

COMMUNITY HOUSE ROAD
 VARIABLE WIDTH PUBLIC R/W
 DEDICATED TO THE CITY OF CHARLOTTE PER
 MAP BOOK 36, PAGE 263
 (152,250 SF/3.50 ACRES)

NOW OR FORMERLY
 ROMAN CATHOLIC DIOCESE
 DEED BOOK 6539 PAGE 366
 TAX PARCEL 223-461-01

APPROVED BY CITY COUNCIL
 DATE 10/19/05

PROPOSED BUILDING IX - 2-STORY
 25,000 S.F. SERVICE/RETAIL
 25,000 S.F. OFFICE

ENDHAVEN LANE
 (60' PUBLIC R/W)

REZONING PETITION
 CURRENT ZONING: CC FOR 50
 RESIDENTIAL UNITS
 PROPOSED ZONING: CC FOR 140
 RESIDENTIAL UNITS MAX

NOW OR FORMERLY
 WILLIAM TROTTER, SR.
 DEED BOOK 6866 PAGE 680
 TAX PARCEL 223-222-96

Pierce Goodwin Alexander & Linnell

Phoenix

Las Vegas

Fort Lauderdale

Atlanta

BUILDING IV - 2-STORY
 25,000 S.F. SERVICE/RETAIL
 25,000 S.F. OFFICE

AREA AFFECTED BY
 REZONING PETITION

EX. BUILDING I
 3 STORIES -
 93,750 SF

EX. BUILDING II
 3 STORIES -
 74,039 SF

EX. BUILDING III
 3 STORIES -
 84,000 SF

EX. PARKING DECK I
 GRADE +2 - 252 SPACES

EX. PARKING DECK II
 GRADE +2 - 282 SPACES

EX. BUILDING V
 3 STORIES -
 75,000 SF

EX. RETAIL 1
 1-STORY - 5,550 SF

PROPOSED RETAIL 2
 1-STORY - 5,780 SF

BUILDING X
 2-4 STORIES
 40 - 80 UNITS

FUTURE BUILDING VIII
 4-STORIES - 108,000 SF +/-

FUTURE BUILDING VI
 4-STORIES - 100,000 SF +/-

FUTURE BUILDING VII
 4-STORIES - 100,000 SF +/-

BUILDING XI
 2-4 STORIES
 30 TO 60 UNITS

FUTURE PARKING DECK IV
 (Grade +1)
 412 +/- Spaces

FUTURE DETENTION POND

BUILDING IV - 2-STORY
 25,000 S.F. SERVICE/RETAIL
 25,000 S.F. OFFICE

INTERSTATE 485 OUTERBELT RIGHT OF WAY
 (VARIABLE WIDTH CONTROLLED ACCESS RIGHT OF WAY)

2005 REZONING NOTES

1. THE CURRENTLY APPROVED PLAN (PETITION #2003-48) (THE "2003 REZONING PLAN") ALLOWS RETAIL TOTALING, AS MUCH AS 23,000 SQUARE FEET. THE SITE PLAN SHOWS TWO PHASES TOTALING 11,262 SQUARE FEET OF RETAIL IMMEDIATELY ADJACENT TO THE FUTURE PARKING DECK IN THE NORTHEAST QUADRANT OF THE SITE. THE NEW PLAN (THE "2005 REZONING PLAN") WILL ALLOW A TOTAL OF 50,000 SQUARE FEET OF SERVICE/RETAIL USE IN THE GROUND FLOOR OF BUILDINGS IV AND IX, RESULTING IN A NET INCREASE OF 38,738 SQUARE FEET OF SERVICE/RETAIL SPACE TO THE 2003 REZONING PLAN.

2. THE 2005 REZONING PLAN ALLOWS A NET INCREASE OF 7,000 SQUARE FEET OF OFFICE SPACE TO THE MAXIMUM TOTAL SQUARE FOOTAGE OF OFFICE SPACE FOR THE ENTIRE DEVELOPMENT.

3. THE 2005 REZONING PLAN ELIMINATES 50 TOWNHOMES PERMITTED UNDER THE 2003 REZONING PLAN AND SUBSTITUTES A MAXIMUM OF 140 RESIDENTIAL UNITS CONSTRUCTED IN TWO APARTMENT BUILDINGS (BUILDING X AND BUILDING XI), EACH CONSISTING OF 4-STORIES, ABOVE A SINGLE LEVEL OF PARKING. PETITIONER RESERVES THE RIGHT TO CONSTRUCT FEWER APARTMENT UNITS AND FEWER STORIES IN THE SAME GENERAL CONFIGURATION FOR A TOTAL OF NO FEWER THAN 70 UNITS. A HARDCAPED/LANDSCAPED COURTYARD WILL BE CONSTRUCTED BETWEEN THE TWO APARTMENT BUILDINGS. THE FIRST FLOOR OF THE APARTMENT BUILDINGS WILL BE RAISED ABOVE THE STREET LEVEL BY BETWEEN THREE AND FIVE FEET.

4. PARKING DECK III WILL BE INCREASED IN SIZE BY ONE FLOOR AND APPROXIMATELY 90 SPACES TO ACCOMMODATE THE ADDITIONAL SQUARE FOOTAGE IN BUILDINGS IV AND IX. PARKING DECK III WILL BE PULLED AWAY FROM PARKING DECKS I AND II IN ORDER TO CREATE A MORE URBAN CONTEXT. BUILDINGS IV AND IX WILL SCREEN THREE SIDES OF PARKING DECK III, CREATING AN INTERIOR COURTYARD BETWEEN THE BUILDINGS IV AND IX AND PARKING DECK III. THE REMAINING WEST FACE OF PARKING DECK III WILL BE FINISHED TO CONFORM ARCHITECTURALLY TO THE "PEDESTRIAN SCALE" APPROVED IN THE 2003 REZONING PLAN.

5. THE SITE PLAN DEPICTS THE PROPOSED VEHICULAR CIRCULATION BETWEEN PARKING DECK II AND PARKING DECK III. THE MEDIAN ON THE EAST-WEST VEHICULAR DRIVEWAY THROUGH THE SITE WILL MINIMIZE THE POSSIBILITY OF ACCIDENTS AND CONGESTION FROM VEHICLES CROSSING DIRECTLY FROM BUILDINGS IV AND IX ACROSS THE STREET TO RESIDENTIAL BUILDINGS X AND XI.

