

Development Standards

This petition and site plan amends the site plan approved by the Mecklenburg Board of County Commissioners in zoning petition no. 00-07c. The purpose of this amendment is to significantly reduce the total number of dwelling units that were previously approved for the entire 418+/- acre site included in that petition and to adjust the previous transportation commitments to correspond with the reduced development rights and the reduced impacts from that development. These changes have been reviewed by CDOT and the petitioner has designed and bonded the necessary improvements previously agreed to. These improvements, along with other improvements and/or contributions previously made by the petitioner, constitute the transportation improvements that relate to the impacts from this modified development plan.

The following notes are carried forward from the previously approved site plan except for modifications to correct jurisdiction, syntax, or changes appropriate for the site based on other changes or clarifications since the original approval.

Part I Commitment:

Development of the real estate identified on this Technical Data Sheet, consisting of 40.9+/- acres, more or less (the "site"), will be governed by the standards established under the City of Charlotte Zoning Ordinance (the "ordinance") for the MX-1 conditional use district unless more stringent standards are established on the Technical Data Sheet.

Part II Permitted development within the site:

Up to 100 single family residential dwelling units (D.U.'s) may be developed on the site, together with any incidental or accessory uses associated therewith which are permitted under the ordinance by right or under prescribed conditions in an MX-1 zoning district. This results in a total development for the entire original 418+/- acre site of 1,394 dwelling units, a reduction of 606 total units. It should be noted that a companion rezoning petition (2003-51) has been submitted and, if approved as filed, would allow a maximum of 86 additional residential units and approximately 15 additional acres to be added to the master planned community.

Part III Vehicular access points:

The number of permanent access points to/from Caldwell Road, Timber Ridge Road, and adjacent properties shall be limited to those shown on the Technical Data Sheet.

These access points shall be located in the general areas depicted on the Technical Data Sheet. Final location of each access point is subject to any modification required to accommodate final site/construction plans and design and are further subject to approval by NCDOT and/or CDOT, whichever shall have jurisdiction. Access points to adjacent properties shall be determined by the City of Charlotte subdivision process.

The petitioner agrees to dedicate such additional portions of the site as may be needed to provide for 30' of right of way north of the existing centerline of Timber Ridge Road and 30' of right of way north of the existing right of way centerline for Caldwell Road prior to the issuance of any building permits for improvements to the site. The developer shall make improvements to Timber Ridge Road and Caldwell Road to meet residential collector street standards to include five foot wide sidewalks and curb and gutter where the property fronts the said roadways per Charlotte Mecklenburg Land Development Standards. In addition, the petitioner agrees to provide an 8 foot planting strip as part of the improvements to Caldwell Road.

Part IV Design guidelines:

Section 1. Yard restrictions

except as outlined in section VIII below, the side yard, setback, and rear yard requirements imposed under the ordinance will be satisfied with respect to development taking place within the site, unless more stringent requirements are established under these development standards. Rear yards along the southern edge of the site will be a minimum of 45'.

Section 2. Off street parking

Off street parking shall meet the minimum standards established under the ordinance.

Section 3. Storm water management

- (a) storm water shall be managed strictly in accordance with the requirements of stormwater services.
- (b) the petitioner agrees to develop the site in accordance with the surface water improvement and management (S.W.I.M.) standards.
- (c) the petitioner shall contact the following agencies prior to construction:

401/404 permit NCDENR - Raleigh office 919-733-1786
401/404 permit U.S. Army Corps of Engineers 704-271-4854

Section 4. Buffer areas

- (a) the buffer area established on this Technical Data Sheet shall conform to the standards of section 12.302 of the ordinance subject, however, to the provisions of section 12.304 thereof. Except that there shall be a 25' undisturbed buffer along the southerly portion of the site as generally depicted on the Technical Data Sheet.
- (b) the petitioner reserves the right within the buffer area to install pedestrian sidewalks or pathways, walls, berms, fences, and utility lines and facilities.
- (c) the buffer area is to remain as open space, except to the extent necessary to accommodate sidewalks or pathways, drainage pipes or channels, and utility lines / facilities.
- (d) in all buffer areas where existing trees and natural vegetation have been cleared to accommodate pedestrian paths or the installation of utility lines, the cleared unimproved areas will be landscaped as required by section 12.302 of the ordinance.
- (e) utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees and, to the extent possible, paths cleared for such utility lines shall be replanted with plant materials from ordinance's approved plant list.
- (f) no buildings, parking spaces, maneuvering areas or storm water detention facilities may be located within buffer areas.
- (g) the developer shall make a diligent effort to preserve areas of required buffers where significant vegetation exists. These areas shall remain undisturbed except to the extent necessary to accommodate the above items of this section.
- (h) a 25 foot undisturbed buffer shall be established along the site's southwesterly property line as indicated on the technical data sheet.
- (i) noise abatement shall be provided where the site abuts future interstate 485. The noise abatement shall consist of walls, berms, landscaping, or any combination thereof.

