

ADDITIONAL NOTES:

1. PROPERTY BOUNDARY AND TOPOGRAPHY TAKEN FROM MECKLENBURG COUNTY GIS

2. APPROXIMATE LOCATION OF JURISDICTIONAL STREAMS AND WETLANDS WERE FIELD

3. FUTURE NORTHLAKE BOULEVARD ALIGNMENT PER MULKEY ENGINEERS & CONSULTANTS 4. FUTURE 100' RO.W. SHOWN ALONG EXISTING MOUNT HOLLY-HUNTERSVILLE ROAD

5. PUBLIC ROAD 66' R.O.W. TO INCLUDE ON STREET PARKING ON BOTH SIDES.

6. LEFT TURN LANE WILL BE DESIGNED AND ENGINEERED PRIOR TO BUILDING STANDARD

7. SITE WILL COMPLY WITH CHAPTER 21, SECTION 45 OF THE CHARLOTTE CITY CODE. TREES 8" IN DIAMETER OR LARGER, BREAST HEIGHT THAT ARE LOCATED IN THE SETBACK WILL BE SHOWN ON THE GRADING AND /OR SITE PLAN WITH TREE PROTECTION DETAILS AND NOTES. THESE TREES CANNOT BE REMOVED WITHOUT A PERMIT FROM THE URBAN

8, THE SITE WILL COMPLY WITH CHAPTER 21 OF THE CHARLOTTE CITY CODE. PROPOSED PLANTING SHOWN IS CONCEPTUAL ONLY AND WILL BE SUBJECT TO CHANGE ON ACTUAL SITE CONDITIONS AND URBAN FORESTRY STAFF APPROVAL

9. ABANDONMENT OF WELLS ASSOCIATED WITH ANY STRUCTURES DEMOUSHED OR OF ABANDONED WELLS DISCOVERED DURING THE DEVELOPMENT PROCESS SHOULD BE DONE IN ACCORDANCE WITH 15A NCAC 02C RULE 0133 - "ABANDONMENT OF WELLS"

10. UNDISTURBED WOODLAND TREE SAVE AREA LIMITS THE AMOUNT OF CLEARING TO PROMOTE THE GROWTH OF EXISTING VEGETATION AND/OR ENHANCE THE AESTHETIC APPEAL OF THE SITE. THE FOLLOWING WOULD BE ALLOWED IN A WOODLAND TREE

A. HAND PRUNING ONLY, NO HEAVY EQUIPMENT OR VEHICLES ALLOWED IN THE AREA B. PLANT MATERIAL, WHICH MAY BE REMOVED SHALL BE CUT FLUSH WITH THE GROUND. NO DISTURBANCE OF THE SOIL WILL BE ALLOWED

C. NO LIMB REMOVAL, WITH THE EXCEPTION OF DEAD OR DISEASED LIMBS. D. WEEDS AND VINES MAY BE REMOVED E. TREES THAT MEASURE LESS THAN 2° CALIPER AT THE BASE THAT ARE CLEARLY WITHIN

THE DRIP LINE OF TREES THAT IS 2' OR GREATER MAY BE REMOVED. DRIP LINE IS DEFINED AS AN IMAGINARY LINE ON THE GROUND THAT WOULD FOR THE PERIMETER OF THE F. DEAD TREES AND MATERIALS MAY BE REMOVED. DISEASED TREES MAY BE REMOVED AT

THE DISCRETION OF AN URBAN FORESTER G. MULCH MAY BE APPLIED TO THE WOODLAND TREE SAVE AREA. KEEP MULCH 2-3 INCHES AWAY . FROM THE BARK OF THE TREES

11. THE SITE WILL PROVIDE A MINIMUM OF 16'-0" FROM BUILDING TO BUILDING.

12. THE SITE WILL COMPLY TO MINIMUM DISTANCES BETWEEN BUILDINGS AND PARKING

50' CLASS "C" BUFFER

SETBACK (WIDTH VARIES)

