

Development Standards

Unless more stringent standards are established by the Technical Data Sheet or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the R-12MF zoning district classification shall be followed in connection with development taking place on the Site.

The building configurations, placements, parking areas, road alignments and driveway locations and the number and sizes of the buildings depicted on the Schematic Site Plan accompanying this Technical Data Sheet are schematic in nature and may be altered or modified during the design, development and construction phases, provided that (1) the number of dwelling units to be located on the Site shall not exceed 99 dwelling units, (2) the access to the Site from NC Highway 49 shall be in substantially the same location as shown on the Technical Data Sheet, (3) streets to be located on the Site shall be substantially similar in design and location to those shown on the Technical Data Sheet, and (4) the orientation of the buildings to the streets located on the Site shall be substantially similar to that shown on the Schematic Site Plan. Parking layouts may also be modified to accommodate final building locations provided that the parking layout shall satisfy the requirements of the section entitled "Parking" described below.

PERMITTED USES
A planned residential community comprised of no more than 99 'For Sale' Townhomes, Duplex, Triplex and/or Quadruplex dwelling units and such permitted accessory uses as the developer may elect to provide.

BUFFERS AND COMMON OPEN SPACE
1. The Petitioner shall establish buffer areas 37.5 feet in width as generally depicted on the Technical Data Sheet.
2. The buffer areas shall remain as common open space and, will remain undisturbed, once established.
3. Prior to the issuance of the first building permit for any building located on the Site, the Petitioner shall install a 6 foot high privacy solid panel fence along the interior of the buffer areas along the edges of the Site generally in those locations noted on the Technical Data Sheet. The privacy fence shall be made of vinyl materials similar to the fence detail outlined on the Technical Data Sheet. The finished side of the privacy fence shall face the abutting properties. During construction of the roads located along the northern and eastern boundary of the Site in common with the Yorkshire neighborhood, the Petitioner shall maintain a temporary/safety fence along the interior edge of those buffer areas.
4. Prior to the issuance of the first building permit for any building located on the Site, the Petitioner shall install a berm of between 4 to 6 feet in height within the buffer areas along southeasterly edge of the Site as noted on the Technical Data Sheet.
5. The residents of this development will have access to the common open space and associated amenities located with the abutting Lion's Gate Phase 1 townhome community.

SETBACKS, SIDE YARDS AND REAR YARDS
1. In addition to the buffer requirements set forth above, all buildings constructed within the Site shall satisfy the setback, rear yard and side yard requirements established under the Ordinance for the R-12MF zoning district.
2. The building setback off of York Road will be established in the manner depicted on the Technical Data Sheet. Landscaping within the setback along York Road shall include a minimum of nine trees and 20 shrubs per 100 linear feet.
3. Petitioner reserves the right to modify the SWIM buffer as allowed by the Mecklenburg County Department of Environmental Protection as part of the SWIM incentives provided by the ordinance with respect to setbacks, yards and other requirements, provided that any such modifications of the SWIM buffer shall not result in any disturbances to the undisturbed buffers described above.
4. Building setbacks along North Carolina Highway 49 will be measured from the edge of the right-of-way purchased by the North Carolina Department of Transportation as part of the Highway 49 road widening project or a minimum of 50 feet from the centerline of the existing right-of-way, whichever is greater.

SCREENING AND LANDSCAPED AREAS
1. Plantings within landscaped areas will meet the requirement of the Tree Ordinance.
2. Landscaped areas within the Site will be planted and improved in sequences which are keyed to each phase of development taking place on the Site.
3. An 8 foot minimum planting strip will be provided along that portion of the internal public street extending from Highway 49 to its intersection with Lioness Street.