Section 5. Sidewalks

Sidewalks along public streets within the site will be installed according to the ordinance. In addition, the petitioner agrees to provide street trees in conjunction with said sidewalks provided within the site.

Section 6. Landscaping and screening

- (a) landscaping and screening shall, at a minimum, satisfy the requirements of section 12.303 of the ordinance.
- (b) landscaping will be installed in phases in accordance with the ordinance as each phase of the site is developed.
- (c) all parking lots within the multi family portion of the site will be landscaped in accordance with the ordinance.
- (d) all dumpsters will be screened with solid enclosures and gates.
- (e) a tree save and protection area shall be established for all trees six inches in caliper or greater within the setbacks along Caldwell Road.
- (f) the petitioner shall make a diligent effort to preserve trees 24 inches in caliper or greater in rear yards (not greater than 70" in width) or where significant trees (> or = 24" cal.) coincide with common open space, and pedestrian trails.

Section 7. Signs

- (a) all signs placed on the site will be erected in accordance with the requirements of the ordinance.
- (b) a master signage and graphics system will be adopted and implemented throughout the site.

Section 8. Lighting

- (a) all freestanding lighting fixtures installed will be uniform in design and the maximum height of any such lighting fixture, including its base, may not exceed 20 feet in height.

Section 9. Fire hydrants

fire hydrants shall be located within 750' of the most remote point of buildings as the truck travels.

Section 10. Architectural guidelines

The multi family portions of the site shall consist of a variety of styles to create a varied and aesthetically pleasing setting. Consideration will be given to windows, doors, roof pitches, color, and building materials.

Part V Amendments to rezoning plan:

The owner or owners of the site, in accordance with the ordinance, may apply for future amendments to this Technical Data Sheet and these development standards.

Part VI Binding effect of the rezoning petition; applicability of other ordinances

If the petitioner's rezoning petition is approved, the development program established under these development standards and the Technical Data Sheet shall, unless amended in the manner provided under the ordinance, be binding upon and inure to the benefit of the petitioner and the owners (from time to time) and their respective heirs, devisees, personal representatives, successors in interest and assigns.

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.

Part VII Dedication of greenway:

The petitioner shall dedicate to the Mecklenburg County Greenway system the floodway fringe district as per FEMA maps, or such as Mecklenburg County, in its wisdom, accepts for greenway dedication. This area shall remain in its natural and undisturbed state. In return, the dedication of this area shall satisfy any buffer requirements wherever the proposed greenway abuts the site per section 12.302(13) of the ordinance. The petitioner shall dedicate floodway fringe district prior to the issuance of building permits.

The petitioner's deed may reserve easements over all or any portion of the areas conveyed for drainage purposes as it may deem necessary or desirable for the orderly development of the property. This easement shall be limited to vertical crossing (except sewer) and shall comply with S.W.I.M. Buffer mitigation requirements.

The development of the site will comply with S.W.I.M. standards (see note VI above)

Part VIII Innovative standards:

The petitioner reserves the right to implement innovative standards as outlined in section 11.208 of the ordinance. The innovative standards that may be modified include:

- lot width
- building setback
- lot area.

In any event the maximum number of multi-family dwelling units shall not exceed 750 dwelling units total nor 12 dwelling units per acre density. Multi-family development within this duration, the petitioner shall be permitted to develop the 18 acre site with either attached or detached dwelling units in accordance with the requirements of the MX-1 district regulations of the ordinance. The total number of dwelling units approved for the entire 418+/- acre site will not be exceeded.

Part IX Dedication of school site:

The petitioner will agree to dedicate an 18+/- acre school site to the Charlotte-Mecklenburg School System as indicated on the Technical Data Sheet. The offer of dedication of this area shall remain in effect for a period of five years from the approval of petition 00-07c which was approved on January 8, 2000. Should the Charlotte-Mecklenburg School System reject this site and/or opt not to commence construction within this duration, the petitioner shall be permitted to develop the 18 acre site with either attached or detached dwelling units in accordance with the requirements of the MX-1 district regulations of the ordinance. The total number of dwelling units approved for the entire 418+/- acre site will not be exceeded.

