

**CHARLOTTE - MECKLENBURG  
PLANNING COMMISSION**

**INTER - OFFICE COMMUNICATION**

**DATE:** July 23, 1998

**TO:** Robert Prandon  
Zoning Administrator

**FROM:** Martin R. Cramton, Jr.  
Planning Director

**SUBJECT:** administrative approval for petition NO. 98-04(C) by Centex Homes Tax parcels  
229-012-77,79 and 229-021-04 and 12.

attached is a revised plan for the above rezoning petition. The plan indicates a 12 foot area to be disturbed within the common area along Wade Ardrey Road for roadway improvements and an area to be disturbed for sewer and drainage improvements. Since this change is minor, I am administratively approving this revised plan. Please use this revised plan when evaluating requests for building permits and certificates of occupancy.

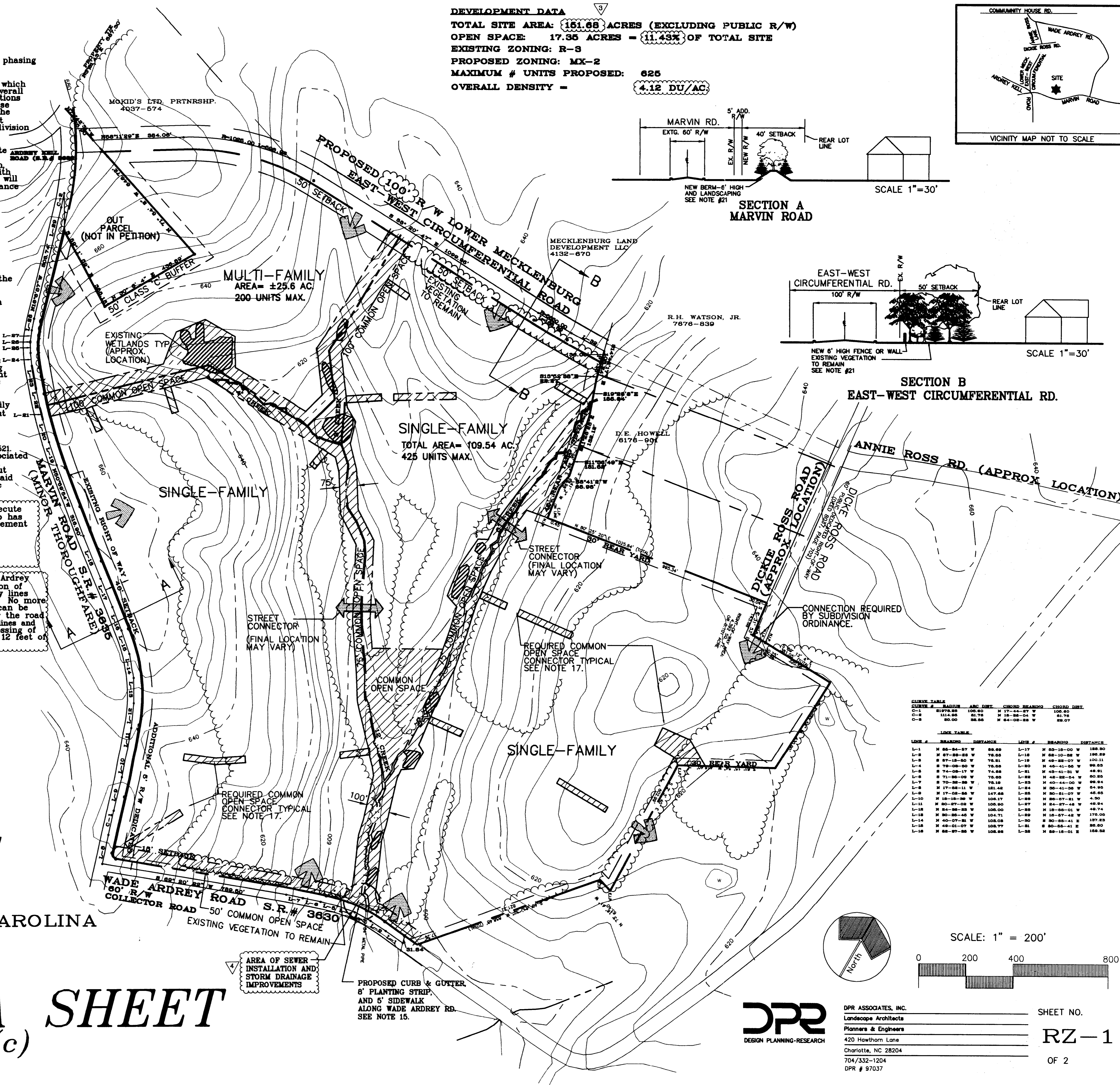
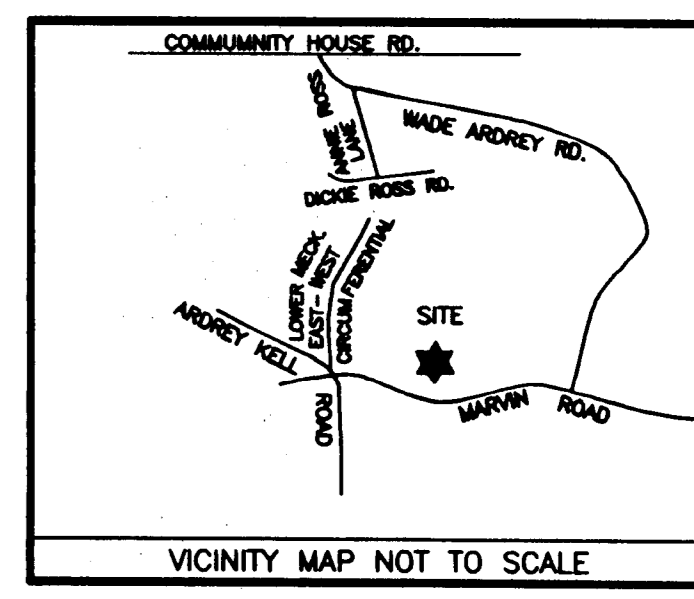
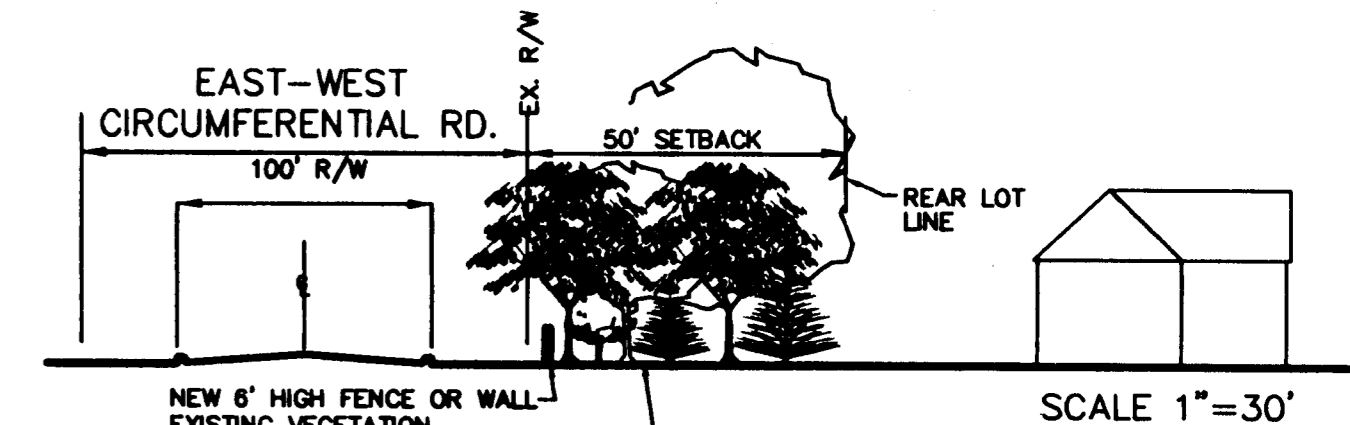
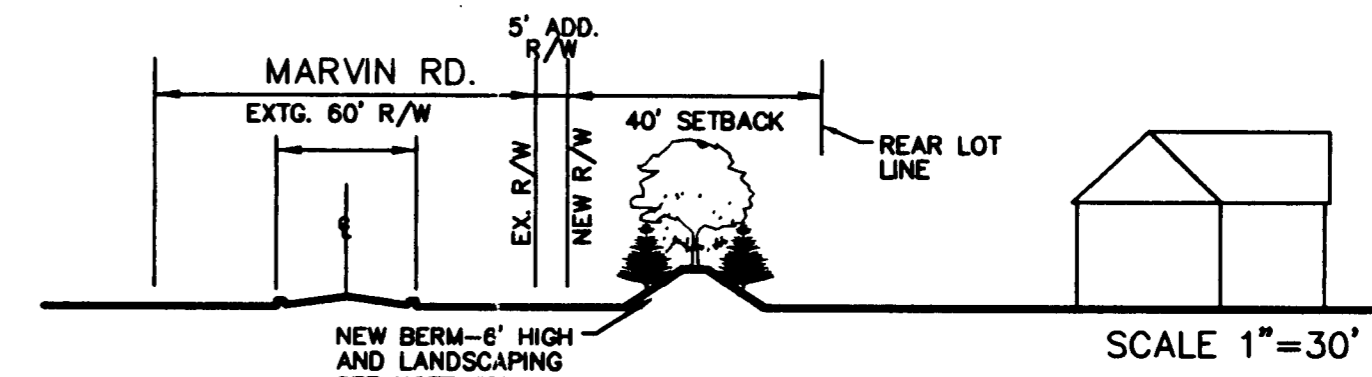
**Conditional Notes**

