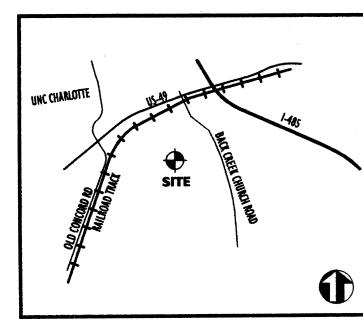
The Villages at Back Creek Phase I - Floodplain Permit Portrait Homes

Charlotte, North Carolina



Vicinity Map - NTS

PRELIMINARY PLANNED

S.F. & MULTI-FAMILY SUBDIVISION

APPROVAL \$\frac{1}{2}\$

Portrait Homes One to the Medition Burg File 9111 Monroe Road, Suite 100 Charlotte, NC 28270-1490 (704) 849-2221

Designer



Facsimile- 704 -521 - 8955

CADD# 2289A

This Set current Through Sheet Date: April 13, 2007

Contact: Phillip Hobbs, ASLA **Sheet Schedule**

Site	Development Data	

051-122-25 (P.O.) ACRES (xxx% OF PHASE 1 AREA)

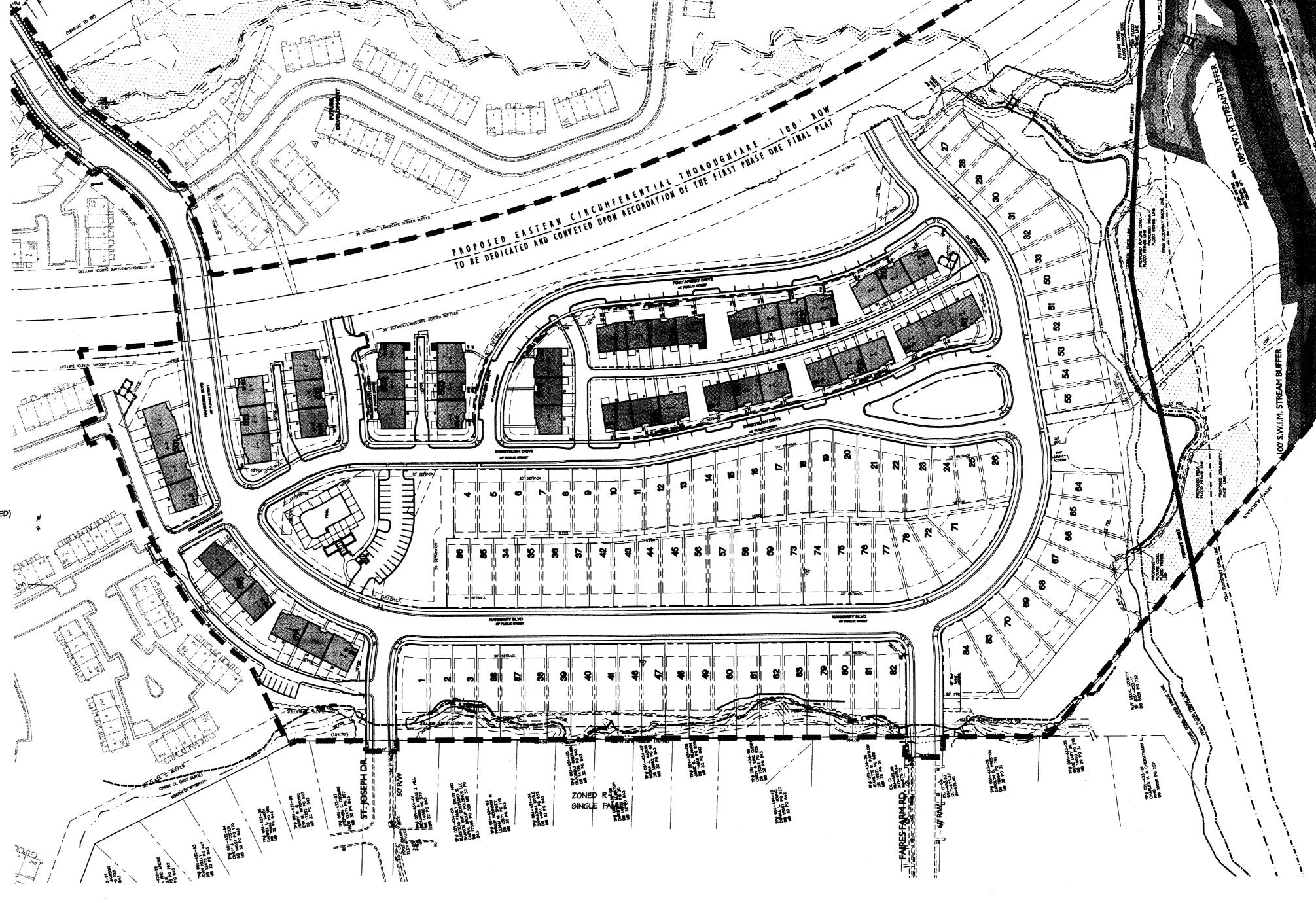
TOWNHOMES (1.5/DWELLING UNIT) 2/DETACHED DWELLING UNITS

POOL COVERAGE: 9000 6F, 0.9% OF NET AREA

10.83 AC (26.15%)

SIDEWALK COVERAGE: 62,400 SF, 6.4% OF NET AREA TOTAL NATURAL AREA: 422,986, 56.9% OF NET AREA 62.5% 31.3% 6.2% NO. OF 3 UNIT BLDGG. 12(80% OF TOTAL) A-2 UNIT6 C-2 UNITS NO. OF 4 UNIT BLDGS. 3(20% OF TOTAL) D-2 UNITS

