



## ADMINISTRATIVE AMENDMENT NOTICE

October 13, 2006

This letter serves as notification that on October 13, 2006 an administrative amendment was approved for the property illustrated and described below.

**Petition #:** 2003-47

**Present Owner:** Yager Companies, Inc.

**Previous Petitioner:** Yager Companies, Inc.

**Zoning Classification (Existing):** MX-2, mixed use conditional

**Acreage & Location:** Approximately 16.2 acres located on the west side of Lancaster Highway south of Springwell Street.

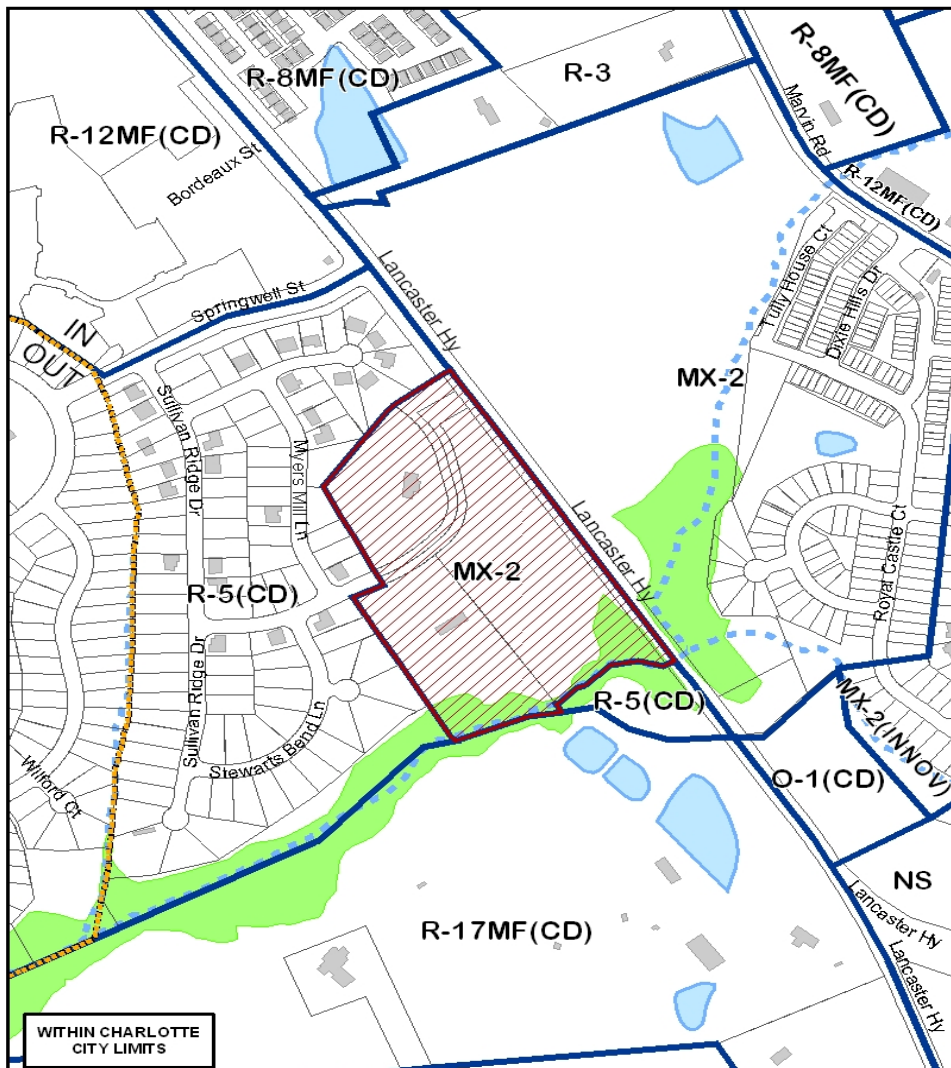
The amendment makes a minor change to the approved Rezoning Petition, *to reduce the number of units from 64 to 58 and allow a minor change to the site layout*, in accordance with Section 6.207 of the City of Charlotte Zoning Ordinance. Adjacent property owners may appeal the approval of the administrative amendment to the Zoning Committee of the Planning Commission fifteen days from the date of this notice.

To view this Administrative Amendment Site Plan, visit our website at [www.rezoning.org](http://www.rezoning.org) and click on "Administrative Amendments".

