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CLIENT

MR. TIM DERYLAK D.R. HORTON- CAROLINA DIVISION 8025 ARROWRIDGE BOULEVARD CHARLOTTE, NORTH CAROLINA 28273

REVISIONS

NO. DATE

PLAN INFORMATION

PROJECT NO. DRH23003 DRH23003-RZ1 FILENAME CHECKED BY DRAWN BY SCALE 1" = 100'

REZONING PLAN

12. 18. 2023

RZ.01

D.R. **Horton** Development Standards - Lemmond Farm 12/18/2023 Rezoning Petition No. 2023-XXX

Site Development Data:

 ± 33.95 --Acreage: 11146113 --Tax Parcel #: -- Existing Zoning: MX-1(CD)

N2-A(CD) -- Proposed Zoning: -- Existing Uses: Vacant -- Proposed Uses:

Residential dwellings units as permitted by right and under prescribed conditions, together with accessory uses, as allowed in the N2-A zoning district (all as more specifically described and restricted below in Section 3). -- Maximum Number of Residential Dwelling Units: Up to one hundred fifteen (115) attached dwelling units as

allowed by right and under prescribed conditions in the N2-A zoning district. Either 250 square feet of Private Open Space per dwelling unit on each unit Sublot or ten percent (10%) of the Site shall be provided as Useable Common Open

--Maximum Building Height: As per the N2-A building height standards.

--Parking: As required by the Ordinance.

1. **General Provisions**:

Site Location. These Development Standards, the Technical Data Sheet, Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by D.R. Horton ("Petitioner") to accommodate the development of a residential community on an approximately 33.95-acre site located on Lemmond Farm Drive (the "Site").

b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Unified Development Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the N2-A zoning classification shall govern all development taking place on the Site.

c.Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, building and parking envelopes, open space areas, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes, and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Article 37.3 of the Ordinance. Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Minor Amendment Process per Article 37.3 of the Ordinance. These instances would include changes to graphics if they are minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Minor Amendment Process per Article 37.3 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site will be limited to twenty-eight (28). It is understood that twenty-six buildings are generally depicted. The increase in two buildings permits the ability to increase the number of buildings so long as the building massing along an exterior property line is not increased and the number of units does not exceed 115 units. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements, and designs as the principal building(s) located on the Site.

Permitted Uses & Development Area Limitations:

a. The principal building(s) constructed on the Site shall be developed with up to one hundred fifteen (115) attached residential dwelling units together with accessory uses, as allowed by right and under prescribed conditions in the N2-A zoning district.

Access and Transportation Improvements:

Access to the Site will be from Lemmond Farm Drive as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by CDOT and/or NCDOT in accordance with applicable published standards.

b. The placement and configuration of the vehicular access point is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT and/or NCDOT in accordance with applicable published standards.

c.Required roadway improvements, if any, will be approved and constructed prior to the issuance of the certificate of occupancy for the first building on the Site, subject to the Petitioner's ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.

The Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy.

e.The Petitioner shall provide an eight (8) foot planting strip and twelve (12) foot shared-use path along the Site's Lemmond Farm Drive frontage and an eight (8) foot planting strip and eight (8) foot sidewalk along the Site's other public streets. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks that are located along the public streets and outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

f.In the event a Right-of-Way Encroachment Agreement is necessary for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City maintained street right-of-way by a private individual, group, business, or homeowner's/business association, an encroachment agreement will be submitted for approved by CDOT prior to construction/installation.

g. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad southwestern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

4. <u>Streetscape, Buffers, Yards, Open Space, and Landscaping:</u>

Streets A and B are designed as a Local Residential Wide per CLDSM U-03C1. A minimum twenty (20) foot setback shall be provided from the back of the proposed sidewalks.

b. A twenty-five (25) foot wide Class B buffer will be provided as generally depicted on the Rezoning Plan as per Article 20.9 of the Ordinance.

c.Walkways shall be provided to connect all residential entrances to sidewalks along abutting streets.

d. The proposed development shall provide either 250 square feet of Private Open Space per dwelling unit on each unit Sublot or ten percent (10%) of the Site shall be provided as Useable Common Open Space. Such open space may be private open space, common open space, public open space, or any combination thereof. Residential on-site open space shall meet the design requirements of Article 16.5 of the Ordinance.

Architectural Standards:

a. The buildings on the Site will comply with the applicable residential site layout, building design standards, and building material restrictions found in Article 5 of the Ordinance. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements, and designs as the principal building(s) located on the Site.

Meter banks will be screened from adjoining properties and from public streets.

HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade. Ground-mounted mechanical equipment shall not be located in the established setback along the Lemmond Farm Drive frontage. not visible from an abutting frontage.