**PUBLIC ROAD ACCESS** 

PRIVATE DRIVE ACCESS

FULL MOVEMENT

RIGHT IN/RIGHT OUT

APPROXIMATE LOACATION OF TREE LINE

APPROXIMATE LOCATION OF TREE COVER TO BE PRESERVED

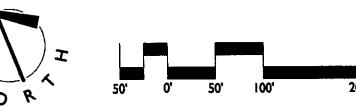
APPROXIMATE LOCATION OF STREAM

APPROXIMATE LOCATION OF WETLANDS

END OF PRIVATE DRIVE

WOODLAND BUFFER / CLASS "A" BUFFER

FOR PUBLIC HEARING



60 <del>0</del>

DEVELOPMENT STANDARDS

### **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 (the "Ordinance") for the R-12MF zoning district classification shall be followed in connection with development taking place on the Site. Street layouts may be modified to accommodate final building locations. Building locations may be modified subject to final engineering plans.

## PERMITTED USES

The Site may be developed with up to 473 multi-family units along with any accessory uses as permitted under the Ordinance.

### **BUFFERS AND COMMON OPEN SPACE**

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 thereof. In the event that an adjacent parcel is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, then Petitioner may reduce or eliminate, as the case may be, the buffers set out on the Technical Data Sheet accordingly.

- No buildings, parking spaces or maneuvering areas may be located within the required buffer areas and all required buffers shall remain undisturbed.
- The Site shall include two separate recreational amenity areas as part of the common open space for the community. Each of these areas shall include a swimming pool.

### SETBACKS AND YARDS

1. A 50 foot setback shall be provided along Mount Holly - Huntersville/Alexanderana Roads. The 50-foot setback along Mt. Holly-Huntersville Road will be an undisturbed woodland tree save area that conforms to the

- following standards: a. Hand pruning only. No heavy equipment or vehicles allowed in the area.
- b. Plant material, which may be removed, shall be cut flush with the ground. No
- disturbance of the soil will be allowed.
- c. No limb removal, with the exception of dead or diseased limbs.
- d. Weeds and vines may be removed.
- e. Trees that measure less than two inches caliper at the base that are clearly within the drip line of a tree that is two feet or greater may be removed.
- f. Dead trees and materials may be removed. Diseased trees may be removed at the discretion of the City of Charlotte Urban Forester.
- g. Mulch may be applied to the woodland tree save area. Mulch shall be kept two to three inches away from the bark of trees.

Notwithstanding any of the above, tree removal within the 50 foot setback as necessary to install the two access points to the Site from Mount Holly-Huntersville Road/Alexanderana Road shall be permitted.

- A 50 foot setback shall be provided along I-485 within which existing trees and plantings shall be preserved. In the event existing trees and plantings within the 50 foot setback do not conform to Class "A" buffer standards, supplementary plantings shall be installed within the setback in accordance with Class "A" buffer standards.
- The portion of the forty foot rear yard abutting the Holly Ridge community that is not devoted to parking shall include existing trees, installation of new trees or a combination of the two so that the amount of landscaping within this area meets the standards of a Class "C" buffer.

## SCREENING AND LANDSCAPED AREAS

- Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.
- 2. Any dumpsters located within the Site that are visible from a public street or from an adjoining property will be screened from view by a solid-enclosure with gates.
- 3. The Site shall conform to the Tree Ordinance. A tree survey of the Mount Holly-Huntersville Road setback will be provided with the Rezoning Petition.

- Off street parking spaces will satisfy the minimum standards established under the Ordinance.
- Parking may be provided along one or both sides of the internal public or private streets.
- At least one bike rack will be provided within each of the two amenity areas.

All freestanding lighting fixtures installed will be uniform in design, with the final spacing of such lighting fixtures to be determined by Petitioner.

The maximum height of any freestanding lighting fixture, including its base, shall not exceed 15 feet.

