

Larkhaven Site

Conditional District Rezoning - Petition # 2018-005

Located In:
City of Charlotte / Mecklenburg County, North Carolina

| SHEET NO. | SHEET NAME | ORIGINAL DATE | REVISED DATE |
|-----------|--|---------------|--------------|
| 1 OF 3 | CONCEPTUAL SITE PLAN | 1/19/2018 | 4/23/2018 |
| 2 OF 3 | TECHNICAL DATA SHEET & OPEN SPACE CONCEPTS | 1/19/2018 | 4/23/2018 |
| 3 OF 3 | MASTER PLAN | 1/19/2018 | 4/23/2018 |

| PROPERTY OWNERS | | | |
|-----------------|---------------------------------|--------|--|
| PID | OWNER NAME | ZONING | |
| 1 | 11121112 LARKHAVEN INC | R-3 | |
| 2 | 11121108 JOHN L & ANGELA C BECK | R-3 | |

| ADJACENT PROPERTY OWNERS | | | |
|--------------------------|--|--------------|--|
| PID | Owner Name | Zoning | |
| 1 | 11121262 HOMEOWNERS ASSOC INC VILLAGES AT LARKHAVEN | R-3 | |
| 2 | 11121248 HOME SFR BORROWER LLC C/O ALTISOURCE ASSET MANAGEMENT CORPORATION | R-3 | |
| 3 | 11121247 HOMEOWNERS ASSOC INC VILLAGES AT LARKHAVEN | R-3 | |
| 4 | 11121231 THOMAS J COLLINS & TIFFANY R COLLINS | R-3 | |
| 5 | 11121230 ROBERT MATHEW & MEGAN E INNIS | R-3 | |
| 6 | 11121229 RICARDO MANUEL & FREYDALIA MILAGROS BELILLA | R-3 | |
| 7 | 11121228 TRUDIE MAE WALKER | R-3 | |
| 8 | 11121227 JUACQIN K IRONS | R-3 | |
| 9 | 11121226 ANWAR A SYED | R-3 | |
| 10 | 11121225 NATHAN LANG | R-3 | |
| 11 | 11121224 MARQUITTA D IRVIN | R-3 | |
| 12 | 11121223 TONI PRIDE | R-3 | |
| 13 | 11121222 TAH MS BORROWER LLC C/O TRICON AMERICAN HOMES LLC | R-3 | |
| 14 | 11121220 VISHAL SINHA | R-3 | |
| 15 | 11121219 ARTHUR & NANCY ROBERSTON | R-3 | |
| 16 | 11121218 TERRY VANN | R-3 | |
| 17 | 11121207 BRUCEIN H & PRISCILLA T MYERS | R-3 | |
| 18 | 11122107 485 INVESTMENTS LLC | MX-1 (INNOV) | |
| 19 | 11120105 485 INVESTMENTS LLC | MX-1 (INNOV) | |
| 20 | 11120108 485 INVESTMENTS LLC | MX-1 (INNOV) | |
| 21 | 11109698 CITY OF CHARLOTTE | R-3 | |
| 22 | 11109699 CITY OF CHARLOTTE | R-3 | |
| 23 | 11121111 PIEDMONT NATURAL GAS | R-3 | |



