

COMMUNITY MEETING REPORT
Petitioners: Copper Builders, Inc. and Cambridge Properties, Inc.
Rezoning Petition No. 2014-050

RECEIVED

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PLANNING DEPARTMENT

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Petitioners mailed a written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on Exhibit A-1 attached hereto by depositing such notice in the U.S. mail on May 16, 2014. A copy of the written notice is attached hereto as Exhibit A-2.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on Tuesday, May 27, 2014 at 7:00 PM at the Church at Charlotte located at 2500 Carmel Road, Charlotte, North Carolina.

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):

The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit B. The Petitioners' representatives at the Community Meeting were Wade Miller of Copper Builders, Inc., George Maloomian of Cambridge Properties, Inc., Joel Causey and Jacob Bachman of ColeJenest & Stone, Angie Lauer and Allen Brooks of ALB Architecture and John Carmichael of Robinson Bradshaw & Hinson, P.A.

SUMMARY OF ISSUES DISCUSSED:

John Carmichael opened the meeting by welcoming everyone and introducing himself and the Petitioners' representatives.

John Carmichael stated that the site subject to this rezoning request is an approximately 9 acre site located on the southwestern corner of the intersection of Carmel Road and Colony Road.

Prior to sharing the conditional rezoning plan, John Carmichael provided the schedule of events relating to the rezoning request. John Carmichael stated that tonight is the required Community Meeting, and that he will prepare a report of the meeting and file it with the Planning Department on or before June 6, 2014. John Carmichael stated that the report will not be a verbatim transcript of the meeting. John Carmichael stated that although the Petitioners are only required to hold one official Community Meeting, the Petitioners are happy to meet with area residents again if desired by area residents. John Carmichael stated that the Public Hearing will be held on Monday, June 16, 2014 at 6:00 PM at the Charlotte-Mecklenburg Government Center located at 600 East 4th Street; the Zoning Committee Work Session will be held on Wednesday, June 25, 2014 at 4:30 PM at the Charlotte-Mecklenburg Government Center; and City Council is scheduled to make a decision on this rezoning request on Monday, July 21, 2014 at 6:00 PM at the Charlotte-Mecklenburg Government Center.

George Maloomian, Wade Miller, Angie Lauer and Joel Causey then briefly discussed their background and experience with development projects.

John Carmichael stated that this approximately 9 acre site located at the intersection of Carmel Road and Colony Road is currently zoned UR-2(CD) and R-3. The R-3 portion of the site is an approximately 101 foot wide strip of land located along the site's frontage on Carmel Road. The site was rezoned to the UR-2(CD) zoning district by City Council in January of 2006. Under the site's current zoning, a maximum of 36 condominium units located in 3 buildings may be developed on the site.

John Carmichael stated that the maximum height of building 1 (the building located closest to the intersection of Colony Road and Carmel Road) is 39 feet to the eave from the base of the Colony Road side of the building, and then another 15 feet from the eave to the top of the roof on the Colony Road side of the building. An architectural element in the center of the facade may then extend another seven feet above the roofline.

The maximum height of building 2 (which is the center building) is 51 feet to the eave from the base of the Colony Road side of the building, and then another 15 feet from the eave to the top of the roof on the Colony Road side of the building. An architectural element in the center of the facade may then extend another seven feet above the roofline.

Building 3, which is the three-unit building that contains the James family residence, has a maximum height of 39 feet to the eave from the base of the Colony Road side of the building, and then another 15 feet from the eave to the top of the roof on the Colony Road side of the building.

John Carmichael stated that under the existing zoning of the site, the exterior materials of the buildings were required to be primarily hard coat stucco.

John Carmichael stated that the development of the site under the existing zoning did commence, but development stopped due to the downturn in the economy and the developer's financial and legal difficulties. Building 3 was constructed, and this building contains the James family residence, which is one unit of this three-unit building. The exterior shells of the other two units were completed, but not the interiors. Additionally a garage was constructed on the site for Building 3.

Under the approved conditional rezoning plan for the site, the only permitted development of the site is up to 36 condominium units located in three buildings.

John Carmichael stated that Copper Builders and Cambridge Properties are requesting that the site be rezoned from the R-3 and UR-2 (CD) zoning districts to the UR-2 (CD) and UR-2 (CD) SPA zoning districts. SPA stands for site plan amendment.