6. VEHICULAR ACCESS FROM BUILDINGS X AND XI TO THE EAST-WEST VEHICULAR DRIVEWAY THROUGH THE SITE WILL BE LIMITED TO RIGHT TURN IN, RIGHT TURN OUT ONLY TO MINIMIZE THE POSSIBILITY OF ACCIDENTS AND CONGESTION FROM VEHICLES CROSSING DIRECTLY FROM BUILDINGS X AND XI TO BUILDINGS IV AND IX.

7. THE 2005 REZONING PLAN INCLUDES A FOURTH PARKING DECK ("PARKING DECK IV") TO SERVE OFFICE BUILDING VII AND RESIDENTIAL BUILDINGS X AND XI. PARKING DECK IV WILL CONSIST OF TWO (2) LEVELS, WITH AN ENTRANCE ON GRADE AT BOTH LEVELS TO MINIMIZE THE VISUAL IMPACT OF THE DECK FROM THE NORTH SIDE. THE ARCHITECTURAL TREATMENT OF TWO STORY SOUTH FACADE OF PARKING DECK IV WILL BE FINISHED TO ARCHITECTURALLY CONFORM TO THE "PEDESTRIAN SCALE" APPROVED IN THE 2003 REZONING PLAN.

8. THE AREA BETWEEN PARKING DECK IV AND OFFICE BUILDING VII WILL BE PRESERVED AS GREENSPACE.

9. THE NEW ENTRANCE/EXIT TO THE SOUTH OF BUILDINGS X AND XI WILL ALLOW FOR VEHICULAR RIGHT TURN IN, RIGHT TURN OUT ACCESS ONLY.

10. TO THE EXTENT NOT MODIFIED BY THESE NOTES, ALL OTHER CONDITIONS AND REQUIREMENTS IN THE 2003 REZONING PLAN NOTES ARE RESTATED HEREIN AND WILL REMAIN IN FULL FORCE AND EFFECT.

11. REFERENCE EXHIBIT A FOR EXISTING ZONING NOTES.

12. EXISTING ZONING IS "CC". THE MODIFICATIONS TO THE CURRENT ZONING DO NOT CHANGE THE TYPE OF ZONING. IT WILL REMAIN "CC".

13. NO INDIVIDUAL DRIVEWAYS WILL BE PERMITTED DIRECTLY TO THE RESIDENTIAL UNITS FROM COMMUNITY HOUSE ROAD.

14. BIKE PARKING WILL BE PROVIDED IN CONFORMANCE WITH WHAT IS REQUIRED IN THE NEW STANDARDS ORDINANCE, SECTION 12.202A.

15. THE SITE MAY BE DEVELOPED FOR RETAIL, OFFICE, RESTAURANT, MEDICAL OFFICE AND MULTI-FAMILY RESIDENTIAL. THIS IS A MODIFICATION TO THE CURRENT ZONING WHICH PERMITS "ANY USE ALLOWED IN THE CC DISTRICT"

16. SIGNAGE SHALL BE PROVIDE FOR THE NEW ENTRY AT THE SOUTHEAST CORNER OF THE SITE FOR THE MULTI-FAMILY RESIDENTIAL PORTION OF THE DEVELOPMENT.

17. RETAIL SPACE LOCATED IN OFFICE BUILDINGS WILL BE COUNTED TOWARD THE TOTAL NUMBER OF SQUARE FOOTAGE ALLOWED IN THE DEVELOPMENT.

18. INTERIOR BOUNDARY LINES OF SEPARATE TAX PARCELS WITHIN THE SITE HAVE NOT BEEN SHOWN. ALL PROPERTY SUBJECT TO THIS SITE PLAN IS CONTROLLED BY LICHTIN CORPORATION, THOUGH SOME PARCELS HAVE BEEN CONVEYED TO SEPARATE OWNERSHIP ENTITIES FOR FINANCING PURPOSES. BECAUSE THE DEVELOPMENT OF THE PROPERTY IS A FLUID PROCESS, PETITIONER EXPECTS THAT SEPARATE PARCELS MAY BE RECONFIGURED THROUGHOUT THE DEVELOPMENT PROCESS. IF REQUIRED BY PLANNING STAFF, PETITIONER WILL SUBMIT TO THE PLANNING STAFF BEFORE THE PUBLIC HEARING ON THIS PETITION A SEPARATE SURVEY SHOWING THE CURRENT CONFIGURATION OF THE SEPARATE PARCELS WITHIN THIS PROPERTY.

2005 REZONING NOTES CONTINUED

19. AS A SUMMARY TO THE CHANGES FROM THE SITE PLAN APPROVED IN PETITION NUMBER 2003-48, THE CHANGES REFLECTED IN THIS SITE PLAN ARE GENERALLY SUMMARIZED AS FOLLOWS: (I) THE TOWNHOMES ALONG COMMUNITY HOUSE ROAD HAVE BEEN ELIMINATED; (II) THE OFFICE BUILDING AT TORINGDON WAY AND COMMUNITY HOUSE ROAD HAS BEEN RECONFIGURED TO WRAP AROUND THE CORNER AND DOWN COMMUNITY HOUSE ROAD, AS DEPICTED BY PROPOSED BUILDING IV; (III) PROPOSED BUILDING IX HAS BEEN ADDED; (IV) PROPOSED PARKING DECK III HAS BEEN REDESIGNED IN RELOCATED; (V) INTERIOR DRIVEWAYS HAVE BEEN REDESIGNED; (VI) PROPOSED BUILDINGS X AND XI HAVE BEEN ADDED; (VII) FUTURE PARKING DECK IV HAS BEEN ADDED; AND (V) OFFICE AND RETAILS USES HAVE BEEN MODIFIED CONSISTENT WITH THESE NOTES AND THE SITE TABLE DATA.

20. CERTAIN NOTES ON THE FOLLOWING PAGE, WHICH ARE THE REZONING NOTES INCLUDED IN THE SITE PLAN APPROVED AS PETITION NUMBER 2003-48, HAVE BEEN MODIFIED OR DELETED IN AN EFFORT TO RENDER THEM CONSISTENT WITH THESE REZONING NOTES. IF THERE IS ANY INCONSISTENCY BETWEEN THESE REZONING NOTES AND THE REZONING NOTES THAT APPEAR ON THE FOLLOWING PAGE, THESE REZONING NOTES SHALL CONTROL.

