

DEVELOPMENT CRITERIA

GENERAL PROVISIONS:

- UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THE TECHNICAL DATA SHEET, OR THESE DEVELOPMENT STANDARDS, ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (ZONING ORDINANCE) FOR THE O-1 ZONING DISTRICT CLASSIFICATION SHALL BE FOLLOWED IN CONNECTION WITH THE DEVELOPMENT TAKING PLACE ON THE SITE. FOR THE PURPOSES OF THIS REZONING PETITION, THE SITE SHALL MEAN AND REFER TO THE PARCELS WITH TAX ID NUMBERS 027-031-08 AND 027-031-15 CONSISTING OF 3.4 ACRES AS SHOWN ON THE TECHNICAL DATA SHEET AND THE SCHEMATIC SITE PLAN.
- THE DEVELOPMENT DEPICTED ON THESE REZONING PLANS, INCLUDING THE TECHNICAL DATA SHEET AND THE SCHEMATIC SITE PLAN IS SCHEMATIC IN NATURE AND INTENDED ONLY TO ILLUSTRATE THE POSSIBLE ARRANGEMENT OF THE IMPROVEMENTS AND DEVELOPMENT OF THE SITE. THE EXACT DETAILS OF THE CONFIGURATION, PLACEMENT AND SIZE OF THE INDIVIDUAL SITE ELEMENTS SHALL BE ESTABLISHED DURING THE DESIGN PHASE OF THE PROJECT AND SHALL BE GOVERNED BY THE ZONING ORDINANCE. ALL APPLICABLE CODES AS WELL AS THESE DEVELOPMENT STANDARDS FROM THE APPROVED REZONING PLAN, THE BUILDING AND PARKING LAYOUT AS WELL AS OTHER SITE FACILITIES MAY BE MODIFIED AS ALLOWED PER 6.206(2) OF THE ZONING ORDINANCE.

PERMITTED USES:

- THE SITE IS INTENDED FOR USE IN DEVELOPING OFFICE CONDOMINIUMS WHICH WOULD BE USED FOR MEDICAL, DENTAL AND/OR OPTICAL CLINIC USAGE. VETERINARY CLINICS AND DRIVE-THRU WINDOWS ARE PROHIBITED IN THE OFFICE CONDOMINIUMS.

SETBACKS, SIDE YARDS AND REAR YARDS:

- ALL BUILDING, PARKING, LOADING AREAS, SOLID WASTE DUMPSTERS AND RECYCLABLE CONTAINERS TO BE LOCATED IN THE SITE SHALL SATISFY OR EXCEED THE SETBACKS, SIDE YARD AND REAR YARD REQUIREMENTS ESTABLISHED UNDER THE ZONING ORDINANCE FOR O-1 ZONING DISTRICT.
- NO PARKING AREAS, LOADING ZONES OR SOLID WASTE FACILITIES SHALL BE LOCATED WITHIN THE 20 FOOT FRONT YARD SETBACK AS DEPICTED ON THE TECHNICAL DATA SHEET.

BUFFERS:

- BASED ON THE SITE ACREAGE OF 3.4 ACRES AND ADJACENT PROPERTY ZONING CLASSIFICATION, THE SITE IS REQUIRED TO HAVE A CLASS C BUFFER ALONG THE NORTH, NORTHEAST AND WESTERN PROPERTY LINE OF 26 FEET.
- NO BUILDING IMPROVEMENTS, PARKING AREAS, LOADING ZONES OR SOLID WASTE FACILITIES SHALL BE LOCATED WITHIN THE BUFFER AREA.
- THE BUFFER WIDTH WILL NOT BE REDUCED BY 25 % ACCORDING TO SECTION 12.302(8) OF THE ZONING ORDINANCE.

BUILDINGS:

- THE ANTICIPATED BUILDING AREAS AS SHOWN ON THE SCHEMATIC SITE PLAN ARE APPROXIMATIONS. THE MAXIMUM BUILDING SQUARE FOOTAGE IS 22,000.
- THE PROPOSED BUILDINGS WILL HAVE NO ROOF TOP MOUNTED MECHANICAL EQUIPMENT.
- THE MAXIMUM HEIGHT OF THE PROPOSED BUILDINGS SHALL BE 40 FEET AND TWO STORIES.
- THE EXISTING STRUCTURES ON SITE WILL BE REMOVED.
- THE PROPOSED BUILDINGS WILL BE DESIGNED WITH A RESIDENTIAL CHARACTER AND SCALE.
- THE PROPOSED BUILDINGS WILL BE CONSTRUCTED WITH BRICK VANEER AND PITCHED ROOFS.