The purpose of the rezoning request is to accommodate the development of a residential community that would be developed in two separate phases. Phase I would consist of a maximum of 36 for sale single-family attached homes (townhomes) and one single-family detached home, which is the current James family residence. The James family residence would be located on a separate lot and would continue to be occupied by the James family. The two condominium units currently attached to the James family residence would be demolished.

Phase II would consist of the demolition of the James family residence and the development of a maximum of 7 additional for sale single-family attached homes in the general area where the James family residence is currently located. Upon the completion of Phase II, a maximum of 43 for sale single-family attached homes could be located on the site.

John Carmichael then shared the Petitioners' current conditional rezoning plan. He stated that the site would be accessed and served by a private street from Colony Road. This street would be located directly across from Carmel Crescent Drive. The intersection of the private street and Colony Road would be a full movement access. Additionally, there would be a left turn lane into the site from Colony Road.

The private street would have some decorative paving. This private street would be 30 feet wide as measured from back of curb to back of curb. The internal private street would have a minimum of 22 on-street parking spaces, and a 5 foot sidewalk and an 8 foot planting strip would be located on one side of the internal private street.

The Petitioners' prior conditional rezoning plan showed the internal street connecting to Carmel Road, but the current plan does not show this connection. The current plan shows the internal private street terminating in a hammerhead within the site. The Petitioners are hoping to avoid the connection of the internal private street to Carmel Road. The Petitioners are continuing to discuss this matter with the Planning Department. If the connection to Carmel Road is not ultimately required, community open space would be located where the connection to Carmel Road would have been located.

The existing pond on the site would be preserved, and those areas located adjacent to the pond that are designated as tree save areas on the conditional rezoning plan would be tree save areas. A low impact walking trail would be installed around the pond as an amenity to the residential community.

In Phase I of the proposed development, the James family residence would be located on a separate parcel, and this parcel would be accessed by way of the private street and a private drive. A new two car garage would be constructed on the James parcel.

In Phase II, the James family residence would be demolished, and up to 7 additional for sale single family attached homes could be constructed in the general area of the James family residence.

Vehicular access to the garage of each townhome unit would be provided by a drive with decorative paving. Adjacent to the drive would be landscaping and a five-foot wide pedestrian path. Each townhome unit would have a private courtyard at the rear of the unit. The private courtyard would be a minimum of 400 square feet in size.

Wade Miller then addressed the meeting and discussed the architecture of the proposed townhome units. He shared an elevation of the ends of the townhome buildings facing Colony Road. Wade Miller stated that the townhome units would be located a little below Colony Road because of the grade, and that landscaping would be installed along the site's frontage on Colony Road.

Angie Lauer then addressed the meeting. She discussed the site plan in general terms. She stated that the townhome units would not all be the same size. Townhome units of different sizes would be offered on the site. She further stated that the design of the townhome units would be unique.

Angie Lauer discussed the elevation of the proposed townhome buildings facing Colony Road, and the front elevation of the proposed townhome buildings. She said it was important that the garage not dominate the front elevation of the townhome units. Angie Lauer stated that there would be a real English Village feel to the proposed development, and that this development

would not be a cookie cutter townhome development. This development would be respectful of the site and the surrounding community.

In discussing the front elevation of the proposed townhome units, Angie Lauer reiterated that the garage would not be the most prominent element. She stated that the townhomes would have different widths. She stated that the exterior building materials of the townhome buildings would consist of masonry, stucco and cementitious siding. Master bedrooms would be located on the main level.

An individual asked if she was confident in the stucco product, and Angie Lauer stated that she is confident in that product if it is installed correctly.

An individual asked if there would be a warranty with the stucco product, and Angie Lauer stated that she feels sure that there would be a warranty from the builder. Angie Lauer then provided additional detail as to why she is comfortable using a hard coat stucco product.

An individual stated that the prior version of the conditional rezoning plan provided that the townhomes would be 90% brick. Angie Lauer stated that they re-evaluated the amount of brick on the facades of the townhomes, and they decided to bring the percentage down because they thought it was too much brick. John Carmichael stated that the prior conditional rezoning plan provided that at least 90% of each facade of the townhomes below the roofline would be composed of brick and the remaining portions of each facade below the roofline would be composed of cementitious siding and miratec trim. The current conditional rezoning plan provides that at least 75% of each facade of the townhomes below the roofline shall be composed of brick, stone or a combination thereof and the remaining portions of each facade below the roofline shall be composed of cementitious siding, miratec trim, stucco or a combination thereof.

