

- SYMBOL LEGEND**
- ▲ PUBLIC STREET
  - COLLECTOR (60' R.O.W.)
  - - - PRIVATE STREET
  - - - ALLEY
  - COMMON OPEN SPACE
  - ▨ FUTURE GREENWAY
  - ▲ ACCESS POINT
  - ▲ LANDSCAPE SCREEN/BUFFER
  - ▲ GREENWAY TRAIL 6' GRAVEL
  - ▲ 6' DECORATIVE SCREEN FENCE

**DEVELOPMENT DATA**

▲ SITE AREA	156 AC.
▲ EXISTING ZONING	R-3, B-1
▲ PROPOSED ZONING	MX-2
▲ MAXIMUM # DWELLING UNITS	748 D.U.
▲ MAXIMUM DENSITY	4.79 D.U./AC.
▲ MIN. BUILDING SEPARATION	16'
▲ MAX. BUILDING HEIGHT	40'
▲ COMMON OPEN SPACE (C.O.S.)	440.8 AC.

**SITE TABULATION**

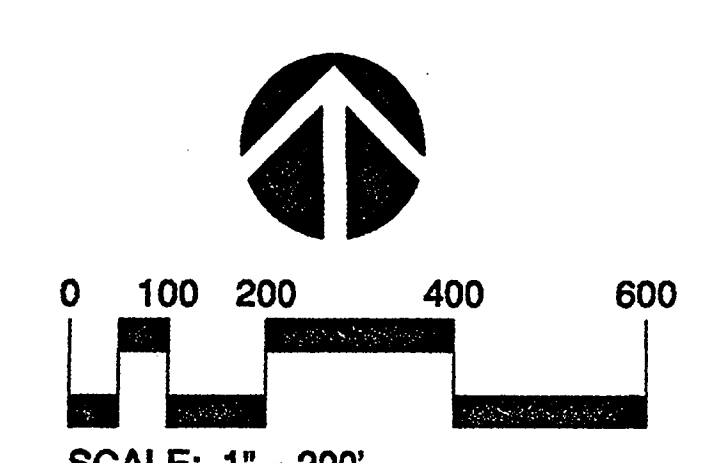
TRACT	USE	AC.	# D.U.	C.O.S.
TRACT "A"	SINGLE FAMILY DETACHED	24.5	88	7.75 ac.
TRACT "B"	SINGLE FAMILY ATTACHED	49.0	147	9.0 ac.
TRACT "C"	SINGLE FAMILY ATTACHED	8.3	38	1.5 ac.
TRACT "D"	MULTIFAMILY	14.1	132	7.5 ac.
TRACT "E"	SINGLE FAMILY ATTACHED	30.7	196	10.65 ac.
TRACT "F"	SINGLE FAMILY ATTACHED	21.5	147	4.4 ac.
THOROUGHFARE R.O.W.		7.9		
<b>TOTAL</b>		<b>156 AC.</b>	<b>748</b>	<b>40.8 ac.</b>

**INNOVATIVE DEVELOPMENT STANDARDS**

- Pursuant to Section 11.206 of the Ordinance, the Petitioner seeks to obtain the approval of its use of the following Innovative Development Standards in accordance with the development of the site concurrently with the approval of its Rezoning Petition:
- SINGLE FAMILY DETACHED HOMES**
- ▲ PUBLIC STREET R.O.W. 45'
  - ▲ MINIMUM LOT SIZE 3,000 SF
  - ▲ (EXCEPT TRACT "B", 4,000 SF MIN.)
  - ▲ MIN. FRONT SETBACK 20'
  - ▲ (EXCEPT TRACT "B", 30' SETBACK)
  - ▲ MIN. SIDE YARD 3'
  - ▲ MIN. REAR YARD (INTERNAL) 10'
  - ▲ (EXCEPT TRACT "B", 30' REAR YARD)
  - ▲ MIN. REAR YARD (EXTERNAL) 45'
  - ▲ MIN. LOT WIDTH 30'
  - ▲ (EXCEPT TRACT "B", 60' WIDTH)
  - ▲ MAX. BLDG. HEIGHT 40' (MAX. 3 STORES)
  - ▲ INTERNAL BUFFER 0'
  - ▲ HT. OF FENCE IN SETBACK 6'
  - ▲ SWIM CLUB PARKING 1 SPACE/200 SF (8% OF POOL WATER SURFACE)
- MULTI FAMILY AND TOWNHOMES**
- ▲ MIN. FRONT SETBACK 10' (FROM 6'W OR BACK OF CURB)
  - ▲ MIN. REAR YARD 10' (INTERNAL)
  - ▲ 40' (EXTERNAL)
  - ▲ MAX. BLDG. HEIGHT 40' (MAX. 3 STORES)
  - ▲ INTERNAL BUFFER 0'
  - ▲ HT. OF FENCE IN SETBACK 6'
  - ▲ SWIM CLUB PARKING 1 SPACE/200 SF (8% OF POOL WATER SURFACE)