21. APPROPRIATE SIGHT TRIANGLES WILL BE RESERVED IN ACCORDANCE WITH THE REQUIREMENTS OF CDOT IN A MANNER CONSISTENT WITH THE DESIGN AND LAYOUT OF PROPOSED BUILDINGS IV, IX, X AND XI.

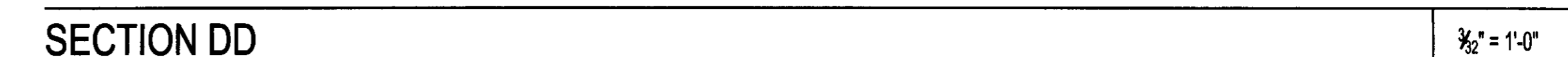
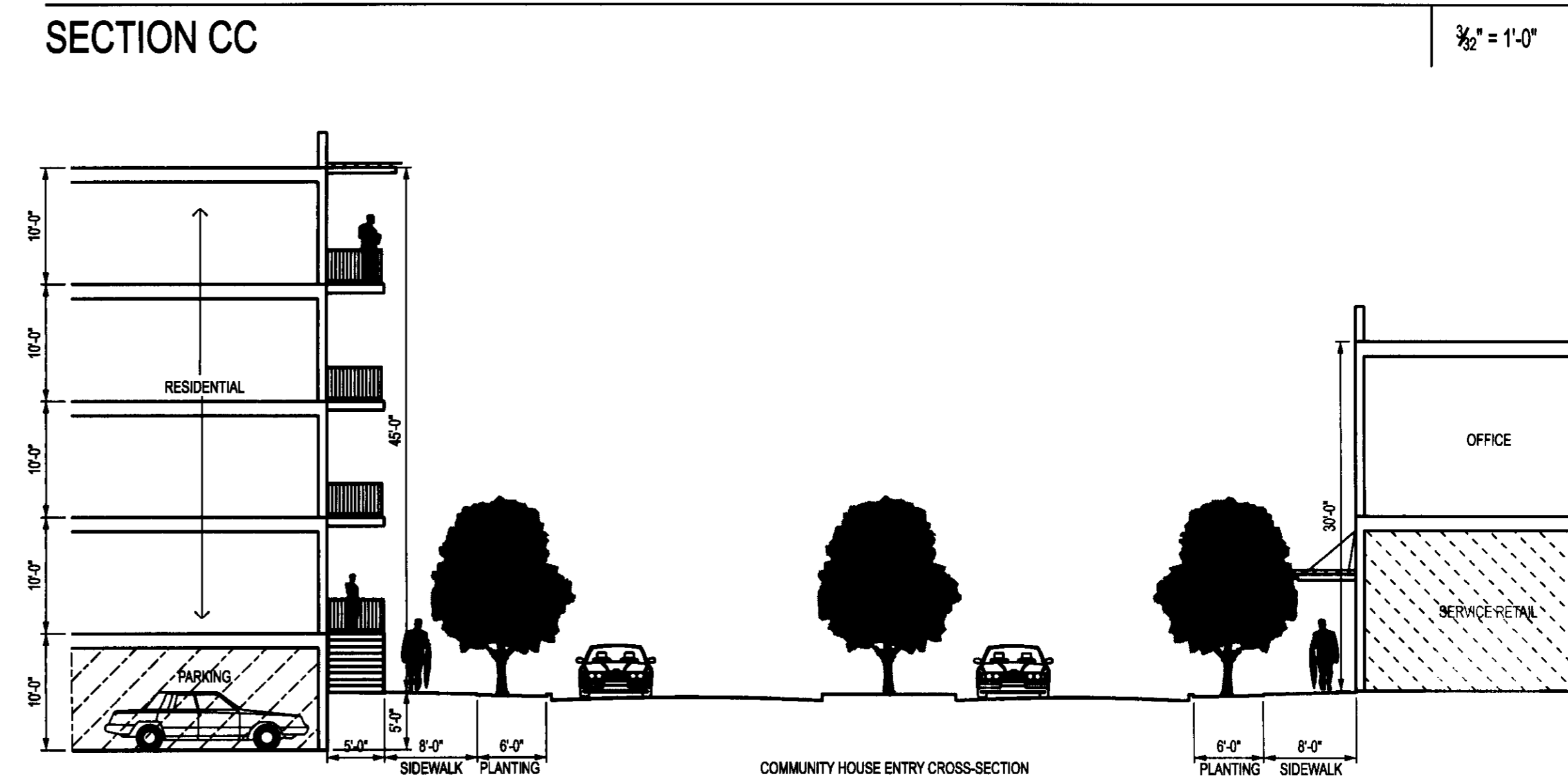
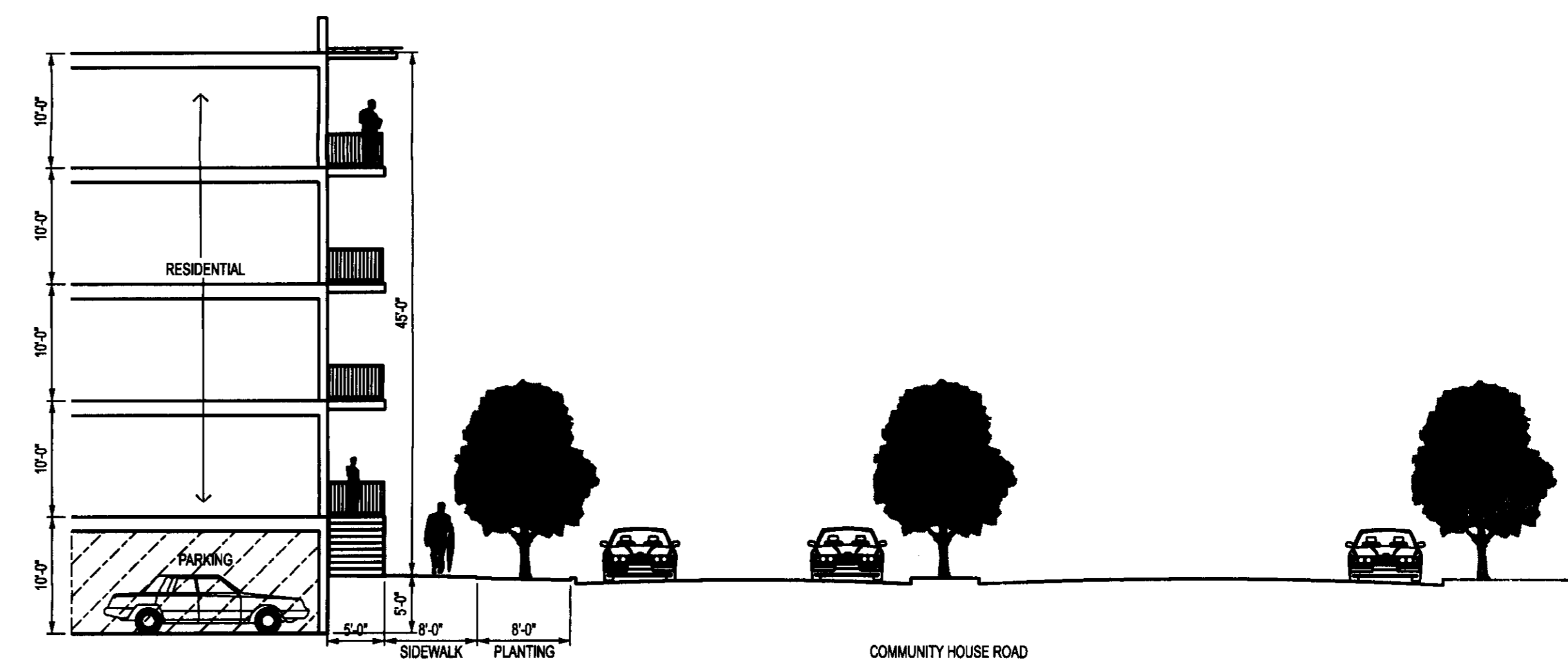
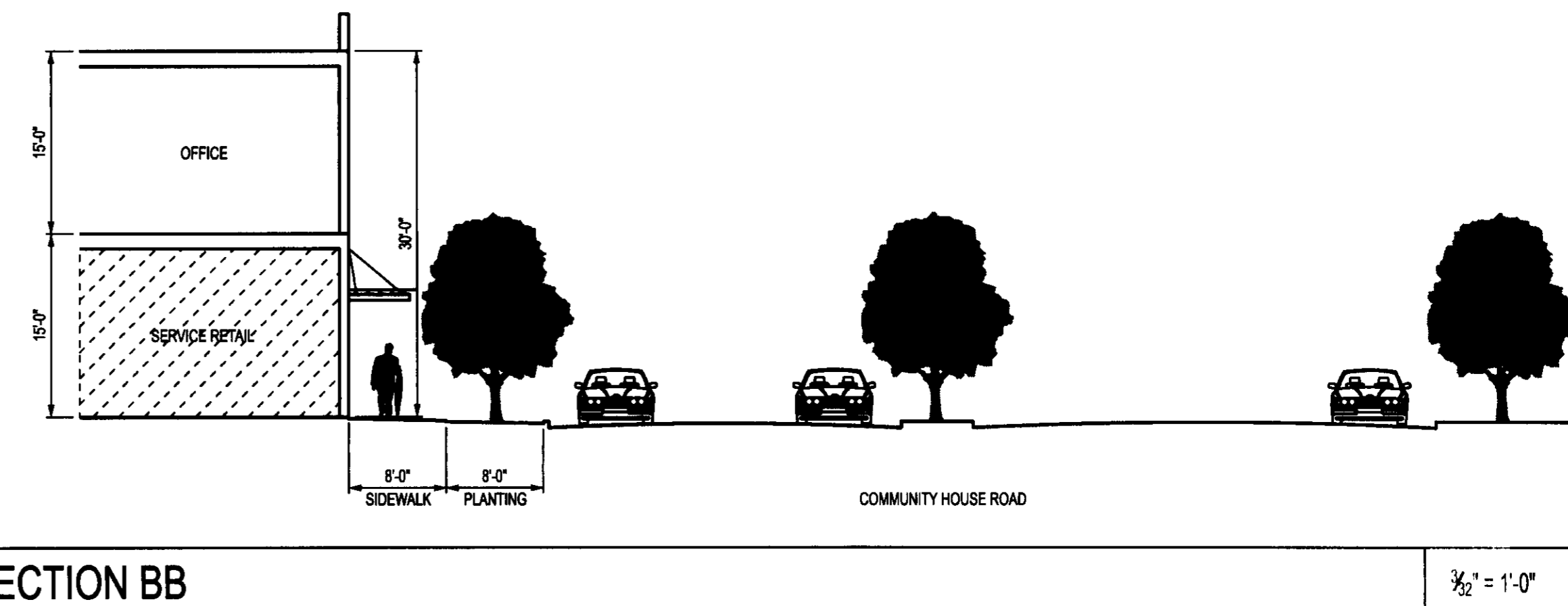
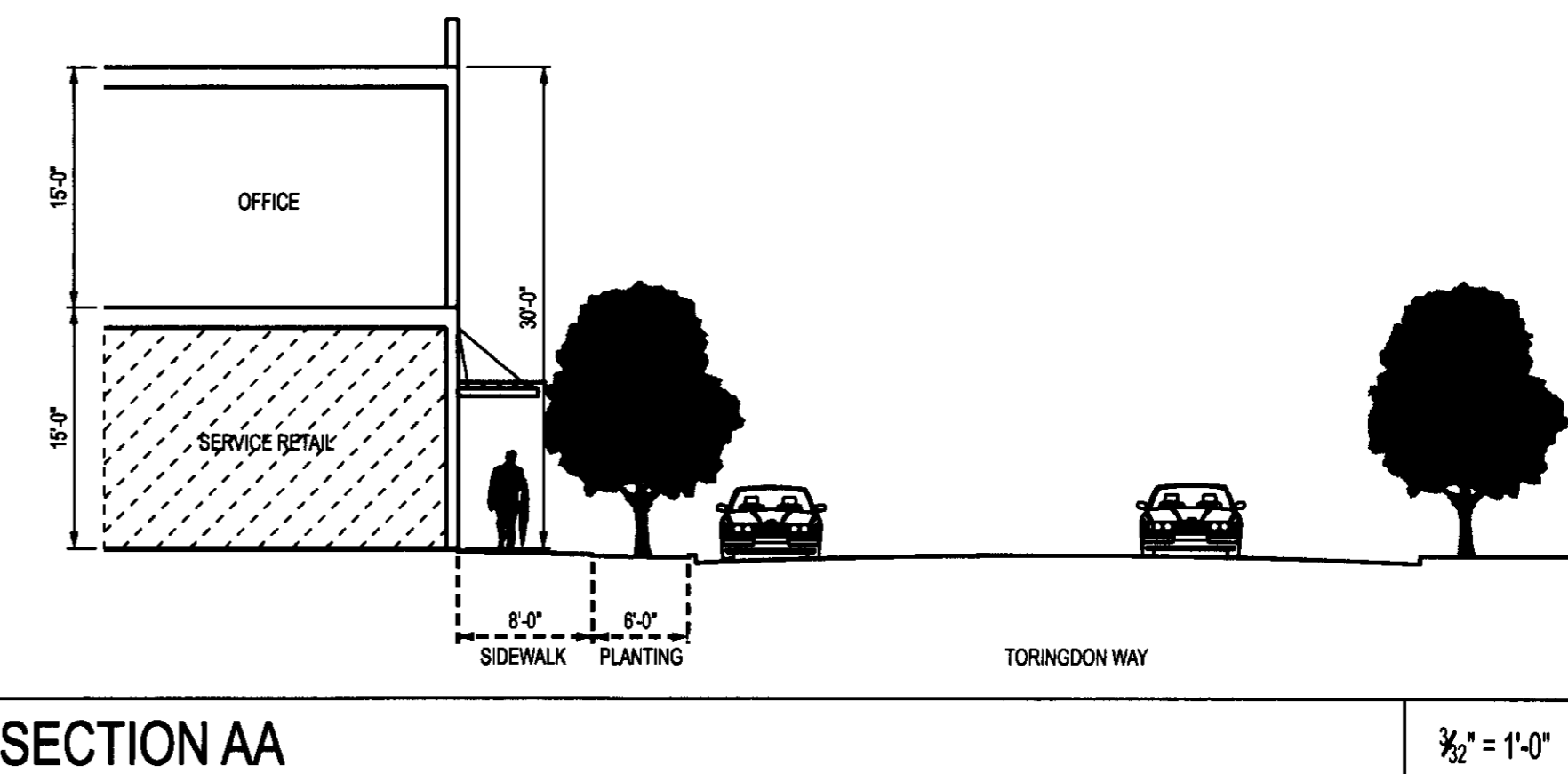
Site Table Data				
	Phase	2003 Original	2005 Re-Zoning	Net Change
Acreage		36.6	36.6	0
	I	93,750	93,750	0
	II	74,039	74,039	0
	III	84,000	84,000	0
	IV	40,000	25,000	-15000
	V	78,000	75,000	-3000
	VI	104,000	100,000	-4000
	VII	104,000	100,000	-4000
	VIII	100,000	108,000	8000
	IX*	0	25,000	25000
Office		677,789	684,789	7000
	I	5,750	5,550	-200
	II	5,750	5,762	12
	III	5,750	0	-5750
	IV	5,750	25,000	19250
	IX*	0	25,000	25000
Retail		23,000	61,312	38312
Residential Units (Min.)	X & XI	50	70	20
Residential Units (Max.)	X & XI	50	140	90