SCREENING AND LANDSCAPING:

- ALL LANDSCAPED AREAS INCLUDING SETBACKS AND BUFFERS WILL MEET OR EXCEED THE REQUIREMENTS OF THE ZONING AND TREE ORDINANCES.
- THE DUMPSTER/RECYCLING CONTAINERS ON SITE WILL BE SCREENED FROM VIEW OF ABUTTING PROPERTY AND FROM THE PUBLIC STREET.

PARKING AND LOADING:

- OFF STREET PARKING AND LOADING AREAS WILL MEET THE STANDARDS ESTABLISHED UNDER THE ZONING ORDINANCE. PARKING IS NOT ALLOWED BETWEEN THE BUILDINGS AND BAUCOM ROAD.
- PARKING AND LOADING AREAS WILL BE LANDSCAPED IN CONFORMANCE WITH THE MINIMUM STANDARDS OF THE ZONING ORDINANCE.

LIGHTING:

- ALL DIRECT LIGHTING WITHIN THE SITE SHALL BE DESIGNED SUCH THAT THE DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY EXTERIOR PROPERTY LINE AND PARTICULAR CONSIDERATION WILL BE GIVEN TO REDIRECTION OF ILLUMINATION AWAY FROM THE BUILDINGS WITHIN THE EXISTING MULTIFAMILY PROPERTY LOCATED TO THE NORTH AND NORTHEAST OF THE SITE.
- BUILDING WALL PACK LIGHTING IS NOT PERMITTED FOR SITE LIGHTING.

ACCESS POINTS:

- THE NUMBER OF VEHICULAR ACCESS POINTS INTO THE SITE SHALL BE LIMITED TO THOSE SHOWN ON THE TECHNICAL DATA SHEET.
- THE LOCATION AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS INTO THE SITE ARE SUBJECT TO MODIFICATION TO ACCOMMODATE FINAL SITE DESIGN FOR THE PROJECT WITH THE UNDERSTANDING THAT ALL DRIVEWAYS REQUIRE PERMITS AND ARE SUBJECT TO THE REQUIREMENTS OF THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) AND CHARLOTTE ENGINEERING AND PROPERTY MANAGEMENT DEPARTMENT STANDARDS.

STORM WATER DETENTION:

- DESIGN AND PERMITTING OF IMPROVEMENTS FOR THE SITE WILL INCLUDE STORM WATER DETENTION AS REQUIRED TO SATISFY THE REQUIREMENTS OF THE CHARLOTTE ENGINEERING AND PROPERTY MANAGEMENT DEPARTMENT.
- STORM WATER DETENTION IS NOT PERMITTED IN THE SETBACKS.

FIRE PROTECTION:

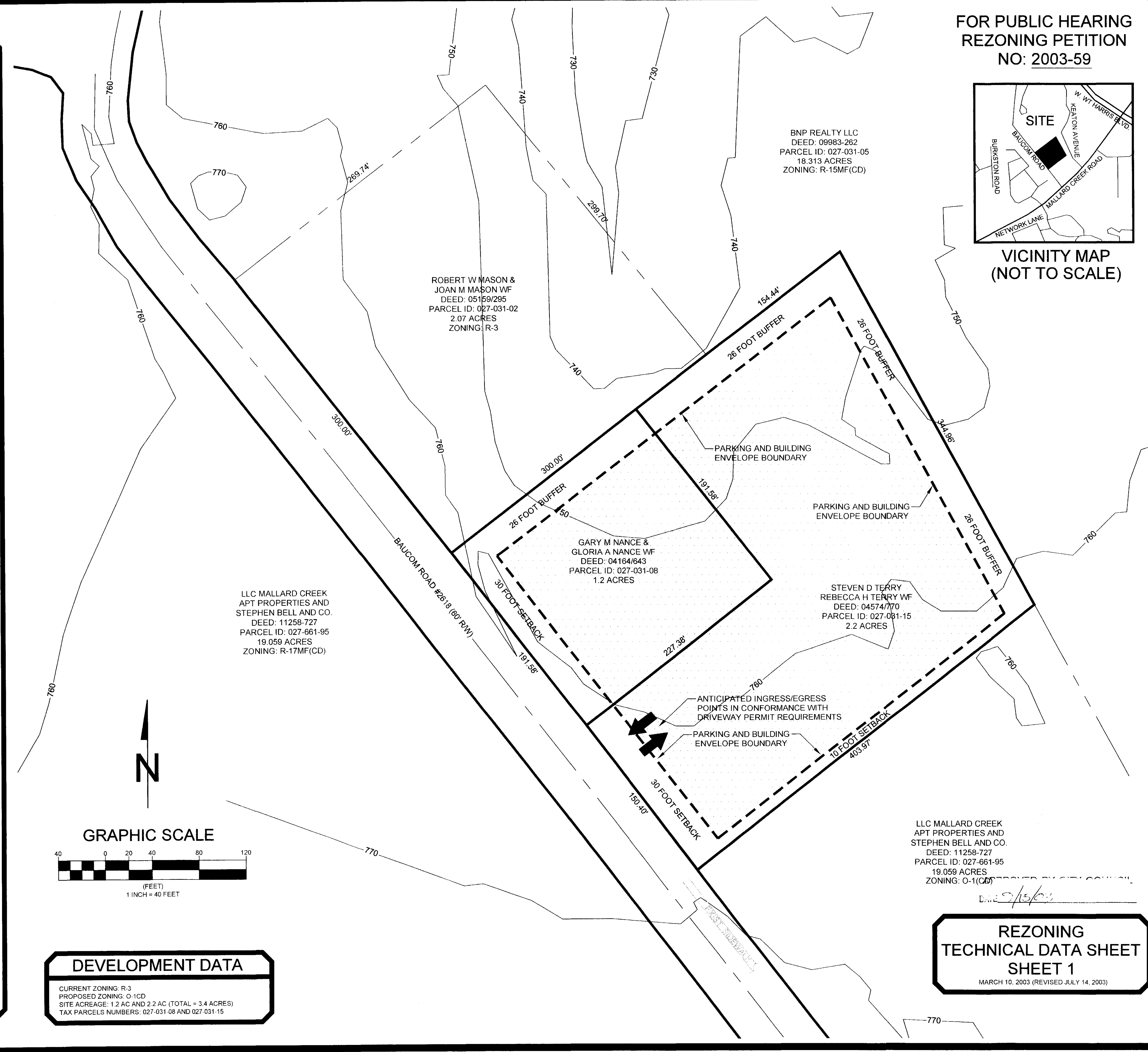
- ADEQUATE FIRE PROTECTION FOR THE PROJECT WILL BE PROVIDED THAT SATISFIES THE STANDARDS OF THE CITY OF CHARLOTTE.

AMENDMENT TO REZONING PLAN:

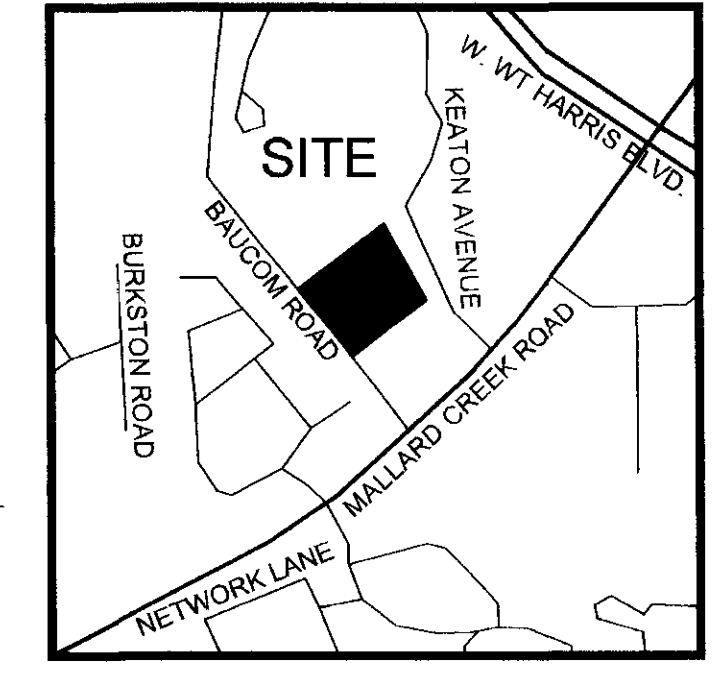
- FUTURE AMENDMENTS TO THE REZONING PETITION MAY BE APPLIED FOR BY THE OWNERS), IN ACCORDANCE WITH CHAPTER 6 OF THE ZONING ORDINANCE.