**PORTRAIT HOMES**  
 9105 MONROE ROAD  
 SUITE 120  
 CHARLOTTE, NC 28270-1490  
 704-849-2221



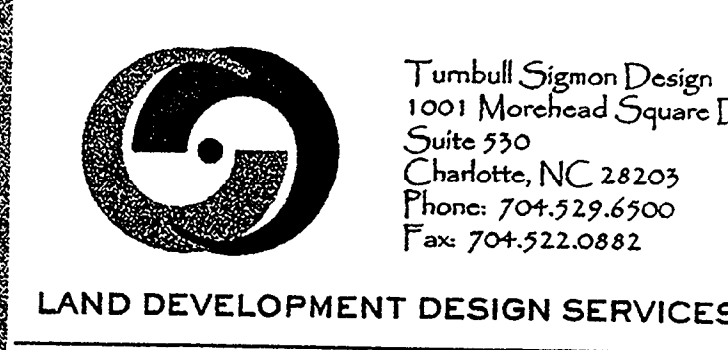
**MERRYHUE FARMS**  
 HANBERRY DRIVE  
 CHARLOTTE  
 NORTH CAROLINA

**FOR PUBLIC HEARING**

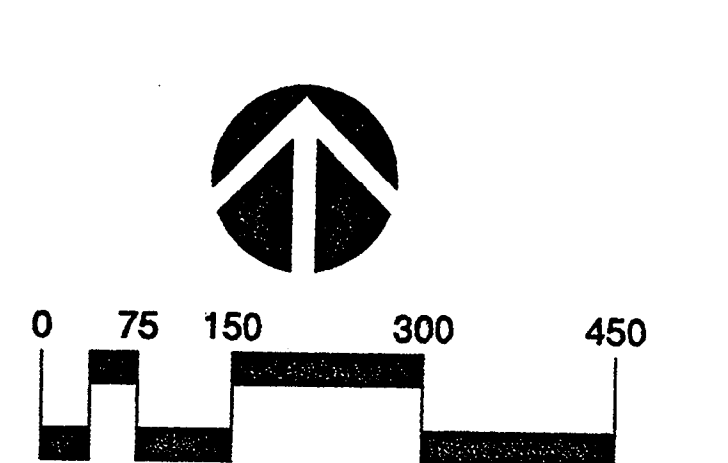
**TECHNICAL DATA SHEET**  
 Petition # 2002-II2