GENERAL NOTES

1. TYPICAL PARKING SPACES SHALL BE A MINIMUM OF 8'-6" WIDE BY 18'-0" DEEP. ADA ACCESSIBLE PARKING SPACES SHALL CONFORM TO THE CURRENT NORTH CAROLINA ACCESSIBILITY CODE. COMPACT SPACES SHALL CONFORM IN SIZE AND PERCENTAGE OF TOTAL SPACES TO THE CURRENT CHARLOTTE MECKLENBURG COUNTY ZONING ORDINANCE.

TORINGDON DEVELOPMENT PARKING SUMMARY										
	Building	Building Areas Sq. Ft.		Number of Units Residential	Total Square Footage	Zoning Required Parking	Parking Provided in Decks	Surface Parking	Parking Provided Per Plan	Parking Beyond Zoning Requirements
		Office	Svc/Retail							
Completed	Building 1	93,750			93,750	313		348	349	36
	Building 2	74,039			74,039	247		270	270	23
	Building 3	84,000			84,000	280	259	30	289	9
	Building 5	75,000			75,000	250	283	1	284	34
	Retail 1		5,580		5,580	22		22	22	0
Planned	Retail 2		5,762		5,762	23		23	23	0
	Building 4	25,000	25,000		50,000	183	191	7	198	15
	Building 6	100,000			100,000	333		397	397	64
	Building 7	100,000			100,000	333	412	39	451	118
	Building 8	108,000			108,000	360		379	379	19
	Building 9	25,000	25,000		50,000	183	191	7	198	15
	Building 10			80		120	68	72	140	20
Building 11			60		90	55	61	116	26	
	Totals =	684,789	61,312	140	746,101	2,737	1,459	1,657	3,116	379

Office = 1 space per 300 sq. ft.
Retail = 1 space per 250 sq. ft.
Residential = 1.5 space per unit



REZONING NOTES:

1. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CITY OF CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE GENERAL ARRANGEMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT DETAILS OF CONFIGURATION, PLACEMENT AND SIZE OF THE INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES. THIS PROPOSAL IS INTENDED TO ENABLE THE DEVELOPMENT OF A MIXED-USE COMMUNITY COMPOSED OF OFFICE, MULTIFAMILY, AND NEIGHBORHOOD RETAIL AND SERVICE USES.