Sneet Scheaule			TOTAL	15	TOTAL
	Sheet No.	Original Date	Latest Revision Date	Latest Revisi Number	ion Revision Index
11001 1100	0.1.0001.10.	6 10 06	4.13.07	7	Floodplain Permit
over Sheet	4 -0 7	6.12.06	4.15.07	,	1 locupiant 1 offinit
ezoning Plan	1 of 3				
ezoning Plan	2 of 3	•			
ezoning Plan	3 of 3				
ilte Survey	•			4 B.	ou Olb. Commonts (added about
Bite Survey- Cross Section Data		1.22.07		4 Pe	er City Comments/added sheet
laster Phasing Plan	L-1.0	6.12.06	4.13.07	ż	Floodplain Permit
ilearing/Demolition Plan	L-1.1	6.12.06	3.26.07	5	Garbage Truck Movement
ilte Plan	L-2.1	6.12.06 6.12.06	3.26.07	5	Garbage Truck Movement
ite Plan	L-2.2 L-2.3	0.12.00	4.13.07	7	Floodplain Permit
lite Plan	L-2.3 L-3.1	6.12.06	4.10.07		, and a plant i of this
nitial Erosion Control Plan	L-3.2	6.12.06	4.13.07	7	Floodplain Permit
nitial Erosion Control Plan	L-3.3	6.12.06			
inal Erosion Control Plan	L-3.4	6.12.06	4.13.07	7	Floodplain Permit
final Erosion Control Plan	L-3.5	6.12.06	3.26.07	5	X-Sect/Elevations
Grading/Storm Drainage Plan		6.12.06	3.26.07	5	X-Sect/Elevations
Grading/Storm Drainage Plan	L-3.6	6.12.06	4.13.07	7	Floodplain Permit
Grading/Storm Drainage Plan	L-3.7 6 1 of 2	6.12.06 2.6.07	7, 10.07		er City Comments/Added Sheet
Good Cross Sections Existing & Proposed Conditions	2 of 2	2.6.07			er City Comments/Added Sheet
lood Cross Sections Proposed Conditions Component Drainage Area Plan	L-3.8	6.12.06	10.27.06	2	Per City Comments
	1 of 9	6.12.06	4,12.07	7	Per CMU Rev3 Commente
CMUD Cover CMUD Permit	2 of 9	6.12.06	4.12.07	7	Per CMU Rev3 Commente
CMUD Plan & Profile	3 of 9	6.12.06	4.12.07	7	Per CMU Rev3 Comments
CMUD Plan & Profile	4 of 9	6.12.06	4.12.07	7	Per CMU Rev3 Comments
CMUD Plan ≰ Profile	5 of 9	6.12.06	2.6.07	4 7	Per CMU Rev2 Comments Per CMU Rev3 Comments
CMUD Plan & Profile	6 of 9	6.12.06 6.12.06	4.12.07 4.12.07	Ź	Per CMU Rev3 Commente
CMUD Plan & Profile	7 of 9 8 of 9	6.12.06	4.12.07	Ź	Per CMU Rev3 Comments
CMUD Plan & Profile CMUD Plan & Profile	9 of 9	6.12.06	4.12.07	7	Per CMU Rev3 Comments
Road Plan and Profile Public Streets	L-5.1	6.12.06		•	•
Road Plan and Profile Public Streets	L-5.2	6.12.06			
Road Plan and Profile Public Streets	L-5.3	6.12.06		•	
Road Plan and Profile Public Streets	L-5.4	6.12.06	•	•	,
Road Plan and Profile Public Streets	L-5.5	6.12.06	•	•	
Road Plan and Profile Public Streets	L-5.6	1.18.07	•	•	Added sheet
Road Plan & Profile Eastern Circumferential	L-5.7	1.18.07	1.18.07	3	Per City Commente
Thoroughfare					
Bight Dietance Eastern Circumferential	L-5.8	6.12.06	•	•	•
Thoroughfare @ Intersection					
Sight Dietance Eastern Circumferential	L-5.9	6.12.06	•	•	•
Thoroughfare Ø Dead End			10.57.00	•	adad Oback Box Office Co
Suardrall Plan and Details	L-5.10		10.27.06		Ided Sheet Per City Comments
Storm Sewer Profiles	L-6.1	6.12.06	10.27.06	2	Per City Comments
Storm Sewer Profiles	L-6.2	6.12.06	•	•	•
Storm Sewer Profiles	L-6.3	6.12.06	40.07.00	·	Per City Commente
Storm Sewer Profiles	L-6.4	6.12.06	10.27.06	2 2	
Storm Sewer Profiles	L-6.5	6.12.06 6.12.06	10.27.06	2	Per City Comments
Retaining Wall Elevations	L-6.6 L-7.1	6.12.06 6.12.06	•	•	•
Site Construction Details	L-7.1 L-7.2	6.12.06	•	•	•
Site Construction Details	L-7.3	6.12.06		•	
Site Construction Details	L-7.4	6.12.06	10.27.06	2	Per City Comments
hite Construction Details	L-7.5	6.12.06	10.27.06	2	Per City Commente
Bite Construction Details	L-7.6	6.12.06	1.18.07	3	Per City Commente
ôite Conetruction Detaile ôite Conetruction Detaile	L-7.7	6.12.06	10.27.06	. 2	Per City Comments
Basin 1 Stormwater Wetland Details	L-7.8	6.12.06	2.6.07	4 '	Per City Comments
Basin 2 Stormwater Wetland Details	L-7.9	6.12.06	10.27.06	2	Per City Commente
Basin 3 Stormwater Wetland Details	L-7.10	6.12.06	•	•	
Landecape Plan	L-8.1	6.12.06	2.6.07	4	Building Numbers
Landecape Plan	L-8.2	6.12.06	2.6.07	4	Building Numbers
Landacane Plan	L-8.3	6.12.06	2.6.07	- 4	Building Numbers



INNOVATIVE DEVELOPMENT STANDARDS SINGLE FAMILY DETACHED MINIMUM LOT SIZE: SET BACK SIDE YARD REAR YARD INTERNAL EXTERNAL LOT WIDTH SINGLE FAMILY ATTACHED -- TOWNHOMES FOR SALE REAR YARD INTERNAL **EXTERNAL** BUILDING SEPARATION SOLID WASTE/RECYCLING REQUIREMENTS SOLID WASTE REQUIRED: ONE 8 CU YD DUMPSTER PER 30 UNITS PROPOSED: 2 DUMPSTERS REQUIRED: ONE 144 SD RECYCLING STATION PER 80 UNITS PROPOSED: 2 RECYCLING STATIONS

Site Plan 50 100 SCALE:1"=100'

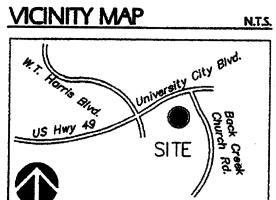
LEGEND PROPOSED STREET SIGN PROPOSED STOP SIGN PROPOSED STREET LIGHT PROPOSED FIRE HYDRANT PROPOSED BACKFLOW PREVENTER EXISTING FENCE PROPOSED CHAIN LINK FENCE PROPOSED CURB AND GUTTER

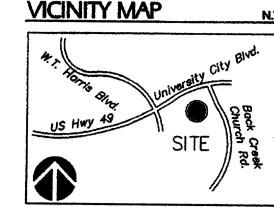
PROPERTY LINE

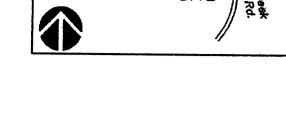
OPEN SPACE

BUILDING NUMBER

Set No.









