

**Delta Lake Site**  
**MX-2 Innovative Standards- Conditional Zoning District**  
**General Provisions**  
Unless more stringent standards are established by the Illustrative Schematic Plan or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the MX-2 Innovative Standards Conditional Zoning District Classification shall be followed in connection with development taking place on the Site subject to the innovative Development Standards set out below.

The configuration, placements, and sizes of the buildings outlined on the Illustrative Schematic Plan is conceptual in nature and subject only to the provisions set forth below, may be altered or modified during design development and construction document phases. Parking layouts may also be modified to accommodate final building locations.

#### Permitted Uses

Subject to the requirements set out herein, a maximum of up to 90 "for sale" attached town homes and up to 22 single family detached dwelling units may be constructed on the site along with any incidental or accessory uses in connection therewith, which are permitted by right or under prescribed zoning conditions in the MX-2 Innovative Standards Conditional Zoning District detailed in Chapter 11 Conditional Zoning Districts, Part 2 Section 11.202 of the City of Charlotte Zoning Ordinance. Commercial uses shall not be allowed on site.

#### Density

Gross residential density for the project will not exceed 6.56 dwelling units per acre. Open space areas shall be included in the calculations for gross residential density.

#### Landscaping and Buffers

The site will comply with Chapter 21 of the City Code. Proposed planting shown is conceptual only and will be subject to change on actual site conditions and Urban Forestry Staff Approval. Internal landscaping shown on the plan is illustrative and the exact design will be determined during the detailed design and development process. The width of any required buffer may be reduced by 25% if a wall, fence, or berm is provide as provided for in Chapter 12, section 12.302 (8) of the City Code.

#### Parking

Parking will be provided which will meet or exceed applicable standard set for in Chapter 12 of the City of Charlotte Zoning Ordinance. For parking on site there will be a 20' setback between the sidewalk and the face of garage where there will not be sidewalk there will be a 20' setback from the back of curb to the face of garage.

#### Signs

All signs placed on site will be erected in accordance with the requirements of Chapter 13 of the City of Charlotte Zoning Ordinance.

#### Tree Save Areas

A minimum of 17.5% tree save shall be provided on site. All BMP's, storm water treatment, and 85% TSS removal can be included and built within this 17.5% tree save area as long as there is a minimum of 10% tree save coverage provided after BMP's, storm water treatment, runoff requirements, and 85% TSS removal are developed. Within the 17.5% tree save the site's existing vegetation shall be identified and preserved to satisfy the tree save requirements specified in the City of Charlotte Tree Ordinance. Tree save areas may be located within common open space. Plantings may not be used to satisfy the tree save requirements.

#### Common Open Space Area

A minimum of 20% of the site shall be devoted to open space. All common open space will be maintained by a homeowners association to be established by the petitioner. Open space areas depicted on the Illustrative Schematic Plan represent the approximate location and extent of areas set aside to provide a minimum of 20% open space.

#### Amenity Features

The petitioner reserves the right to include amenity features within the Common Open Space Area on the site. Minimum amenity features shall include a walking trail and pocket park as generally depicted on the Technical Data Sheet. Additional amenity features, if installed, may include but are not limited to a clubhouse, pool, cabana, playground, tot lot, benches, arbors, plantings, or other features. The location of open space areas is considered to be preliminary based on the proposed plan layout and may be subject to further verification and/or configuration as more detailed design information is collected.

#### Trails

The developer agrees to construct walking trails in the general locations depicted on the Schematic Master plan. Trails shall be a minimum of 7' in width and shall be constructed of asphalt or other similar material as proposed by the Petitioner.

#### Streetscape Treatment

Petitioner shall comply with street tree planting requirements specified in Chapter 21 of the City Code.

#### Lighting

Any detached lighting on the site will be to a pedestrian scale and limited to 20' in height unless City Standards require street lights to be higher. Detached lights will be fully shielded.

#### Site Access

An agreement has been authorized between the Petitioner and the adjacent Charlotte Northside Church of Christ to purchase necessary ROW contingent upon rezoning approval. Adjustments to the location of street and driveway entrances may occur, as required to meet state and local agency standards and coordinate with final subdivision and site plan design requirements. Adequate sight triangles will be reserved at the proposed street intersections with approved standards and ordinances. Driveway permits shall be approved by NCDOT and CDOT as required.

#### Amendments to Zoning Plan

Future amendments to the Illustrative Schematic Plan and these development standards may be applied for by the then Owner or Owners of the site in accordance with the provisions of Chapter 6 of the Ordinance.