PROJECT NUMBER: 02015  
 DRAWN BY: TCS, MLF, ABS  
 DESIGNED BY: SFC  
 ISSUE DATE: 09-09-02

APPROVED BY: TURNBULL 3  
 DATE: 3/17/03



**PORTRAIT HOMES**  
 9105 MONROE ROAD  
 SUITE 120  
 CHARLOTTE, NC 28270-1490  
 704-849-2221

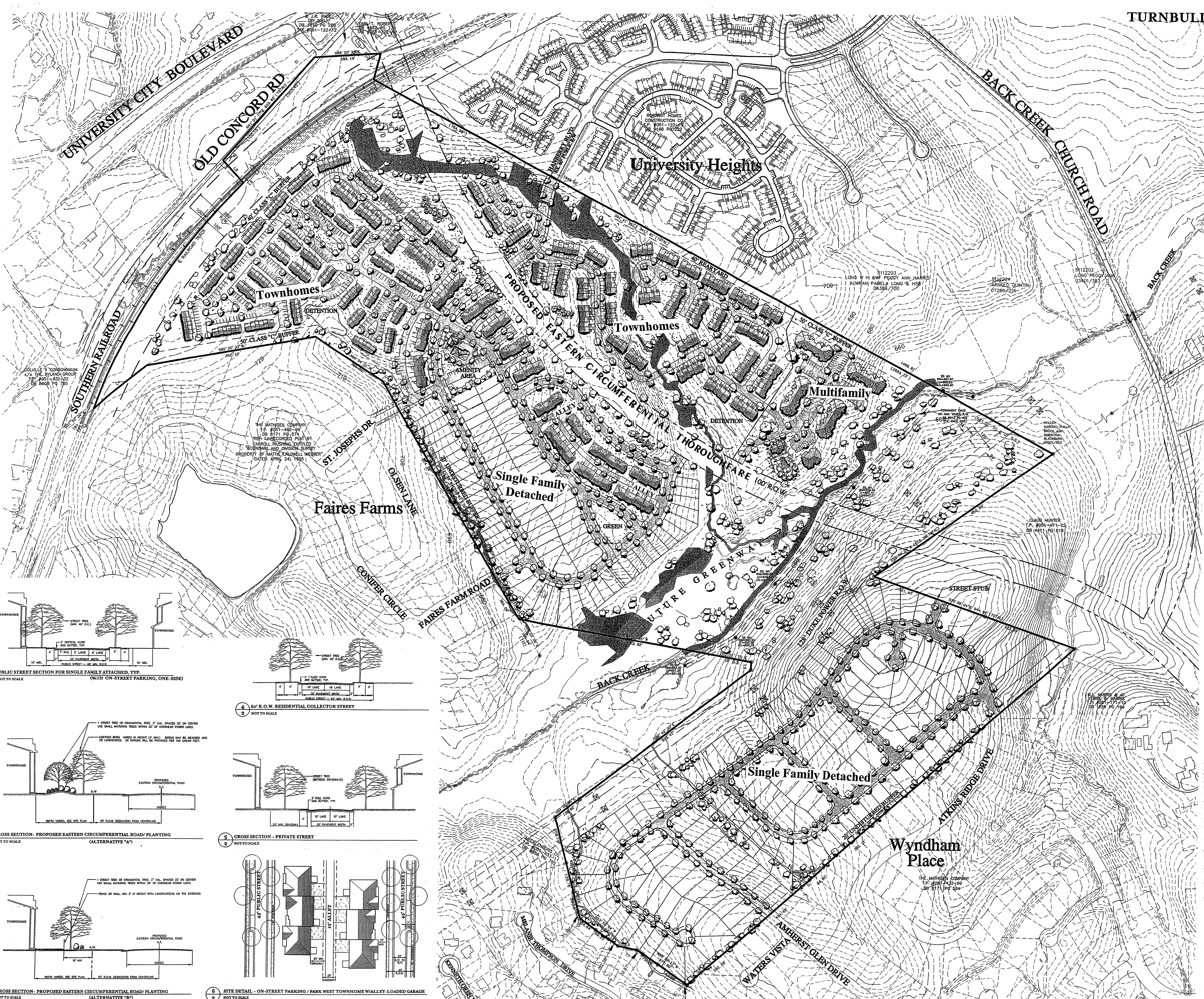


**MERRYHUE FARMS**  
 HANBERRY DRIVE  
 CHARLOTTE  
 NORTH CAROLINA

**FOR PUBLIC HEARING**

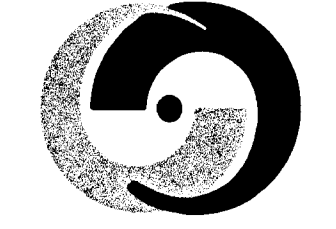
**SCHEMATIC SITE PLAN**  
 Petition #2002-II2