COMMON OPEN SPACE

FUTURE GREENWAY



ACCESS POINT



LANDSCAPE SCREEN/BUFFER GREENWAY TRAIL, 6' GRAVEL

- x- x- 6' DECORATIVE SCREEN FENCE

DEVELOPMENT DATA

▲ SITE AREA EXISTING ZONING PROPOSED ZONING

R-3, B-1 MX-Z A MAXIMUM # DWELLING UNITS 748 D.U.

MAXIMUM DENSITY MIN. BUILDING SEPARATION MAX. BUILDING HEIGHT

4.79 D.U./AC. ⚠ COMMON OPEN SPACE (C.O.S.) ±40.8 AC.

156 AC. 748 40.8 ac.

156 AC.

TOTAL

5112203 Long w H dayf Peggy Ann Harris Alwran Pamela Long & HSS 04389,7700

SITE TABUL	ATION	_		
TRACT	USE	AC.	# D.U	. C.O.S.
TRACT "A"	SINGLE FAMILY DETACHED	24.5	88	7.75 ac.
▲ TRACT "B"	SINGLE FAMILY DETACHED	49.0	147	9.0 ac.
TRACT "C"	SINGLE FAMILY ATTACHED	8.3	38	1.5 ac.
A TRACT "D"	MULTI-FAMILY	14.1	132	7.5 ac.
	OR SINGLE FAMILY ATTACHED	(14.1	112)	
TRACT "E"	SINGLE FAMILY ATTACHED	30.7	196	10.65 ac.
TRACT "F"	SINGLE FAMILY ATTACHED	21.5 ,	147	4.4 ac.
THOROUGHFARE R.O.W				

SINGLE FAMILY DETACHED HOMES

PUBLIC STREET R.O.W.	45'
MINIMUM LOT SIZE	3,00
⚠ (EXCEPT TRACT "B", 6000 SF MINL)	
MIN. FRONT SETBACK	20'
⚠ (EXCEPT TRACT "B", 30" SETBACK)	
MIN. SIDE YARD	3′
MIN. REAR YARD (INTERNAL)	10'
▲ (EXCEPT TRACT "8", 30" REAR YARD)	
MIN. REAR YARD (EXTERNAL)	45′
MIN. LOT WIDTH	30'
▲ (EXCEPT TRACT "B", 60' WIDTH)	
MAX RIDG HEIGHT	40

SWIM CLUB PARKING 1 SPACE/200 SF (SF OF POOL WATER SURFACE) MULTI FAMILY AND TOWNHOMES

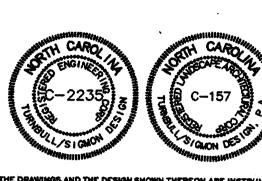
MIN. FRONT SETBACK 10' (FROM RAW OR BACK OF CURB) ▲ MIN. REAR YARD 10' (INTERNAL) 40' (EXTERNAL)

INTERNAL BUFFER

HT. OF FENCE IN SETBACK

A MAX. BLDG. HEIGHT 40' (MAX. 3 STORIES) INTERNAL BUFFER HT. OF FENCE IN SETBACK SWIM CLUB PARKING

1 SPACE/200 SF (SF OF POOL WATER SURFACE)

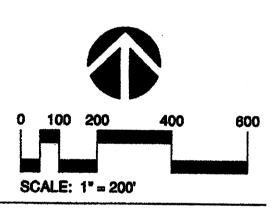


LAND DEVELOPMENT DESIGN SERVICE

IF TURNSULL SIGMON DESIGN, P.A. THE REPRODUCTION OR INAUTHORIZED USE OF THE DÓCUMENTS WITHOUT THE CONSEN URNBULL SIGMON DESIGN, P.A. IS PROHIBITED. 2002 @