BINDING EFFECT OF THE REZONING APPLICATION:

- IF THE PETITIONER'S REZONING PETITION IS APPROVED, THE DEVELOPMENT PROGRAM ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND ANY OTHER SUPPORTING DOCUMENTS SHALL, UNLESS AMENDED IN THE MANNER IDENTIFIED UNDER THE ZONING 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.
- THROUGHOUT THE REZONING PETITION, THE TERMS "PETITIONER", "OWNER" AND "OWNERS", SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR OWNER OR OWNERS OF THE SITE FROM TIME OF TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.



FOR PUBLIC HEARING
REZONING PETITION
NO: 2003-59



VICINITY MAP
(NOT TO SCALE)

BNP REALTY LLC
DEED: 09983-262
PARCEL ID: 027-031-05
18.313 ACRES
ZONING: R-15MF(CD)

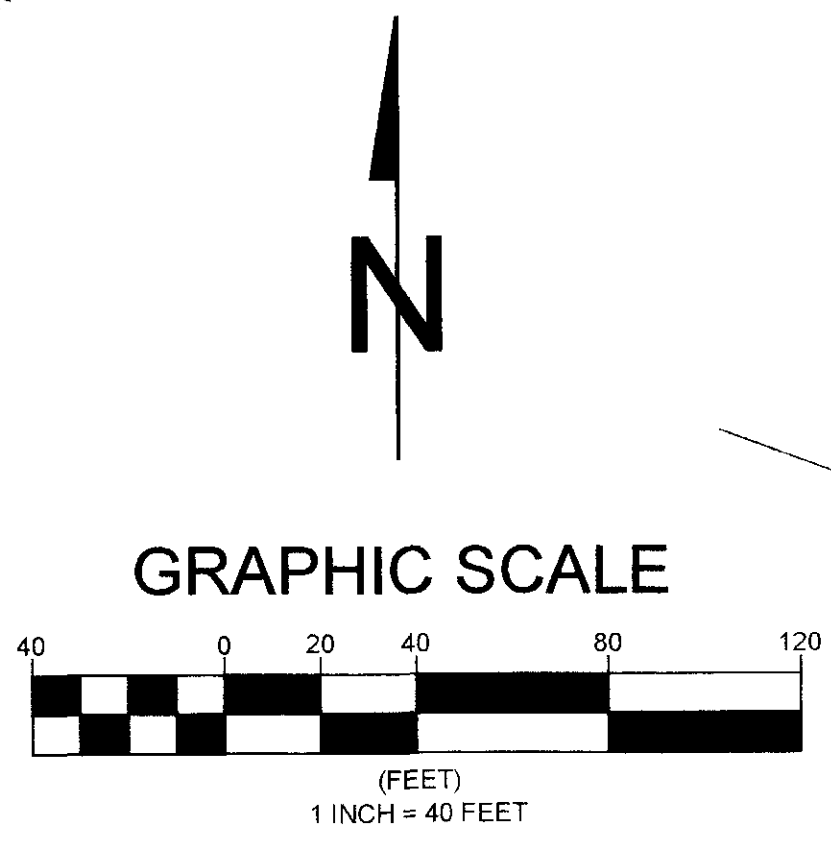
ROBERT W MASON &
JOAN M MASON WF
DEED: 05159/295
PARCEL ID: 027-031-02
2.07 ACRES
ZONING: R-3

GARY M NANCE &
GLORIA A NANCE WF
DEED: 04184/643
PARCEL ID: 027-031-08
1.2 ACRES

STEVEN D TERRY
REBECCA H TERRY WF
DEED: 04574/770
PARCEL ID: 027-031-15
2.2 ACRES

LLC MALLARD CREEK
APT PROPERTIES AND
STEPHEN BELL AND CO.
DEED: 11258-727
PARCEL ID: 027-661-95
19.059 ACRES
ZONING: R-17MF(CD)

LLC MALLARD CREEK
APT PROPERTIES AND
STEPHEN BELL AND CO.
DEED: 11258-727
PARCEL ID: 027-661-95
19.059 ACRES
ZONING: O-1(CD)