PROJECT NUMBER: 02015  
 DRAWN BY: TCS  
 DESIGNED BY: SFC  
 ISSUE DATE: 09/09/02



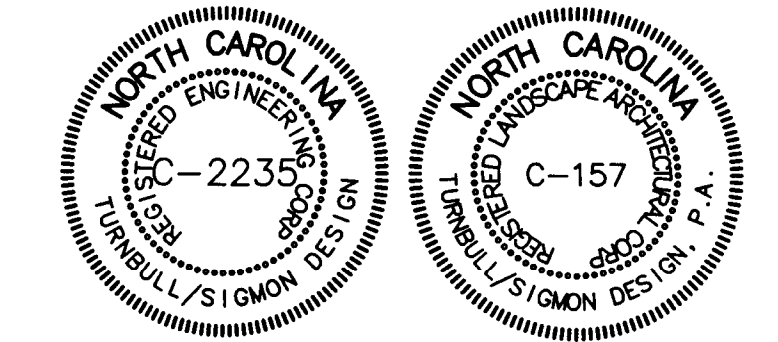
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LAND DEVELOPMENT DESIGN SERVICES



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**PORTRAIT HOMES**

9105 MONROE ROAD  
SUITE 120  
CHARLOTTE, NC 28270-1490  
704-849-2221

**MERRYHUE FARMS**

HANBERRY DRIVE  
CHARLOTTE  
NORTH CAROLINA

**FOR PUBLIC HEARING**

**DEVELOPMENT STANDARDS  
Petition #2002-112**

PROJECT NUMBER:	02015
DRAWN BY:	TCS, ABS
DESIGNED BY:	SFC
ISSUE DATE:	09/05/02

03-14-05	KAK	REVISE SECTIONS B6(b), B13(b) AND C2(a)
02-18-05	TCS	REVISE PER STAFF/CLIENT COMMENTS
03-14-03	TCS	REVISE PER STAFF/CLIENT COMMENTS
02-24-03	TCS	REVISE PER CLIENT COMMENTS
2-24-03	TCS	REVISE PER CLIENT COMMENTS
12-02-02	TCS	REVISE PER CLIENT COMMENTS
11-28-02	TCS	REVISE PER WETLANDS DELINEATION
10-22-02	TCS	REVISE PER O&G STAFF COMMENTS

NO. DATE: BY: REVISIONS:

**DEVELOPMENT STANDARDS**

**A. PERMITTED USES:**

Up to 235 for sale single family detached dwelling units, 381 for sale single family attached dwelling units, and 132 multi-family units, (or 112 for sale single family attached dwelling units), as further described below, may be constructed on the Site, together with any incidental or accessory uses associated therewith which are permitted under the City of Charlotte Zoning Ordinance (the "Ordinance") in the Mx-2 Zoning District.

**Tract "A"**

Up to 88 for sale single family detached dwelling units may be constructed on Tract A, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance in the Mx-2 Zoning District.

**Tract "B"**

Up to 147 for sale single family detached dwelling units may be constructed on Tract B, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance in the Mx-2 Zoning District. Tract "B" will be developed in accordance with the R-4 Cluster development standards in the Ordinance except that all lots will have a minimum width of 60 feet.

**Tract "C"**

Up to 38 for sale single family attached dwelling units may be constructed on Tract C, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance in the Mx-2 Zoning District.

**Tract "D"**

Up to 132 multi-family units or up to 112 for sale single family attached dwelling units may be constructed on Tract D, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance in the Mx-2 Zoning District.

**Tract "E"**

Up to 196 for sale single family attached dwelling units may be constructed on Tract E, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance in the Mx-2 Zoning District.

**Tract "F"**

Up to 147 for sale single family attached dwelling units may be constructed on Tract F, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance in the Mx-2 Zoning District.

**B. DEVELOPMENT REQUIREMENTS:**

**1. General Provisions.**

(a) At a minimum, all applicable development standards established under the Ordinance for the Mx-2 Zoning District will be satisfied in connection with development taking place on the Site. In accordance with Section 11.1.204(2) of the Ordinance, as no part in the development of the Site shall the density of residential development in a completed phase of the Site exceed 8 dwelling units per acre.

(b) In addition, development of the Site shall be governed by these Development Standards, the Technical Data Sheet and the Schematic Site Plan.

(c) The building configurations, placements and sizes, streets and parking areas shown on the Schematic Site Plan (Sheet RZ-2), are schematic in nature and may be altered or modified during design development and construction document phases within the maximum building limit lines established on the Technical Data Sheet.

(d) Landscaped areas and sidewalks within the Site will be planted and installed in sequences which are keyed to development taking place on the Site.