PORTRAIT HOMES

9105 MONROE ROAD SUITE 120 CHARLOTTE, NC 28270-1490 704-849-2221



MERRYHUE FARMS

HANBERRY DRIVE CHARLOTTE NORTH CAROLINA

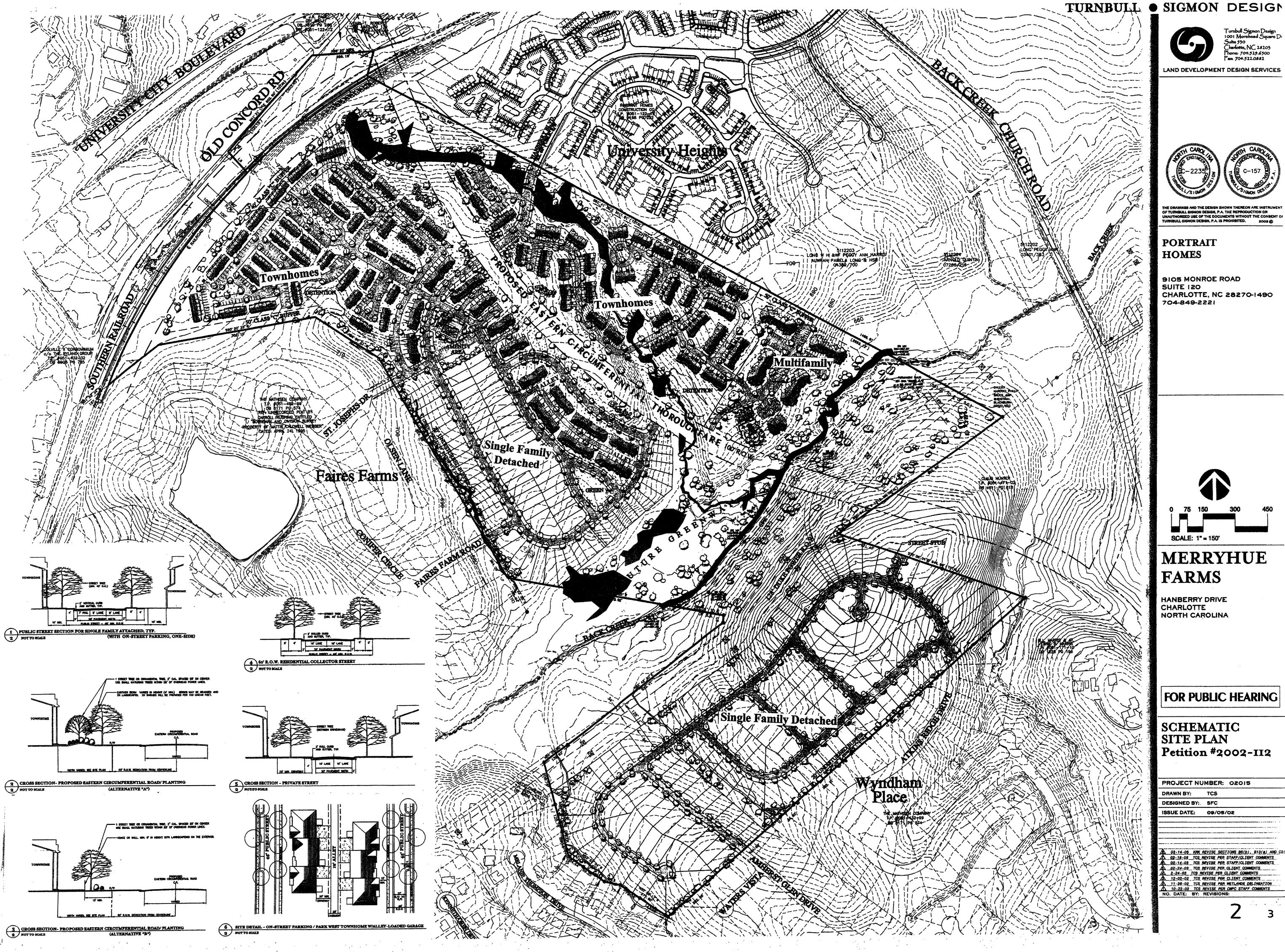
FOR PUBLIC HEARING

TECHNICAL DATA SHEET Petition # 2002-112

PROJECT NUMBER: 02015 DRAWN BY: TCS, MLF, ABS DESIGNED BY: SFC ISSUE DATE: 09-05-02

12-02-02 TCS REVISE PER CLIENT COMMENTS
11-26-02 TCS REVISE PER WILLARDS DELINEATION
10-22-02 TCS REVISE PER CMPC STAFF COMMENTS
0. DATE: BY: REVISIONS:

Faires Farms

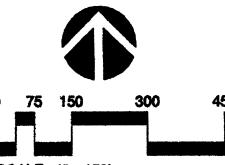






The Drawings and the Design Shown Thereon are instrument of Turnbull Sigmon Design, P.A. The Reproduction or unauthorized USE of the Documents without the consent of turnbull Sigmon Design, P.A. IS Prohibited. 2002

9105 MONROE ROAD SUITE 120 CHARLOTTE, NC 28270-1490



MERRYHUE

FOR PUBLIC HEARING

SCHEMATIC SITE PLAN Petition #2002-II2

PROJECT NUMBER: 02015

12-02-02 TCS REVISE PER CLIENT COMMENTS

11-26-02 TCS REVISE PER WETLANDS DELINEATION

10-22-02 TCS REVISE PER CMPC STAFF COMMENTS

NO. DATE: BY: REVISIONS:

Up to 235 for sale single family detached dwelling units, 381 for sale single family attached dwelling units, and 132 multi-family units, (or 112 for sale single family attached dwelling units), as further described below, may be constructed on the Site, together with any incidental or accessory uses associated therewith which are permitted under the City of Charlotte Zoning Ordinance (the "Ordinance") in the MX-2 Zoning District.

Up to 88 for sale single family detached dwelling units may be constructed on Tract A, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance in the MV-2

Up to 147 for sale single family detached dwelling units may be constructed on Tract B, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance in the MX-2 Zoning District. Tract "B" will be developed in accordance with the R-4 Cluster development standards in the Ordinance except that all lots will have a minimum width of 60 feet.

⚠ Up to 38 for sale single family attached dwelling units may be constructed on Tract C, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance

⚠ Up to 132 multi-family units or up to 112 for sale single family attached dwelling units may be constructed on Tract D, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance in the MX-2 Zoning District.

Dp to 196 for sale single family attached dwelling units may be constructed on Tract E, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance

in the MX-2 Zoning District.

1. General Provisions.

Up to 147 for sale single family attached dwelling units may be constructed on Tract F, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance

B. DEVELOPMENT REQUIREMENTS:

(a) At a minimum, all applicable development standards established under the Ordinance for the MG-2 Zoning District will be satisfied in connection with development taking place on the Site. In accordance with Section 11.206(2) of the Ordinance, at no point in the development of the Site shall the density of residential development in a completed phase of the Site exceed 8 dwelling units

(b) In addition, development of the Site shall be governed by these Development Standards, the Technical Data Sheet and the Schematic Site Plan.

(c) The building configurations, placements and sizes, streets and parking areas shown on the Schematic Site Plan (Sheet RZ-2), are schematic in nature and may be altered or modified during design development and construction document phases within the maximum building limit lines established on the Technical Data Sheet.

(d) Landscaped areas and sidewalks within the Site will be planted and installed in sequences which are keyed to development taking place on the Site.

(e) The Petitioner or the owner or owners of the Site will not be required to install sidewalks or other improvements along the unimproved open space's frontage on Old Concord Road.

2. Setbacks, Side Yards and Rear Yards. All buildings constructed on the Site shall satisfy or exceed the setback, rear yard and side yard requirements established on the Technical Data Sheet.

(a) Buffer areas established on the Technical Data Sheet shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 and to the provisions of Paragraphs (b) and (c) of this Section.

(b) Utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees.

(c) in all buffer areas where existing trees and natural vegetation have been cleared to accommodate grading, berms, walls, fences, or the installation of utility lines or facilities, the cleared, unimproved areas will be landscaped as required by Section 12.302 of the Ordinance

(d) As depicted on the Technical Data Sheet, a 20 foot wide undisturbed buffer shall be maintained along the external edge of Tract "A" adjacent to the Faires Farms subdivision and Tract "B" adjacent to the Wyndham Place Subdivision. Notwithstanding the foregoing, Petitioner reserves the right to selectively cut, clear and clean underbrush and dead or dying trees and vegetation located within this buffer area.