All signs placed on the Site will be erected in accordance with the requirements of the

## ACCESS POINTS (DRIVEWAYS)/STREETS/SIDEWALKS 1. The number of vehicular access points to the Site shall be limited to the number depicted on the Technical Data Sheet.

- The Site's secondary access point to Mount Holly Huntersville/Alexanderana Roads shall be limited to a right-in, right-out (RIRO) driveway and shall not be located in the bay taper or turn bay of the right turn lane from eastbound Alexanderana Road to southbound Northlake Centre Parkway.
- Petitioner recognizes that the alignment of the internal public street through the Site may need to change in order to align with one of the proposed median openings on Northlake Centre Parkway.
- 4. The placement and configuration of each access point are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the City of Charlotte Engineering Department and the North Carolina Department of Transportation.
- 5. A 5-foot sidewalk and an 8-foot planting strip will be provided along the Site's frontage along Mount Holly Huntersville Road.
- A 5 foot sidewalk and a 6 foot planting strip will be provided on both sides of any public or private street installed on the Site and a 6-foot sidewalk and an 8-foot planting strip will be provided on all internal public streets that have on-street parallel parking.
- Petitioner commits to providing connectivity to all portions of the Site through the use of sidewalks.
- A right of way for a possible future connection to the adjoining property will be provided as depicted on the Technical Data Sheet. A stub street will be constructed within this right-of-way along with the construction of units in the area surrounding the right-of-way.

RIGHT-OF-WAY DEDICATION Petitioner agrees to dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) that portion of the Site that may be required to provide right of way as follows if such right-of-way does not exist already prior to the issuance of any building permits for the Site:

175 feet from centerline

# Northlake Centre Parkway

Right-of-way as necessary to incorporate ground-tie-in points for slopes or the foundations of any retaining walls in public right-of-way, whichever is greater

65 feet from centerline for 500 feet from the intersection with Northlake Centre Parkway then tapering down to 50 feet from centerline at a 20:1 taper.

# TRANSPORTATION COMMITMENTS

- Petitioner shall construct at its expense a southbound right turn lane 150 feet in length on Mt. Holly-Huntersville Road at its future 4 leg intersection with Alexanderana Road and NorthLake Centre Parkway (the "Turn Lane"). The engineering, design and construction of the Turn Lane will be the responsibility of Petitioner, and it will be designed in accordance with the specifications of CDOT or NCDOT, whichever are applicable. Petitioner shall be responsible for all costs associated with any necessary traffic signal modifications/relocations that are required as a result of the construction and installation of the Turn Lane. Petitioner shall also be responsible for all costs relating to or associated with acquiring any right of way necessary to accommodate the Turn Lane, including legal fees, court costs and staff, appraisal and recordation costs, should any right of way be acquired through condemnation proceedings. Petitioner shall complete the construction of the Turn Lane prior to the issuance of the first certificate of occupancy for a building constructed on the Site.
- Notwithstanding the terms of paragraph 1 above, if Petitioner is unable to acquire any right of way necessary to accommodate the Turn Lane from the relevant property owners after having exerted reasonable and good faith efforts to do so and NCDOT is unwilling or unable to acquire any necessary right of way by way of condemnation proceedings after having been requested to do so by Petitioner, Petitioner will not be required to construct the Turn Lane. However, prior to the issuance of the first certificate of occupancy for a building constructed on the Site, Petitioner shall pay to CDOT, in lieu of constructing the Turn Lane, a sum equal to the cost of constructing the Turn Lane. The cost of the Turn Lane shall include all costs relating to the engineering, design and construction of the Turn Lane, all costs associated with necessary traffic signal modifications/relocations that would be required as a result of the construction of the Turn Lane, as well as the cost of acquiring the right of way necessary to accommodate the Turn Lane. Funds paid by Petitioner pursuant to this paragraph are to be used specifically for future improvements to the Alexanderana/Mt. Holly-Huntersville/NorthLake Centre Parkway intersection.
- Notwithstanding the terms of paragraphs 1 and 2 above, if the collector road depicted on the Schematic Site Plan is extended from the Site's eastern boundary line to NorthLake Centre Parkway and the collector road is open to vehicular traffic prior to the issuance of the first certificate of occupancy for a building constructed on the Site, then Petitioner will be relieved of its obligations under paragraphs 1 and 2 above, such that Petitioner will not be required to construct the Turn Lane or to pay the cost of the Turn Lane in lieu of constructing the same.
- Petitioner shall construct a westbound left turn lane on Mt. Holly-Huntersville Road at the westernmost and primary access point into the Site prior to the issuance of the first certificate of occupancy for a building constructed on the Site. This left turn lane shall have 150 feet of storage and shall otherwise meet the applicable minimum requirements of NCDOT or CDOT, whichever are applicable. Petitioner shall be responsible for all costs and expenses relating to the design and construction of this left turn lane.
- Petitioner shall construct an eastbound right turn lane on Mt. Holly-Huntersville Road at the westernmost and primary access point into the Site prior to the issuance of the first certificate of occupancy for a building constructed on the Site. This right turn lane shall have 100 feet of storage and sl all otherwise meet the applicable minimum requirements of NCDOT or CDOT, whichever are applicable. Petitioner shall be responsible for all costs and expenses relating to the design and construction of this right turn lane.