Angie Lauer stated that the ceiling height on the first floor of the townhome units would 10 feet, and the ceiling height would be 9 feet on the second floor.

In response to a question, Angie Lauer stated that the height of the townhome units would be approximately 36 feet to the ridgeline from the finished floor elevation of each townhome unit.

In response to a question, Angie Lauer stated that the townhome units would be approximately 3,200 square feet in size on average.

In response to a question, Wade Miller stated that there would be a homeowners association for the community.

An individual asked whether the exterior portions of the townhome units would be maintained by the individual owners or by the homeowners association. George Maloomian advised that a determination has not been made yet regarding that issue. Wade Miller stated that the exterior portions of the townhome units would not require a lot of maintenance due to the high percentage of brick.

An individual stated that if the homeowners association maintains the exterior portions of the townhome units, then the amount of the monthly HOA dues will increase. George Maloomian acknowledged that would be the case, but if the homeowners association maintains the exterior portions of the townhome units, then the individual owners would not have the expense of maintaining the exterior portions of their units. George Maloomian stated that the townhome units would be expensive units, and that the Petitioners are still debating who will maintain the exterior portions of the townhome units.

In response to a question, Wade Miller stated that the projected sales price of the townhome units is in the \$600,000s, but the actual sales price will depend on the market. Wade Miller stated that the interior portions of the townhome units can be customized, so that can certainly drive up the sales price of the townhome units.

Angie Lauer stated that because there are unique features to the townhome units, buyers can have a lot of choices with respect to the townhome units and a lot of good options.

In response to a question, John Carmichael stated that the elementary school that serves this site is Sharon Elementary School.

An individual asked about the construction schedule and whether or not the site would be built out all at once. Wade Miller stated that he would probably start the construction of 10 townhome units initially, and he hoped that the entire site would be built out in 1.5 to 2 years.

In response to a question, Wade Miller stated that the funding of the construction loan is dependent upon pre-sales.

An individual stated that if pre-sales are slow, then this could slow down construction.

An individual asked why the notes on the conditional rezoning plan would allow for the construction of up to 36 townhome units in Phase I when only 34 townhome units are shown on the conditional rezoning plan. George Maloomian stated that they need the flexibility to have narrower units if the market demands it.

An individual asked if 36 townhome units would consume more of the site than 34, and George Maloomian stated that would not be the case.

George Maloomian stated that under the revised conditional rezoning plan, they were able to make the individual townhome units wider, and he feels that this will make a huge difference in terms of how attractive this development is to potential buyers. Additionally, the wider townhome units make the private courtyards larger.

In response to a question, Wade Miller stated that the internal street would be a private street.

An individual asked whether there would be a mail kiosk on the site. George Maloomian stated that there would likely be a mail kiosk on the site.

In response to a question regarding trash service, George Maloomian stated that trash service had not really been discussed by the Petitioners yet.

An individual asked if the proposed storm water pond located at the southern portion of the site would now be screened from view from Colony Road by townhome units, and Wade Miller stated that yes, the storm water pond would be screened from view from Colony Road by townhome units.

An individual asked if there are fish in the pond. Wade Miller indicated that there are fish in the pond, and Henry James stated that there are bass, brim and crappie in the pond.

An individual asked if the pond has always divided as it is shown on the conditional rezoning plan. Joel Causey said that it has not. It is planned to be divided in connection with this development so that a portion of the pond can be used for detention and storm water quality treatment. Joel Causey stated that the elevation of the main portion of the pond will remain the

same, however, the level of the detention and water quality portion of the pond will fluctuate during storm events.

An individual asked if it is possible to use the pond for irrigation purposes. George Maloomian stated that they will likely try to use well water for irrigation purposes. George Maloomian stated that a well currently serves the James family residence. The only cost associated with using well water is drilling the well and electricity for the pump.

In response to a question, Wade Miller stated that the trees located within the tree save areas around the pond would be preserved, and this area would not be cleared.

In response to a question, an individual asked if the HOA would maintain the landscaping, and Wade Miller stated that the HOA would maintain the landscaping.

