

**DEVELOPMENT STANDARDS**

September 28, 2020

**1. GENERAL PROVISIONS**

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Phillip Neal Sparrow (the "Petitioner") for an approximately 10.918 acre site located on the south side of John Gladden Road, west of the intersection of John Gladden Road and Sam Wilson Road, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel No. 053-211-19.
- B. The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- C. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the I-2 zoning district shall govern the development and use of the Site.
- D. For entitlement purposes, the Site is divided into two development areas that are designated on the Rezoning Plan as Development Area A and Development Area B. Any reference herein to the Site shall be deemed to include Development Area A and Development Area B.
- E. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Alterations and modifications shall be in accordance with Section 6.207 of the Ordinance.
- F. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

**2. PERMITTED USES/DEVELOPMENT LIMITATIONS**

- A. The Site may only be devoted to the uses set out below (including any combination of such uses), together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the I-2 zoning district.
  - (1) The off-street parking of motor vehicles, including, without limitation, trucks, tractor trailers and vans.
  - (2) Outdoor storage.
- B. Notwithstanding the foregoing, that portion of the Site designated as Development Area A on the Rezoning Plan currently contains 28 manufactured/mobile homes that are occupied by residents. These existing manufactured/mobile homes may remain in place (but cannot be replaced) and be utilized as legal, non-conforming residential uses and structures until such time that Development Area A is redeveloped in accordance with the Rezoning Plan. The redevelopment of Development Area A shall be required to comply with the requirements of the Rezoning Plan and the Ordinance.
- C. Development Area A and Development Area B shall be subdivided and these Development Areas shall be separate legal lots prior to the issuance of any permits for the development and use of Development Area B in accordance with this Rezoning Plan. The Development Area A lot and the Development Area B lot will each contain more than 5 acres as depicted on the Rezoning Plan and as a result, the subdivision of the Site shall not be subject to the Charlotte Subdivision Ordinance. Upon the discontinuance of the legal, non-conforming residential uses on Development Area A described above in paragraph 2.B, Development Area A may be re-combined with Development Area B into one lot at the option of Petitioner.

**3. TRANSPORTATION**

- A. Vehicular ingress to and vehicular egress from Development Area B shall not be provided by way of John Gladden Road. Vehicular ingress to and vehicular egress from Development Area B shall be provided by way of Wilkinson Boulevard through Tax Parcel Nos. 053-211-07 and 053-211-10, both of which parcels are owned by Petitioner.
- B. Vehicular ingress to and vehicular egress from Development Area A shall be provided by way of John Gladden Road as long as Development Area A is devoted to the legal, non-conforming residential uses that are currently in place. Upon the discontinuance of the legal, non-conforming residential uses on Development Area A described above in paragraph 2.B, vehicular ingress to and vehicular egress from Development Area A shall not be provided by way of John Gladden Road. Vehicular ingress to and vehicular egress from Development Area A shall be provided by way of Wilkinson Boulevard through Tax Parcel Nos. 053-211-07 and 053-211-10.
- C. In the event that Petitioner transfers title to Tax Parcel No. 053-211-07 and/or Tax Parcel No. 053-211-10, Petitioner shall prepare and record in the Mecklenburg County Public Registry an access easement agreement for the benefit of the Site over and across Tax Parcel Nos. 053-211-07 and 053-211-10. Pursuant to this access agreement, the uses on the Site may utilize Tax Parcel Nos. 053-211-07 and 053-211-10 for vehicular ingress to and vehicular egress from the Site from and to Wilkinson Boulevard.
- D. The alignments of the internal private drives, driveways and the vehicular circulation areas may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
- E. All transportation improvements shall be constructed and approved prior to the release of the first certificate of occupancy for the Site.
- F. 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.

**4. STREETScape, LANDSCAPING AND BUFFERS**

- A. Buffers shall be established on the Site as required by the Ordinance and as depicted on the Rezoning Plan, and such buffers shall conform to the standards of Section 12.302 of the Ordinance. Pursuant to the Ordinance, Petitioner may reduce the required width of a buffer by 25% by installing a berm that meets the standards of Section 12.302(8A) of the Ordinance.
- B. Upon the discontinuance of the legal, non-conforming residential uses on Development Area A described above in paragraph 2.B, the Class A buffer located along the western boundary line of Development Area B may be removed in its entirety.
- C. Upon the discontinuance of the legal, non-conforming residential uses on Development Area A described above in paragraph 2.B, a buffer that complies with the applicable requirements of the Ordinance shall be established along that portion of the northern boundary line of Development Area A that abuts Tax Parcel No. 053-152-56 in the event that Tax Parcel No. 053-152-56 is located in a zoning district or devoted to a use that requires the establishment of a buffer on the relevant portion of the northern boundary line of Development Area A. This potential buffer is generally depicted on the Rezoning Plan.
- D. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.
- E. John Gladden Road is not a publicly maintained street. As a result, Petitioner shall not be required to install curb and gutter, a planting strip or a sidewalk along the Site's frontage on John Gladden Road.