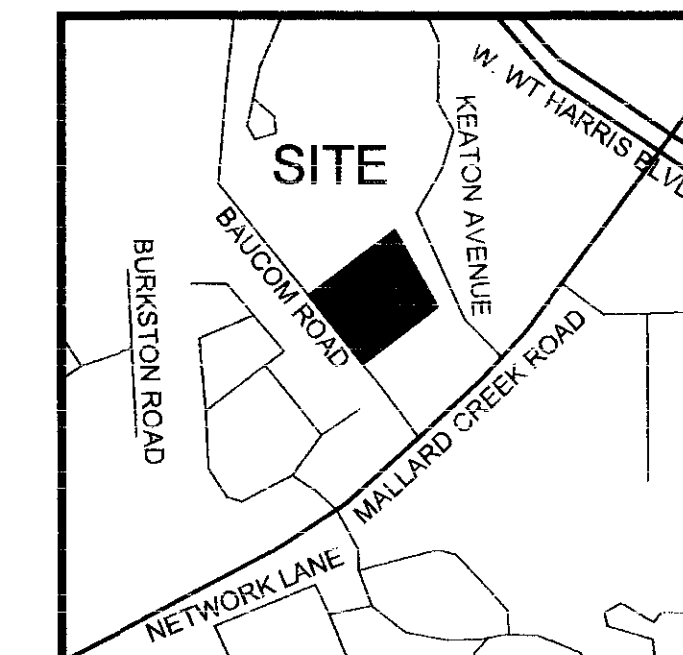
DEVELOPMENT DATA

CURRENT ZONING: R-3
PROPOSED ZONING: O-1CD
SITE ACREAGE: 1.2 AC AND 2.2 AC (TOTAL = 3.4 ACRES)
TAX PARCELS NUMBERS: 027-031-08 AND 027-031-15

**REZONING
TECHNICAL DATA SHEET
SHEET 1**

MARCH 10, 2003 (REVISED JULY 14, 2003)

