

Revision: Per CDOT comments	twl	10.12.2005
Revision: TO INCLUDE VARIANCE INFORMATION	twl	3.26.2006

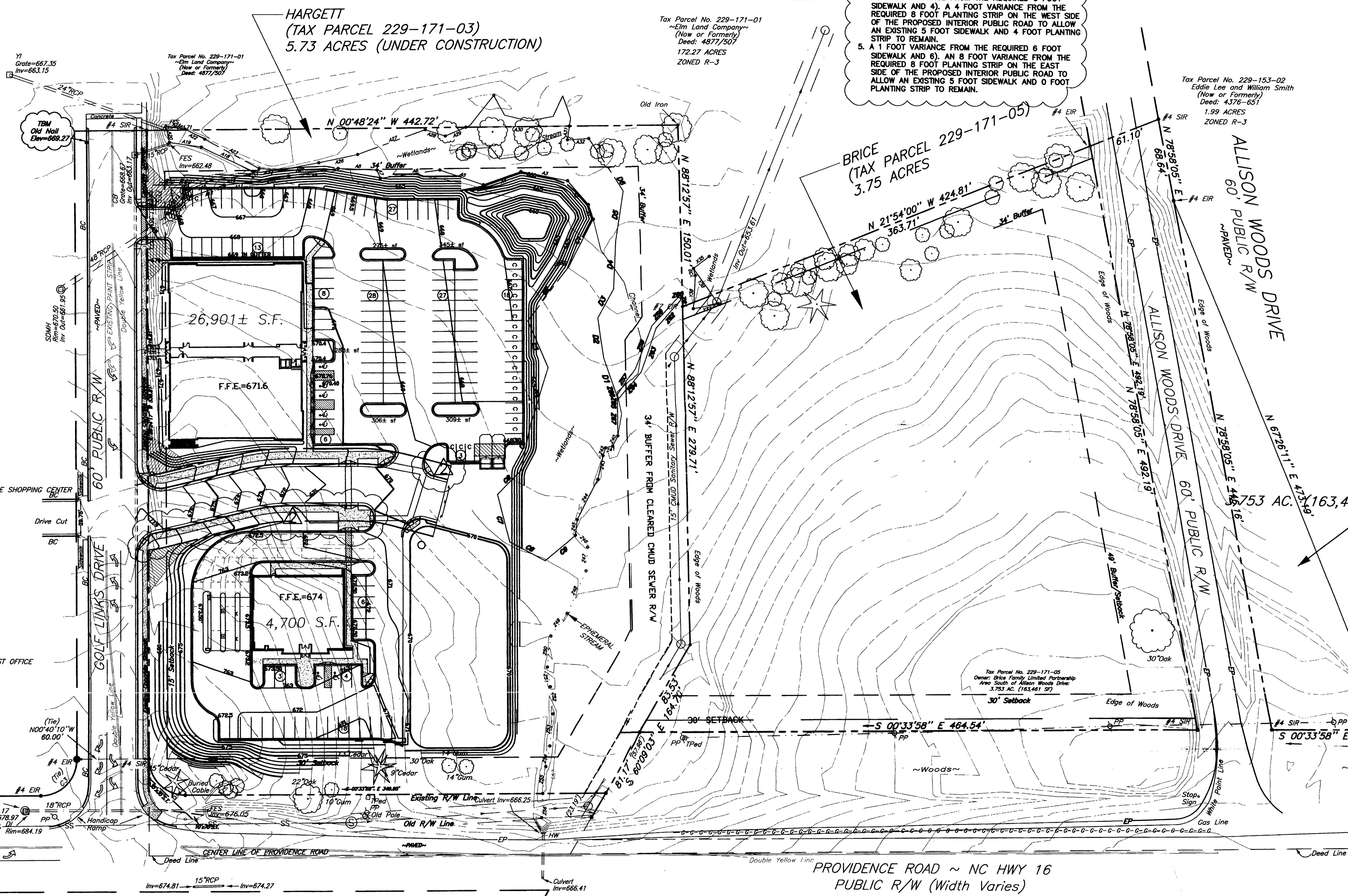
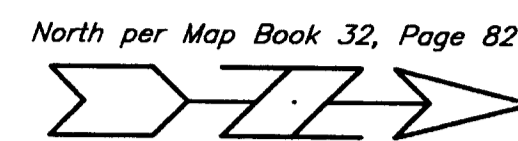
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 James McGovern & Associates
 Consulting Engineers

VARIANCE

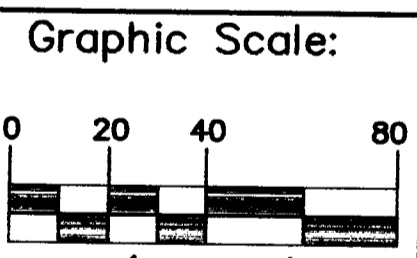
ON SEPTEMBER 12, 2005 THE CHARLOTTE ZONING BOARD OF ADJUSTMENT GRANTED VARIANCES FOR TAX PARCEL NUMBER 229-171-03 AS FOLLOWS:

1. A 4 FOOT VARIANCE FROM THE REQUIRED 8 FOOT PLANTING STRIP REQUIREMENT ALONG GOLF LINKS DRIVE, TO ALLOW THE EXISTING 4 FOOT PLANTING STRIP TO REMAIN.
2. A 2 FOOT VARIANCE FROM THE REQUIRED 6 FOOT SIDEWALK ALONG GOLF LINKS DRIVE, TO ALLOW THE EXISTING 4 FOOT SIDEWALK TO REMAIN.
3. A 1 FOOT VARIANCE FROM THE REQUIRED 6 FOOT SIDEWALK AND 4); A 4 FOOT VARIANCE FROM THE REQUIRED 8 FOOT PLANTING STRIP ON THE WEST SIDE OF THE PROPOSED INTERIOR PUBLIC ROAD TO ALLOW AN EXISTING 5 FOOT SIDEWALK AND 4 FOOT PLANTING STRIP TO REMAIN.
5. A 1 FOOT VARIANCE FROM THE REQUIRED 6 FOOT SIDEWALK AND 6). AN 8 FOOT VARIANCE FROM THE REQUIRED 8 FOOT PLANTING STRIP ON THE EAST SIDE OF THE PROPOSED INTERIOR PUBLIC ROAD TO ALLOW AN EXISTING 5 FOOT SIDEWALK AND 0 FOOT PLANTING STRIP TO REMAIN.