- The site plan consists of the Technical Data Sheet and the Schematic Site Plan. The Technical Data Sheet contains all development notes and conditions governing the development of the site and includes such things as the vehicular access points, buffers, setbacks, yards, generalized areas for buildings/parking/circulations areas, development intensity/density, etc. The Schematic Site Plan depicts a development scenario based upon the conditions imposed by the Technical Data Sheet, but other development scenarios are permitted as a matter of right which will allow alternatives to the number and arrangement of buildings, building shapes and sizes, lot arrangements, streets/parking/circulation layouts, etc. and in no event, however, shall buffer or yard setback dimensions be decreased or the maximum level of development density for the entire site be increased from that shown on the Technical Data Sheet.
- All proposed development on the site shall comply with ordinance requirements regarding the number and arrangement of off-street parking spaces, signage, yard dimensions, buffers, screening, landscaping, etc.
- The proposed development shall consist of a combination of single family detached and multi-family homes. The multi-family dwelling units shall be for sale.
- Vehicular access points shall be limited to the locations depicted on the site plan. However, these locations may vary from that depicted based upon final design and construction plans. The location and design shall comply with applicable standards and requirements of the Mecklenburg County and/or the N.C. Dept. of Transportation.
- Multi-family buildings shall be limited to a maximum of two stories and shall not exceed 40 feet in height.
- Buffers and common open space areas shall be established throughout the site as shown on the site plan. The width of these various areas shall not be reduced from the dimensions outlined on the site plan. The common open space areas shall consist of a combination of natural areas, landscaped areas and areas which are improved with amenities for residents, including pathways, tennis courts, swimming pool, clubhouse/cabana, etc.
- Storm water detention shall not be allowed within setback or buffer areas. Pathways and utility connections, however, may be located within buffers.
- As required, a Class "C" Buffer measuring 50 feet shall be established around the "out parcel" tract. This buffer shall remain undisturbed except for any necessary utility connections, if any, required to serve the development. The open space area measuring 100 feet which separates the proposed multi-family and single family areas shall remain largely undisturbed, but will include a common pathway and possible utility connections as well as any grading necessary to prepare the multi-family area for development.
- The Petitioner shall dedicate land along the site's Marvin Road frontage sufficient to establish a 35 foot road right-of-way as measured from the centerline of the road to the edge of the site. Such dedication shall occur prior to the issuance of any building permit associated with the site. Setback dimensions shown on the plan along Marvin Road are measured from the next right-of-way.
- Dumpsters shall be located within enclosures, with gates.
- Parking lot lighting associated with the multi-family development shall be limited to a maximum of 20 feet.
- The proposed development of the site along the "East-West" circumferential thoroughfare shall observe a 50 foot setback. This area shall be attractively landscaped and will not contain any buildings or parking areas.
- All yard and buffer dimensions shall be measured from the common open space boundaries.
- Petitioner/developer shall provide left turn lanes at the two proposed access points along Marvin Road. The turn lane shall be constructed at the time each driveway is constructed. Also, the petitioner/developer shall widen Marvin Road to a minimum of 12 feet of pavement from the centerline along the site's frontage if the existing total width of the road is less than 22 feet.
- Petitioner/developer shall construct curb, gutter, and sidewalk improvements along the site's Wade Ardrey Road frontage. The sidewalk shall be 5 ft. wide with an 8 ft. planting strip. Along Marvin Road, the petitioner shall provide a 5 foot wide sidewalk at the back of the future R/W.