An individual stated that the Petitioners are requesting the ability to construct 36 townhome units in Phase I, plus another 7 townhome units in Phase II, for a total of 43 townhome units. This individual asked what would prevent the Petitioners from seeking to develop an 11 story building in the future on the site. This individual stated that he did not think that the developer should be able to get approval for 43 townhome units, and that the developer should not get another bite at the apple. This individual stated that he is not in favor of 43 townhome units on the site, and he does not trust that the Petitioners will only get an additional 7 townhome units in Phase II of the development.

An individual stated that if the rezoning is approved allowing 43 townhome units on the site, if developers come back in the future and ask for more units, then the residents of this townhome community could oppose such a request.

George Maloomian stated that they are asking for the 43 units in this rezoning request because they want to be up front about it and to advise the community of their intentions at this time. Therefore, area residents and residents of this proposed community would know what is planned to happen in the future. There would be no surprises.

An individual asked if he buys a townhome unit in this proposed development, will it be in the restrictive covenants that no more than 7 additional units can be built on the site. George Maloomian stated that such a provision would be in the restrictive covenants. Therefore, this restriction would be in the restrictive covenants and in the zoning documents. To change this restriction, the restrictive covenants would have to be amended and the site would need to be rezoned.

An individual asked where development on the site would begin. Wade Miller stated that development of the site would likely begin on the Carmel Road side of the site.

Joel Causey then addressed the meeting regarding landscaping, and he showed some images that would be representative of the landscaping. Joel Causey described the courtyards and the treatment of the site's edges. He stated that the existing cherry trees would remain and that some of the cherry trees would have to be replaced. He described the shrubbery and the walls along the perimeter of the site.

In response to a question, Joel Causey said that the existing cherry trees are located in the right of way, and that some of them will need to be replanted due to their health.

In response to a question, Wade Miller stated that the existing garage on the site and the two condominium units attached to the James family residence would be demolished in connection with the development of the site.

An individual asked if the only improvement that would be preserved is the James family home, and John Carmichael stated that yes, that would be the only improvement to remain on the site.

An individual asked if the depiction of the walls and walkways behind the courtyards is realistic. Wade Miller stated that they would install brick walls, and Angie Lauer stated that the walls would not necessarily be full brick walls. Wade Miller stated that the design of the walls has not been finalized. George Maloomian stated that at a minimum, the walls will be brick with some lattice elements so that the walls can breathe.

George Maloomian discussed the pedestrian connections and the strong sense of community under this plan.

An individual asked how wide the aprons are in front of the garages, and Joel Causey stated that the aprons would be 8 feet in width.

An individual stated that if kids are living in this development, then parking could be an issue. Wade Miller stated that families are an unlikely buyer in this community.

An individual asked if the rezoning petition is approved, must the development be consistent with the approved conditional rezoning plan. John Carmichael stated that the development of the site would be required to comply with the details of the approved conditional rezoning plan. To make a major modification to the approved conditional rezoning plan, the developer would be required to go back through the rezoning process.

Doug Burns, an architect hired by the Montibello Homeowners Association to review the conditional rezoning plan, then discussed some of his concerns and comments about the conditional rezoning plan. His written comments and concerns are attached to this Community Meeting Report as Exhibit C.

John Carmichael thanked everyone for attending the meeting, and the meeting was then adjourned.

CHANGES MADE TO THE PETITION AS A RESULT OF THE COMMUNITY MEETING AS OF THE DATE HEREOF:

No changes have been made to the conditional rezoning plan or to the Rezoning Petition as of the date of this Community Meeting Report as a result of the Community Meeting.

Respectfully submitted, this 5th day of June, 2014.

Copper Builders, Inc. and Cambridge Properties, Inc., Petitioners

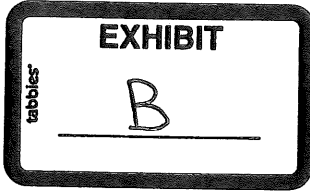
cc: Ms. Tammie Keplinger, Charlotte-Mecklenburg Planning Department (via email)
Ms. Sonja Sanders, Charlotte-Mecklenburg Planning Department (via email)
Mr. Wade Miller, Copper Builders, Inc. (via email)
Mr. George Maloomian, Cambridge Properties, Inc. (via email)

Copper Builders, Inc. and Cambridge Properties, Inc., Petitioners
Rezoning Petition No. 2014-050

Community Meeting Sign-in Sheet

Church at Charlotte
2500 Carmel Road
Charlotte, NC 28226

Tuesday, May 27, 2014
7:00 P.M.