Dumpster and recycling area will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal buildings.

e. The number of units in a building can be increased or decreased so long as the buildings on the exterior of the site do not increase in massing.

Environmental Features:

a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance found in Article 25 of the Ordinance. The location, size, and type of storm water management system(s) depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning petition. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

b. The Site will comply with the Tree provisions of the Ordinance found in Article 20. The final location of the required tree save areas will be determined during the land development approval process for the Site. Tree save areas will comply with the requirements of the Tree Ordinance. It is understood that a portion of the site shall provide the required tree save of Phase I as set forth in Rezoning Petition XX-XXXX.

c.Development within any SWIM/PCSO Buffers shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by Ordinance. There are no Water Quality Buffers identified on the Site.

d. A 0.74 acre park shall be dedicated to Mecklenburg County Park and Recreation prior to the first certificate of occupancy. The location is generally depicted on the rezoning plan.

7. <u>Lighting:</u>

a. All freestanding exterior lighting installed on the Site shall comply with Article 16.2 of the Ordinance.

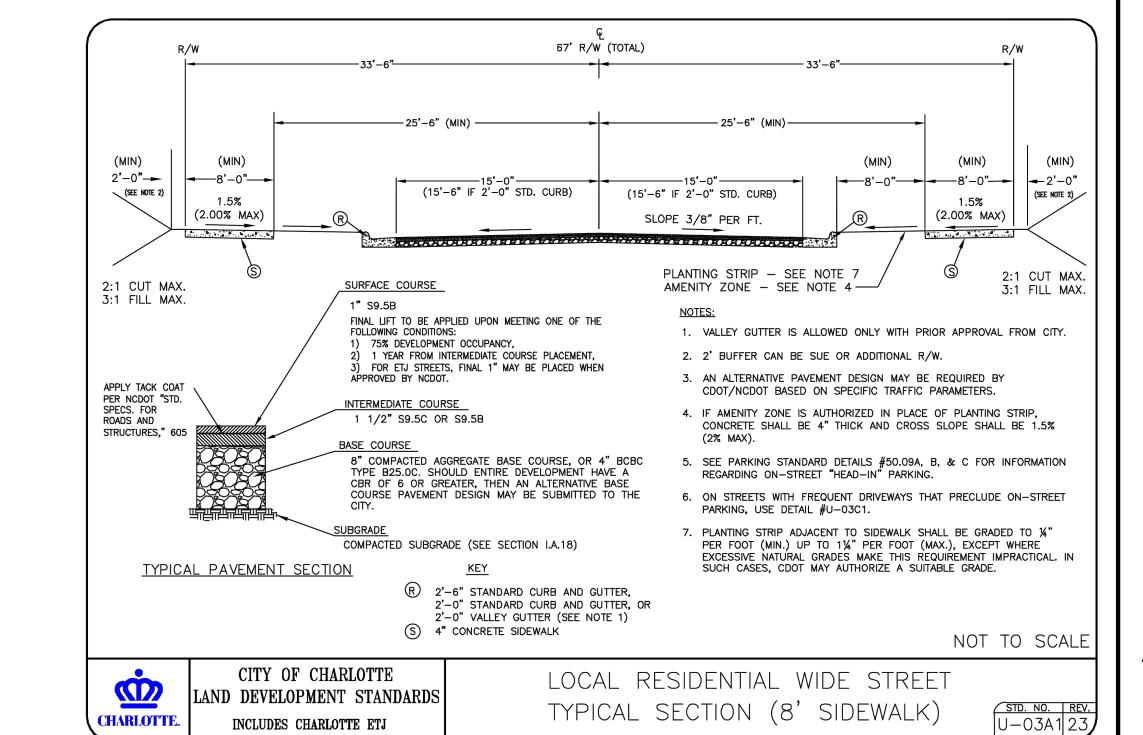
Amendments to the Rezoning Plan:

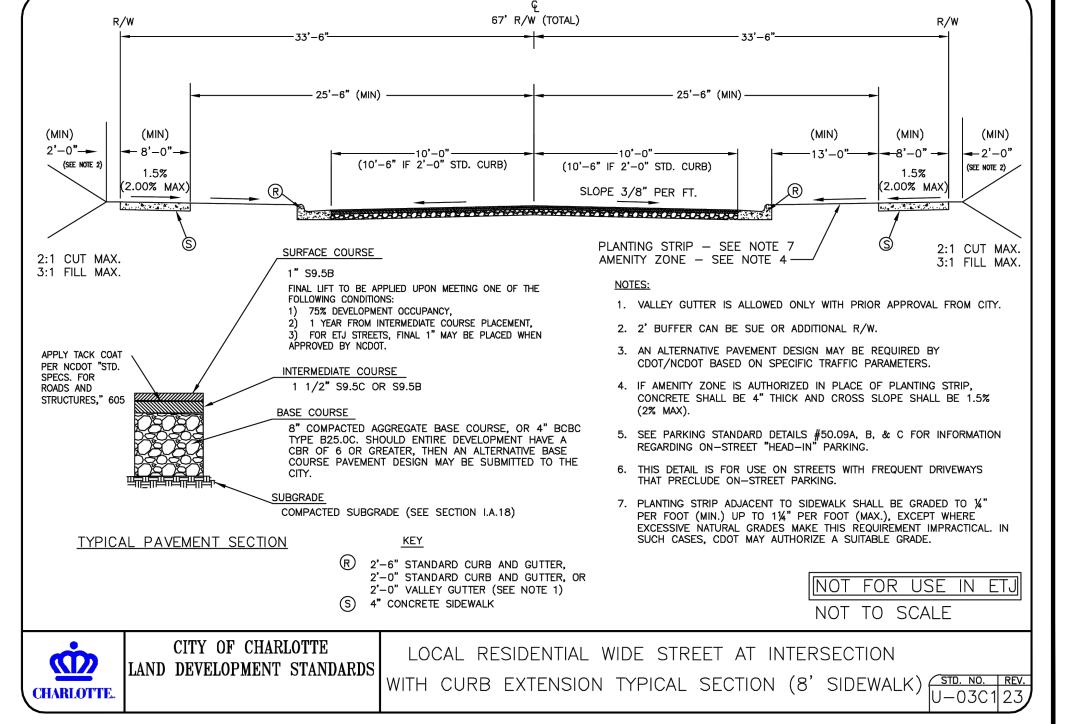
a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable development area or portion of the Site affected by such amendment in accordance with the provisions herein and of Article 37.3 of the Ordinance.

Binding Effect of the Rezoning Application:

a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or

ADJACENT PROPERTY OWNERS PARCEL DEED OWNER 11110355 26427-951 ENOCH BUXTON JR & CRYSTAL LEWIS 32312-727 PROGRESS RESIDENTIAL BORROWER 2 LLC 31282-754 IH6 PROPERTY NORTH CAROLINA LP 25499-539 GWENDOLYN A AMET 110350 25432-439 MADELINE FREDERICK 110349 38475-165 OPENDOOR PROPERTY TRUST I 110347 26407-723 LASHANDA M NOBLES .10346 26080-359 SHIRLEY LOTT 10345 36327-664 HEIDI RODRIGUEZ & DANIEL RODRIGUEZ 10344 26217-043 BARBARA F UNDERWOOD 110343 37713-033 PROGRESS RESIDENTIAL BORROWER 23 LLC 110342 24269-612 ANNE MOTARD 110341 24658-867 CHARLES CHRISTOPHER CONNOLLY 110340 30985-562 JOY A RODRIGUZ COLBERT & DARON RODRIGUZ COLBERT 1110339 27215-102 WILLIE BLANCHE PENN & PETRONILA ELENA CLARK 1110338 31944-764 IH6 PROPERTY NORTH CAROLINA I P 1110337 24004-781 JESSICA C JOHNSON & CARL E JOHNSON 1110336 37381-567 JEFFREY NGAFUA JR & LATRICA YOUNG N1-A 11110335 | 25538-232 | STACEY CALDWELL 1110334 | 33098-579 | 2108-4 IH BORROWER LP, C/O INVITATION HOMES N1-A 1110333 31762-289 THR NORTH CAROLINA II LP, C/O INVITATION HOMES 11110332 37881-599 LALAURA M SMITH 11110673 32145-528 CSHP ONE LP N1-A 1110672 33030-230 PROGRESS RESIDENTIAL BORROWER 7 LLC N1-A 1110671 27389-538 HIWOT FESSEHA N1-A 1110670 23427-537 ELIZABETH L FLOWERS N1-A 1110669 36429-257 PROGRESS RESIDENTIAL BORROWER 17 LLC 110668 | 27472-262 | CARLA ELAINE GOLDSON 110667 | 32589-498 | JAVIER O TURRO & ANA R FREY N1-A 110666 36976-506 HYDAA LLC N1-A 110665 | 19979-925 | CENTEX HOMES 110664 34932-582 FKH SFR PROPCO A LP, C/O FIRSTKEY HOMES LL N1-A 110663 33024-859 LESLIE NICOLAS N1-A 10495 30498-913 WOODBURY HOMEOWNERS ASSOCIATION INC NOTE: PROPERTY INFORMATION BASED ON MECKLENBURG COUNTY GIS





PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION

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PROJECT NO. DRH23003-RZ1 CHECKED BY

DRAWN BY **SCALE** DATE

12. 18. 2023 **SHEET**

REZONING NOTES