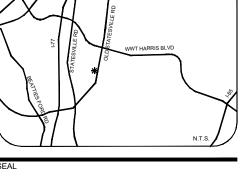


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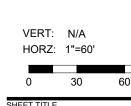
OLD STATESVILLE

REZONING
CHARLOTTE, NC

#2024-003

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3	REZONING RESUBMITTAL	05/23/24
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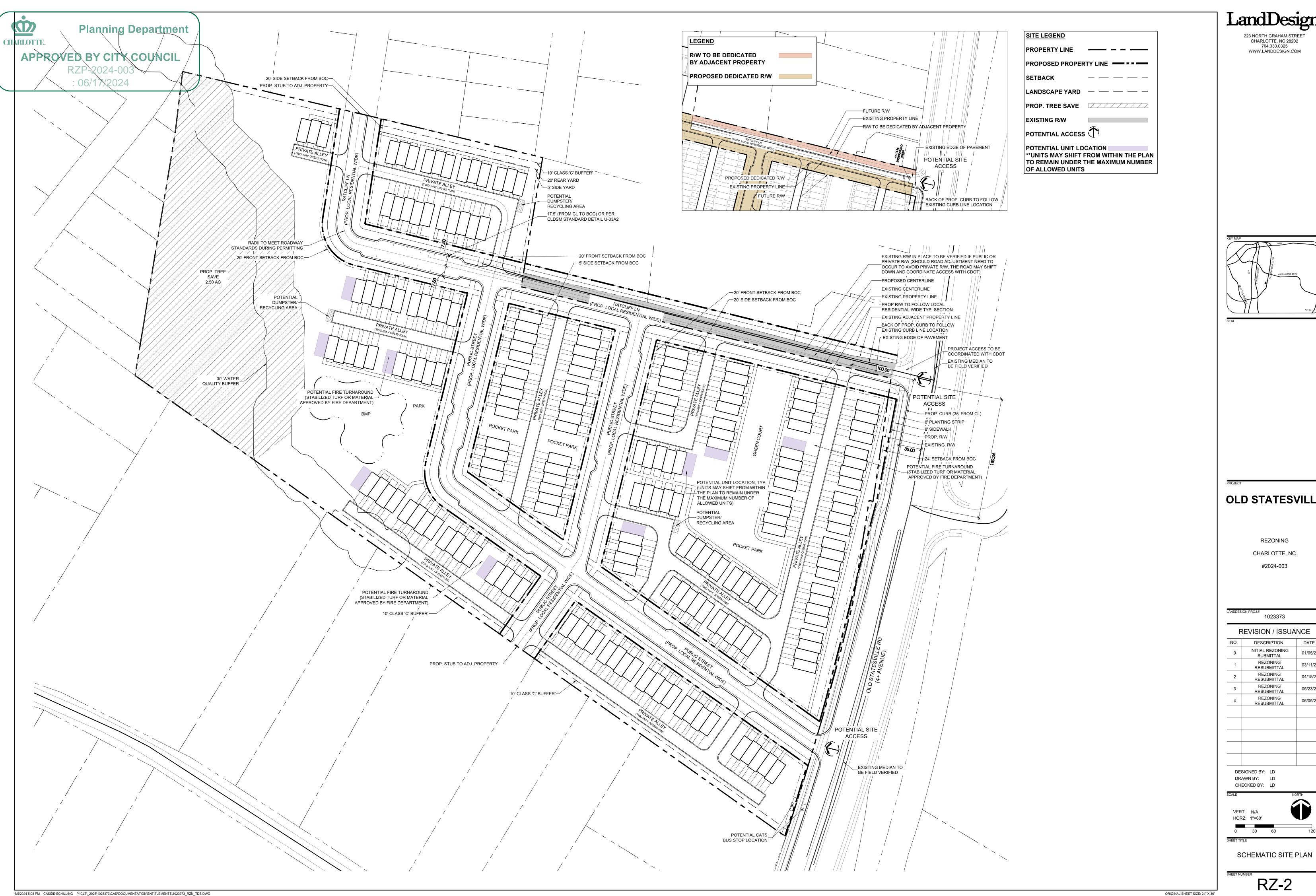
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Plann DEVELOPMENT STANDARDS - QLD STATESVILLE 5/22/2024 REZONING PETITION NO. 2024-003

AFERDABY CITY COUNCIL

--TAX PARCEL #: 037-214-01, 037-214-02, AND 037-214-05 --EXISTING ZONING: MHP AND CG

--PROPOSED ZONING: N2-A(CD) 7/ --EXISTING USES: VACANT

--PROPOSED USES: RESIDENTIAL DWELLINGS UNITS AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE N2-A ZONING DISTRICT (ALL AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).