	NAME	ADDRESS	TELEPHONE	EMAIL ADDRESS
1.	John Schneider	5112 Fairview Crescent Ct	704-365-9477	
2.	Sam McElhany	5708 Fairview Crescent Ct.	704-362-0812	JRMSM@Bellsouth.net
3.	Dave McDowd	4895 Cambridge Crescent Dr.	704-576-3378	JD_MCD@Bellsouth.net
4.	Steve Lebeck	5100 Oxford Crescent Ct.	704-572-1152	stevlebeck@bellsouth.net
5.	Michael Workman	2576 Slattfield Crescent Ct.	704-554-1434	Workmanlaw@gmail.com
6.	Charles Kolton	2616 Lori Ln.	704-366-9078	koltonc@bellsouth.net
7.	Malcolm Wright	5026 Fairview Crescent Ct	704-366-1240	malcolmw370@yahoo.com
8.	Barbara Wright	5026 Fairview Crescent Court	704-366-1240	barbswnl@yahoo.com
9.	John Spencer	5020 Oxford Crescent Ct	704-965-2792	jspencer@SavHInvestments.com
10.	Mary D. Murphy	5118 Oxford Crescent Ct		
11.	John J. Murphy, Jr.	4	704-651-3718	murphyjpe@bellsouth.net
12.	Stephen & Kindise Hayes	2726 Carmel Road, 28226	704-364-5319	kindisek@yahoo.com
13.	Margaret Mancino	3623 Knappdale Lane	704-366-5967	
14.	Mike & Aimee Wilson	5022 Fairview Crescent Ct.	704-562-2998	jim.kenes9@gmail.com
15.	Anthony Windell	5710 Oxford Cres. Ct.	704-554-4825	
16.	Lithamper Kaur	2707 Ballencrest Lane, 28226	704-365-8860	tanmy.laurson@yahoo.com
17.	Bonnie Nicolson	2515 Ballencrest Lane, 28226	704-578-1939	Bonnie.Nicolson28226@aol.com
18.	Glen Bodott	2501 Ballencrest Lane, 28226	704-364-9397	glenbodott@newborn.net
19.	Scott Campbell	3507 Castellaine Dr. 28226	704-996-6755	Scott.Campbell@AUSNETTE.COM
20.	Brian Peters	2523 Ballencrest Lane, 28226	704-909-8737	PETERSFAMILYCAROLINA@GMAIL.COM

21.	Norma Cook	3725 Table Rock Rd		704-488-2576	norm1838@hotmail.com
22.	Carol Manz	6904 SHINNEDOCK HILL LANE		704-846-2992	
23.	Steve Manz	" "		"	
24.	Doris Burns	Representing Montebello HFA		704-877-3181	burns.douglas@gmail.com
25.	Matthew Karges	3516 FORGE RD		704-770-7866	m.karges@familyballer.com
26.	Randall Spidl	5130 Oxford Crescent Ct		210 7486100	randall.ds95@gmail.com
27.	Steve Wallace	2645 Corlana 28226		423-240-5488	swallace@rfs.edu
28.	Henry Gomez	5956 Cilney Rd 28226		704-999-1936	
29.	Rachael R. Todd	2825 Spring Valley Rd 28210 / From Carmel Hills		704-364-8302	rtodd@bellsouth.net
30.	Lydia Todd	2825 Spring Valley Rd. 28210 / From Carmel Hills		704-554-6927	lmtodd@bellsouth.net
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DEVELOPMENT STANDARDS

March 24, 2014

General Provisions

1. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Copper Builders, Inc. to accommodate the development of a residential community comprised of for sale single family attached dwelling units, a single family detached dwelling unit and common areas on that approximately 9.083 acre site located at the southwestern corner of the intersection of Carmel Road and Colony Road, which site is more particularly depicted on the Rezoning Plan (the "Site").
2. 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").
3. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UR-2 zoning district shall govern all development taking place on the Site.
4. The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the internal street network depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, may be altered or modified during design development and construction document phases.
5. Future amendments to the Rezoning Plan and/or 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.

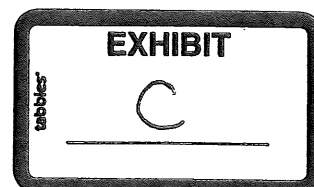
Permitted Uses

The Site may be devoted only to the following uses.

