

CONDITIONS FOR ATTACHMENT TO PETITION NO. 80-41  
BY MYERS PARK GARDEN VENTURE

- The existing storm sewer system in the Hampton Avenue-Hanson Drive intersection will be analyzed, redesigned and reconstructed at the petitioner's expense in accordance with City of Charlotte regulations and standards as accepted by the City Engineer with the objective of reducing the flooding frequency of that intersection.
- The petitioner shall indicate on the plan an area 50 feet in width adjacent to and parallel to Briar Creek to be made available upon request to the Mecklenburg County Park and Recreation Commission as an easement for use as part of the Greenway Park System. This area is to be used as a pedestrian and/or bicycle path or maintenance passage, provided adequate provision is made by the Commission for a barrier and/or screening arrangement for the privacy and security of the housing development.
- Open drainage channels to be used on the site having longitudinal slopes of less than 1% must have concrete inverts or be enclosed with properly sized reinforced concrete pipes. If other open drainage channels are determined by the City Engineer to be unreasonably hazardous, they shall be replaced by underground conduits in the final grading and drainage plans.

- The lakes shall be constructed in accordance with the following minimum requirements:
  - There will be no appreciable amount of normal, onsite or offsite surface runoff drainage into the lakes;
  - All storm drainage will be designed to bypass the lakes and discharge directly into Briar Creek;
  - The lakes will be supplied primarily by natural ground water supplemented by a well and pump system to provide a continual flow of fresh water. The water will be "live", capable of supporting fish and aquatic plant life;
  - The lakes will be served by a drain system permitting rising lake water to run into the creek but with rising creek water of less than flooding volume being prevented from entering the lake by the inclusion of float valves in the drain system pipes;
  - Final design of the lake system will be subject to review by the City Engineer.

- Documents required in the establishment of a condominium development (declaration creating unit ownership, bylaws and deeds) will contain language to inform the potential homeowners of:
  - Potential responsibility in maintaining the lake areas, both as an individual unit owner and a member of the homeowners association;
  - Actions which may be taken by the City and County should the lakes not be maintained and then determined to be a health hazard in accordance with present State statutes;
  - A general indication as to a proposed annual maintenance program and budget.
 Final language to achieve this will be reviewed by the City Attorney and the City Engineer.

- The intersection of the development private access drive and Hanson Drive shall be designed to discourage outboard traffic from turning left on Hanson Drive. The layout of such intersection will be as shown on Exhibit B attached hereto or as otherwise approved by the Traffic Engineer.
- A median shall be located in Hanson Drive opposite the exit lane of the private access drive. This median will be designed and constructed by the City but the cost of construction shall be borne by the petitioner. The median will not be located in such a manner as to interfere with traffic making left-hand turns into the entry lane of the private access drive. The petitioner's responsibility with respect to the median is limited to the cost of construction and nothing herein shall be construed to make the petitioner (i) responsible for the way in which the median is located, designed, constructed and maintained, or (ii) liable for any injury to person or property resulting from the location, design, construction or maintenance of the median. The median may be removed at the expense of the City should the Traffic Engineer determine that it is or has become an unreasonable traffic hazard.

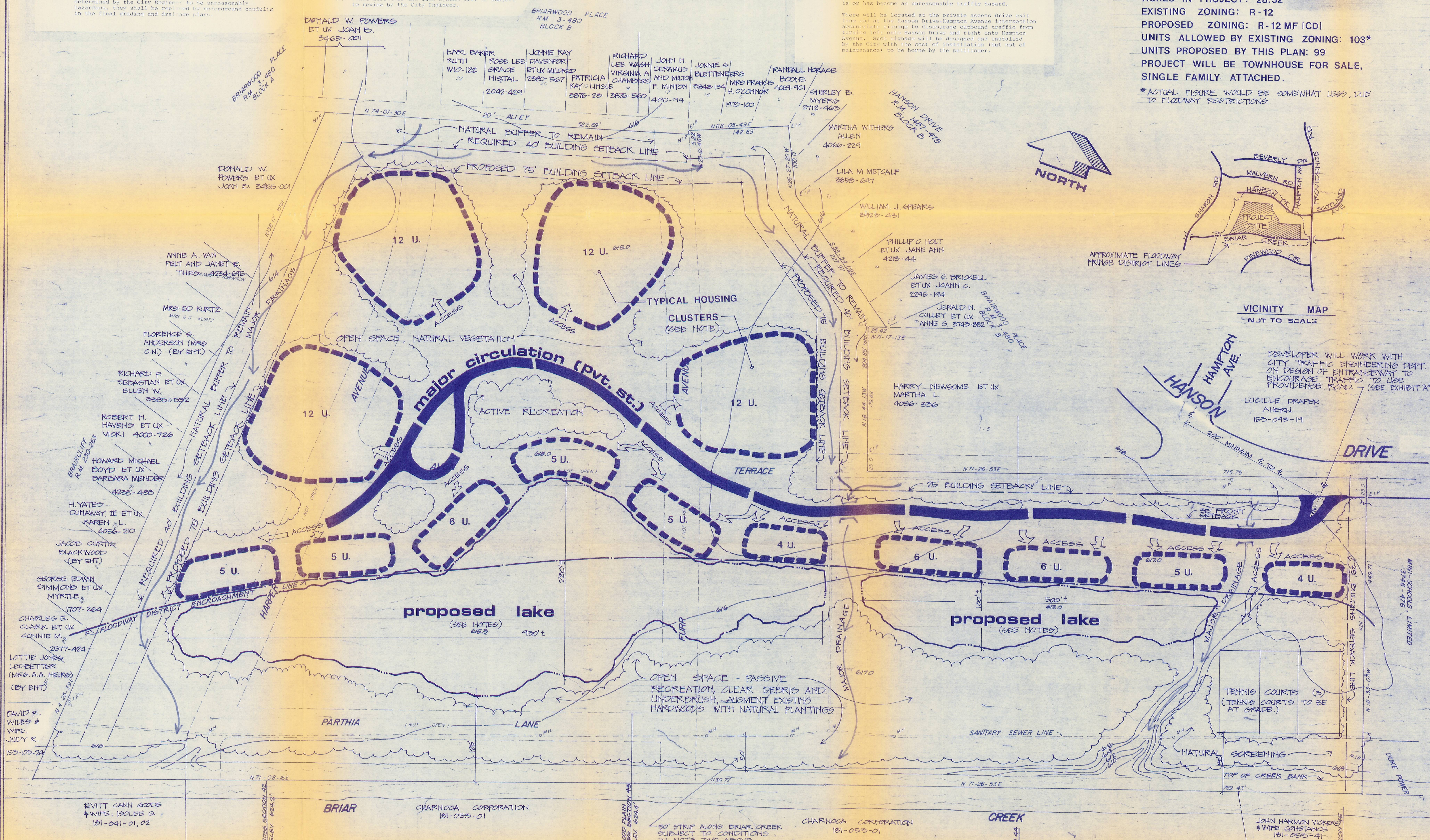
There will be located at the private access drive exit lane and at the Hanson Drive-Hampton Avenue intersection appropriate signage to discourage outboard traffic from turning left onto Hanson Drive and right onto Hampton Avenue. Such signage will be designed and installed by the City with the cost of installation (but not of maintenance) to be borne by the petitioner.