--MAXIMUM NUMBER OF RESIDENTIAL DWELLING UNITS: UP TO ONE HUNDRED NINETY-EIGHT (198) ATTACHED DWELLING UNITS AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE N2-A ZONING DISTRICT. --MAXIMUM BUILDING HEIGHT: AS PER THE N2-A BUILDING HEIGHT STANDARDS. --PARKING: AS REQUIRED BY THE ORDINANCE.

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 ATAPCO ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 16.91-ACRE SITE LOCATED ON OLD STATESVILLE 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 UNIFIED DEVELOPMENT ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE N2-A ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, BUILDING AND PARKING ENVELOPES, OPEN SPACE AREAS, AND 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 ARTICLE 37.3 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 MINOR AMENDMENT PROCESS PER ARTICLE 37.3 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 MINOR AMENDMENT PROCESS PER ARTICLE 37.3 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. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TO FORTY-SEVEN (47). IT IS UNDERSTOOD THAT FORTY-SIX BUILDINGS ARE GENERALLY DEPICTED. THE INCREASE IN BUILDINGS PERMITS THE ABILITY TO INCREASE THE NUMBER OF BUILDINGS SO LONG AS THE BUILDING MASSING ALONG AN EXTERIOR PROPERTY LINE IS NOT INCREASED AND THE NUMBER OF UNITS DOES NOT EXCEED 198 UNITS. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS, AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED ON THE SITE.
- PERMITTED USES & DEVELOPMENT AREA LIMITATIONS:
- a. THE PRINCIPAL BUILDING(S) CONSTRUCTED ON THE SITE SHALL BE DEVELOPED WITH UP TO ONE HUNDRED NINETY-EIGHT (198) ATTACHED RESIDENTIAL DWELLING UNITS TOGETHER WITH ACCESSORY USES. AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE N2-A ZONING DISTRICT.

ACCESS AND TRANSPORTATION IMPROVEMENTS:

- a. ACCESS TO THE SITE WILL BE FROM OLD STATESVILLE ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- b. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.
- c. ALL REQUIRED EXTERNAL TRANSPORTATION IMPROVEMENTS, IF ANY, WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE SITE, SUBJECT TO THE PETITIONER'S ABILITY TO POST A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. INTERNAL ROAD NETWORKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH ORDINANCE REQUIREMENTS AND AS ESTABLISHED IN THE LAND DEVELOPMENT PERMITTING PROCESS.
- d. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED, AND THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. RIGHTS-OF-WAY TO BE SET AT 2' BEHIND BACK OF SIDEWALK WHERE FEASIBLE.
- e. THE PETITIONER SHALL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT WIDE SIDEWALK ALONG THE SITE'S OLD STATESVILLE ROAD FRONTAGE WHICH IS GREATER THAN THE SIX (6) FOOT WIDE SIDEWALK REQUIRED PER THE ADOPTED CHARLOTTE STREETS MAP TO ACCOMMODATE THE PROPOSED URBAN TRAIL ON THE MECKLENBURG COUNTY GREENWAY MASTER PLAN ALONG THIS PORTION OF OLD STATESVILLE ROAD. AN EIGHT (8) FOOT PLANTING STRIP AND EIGHT (8) FOOT SIDEWALK SHALL BE PROVIDED ALONG THE SITE'S OTHER PUBLIC STREETS. THE PETITIONER WILL PROVIDE A PERMANENT SIDEWALK EASEMENT FOR ANY OF THE PROPOSED SIDEWALKS THAT ARE LOCATED ALONG THE PUBLIC STREETS AND OUTSIDE OF THE RIGHT-OF-WAY. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.

f.OLD STATESVILLE ROAD IS DESIGNATED AS A 4+ AVENUE WITH BIKE LANES PER THE CHARLOTTE STREETS MAP. THE BIKE LANES ARE CONSISTENT WITH THE PROPOSED URBAN TRAIL ON THE MECKLENBURG COUNTY GREENWAY MASTER PLAN ALONG THIS PORTION OF OLD STATESVILLE ROAD. THE REQUIRED DISTANCE FROM THE ROAD CENTERLINE TO THE FUTURE BACK OF CURB IS THIRTY-FIVE (35) FEET. THE PETITIONER SHALL DEDICATE A MINIMUM 49 FEET OF RIGHT-OF-WAY FROM THE OLD STATESVILLE ROAD CENTERLINE.

