



Town of Butner  
Planning Department  
415 Central Ave Ste A  
Butner, NC 27509

December 7, 2023

RE: Lyon Station CD-PUD – Meritage Homes Rezoning Conditions  
ESP Project: JX16.100  
PINs: 088803312100, 088701372426, 088701490503

### Rezoning Conditions

1. There shall be no more than eight hundred and thirty-eight (838) residential units on the site and the maximum density shall be no greater than 2.51 dwelling units per acre.
2. The development shall provide dedicated right-of-way along property boundaries to parcels 088701164467, 088701187300, 088803215345, and 088804515138 for possible future roadway connections. Street improvements shall be constructed to the greatest extent practicable to accommodate a 3:1 slope, if required, to the existing grade at property boundaries.
3. Lots 44 feet in width or less, as measured from the front yard setback line, shall provide vehicular access from a rear alley.
4. Lots shall be oriented so that the front property line is adjacent to a publicly dedicated right-of-way.
5. Pursuant to Section 14.1.17 of the Town's Land Development Ordinance: a property owner's association shall be established to fulfill the requirements of the North Carolina Planned Community Act codified as G.S. 47F-0-101 et seq. and to accept conveyance and maintenance of all common elements (common areas) within the development and said property owners' association shall be in legal existence prior to the conveyance, lease-option, or other long-term transfer of control of any unit or lot in the development.
6. A declaration, as defined in G.G. 47F-1-103(10), for the planned community shall be recorded prior to the conveyance of any lot in the development and shall contain provisions substantially similar to the following, which provisions shall not be modified or otherwise amended without modification of the approved CD-PUD. Architectural elevations shall be required at time of initial zoning permit submittal to ensure compliance with the following standards:
  - a. No single-family detached dwelling unit shall have the same architectural building elevation as another located on either side or directly across the street.
  - b. For residential units with a width of 38 feet and greater, garages shall be set back a minimum of 5 feet from the front plane of the house which may be defined as a front porch or other architectural feature. For residential units with a width between 28 feet and 38 feet, garages shall be set back a minimum of 2 feet from the front plane of the house, which may be defined as a front porch or other architectural feature.
  - c. Building facades facing public streets shall provide architectural enhancements such as windows, shutters, or other architectural enhancements as shown in PUD documents.
  - d. All front entrances of residential units shall be raised a minimum of 12 inches above finished grade as measured along the front plane of the facade to the livable area of the home. Garage finished floor elevation, side foundations, and rear foundations may be flush with adjacent finished grade.
  - e. Residential units shall be clad with a minimum of 24 inch high masonry material along the base of the front facade and shall wrap and extend a minimum of 2 feet along the side facades.
  - f. Garage doors on residential units facing a publicly dedicated right-of-way shall contain windows, decorative details, and/or carriage style adornments.
  - g. All residential units shall have a covered porch with a minimum depth of 6 feet. Porches shall have decorative posts with a minimum of 24 inch masonry at the base.
  - h. Each residential unit shall have a front door with a minimum of 25% glazing, transom, and/or door sidelights.
  - i. No vinyl siding shall be permitted. Exterior wall materials shall be limited to a combination of wood



clapboard, cementitious fiber board, shingle/shake, drop siding, primed board, wood board and batten, brick and/or stone. Vinyl trim and soffit are permitted.

7. Retaining walls over 4 feet tall that are generally parallel to, facing towards, and located within 20 feet of any publicly dedicated right-of-way shall be constructed of high-quality materials including one or a combination of the following: decorative blocks; brick; stone; cast-stone; architectural block; split-faced block; or stucco over concrete masonry blocks. The maximum length of continuous, unbroken and uninterrupted wall plane shall be 100 linear feet. Breaks shall be provided using columns, planted areas, change in material, or another design element not compromising the structural integrity of the wall and deemed appropriate by the Butner Planning Director. This shall not apply to walls associated with culverts or stream crossings or to transportation improvements.
8. Detached garages shall only be placed in the established rear yard.
9. Documents providing for the establishment of a property owners' association and the declaration for the planned community shall be submitted to the Butner Planning Director for review by the Town Attorney before approval and recordation of a record plat. The Town's review is limited to:
  - i. ensuring that the property owners' association has clear legal authority to maintain and exercise control over the common area and facilities, including the power to compel contributions from residents and property owners to cover their proportionate share of the costs associated with the maintenance of the common areas and facilities, and
  - ii. ensuring that applicable restrictions and conditions herein set forth are appropriately referenced and included within the Declaration.The Town's review shall not constitute as approval or endorsement of the documents and shall not create any rights in any party.
10. Utility lines shall be installed underground as allowed by utility providers and code requirements.
11. Utility boxes for alley loaded buildings shall be in the alley. The applicant may be exempt from this provision if the utility company provides a statement in writing.
12. To minimize impact to neighboring residential properties, outdoor lighting shall be full cut-off and shielded to prevent glare and light spillover.
13. The development shall provide a 5 foot wide sidewalk on both sides of proposed public streets except where the 40 foot wide Environmentally Sensitive Street Section has been utilized, in which case a wider 6 foot sidewalk on one side of the street shall be provided.
14. To ensure planting diversity, no species of proposed street trees shall constitute more than 25% of required plantings.
15. All roadways to be accepted by the Town of Butner for Ownership and Maintenance shall be designed and constructed in accordance with NCDOT standards.
16. Private alleys will not be accepted by the Town of Butner for Ownership and Maintenance.
17. All private storm drainage outside of the public right-of-way shall be owned and maintained by the Homeowner's Association.

The above conditions are offered by Meritage Homes of the Carolinas – Raleigh Division for the Lyon Station CD-PUD Rezoning Concept Plan submittal.

Very respectfully,

*Cameron L. Kidd*

Meritage Homes of the Carolinas – Raleigh Division