ARCHITECTURAL CONTROLS, DESIGN STANDARDS AND RESTRICTIVE COVENANTS
1. All buildings constructed on the Site shall be architecturally compatible in appearance through the use of substantially similar building materials, colors and design.
2. The Petitioner agrees to record restrictive covenants governing the use and development of the Site prior to the issuance of any building permit for improvements to the Site. The restrictive covenants will be enforced by the owners of the dwelling units and by a Homeowners Association and will provide for the establishment of units and by a Homeowners Association and will provide for the establishment of:
(a) Homeowners Association
(b) Use restrictions on the Site; and
(c) The Maintenance of Common Areas, Common Open Space and the exterior yards and exterior structures of all buildings.
3. The restrictive covenants may contain such other covenants, restrictions and bylaws as the Petitioner may deem necessary or advisable for the effective administration of the Homeowners Association or to ensure compliance with local, state and federal laws.
4. Each owner of a dwelling unit within the Site must be a member of the Homeowners Association.
5. A minimum of 18 feet shall be provided between the face of garage and back of sidewalk.

PARKING
Parking areas depicted on this Technical Data Sheet and the Schematic Site Plan may vary in size and location, but in all events, off street parking will meet the minimum standards established under the Ordinance including without limitation Section 12.206(3).

LIGHTING
1. Lighting fixtures installed on the Site shall not exceed 15 feet in height, shall include protections to avoid the projection of glare onto adjacent properties and shall be of intensity and scale to those within the adjacent Yorkshire neighborhood.
2. No wall-pak type lighting shall be permitted. However, attached light fixtures such as sconces may be used.

SIGNS
All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.

RIGHT-OF-WAY DEDICATION
The Petitioner agrees to dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) the portion of the Site that may be required to provide right of way measuring 50 feet from centerline along Highway 49 if such right-of-way does not exist already prior to the issuance of any certificates of occupancy for the Site.

ACCESS POINTS/ROADWAY IMPROVEMENTS
1. The number of vehicular access points to the Site shall be located in the general area depicted on this Technical Data Sheet. The configuration and ultimate location of these access points are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and the North Carolina Department of Transportation.
2. The Petitioner is responsible for costs associated with signal modifications resulting directly from the conversion of the intersection of Highway 49 and Erwin Road into a four-way intersection.