Existing Condition
 Providence Road
 Charlotte, North Carolina

PETITIONERS:
 Hargett (Tax No. 229-171-03)
 Brice (Tax No. 229-171-05)



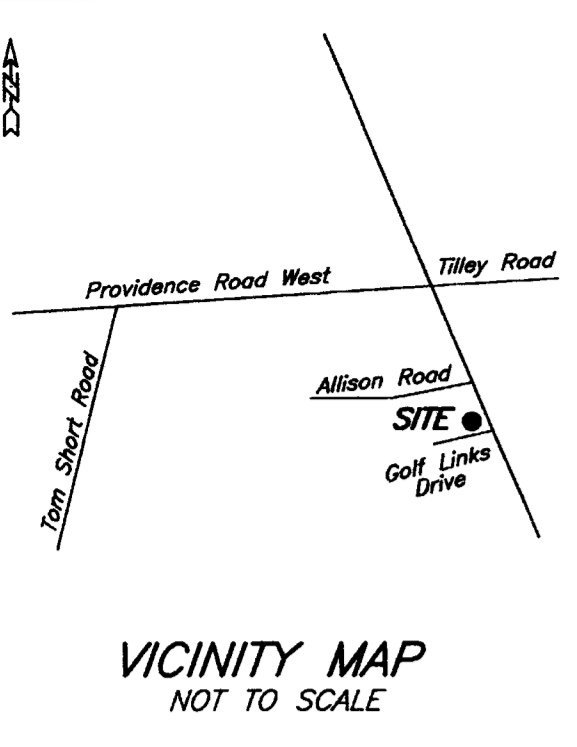
Scale: (1"=40')
 Engineer
 James J. McGovern
 Senior Designer