- g. RATCLIFF LANE IS A LOCAL RESIDENTIAL WIDE STREET AND WILL MEET CLDSM STANDARD U-03A2 PER ARTICLE 33 AND TABLE 33-2 IN THE UDO. THE LOCATION OF FUTURE BACK OF CURB IS TO BE 12.5 FEET FROM THE ROAD CENTERLINE (17.5' WITH ON-STREET PARKING OR PER CDLSM U-03A2 ALTERNATIVES) PER ARTICLE 33 IN THE UDO. THE REQUIRED RIGHT-OF-WAY WIDTH FROM THE CENTERLINE AND STREETSCAPE WILL BE PROVIDED ALONG THE SITE'S RATCLIFF LANE FRONTAGE.
- h. IN THE EVENT A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS NECESSARY 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 WILL BE SUBMITTED FOR APPROVED BY CDOT PRIOR TO CONSTRUCTION/INSTALLATION.

i. 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 NORTHERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

j.A 100' STEM ALONG RATCLIFF LANE FROM OLD STATESVILLE ROAD SHALL BE MAINTAINED PER NCDOT REQUIREMENTS

k. THE PETITIONER SHALL INSTALL AN ADA-COMPLIANT BUS STOP ALONG OLD STATESVILLE ROAD. THE FINAL LOCATION WILL BE COORDINATED WITH CATS DURING THE LAND DEVELOPMENT REVIEW PROCESS.

I. ALL ALLEYS WILL BE DESIGNED AND CONSTRUCTED PER THE APPLICABLE CROSS-SECTION WITHIN THE CLDSM.

- 4. GENERAL DESIGN & ARCHITECTURAL GUIDELINES:
- a. THE NUMBER OF UNITS IN A BUILDING WITHIN THE SITE CAN BE INCREASED OR DECREASED SO LONG AS

- THE BUILDINGS ON THE PERIMETER OF THE SITE DO NOT INCREASE IN MASSING OR NUMBER OF UNITS. THE BUILDINGS ABUTTING THE NORTHERN MOST PROPERTY LINE SHALL BE LIMITED TO THREE (3) UNIT BUILDINGS AS GENERALLY DEPICTED ON THE REZONING PLAN. THE MAXIMUM NUMBER OF DWELLING UNITS IN A BUILDING IS LIMITED TO FIVE (5) EXCEPT FOR ONE BUILDING WHICH MAY CONTAIN SIX (6) UNITS BUT SHALL BE LOCATED INTERNAL TO THE SITE AND NOT ALONG THE PERIMETER OF THE SITE.
- b. A TEN (10) FOOT WIDE CLASS C BUFFER WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN AS PER ARTICLE 20.9 OF THE ORDINANCE.
- c. THE RESIDENTIAL BUILDINGS ON THE SITE WILL COMPLY WITH THE APPLICABLE RESIDENTIAL SITE LAYOUT. BUILDING DESIGN STANDARDS, AND BUILDING MATERIAL RESTRICTIONS FOUND IN ARTICLE 5 OF THE ORDINANCE. ACCESSORY BUILDINGS AND STRUCTURES ASSOCIATED WITH THE ATTACHED RESIDENTIAL BUILDINGS WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS, AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED ON THE SITE.
- d. THE ENDS/SIDES OF THE BUILDINGS ABUTTING OLD STATESVILLE ROAD, RADCLIFFE LANE, OR INTERNAL NETWORK REQUIRED STREETS WILL NOT HAVE BLANK WALLS THAT EXCEED TWENTY (20) FEET IN LENGTH ON ALL BUILDING LEVELS. THE END UNITS WILL HAVE MULTIPLE WINDOWS ON THE END/SIDE FACADES WITH A MINIMUM 25% TRANSPARENCY ON THE GROUND FLOOR AND 15% TRANSPARENCY ON THE UPPER FLOORS TO AVOID BLANK
- STRUCTURE: A. VARIATION IN THE FAÇADE DEPTH OF ADJOINING DWELLING UNITS OF AT LEAST 2'. SUCH VARIATION SHALL EXTEND THE ENTIRE HEIGHT OF THE FAÇADE. B. ARCHITECTURAL FEATURES, SUCH AS BALCONIES, BAY WINDOWS, OR OTHER ELEMENTS ALONG THE FAÇADE OF EACH DWELLING UNIT, SUBJECT TO THE STANDARDS OF ARTICLE 18.

e. THE ATTACHED DWELLINGS SHALL INCORPORATE ONE OF THE FOLLOWING INTO THE DESIGN OF THE

f.USABLE PORCHES AND STOOPS SHALL FORM A PREDOMINANT FEATURE OF THE BUILDING DESIGN AND BE LOCATED ON THE FRONT AND/OR SIDE OF THE BUILDING. USABLE FRONT PORCHES, WHEN PROVIDED, SHOULD BE COVERED AND BE AT LEAST SIX FEET DEEP. STOOPS AND ENTRY-LEVEL PORCHES MAY BE COVERED BUT SHOULD NOT BE ENCLOSED. IT IS UNDERSTOOD THAT STOOPS ARE NOT REQUIRED TO BE SIX FEET DEEP.