If you have questions regarding this amendment or the appeal process, please contact me at 704-336-8320.

Sincerely,

Tim Manes, Principal Planner



**DEVELOPMENT STANDARDS**

- Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases within the building envelope line as shown on the plan per Section 6.2 of the Zoning Ordinance.
- Any detached lighting on the site will be limited to 20 feet in height and will be capped or aimed into the site away from adjoining properties and public streets.
- Signage will be permitted in accordance with applicable Zoning standards.
- Parking will be provided which will meet or exceed the standards of the Zoning ordinance. A dimension of 18' will be maintained between the garage entrance and the sidewalk so that cars do not extend into the sidewalk on on-site parking. Each unit will have 2 garage spaces at a minimum.
- The use of the site will be for a small, for sale, attached housing (duplex and quadruplex units) development on individual sub lots not to exceed 64 homes. The Class C' buffer shown on the site plan will remain undisturbed, except that the Petitioner reserves the right to grade and re-vegetate the first 20' on the inside of the buffer if needed for the overall grading of the site.
- All buildings will be within 750 feet of a fire hydrant as prescribed by the Charlotte Fire Dept.
- Access will be provided by driveway connections to a new public street that connects to Lancaster Highway (Old 521). The exact location of the access will be subject to approval by the appropriate transportation authority. The Petitioner will dedicate and convey right-of-way sufficient to create 50' of right-of-way measured from the centerline of Lancaster Highway (Old 521), such dedication and conveyance to occur as part of the recordation of any record maps for the site. Any such dedication and conveyance will take the form of an instrument such as a quitclaim, non-warranty deed with appropriate reversion clause wherein the rights in the property or right of way so dedicated and conveyed will revert to the owner of the property without cost should the purpose for which the dedication and conveyance no longer exist and the responsible governmental authority abandons its use or need for the property.
- The Petitioner will install an internal sidewalk system that will connect the homes on the site with sidewalks on the adjacent public street.
- The pool and cabana indicated on the site plan will be built as part of the overall development. In addition, the Petitioner will dedicate land to Mecklenburg County for the greenway system as generally indicated on the site plan, such dedication to occur after site plan approval for the development of the site.