Ted W. Lawrence
 Date
 7.29.2004

Revisions
 No. 1 Date 10.12.2005
 No. 2 Date 3.26.2006

APPROVED BY CITY COUNCIL.
 OCT 19 2005

Dwg. No. 440004.dwg
 Project Number 440.004
 Sheet No. No. of Sheet

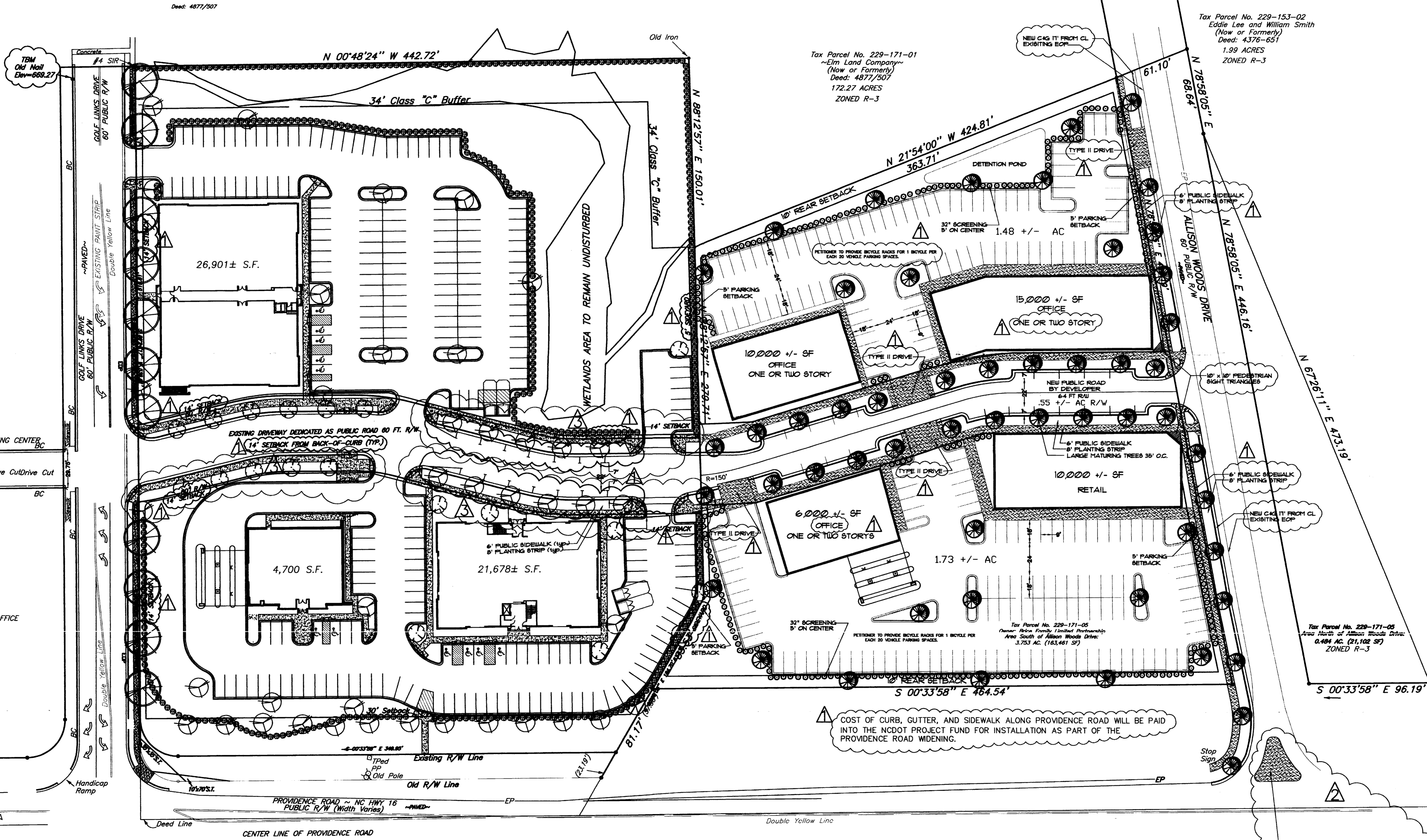


Revision: Per CDOT comments twl 10.12.2005
 Revision: TO INCLUDE VARIANCE INFORMATION twl 3.26.2006

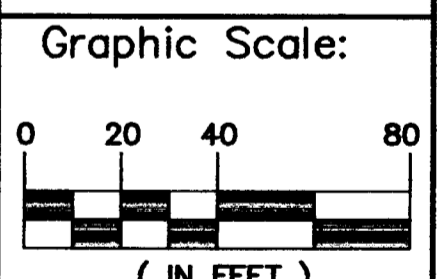
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 Consulting Engineers

Illustrative Combined Site Plan
 Providence Road
 Charlotte, North Carolina
 PETITIONERS:
 Hargett (Tax No. 229-171-03)
 Erice (Tax No. 229-171-05)



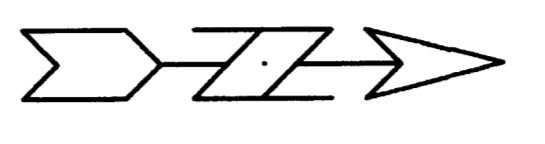
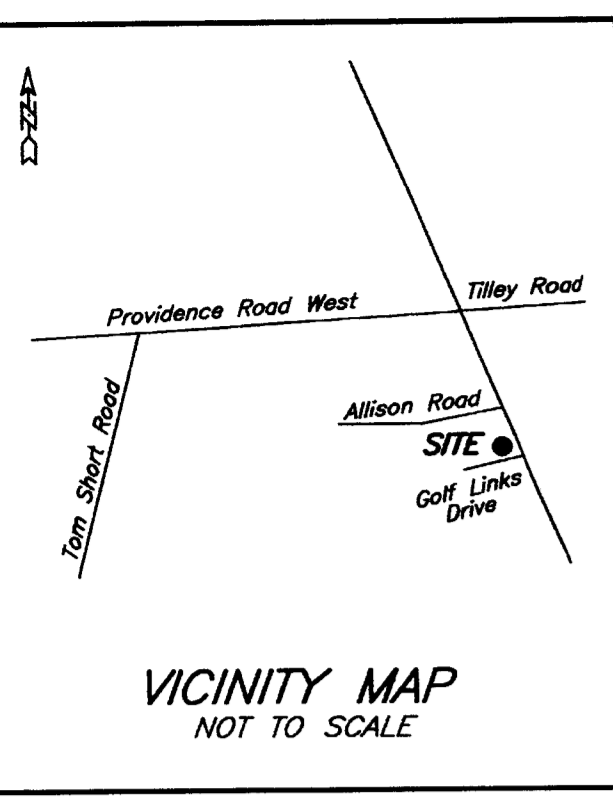
Project
 Sheet Title



Engineer
 James J. McGovern
 Senior Designer

Ted W. Lawrence
 Date
 7.29.2004
 Revisions
 No. 1 Date 11.22.2004
 No. 2 Date 10.12.2005
 No. 3 Date 3.26.2006

Dwg. No.
 440004.dwg\nfinalbase
 Project Number
 440.004
 Sheet No. No. of Sheet
 2 4



Tax Parcel No. 229-171-01
 ~Elm Land Company~
 (Now or Formerly)
 Deed: 4877/507
 172.27 ACRES
 ZONED R-3

Tax Parcel No. 229-171-05
 Owner: Brice Family Limited Partnership
 Area South of Allison Woods Drive:
 3.753 AC. (163,461 SF)

LOT NOTES:

- TAX PARCEL # 229-171-03
- 5.73 ACRES
- EXISTING ZONING 0-1 (CD)
- PROPOSED ZONING: NS (GD)
- PROPOSED USES: ALL USES ALLOWED IN THE 0-1 DISTRICT (INCLUDING THOSE ALLOWED UNDER PRESCRIBED CONDITIONS), EXCEPT HOTELS, MOTELS, RESTAURANTS, (EXCEEDING 3,000 SF) AND MEDICAL OFFICES EXCEEDING 34,000 SF (SEE NOTE 19)
- MAX. SQUARE FOOTAGE: 54,000 SF