Tract A

A maximum of 35 (If revised, the new total number of units needs to be presented to the community.) for sale single family attached dwelling units, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the UR-2 zoning district (Revise to state: Limit to garages, gazebo, community mailbox unit, screened trash receptacle areas, pool/community building and pool area not to exceed 2000 sf.).

Tract B



A maximum of 1 single family detached dwelling unit, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the UR-2 zoning district. (Revise to state: Limit to garages, community mailbox unit, and screened trash receptacle areas).

Tract B may be subdivided from Tract A.

Transportation

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of each vehicular access point are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
2. As depicted on the Rezoning Plan, the internal street shall be a public street built to Charlotte Engineering Standards.
3. The exact alignment of the proposed internal public street may be altered no more than 5'0" in any direction and must maintain the 6'0" sidewalk and 8'0" planting strip as depicted on the proposed site plan during the construction permitting process.
4. The public street connection to Carmel Road shall be limited to right-in, right-out movements.
5. Off-street vehicular parking will meet the minimum and maximum standards established under the Ordinance for the UR-2 zoning district. As depicted on the Rezoning Plan, on street parking spaces will be provided on the internal public street.
6. A minimum of ? vehicular parking spaces will be provided on Tract A. The vehicular parking spaces on Tract A will be comprised of the two parking spaces located in the garage associated with each single family attached dwelling unit and the ? on street parking spaces located on the internal public street.
7. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.

Architectural Standards

1. The maximum height of any single family attached dwelling unit located on Tract A to be limited to 40'0" shall be two stories, provided, however, that some single family attached dwelling units may have two stories above a basement.

2. The maximum height of a single family detached dwelling unit located on Tract B shall be limited to 40 feet.
3. Attached hereto is a schematic architectural rendering of the front elevation of the single family attached dwelling units proposed to be constructed on Tract A and Tract B? of the Site that is intended to depict the general architectural style, character and elements of the front elevation of the single family attached dwelling units. Accordingly, the front elevation of each single family attached dwelling unit constructed on Tract A and Tract B? of the Site shall be designed and constructed so that it is substantially similar in appearance to the schematic architectural rendering attached hereto. Changes and alterations which do not materially change the overall conceptual architectural style and character are permitted based upon final design/construction drawings. (Please provide as part of the submitted rezoning petition, all 4 dimensioned elevations depicting the building heights for both the Type (Tract) A and Type (Tract) B single family attached dwelling units/townhomes (Please keep the text consistent). Please clarify the difference, if any, between Type A and B as shown in the site plan and Tract A and B as depicted in the text of the notes.)
4. At least 90 percent of each facade of the single family attached dwelling units to be located on Tract A and Tract B below the roofline shall be composed of brick, and the remaining portions of each facade below the roofline shall be composed of cementitious siding and miratec trim. "Each facade below the roofline" is defined as the entire exterior surface area below the roofline excluding windows, doors, and garage doors and trim, so that windows, doors, garage doors and trim are not considered when calculating the minimum percentage of material required. Vinyl shall not be a permitted exterior building material for the single family attached dwelling units, provided, however, that vinyl may be utilized on the soffits of such dwelling units and vinyl windows may be installed on such dwelling units.
5. With respect to the facades of the single family attached dwelling units that face Colony Road and/or Carmel Road, there shall be no expanses of blank walls in excess of 20 feet.
6. Private roll out trash and recycling containers will be utilized by the residents of the community and picked up by a private service. Storage of the trash receptacle will not be seen from Colony or Carmel Roads.

Streetscape and Landscaping

1. Landscaping will meet or exceed the requirements of the Ordinance. Please provide a landscape plan to be included as part of the rezoning petition to clearly depict the views onto the development as seen from both Carmel and Colony

Roads with planting materials, species, sizes, heights called out on the Landscape Plan. See section #4 and #5.

2. Petitioner shall install a minimum 8 foot planting strip and a minimum 6 foot sidewalk along the Site's frontage on Colony Road as generally depicted on the Rezoning Plan. See comment on Street and Landscaping Section #4 and #5.
3. Petitioner shall install a minimum 8 foot planting strip and a minimum 6 foot sidewalk along the Site's frontage on Carmel Road. Notwithstanding the foregoing, Petitioner reserves the right to request a reduction in the widths of the planting strip and the sidewalk pursuant to Section 9.407(4)(c) of the Ordinance due to potential grade and topography issues on the Site. See comment on Street and Landscaping Section #4 and #5.
4. Please provide an **Illustrative Landscape Plan** for the entire site with emphasis on any interior areas seen from Carmel and Colony Roads respectively with planting materials, species, sizes, heights called out on the Landscape Plan to be submitted with the petition.
5. **Perimeter Street Tree** spacing will be a minimum of 40'0" on center.
6. Please provide the design (size, color, materials) for all **signage** to include entry signs, street signs and building identification graphics.
7. All planting areas along Carmel Road and Colony Road will be irrigated.

