

**Site Data:**

Site Area: 165.94 Ac.

Existing Zoning: R-3

Proposed Zoning: R-12 MF (CD) - 91.35 Ac.  
R-3 (CD) - 74.59 Ac.

Maximum Dwelling Units: R-12 MF (CD) - 1093 Units  
R-3 (CD) - 171 Units (179 Units - see note 15.)

Overall Project Density: 7.62 DUA (1264 Units)

**DEVELOPMENT CONDITIONS**

- The proposed development shall comply with all Mecklenburg County regulatory standards and requirements pertaining to off-street parking, signage, buffers, landscaping, screening, etc.
- Vehicular access to the site shall be provided as shown along the I-485 Service Road, the proposed Lower Mecklenburg Circumferential Minor Thoroughfare and a Public Collector Road. The precise alignment of proposed roads and ingress/egress points may vary from that depicted depending upon final design and engineering drawings.
- The petitioner shall reserve fifteen (15) acres for use as a public park in the area of the site where it adjoins Six Mile Creek. The portion of the park area located within the regulated floodplain of Six Mile Creek shall be dedicated to Mecklenburg County Park and Recreation Department. The park is intended to serve immediate residents of the area and shall be connected to various portions of the site by means of a pedestrian walkway system to be implemented by the petitioner/developer as proposed development occurs throughout the site.
- A 50' Class C Buffer shall be established as required where the proposed multifamily development adjoins adjacent family zoning. This buffer shall be 70' where the proposed development adjoins lots in the Chestnut Hills subdivision. The buffer shall not be reduced in width nor shall any storm water management system(s) be located within a buffer area except as necessary to cross it.
- The petitioner shall also establish a 20' buffer between the right of way of the proposed Lower Mecklenburg Circumferential Minor Thoroughfare and the rear lot lines of single family lots fronting on Chestnut Hill Drive. (Note: This is not a required buffer.)
- The single family lots shown are illustrative in nature. Final lot configurations shall be determined at the time specific subdivision plans are prepared and approved.
- An alternative alignment for a portion of the Public Collector Road (see Site Plan) may be utilized instead of the alignment depicted. The petitioner may elect to use the alternate alignment depicted based on final design plans. A primary factor for utilizing the alternate alignment will be whether or not the adjoining site (tax parcel #231-131-10) has been previously subdivided and developed with the balance of the road alignment connecting to Providence Road already built. If such is not the case, the petitioner is under no obligation to use or reserve the alignment.
- Required buffers shall not contain any stormwater management systems, nor shall these buffers be cleared. Buffer areas shall be marked prior to construction to indicate these areas are not to be graded.
- There shall be no vehicular connection from the site to either Sugar Plain Lane or Apple Hill Road.
- The petitioner or assignee shall dedicate the right of way for the Lower Mecklenburg Circumferential Road. This right of way shall be dedicated prior to the issuance of any single family building permit associated with the proposed development.
- If required by subdivision regulations, curb, gutter and sidewalk improvements shall be installed along the I-485 Service Road. The sidewalk shall be improved from the back of the curb by an eight foot planting strip.

- The area shown as a neighborhood park shall either be privately owned/leased by the homeowners association to be established under ordinance regulations when single family development occurs or dedicated to Mecklenburg County. The decision will be made at the time the petitioner or assignee proposes single family development adjacent to the park. This decision shall be at the sole discretion of the petitioner/assignee. (Note: The area of the regulated flood plain shall be dedicated in any event as stated in Note 3 above, and the dedication shall occur prior to the issuance of any single family building permit associated with the proposed development.)
- No grading or filling shall be allowed within the floodway fringe area of Six Mile Creek associated with the site.
- The petitioner or assignee shall construct the portion of the Lower Mecklenburg Circumferential Road associated with the proposed development as required by Subdivision Ordinance requirements.
- The 20' buffer which separates the Lower Mecklenburg Circumferential Road and the rear lot line of homes along Chestnut Hill Drive and the 2.6 +/- acre site created by the intersection of Tilley Morris Road and the Lower Mecklenburg Circumferential Road shall be owned and maintained and restricted as open space by one of the following entities, based in order of right of refusal, together as offered for dedication by the petitioner:
  - Chestnut Hills Homeowners Association
  - Snowmade Neighborhood

In the event that all four of the above entities (or combination thereof) declines the offer of ownership, then the buffer and open space site shall be retained under the ownership of the petitioner, the 2.6 +/- acre site may be developed for any use allowed under the R-3 Zoning District, including 8 single family lots. If one of the above entities or a combination thereof accepts the offer of dedication, such dedication(s) shall occur in conjunction with the dedication of the Lower Mecklenburg Circumferential Road right of way.

(Note: In no event shall the petitioner retain ownership to either the buffer or the open space site separately; they are offered together as a unit, but may be owned/maintained by more than one of the above entities.)

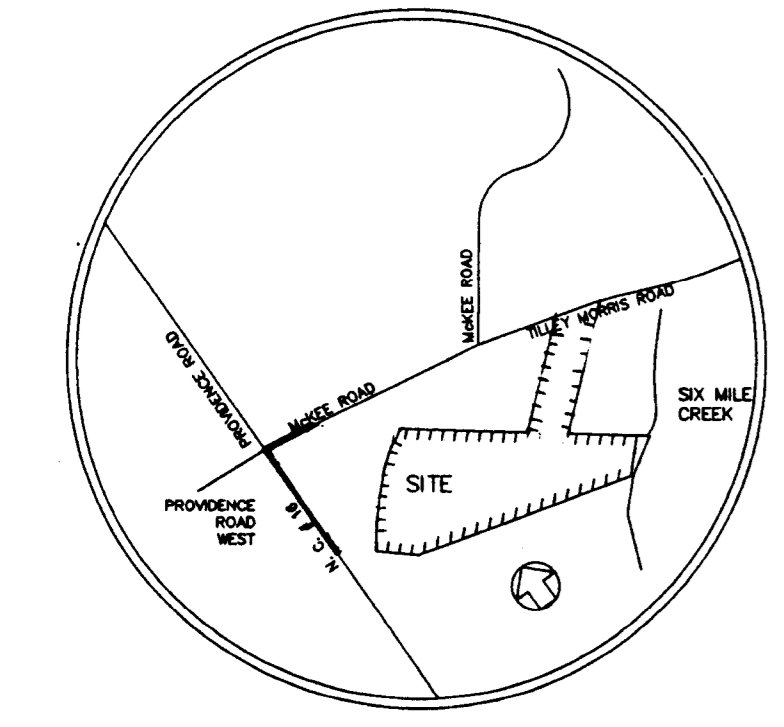
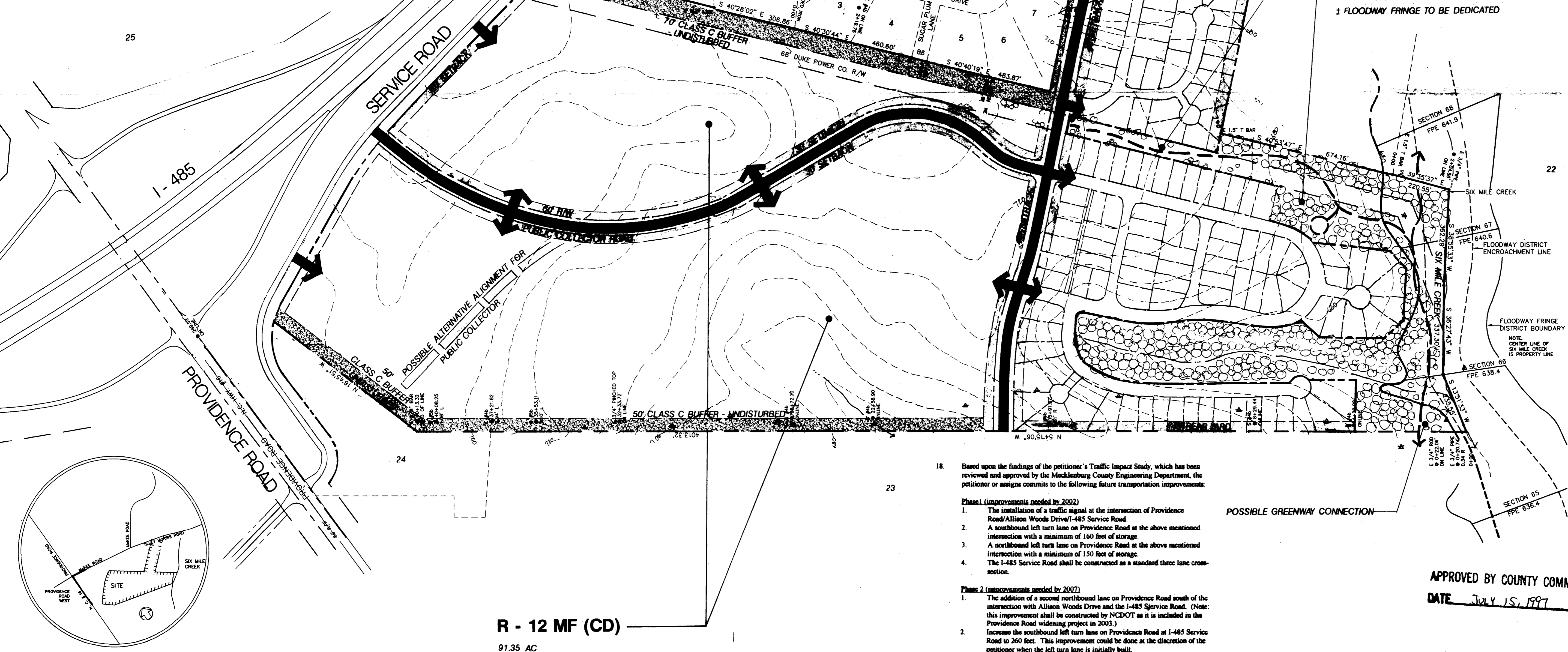
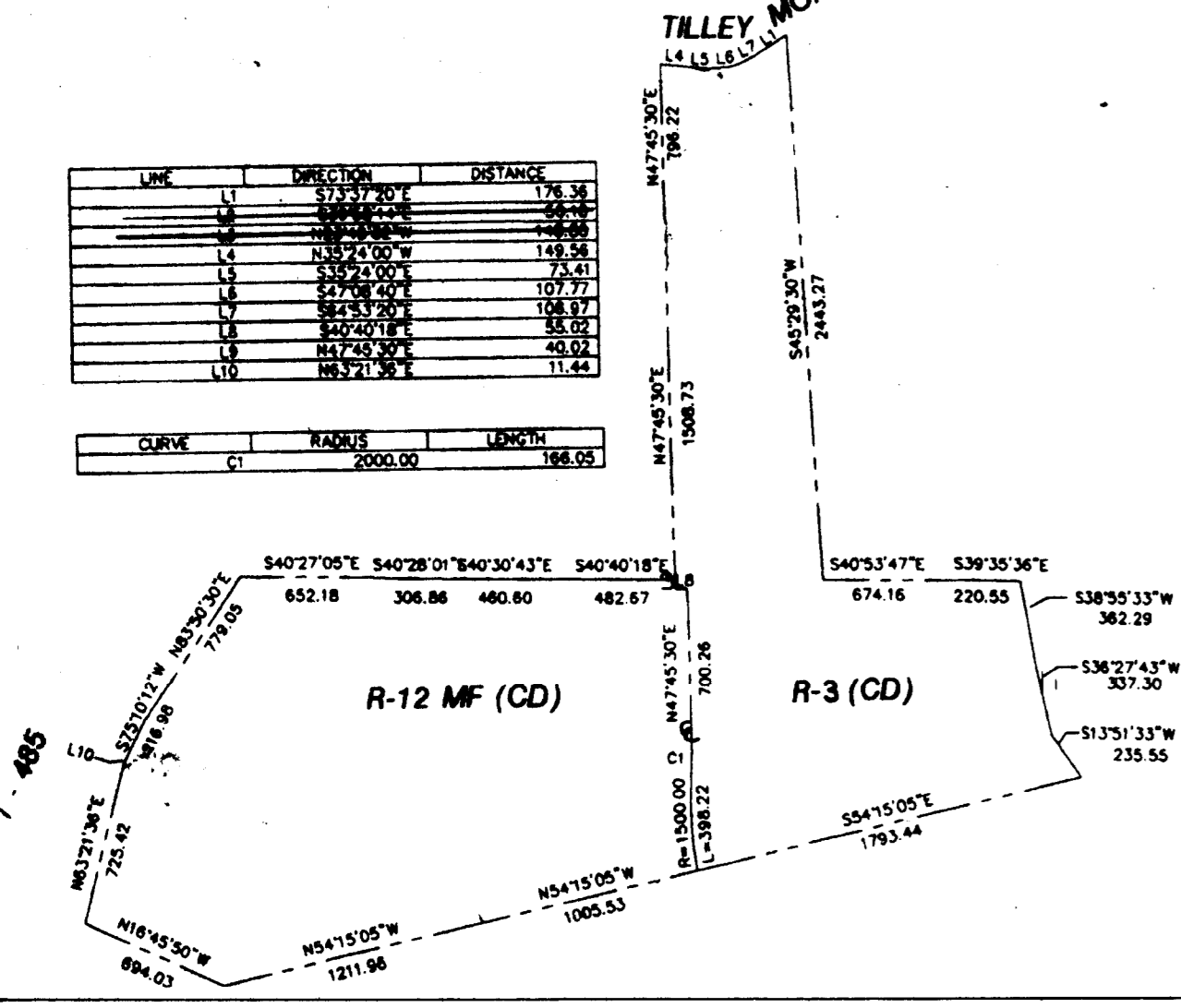
The realignment of Tilley Morris Road in conjunction with the Lower Mecklenburg Circumferential Road shall be constructed as depicted on the Site Plan. The design/realignment of the new intersection is subject to the review and approval of Mecklenburg County and/or NCDOT.