Revision: Per CDDT comments twl 10.12.2005
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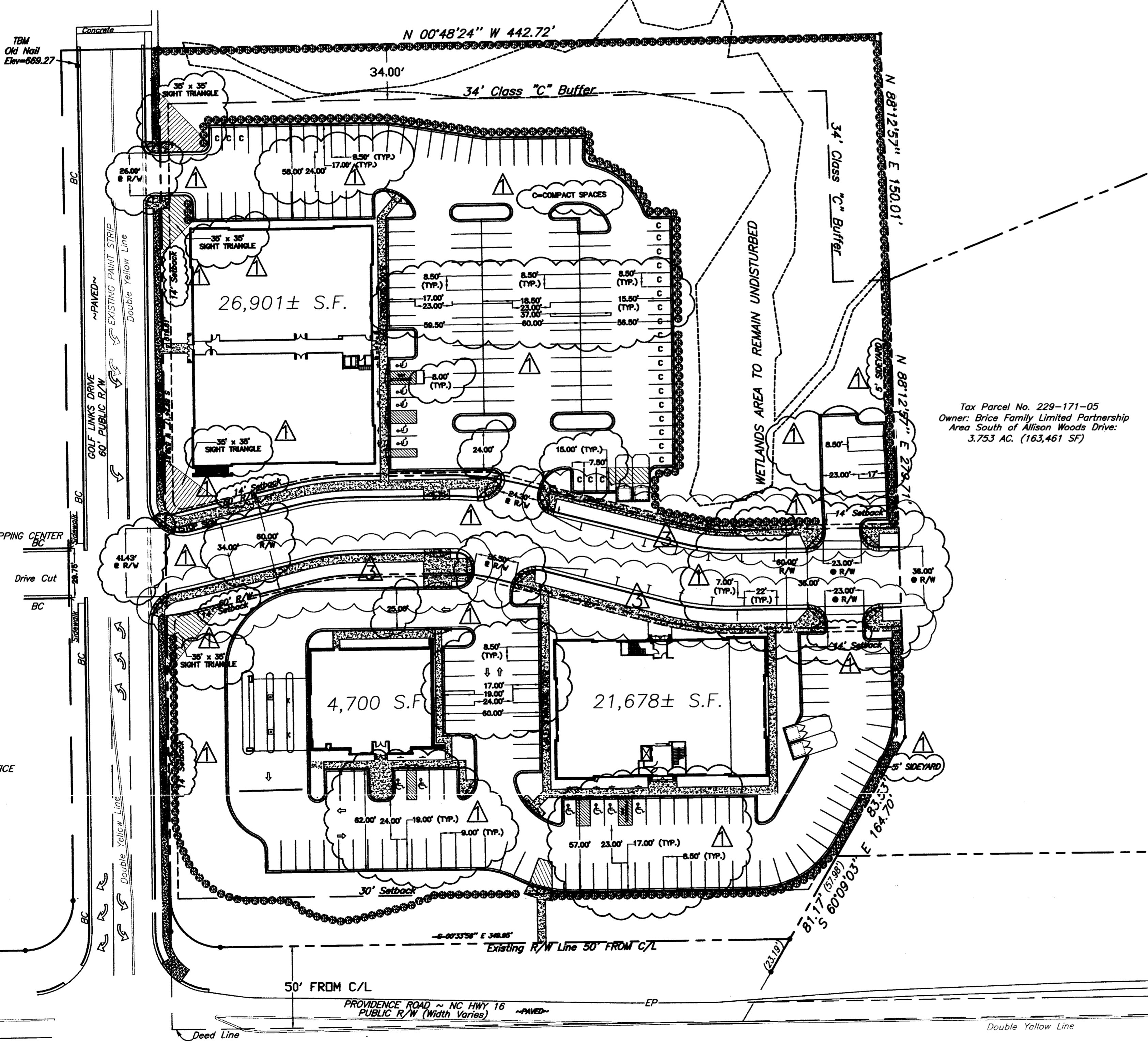
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 James McGovern & Associates
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CONDITIONAL NOTES:

1. THE SITE PLAN CONSISTS OF THE TECHNICAL DATA SHEET AND THE ILLUSTRATIVE PLAN. THE TECHNICAL DATA SHEET CONTAINS ALL DEVELOPMENT NOTES AND CONDITIONS REGARDING SUCH THINGS AS VEHICULAR ACCESS POINTS, BUFFERS, SETBACK/YARD DIMENSIONS, GENERALIZED BUILDING/PARKING/CIRCULATION AREAS, DEVELOPMENT INTENSITY, ETC. THE ILLUSTRATIVE PLAN DEPICTS A DEVELOPMENT SCENARIO BASED UPON THE CONDITIONS IMPOSED BY THE TECHNICAL DATA SHEET. HOWEVER, OTHER DEVELOPMENT SCENARIOS ARE PERMITTED AS A MATTER OF RIGHT, WHICH ALLOWS ALTERNATIVES TO THE ARRANGEMENT OF BUILDING/PARKING/CIRCULATION AREAS, BUILDING FOOTPRINTS AND SHAPES, ETC. SUCH CHANGES SHALL STILL REFLECT THE "NEO-TRADITIONAL" STYLE LAYOUT OF THE SITE AS GENERALLY DEPICTED ON THE PLAN.
2. THE PROPOSED DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CITY OF CHARLOTTE REGULATIONS PERTAINING TO OFF-STREET PARKING, SIGNAGE, BUFFERS/LANDSCAPING, SCREENING, DRAINAGE, TREE ORDINANCE, ETC.
3. PARKING FOR THE OVERALL SITE SHALL BE CONSIDERED AS A UNIFIED DEVELOPMENT AND SHALL BE CALCULATED AS IF THE SITE IS ZONED 0-1. NO REDUCTION IN PARKING AS PERMITTED BY NS ZONING SHALL BE ALLOWED.
4. THE NUMBER OF VEHICULAR ACCESS TO THE SITE SHALL BE LIMITED TO THE POINTS OF INGRESS/EGRESS AS SHOWN ON THE SITE PLAN. HOWEVER, THE LOCATIONS MAY VARY SOMEWHAT FROM THAT DEPICTED. THE LOCATION AND DESIGN SHALL COMPLY WITH ALL APPLICABLE STANDARDS AND REQUIREMENTS OF THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.
5. MAXIMUM BUILDING HEIGHTS SHALL BE TWO STORIES (MAY INCLUDE ATTIC AND/OR FINISHED SPACE WITHIN THE AREA HEIGHT OF THE ROOF).
6. A CLASS "C" BUFFER SHALL BE ESTABLISHED WHERE THERE IS INSUFFICIENT NATURAL VEGETATION TO COMPLY WITH MINIMUM BUFFER STANDARDS. THE BUFFER SHALL BE IMPROVED WITH NEW LANDSCAPING IN ACCORDANCE WITH APPLICABLE STANDARDS.
7. A 30 FOOT SETBACK MEASURED FROM THE R/W LINE SHALL BE ESTABLISHED ALONG THE SITE'S PROVIDENCE ROAD FRONTAGE. A R/W MEASURING 50 FEET FROM THE CL OF PROVIDENCE ROAD SHALL BE ESTABLISHED AS SHOWN. PETITIONER HAS DEDICATED THE NEW R/W AREA.
8. STORM WATER DETENTION SHALL NOT BE LOCATED IN THE SETBACK AREAS OR THE BUFFER AREAS. STORM WATER DETENTION FOR PORTIONS OF THE SITE MAY BE PROVIDED IN A COMMON DETENTION FACILITY LOCATED ON ANY LOT CREATED BY FUTURE SUBDIVISION. CROSSING OF THE PROPOSED PUBLIC ROAD TO CONNECT TO THE DETENTION SYSTEM WILL BE ALLOWED AS WELL AS DIVERTING FLOW DRAINAGE FROM THE PUBLIC ROAD TO THE PROPOSED DETENTION FACILITY WHILE DISCHARGING NON DETAINED FLOW FROM A LIKE AREA OF IMPERVIOUS DEVELOPMENT TO THE EXISTING WETLAND AREA TO MAINTAIN DRAINAGE TO SUCH WETLANDS AREA.
9. MAXIMUM HEIGHT OF BUILDING LIGHTING SHALL BE 30 FEET. LIGHTING SHALL BE DESIGNED IN A MANNER TO SHIELD/DIRECT LIGHTING GLARE AWAY FROM RESIDENTIAL AREAS.
10. BUFFERS AREAS SHALL NOT BE REDUCED IN DEPTH FROM THAT DEPICTED ON THE PLAN.
11. SCREENING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 12.303 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.
12. BUFFERS SHALL REMAIN UNDISTURBED EXCEPT THAT ANY AREA WHICH ARE SPARSELY VEGETATED (VEGETATION LESS THAN 2 INCHES IN CALIPER) MAY BE CLEARED IF NECESSARY TO PROVIDE FOR THE DEVELOPMENT OF THE SITE, AND TO ACCOMMODATE UTILITY EXTENSIONS ASSOCIATED WITH DEVELOPMENT. ANY CLEARED AREAS SHALL BE REPLANTED IN ACCORDANCE WITH APPLICABLE BUFFER REQUIREMENTS.
13. TREES LOCATED WITHIN THE FRONT SETBACK AREA WHICH ARE 6 INCHES OR GREATER IN CALIPER SHALL BE PRESERVED OR MITIGATED PER CITY OF CHARLOTTE TREE ORDINANCE.
14. THE MAXIMUM HEIGHT OF DETACHED POLE LIGHTS SHALL BE RESTRICTED TO 15 FEET.
15. WALL PACK TYPE LIGHTING SHALL NOT BE ALLOWED.
16. ALL SIGNAGE SHALL BE LOCATED WITHIN A SOLID ENCLOSURE WITH THE BUILDING.
17. BUILDINGS ON THE SITE WILL BE CONSTRUCTED WITH BRICK AND/OR OTHER MASONRY FINISHING MATERIALS ON 80% OF THE EXTERIOR WALLS OF ALL BUILDINGS.
18. THE PETITIONER/DEVELOPER SHALL INSTALL OR PAY THE CITY OF CHARLOTTE FOR FUTURE INSTALLATION DURING PROVIDENCE ROAD WIDENING OF A 5 FOOT SIDEWALK WITH AN 8 FOOT PLANTING STRIP ALONG THE SITE'S PROVIDENCE ROAD FRONTAGE. THIS SIDEWALK SHALL LINK TO OTHER INTERNAL SIDEWALKS ON THE SITE.
19. PROPOSED USES FOR THE SITE SHALL INCLUDE THOSE ALLOWED IN THE 0-1 DISTRICT, EXCEPT THAT HOTELS OR MOTELS, AND RESTAURANTS (EXCEEDING 3,000 SF) ALLOWED SHALL NOT BE PERMITTED. FURTHERMORE, ANY MEDICAL OFFICE USE (S) SHALL BE RESTRICTED TO A MAXIMUM OF 34,000 SQUARE FEET.
20. BUILDINGS CONSTRUCTED ON THE SITE SHALL BE DESIGNED IN A MANNER WHICH REFLECTS A RESIDENTIAL STYLE AND SCALE: SPECIFICALLY UTILIZING RESIDENTIAL STYLE DOORS AND WINDOWS, PITCHED ROOF, ETC.
21. THE PETITIONER/DEVELOPER SHALL INSTALL A FIRE HYDRANT WITHIN 750 FEET OF THE MOST REMOTE BUILDING AS A FIRE TRUCK TRAVELS IF SUCH HYDRANT DOES NOT EXIST. FURTHERMORE, IF REQUIRED BY FIRE DEPARTMENT REGULATIONS, 4-HOUR FIRE WALLS AND/OR SPRINKLER SYSTEMS SHALL BE INSTALLED IN EACH BUILDING TO OFFSET ANY POTENTIAL MARGINAL WATER SUPPLY IN THE AREA.
22. THE DEVELOPER SHALL DESIGN AND CONSTRUCT THE PROPOSED PUBLIC ROAD THROUGH THE SITE TO CITY OF CHARLOTTE STANDARDS. THE DEVELOPER SHALL DEDICATE SUCH ROAD AND RELATED 60 FOOT RIGHT OF WAY TO THE CITY OF CHARLOTTE FOR OWNERSHIP AND MAINTENANCE.
23. EXISTING DRIVES ARE PERMITTED BY RIGHT AS CONSTRUCTED. SEE SHEET 1 OF 4 EXISTING CONDITION. NO MODIFICATIONS WILL BE REQUIRED AS PART OF FUTURE DRIVEWAY PROCESS.