~~2. THE SITE MAY BE DEVELOPED FOR ANY USE ALLOWED IN THE OO DISTRICT IN ACCORDANCE WITH THE STANDARDS OF THAT DISTRICT AND THE RESTRICTIONS OF THIS SITE PLAN. THE PETITIONER WILL CONSTRUCT A MIXED USE DEVELOPMENT IN GENERAL CONFORMITY WITH THE SCHEMATIC PLAN WHICH WILL INCLUDE A WIDER THAN NORMAL THOROUGHFARE RIGHT-OF-WAY TO ACCOMMODATE ADDITIONAL LANDSCAPING AND PEDESTRIAN FEATURES WITH A SPECIAL EMPHASIS ON THE INTERSECTION OF JOHNSTON ROAD AND COMMUNITY HOUSE ROAD. FURTHER, THE PETITIONER WILL PROVIDE PEDESTRIAN CONNECTIONS FROM WITHIN THE SITE TO OTHER SITE ELEMENTS AND USES AND TO ARRANGE USES TO FOCUS ON THE INTERSECTION AREA, BALANCING THE NEED FOR VEHICULAR AS WELL AS PEDESTRIAN ACCESS. FINALLY, THE PETITIONER'S SITE PLAN AND ARCHITECTURAL DESIGN WILL EMPHASIZE ARCHITECTURAL MASSING AS A "STREET WALL," ESPECIALLY ALONG PRINCIPAL STREETS WITHIN THE DEVELOPMENT. THE STREET WALL WILL PROVIDE FOR BUILDING ELEVATIONS TO BE THE DOMINANT COMPONENT OF THE STREET FRONTAGE AND WILL PROVIDE PEDESTRIAN-SCALE ELEMENTS AT THE GROUND FLOOR/STREET LEVEL SUCH AS WINDOWS, ARCADES, AWNINGS, ETC. THE PETITIONER MAY PLACE RETAIL USES WITHIN OFFICE BUILDINGS ON THE SITE AS WELL AS WITHIN THE RETAIL CENTER IN ORDER TO FURTHER THE MIXED USES NATURE OF THE SITE. RETAIL FLOOR AREA LOCATED WITHIN OFFICE BUILDINGS WILL NOT BE COUNTED TOWARD THE TOTAL RETAIL FLOOR AREA LOCATED ELSEWHERE ON THE SITE. A FREE STANDING BUILDING, NOT TO EXCEED 4,000 SQUARE FEET, MAY BE ALLOWED WITHIN THE SITE AS SHOWN SCHEMATICALLY ON THIS SITE PLAN.~~

3. ACCESS TO THE SITE WILL BE PROVIDED BY CONNECTIONS TO THE NEW JOHNSTON ROAD, AND BY CONNECTIONS TO THE NEW COMMUNITY HOUSE ROAD AS SHOWN ON THE TECHNICAL DATA SHEET. ALL DRIVEWAY AND STREET CONNECTIONS ARE SUBJECT TO APPROVAL BY NCDOT AND BY THE CITY OF CHARLOTTE. THE EXACT ALIGNMENT FOR COMMUNITY HOUSE ROAD WILL BE DETERMINED IN CONCERT WITH THE CITY OF CHARLOTTE AND WITH THE PROPERTY OWNERS EAST OF COMMUNITY HOUSE ROAD WHO MAY DESIRE ACCESS TO THE ROAD IN THE FUTURE.

4. BUFFER AREAS WILL BE DEVELOPED IN ACCORDANCE WITH SECT. 12.302. REQUIRED BUFFERS ON THE SITE MAY BE ELIMINATED IF THE ADJOINING PARCELS ARE REZONED SUCH THAT BUFFERS ARE NO LONGER REQUIRED.

5. STORMWATER DETENTION FACILITIES WILL BE DESIGNED TO MEET THE APPLICABLE STANDARDS OF CHARLOTTE/MECKLENBURG STORMWATER SERVICES. NO STORMWATER DETENTION WILL OCCUR WITHIN ANY REQUIRED BUFFER AND SETBACK AREAS. IT IS THE PETITIONER'S INTENT TO REPLACE THE EXISTING LAKE ALONG THE JOHNSTON ROAD PORTION OF THE SITE WITH A WATER QUALITY POND TO THE WEST OF JOHNSTON ROAD. THE PETITIONER HAS ALREADY OBTAINED APPROVAL FROM NCDENR DIVISION OF WATER QUALITY FOR THE POND DESIGN. THE PETITIONER WILL CONSTRUCT A LINEAR PARK ALONG JOHNSTON ROAD TO SCREEN PROPOSED PARKING AREAS.

6. THE PETITIONER WILL DEDICATE A MINIMUM 100' OF RIGHT-OF-WAY FOR JOHNSTON ROAD AND FOR THE PORTION OF COMMUNITY HOUSE ROAD, WHICH FALLS ON THE SITE, PRIOR TO BUILDING 1 CERTIFICATE OF OCCUPANCY. IN ADDITION, THE PETITIONER WILL CONSTRUCT THE PORTION OF COMMUNITY HOUSE ROAD, WHICH FALLS ON THE SITE TO A CROSS SECTION DETERMINED JOINTLY BY THE PETITIONER AND CITY STAFF. IF NOT PART OF A FUNDED ROAD PROJECT, THE PETITIONER WILL CONSTRUCT A 5' SIDEWALK WITH AN 8' PLANTING STRIP, WITH A SMALLER PLANTING STRIP ACCEPTABLE WHERE ADJOINING SITE CONDITIONS PROHIBIT, ALONG THE PUBLIC STREETS THAT PASS THROUGH THE SITE. WITHIN THE INTERIOR OF THE SITE ON PRIVATE STREETS, THE PETITIONER WILL CONSTRUCT A MORE URBAN CONFIGURATION CONSISTING OF A 6' SIDEWALK AND A 6' PLANTING STRIP.

9. ANY DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 30 FEET IN HEIGHT. POLE MOUNTED LIGHTING ON THE TOP LEVEL OF DECKS SHALL BE CAPPED AND DIRECTED DOWNWARD.

10. SIGNAGE WILL BE PERMITTED IN ACCORDANCE WITH APPLICABLE ZONING STANDARDS, AND DETACHED SIGNS WILL BE LIMITED TO GROUND MOUNTED SIGNS.