(e) The Petitioner or the owner or owners of the Site will not be required to install sidewalks or other improvements along the unimproved open space's frontage on Old Concord Road.

**2. Setbacks, Side Yards and Rear Yards.**

All buildings constructed on the Site shall satisfy or exceed the setback, rear yard and side yard requirements established on the Technical Data Sheet.

**3. Buffer Areas.**

(a) Buffer areas established on the Technical Data Sheet shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 and to the provisions of Paragraphs (b) and (c) of this Section.

(b) Utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees.

(c) In all buffer areas where existing trees and natural vegetation have been cleared to accommodate grading, berms, walls, fences, or the installation of utility lines or facilities, the cleared, unimproved areas will be landscaped as required by Section 12.302 of the Ordinance.

(d) As depicted on the Technical Data Sheet, a 20 foot wide undisturbed buffer shall be maintained along the external edge of Tract "A" adjacent to the Faires Farms subdivision and Tract "B" adjacent to the Wyndham Place Subdivision. Notwithstanding the foregoing, Petitioner reserves the right to selectively cut, clear and clean underbrush and dead or dying trees and vegetation located within this buffer area.

**4. Landscaped Areas and Screening.**

(a) Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance and the City of Charlotte Tree Ordinance. Development of the Site will comply with the provisions of the City of Charlotte Tree Ordinance, including the requirement for minimum tree save areas.

(b) The Petitioner shall install a landscape screen buffer a minimum of 30 feet in width along the Site's frontage on the proposed Eastern Circumferential Thoroughfare in those areas generally depicted on the Technical Data Sheet.

(c) The Petitioner shall install a 6 foot decorative screen fence within the landscape screen buffer in those areas generally depicted on the Technical Data Sheet. Additionally, the Petitioner shall install within the landscape screen buffer street trees and ornamental trees at least 2 inches in caliper at the line of installation, with such trees to be planted 25 feet on center. The Petitioner shall also install within the landscape screen buffer 20 shrubs per 100 lineal feet.

**5. Trash Collection.**

(a) The Petitioner presently contemplates that trash will be collected from each individual unit from separate trash containers located at each unit.

(b) If this form of collection is utilized, pick up will be handled by a private hauler unless and until governmental policy would provide for the public pick up of trash.

(c) If dumpsters are provided, they will be screened with solid wooden or masonry enclosures with gates.

**6. Streets and Driveways.**

(a) Vehicular access to the Site will be limited to the access points shown on the Technical Data Sheet and will be located in the general areas depicted. The configurations and ultimate locations of these access points within the Site are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and are further subject to approval by CDOT and/or the North Carolina Department of Transportation ("NCDOT").

(b) The Petitioner shall dedicate and convey in fee (by quitclaim deed and subject to a reversionary interest in any property not used for right of way purposes in the future) right of way for the proposed Eastern Circumferential Thoroughfare along the Site's frontage and as generally depicted on the Technical Data Sheet (such area being hereinafter referred to as the "Right of Way Area"). Such dedication and conveyance shall occur upon recordation of the first Phase final plat. Prior to the conveyance of the Right of Way Area for the proposed Eastern Circumferential Thoroughfare, the Petitioner or the owner or owners of the Site shall have the right to reserve easements over the Right of Way Area that are necessary to provide the vehicular connection and street between Tract "C" and Tract "F" that is generally depicted on the Technical Data Sheet and Schematic Site Plan (such easement to expire upon the completion and opening of the proposed Eastern Circumferential Thoroughfare), and to reserve such easements over the Right of Way Area for the installation, maintenance, repair and replacement of utility lines or facilities. Petitioner shall also have the right to reserve such temporary construction easements over the Right of Way Area as are necessary to develop the Site (such temporary construction easements to expire upon the completion of the development of the Site).

(c) Petitioner shall prohibit construction vehicles relating to the development of the Site from using St. Josephs Drive or Faires Farm Road for ingress and egress to and from the Site.

(d) The street labeled "collector" street" on the Technical Data Sheet shall be built to collector street standards. The Petitioner shall install a 6 foot planting strip and a 5 foot sidewalk on both sides of this collector street. All units along the collector shall front on the collector.

