

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
- 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

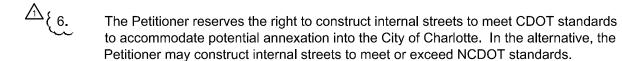
- Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required 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



The Petitioner may coordinate, if deemed feasible, a bike/pedestrian connection across McKee Creek, location of which to be determined during the permitting phase of construction and in coordination with the Parks and Recreation department's development of the future greenway. Alternatively, the Petitioner may provide a maximum \$50,000 to the City of Charlotte in lieu of constructing the connection.



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



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: a. 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
- b. Stripe the northbound and southbound left-turn lanes on Hamilton Jones Drive at Camp Stewart Road;
- c. Construct wide, flared lane on Camp Stewart Road into the new Site Access on Camp Stewart Road;
- d. Incorporate AM peak signal timing adjustments at Albemarle Road/Cresswind N-S Connector and Albemarle Road/I-485 Outer Ramp; and
- e. Extend the existing southbound left-turn lane on Harrisburg at Camp Stewart
- Road by 80' (from 150' to 230').
- Petitioner shall substantially complete all off-site transportation improvements prior to the development of more than 150 homes within the Site.
- ⚠{ a. 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 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, the City of Charlotte may utilize its power of eminent domain to secure or otherwise acquire the necessary rights-of-way.
- b. 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.

Petitioner requests flexibility to make adjustments to the proposed geometric configurations, street arrangements, related street connections, and other transportation indications shown on Sheet 3 of the Rezoning Plan to allow for minor modifications which address issues discovered during the detailed design and construction document design phase that may include the need to relocate or eliminate certain internal subdivision street/road connections or to add newly relocated street/road connections in alternative areas to enhance connectivity and potentially help minimize unnecessary disturbance of Tree Save areas, removal of specimen trees due to excessive grading and/or retaining wall placement, provided that these minor modifications do not deviate and are consistent with City of Charlotte Land Development road standards or NCDOT standards and related street subdivision requirements and satisfy the street network requirements of the Subdivision Ordinance.

IV.Streetscape and Lar

- The Petitioner shall provide a minimum eight (8) foot wide planting strip and a
- 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.

- provide amenities such as, but not limited to, a children's playset, benches, tables or other active recreation elements.
- b. 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,



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.

- 1. 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
- The Petitioner shall comply with the Charlotte Tree Ordinance, in locations as generally depicted on the Rezoning Plan.
- 1. 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

VIII. Amendments to Rezoning Plan

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

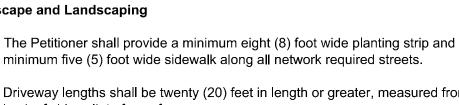
ARKHAVEN PROJECT INFORMATION PROJECT MANAGER:

DESIGNED BY: DRAWN BY:

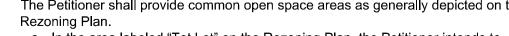
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- a. In the area labeled "Tot Lot" on the Rezoning Plan, the Petitioner intends to
- dog park, cabana, or other active recreation elements.



VI. Environmental Features

- requirements and natural site discharge points.

- 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.

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.

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

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.