11. PARKING WILL BE PROVIDED WHICH WILL MEET OR EXCEED THE STANDARDS OF THE ZONING ORDINANCE.

12. SCREENING WILL CONFORM TO THE APPLICABLE STANDARDS OF SECT. 12.303 OF THE ZONING ORDINANCE.

13. ALL DUMPSTERS ON THE SITE WILL BE SCREENED WITH A SOLID ENCLOSURE WITH GATES.

14. NO RESTAURANTS WITH DRIVE THROUGH SERVICE OR GASOLINE/CONVENIENCE FACILITIES MAY BE LOCATED ON THE SITE.

REZONING NOTES: CONTINUED

15. CONSTRUCTION TRAFFIC TO THE PETITIONER'S SITE WILL BE LIMITED TO ACCESS ONLY FROM 1-485 AND/OR JOHNSTON ROAD.

16. SUBJECT TO THE PROVISIONS OF NOTE 17, THE PETITIONERS WILL CONNECT ENDAHVEN LANE TO THE NEW SECTION OF COMMUNITY HOUSE ROAD IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE AND APPROPRIATE ENGINEERING AND CDOT STANDARDS.

17. THE PETITIONER, IF ALLOWED BY THE PLANNING STAFF, WILL CONSTRUCT THE PORTION OF COMMUNITY HOUSE ROAD ON THE SITE BUT WILL NOT COMPLETE THE FINAL CONNECTION OF ENDAHVEN LANE TO COMMUNITY HOUSE ROAD UNTIL JOHNSTON ROAD IS OPEN TO NC51. FURTHER, IF THE CONNECTION HAS NOT BEEN COMPLETED BY THE TIME THAT CMS BEGINS CONSTRUCTION OF THE NEW SCHOOL ON ENDAHVEN LANE, THE PETITIONERS WILL PROVIDE FOR SCHOOL CONSTRUCTION TRAFFIC TO CROSS THE PETITIONER'S SITE AS AN ALTERNATIVE TO THE USE OF ENDAHVEN LANE.

~~18. THE DEVELOPMENT OF THE SITE WILL BE LIMITED BY THE FOLLOWING SCHEDULE:
 - NO MORE THAN 50% OF THE MULTIFAMILY DEVELOPMENT WEST OF JOHNSTON ROAD, NO MORE THAN 50% OF THE OFFICE DEVELOPMENT AND NO MORE THAN 35% OF THE RETAIL DEVELOPMENT MAY RECEIVE CERTIFICATES OF OCCUPANCY UNTIL JOHNSTON ROAD IS OPEN TO COMMUNITY HOUSE ROAD.
 - THE NEXT 25% OF THE OFFICE DEVELOPMENT MAY RECEIVE CERTIFICATES OF OCCUPANCY AT THE EARLIER OF THE OPENING OF JOHNSTON ROAD TO NC51 OR JUNE 2002.
 - THE REMAINING 25% OF THE OFFICE DEVELOPMENT, THE REMAINING 65% OF THE RETAIL DEVELOPMENT AND THE REMAINING 50% OF THE MULTIFAMILY DEVELOPMENT WEST OF JOHNSTON ROAD, MAY RECEIVE CERTIFICATES OF OCCUPANCY AT THE EARLIER OF THE OPENING OF JOHNSTON ROAD TO NC51 OR JUNE 2003.~~

~~19. BUILDINGS WITHIN THE RETAIL PORTION OF THE SITE WILL BE ONE TO TWO STORIES IN HEIGHT AND BUILDINGS WITHIN THE OFFICE PORTION OF THE SITE WILL RANGE FROM TWO TO SIX STORIES IN HEIGHT.~~

20. THE PETITIONERS WILL DEVELOP A MASTER PLAN FOR THE STREETScape WITHIN AND ALONG THE MARGINS OF THE SITE, WHICH WILL INCLUDE PEDESTRIAN SCALE LIGHTING, TREE PLANTING, LANDSCAPING, SIGNAGE, AND OTHER AMENITIES DESIGNED TO ENHANCE THE PEDESTRIAN ENVIRONMENT AND THE SITE WILL BE DEVELOPED IN ACCORDANCE WITH THAT MASTER PLAN.

21. THE PETITIONERS WILL DEVELOP A MASTER SIGNAGE PLAN FOR THE SITE TO COORDINATE IDENTIFICATION AND DIRECTIONAL INFORMATION FOR THE STRUCTURE, STREETS, AND PEDESTRIAN AREAS OF THE SITE.

22. WITH REGARD TO THE ACCESS DRIVE FOR THE RESIDENTIAL PORTION OF THE SITE THAT ORIENTS TO COMMUNITY HOUSE ROAD, THE PETITIONERS WILL CONSTRUCT THAT ENTRANCE SUCH THAT ITS DESIGN AND SIGNAGE WILL CLEARLY INDICATE THAT IT IS A RESIDENTIAL ENTRANCE AND NOT AN ACCESS TO THE OFFICE PORTION OF THE SITE, SO AS TO DISCOURAGE "CUT THROUGH TRAFFIC" BETWEEN ENDAHVEN LANE AND THE OFFICE PORTION OF THE SITE.

23. THE PETITIONERS WILL INSTALL, AT THEIR COST, SIGNAGE, LANDSCAPING AND OTHER APPROPRIATE ENTRANCEWAY IMPROVEMENTS AT THE FUTURE CONNECTION OF ENDAHVEN LANE AND COMMUNITY HOUSE ROAD. THESE ENTRANCEWAY IMPROVEMENTS WILL BE SUBSTANTIALLY SIMILAR TO THE ENTRANCEWAY FEATURES TO BE LOCATED ACROSS THE COMMUNITY HOUSE ROAD AT THE ENTRANCEWAY TO THE PROPOSED MULTIFAMILY COMMUNITY AND WILL BE INSTALLED AT THE SAME TIME.

24. THE PETITIONERS WILL INSTALL CERTAIN TURNING LANE IMPROVEMENTS AT THE ENDAHVEN LANE/ELM LANE WEST INTERSECTION. THE IMPROVEMENTS WILL RESULT IN THE CREATION OF TWO DISTINCT TURN LANES FOR TRAFFIC LEAVING ENDAHVEN LANE AND BE BUILT IN ACCORDANCE WITH APPLICABLE CDOT DESIGN AND ENGINEERING STANDARDS SUBJECT TO THE AVAILABILITY OF REQUIRED RIGHT-OF-WAY.

25. THE PETITIONERS WILL CONTRIBUTE 1/2 OF THE COST OF A TRAFFIC SIGNAL AT THE ENDAHVEN LANE/ELM LANE INTERSECTION. THE CONTRIBUTION WILL BE MADE AT THE TIME THAT ENDAHVEN LANE IS CONNECTED TO COMMUNITY HOUSE ROAD AND THE TIMING OF THE SIGNAL INSTALLATION AND ITS OPERATION WILL BE DETERMINED BY CDOT.