(e) That portion of the street labeled "Collector Street" on the Technical Data Sheet that connects existing Faires Farm Road and existing Hanberry Drive must be completed and open to vehicular traffic prior to the recording of the plat for the thirty first (31st) dwelling unit to be located on that portion of the Site situated north of Back Creek (i.e., Tracts A, C, D, E and F). The platting, construction or occupancy of any dwelling units located on that portion of the Site designated as Tract B on the Technical Data Sheet shall not impact or trigger the Petitioner's obligations with respect to the above described "Collector Street".

**7. Lighting**

(a) A uniform lighting system will be employed throughout the Site. All lighting within the Site except street lights which may be erected along any public street or private street shall be designed such that direct illumination does not extend past exterior property lines of the Site. Consideration will be given to the impact of lighting both within and without the perimeter of the Site. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards adjacent streets and properties.

(b) Lighting fixtures will not exceed 20 feet in height, except for street lights along public streets.

(c) Street lights will be installed along public and private streets within the Site by the Petitioner.

**8. Parking.**

(a) The parking spaces depicted on the Schematic Site Plan may vary but in all events will be sufficient to satisfy the minimum off-street parking standards established under the Ordinance.

(b) No parking will be permitted within buffer areas or setback areas.

**9. Signs.**

A uniform signage and graphics system will be employed throughout the Site which will comply with the provisions of Section 13 of the Ordinance.

**10. Fire Protection.**

Adequate fire protection in the form of fire hydrants will be provided to the Fire Marshal's specifications.

**11. Design Standards.**

(a) Landscaped islands will be provided in parking areas to avoid large expanses of pavement. These islands will satisfy or exceed the City of Charlotte Tree Ordinance.

(b) The Site shall conform to the City of Charlotte Tree Ordinance.

(c) All parking will be screened from public streets in accordance with the requirements of Section 12.303 of the Ordinance.

(d) Within Tract C, garages, if provided, may not front a public street. All such garages shall be accessed by a rear alley.

**12. Storm Drainage.**

(a) Storm water runoff from the Site will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte Engineering Department.

(b) No storm water facilities may be placed within buffer areas or setback areas.

(c) The Petitioner shall work with local agencies to develop methods for pollutant removal and storm water quality such as rain gardens, extended detention wetlands, and velocity reduction devices.

(a) The owner of the Site shall dedicate and convey in fee (by quitclaim deed and subject to a reversionary interest in any property not used for right of way purposes in the future) right of way for the proposed Greenway Area along the Site's frontage and as generally depicted on the Technical Data Sheet (such area being hereinafter referred to as the "Greenway Area") to Mecklenburg County for greenway purposes. The Greenway Area shall be dedicated and conveyed upon recordation of the first Phase final plat sooner if requested by Mecklenburg County. Prior to a conveyance of the Greenway Area to Mecklenburg County, the owner and owners of the Site shall have the right to maintain the Greenway Area, to install and locate utility lines through the Greenway Area, to reserve such easements over the Greenway Area that are necessary to maintain and repair such utility lines, and to reserve easements for the future installation of utilities.

(b) Prior to the dedication and conveyance of the Greenway Area to Mecklenburg County, the Petitioner shall install a 6 foot wide path walking trail within the Greenway Area as generally depicted on the Technical Data Sheet.

**14. Architectural Commitments**

(a) All single family detached dwelling units located within Tract "B" shall contain a minimum of 1,080 heated square feet.

(b) At a minimum, each single family detached dwelling unit located within Tract "B" shall have a 2 car garage.

(c) Each single family detached dwelling unit located within Tract "B" shall be constructed with a brick surround from the exterior grade of the lot to the first floor elevation of the home, or at least 25% of the front elevation (inclusive of doors and windows) shall consist of brick or stone materials.

**15. Sidewalks / Pedestrian Connections**

(a) Sidewalks will be provided in accordance with the requirements of the Ordinance.

(b) A pedestrian path connecting Tracts "A", "B" and "C" to the Greenway Area shall be provided by the Petitioner in the location generally depicted on the Technical Data Sheet.

(c) A pedestrian path connecting Tract "D" to the greenway area shall be provided by the Petitioner.