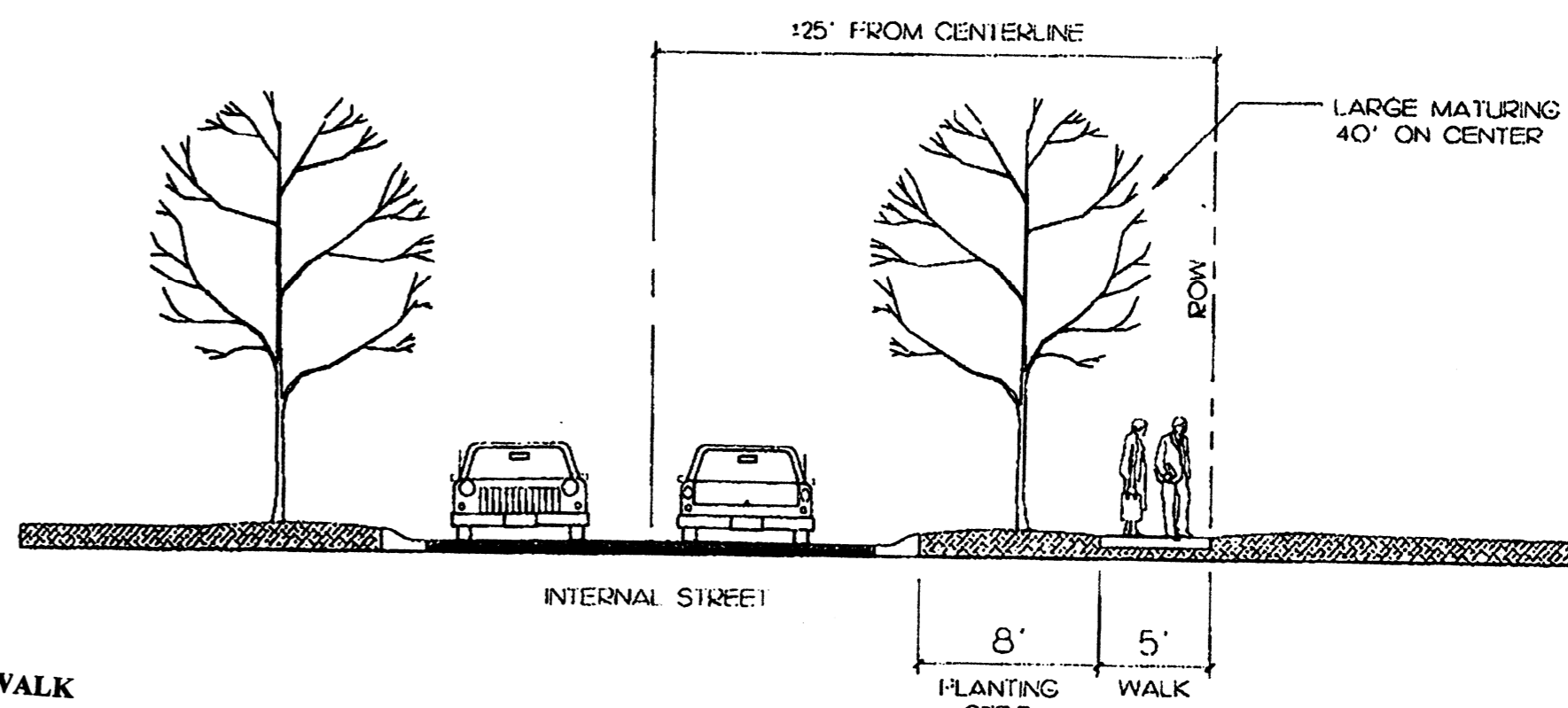
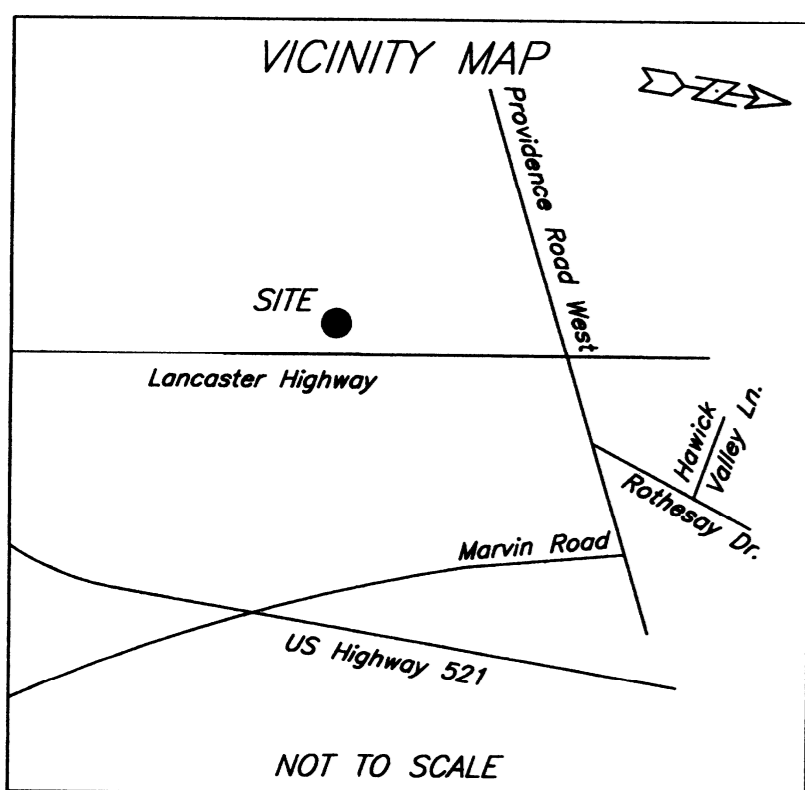
- Storm water detention is not proposed for the site due to its proximity to a regulatory floodplain. If detention is located on the site it will not be placed in any setbacks or buffers. Federal and state wetland agencies will be contacted prior to any grading. The development of the site will comply with adopted SWIM standards as noted in Note 14 below. The Petitioner will consult with and seek the advice of Storm Water Services in how to incorporate water quality control features in the overall storm water management plan for the site even if no site detention is utilized.
- Trash handling areas will be provided in accordance with Section 12403 unless trash collection is provided in a manner that renders common trash facilities unnecessary. It is the Petitioner's intent to provide trash collection via individual rollout containers. Trash collection facilities will be screened with a 6' privacy fence and screened from adjoining neighbors with 8' tall wall myrtles planted 6' on center.
- The site will comply with Chapter 21 of the City Code. Proposed planting shown is conceptual only and will be subject to change on actual site conditions and Urban Forestry Staff approval. Internal landscaping shown on the plan is illustrative and the exact design will be determined during the design and development process.
- The Petitioner, in accordance with the provisions of Section 11208, "Innovative Development Standards", may propose modifications to the following standards:
  - Street right-of-way widths,
  - Street type, dimensions, and construction standards,
  - Lot size and width,
  - Setbacks (internal) and yards,
- The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.
- Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners" shall, with respect to the Site, be deemed to include the heirs, devisees, 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.
- A Landscaped Common Open Space shall be provided in a 30' section of the 40' setback along Old US Hwy. 521. The Common Open Space will contain a 4' wall or fence and be planted with a minimum of 16 trees (2" minimum caliper, of which 25% must be evergreen) and 20 shrubs (with a minimum height of 2', of which 75% must be evergreen) evenly distributed per 100 linear feet. The width of the Common Open Space strip may be reduced by 25% if a fence or wall is provided. The wall and fence shall not include chain link or wood materials, must be a minimum of 50% opaque, and the finished side of the fence shall face the abutting right-of-way. Walls and fences shall be located within the quality as tree save area as further defined below), existing above ground or below ground utilities, or where the topography would make the wall or fence ineffective if placed within the inner half of the common open space strip. In any case, the wall or fence must be a minimum of 5' from the right-of-way and out of any right triangles. A tree save area of existing canopy as defined in Chapter 11 of the Charlotte Tree Ordinance, may be provided in lieu of the fence or wall if the species within the 30' common open space strip meets this definition. The required 20 shrubs shall be planted and evenly distributed, per 100 linear feet within the required tree save area. If the tree save area of existing canopy does not contain 6 trees per 100 linear feet, then supplemental tree plantings will be required to equal 6 trees per 100 linear feet, in addition to the required shrubs. If there is an area(s) along the project frontage where an area(s) of tree save does not exist, compliance with Section 12.108.1(a) or 1(b) will be required.