DATE: 2/13/03



VICINITY MAP
 (NOT TO SCALE)

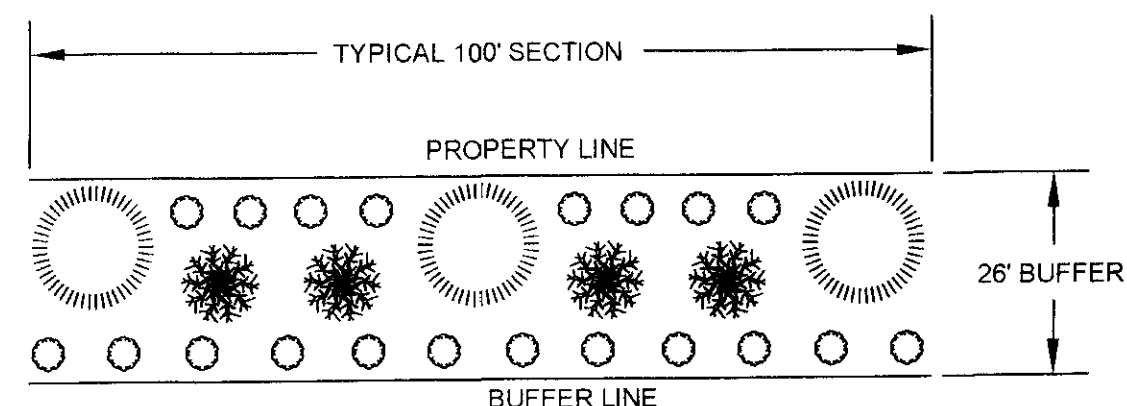
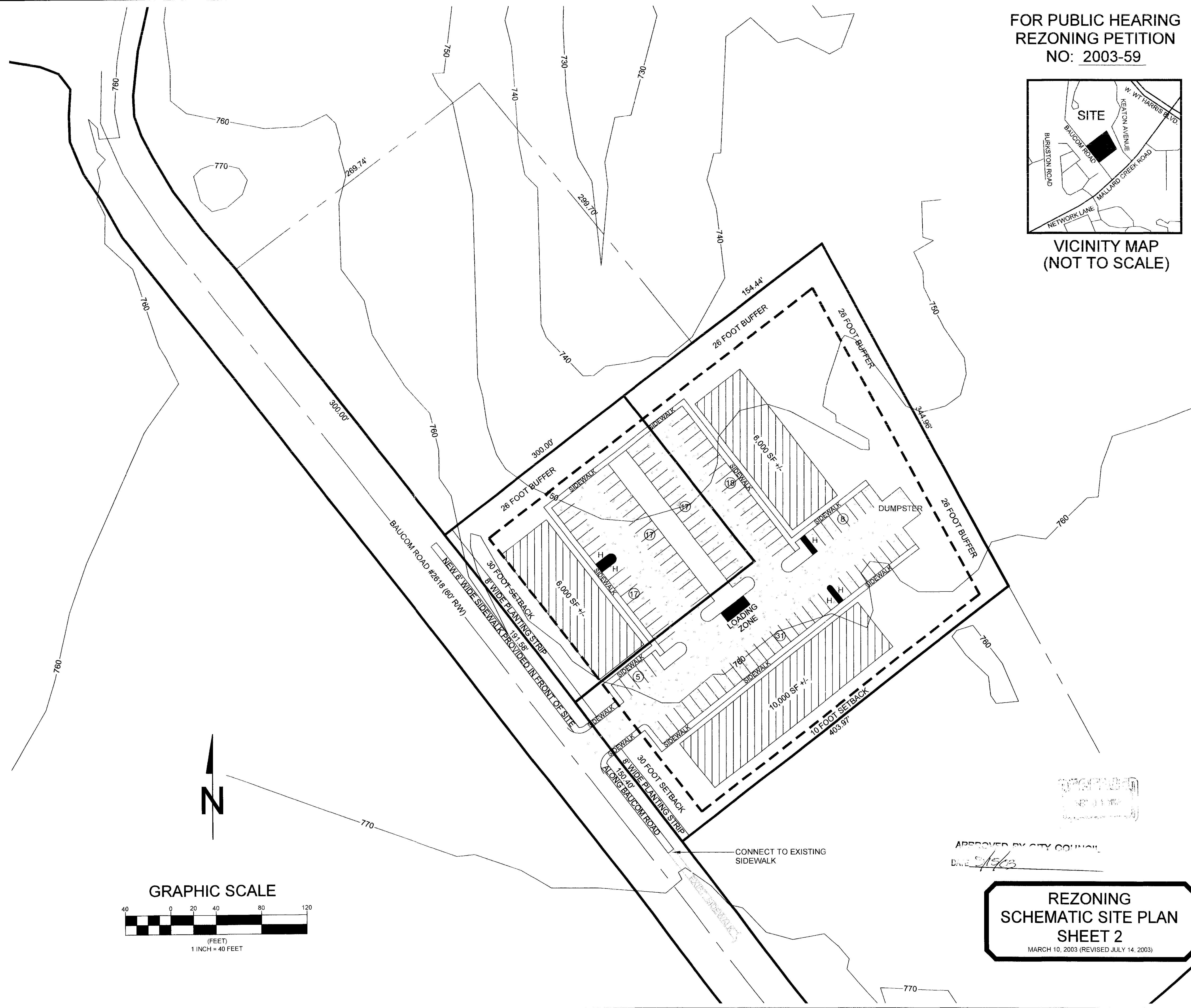
DEVELOPMENT DATA
 CURRENT ZONING: R-3
 PROPOSED ZONING: O-1CD
 SITE ACREAGE: 1.2 AC AND 2.2 AC (TOTAL = 3.4 ACRES)
 TAX PARCELS NUMBERS: 027-031-08 AND 027-031-15

