within Development Area 3; and;

(c) Associated surface and structured parking spaces and accessory uses and uses permitted under prescribed conditions as permitted under the Ordinance.

2.5 Development Area 4 as generally depicted on the Technical Data Sheet may be devoted to any of the following uses:

(a) Greenway and open space related uses together with accessory uses and uses permitted under prescribed conditions as permitted under the Ordinance.

2.6 Development Area 5 as generally depicted on the Technical Data Sheet may be devoted to any of the following uses:

(a) Up to **[72]** residential dwelling units;

(b) Associated surface and structured parking spaces and accessory uses and uses permitted under prescribed conditions as permitted under the Ordinance.

2.7 The permitted uses described in Sections 2.2, 2.3, 2.4, 2.5 and 2.6 above shall be subject to the following limitations and restrictions:

(a) The total amount of commercial uses on the Site shall not exceed **[30,000]** square feet of gross floor area;

(b) No fast food restaurants with drive through window facilities or gas stations/convenience stores with gasoline sales shall be allowed; and

(c) No area devoted to retail and/or restaurants shall be permitted on the Site unless such uses are located within mixed use residential/retail/restaurant buildings or retail/restaurant/office buildings.

3. **ACCESS POINTS**

The total number of ingress/egress points shall be limited to the number shown on the Technical Data Sheet. The exact locations may vary somewhat from those depicted based upon final design and locational requirements as regulated by CDOT and, where applicable, NCDOT.

4. **SETBACK, SIDE YARDS, REAR YARDS AND VEHICLE CIRCULATION**

4.1 All buildings constructed on the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance. The Site shall be viewed as a unified development plan. As such, yards will not be required between buildings located on the Site. The Petitioner reserves the right to subdivide the Site and create lots within the interior of the development with no public street frontage or side and/or rear yards as part of a unified development plan. In addition, the Site can be viewed as a unified development plan in conjunction with the adjacent tracts.

4.2 The setback areas extending around the perimeter of the Site are to remain as open space and, except to the extent necessary to accommodate pedestrian pathways, walls, berms, fences, grading, signs, graphics or utility construction and, where indicated, vehicular access, will be restricted from future development.

4.3 Vehicle circulation and off-street parking spaces will not be located in between buildings on the Site and Statesville Avenue and buildings on the Site and Street A as generally depicted on the Technical Data Sheet; however, circulation and parking spaces may be located to the side of buildings and/or between buildings on the Site.

5. **SCREENING AND LANDSCAPING**

5.1. Screening will conform to the applicable standards of Section 12.303 of the Ordinance.

5.2. Landscaping shall meet or exceed the requirements of the Ordinance and the City of Charlotte Tree Ordinance. Newly installed landscaping shall be consistent with the existing landscaping treatments.

5.3 Irrigation systems will be maintained by Petitioner or its successors and assigns in all landscaped setback areas along Statesville Avenue.

5.4 All roof mounted mechanical equipment will be screened from view.

5.5 Dumpster areas will be enclosed by a brick wall with one side being a decorative wooden gate. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.

6. **PARKING**

6.1 Off street parking will meet or exceed the minimum standards established under the Ordinance and will not be allowed within the setbacks.

6.2 Parking areas will be broken up with landscaping to avoid massing of paved material.

6.3 Where parking is not located behind buildings, screening shall be provided at the lot line by landscaping or decorative walls or fences. Shared parking may be allowed at the discretion of the Zoning Administrator.

6.4 On street parking may be provided along public streets subject to the approval of CDOT.

6.5 Bicycle parking shall be provided in accordance with the Ordinance.

7. **LIGHTING**

7.1 Freestanding streetscape lighting fixtures installed within the Site will be uniform in design and fully shielded.

7.2 No cobra style lighting fixtures may be used on the Site.

7.3 The maximum height of any freestanding lighting fixture, including its base, shall not exceed 28 feet in height.

7.4 No wall "pak" type lighting will be allowed facing public streets. Any wall "pak" type lighting will be downwardly directed.

8. **SIGNS**

All signs placed on the Site will be erected in accordance with the requirements of the Ordinance. Detached signs shall not exceed 5 feet in height or 50 square feet in size. No pylon type detached signs shall be permitted. Detached signage may be located within building setbacks and other locations throughout the Site in accordance with the Ordinance.

9. **SIDEWALKS**

Sidewalks of at least five feet in width will be installed throughout the Site in accordance with the requirements of the Ordinance and as generally depicted on the Schematic Site Plan.

10. **STORM WATER MANAGEMENT**

10.1 Storm water runoff will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte Ordinances and the Charlotte Mecklenburg Storm Water Design Manual. Surface level storm water detention, if provided, shall not be located in the setback required by the ordinance.

10.2 The detention shall tie-in to the existing abutting storm water system(s). The Petitioner shall have the receiving drainage system abutting the Site analyzed to ensure that it will not be taken out of standard due to this development. If it is found that the development will cause the receiving storm drainage system to be taken out of standard, the Petitioner shall provide adequate detention to prevent this from occurring. Should the existing, receiving drainage system be deemed to be out of standard prior to development of its Site, the Petitioner agrees to provide adequate detention to ensure that the system will not be additionally overburdened.

11. **VEHICULAR ACCESS AND ROADWAYS**

(a) Vehicular access to the Site shall be as generally depicted on the Technical Data Sheet.

(b) The placements and configurations of these access points are subject to any modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation.

(c) The Petitioner reserves the right to abandon portions or all of Benson Street.

12. **CONVEYANCE OF EASEMENT FOR GREENWAY PURPOSES**

Petitioner shall convey a permanent easement to Mecklenburg County that portion of the Site located within Development Area 4 as generally depicted on the Technical Data Sheet. Such easement shall be for greenway and open space purposes and shall be conveyed prior to the issuance of the first certificate of occupancy for the first unit located within Development Area 3.

13. **AMENDMENTS TO REZONING PLAN**

Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then owner or owners of the applicable parcel or parcels affected by such amendment in accordance with Section 6 of the Ordinance.

14. **BINDING EFFECT**

(a) If this Rezoning Petition is approved, the development program established under these Development Standards and the Technical Data Sheet shall, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the owners (from time to time) and their respective heirs, devisees, personal representatives, successors in interest and assigns.

(b) Throughout this Rezoning Petition, the terms "Petitioner", "Owner" or "Owners," shall, with respect to each parcel within the Site, be deemed to include the heirs, devises, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

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NOT FOR CONSTRUCTION

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704.342.0933

THE HOUSING PARTNERSHIP
Charlotte's Affordable Housing Developer

Double Oaks

Statesville Avenue
Charlotte, NC

Schematic Plan
Petition # 35

Key	Date	Description
	Revised 12.20.2007	Notes

08-35

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Project name/#: Double Oaks / 07024
CAD File Name: DO_48_ZONING _PLAN

KOHLER AVENUE
RE-ZONING PLAN SUBMITTAL
FOR PUBLIC HEARING

SP101