(a) Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance and the City of Charlotte Tree Ordinance. Development of the Site will comply with the provisions of the City of Charlotte Tree Ordinance, including the requirement for minimum

(b) The Petitioner shall install a landscape screen buffer a minimum of 30 feet in width along the She's frontage on the proposed Eastern Circumferential Thoroughfare in those areas generally depicted on the

(c) The Petitioner shall install a 6 foot decorative screen fence within the landscape screen buffer in those areas generally depicted on the Technical Data Sheet. Additionally, the Petitioner shall install within the landscape screen buffer street trees and ornamental trees that are at least 2 Inches in caliper at the time of installation, with such trees to be planted 25 feet on center. The Petitioner shall also install within the landscape screen buffer 20 shrubs per 100 lineal feet.

5. Trash Collection.

(a) The Petitioner presently contemplates that trash will be collected from each individual unit from separate trash containers located at each unit.

(b) If this form of collection is utilized, pick up will be handled by a private hauler unless and until governmental policy would provide for the public pick up of trash.

(c) If dumpsters are provided, they will be screened with solid wooden or masonry enclosures

6. Streets and Driveways.

(a) Vehicular access to the Site will be limited to the access points shown on the Technical Data Sheet and will be located in the general areas depicted. The configurations and ultimate locations of these access points within the Site are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and are further subject to approval by CDOT and/or the North Carolina Department of Transportation ("NCDOT").

A (b) The Petitioner shall dedicate and convey in fee (by quitclaim deed and subject to a reversionary interest in any property not used for right of way purposes in the future) right of way for the proposed Eastern Circumferential Thoroughfare along the Site's frontage and as generally depicted on the Technical Data Sheet (such area being hereinafter referred to as the "Right of Way Area"). Such dedication and conveyance shall occur upon recordation of the first Phase final plat. -Prior to the conveyance of the Right of Way Area for the proposed Eastern Circumferential Thoroughfare, the Petitioner or the owner or owners of the Site shall have the right to reserve such easements over the Right of Way Area that are necessary to provide the vehicular connection and street between Tract "C" and Tract "F" that is generally depicted on the Technical Data Sheet and Schematic Site Plan (such easement to expire upon the completion and opening of the proposed Eastern Circumferential (Thoroughfare), and to reserve such easements over the Right of Way Area for the installation, maintenance, repair and replacement of utility lines or facilities. Petitions shall also have the right to reserve such temporary construction easements over the Right of Way Area as are necessary to develop the Site (such temporary construction easements to expire upon the completion of the development of the

- (c) Petitioner shall prohibit construction vehicles relating to the development of the Site from using t. Josephs Drive or Faires Farm Road for Ingress and egress to and from the Site.
- (d) The street labeled "collector" street" on the Technical Data Sheet shall be built to collector street standards. The Petitioner shall install a 6 foot planting strip and a 5 foot sidewalk on both sides of this collector street. All units along the collector shall front on the collector.
- (e) That portion of the street labeled "Collector Street" on the Technical Data Sheet that connects existing Faires Farm Road and existing Hamberry Drive must be completed and open to vehicular traffic prior to the recording of the plat for the thirty first (31st) (dwelling unit to be located on that portion of the Site situated north of Back Creek (i.e., Cracts A. C., D., E and F). The platting, construction or occupancy of any dwelling units located on that portion of the Site designated as Tract B on the Technical Data Sheet shall not impact or trigger the Petitioner's obligations with respect to the above described Collector Street.
- (a) A uniform lighting system will be employed throughout the Site. All lighting within the Site except street lights which may be erected along any public street or private street shall be designed such that direct illumination does not extend past exterior property lines of the Site.

 Consideration will be given to the impact of lighting both within and without the perimeter of the Site. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards adjacent streets and
- (b) Lighting flatures will not exceed 20 feet in height, except for street lights along public streets

(c) Street lights will be installed along public and private streets within the Site by the Petitioner.

(a) The parking spaces depicted on the Schematic Site Plan may vary but in all events will be sufficient to satisfy the minimum off-street parking standards established under the Ordinance.

(b) No parking will be permitted within buffer areas or setback areas.

A uniform signage and graphics system will be employed throughout the Site which will comply with the provisions of Section 13 of the Ordinance.

10. Fire Protection.

Adequate fire protection in the form of fire hydrants will be provided to the Fire Marshal's

11. Design Standards

(a) Landscaped islands will be provided in parking areas to avoid large expanses of pavement.

These Islands will satisfy or exceed the City of Charlotte Tree Ordinance. (b) The Site shall conform to the City of Charlotte Tree Ordinance.

c) All parking will be screened from public streets in accordance with the requirements of Section 12.303 of the Ordinance.

A (d) Within Tract C, garages, if provided, may not front a public street. All such garages shall be accessed by a rear alley."

(a) Storm water runoff from the Site will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte Engineering Department.

(b) No storm water facilities may be placed within buffer areas or setback areas.

(c) The Petitioner shall work with local agencies to develop methods for pollutant removal and storm water quality such as rain gardens, extended detention wetlands, and velocity reduction devices.

(a) The owner or owners of the Site shall dedicate and convey in fee by quitclaim deed the greenway area depicted on the Technical Data Sheet up to the .5 foot encroachment line (such area being hereinafter referred to as the "Greenway Area") to Meddenburg County for greenway purposes. The Greenway Area shall be dedicated and conveyed upon recordation of the first phase (final plat sooner if requested by Meditenburg County. Prior to a conveyence of the Greenway Area to Meditenburg County, the owner and owners of the Site shall have the right to maintain the Greenway Area, to Install and locate utility lines through the Greenway Area, to reserve such easements over the Greenway Area that are necessary to maintain and repair such utility lines, and to reserve easements for the future installation of utilities.

(b) Prior to the dedication and conveyance of the Greenway Area to Mecidenburg County, the Petitioner shall install a 6 foot wide pit gravel walking trail within the Greenway Area as generally depicted on the Technical Data Sheet.

14. Architectural Commitments

(a) All single family detached dwelling units located within Tract "B" shall contain a minimum

(b) At a minimum, each single family detached dwelling unit located within Tract "B" shall have

(c) Each single family detached dwelling unit located within Tract "B" shall be constructed with a brick surround from the exterior grade of the lot to the first floor evelation of the home, or at least 25% of the front elevation (inclusive of doors and windows) shall consist of brick or stone materials.

15. Sidewalks / Pedestrian Connections

(a) Sidewalks will be provided in accordance with the requirements of the Ordinance. jb) A pedestrian path connecting Tracts "A", "B" and "C" to the Greenway Area shall be provided by the Petitioner in the location generally depicted on the Technical Data Sheet.