SITE DESIGN NOTES

1. THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER DOCUMENTS IN THE REZONING PETITION ARE BASED ON INFORMATION COMPILED FROM PLOT PLANS AND COUNTY GIS REAL ESTATE SYSTEM.
2. THE SITE CONSISTING OF 3.4 ACRES IS IDENTIFIED AS PARCEL ID NO. 027-031-08 OR DEED BOOK 04164 PAGE 643 (1.2 ACRES) AND PARCEL ID NO. 027-031-15 OR DEED BOOK 04574 PAGE 770 (2.2 ACRES).

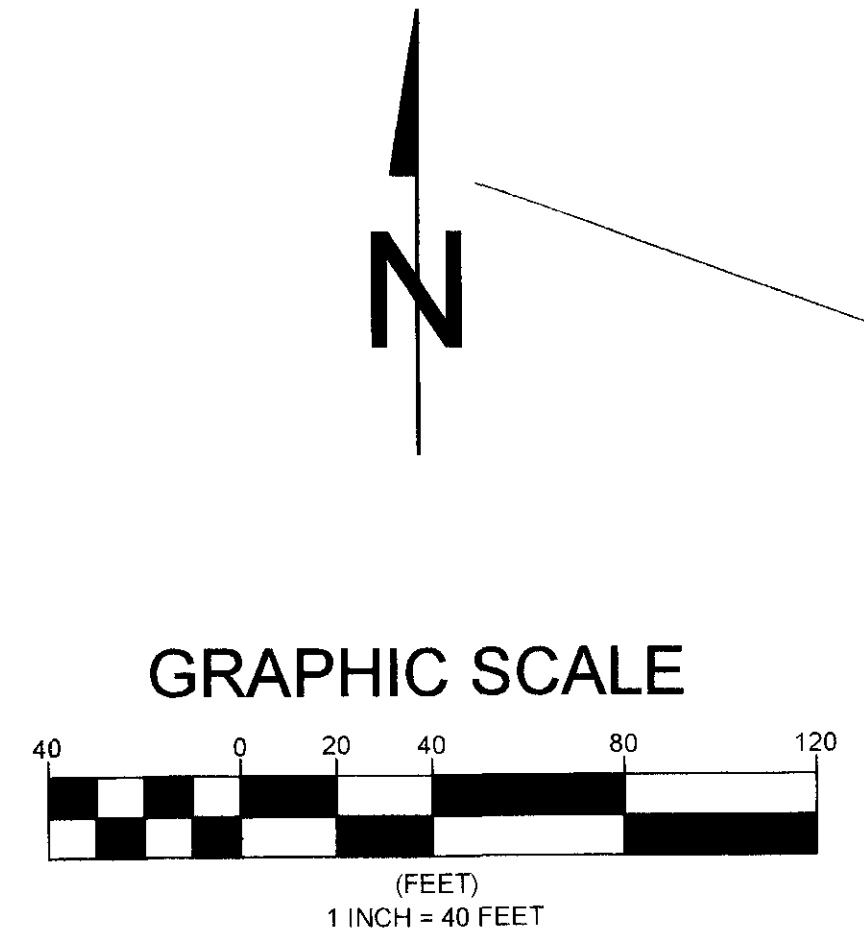
OVERVIEW

THE DEVELOPMENT DEPICTED ON THE REZONING SCHEMATIC SITE PLAN IS MERELY SCHEMATIC IN NATURE AND INTENDED ONLY TO ILLUSTRATE THE POSSIBLE ARRANGEMENT OF USES AND DEVELOPMENT IN THE SITE. THE EXACT DETAILS OF THE CONFIGURATION, PLACEMENT AND SIZE OF THE INDIVIDUAL SITE ELEMENTS, INCLUDING BUILDINGS SHALL BE ESTABLISHED DURING THE DESIGN PHASE AND SHALL BE GOVERNED BY THE REQUIREMENTS OF THE ZONING ORDINANCE, APPLICABLE CODE REQUIREMENTS AND THE DEVELOPMENT CRITERIA CALLED OUT IN THE TECHNICAL DATA SHEET OF THESE REZONING PLANS AND MAY BE ALTERED OR MODIFIED DURING DESIGN. THE DEVELOPMENTS SHALL BE WITHIN THE BUILDING ENVELOPE LINES ESTABLISHED ON THE TECHNICAL DATA SHEET. FURTHERMORE, THE PARKING LAYOUT ALONG WITH OTHER SITE IMPROVEMENTS MAY ALSO BE MODIFIED TO ACCOMMODATE THE FINAL BUILDING LOCATION AND OTHER SITE DESIGN FEATURES. IT IS UNDERSTOOD THAT MODIFICATIONS ARE ALLOWED PER SECTION 6.206(2) OF THE ZONING ORDINANCE.



BUFFER PLANTING SCHEDULE
 7 TREES PER 100 FEET
 20 SHRUBS PER 100 FEET
 40% OF TREES TO BE LARGE MATURING
 25% OF TREES TO BE EVERGREEN

TYPICAL BUFFER PLANTING
 PLAN VIEW



APPROVED BY CITY COUNCIL
 DATE: 5/15/03

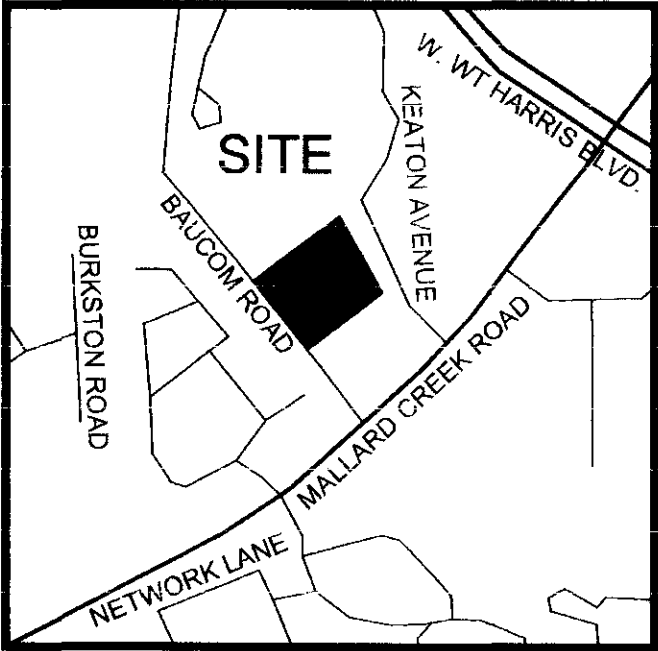
REZONING SCHEMATIC SITE PLAN SHEET 2
 MARCH 10, 2003 (REVISED JULY 14, 2003)