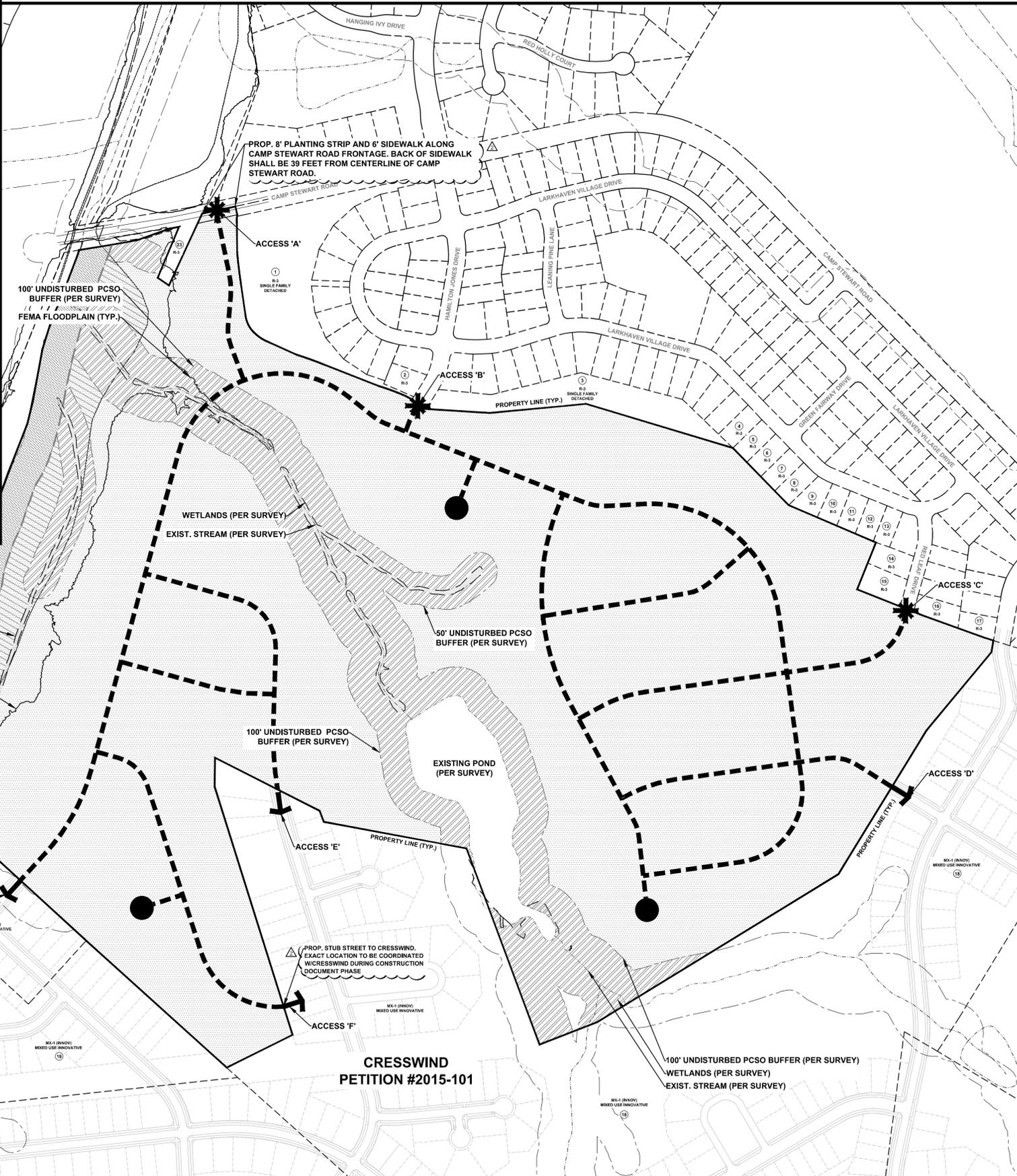
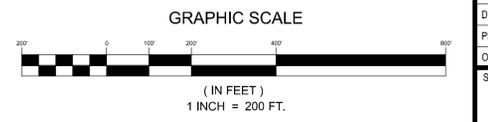
Vicinity Map
Not to Scale

| Site Data | |
|--------------------------|--|
| Tax Parcels: | 11121112 & 11121108 |
| Total Acreage: | +/- 141.928 Acres (Per Survey) |
| Location: | Mecklenburg County, NC |
| Zoning: | |
| Existing: | R-3 |
| Proposed: | R-5 Cluster (CD), 5-Year Vested Rights |
| Use: | |
| Existing: | Golf Course & Single Family Detached |
| Proposed: | Single Family Residential (Detached) |
| Permitted # of Units: | Up to 350 Units |
| Proposed Density: | Not to Exceed +/- 2.46 DU/AC |
| Maximum Building Height: | Maximum two (2) stories and not to exceed 40 feet. Building height will be measured as defined by the ordinance. |
| Open Space: | |
| Required: | +/- 14.19 Acres (10%) |
| Provided: | +/- 56.77 Acres (40%) |
| Tree Save: | |
| Required: | +/- 14.2 Acres (Greater Than 10%)* |
| Provided: | +/- 14.2 Acres (Greater Than 10%) Minimum |

General Notes
 1. Base information obtained from Mecklenburg County GIS.
 2. Additional base information provided by ESP Associates titled "ALTA/NSPS Land Title Survey of: Larkhaven, Inc. Property" dated January 25, 2018.

Legend

- Residential Development Area
- Public ROW
- Proposed Access Location
- Proposed Stub Location/Street Connection



MCKEE CREEK 100' SWIM BUFFER AREA SHALL BE DEDICATED TO MECKLENBURG COUNTY FOR THE MCKEE CREEK GREENWAY CORRIDOR, PER THE MCPR 2008 GREENWAY MASTER PLAN.