- The proposed development shall comply with all phasing requirements of the MX-2 zoning district.
- The common open space pedestrian connection, which are shown in various locations connecting the overall open space system to convenient street/lot locations are illustrative as to the precise locations. These connections are representative of a portion or the required open space, but the locations may shift depending upon final design plans for the subdivision lot and street and layout.
- The current property owner has agreed to donate the right-of-way for the proposed "East-West" thoroughfare. Therefore, the area dedicated can be included in density calculations associated with the proposed development. The property owner will donate this right-of-way area prior to the issuance of building permits.
- The following agencies shall be contacted regarding wetland and water quality permits:  
401/404 permit NCDHNR - Raleigh Office (919)733-1786  
Wetlands Permit: US Army Corp. of Engineers (704)271-4854
- An overtopping analysis shall be performed on the existing Wade Ardrey Road pipe culvert. The petitioner agrees to add to the existing pipe underneath the road such that the pipe system is adequately sized to accommodate the increased storm water run-off associated with the proposed development.
- The following agencies shall be contacted regarding wetland and water quality permits:  
401/404 permit NCDHNR - Raleigh Office (919)733-1786  
Wetlands Permit: US Army Corp. of Engineers (704)271-4854
- An overtopping analysis shall be performed on the existing Wade Ardrey Road pipe culvert. The petitioner agrees to add to the existing pipe underneath the road such that the pipe system is adequately sized to accommodate the increased storm water run-off associated with the proposed development.
- The Single Family 4' Setback along Marvin Rd. and the 50' Setback along the East-West Circumferential Rd. shall be screened by means of a wall, fence, berm, landscaping, and existing vegetation or combination thereof. By covenant these areas shall be deeded to the Homeowners Assoc.
- One half (100 units) of the proposed multi-family for sale dwelling units may be developed without restriction. The balance of the proposed multi-family for sale units shall be restricted from development until the proposed "East-West Circumferential Road" is open to the public between Community House Road and US 521. Site development and building construction associated with these remainder units may begin, however, prior to the opening of said road connection but no certificate of occupancy can be issued for said dwelling units until the road is opened to the public between Community House Road and US 521.
- Centex Homes agrees that it will not execute a purchase contract with any buyer who has not executed a disclosure of acknowledgement of the proposed Highway 521 landfill.
- The petitioner shall provide sidewalks as shown on the Schematic Site Plan.
- Existing vegetation to remain along Wade Ardrey Road except as required for the installation of improvements, storm drainage, utility lines, sight triangles, and entrance monuments. No more than 12 feet of the common open space can be graded from the right of way to allow for the road improvements. The installation of the sewer lines and upgrading of the culvert at the creek crossing of Wade Ardrey Road will disturb more than 12 feet of existing vegetation.