- 6. If not constructed by a third party, Petitioner shall construct a 6 foot wide raised concrete median in the middle of Mt. Holly-Huntersville Road prior to the issuance of the first certificate of occupancy for a building constructed on the Site to ensure the right in, right out operation of the Site's easternmost and secondary entrance into the Site. Petitioner shall be responsible for all costs and expenses relating to the design and construction of this raised concrete median.
- In the event that this Rezoning Petition is approved, Petitioner shall meet with representatives of CDOT, the Charlotte-Mecklenburg Planning Staff (the "Staff") and the owners of Parcel No. 025-281-06 within 90 days of theapproval date to discuss the possible re-alignment of the collector road through the Site and Parcel No. 025-281-06. Any re-alignment of the collector road will be subject to the approval of CDOT, and the administrative approval by the Staff of a site plan amendment reflecting the re-alignment of the collector road.

Adequate fire protection in the form of fire hydrants will be provided to the City of Charlotte Fire Code's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

### STORM WATER MANAGEMENT

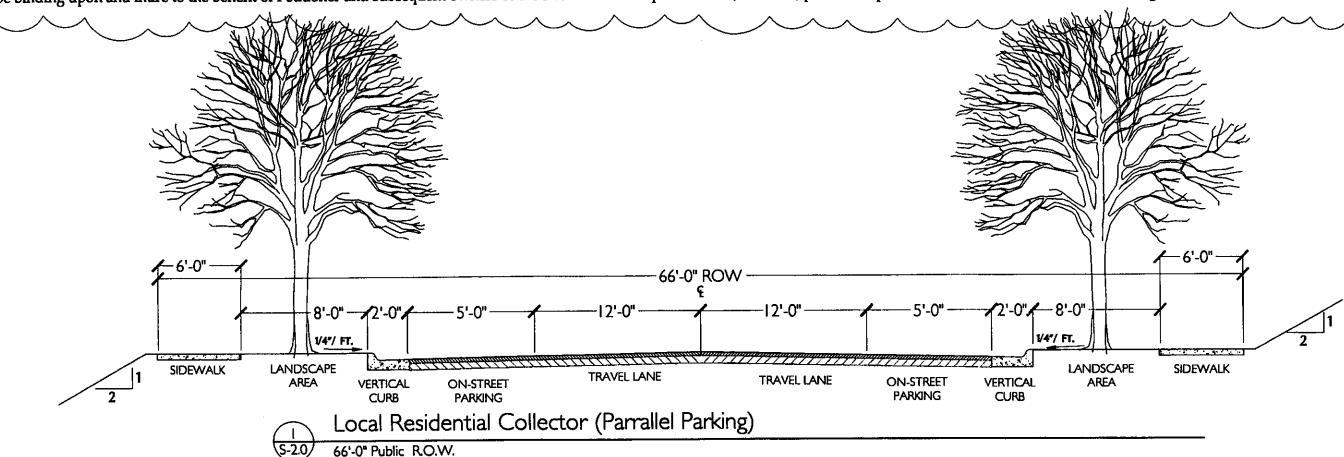
- 1. Storm water runoff from the Site will be managed through proven techniques which satisfy the standards, if any, imposed by the City of Charlotte Engineering Department.
- 2. Storm water detention shall not be located within required setbacks or buffers.
- The detention shall tie-in to the existing abutting storm water system(s). During the permitting stage of the development, Petitioner shall have the receiving drainage system analyzed to insure that it will not be taken out of standard due to the development contemplated by this Rezoning Petition. If it is found that the development contemplated by this Rezoning Petition will cause such receiving storm drainage system to be taken out of standard, Petitioner shall provide adequate detention on Site or otherwise take such reasonable steps as may be needed to prevent this from occurring. Should the existing receiving drainage system be deemed to be out of standard prior to the development of this Site, then Petitioner agrees to provide adequate detention to insure that such drainage system will not be additionally over burdened. In no event, however, shall Petitioner be required to correct any current problems with the existing receiving drainage system.
- Petitioner shall coordinate water quality efforts (BMP's, wet detention, level spreaders, etc.) with the City of Charlotte Storm Water Services (CSWS) in order to offset or minimize potential impacts to water quality.
- Petitioner shall abide by the S.W.I.M. Stream Buffer regulations, where applicable.