26. THE PETITIONER RESERVES THE RIGHT TO REQUEST A VARIANCE FROM THE NORMAL BUFFER REQUIREMENTS FOR THE AREA ADJACENT TO A SMALL STRIP OF LAND BETWEEN THE PETITIONER'S SITE AND THE FUTURE COMMUNITY HOUSE ROAD RIGHT-OF-WAY.

GENERAL NOTES:

1. PARKING BETWEEN THE BUILDINGS AND COMMUNITY HOUSE ROAD WILL BE PROHIBITED.

2. UNTIL RIGHT-OF-WAY FOR COMMUNITY HOUSE ROAD IS DEDICATED, BUILDINGS X AND XI WILL NOT BE BUILT. THIS IS DUE TO THE FACT THAT THE PROPERTY LINE (FUTURE RIGHT-OF-WAY) WOULD REQUIRE A REAR YARD OF 40 FEET AND WOULD ALSO REQUIRE A BUFFER.

~~3. EACH RESIDENTIAL UNIT DRIVEWAY MUST BE AT LEAST 20 FEET LONG, MEASURED FROM THE BACK OF THE SIDEWALK TO THE FRONT OF EACH GARAGE.~~

~~4. SIDEWALKS ADJACENT TO PARKING SPACES SHOULD BE AT LEAST 7 FEET WIDE OR BE SEPARATE FROM THE PARKING SPACES BY A 2 FEET (MINIMUM) PLANTING STRIP TO ELIMINATE ENCRoACHMENT INTO THE SIDEWALK BY VEHICLE OVERHANG.~~

~~5. FOR RESIDENTIAL BUILDINGS WITHOUT GARAGES, A FACILITY DEDICATED FOR THE SECURED BICYCLE PARKING WILL BE PROVIDED. SUCH A SHARED FACILITY WILL BE IN THE FORM OF A SECURED ROOM OR STORAGE BUILDING WITH ONE BICYCLE PARKING SPACE PROVIDED PER FOUR DWELLING UNITS.~~

6. ADEQUATE SIGHT TRIANGLES WILL BE RESERVED AT THE EXISTING/PROPOSED DRIVEWAY ENTRANCES. TWO 35' X 35' SIGHT TRIANGLES ARE REQUIRED FOR THE ENTRANCE TO MEET SIGHT DISTANCE REQUIREMENTS. ALL PROPOSED TREES, BERMS, WALLS, FENCES, AND/OR IDENTIFICATION SIGN'S MUST NOT INTERFERE WITH SIGHT DISTANCE AT THE ENTRANCES.

7. THE PROPOSED DRIVEWAY CONNECTION TO COMMUNITY HOUSE ROAD WILL REQUIRE A DRIVEWAY PERMIT APPROVED BY CDOT.

8. ANY FENCE OR WALL CONSTRUCTED ALONG OR ADJACENT TO ANY SIDEWALK OR STREET RIGHT-OF-WAY REQUIRES A CERTIFICATE ISSUED BY CDOT.

9. A RIGHT-OF-WAY ENCRoACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEM(S) (IRRIGATION SYSTEMS, DECORATIVE CONCRETE PAVERS, BRICK PAVERS, ETC.) WITH A PROPOSED/EXISTING CITY MAINTAINED STREET RIGHT-OF-WAY. AN ENCRoACHMENT AGREEMENT MUST BE APPROVE BY CDOT PRIOR TO THE INSTALLATION OF NON-STANDARD ITEMS.

10. MINIMUM WIDTH OF DRIVEWAYS SHALL BE AS FOLLOWS: 26' FOR TWO WAY TRAFFIC, 20' FOR ONE-WAY TRAFFIC.

11. THE DRIVEWAY TO COMMUNITY HOUSE ROAD MUST BE A TYPE III DRIVEWAY.

12. PARKING DIMENSIONS SHALL CONFORM TO CITY OF CHARLOTTE STANDARDS.

13. DEVELOPMENT MUST CONFORM TO THE CHARLOTTE SUBDIVISION REGULATIONS, CHAPTER 20 OF THE CITY CODE.

14. STORMWATER DETENTION FACILITIES SHALL BE IN ACCORDANCE WITH THE DRAINAGE DETENTION ORDINANCE, A PORTION OF APPENDIX A OF THE CITY CODE.

15. GRADING PERMIT SHALL BE IN ACCORDANCE WITH CHAPTER 18 OF THE CITY CODE.

16. SITE WILL COMPLY WITH CHAPTER 21, SECTION 45 OF THE CHARLOTTE CITY CODE.

17. 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 FORESTRY STAFF.

18. SITE WILL COMPLY WITH CHAPTER 21 OF THE CHARLOTTE CITY CODE.

19. EXISTING TREES THAT ARE DAMAGED OR IMPACTED BY CONSTRUCTION MAY REQUIRE MITIGATION AND/OR MONETARY FINES.

20. THE URBAN FORESTRY STAFF WILL DETERMINE THE NUMBER AND TYPE OF TREES REQUIRED FOR THIS SITE DURING LANDSCAPE PLAN REVIEW.

21. PLANTED TREES IN THE RIGHT OF WAY THAT ARE 1" IN DIAMETER OR LARGER REQUIRE A PERMIT FROM THE CITY ARBORIST BEFORE REMOVAL. TREE SURVEY OF EXISTING 8" TREES IN SETBACK IS REQUIRED WITH THIS REZONING.

No.	Revision	Date	By
1	Revisions per City of Charlotte Comments	8/17/02	JJJ
2	Revisions per City of Charlotte Comments	8/14/02	JJJ

Designer	Drawn By	Checked By	Date	Job No.
NA	KMV	JJJ	8/18/03	203078

TORINGDON DEVELOPMENT - BUILDING 3
 CHARLOTTE MECKLENBURG COUNTY NORTH CAROLINA

REZONING NOTES
TROTTER PARCEL

WITHERS & RAVENEL
 ENGINEERS | PLANNERS | SURVEYORS
 1111 Mountain Drive Cary, North Carolina 27511 tel: 919-469-3340 fax: 919-467-6008 www.wITHERS&RAVENEL.com

EXHIBIT A

FOR PUBLIC HEARING
PETITION #2003-48