**SITE DATA**

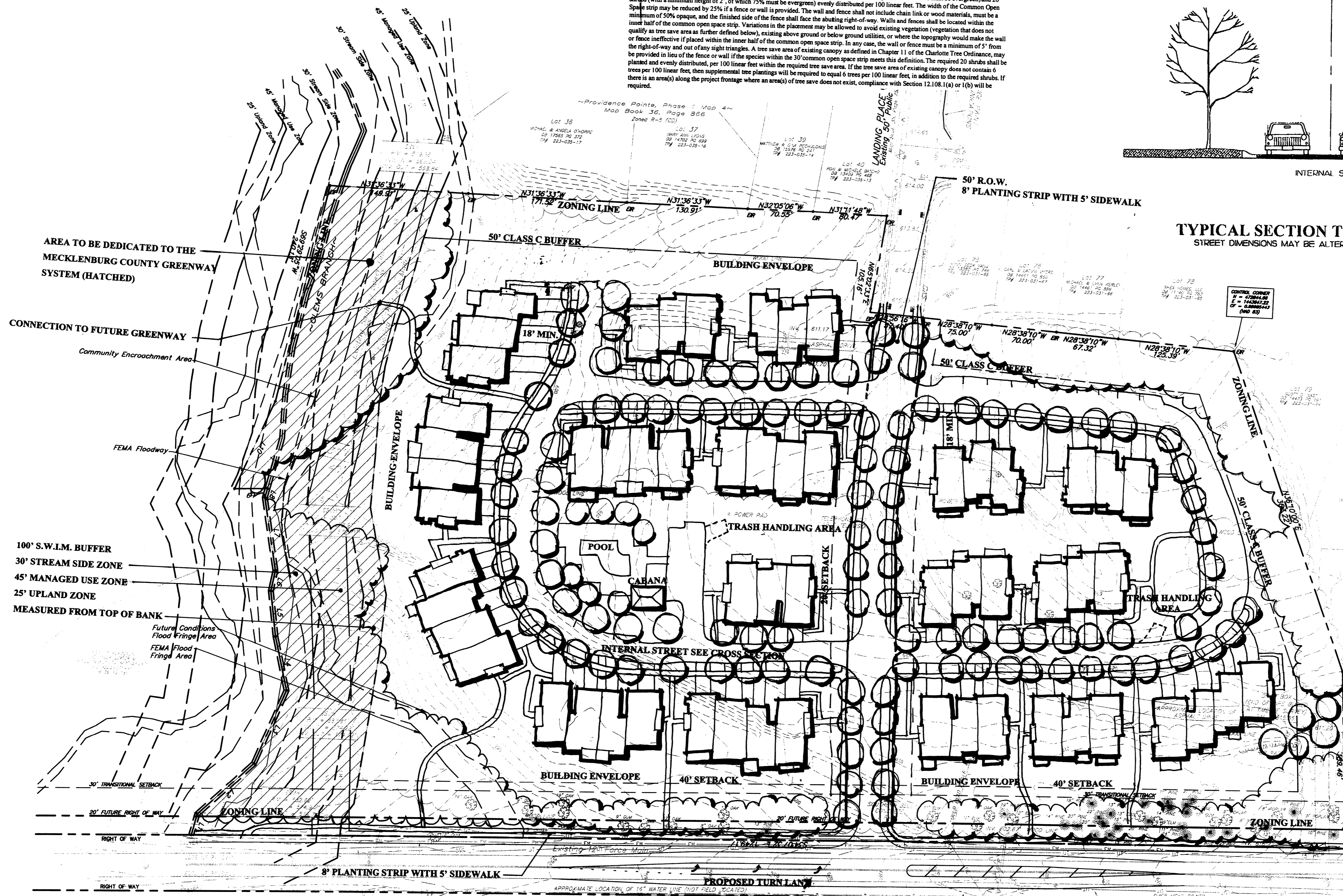
TAX PARCEL NO: 223-031-14, 223-031-12, 223-031-45  
 SITE AREA: 16.21 ACRES  
 EXISTING ZONING: R-15 (CD) & R-5 (CD)  
 PROPOSED ZONING: MX-2  
 PROPOSED UNITS: 58 FOR SALE UNITS  
 DENSITY: 3.58 DUA  
 PROPOSED SETBACK: 20' AROUND INTERNAL 50' R.O.W.  
 40' ALONG 521 R.O.W.  
 5'  
 40'