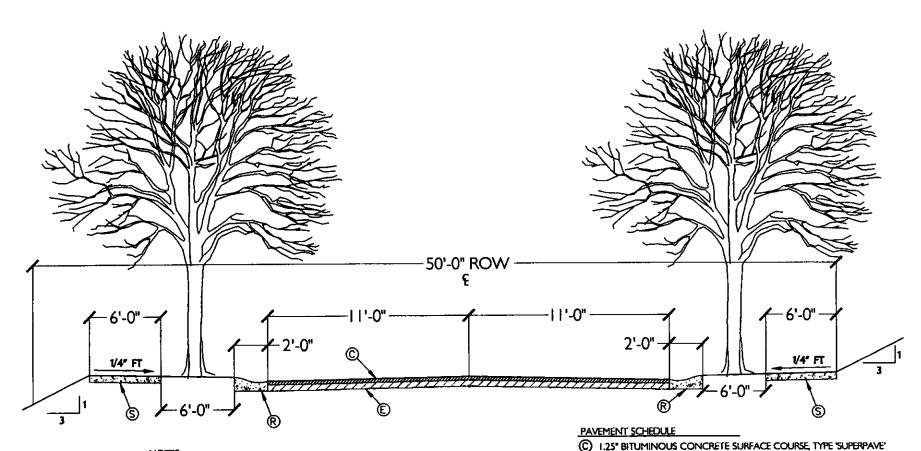
### AMENDMENTS TO REZONING PLAN

Future amendments to this Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

### BINDING EFFECT OF THE REZONING APPLICATION

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and this Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.