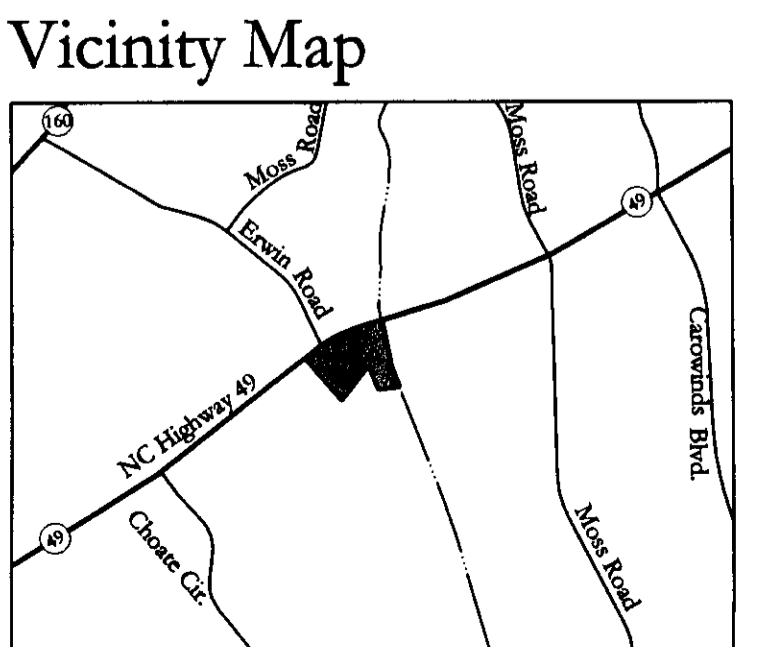
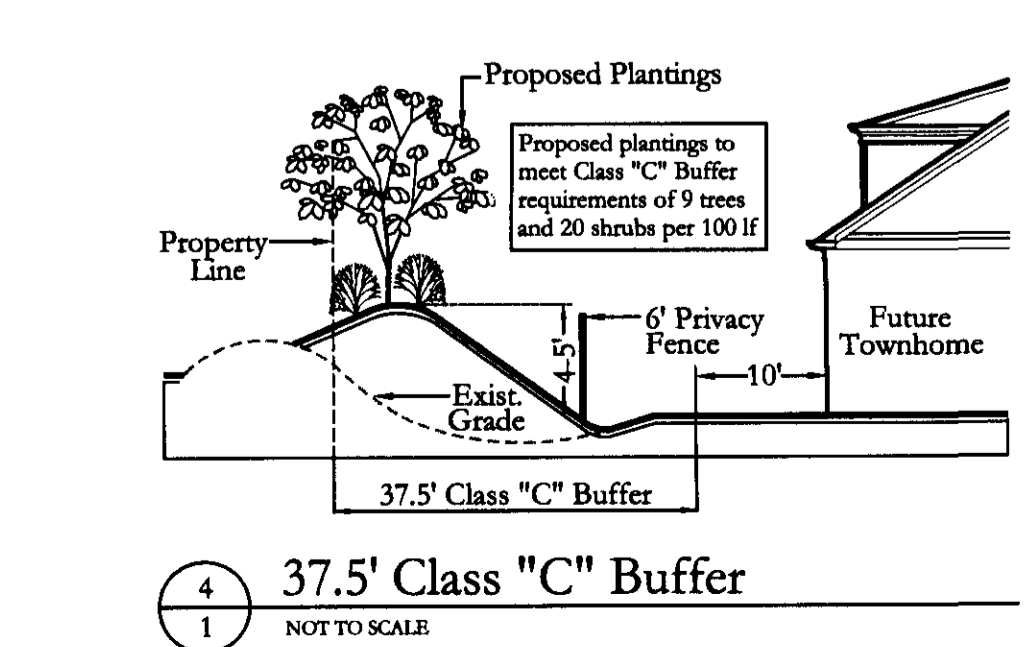
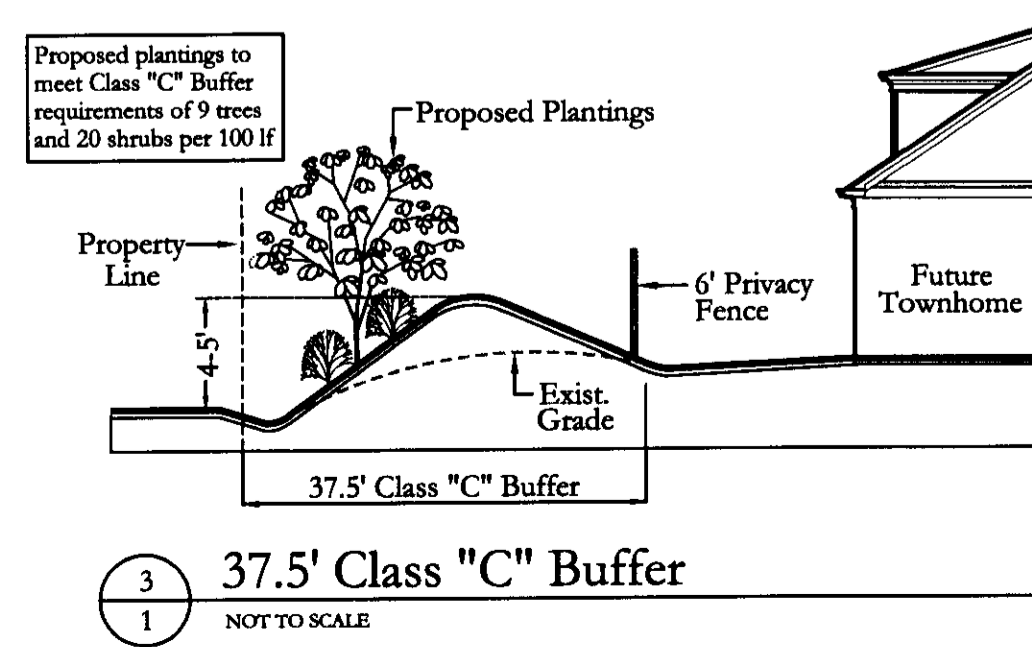
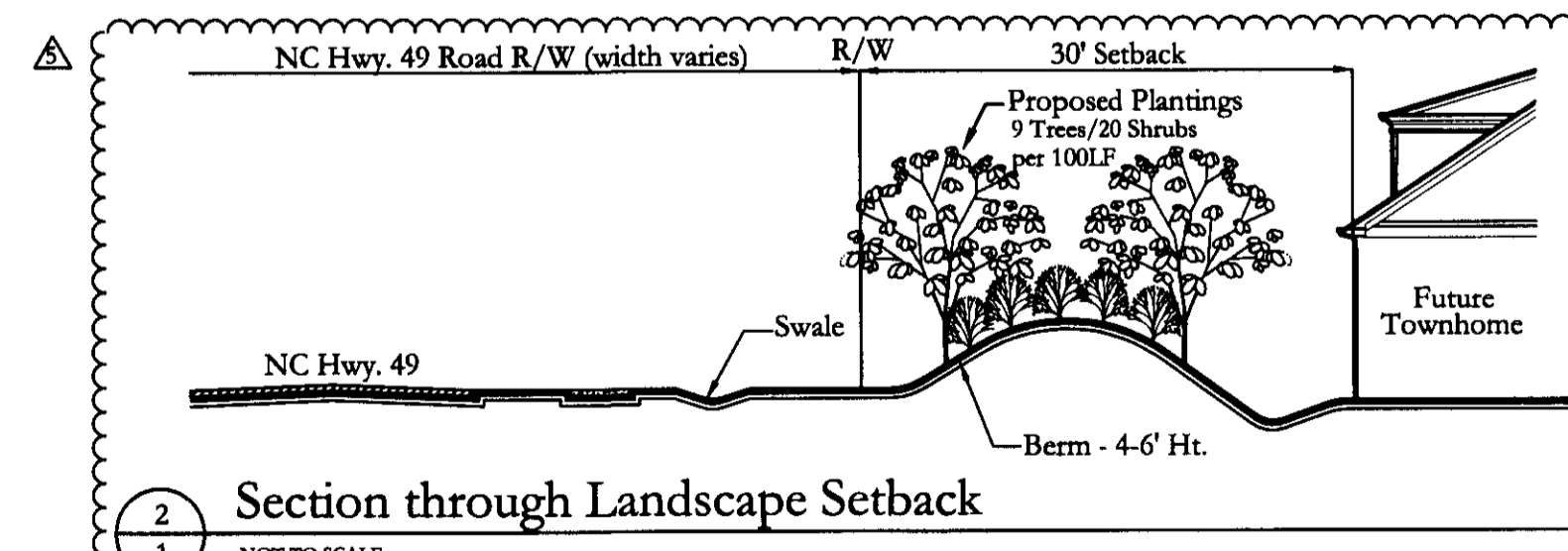