**C. PHASING REQUIREMENTS AND TRANSPORTATION COMMITMENTS:**

The Petitioner's development of up to 147 for sale single family detached dwelling units within Tract B in accordance with the Technical Data Sheet and Schematic Site Plan shall not be subject to any phasing requirements.

**Phase 1**

1. The Petitioner may construct up to 286 for sale single family attached dwelling units on those portions of the Site designated on the Technical Data Sheet as Tract C, Tract D, Tract E and Tract F during Phase 1 of the proposed development. The Petitioner may construct up to 88 single family detached dwelling units within that portion of the Site designated as Tract A on the Technical Data Sheet during Phase 1 of the proposed development.

2. In connection with the development of Phase 1, the Petitioner shall construct a northbound left-turn lane on Back Creek Church Road at Hanberry Drive, and an eastbound left-turn lane on McLean Road at Faires Farm Road. These left-turn lanes will be constructed and installed by the Petitioner concurrently with the development of Phase 1, and the construction plans for such left-turn lanes shall be submitted with the development plans as part of and be subject to the subdivision process. The Petitioner is responsible for the design of the left-turn lanes, to include appropriate traffic controls during construction and pavement markings. The design of these improvements must meet applicable minimum requirements as determined by and be subject to the review and approval of CDOT and NCDOT.

3. In connection with the design of the northbound left-turn lane on Back Creek Church Road at Hanberry Drive, the Petitioner will complete the preliminary design/construction plans for improvements described in paragraph 2(c)(1) under Phase 2 to ensure that the design of this left-turn lane is compatible with NCDOT's planned improvements to the intersection of Back Creek Church Road and University City Boulevard from a design and functionality standpoint as determined by CDOT and NCDOT.

**Phase 2**

1. Phase 2 of the proposed development shall consist of the remaining 227 dwelling units permitted to be developed on those portions of the Site designated on the Technical Data Sheet as Tract C, Tract D, Tract E and Tract F.

2. The subdivision plans and/or building permits for any dwelling unit in Phase 2 of this proposed development will not be approved/issued until such time as the following improvements have been completed:

(a) The planned and funded improvements to the intersection of Old Concord Road and McLean Road to be constructed by NCDOT, which improvements are designated as Project No. P-3814 by NCDOT.

(b) The planned and funded improvements to the intersection of Back Creek Church Road and University City Boulevard (NC 49) to be constructed by NCDOT, which improvements are designated as Project No. P-3814 by NCDOT.

(c) (1) The construction of an additional northbound lane on Back Creek Church Road, such lane to extend from the intersection of Hanberry Drive and Back Creek Church Road to the intersection of Back Creek Church Road and University City Boulevard (NC 49) (the "Additional Lane"), the primary purpose of which is to provide a northbound dual left-turn lane, and the extension of the concrete median (the "Extended Median") that would be constructed as part of 2(b) above to a point north of the intersection of Hanberry Drive and Back Creek Church Road (such point to be determined by CDOT). The Additional Lane can utilize the pavement area that will be constructed in connection with the installation of the northbound left-turn lane on Back Creek Church Road at Hanberry Drive for shadowing that left-turn lane and creating the appropriate transition. During the design stage, CDOT will determine the final configuration and design of the Additional Lane (i.e. storage, taper, and etc.), the termination point of the Extended Median and the pavement markings and signage that will be required. Minor modifications to the foregoing concept may be required to maintain reasonable access to the church located on the eastern side of Back Creek Church Road.

(2) In connection with the construction of the Additional Lane and the Extended Median described above in paragraph 2(c)(1), the Petitioner will submit construction plans, including traffic control and pavement marking plans, for these improvements to CDOT and NCDOT for their review and approval. All traffic lanes on Back Creek Church Road must align appropriately with the existing lanes on Pavilion Boulevard. The improvements must be designed in accordance with all applicable design standards as determined by CDOT and NCDOT.

(3) The Petitioner is responsible for all costs associated with the construction of the Additional Lane and Extended Median and all other associated intersection and roadway modifications necessary as a result of the installation of the Additional Lane and Extended Median as determined by CDOT and NCDOT to include, but not be limited to, lane realignments; right-of-way acquisition/dedication; any railroad crossing/signal modifications; utility relocations; pavement markings; and traffic signal modifications.