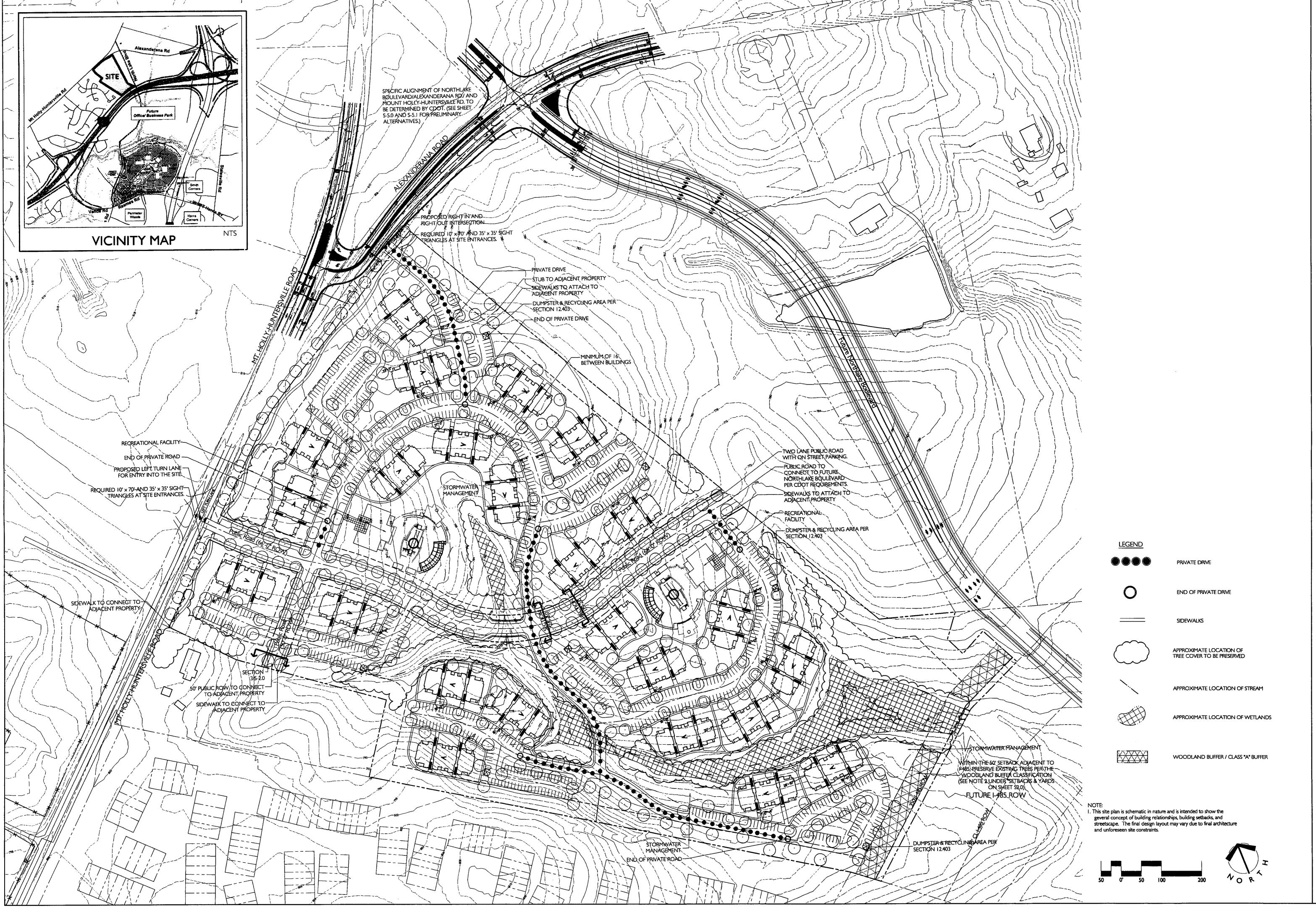


I. THE CROWN (TRANSVERSE SLOPE) FOR THE TYPICAL SECTION ON

6" COMPACTED AGGREGATE BASE COURSE, OR 4" BITUMINOUS CONCRETE BASE COURSE, TYPE HB. R 2'-0" VALLEY GUTTER S 4° CONCRETE SIDEWALK