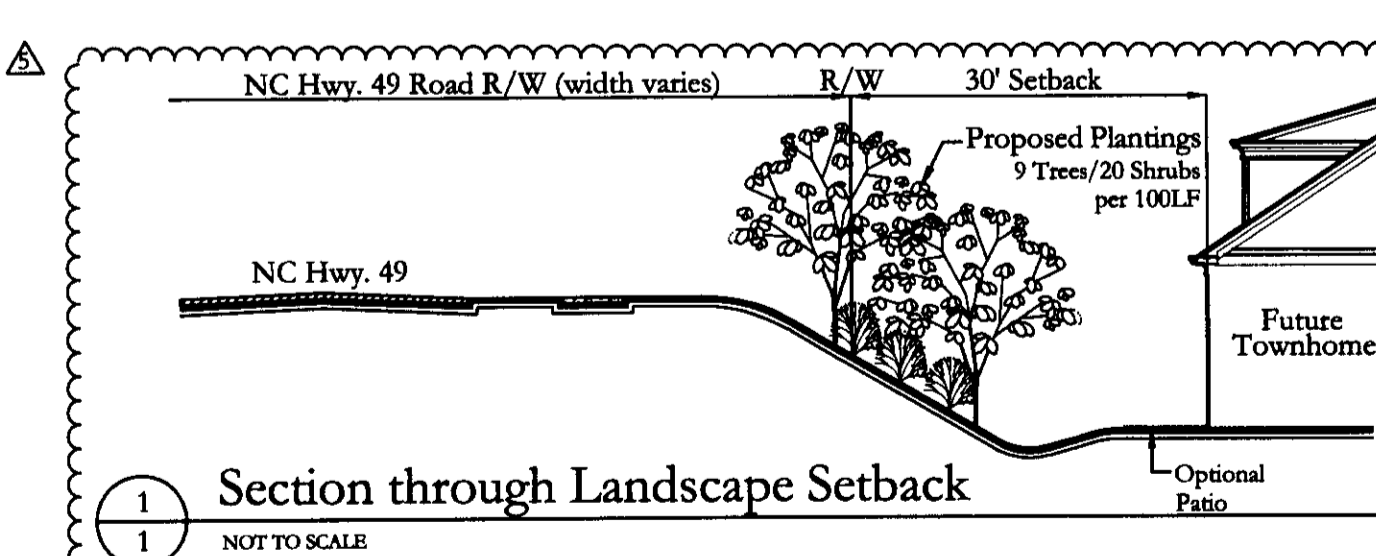
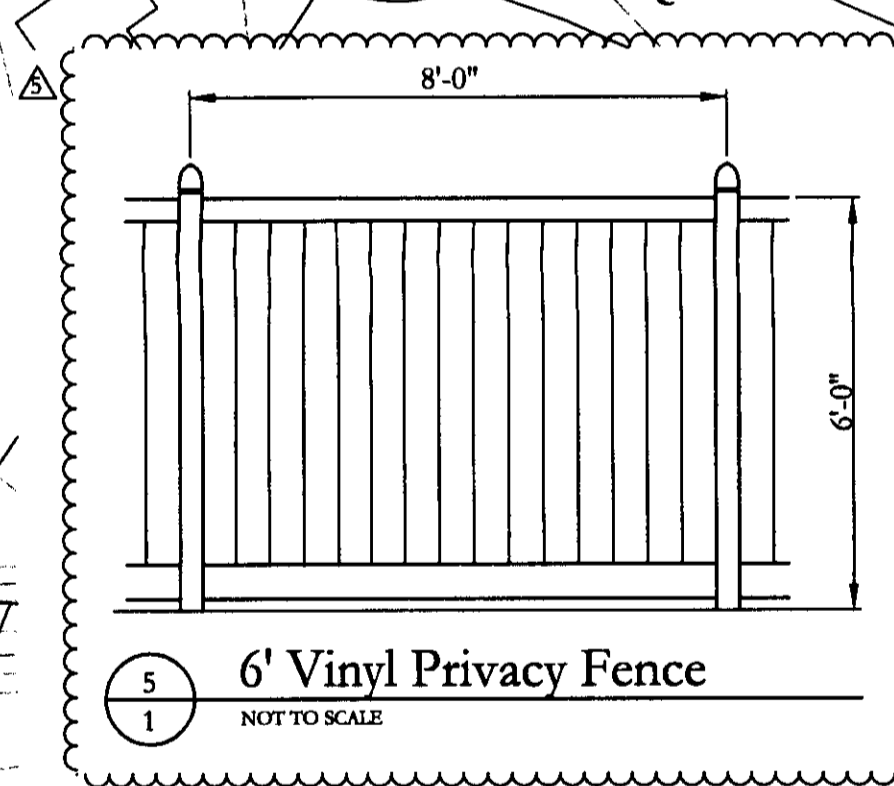
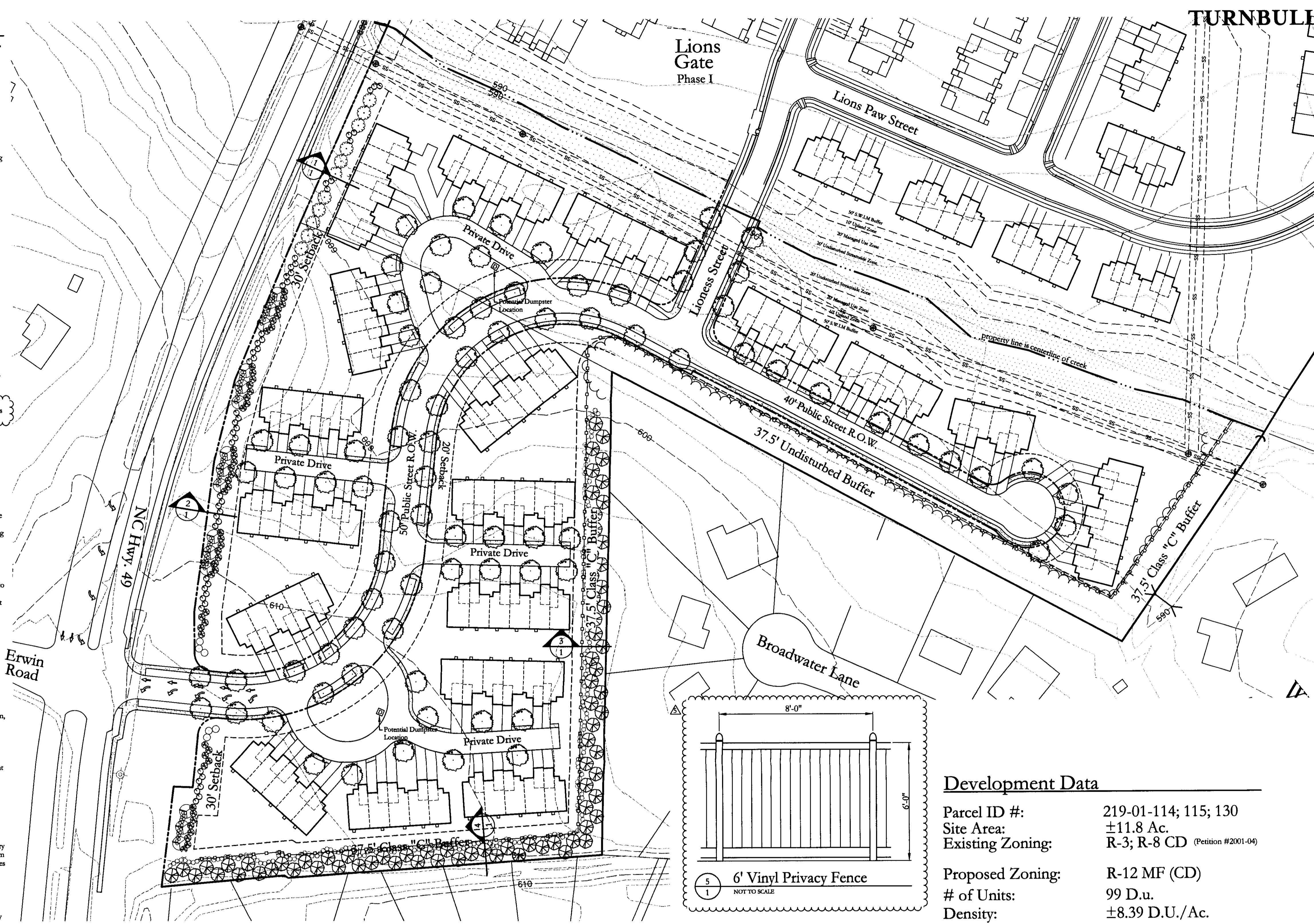
SIDEWALKS
1. The Petitioner will install five foot sidewalks along private drives throughout the Site as generally depicted on the Technical Data Sheet.
2. The Petitioner shall cooperate with NCDOT on the State's pending Highway 49 improvement project with respect to the location of the planned 5 foot sidewalk along the Site's frontage on Highway 49.