24. THE CHARLOTTE ZONING BOARD OF ADJUSTMENT ON TUESDAY SEPTEMBER 27, 2005 GRANTED A SERIES OF VARIANCES FOR EXISTING WIDTHS OF PLANTING STRIPS AND SIDEWALK SHOWN ON THE EXISTING CONDITIONS DRAWING. ALL ADDITIONAL CONSTRUCTION WILL COMPLY WITH 8' PLANTING STRIPS AND 6' SIDEWALKS.

Technical Data Sheet
 Providence Road
 Charlotte, North Carolina
 PETITIONER:
 Hargett (Tax No. 229-171-03)



NOTE:
 COST OF CURB, GUTTER, AND SIDEWALK ALONG PROVIDENCE ROAD HAS BEEN PAID INTO THE NCDOT PROJECT FUND FOR INSTALLATION AS PART OF PROVIDENCE ROAD WIDENING.

VARIANCE
 ON SEPTEMBER 12, 2005 THE CHARLOTTE ZONING BOARD OF ADJUSTMENT GRANTED VARIANCES FOR TAX PARCEL NUMBER 229-171-03 AS FOLLOWS:

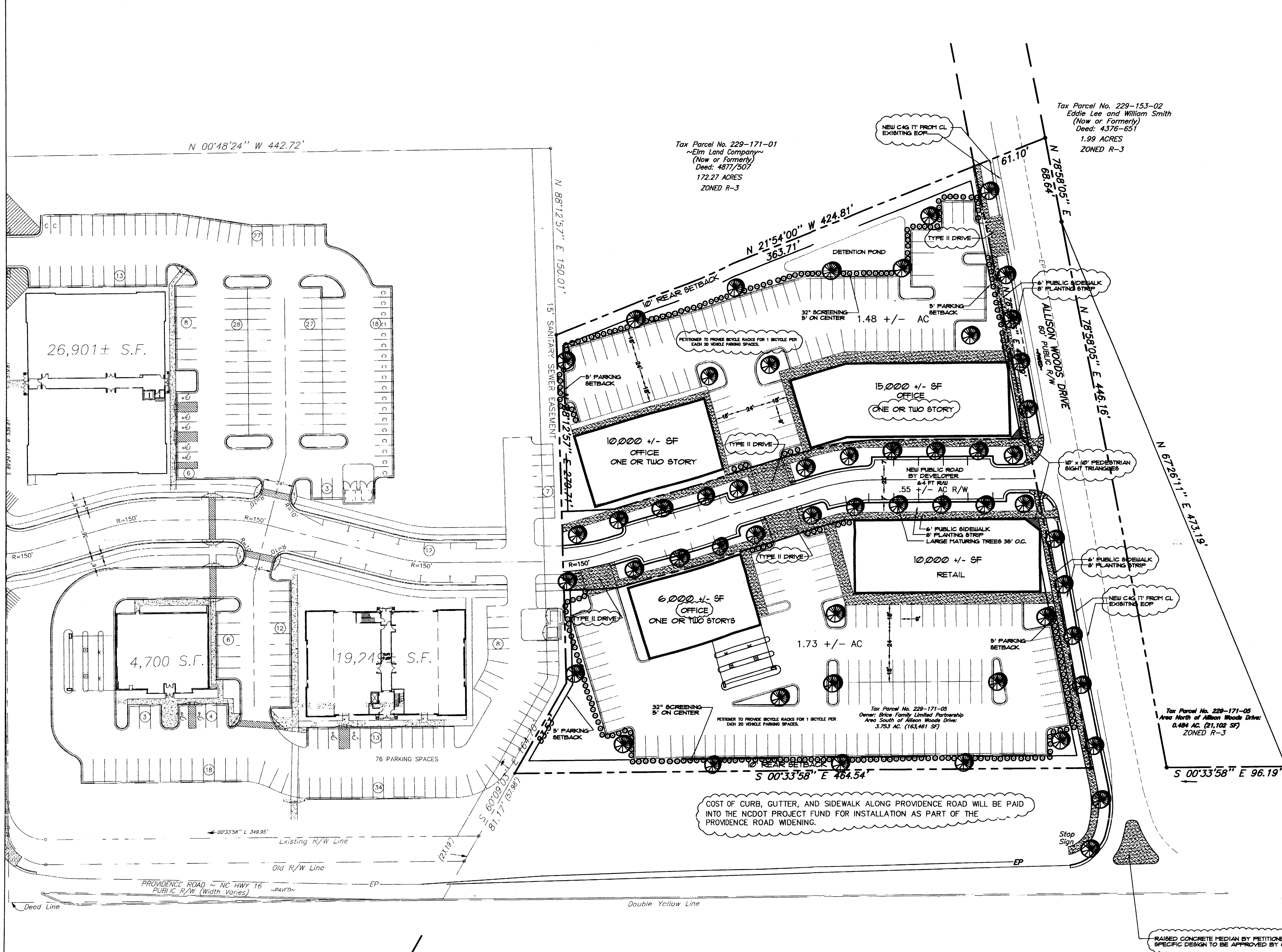
1. A 4 FOOT VARIANCE FROM THE REQUIRED 8 FOOT PLANTING STRIP REQUIREMENT ALONG GOLF LINKS DRIVE, TO ALLOW THE EXISTING 4 FOOT PLANTING STRIP TO REMAIN.
2. A 2 FOOT VARIANCE FROM THE REQUIRED 6 FOOT SIDEWALK ALONG GOLF LINKS DRIVE, TO ALLOW THE EXISTING 4 FOOT SIDEWALK TO REMAIN.
3. A 1 FOOT VARIANCE FROM THE REQUIRED 6 FOOT SIDEWALK AND 4) A 4 FOOT VARIANCE FROM THE REQUIRED 8 FOOT PLANTING STRIP ON THE WEST SIDE OF THE PROPOSED INTERIOR PUBLIC ROAD TO ALLOW AN EXISTING 5 FOOT SIDEWALK AND 4 FOOT PLANTING STRIP TO REMAIN.
5. A 1 FOOT VARIANCE FROM THE REQUIRED 6 FOOT SIDEWALK AND 6) AN 8 FOOT VARIANCE FROM THE REQUIRED 8 FOOT PLANTING STRIP ON THE EAST SIDE OF THE PROPOSED INTERIOR PUBLIC ROAD TO ALLOW AN EXISTING 5 FOOT SIDEWALK AND 0 FOOT PLANTING STRIP TO REMAIN.