As approved by City Council 12/8/80  
See revised plan approved by Council 4/25/83  
Petition No. 83-16, Duke Deal, Co.

## PROJECT TALLY

ACRES IN PROJECT: 28.32  
EXISTING ZONING: R-12  
PROPOSED ZONING: R-12 MF (CD)  
UNITS ALLOWED BY EXISTING ZONING: 103\*  
PROJECT WILL BE TOWNHOUSE FOR SALE,  
SINGLE FAMILY ATTACHED.

\*ACTUAL FIGURE WOULD BE SOMEWHAT LESS, DUE TO FLOODWAY RESTRICTIONS.



# PROPOSED LAND USE PLAN MYERS PARK GARDENS CHARLOTTE, NORTH CAROLINA

prepared by: urban planning associates, charlotte, n.c.

Pet. # 80-41  
Myers Park Garden Venture

### GENERAL NOTES

- PROJECT WILL ADHERE TO CITY OF CHARLOTTE FLOODWAY REGULATIONS.
- PRIVATE STREET PAVEMENT WILL BE AT OR ABOVE 100 YR. FLOOD ELEV., TAPERED TO MEET HANSON DR.
- FINISHED FLOOR ELEVATION OF EVERY UNIT WILL BE ABOVE 100 YEAR FLOOD ELEVATION.
- IF REZONING IS GRANTED, DEVELOPER WILL PETITION CITY COUNCIL TO CLOSE UNPAVED STREETS WHICH APPEAR ON SITE PLAN.
- THE ENTIRE 28.32 ACRE TRACT LIES WITHIN THE FLOODWAY & FLOODWAY FRINGE DISTRICT.
- FILL WILL NOT ENDOUR BEYOND FLOODWAY DISTRICT ENCROACHMENT LINE. FILLING WITHIN FLOODWAY FRINGE WILL BE ACCORDING TO CITY OF CHARLOTTE FLOODWAY REGULATIONS.
- PARKING WILL BE PROVIDED IN EXCESS OF CITY OF CHARLOTTE MINIMUM REQUIREMENTS FOR PROJECTS OF THIS TYPE.
- COMMON OPEN SPACE AND LAKES WILL BE MAINTAINED BY THE PROJECT'S HOMEOWNERS ASSOCIATION.
- AREAS WITHIN HOUSING CLUSTERS WILL BE FILLED TO APPROXIMATE ELEVATION 620'; THIS ELEVATION MAY VARY SOMEWHAT DUE TO THE ARCHITECTURAL TYPE OF UNIT AND LOCATION OF THE HOUSING CLUSTER.

NOTE: PROPOSED LAKES ARE SHOWN IN THEIR APPROXIMATE SIZE AND LOCATION. FILL REQUIREMENTS AND LOCATIONS OF LARGE TREES TO BE PRESERVED MAY CAUSE ADJUSTMENTS TO THEIR SIZE AND SHAPE. LAKES WILL BE USED TO PROVIDE FILL FOR HOUSING CLUSTERS, STREETS AND PARKING AREA.

REVISIONS	MECKLENBURG COUNTY SURVEY FOR	CHARLOTTE, NC
	DR. MELVIN D. CHILDERS, JR.	
	R.B. PHARR & ASSOCIATES SURVEYING & MAPPING 212 E INDEPENDENCE BLVD CHARLOTTE NC 28204	
	SCALE 1" = 50'	DATE JULY 3, 1980 FILE NO. 78-86