#### Innovative Development Standards

The petitioner, in accordance with the provisions of Section 11.208, "Innovative Development Standards", may proposed modifications to the following standards:

1. Street type, dimensions, and construction standards.
2. Sidewalk, curbs, and gutters.
3. Minimum lot size, lot width, and internal buffers.
4. Setbacks, side, front, and rear yards for principle and accessory structures.
5. Building separation.

It is the petitioners intent to create the opportunity to seek modification of any or all of these standards, but the details of any such proposed modification will be established and reviewed in accordance with the standard innovative process after more detailed and specific engineering of the site. The petitioner acknowledges that other standard development requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Those criteria (for example, those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc.) will apply to the development site. This includes Chapters 6, 9, 12, 17, 18, 19, 20, and 21 of the city code.

Conditions set forth in this petition are supplemental requirements imposed on the development in addition to other standards. Where conditions on this plan differ from ordinances, standards, policies, and approaches in existence at the time of formal engineering plan review submission, the stricter condition or existing requirements shall apply unless otherwise stated in these conditional notes.

#### Wetlands and Streams

Any jurisdictional wetlands or streams, if present, need to be protected under proper environmental permits obtained prior to their disturbance. For 401 permits contact DEHNR. For 404 permits contact the Army Corp of Engineers.

#### Private Streets

All private streets shall be constructed to the Charlotte-Mecklenburg Land Development Standards for Private Streets unless otherwise modified in accordance with Section 11.208, "Innovative Development Standards."

#### Fire Department

Petitioner will meet or exceed all current approved ordinances and codes of the Charlotte Fire Department as of date of approval. A minimum of 12' clear will be provided between all multifamily buildings.

#### Stormwater

**Storm Water Quantity Control:** The petitioner shall tie-in to the existing storm water system(s). The petitioner shall have the receiving drainage system(s) analyzed to ensure that it will not be taken out of standard due to the development. If it is found that development will cause the storm drainage system(s) to be taken out of standard, the petitioner shall provide alternate methods to prevent this from occurring.

**Storm Water Quality Treatment:** For projects within defined watersheds greater than 24% built-upon area, construct water quality best management practices (BMPs) to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the runoff generated for the first 1-inch of rainfall. BMPs must be designed and constructed in accordance with the Mecklenburg BMP Design Manual, July 2007 or NC Division of Water Quality Storm Water Best Management Practices Manual, July 2007. (Design standards shall be met according to the City of Charlotte Best Management Practices Manual, when available). Use of Low Impact Development (LID) techniques is optional.

#### Volume and Peak Control

For projects with defined watersheds greater than 24% built-upon area, control the entire volume for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours.

For residential projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency.



"Residential" shall be defined as "A development containing dwelling units with open yards on at least two sides where land is sold with each dwelling unit."

For commercial projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-yr, 6-hr storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, control the peak for the 10-yr and 25-yr, 6-hour storms.

For commercial projects with less than or equal to 24% BUA, but greater than one acre of disturbed area, control the peak to match the predevelopment runoff rates for the 2 and 10-yr, 6-hour storm.

#### Stream Buffers

The S.W.I.M. Stream Buffer requirements apply described in the City of Charlotte Zoning Ordinance, Ch. 12. In addition, intermittent and perennial streams within the project boundary shall be delineated by a certified professional using U.S. Army Corps of Engineers and N.C. Division of Water Quality methodology and shall be shown in the site plan submittal along with all buffer areas. All perennial and intermittent streams draining less than 50 acres shall be a minimum 30-ft. vegetated buffer including a 10-ft. zone adjacent to the bank. Disturbance of the buffer is allowed; however, any disturbed area must be re-vegetated and disturbance of the 10-foot zone adjacent to the bank shall require stream bank stabilization using bioengineering techniques as specified in the Design Manual. All streams draining greater than or equal to 50 acres and less than 300 acres shall have a 35-ft. buffer with two (2) zones, including stream side and upland. Streams draining greater than or equal to 300 acres and less than 640 acres shall have a 50-ft. buffer with three (3) zones, including stream side, managed use and upland. Streams draining greater than or equal to 640 acres shall have a 100-ft. buffer, plus 50% of the area of the flood fringe beyond 100 ft. This buffer shall consist of three (3) zones, including stream side, managed use and upland. All buffers shall be measured from the top of the bank on both sides of the stream. The uses allowed in the different buffer zones as described in the S.W.I.M. Stream Buffer requirements in the Zoning Ordinance, Ch. 12, as well as the other provisions of the S.W.I.M. ordinance shall apply (except buffer widths).