Part X Transportation improvements

Improvements to streets adjoining the site and nearby intersections will be made in accordance ordinance requirements, specifications on this site plan, and with construction plans previously reviewed and approved by the City of Charlotte. These improvements will either be constructed or bonded in accordance with standard city practice for street improvements. The specific improvements are listed below are those required by CDOT to mitigate the transportation impacts of the overall development.

Back Creek Church Road and Timber Ridge Road
construct a southbound back creek church road left turn lane with 350 feet storage, a 15:1 bay taper, and a 35:1 through lane taper. install pavement markings on westbound timber ridge road to delineate a separate left turn lane with 150 feet storage and a 15:1 bay taper.

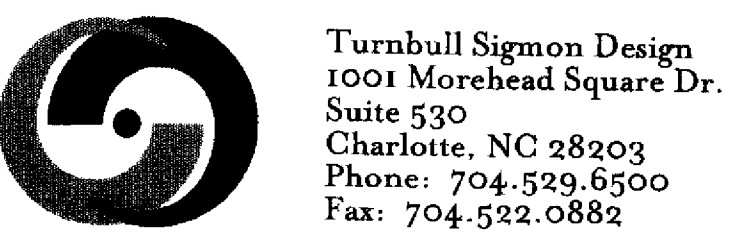
Back Creek Church Road and Caldwell Road
construct a southbound back creek church road left turn lane with 250 feet storage, a 15:1 bay taper, and a 35:1 through lane taper. construct a westbound caldwell road left turn lane with 150 feet storage and a 15:1 bay taper. (minimum per NCDOT)

signalize the intersection upon meeting applicable traffic signal warrants and approval of nodot (50/50 shared responsibility) the petitioner may make the contribution for this signal improvement at any time up to the time of installation.

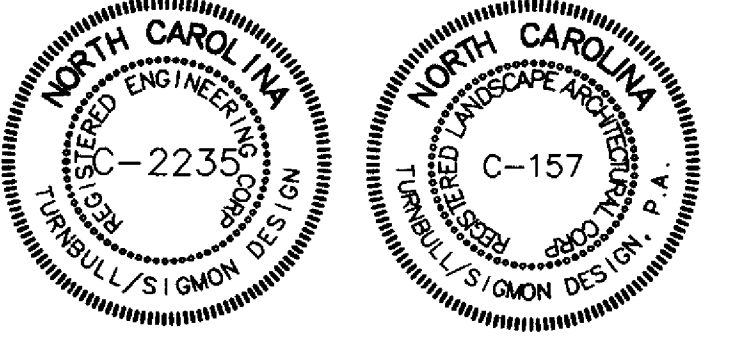
These improvements are in addition to improvements and contributions already made by the petitioner as required by previous rezonings for the site.

Development Standards

Existing Zoning	MX-1
Proposed Zoning	MX-1 (SPA)
Site Area	±40.9 ac.
Maximum Dwelling Units	100
Dwelling Types	Single Family Detached
* Single Family Detached lots will meet/exceed R-6 zoning standards	



LAND DEVELOPMENT DESIGN SERVICES



THE DRAWINGS AND THE DESIGN SHOWN THEREON ARE INSTRUMENTS OF TURNBULL SIGMON DESIGN, P.A. THE REPRODUCTION OR UNAUTHORIZED USE OF THE DOCUMENTS WITHOUT THE CONSENT OF TURNBULL SIGMON DESIGN, P.A. IS PROHIBITED. 2002 ©

Forest City Land Group

8305 UNIVERSITY EXECUTIVE PARK
CHARLOTTE, NC 28262

Old Stone Crossing

CHARLOTTE, NORTH CAROLINA

For Public Hearing

REZONING Technical Data Sheet

Petition # 2003-050
APPROVED BY CITY COUNCIL
DATE 7/21/03

PROJECT NUMBER:	02176
DRAWN BY:	TCS
DESIGNED BY:	TCS
ISSUE DATE:	3-24-03

07/03/03 TCS REVISE PER CMPC COMMENTS
05/14/03 TCS REVISE PER CMPC COMMENTS
NO. DATE: BY: REVISIONS: