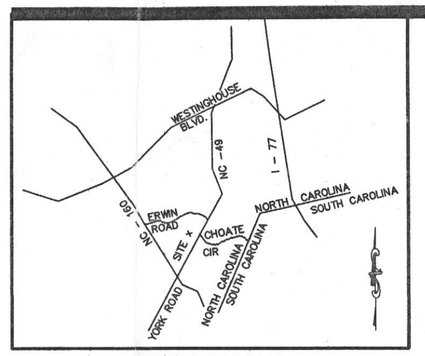


VICINITY MAP

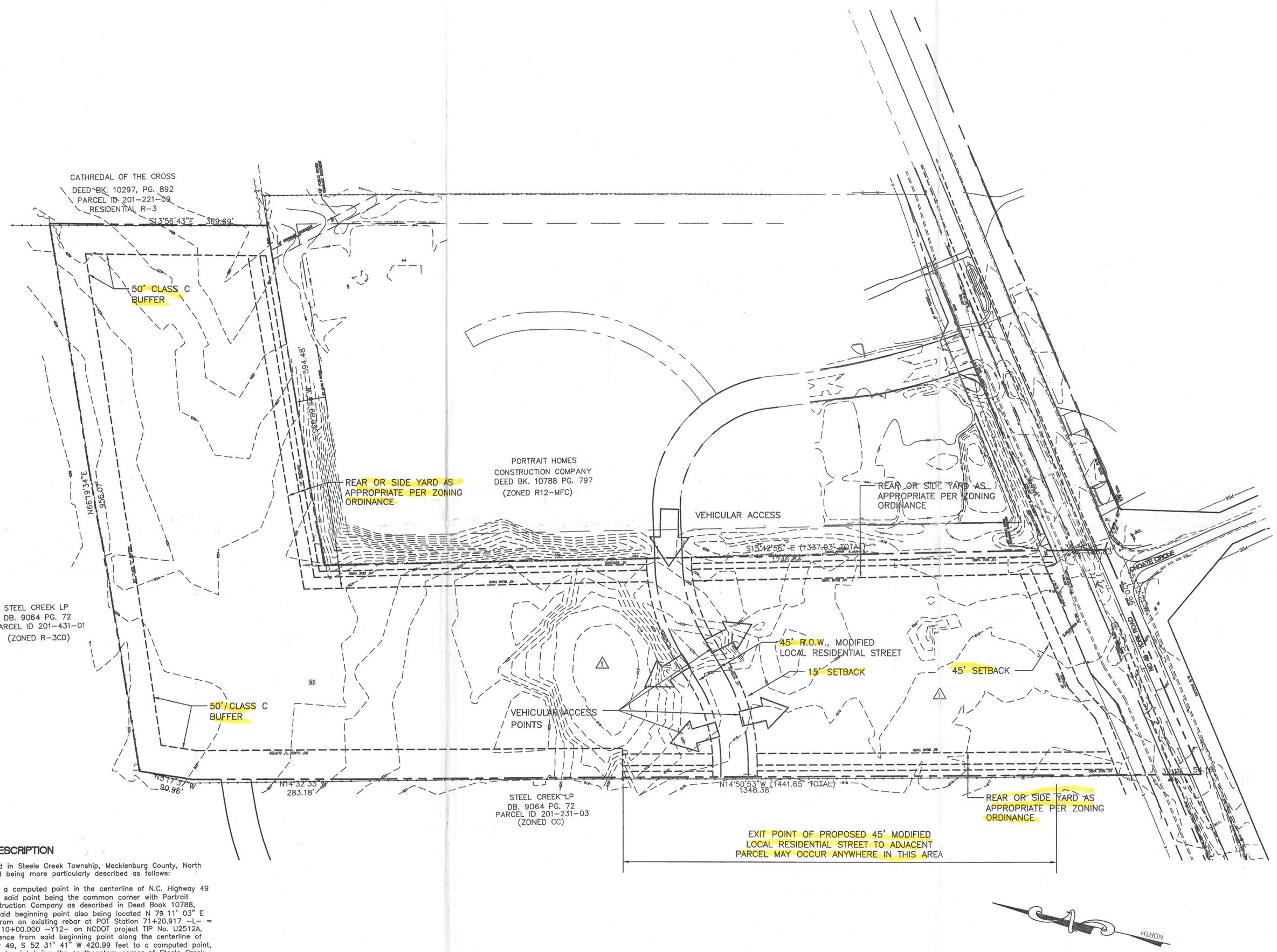
DEVELOPMENT DATA

TAX PARCEL NUMBERS:	201-221-01
EXISTING ZONING:	R-3
PROPOSED ZONING:	R-12MF (CD)

20.212 ACRES (GROSS AREA)

0.965 ACRES IN RIGHT-OF-WAY

19.247 ACRES (NET AREA)



LEGAL DESCRIPTION

Being located in Steele Creek Township, Mecklenburg County, North Carolina, and being more particularly described as follows:

Beginning at a computed point in the centerline of N.C. Highway 49 (York Road), said point being the common corner with Portrait Homes Construction Company as described in Deed Book 10788, Page 797, said beginning point also being located N 79 11' 03" E 58.05 feet from an existing rebar at POT Station 71+20.917 –L– = POT Station 10+00.000 –Y12– on NCDOT project TIP No. U2512A, and runs thence from said beginning point along the centerline of N.C. Highway 49, S 52 31' 41" W 420.99 feet to a computed point, said computed point being the southeastern corner of Steele Creek LP as described in Deed Book 9064, Page 72; thence with the common line of Steele Creek LP, N 14 50' 53" W 54.13 feet to an existing rebar on the right of way of N.C. Highway 49; thence continuing on the same line and additional 1,387.52 feet for a total of 1,441.65 feet to an existing iron pipe; thence N 14 32' 33" W 283.18 feet to an existing rebar; thence N 51 17' 32" W 90.96 feet to an existing rebar; thence N 66' 19' 34" E 956.07 feet to an existing rebar in the western line of the Cathedral of the Cross property as described in Deed Book 10297, Page 892; thence with the western line of the Cathedral of the Cross propery S 13 56' 43" E 369.69 feet to an existing iron pipe in the northern line of Portrait Homes Construction Company property as described in Deed Book 10788, Page 797; thence with the line of Portrait Homes Construction Company S 66' 09' 53" W 594.48 feet to an existing iron pipe; thence again the line of Portrait Homes Construction Company S 15 42' 56" E 1,390.62 feet to a new iron rod on the right of way of N.C. Highway 49; thence continuing on the same line an additional 53.71 feet for a total of 1,390.62 feet to the point and place of beginning. Said parcel contains 20.211 acres, more or less.

GRAPHIC SCALE

100' 0 50' 100' 200' 400'

(IN FEET)
1 inch = 100 ft.

'FOR PUBLIC HEARING'
Petition No. 01-066

DEVELOPMENT STANDARDS

A. Permitted Uses

1. Up to 175 attached housing units may be constructed on the Site, together with any incidental or accessory uses associated therewith which are permitted under the City of Charlotte Zoning Ordinance (the "Ordinance") by right or under prescribed conditions in an R-12 MF (CD) zoning district, an over all site density of 9.09 dwelling units per acre.

–OR–

2. Up to 78 detached housing units may be developed in accordance with R-4 standards, an overall site density of 4 dwelling units per acre.

B. Development Requirements

1. General Provisions. At a minimum, all development standards established under the Ordinance for the R-12 MF(CD) District shall be satisfied unless developed as single family. In addition, development shall be governed by these Development Standards and the Technical Data Sheet.

The building configurations, placements and sizes, as well as the locations of streets and parking areas, shown on the Schematic Site Plan (Sheet RZ-2), are schematic in nature and may be altered or modified during design development and construction document phases within the maximum building limit lines established on the Technical Data Sheet.

Building will be limited to two stories in height.

2. Setbacks, Side Yards and Rear Yards.

(a) All buildings constructed within the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the R-12 MF(CD) District.

(b) A 45 foot setback measured from the new right-of-way will be established along York Road.

3. Buffer Areas.

(a) Buffer areas established on the Technical Data Sheet shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 and to the provisions of Paragraphs (b), (c, (d) and (e) of this Section.

(b) Buffer areas are to remain as open space, except to the extent necessary to accommodate access points, berms, walls, fences, drainage pipes or channels, utility lines, pedestrian pathways and bicycle pathways. Utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees.

(c) Buffer widths may not be reduced through the use of walls, fences or berms.

(d) In all buffer areas where existing trees and natural vegetation have been cleared to accommodate berms, walls, fences or the installation of utility construction, the cleared, unimproved areas will be landscaped as required by Section 12.302 of the Ordinance.

(e) If adjoining property is rezoned to an MF or other classification not requiring a buffer, the subject property shall be released of buffer requirements unless occupied buildings exist along that portion of a buffer.

(f) No storm water detention facilities may be placed within buffer areas.

4. Landscaped Areas, Screening and Sidewalks.

(a) Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.

(b) Landscaped areas and sidewalks within the Site will be planted and installed in sequences which are keyed to development taking place on the site.

(c) Along both sides of proposed modified local residential street, 2" caliper large maturing street trees will be installed at maximum spacing of 40 feet on center.

(d) A 5-foot sidewalk with an 8-foot planting strip shall be provided along NC 49 (York Road). The sidewalk may meander and the planting strip may vary in width to save trees 8-inch caliper or larger. The sidewalk will be installed by the Petitioner on the Site's frontage along Hwy 49 if a sidewalk is not constructed by NCDOT as part of the widening of Hwy 49. Sidewalk construction is subject to an encroachment agreement by NCDOT.

(e) Sidewalk will be installed by the Petitioner as indicated on the Schematic Site Plan.

(f) Proposed plantings shown on the Schematic Site Plan is conceptual only and will be subject to change on actual site conditions and will conform to the City of Charlotte Tree Ordinance.

(g) Forty-five foot setback along NC 49 shall be landscaped, with the following plantings per 100': (3.5) large maturing trees 2-1/2" caliper; (3) evergreen trees, 5-6' tall; (3) flowering trees, 5-6' tall; (5) flowering deciduous shrubs, 3 gallon container; (15) evergreen shrubs, 3 gallon container.

5. Trash Collection.

(a) The Petitioner presently contemplates that trash will be collected from each individual unit from separate trash containers located at each unit.

(b) If this form of collection is utilized, pick up will be handled by a private hauler unless and until governmental policy would provide for the public pick up of trash.

(c) If dumpsters are provided, they will be screened with a solid wooden or masonry enclosure with gate.

6. Access Point.

(a) Vehicular access to the Site will be from Bennington Place Drive as shown on the Technical Data Sheet and will be located in the general area depicted thereon. The configuration and ultimate location of this access point within the Site is subject to any minor modifications required to accommodate final site and architectural construction plans and designs and are further subject to approval by the City of Charlotte and the North Carolina Departments of Transportation (CDOT and NCDOT).

7. Modified Local Residential Street

(a) The proposed 45' Modified Local Residential Street will be built as a private road and the Petitioner will dedicate the right of way depicted on the Technical data Sheet when requested by CDOT once: 1) all CMUD issues regarding private water and sewer lines within the right of way have been resolved and 2) a text amendment , or zoning variance is granted which allows a 15' setback off the proposed future public street. The interior location of this road as shown on the Technical Data Sheet is illustrative and may be changed. However, the location of where this road exits the property will be within the limits shown on the Technical Data Sheet and will not change except that minor locational changes may be required due to final site design as required by the City of Charlotte and North Carolina Department of Transportation.

(b) The proposed 45' Modified Local Residential Street will be accessible to the public once the street has been accepted by NCDOT or CDOT for maintenance.

(c)The 45-foot modified street shall meet public street standards for curves and design speed.

8. Lighting.

(a) A uniform lighting system will be employed throughout the Site. All lighting within the Site except street lights which may be erected along York Road shall be designed such that direct illumination does not extend past property lines of the Site.

(b) Consideration will be given to the impact of lighting both within and without the perimeter of the Site. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards adjacent streets and properties.

(c) Lighting fixtures will not exceed 20 feet in height except for street lights installed along York Road.

(d) Petitioner will install pedestrian scale lighting along Modified Local Residential Street. For the purpose of this petition, pedestrian scale lighting is defined as Duke Power Economical Traditional Fixtures on 12' poles, with a maximum spacing of approximately 75' on center on both sides of road.