#### Sidewalks

Petitioner will install 5' sidewalks on both sides of public streets and one side of private streets. All sidewalks will include a minimum of a 6' planting strip.

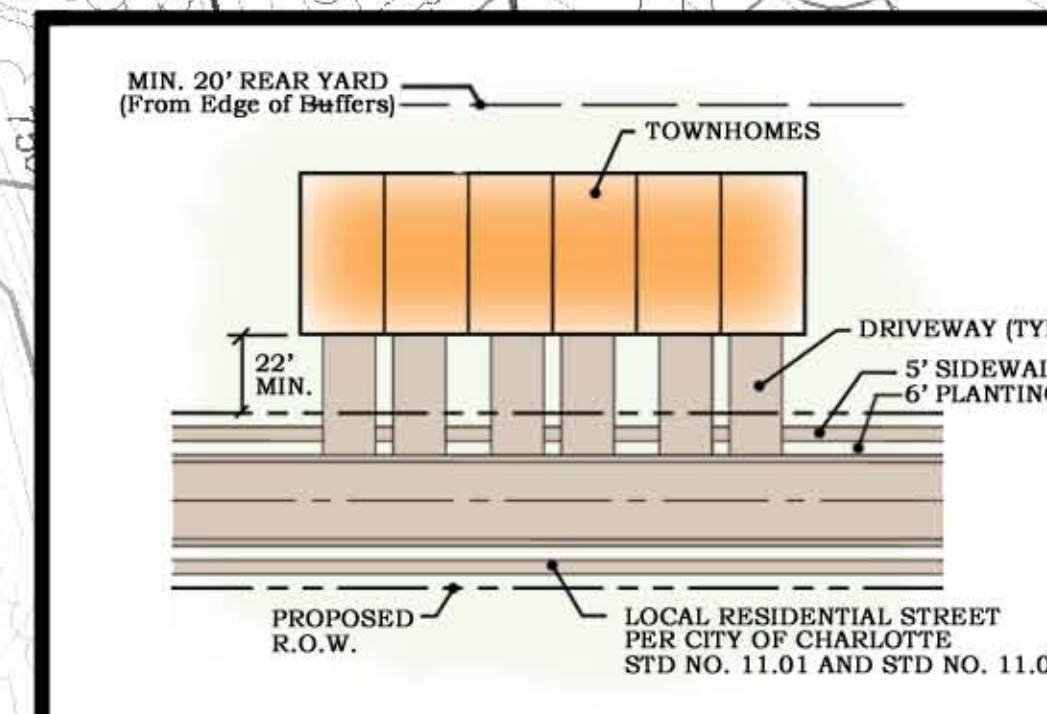
#### Solid Waste

Petitioner agrees to meet all requirements as stated in Chapter 9 and Chapter 12 of the City Code regarding solid waste dumpster, compactor, and recycling areas.