Environmental Features

1. The location, size, and type of storm water management systems are subject to review and approval as part of the full development plan submittal. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
2. Those portions of the Site designated as tree save areas on the Rezoning Plan shall remain undisturbed, provided, however, that walking trails may be installed within the tree save areas as generally depicted on the Rezoning Plan, and the tree save area may be disturbed in connection with the repair and maintenance of the dam located on the Site. The final locations of the walking trails may be adjusted during the design development and construction document phases.
3. Trees that form the buffer screening along Carmel Road will not be limbed above eight feet from the ground and all dead or diseased limbs removed as required with no trimming height limitation.

Lighting

1. Pedestrian scale, freestanding lighting fixtures will be installed throughout the Site along the internal street. The pedestrian scale, freestanding lighting fixtures will be uniform in design, and the final spacing of such lighting fixtures shall be determined by Petitioner. All such freestanding lighting fixtures shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site. Please provide and show on in the zoning petition the light fixture type, location and height for all locations being proposed.
2. The maximum height of any pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed 20 15' feet.
3. All new lighting fixtures shall be full cut-off in nature excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas. [Please provide an example of fixture type.]
4. No "wall pak" lighting will be allowed, however architectural lighting on building facades, such as sconces, will be permitted.
5. The Petitioner will provide pedestrian scale lighting along the internal Public Street.

Binding Effect of the Rezoning Documents and Definitions

1. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
2. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
3. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

REVIEW NOTES:

1. Please provide sections of the site plan showing the topographic changes, the garages, building elevations and the relationship to the lakes, Carmel Road and Colony Road.
2. Please provide the height and materials of the Screen Walls. The use of masonry and wrought iron is characteristic of the Carmel Road Corridor. We would like a note stating the height of the wall will be a minimum of 6' to a maximum of 8'. Wrought iron may be used for a portion of the vertical dimension of the wall to form the upper 24" of the screen wall.
3. The use of wrought iron will be limited to the pedestrian and vehicular gate locations but is allowed to form the upper 24" of the screen wall.
4. If the screen wall is to be externally light, please provide the location of where that will occur and how it will be lit.

DRAWING REVIEW

1. Notation to be included noting the number of dwelling units per acre with the ponds and a second calculation of density without the ponds in the area calculations.
2. Show the continuation of the "wall" at the corner of Colony and Carmel Roads south along Carmel Road.
3. How are the "community drives" paved? Please indicate on the site plan if those drives can be seen from Carmel and Colony Roads.
4. How is mail delivered? If not to the individual units, is there a central mail box location? If so where? Parking? Access by the Postal Service?
5. Please define "future variable ROW".
6. Clarify the retaining wall height, materials, impact on land disturbance, drainage.
7. Please show a minimum setback to back of curb for any residential unit to be 30' with the exception of unit 25 along Colony Road.. Please dimension the setbacks to all units located directly along Carmel Road.
8. Add a note that any HVAC, Electrical Panels, Transformers, etc. are to be screened.
 - a. Meter banks will be screened per the Rezoning Plan and Zoning Ordinance.
 - b. HVAC and related mechanical equipment will be screened from public view at grade per the Rezoning Plan and Zoning Ordinance.
 - c. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

- d. Screening requirements of the Ordinance will be met where not otherwise exceeded in the drawings made a part of the petition. The developer and or owner of the development will maintain all buffers and tree save buffers. This includes the trimming and removal of any shrubs, trees or other plant material that is diseased or dead. In such an instance the developer and or owner will replace the shrub, tree or other plan material immediately and no later than the next recommended planting cycle. Trees that form the buffer screening along Carmel Road will not be limbed above eight feet from the ground.
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- 9. Verify the turning movement of and onto Carmel Road from the proposed project to determine if the adjacent neighborhoods will be impacted by "cut through traffic". Have a NC Licensed Traffic Engineer verify the traffic movements.