CRESSWIND
PETITION #2015-101

ESP Associates, Inc.
P.O. Box 7030
Charlotte, NC 28241
3475 Lakewood Blvd.
Fort Mill, SC 29708
704-583-9440 (NC)
803-802-2440 (SC)
www.espsociates.com

ESP

| NO. | DATE | REVISION | REVISED PER STAFF COMMENTS |
|-----|------------|----------|----------------------------|
| 1 | 01/22/2018 | | |
| 2 | 04/23/2018 | | |

BY: _____
 AB: _____
 SH: _____

Conditional District Rezoning - R-5 Cluster
 Conceptual Site Plan - Petition # 2018-005

LARKHAVEN SITE

MERITAGE HOMES CORPORATION
 CHARLOTTE, NC

PROJECT INFORMATION
 PROJECT MANAGER: MM
 DESIGNED BY: ZW
 DRAWN BY: MW
 PROJECT NUMBER: FQ05.100
 ORIGINAL DATE: 01/19/18
 SHEET:
1 OF 3

U:\2017 Projects (F:\2017) - Larkhaven Golf Course Site (Meritage) Submittal Working Drawings\2018-04-23 Rezoning 3rd Submittal\CD\Sheet\005 - Larkhaven (Meritage) - Conceptual Site Plan.dwg, 1 OF 3, mxd

Larkhaven Site - Petition #2018-005
Conditional District Rezoning - Development Standards

I. General Provisions

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Meritage Homes of the Carolinas, Inc. (the "Petitioner") to accommodate the development of a residential community on that approximately 141.928-acre site located on the south side of Camp Stewart Road, more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel Numbers 111-211-12 and 111-211-08.
- Development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").
- Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the R-5 zoning district shall govern the development and use of the Site.

II. Permitted Uses

The Site may be devoted only to a single-family residential community containing a maximum of 350 units and any incidental and accessory uses relating thereto that are allowed in the R-5 zoning district.

III. Transportation

- Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT and NCDOT for approval.
- As depicted on the Rezoning Plan, the Site will be served by internal public streets. Minor adjustments to the locations of the internal public streets shall be allowed during the construction permitting process.
- No driveways serving individual residences shall be permitted to connect to Camp Stewart Road.

4. In conjunction with the donation of approximately 4.4 acres for the Greenway, the Petitioner will assist the Mecklenburg County Parks and Recreation Department by contributing \$100,000 towards the design, permitting and construction of a bike/pedestrian connection across McKee Creek. Since the Greenway is currently not designed, connection points not established, and the location of crossing not determined the donation will allow Mecklenburg County Parks and Recreation the greatest flexibility in determining location, type of structure, etc., as well as preserving natural features such as wetlands, trees, etc. that may enhance the Greenway. The contribution will be paid the earlier of completion of the design and permitting of the McKee Creek Greenway and connection by Mecklenburg County Parks and Recreation or recording of the final plat for the 350th lot in the subdivision.

5. The Petitioner shall not be permitted to allow construction traffic to use adjacent neighborhood streets.

6. The Petitioner reserves the right to construct internal streets to meet CDOT standards to accommodate potential annexation into the City of Charlotte. The annexation process shall be initiated by the Petitioner within six (6) weeks of the Property's acquisition from the current property owner.

- Subject to the acquisition of necessary off-site right-of-way and other terms and conditions set forth herein, The Petitioner shall complete the following offsite transportation improvements:
 - Extend planned southbound right-turn lane on Rocky River Church Road at Albemarle Road by 125' (from 250' to 375') and incorporate AM-peak signal timing adjustments;
 - Stripe the northbound and southbound left-turn lanes on Hamilton Jones Drive at Camp Stewart Road;
 - Construct wide, flared lane on Camp Stewart Road into the new Site Access on Camp Stewart Road;
 - Incorporate AM peak signal timing adjustments at Albemarle Road/Cresswind N-S Connector and Albemarle Road/I-485 Outer Ramp; and
 - Extend the existing southbound left-turn lane on Harrisburg Road at Camp Stewart Road by 80' (from 150' to 230').

8. With the exception of subsection 8.c. below, Petitioner shall substantially complete all off-site transportation improvements prior to the plat of the 101st home within the Site.