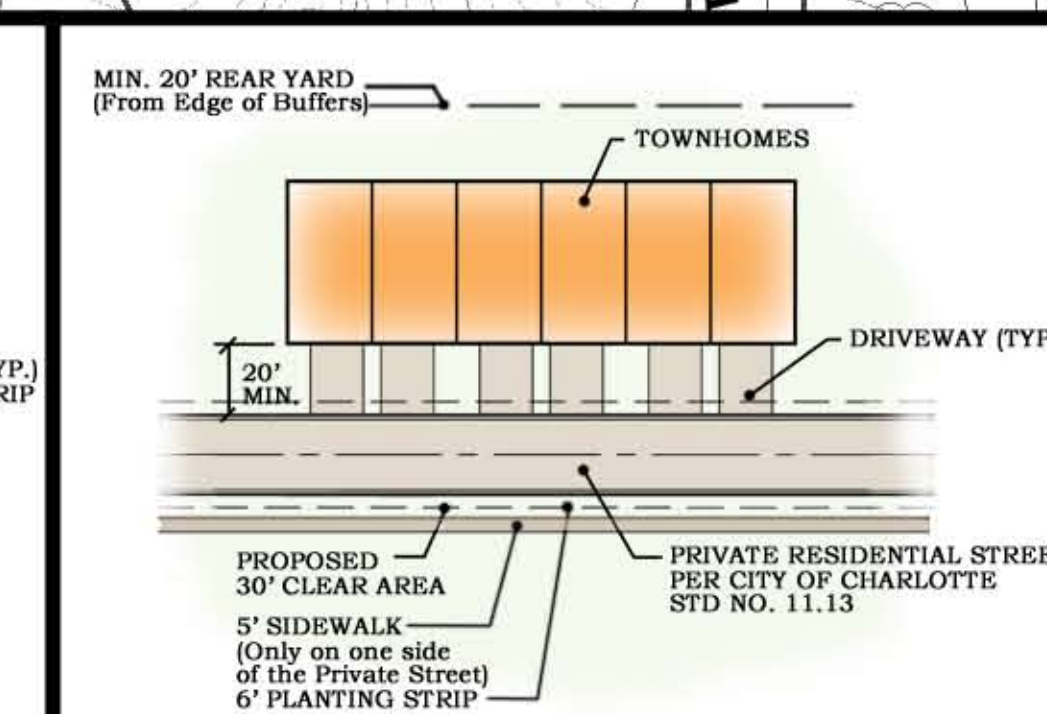
#### Design Guidelines

The petitioner will establish the following building and design guidelines for the homes to be built on the site.

- Exterior residential building facades shall be comprised of a minimum of two (2) of the following materials including brick, stone, stucco, wood clapboard, wood shingle, wood drop siding, vinyl siding, primed board, Hardy plank siding, or other similar material.
- Residential roofs shall have a low to moderate pitch and will be clad in wood shingles, standing seam metal, slate, asphalt shingles, shakes, metal roof accents, or similar materials.
- A minimum of 50% of all homes shall have garages.
- The petitioner agrees to add a provision to the restrictive covenants to require that a minimum of 60% of all homes shall be owner occupied.



TYPICAL PUBLIC STREET



TYPICAL PRIVATE STREET

#### Vicinity Map

Not To Scale

#### Site Data

Parcel Numbers	107-09-107	(8.81+/- Acres)
	107-09-116	(8.25+/- Acres)
	107-09-113	(0.40+/- Acres)

Acreage 17.06+/- Acres

Existing Zoning R-3 Residential

Proposed Zoning MX-2 Innovative Standards

Municipality City of Charlotte

Tree Save Area Required (10%) 1.70+/- Acres

Tree Save Area Provided (>17.5%) 2.97+/- Acres

Open Space Required (10%) 1.70+/- Acres

Open Space Provided (>20%) >3.41+/- Acres

Maximum Density 6.56 Du/ac

#### Assumptions:

1. All base information received from Mecklenburg County GIS and needs to be field verified.



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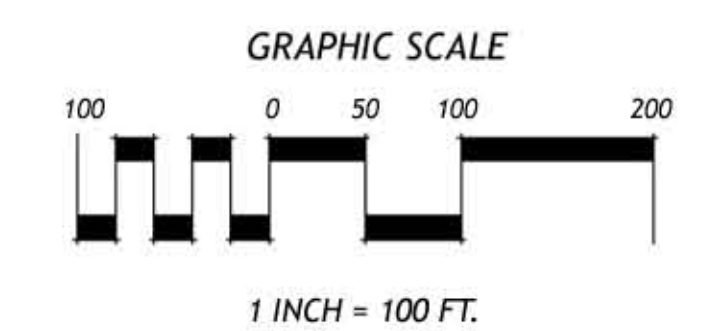
**LOCKARD REED DEVELOPMENT GROUP**  
5605 77 CENTER DRIVE  
SUITE 275  
CHARLOTTE, NC 28217  
704.295.1500 (p)  
704.295.1501 (f)

#### Technical Data Sheet

**Delta Lake Site**  
**a.k.a "Boulder Creek"**  
**Rezoning 2007-010**



PROJECT LOCATION Charlotte, NC



PROJECT NUMBER	UF57.100
DRAWING NAME	UF57 - Technical Data Sheet.psd
DATE	September 21, 2006
DRAWN BY	JE / MM
CHECKED BY	PT

#### ESP / CLIENT REVISION

NO.	DATE	BY	REVISION
	12/16/06		Original Submittal Date.

#### AGENCY / SUBMITTAL REVISION

NO.	DATE	BY	REVISION
1	12/19/06	MM	Revised per staff comments.
2	01/24/07	MM	Revised per staff comments.
3	02/17/07	MM	Revised per staff comments.
4	09/24/07	JF	Revised per staff comments for 9/26/07 Z.C. Mtg.