

DEVELOPMENT STANDARS

General Provisions

1. The Site is comprised of that approximately 180.11 acre parcel of land designated as Chapel Cove "Parcel B" on Sheet 1 of the Rezoning Plan and more particularly depicted thereon (hereinafter referred to as "Parcel B"), and that approximately 139.8 acre parcel of land designated as Chapel Cove "Phase 3" on Sheet 2 of the Rezoning Plan and more particularly depicted thereon (hereinafter referred to as "Phase 3"). Parcel B and Phase 3 are hereinafter collectively referred to as the "Site".

2. Unless more stringent standards are established by the Rezoning Plan or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the MX-1 zoning district, subject to the use of the innovative development standards set out below, shall be followed in connection with development taking place on the Site.

3. The development depicted on the Rezoning Plan is intended to reflect the arrangement of proposed uses on the Site, but the final configuration, placement and size of individual site elements may be altered or modified within the limits prescribed by the Ordinance and the standards established by the Rezoning Plan and these Development Standards during design development and construction phases. Street layouts may be modified to accommodate final building and lot locations.

4. 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/Minimum Lot Width/ Maximum Density

Parcel B

1. Parcel B shall be devoted only to for sale single family detached dwelling units, and to any incidental or accessory use in connection therewith which is permitted in the MX-1 zoning district.

2. A minimum of 40% of the single family lots developed on Parcel B shall have a minimum width of 60 feet, and the remaining lots shall have a minimum width of 50 feet.

3. The maximum number of for sale single family detached dwelling units that may be constructed on Parcel B is 315.

Phase 3

1. Phase 3 shall be devoted only to for sale single family detached dwelling units, and to any incidental or accessory use in connection therewith which is permitted in the MX-1 zoning district.

2. A minimum of 40% of the single family lots developed on Phase 3 shall have a minimum width of 70 feet, and the remaining lots shall have a minimum width of 60 feet.

3. The maximum number of for sale single family detached dwelling units that may be constructed on Phase 3 is 244.

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 ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").

2. Off street vehicular parking will meet the minimum requirements of the Ordinance.

3. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.

4. The Petitioner shall not be required to construct and/or install any improvements to or on Traymore Lane or Hatfield Road, including no curb, gutter or sidewalks, as a result of the development of the Site.

5. The Petitioner shall improve Withers Cove Road from its intersection with Hatfield Road to its intersection with Traymore Lane by increasing the pavement width of Withers Cove Road to accommodate two 10 foot travel lanes and a 1 foot paved shoulder on each side of the road.

6. The Petitioner shall construct and install a 5 foot wide sidewalk/shared walking path along one side of Withers Cove Road extending from Wildlife Road, where it will join the existing sidewalk, to Traymore Lane.

7. The Petitioner shall construct that portion of Winget Road extending from Shopton Road West to the western property line of Phase 3 as depicted on Sheet 2 of the Rezoning Plan. This portion of Winget Road shall be constructed in accordance with the approved subdivision plan for Glengate at The Sanctuary Phase 1, and this portion of Winget Road shall be completed and open to vehicular traffic prior to the issuance of the first certificate of occupancy for a dwelling unit within Phase 3.

8. The Petitioner shall construct and install a 10 foot wide asphalt pedestrian/bike trail from the terminus of Winget Road located at the western portion of Phase 3 to the northern property line of that parcel of land owned by Mecklenburg County and designated as Tax Parcel No. 199-151-09 in the location depicted on Sheet 2 of the Rezoning Plan. This pedestrian/bike trail shall cross the creek over an existing culvert.

9. The termination of Limehurst Place must be approved by the relevant department of transportation prior to realigned Limehurst Place exiting Parcel B.

10. To the extent that such right of way does not exist, the Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) 100 feet of right of way for that portion of Winget Road that is immediately adjacent to Phase 3.

11. The Petitioner agrees to dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) those portions of Parcel B immediately adjacent to Shopton Road West as required to provide right of way measuring 35 feet from the existing centerline of Shopton Road West if such right of way does not currently exist.