- The Petitioner shall coordinate with land owners to secure road rights-of-way for off-site transportation improvements, where necessary. If, after the exercise of diligent good faith efforts by the Petitioner, the Petitioner is not able to acquire the necessary rights-of-way to complete the off-site transportation improvements, then CDOT, the City of Charlotte Engineering Department or other applicable agency, department or governmental body agree to proceed with acquisition of any such lands. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings.
- Substantial completion shall mean completion of the roadway improvements in accordance with the standards set forth herein provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT and/or NCDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT or NCDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.
- With respect to off-site transportation improvements as listed in subsection 7.a. and 7.d. above, the Petitioner shall substantially complete these improvements prior to plat of the 251st home within the Site provided the Cresswind developer has substantially completed their required improvements at the Albemarle Road/Rocky River Road, Albemarle Road/Cresswind N-S Connector, and Albemarle Road/I-485 Outer Ramp intersections. In the event the Cresswind developer improvements are not complete then the Petitioner shall be allowed to plat 330 lots until such a time that the Cresswind improvements are substantially complete.
- In the event that development of Cresswind is terminated before the completion of the Larkhaven development, the Petitioner will not be responsible for any improvements at the Albemarle Road/Rocky River Road intersection but will be responsible for the following additional improvements at the Harrisburg Road/Camp Stewart Road intersection, if these improvements are not already complete prior to platting the 330th lot of the Larkhaven development:
 - Installation of the traffic signal;
 - Construct a Northbound right turn lane from Harrisburg Road onto Camp Stewart Road with 125 feet of storage; and
 - Extend the Westbound left turn lane from Camp Stewart Road onto Harrisburg Road by 100 feet to provide 250 feet of storage.

9. Subject to CDOT and/or NCDOT approval, the Petitioner proposes to design and construct a mini round-about in the location as indicated on the Rezoning Plan.

IV. Streetscape and Landscaping

1. The Petitioner shall provide a minimum eight (8) foot wide planting strip and a minimum six (6) foot wide sidewalk along the Site's Camp Stewart Road frontage, with the back of sidewalk located thirty-nine (39) feet from the centerline. The Petitioner shall provide a minimum eight (8) foot wide planting strip and a minimum five (5) foot wide sidewalk along all other network required streets.

2. Driveway lengths shall be twenty (20) feet in length or greater, measured from the back of sidewalk to face of garage.

V. Open Space

- The Petitioner shall provide common open space areas as generally depicted on the Rezoning Plan.
 - In the area labeled "Tot Lot" on the Rezoning Plan, the Petitioner intends to provide amenities such as, but not limited to, a children's playset, benches, tables or other active recreation elements.
 - In the area labeled "Amenity Area" on the Rezoning Plan, the Petitioner intends to provide amenities such as, but not limited to, a swimming pool, seating areas, cabana, or other active recreation elements.

2. The Petitioner shall dedicate and convey the 100' SWIM buffer of McKee Creek, as designated on the Rezoning Plan, to Mecklenburg County for future greenway use prior to the Site's first building certificate of occupancy.

VI. Environmental Features

- The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance (PCSO). The location, size, and type of stormwater management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual stormwater treatment requirements and natural site discharge points.
- The Petitioner shall comply with the Charlotte Tree Ordinance, in locations as generally depicted on the Rezoning Plan.

VII. Lighting

- Pedestrian scale, freestanding lighting fixtures shall be installed throughout the Site along all internal roads. Lighting fixtures will be uniform in design and the final spacing will be determined by the developer.
- The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed twenty-one (21) feet.
- Any lighting fixtures attached to the buildings to be constructed on the site shall be capped and downwardly directed, with the exception of flood lights.

VIII. Amendments to Rezoning Plan

Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

IX. Vested Rights Provision

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment involved.

X. Binding Effect of the Rezoning Documents and Definitions

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards 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 respective successors in interest and assigns.

Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.

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 www.espatociates.com



| NO. | DATE | REVISION | BY | AB | SH |
|-----|------------|----------------------------|----|----|----|
| 1 | 01/22/2018 | REVISED PER STAFF COMMENTS | | | |
| 2 | 04/23/2018 | REVISED PER STAFF COMMENTS | | | |
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Conditional District Rezoning - R-5 Cluster
 Technical Data Sheet - Petition # 2018-005

LARKHAVEN SITE

MERITAGE HOMES CORPORATION CHARLOTTE, NC

| PROJECT INFORMATION | |
|---------------------|---------------|
| PROJECT MANAGER: | MM |
| DESIGNED BY: | ZW |
| DRAWN BY: | MW |
| PROJECT NUMBER: | FQ05.100 |
| ORIGINAL DATE: | 01/19/18 |
| SHEET: | 2 OF 3 |