**5. ENVIRONMENTAL FEATURES**

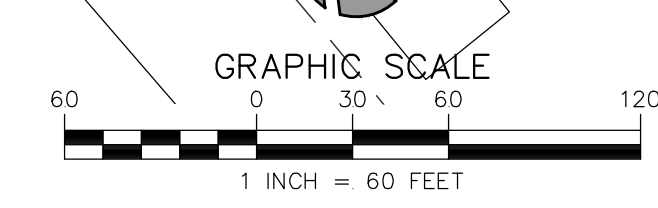
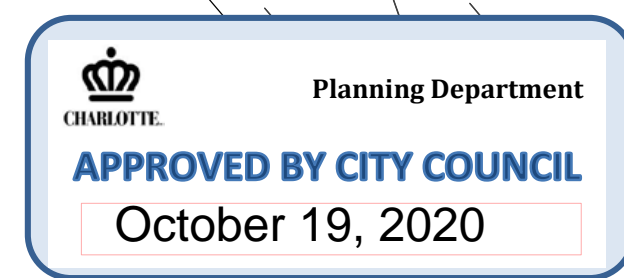
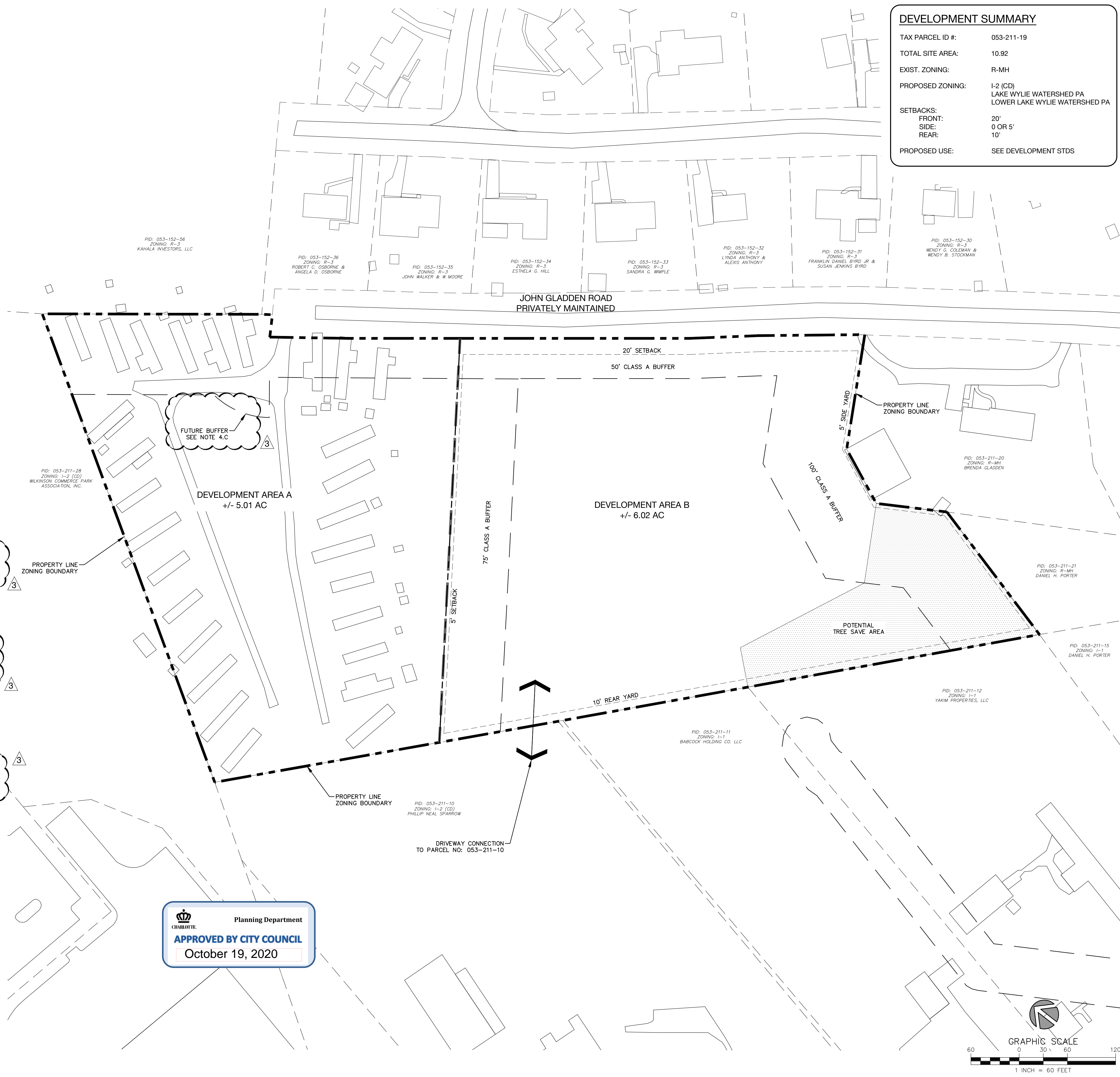
- A. Development of Development Area B shall comply with the requirements of the City of Charlotte Tree Ordinance.
- B. Any redevelopment of Development Area A after the discontinuance of the legal, non-conforming residential uses on Development Area A described above in paragraph 2.B shall comply with the requirements of the City of Charlotte Tree Ordinance.
- C. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.

**6. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**

- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of 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 the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

**DEVELOPMENT SUMMARY**

TAX PARCEL ID #:	053-211-19
TOTAL SITE AREA:	10.92
EXIST. ZONING:	R-MH
PROPOSED ZONING:	I-2 (CD) LAKE WYLIE WATERSHED PA LOWER LAKE WYLIE WATERSHED PA
SETBACKS:	
FRONT:	20'
SIDE:	0 OR 5'
REAR:	10'
PROPOSED USE:	SEE DEVELOPMENT STDS



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nc firm no: P-0418  
sc cca no: C-03044

**John Gladden Road**  
**Rezoning Plan**  
 8715 John Gladden Road Charlotte, NC

NO.	DATE	BY:	REVISIONS:
1	05.01.20	UDP	PER CITY COMMENTS
2	06.15.20	UDP	PER CITY COMMENTS
3	09.28.20	UDP	PER CITY COMMENTS

Project No: 19-119  
Date: 01.13.2020  
Designed by: UDP  
Drawn By: UDP  
Sheet No:

**RZ-1.0**