(c) A pedestrian path connecting Tract "D" to the greenway area shall be provided by the Petitioner

A. C. PHASING REQUIREMENTS AND TRANSPORTATION COMMITMENTS:

The Petitioner's development of up to 147 for sale single family detached dwelling units within Tract B in accordance with the Technical Data Sheet and Schematic Site Plan shall not be subject to any phasing requirements.

1. The Petitioner may construct up to 286 for sale single family attached dwelling units on those portions of the Site designated on the Technical Data Sheet as Tract C, Tract D, Tract E and Tract F during Phase 1 of the proposed development. The Petitioner may construct up to 88 single family detached dwelling units within that portion of the Site designated as Tract A on the Technical Data Sheet during Phase 1 of the proposed development.

2. In connection with the development of Phase 1, the Petitioner shall construct a northbound left-turn lane on Back Creek Church Road at Hanberry Drive, and an eastbound left-turn lane on McLean Road at Faires Farm Road. These left-turn lanes will be constructed and installed by the Petitioner concurrently with the development of Phase 1, and the construction plans for such left-turn lanes shall be submitted with the development plans as part of and be subject to the subdivision process. The Petitioner is responsible for the design of the left-turn tanes, to include appropriate traffic controls during construction and pavement markings. The design of these improvements must meet applicable minimum requirements as determined by and be subject to the review and approval of CDOT and NCDOT.

3. In connection with the design of the northbound left-turn lane on Back Creek Church Road at Hamberry Drive, the Petitioner will complete the preliminary design/construction plans for improvements described in paragraph 2(c)(1) under Phase 2 to ensure that the design of this left-turn lane is compatible with NCDOT's planned improvements to the intersection of Back Creek Church Road and University City Bouleverd from a design and functionality standpoint as determined by CDOT and NCDOT.

Phase 2 of the proposed development shall consist of the remaining 227 dwelling units permitted to be developed on those portions of the Site designated on the Technical Data Sheet as Tract C, Tract D, Tract E and Tract F.

2. The subdivision plans and/or building permits for any dwelling unit in Phase 2 of this proposed development will not be approved/issued until such time as the following improvements have been completed:

(a) The planned and funded improvements to the intersection of Old Concord Road and McLean Road to be constructed by NCDOT, which Improvements are designated as Project No. P-3814 by NCDOT.

(b) The planned and funded improvements to the intersection of Back Creek Church Road and University City Boulevard (NC 49) to be constructed by NCDOT, which improvements are designated as Project No. P-3814 by NCDOT.

(c) (1) The construction of an additional northbound lane on Back Creek Church Road, such lane to extend from the intersection of Hanberry Drive and Back Creek Church Road to the Intersection of Back Creek Church Road and University City Boulevard (NC 49) (the 'Additional Lane"), the primary purpose of which is to provide a northbound dual left-turn iane, and the extension of the concrete median (the "Extended Median") that would be constructed as part of 2(b) above to a point north of the intersection of Hanberry Drive and Back Creek Church Road (such point to be determined by CDOT). The Additional Lane can utilize the pavement area that will be constructed in connection with the installation of the northbound left-turn lane on Back Creek Church Road at Hanberry Drive for shadowing that left-turn lane and creating the appropriate transition. During the design stage, CDOT will determine the final configuration and design of the Additional Lane (i.e. storage, taper, and etc.), the termination point of the Extended Median and the pavement markings and signage that will be required. Minor modifications to the foregoing concept may be required to maintain reasonable access to the church located on the eastern side of Back Creek Church Road.

(2) In connection with the construction of the Additional Lane and the Extended Median described above in paragraph 2(c)(1), the Petitioner will submit construction plans, including traffic control and pavement marking plans, for these improvements to CDOT and NCDOT for their review and approval. All traffic lanes on Back Creek Church Road must align appropriately with the existing lanes on Pavillon Boulevard. The improvements must be designed in accordance with all applicable design standards as determined by CDOT and

(3) The Petitioner is responsible for all costs associated with the construction of the Additional Lane and Extended Median and all other associated intersection and roadway modifications necessary as a result of the Installation of the Additional Lane and Extended Median as determined by CDOT and NCDOT to include, but not be limited to, iane re-alignments; right-of-way acquisition/dedication; any railroad crossing/signal modifications; Utility relocations; pavement markings; and traffic signal modifications.

[4] If agreeable to the NCDOT's Rail Division, the Petitioner may coordinate the construction of the Additional Lane and Extended Median with the improvements described in paragraph 2(b) above. Moreover, If NCDOT determines not to proceed with the planned and funded improvements described in paragraphs 2(a) and 2(b) above or delays the commencement of the construction of such improvements, the Petitioner may pursue with NCDOT and the NCDOT's Raif Division constructing such improvements itself at the Petitioner's expense.

In the event that there is not sufficient right-of-way to accommodate any of the improvements outlined under Phase 1 and Phase 2 above, the City of Charlotte, after the Petitioner has made a reasonable and good faith effort to acquire such right of way, will invoke its power of eminent domain to assist Portrait Homes in obtaining the needed right-of-way in accordance with the City's standard policies and practices.

D. 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 parcel or parcels involved in accordance with Chapter 6

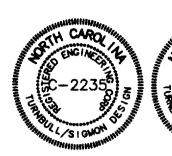
E. BINDING EFFECT OF THE REZONING APPLICATION:

1. If the Petitioner's Rezoning Petition is approved, the development program established under these Development Standards, the Technical Data Sheet and other supportive documents shall. 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 heirs, devisees, personal representatives, successors in interest and assigns.

2. Throughout these Development Standards, the terms, "Petitioner," and "owners," shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner and the current and subsequent owners of the Site who, from time to time, may be involved in any future development of the Site.



Tumbull Sigmon Design 1001 Morehead Square Drive Duite 530 harlotte, NC 28203 hone: 704.529.6500



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LAND DEVELOPMENT DESIGN SERVICES

PORTRAIT HOMES

> 9105 MONROE ROAD SUITE 120 CHARLOTTE, NC 28270-1490 704-849-2221

MERRYHUE FARMS

HANBERRY DRIVE CHARLOTTE NORTH CAROLINA

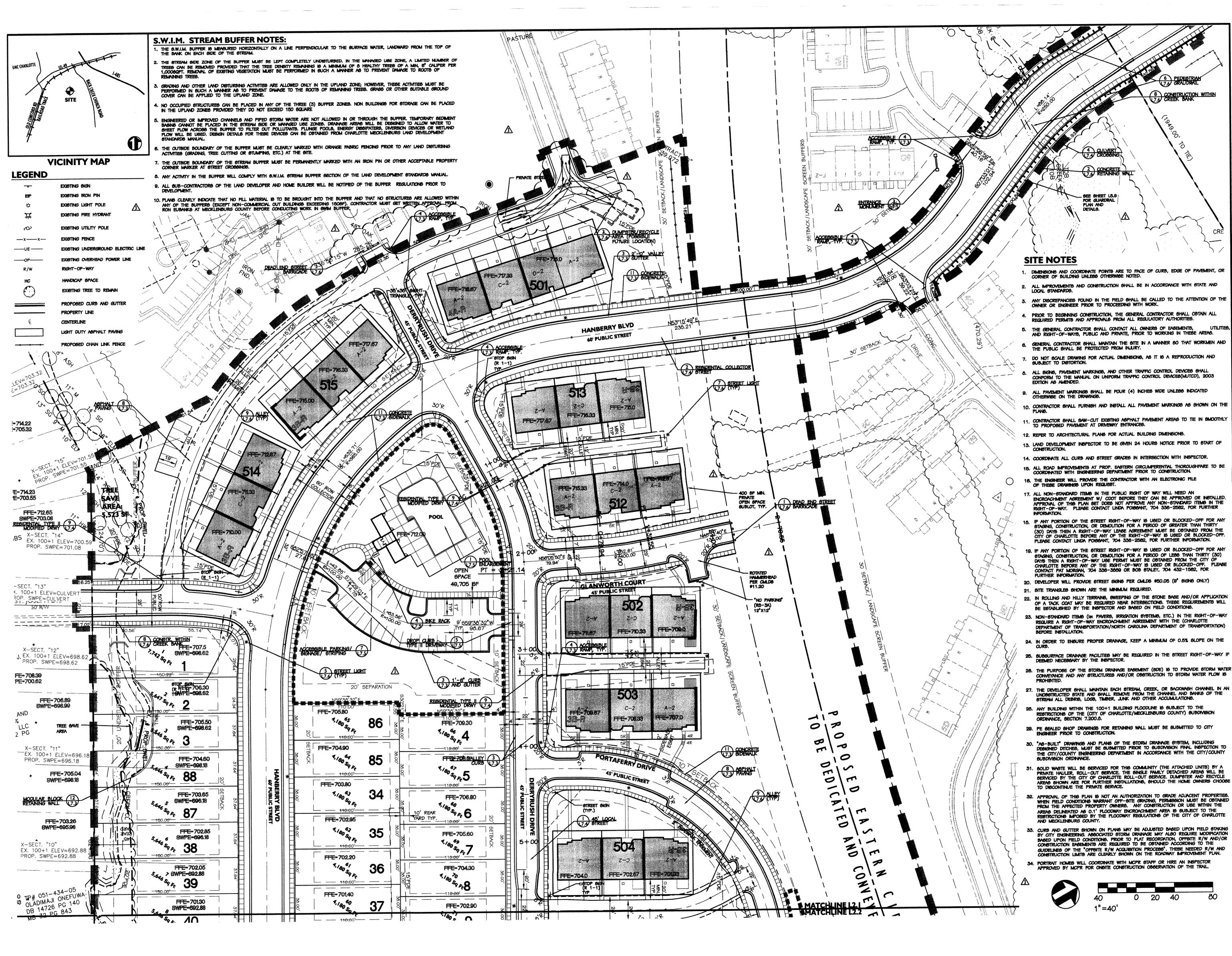
FOR PUBLIC HEARING

DEVELOPMENT STANDARDS Petition #2002-112

PROJECT NUMBER: 02015 DRAWN BY: TCS, ABS DESIGNED BY: SFC

ISSUE DATE: 09/05/02

1 03-14-05 KRK REVISE SECTIONS B6(b), B13(a) AND C2(a) A 02-18-05 TCS REVISE PER STAFFICLIENT COMMENTS 03-14-03 TCS REVISE PER STAFF/CLIENT COMMENTS 02-24-03 TCS REVISE PER CLIENT COMMENTS 2-24-03 TCS REVISE PER CLIENT COMMENTS 12-02-02 TCS REVISE PER CLIENT COMMENTS 11-28-02 TCS REVISE PER WETLANDS DELINEATION 10-22-02 TCS REVISE PER CMPC STAFF COMMENTS
NO. DATE: BY: REVISIONS:





(8) CONSTRUCTION WITHIN (7.6) CREEK BANK

Charlotte, NC 28208 Landscape Architecture Site Planning

Civil Engineering

www.sitesolutionspa.com Facsimile-704-521-8955

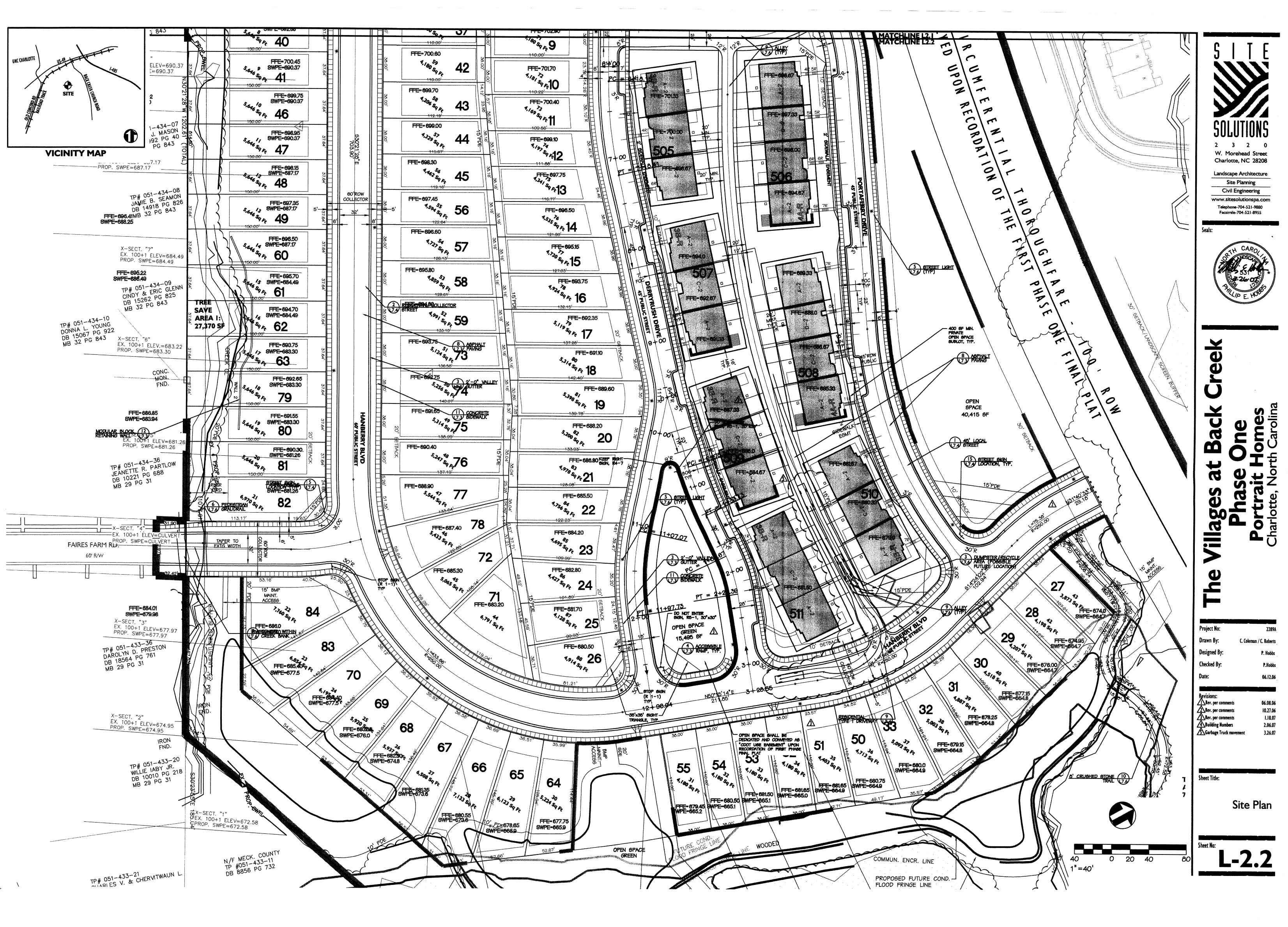


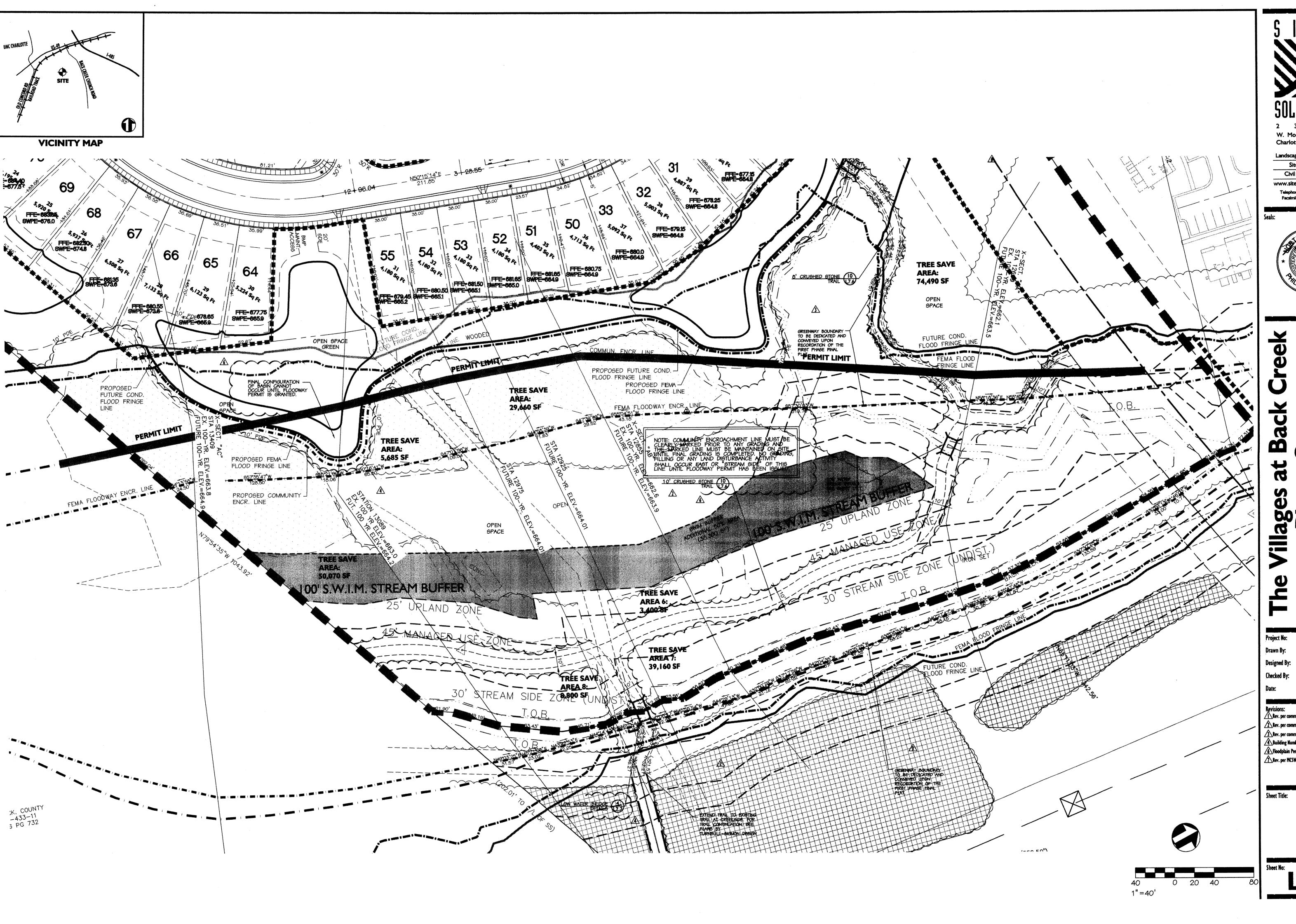
UTILITIES

Drawn By: Designed By Checked By

🔼 Rev. per comment 4 Building Numbers Garbage Truck Movement/ Sidewalk at Derryrush

Site Plan







W. Morehead Street Charlotte, NC 28208 Landscape Architecture

Site Planning Civil Engineering www.sitesolutionspa.com Telephone-704-521-9880 Facsimile-704-521-8955

Site Plan