12. The Petitioner agrees to dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) those portions of Phase 3 immediately adjacent to Shopton Road West as required to provide right of way measuring 35 feet from the existing centerline of Shopton Road West if such right of way does not currently exist.

Architectural Standards

1. The permitted exterior building materials for the single family detached dwelling units constructed on the Site shall be face brick, cementitious siding, manufactured stone and stucco. Vinyl siding shall not be a permitted exterior building material. Notwithstanding the foregoing, vinyl accents, such as vinyl shake on reverse gables and dormers, shall be permitted, vinyl may be utilized on the soffits of the single family detached dwelling units and vinyl windows may be installed on the single family detached dwelling units. Additionally, aluminum coil shall be permitted for fascia and frieze board.

2. The exterior roofing material for the single family detached dwelling units shall be a minimum 25 year architectural shingle. Notwithstanding the foregoing, metal roofing materials may also be utilized on the single family detached dwelling units.

3. The minimum pitch for the main or primary portion of the roof for each single family detached dwelling unit shall be 7:12. All other portions of the roof for each single family detached dwelling unit, such as those portions covering porches, dormers and garages, shall have a minimum pitch of 3:12. A minimum 8 inch overhang shall be required for the main or primary portion of the roof for each single family detached dwelling unit.

4. Each single family detached dwelling unit constructed on the Site shall have a minimum 2 car garage.

5. The front plane of a front loaded garage shall not extend more than 4 feet in front of the primary plane of the front facade of the related single family detached dwelling unit. This restriction shall not apply to side loaded garages.

6. A minimum of 2 hardwood trees that are at least 2.5 inches in caliper at the time of installation shall be installed on each single family lot. A minimum of 4 hardwood trees that are at least 2.5 inches in caliper at the time of installation shall be installed on each corner lot containing a single family detached dwelling unit. The foregoing trees shall be in addition to the street trees that are required to be installed.

Streetscape and Landscaping

1. The Petitioner shall construct and install a minimum 5 foot wide trail along the Site's frontages on Shopton Road West, and this trail may meander in and out of the right of way provided that a sidewalk easement is provided as required.

2. Screening shall meet the standards and requirements specified in Section 12.303 of the Ordinance.

3. Landscaping shall meet the requirements of the Ordinance.

4. Buffers shall be provided throughout the Site as depicted on the Rezoning Plan. Existing vegetation located within any buffers shall be counted towards the tree and shrub requirements.

5. As depicted on the Rezoning Plan, a 100 foot common open space area shall be established along Parcel B's frontage on Shopton Road West and along Phase 3's frontage along Shopton Road West. The existing trees measuring 4 inches in caliper or greater located within each 100 foot common open space area shall be preserved except that trees may be removed in connection with any widening of Shopton Road West that is required by NCDOT and/or CDOT or constructed by NCDOT and/or CDOT, and trees located within the Duke Power right of way may be removed if required by or performed by Duke Power.

Environmental Features

1. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

2. Tree save areas shall be provided on the Site as generally depicted on the Rezoning Plan. A minimum of 15 percent of Parcel B shall be devoted to tree save areas, and a minimum of 15 percent of Phase 3 shall be devoted to trees save areas.

3. Development of the Site shall comply with the requirements of the City of Charlotte Post Construction Controls Ordinance.

4. The Petitioner shall perform water quality sampling and testing in the two (2) affected small coves associated with Parcel B and the two (2) affected small coves associated with Parcel C within Withers Cove for the following parameters: temperature, pH, conductivity, Secchi depth, total phosphorus, total nitrogen, orthophosphorus, TKN, NH3, NO3, NO2, total suspended solids, turbidity, chlorophyll A, fecal coliform, and dissolved oxygen. Such tests will begin within 90 days prior to the start of roadway construction and disturbing activities and thereafter be conducted semi-annually (spring and fall). The Petitioner shall also provide measurements of sediment levels in these coves within 90 days prior to start of roadway construction and disturbing activities and thereafter, annually. Both the water quality sampling and testing and the measurements of sediment levels shall be performed until no later than three years after road construction activities have been completed in each respective parcel.