The petitioner hereby agrees to a development phasing restriction which will only permit a maximum of 500 multi-family units to be developed within 5 years of the date of approval of this rezoning. The balance of the multi-family and single family units permitted by this rezoning may be fully developed no earlier than 10 years from the date of rezoning approval. Furthermore, none of the second phase single family and multifamily dwelling units shall be constructed until that portion of the Lower Mecklenburg Circumferential thoroughfare which is associated with the site is constructed to intersect with Tilley Morris Road.

**R - 3 (CD)**  
2.6 AC OPEN SPACE  
(SEE NOTE 15.)

**R - 3 (CD)**  
71.99 AC

**ZONING BOUNDARY KEY**



**R - 12 MF (CD)**  
91.35 AC

- Based upon the findings of the petitioner's Traffic Impact Study, which has been reviewed and approved by the Mecklenburg County Engineering Department, the petitioner or assignee commits to the following future transportation improvements:
 

**Phase 1 (Improvements needed by 2002)**

  - The installation of a traffic signal at the intersection of Providence Road/Allison Woods Drive/I-485 Service Road.
  - A southbound left turn lane on Providence Road at the above mentioned intersection with a minimum of 160 feet of storage.
  - A southbound left turn lane on Providence Road at the above mentioned intersection with a minimum of 150 feet of storage.
  - The I-485 Service Road shall be constructed as a standard three lane cross-section.

**Phase 2 (Improvements needed by 2007)**

  - The addition of a second northbound lane on Providence Road south of the intersection with Allison Woods Drive and the I-485 Service Road. (Note: this improvement shall be constructed by NCDOT as it is included in the Providence Road widening project in 2003.)
  - Increase the southbound left turn lane on Providence Road at I-485 Service Road to 260 feet. This improvement could be done at the discretion of the petitioner when the left turn lane is initially built.
  - A northbound left turn lane with 150 feet of storage on the Lower Mecklenburg Circumferential when the Tilley Morris Road connection is constructed.

APPROVED BY COUNTY COMMISSION  
DATE July 15, 1997

**PROPOSED REZONING  
FOR  
MARSH MORTGAGE COMPANY**  
P.O. BOX 35229 CHARLOTTE, NC 28235

**DESIGN  
RESOURCE  
GROUP, PA**  
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Charlotte, NC 28203  
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**REZONING  
PETITION  
#97-25 (C)**  
FOR PUBLIC HEARING

Scale: 1" = 200'  
Date: 7 FEBRUARY 1997  
Revisions: 12 MAY 1997 PER MTGS  
AND PC COMMENTS

4/21/97

Sheet **1** of **1**