

Pulte Belmont
Development Standards
11/30/2021
Weddington Rezoning Petition

Site Development Data:

- Acreage: ± 62.45 acres
- Tax Parcel #: 06153016 & 06153054A
- Existing Zoning: R-CD & R-40
- Proposed Zoning: CZ
- Existing Uses: Vacant
- Proposed Uses: Up to 44 single-family detached dwelling units as allowed by right and under prescribed conditions in the CZ zoning district as further described in Section 2 below.

1. General Provisions:

a. Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Pulte (“Petitioner”) to accommodate the development of up to forty-five (45) single-family detached dwelling units as generally depicted on the Rezoning Plan. The proposed development will be on an approximately 62.45 acre site located on Lochaven Road (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 Town of Weddington Land Unified Development Ordinance (the “Ordinance”). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the CZ zoning classification shall govern.

c. Graphics and Alterations. The schematic depictions lots, sidewalks, structures and buildings, building elevations, driveways, streets 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 Section D-607(C)(10) 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 per Section D-607(C)(10)(b) 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 and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow Section D-607(C)(10)(a) of the Ordinance; in each instance, however, subject to the Petitioner’s appeal rights set forth in the Ordinance.

2. Permitted Uses:

The Site may be developed with up to forty-four (44) single-family residential units.

3. Access and Transportation:

I. Proposed Access.

- a. Access to the Site will be from Lochaven Road as generally depicted on the Rezoning Plan.
- b. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the Town of Weddington and/or NCDOT in accordance with applicable published standards.
- c. The overall street network is conceptual in nature and may be adjusted during the permitting process subject to the standards and approvals of NCDOT and the Town of Weddington as applicable.

II. Proposed Improvements.

- a. The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below:
 - i. A right-hand turn lane at Lochaven and Providence Road.

III. Standards, Phasing and Other Provisions.

- a. **Weddington and NCDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of the Town of Weddington and/or NCDOT (as it relates 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 area, by way of a private/public partnership effort or other public sector project support.
- b. **Substantial Completion.** Reference to “substantial completion” for certain improvements as set forth above shall mean completion of the roadway improvements in accordance with the applicable standards. Provided however, in the event certain non-essential roadway improvements (as reasonably determined by the Town of Weddington) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Town of Weddington will instruct applicable authorities and/or departments to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.
- c. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then the Town of Weddington, NCDOT or other applicable agency, department or governmental body may agree to proceed with

acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in the above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Town of Weddington will instruct applicable authorities and/or departments to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

In addition to the foregoing, in the event the right of way is not available for any reason after the good faith efforts of the Petitioner, the Petitioner will work with the Town of Weddington and/or NCDOT as applicable to either (i) identify alternative improvements to implement traffic mitigation in lieu of the improvements impacted by the lack of right of way as described in subsection f. below; or (ii) contribute to the Town of Weddington and/or NCDOT as applicable, an amount equal to the estimated cost of the road improvements not completed due to the lack of available right of way, such funds to be used to complete such alternative roadway improvements in the general area of the Site in a manner reasonable agreeable to the Petitioner, the Town of Weddington and/or NCDOT as applicable. It is understood that alternative improvements and/or payment in lieu shall not require rezoning however, it shall require City Council approval.

d. Right-of-way Conveyance. Subject to the provisions above regarding d. Right-of-Way above, 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, the additional right-of-way will be dedicated when the development plans are platted. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way where ROW dedication is not provided.

For example, transportation improvements may be substituted and/or payment in lieu for other improvements in the overall area of the rezoning may be implemented as described in subsection (d) above.

4. Architectural Standards:

a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, cementitious fiber shake, stucco, decorative block and/or wood.

b. Vinyl or Aluminum shall not be used as a primary siding material however it may be used on windows, soffits, fascia and/or similar roof overhang elements, handrails/railings, and/or other miscellaneous trim elements.

c. The proposed roofing materials will be architectural shingles, slate, tile and/or metal.

d. All residential units shall include the following front load garage door treatments:

- i. wall sconce lighting on at least one side of the garage door or one large wall sconce above the garage door,
- ii. windows and/or a vent detail above the garage door,
- iv. a minimum of two siding materials on the façade, and
- vi. windows

6. Streetscape, Setbacks, Buffers, and Yards:

- a. A fifty (50) foot perimeter buffer shall be provided to support the overall character of the community as generally depicted on the Rezoning Plan. Grading and clearing within the fifty (50) foot buffer is permitted subject to approval by applicable regulatory agencies and contingent upon replanting.
- b. A minimum fifteen (15) foot side yard shall be provided.
- c. Due to topographic constraints and existing features on the site, the minimum block length of 334' may be exceeded as generally depicted on the Rezoning Plan.
- d. Street trees shall be provided on each side of the street spaced forty (40) feet on center or based on tree species in compliance with Section D-901(Q)(1).

7. Environmental Features and Open Space:

- a. The Site shall comply with the minimum Stormwater and Water Quality requirements as set forth in the Land Development Ordinance and municipal code.
- b. The location of the proposed stormwater areas are conceptual in nature and the exact size and location of these areas are subject to change depending upon final layout, product allocation, and/or other site plan elements. The overall layout and unit count may be altered as a result of final stormwater locations.
- c. The Site shall comply with the minimum Open Space and Tree Save requirements as set forth in Section D-917(P) and (Q) of the Ordinance. The Open Space and Tree Save areas generally depicted on the Rezoning Plan are conceptual in nature and subject to change depending upon final layout, product allocation, and other spatially dependent project components such as but not limited to stormwater areas, wetland areas, utilities, and buffers (as applicable).
- d. The Petitioner shall provide third party inspection of site development construction activities to occur after each ½" (or greater) rainfall event.

7. 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 portion of the Site affected by such amendment in accordance with the provisions of the Ordinance.

8. 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 under the Ordinance,

be binding upon and insure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.