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

STORM WATER MANAGEMENT/WATER QUALITY
1. Stormwater run-off from the Site will be managed through proven techniques which satisfy the standards, if any, proposed by the City of Charlotte Engineering Department.
2. The petitioner shall provide stormwater quality treatment of runoff generated from this development by routing through stormwater treatment facilities designed in accordance with the State of North Carolina Department of Environment and Natural Resources (NCDENR) Stormwater BMP Manual, April 1999. A maintenance plan shall be developed to ensure adequate long-term operation of the structural storm water treatment systems.
3. Temporary or staged seeding will be performed on graded areas immediately following the completion of land disturbing activities.
4. Polymers and other flocculating measures will be employed in sediment basins.
5. Double silt fences will be used along the water feature located on the northerly edge of the Site (where it immediately abuts the Site) during the grading and construction processes.

AMENDMENTS TO REZONING PLAN
Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

BINDING EFFECT OF THE REZONING APPLICATION
If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their heirs, devisees, personal representatives, successors in interest or assigns.

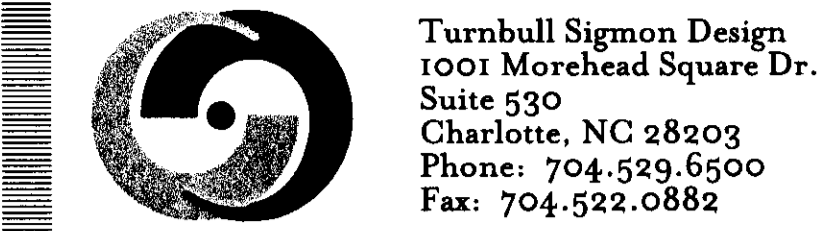
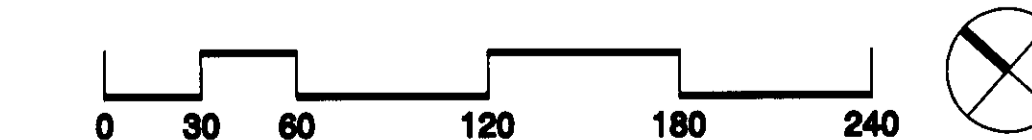


Development Data

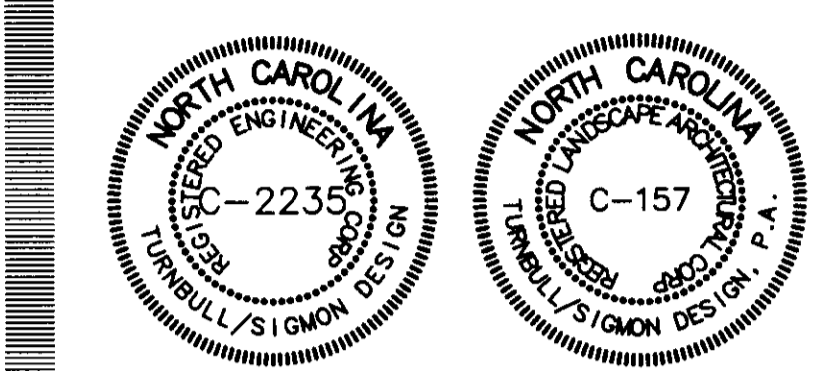
Parcel ID #:	219-01-114; 115; 130
Site Area:	±11.8 Ac.
Existing Zoning:	R-3; R-8 CD (Petition #2001-04)
Proposed Zoning:	R-12 MF (CD)
# of Units:	99 D.u.
Density:	±8.39 D.U./Ac.

Legend

Existing Topography	
Public Street-R/W	
Proposed Street Tree	
Dumpster Location	
FEMA Flood Fringe	
Proposed Privacy Fence	



LAND DEVELOPMENT DESIGN SERVICES



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227 WEST TRADE STREET
CHARLOTTE, NC 28202

Lions Gate Phase 2
CHARLOTTE NORTH CAROLINA

For Public Hearing

REZONING Technical Data Sheet
Petition # 2004-147

PROJECT NUMBER: 04078

DRAWN BY:	ADH; TCS
DESIGNED BY:	SRT
ISSUE DATE:	09/24/04

APPROVED BY CITY COUNCIL
DATE: 2/21/05

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