Local Residential Street

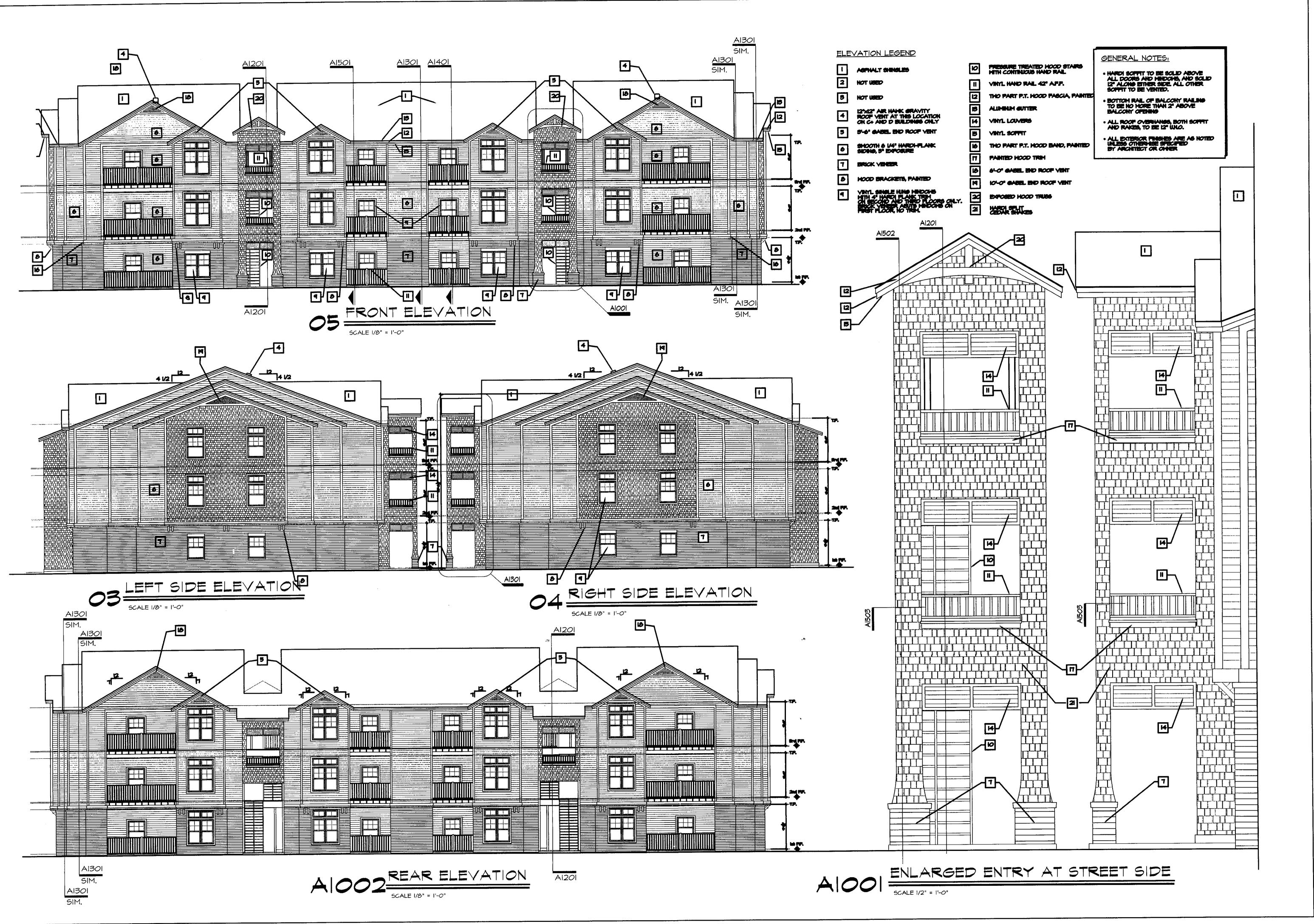
S-2.0 50'-0" Public R.O.W.



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AKE THE RESERVE AT NOR ARCHITECTURE ELEVATIONS STATE STREET COMPANY

REVISIONS:
6-18-04- REZONING REVISIONS
06-25-04 REZONING REVISIONS
07-02-04 DEVELOPMENT
SUMMARY REVISIONS
10-18-04 FINAL REVISIONS
02-15-05 REVISED DEVELOPME

DATE 04.26.04 DESIGNED BY: DRAWN BY: CHECKED BY: Q.C. BY: SCALE PROJECT #: 100