PROPOSED SIDEYARD: +10%  
 PROPOSED REARYARD: 1.5 SPACES / UNIT = 87  
 COMMON OPEN SPACE REQUIRED: 10% (16.21 X .10 = 1.6 AC.)  
 COMMON OPEN SPACE PROVIDED:  
 PARKING REQUIRED: 2 GARAGE SPACES PER UNIT MINIMUM  
 PARKING PROVIDED:  
 MAX. BUILDING HEIGHT: 40'

NUMBER	DIRECTION	DISTANCE
L1	S71°06'27"W	23.45
L2	N76°10'03"W	81.41
L3	S79°32'25"W	85.59
L4	S43°45'25"W	59.21
L5	S49°36'17"W	49.49
L6	S67°51'12"W	22.54
L7	S46°58'17"W	79.13
L8	S71°39'47"W	10.22
L9	S34°46'00"E	35.47
L10	S80°31'35"W	102.82



**TYPICAL SECTION THRU INTERNAL STREET**  
 STREET DIMENSIONS MAY BE ALTERED PER CONDITIONAL STANDARD NOTE B3



AREA TO BE DEDICATED TO THE MECKLENBURG COUNTY GREENWAY SYSTEM (HATCHED)

CONNECTION TO FUTURE GREENWAY

Community Encroachment Area

FEMA Floodway

100' S.W.I.M. BUFFER

30' STREAM SIDE ZONE

45' MANAGED USE ZONE

25' UPLAND ZONE

MEASURED FROM TOP OF BANK

Future Conditions Flood Fringe Area

FEMA Flood Fringe Area

ATTACHED TO ADMINISTRATIVE APPROVAL

DATE: 09/13/2006

BY: DEBRA D. CAMPBELL

**Design Resource Group**

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- Landscape Architecture
- Urban Design
- Civil Engineering
- Land Planning

**DRG**

**PLAN REFINEMENT FOR ADMINISTRATIVE APPROVAL FOR REZONING PETITION**

PLAN NO: 2003-47

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**Scale: 1"=60'**

Date: 1 SEPT. 2006

Project No.: 029-010

Revisions:

**North**

Sheet 1

LANCASTER HIGHWAY (OLD U.S. HWY 521)  
 EXISTING 60' PUBLIC R/W