5. The Petitioner shall employ an enforcement officer to monitor compliance with erosion control, buffer and watershed protection requirements as well as the requirements specified as part of the rezoning approval. The enforcement officer shall be empowered to take the actions necessary to ensure the prompt correction of all problems detected.

6. Energy dissipation measures or devices shall be utilized at all storm drainage outfalls discharging at any buffer

Common Open Space/Amenity Center

1. Common open space shall be provided throughout the Site as generally depicted on the Rezoning Plan. A minimum of 25 percent of Parcel B shall be devoted to common open space, and a minimum of 20 percent of Phase 3 shall be devoted to common open space. The tree save areas and the common open space areas along the Site's frontages on Shopton Road West shall be considered and counted towards the common open space requirements.

2. Those common open space areas designated on the Rezoning Plan as "Tree Save/Open Space" shall be "passive" open space and shall be maintained in a natural state except for minimal hand clearing for the installation of natural surface trails for hiking, jogging and walking. No structures may be constructed or installed within those common open space areas designated on the Rezoning Plan as "Tree Save/Open Space".

3. Walking paths and trails shall be installed in portions of the common open space as generally depicted on the Rezoning Plan. Walking paths and trails not located within those common open space areas designated on the Rezoning Plan as "Tree Save/Open Space" may be natural surface or a hard surface.

4. The locations of the walking paths and trails as depicted on the Rezoning Plan are general in nature and express the intent of the Petitioner to create a path and trail system within the Site. However, the final locations and layout of the walking paths and trails are subject to change and shall ultimately be determined by the Petitioner in its discretion.

5. The Petitioner may install, at its option, an amenity center within Parcel B and/or within Phase 3 in areas in which single family lots are depicted on the Rezoning Plan. An amenity center could include a gathering area, a swimming pool, a playground, tennis courts, an activity lawn and parking facilities.

Signs

All signs installed on the Site shall comply with the requirements of the Ordinance.

Innovative Standards

Pursuant to Section 11.208 of the Ordinance, the Petitioner requests the approval and use of the following innovative development standards:

1. No improvements to Hatfield Road and Traymore Lane shall be constructed or installed, including no curb, gutter and sidewalk.

2. The Petitioner shall improve Withers Cove Road from its intersection with Hatfield Road to its intersection with Traymore Lane by increasing the pavement width of Withers Cove Road to accommodate two 10 foot travel lanes and a 1 foot paved shoulder on each side of the road. The existing ditch conditions shall remain, and the Petitioner will insure positive drainage. This is an innovative request from the design requirements of Section 11.02 of the Design Manual.

3. Curb and gutter shall not be installed along the Site's frontages on Shopton Road West, and Shopton Road West will comply with the cross section set out on the Rezoning Plan.

Vested Rights

Pursuant to G.S. § 160A-385.1 of the North Carolina General Statutes and Section 1.110 of the Ordinance, the Petitioner requests 5 year vested rights as a result of the size and phasing of the proposed development and market conditions.

Binding Effect of the Rezoning Documents and Definitions

1. If this Rezoning Petition is approved, all conditions applicable to 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 the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

2. 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 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.



ESP Associates, P.A.
P.O. Box 7030 3475 Lakemont Blvd.
Charlotte, NC 28241 Fort Mill, SC 29708
NC - 704.583.4949 SC - 803.802.2440
www.espassociates.com

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CLIENT



CRESCENT COMMUNITIES

12605 Elkhorn Drive
Charlotte, North Carolina 28278

PROJECT

**Chapel Cove
Phase 3
&
Parcel B**

SHEET TITLE

**Technical
Data Sheet**

PROJECT LOCATION	
Mecklenburg County, NC	

PROJECT NUMBER	
ZD08.100	
DRAWING NAME	
ZD08-Technical Data Sheet.psd	
DATE	
July 21, 2011	
DRAWN BY	
ML	
CHECKED BY	
PT	

ESP / CLIENT REVISION			
NO.	DATE	BY	REVISION

AGENCY / SUBMITTAL REVISION			
NO.	DATE	BY	REVISION
1	1-19-12	ML	Revised and Resubmitted
2	2-24-12	ML	Revised and Resubmitted