**DEVELOPMENT DATA**

TOTAL SITE AREA: **161.88 ACRES** (EXCLUDING PUBLIC R/W)  
 OPEN SPACE: **17.36 ACRES** = **11.43%** OF TOTAL SITE  
 EXISTING ZONING: R-3  
 PROPOSED ZONING: MX-2  
 MAXIMUM # UNITS PROPOSED: **625**  
 OVERALL DENSITY = **4.12 DU/AC**



**CURVE TABLE**

CURVE #	BEARING	ARC DIST.	CHORD BEARING	CHORD DIST.
C-1	S17°28'00" W	100.00	N17°44'00" W	100.00
C-2	S11.00'00" W	80.00	N16°00'00" W	80.00
C-3	S84°00'00" W	20.00	N84°00'00" W	20.00

**LINE TABLE**

LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
L-1	N 88-54-57 W	88.88	L-17	N 80-10-00 W	189.80
L-2	N 87-28-00 W	78.88	L-18	N 88-10-00 W	188.88
L-3	N 87-18-50 W	78.81	L-19	N 88-08-07 W	100.11
L-4	N 79-08-00 W	78.88	L-20	N 48-41-00 W	88.88
L-5	N 74-00-17 W	74.88	L-21	N 48-41-01 W	88.81
L-6	N 71-08-00 W	71.88	L-22	N 48-28-04 W	80.88
L-7	N 70-28-00 W	70.88	L-23	N 48-00-00 W	80.84
L-8	N 67-08-11 W	67.88	L-24	N 38-41-08 W	64.88
L-9	N 57-08-00 W	57.88	L-25	N 38-01-07 W	64.88
L-10	N 48-08-00 W	48.88	L-26	N 38-07-08 W	48.88
L-11	N 48-08-00 W	48.88	L-27	N 38-07-08 W	48.88
L-12	N 48-08-00 W	48.88	L-28	N 38-07-08 W	48.88
L-13	N 48-08-00 W	48.88	L-29	N 38-07-08 W	48.88
L-14	N 48-08-00 W	48.88	L-30	N 38-07-08 W	48.88
L-15	N 48-08-00 W	48.88	L-31	N 38-07-08 W	48.88
L-16	N 48-08-00 W	48.88	L-32	N 38-07-08 W	48.88

**MARVIN ROAD SITE  
 REZONING**  
 FOR CENTEX HOMES  
 MECKLENBURG COUNTY, NORTH CAROLINA

ATTACHED TO ADMINISTRATIVE APPROVAL  
 10/27/97  
 REV. 12/17/97  
 1/30/98  
 3/3/98  
 7/22/98

**TECHNICAL DATA SHEET**  
 PETITION NO. #98-04(c)  
 FOR PUBLIC HEARING

**DPR** DESIGN PLANNING-RESEARCH  
 DPR ASSOCIATES, INC.  
 Landscape Architects  
 Planners & Engineers  
 420 Hawthorn Lane  
 Charlotte, NC 28204  
 704/332-1204  
 DPR # 97037

SHEET NO.  
**RZ-1**  
 OF 2

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**CHARLOTTE - MECKLENBURG  
PLANNING COMMISSION**

**INTER - OFFICE COMMUNICATION**

DATE:

TO: Robert Prandon  
Zoning Administrator

FROM: Martin R. Cramton, Jr.  
Planning Director

SUBJECT: administrative approval for petition NO. 98-04(C) by Centex Homes Tax parcels  
229-012-77,79 and 229-021-04 and 12.

attached is a revised plan for the above rezoning petition. The plan reflects revised notes that all single family yard and buffer dimensions shall be measured from the common open space boundaries (this is a clarification); grading will be allowed in the buffer necessary to prepare the multi family area; multi family building height and number of stories are to be measured from front of buildings and basements are permitted. Since these changes are minor, I am administratively approving this revised plan. Please use this revised plan when evaluating requests for building permits and certificates of occupancy.