5. <u>ENVIRONMENTAL FEATURES:</u>

- a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE FOUND IN ARTICLE 25 OF THE ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEM(S) 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 PETITION. 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 PROVISIONS OF THE ORDINANCE FOUND IN ARTICLE 20. THE FINAL LOCATION OF THE REQUIRED TREE SAVE AREAS WILL BE DETERMINED DURING THE LAND DEVELOPMENT APPROVAL PROCESS FOR THE SITE. TREE SAVE AREAS WILL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.
- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED UNIFIED DEVELOPMENT ORDINANCE, STORMWATER ARTICLES 23 THROUGH 28. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS THAT MAY BE 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.
- d. THE FOLLOWING STORM WATER NOTES ARE PROVIDED TO MITIGATE FUTURE IMPACTS TO LONG CREEK TO WHICH THIS PROPERTY DRAINS:
- STORM WATER QUALITY TREATMENT FOR DEFINED WATERSHEDS GREATER THAN 24% BUILT-UPON AREA (BUA), CONSTRUCT WATER QUALITY STORMWATER CONTROL MEASURES (SCMS) DESIGNED FOR THE RUNOFF GENERATED FROM THE FIRST 1-INCH OF RAINFALL FOR ALL NEW AND REDEVELOPED BUA ASSOCIATED WITH THE PROJECT. SCMS MUST BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CHARLOTTE-MECKLENBURG BMP DESIGN MANUAL.
- (II) VOLUME AND PEAK CONTROL FOR DEFINED WATERSHEDS GREATER THAN 24% BUILT-UPON AREA, CONTROL THE ENTIRE VOLUME FOR THE 1-YEAR. 24-HOUR STORM FOR ALL NEW AND REDEVELOPED BUA ASSOCIATED WITH THE PROJECT. RUNOFF VOLUME DRAWDOWN TIME SHALL BE IN ACCORDANCE WITH THE CHARLOTTE-MECKLENBURG BMP DESIGN MANUAL.

FOR COMMERCIAL PROJECTS WITH GREATER THAN 24% BUA, CONTROL THE PEAK TO NOT EXCEED THE PREDEVELOPMENT RUNOFF RATES FOR THE 10-YR. 6-HR STORM AND PERFORM A DOWNSTREAM FLOOD ANALYSIS TO DETERMINE WHETHER ADDITIONAL PEAK CONTROL IS NEEDED AND IF SO, FOR WHAT LEVEL OF STORM FREQUENCY, OR IF A DOWNSTREAM ANALYSIS IS NOT PERFORMED, CONTROL THE PEAK FOR THE 10-YR AND 25-YR, 6-HOUR STORMS.

FOR RESIDENTIAL PROJECTS WITH GREATER THAN 24% BUA, CONTROL THE PEAK TO NOT EXCEED THE PREDEVELOPMENT RUNOFF RATES FOR THE 10-YEAR AND 25-YEAR, 6-HOUR STORMS OR PERFORM A DOWNSTREAM ANALYSIS TO DETERMINE WHETHER PEAK CONTROL IS NEEDED. AND IF SO, FOR WHAT LEVEL OF STORM FREQUENCY.

AMENDMENTS TO THE REZONING PLAN:

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF ARTICLE 37.3 OF THE ORDINANCE.

BINDING EFFECT OF THE REZONING APPLICATION:

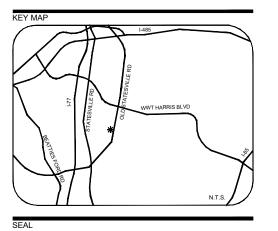
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requirement satisfied.

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL. UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE. BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

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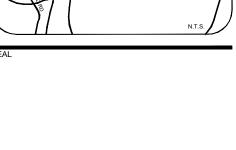
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DEVELOPMENT STANDARDS



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OLD STATESVILLE

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SCHEMATIC MASTER PLAN