Graphic Scale:
 0 20 40 80
 (IN FEET)
 Scale: (1"=40')
 Engineer
 James J. McGovern
 Senior Designer
 Ted W. Lawrence
 Date
 7.29.2004

Revisions	No.	Date
	No. 1	Date 11.22.2004
	No. 2	Date 10.12.2005
	No. 3	Date 3.26.2006
	No.	Date
	No.	Date
	No.	Date

Dwg. No.
 \440004\dwg\trdbase
 Project Number
 440.004
 Sheet No. No. of Sheet
 3 4

PETITION #2004-134 FOR PUBLIC HEARING



SITE DATA / ZONING INFO.

CURRENT ZONING CLASSIFICATION:
R3 - RESIDENTIAL

PROPOSED ZONING CLASSIFICATION:
NS - NEIGHBORHOOD SERVICES

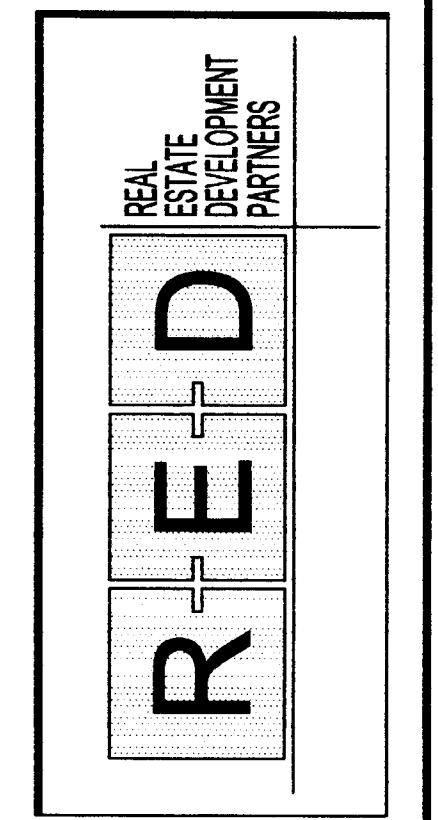
SETBACKS: TOTAL ACREAGE:
FRONT - 14' FROM BC 3.75 AC
REAR - 10' FROM R/W NET BUILDABLE AREA:
SIDE - 10' 3.19 AC (.55 R/W)

BUILDING AREAS:
10,000 SF MAXIMUM OF RETAIL
6,000 SF OFFICE
10,000 SF OFFICE
15,000 SF OFFICE
41,000 SF TOTAL BUILDING AREA

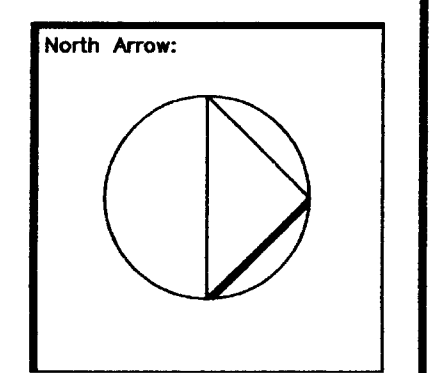
OFF STREET PARKING/LOADING REQUIREMENTS:
OFFICE 1 SPACE PER 300 SF
MEDICAL OFFICE 1 SPACE PER 200 SF
RETAIL 1 SPACE PER 250 SF
RESTAURANT 1 SPACE PER 150 SF