DEVELOPMENT DATA
CURRENT ZONING: R-3
PROPOSED ZONING: O-1CD
SITE ACREAGE: 1.2 AC AND 2.2 AC (TOTAL = 3.4 ACRES)
TAX PARCELS NUMBERS: 027-031-08 AND 027-031-15

FOR PUBLIC HEARING
REZONING PETITION
NO: 2003-59

DEVELOPMENT CRITERIA

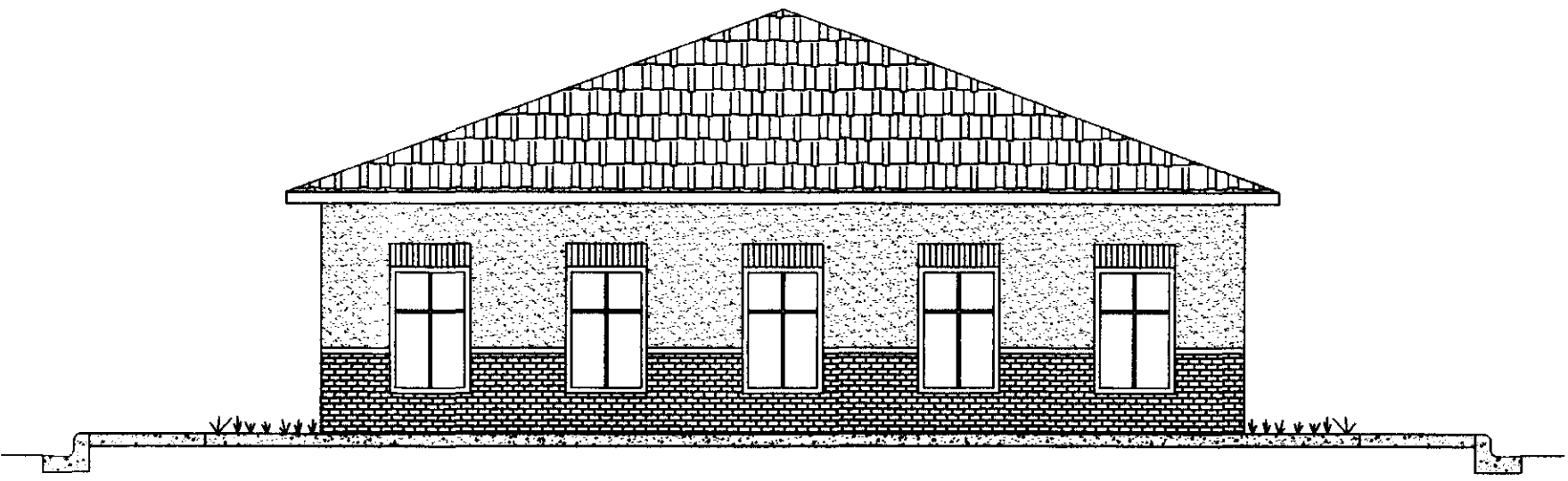
- BUILDINGS:**
- 1. THE PROPOSED BUILDING EXTERIOR WILL BE BRICK VENEER. THE ROOF WILL BE PITCHED AND COVERED WITH ASPHALT SINGLES OR PAINTED METAL.
 - 2. THE MAXIMUM HEIGHT OF THE PROPOSED BUILDINGS SHALL BE 40 FEET AND TWO STORIES.
 - 3. THE BUILDING ELEVATIONS ON THIS SHEET ARE CONCEPTUAL.
 - 4. THE PROPOSED BUILDINGS WILL BE DESIGNED WITH RESIDENTIAL CHARACTER AND SCALE.



VICINITY MAP
(NOT TO SCALE)



CONCEPTUAL BUILDING FRONT ELEVATION
(NOT TO SCALE)



CONCEPTUAL BUILDING SIDE ELEVATION
(NOT TO SCALE)

APPROVED BY CITY COUNCIL
DATE 9/1/03

REZONING
CONCEPTUAL BUILDING ELEVATIONS SHEET
SHEET 3
MARCH 10, 2003 (REVISED AUGUST 20, 2003)