9. Parking.

(a) The parking spaces depicted on the Schematic Site Plan may vary but in all events will be sufficient to satisfy the minimum off street parking standards established under the Ordinance, including Sections 12.203(1) and 12.303(2) of the Ordinance.

(b) No parking will be permitted within buffer areas or setback areas, except those within the right of way of the modified local residential street.

10. Signs. A uniform signage and graphics system will be employed throughout the Site which will comply with the provisions of Section 13 of the Ordinance.

11. Fire Protection. Adequate fire protection in the form of fire hydrants will be provided to the Mecklenburg County Fire Marshal's specifications.

12. Design Standards.

(a) Landscaped islands will be provided in parking areas to avoid large expanses of pavement. These islands will satisfy the provisions of Section 12.208 of the Ordinance.

(b) The Site will be subject to the Planned Multi-Family requirements of Section 9.303(19) of the Ordinance.

13. Storm Drainage.

(a) Storm water runoff from the Site will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte Engineering Department.

(b) In addition to the 2 and 10 year storm events being detained to pre-developed conditions, the Petitioner shall agree to provide storm water detention as recommended by the storm water services staff and limit run-off to those produced by an R-3 land cover. In lieu of the increased detention, the Petitioner may provide a detailed engineering study, completed by a professional engineer, licensed in North Carolina, which shows that the downstream drainage system is either 1) sufficient to convey the increase in flow due to the change in zoning classification and will remain in compliance with the current standards, or 2) the increase in storm water runoff caused by this development is minimal when compared to the overall drainage basin's effect on the downstream drainage system.

(c) No storm water facilities may be placed within buffer areas. However, stormwater facilities may be placed in yard areas if the facilities are either 1) underground or 2) screened by a 5' min. height board on board fence. Storm water facilities may be located in building setbacks only if screened from public streets. Petitioner shall install the landscape materials referenced in Note B.4. (g) above in any required building setback in which a detention pond is located. Such landscape materials are to be installed between the public street and the detention pond. In no event shall any detention pond be located closer than 25 feet to any exterior property line associated with the Site.

(d) A fence will be installed around any detention pond within the development.

14. Right of Way Dedication.

(a) Petitioner will dedicate that portion of the site northwest of centerline of NC 49 necessary to provide for the right-of-way depicted on the Technical Data Sheet.

C. Phasing

This project shall be phased based on the scheduled widening of Hwy 49. No more than 78 certificates of occupancy for residential units may be issued prior to January 1, 2003. An additional 39 certificates may be issued by July 1, 2003 and an additional 39 certificates may be issued by January 1, 2004. No certificates of occupancy may be issued for any of the balance of the units until after the first to occur of January 1, 2004 or the date of completion of the widening of Highway 49 from the Buster Boyd Bridge to Moss Road. In the event that the road widening is completed prior to the above dates, there will be no limit on the issuance of certificates of occupancy for any remaining units.

D. Amendments to Rezoning Plan

Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then owner or owners of the parcel or parcels involved in accordance with Chapter 6 of the Ordinance.

E.. Binding Effect of the Rezoning Application

1. If the Petitioner's Rezoning Petition is approved, the development program established under these Development Standards, the Technical Data Sheet and other supportive documents shall, 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 heirs, devisees, personal representatives, successors in interest and assigns.

2. Throughout this Rezoning Petition, the terms, "Petitioner" and "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.

APPROVED BY CITY COUNCIL

DATE 7/16/01

SITE SOLUTIONS
Landscape Architecture
Park Planning
Civil Engineering
5311 Seventy-Seven Center Drive
Suite 82 • Charlotte, NC 28217
Ph. 704.521.9880 • Fax 704.521.8955
E-Mail SitSolutns@aol.com

Seals:

APPROVED BY CITY COUNCIL
DATE 7/16/01

Kanos Property
Charlotte
North Carolina

Project No:	2229
Drawn By:	P. Gorsuch
Designed By:	P. Hobbs
Checked By:	P. Hobbs
Date:	3/13/01

Revisions:

1. Planning Commission Comments 5/21/01
2. Planning Commission Comments 7/30/01

Sheet Title: Technical Data Sheet

Sheet No: RZ-1