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- THE PROPOSED DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CITY OF CHARLOTTE REGULATIONS PERTAINING TO OFF-STREET PARKING, SIGNAGE, BUFFERS/LANDSCAPING, SCREENING, DRAINAGE, TREE ORNANCE, ETC.
- THE NUMBER OF VEHICULAR ACCESS TO THE SITE SHALL BE LIMITED TO THE POINTS OF INGRESS/ACCESS AS SHOWN ON THE SITE PLAN. HOWEVER, THE LOCATIONS MAY VARY SOMEWHAT FROM THAT DEPICTED. THE LOCATION AND DESIGN SHALL COMPLY WITH ALL APPLICABLE STANDARDS AND REQUIREMENTS OF THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.
- MAXIMUM BUILDING HEIGHTS SHALL BE TWO STORES, MAY INCLUDE ATTIC AND/OR FINISHED SPACE WITHIN THE AREA HEIGHT OF THE ROOF.
- STORM WATER DETENTION MAY BE LOCATED ABOVE GROUND ON SITE. DETENTION SHALL NOT BE PERMITTED BETWEEN THE BUILDING AND THE INTERNAL STREET OR BETWEEN BUILDINGS AND ALLISON WOODS DRIVE.
- MAXIMUM HEIGHT OF BUILDING LIGHTING SHALL BE 30 FEET. LIGHTING SHALL BE DESIGNED IN A MANNER TO SHIELD/DIRECT LIGHTING GLARE AWAY FROM RESIDENTIAL AREAS.
- SCREENING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 12.303 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.
- AS A CONDITION OF THE REZONING APPROVAL OWNER AGREES TO DESIGN, CONSTRUCT AND MAINTAIN THE NEW PUBLIC ROAD AS SHOWN ON THE PLAN.
- THE MAXIMUM HEIGHT OF DETACHED POLE LIGHTS SHALL BE RESTRICTED TO 20 FEET.
- WALL PACK TYPE LIGHTING SHALL NOT BE ALLOWED.
- ALL DUMPSTERS SHALL BE LOCATED WITHIN A SOLID BRICK ENCLOSURE WITH GATES.
- BUILDINGS ON THE SITE WILL BE CONSTRUCTED WITH BRICK AND/OR OTHER MASONRY FINISHING MATERIALS. 70% OF THE WALL AREA WILL BE CONSTRUCTED OUT OF BRICK.
- THE PETITIONER/DEVELOPER SHALL INSTALL OR PAY THE CITY OF CHARLOTTE FOR FUTURE INSTALLATION DURING PROVIDENCE ROAD WIDENING OF A 8 FOOT SIDEWALK WITH AN 8 FOOT PLANTING STRIP ALONG THE SITE'S PROVIDENCE ROAD FRONTAGE. THIS SIDEWALK SHALL LINK TO OTHER INTERNAL SIDEWALKS ON THE SITE.
- PROPOSED USES FOR THE SITE SHALL INCLUDE THOSE ALLOWED IN THE NS DISTRICT EXCEPT FOR THE FOLLOWING:
 AUTOMOTIVE SERVICE STATIONS, OFF STREET PARKING AS A PRINCIPAL USE, PEST CONTROL / DISINFECTING SERVICES, LABORATORIES, EQUIPMENT RENTAL, AUCTION SALES, OUTDOOR COMMERCIAL AMUSEMENT (FAIR-FOOD-MUSIC-DANCE-BURNS-AND-AMBIGRES), AND OTHER USES WITHIN WOODING ALLOWED WITH THE EXCEPTION OF ONE BANK.
- BUILDINGS CONSTRUCTED ON THE SITE SHALL BE DESIGNED IN A MANNER WHICH REFLECTS A RESIDENTIAL STYLE AND SCALE. SPECIFICALLY UTILIZING RESIDENTIAL STYLE DOORS AND WINDOWS, PITCHED ROOF ELEMENTS, ETC. AND ALL BUILDINGS WILL ADDRESS THE NEW PUBLIC ROAD.
- THE PETITIONER/DEVELOPER SHALL INSTALL A FIRE HYDRANT WITHIN 750 FEET OF THE MOST REMOTE BUILDING AS A FIRE TRUCK TRAVELS IF SUCH HYDRANT DOES NOT EXIST. FURTHERMORE, IF REQUIRED BY FIRE DEPARTMENT REGULATIONS, 4-HOUR FIRE WALLS AND/OR SPRINKLER SYSTEMS SHALL BE INSTALLED IN EACH BUILDING TO OFFSET ANY POTENTIAL MARGINAL WATER SUPPLY IN THE AREA.
- NO BUILDING ON THE SITE SHALL BE ISSUED A FINAL CERTIFICATE OF OCCUPANCY UNTIL THE PROPOSED PUBLIC STREET BY THE PETITIONER HAS BEEN CONSTRUCTED AND RECORDED AS A PUBLIC STREET WITH THE REGISTER OF DEEDS OFFICE.
- COST OF CURB, GUTTER, AND SIDEWALK ALONG PROVIDENCE ROAD WILL BE PAID INTO THE NCDOT PROJECT FUND FOR INSTALLATION AS PART OF THE PROVIDENCE ROAD WIDENING.
- PETITIONER TO PROVIDE BICYCLE RACKS FOR 1 BICYCLE PER EACH 20 VEHICLE PARKING SPACES.



Project:
REA / BRICE
 REZONING PLAN

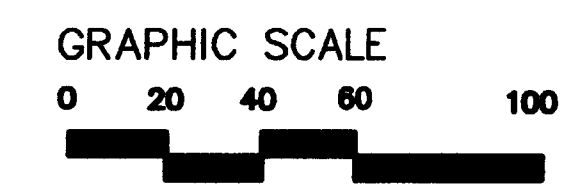


Issuance Date:
26 JULY 2004
29 NOVEMBER 2004
 REVIEW COMMENTS
29 SEPTEMBER 2006
 CDOT COMMENTS

Sheet Title:
CONCEPTUAL SITEPLAN

CHARLOTTE, NC

Sheet Number:
C-4



NOTE:
 PLAN IS BASED ON PRELIMINARY INFORMATION AND TO BE USED FOR SCHEMATIC PURPOSES ONLY NOT FOR CONSTRUCTION.

PETITION # **2004-134** FOR PUBLIC HEARING