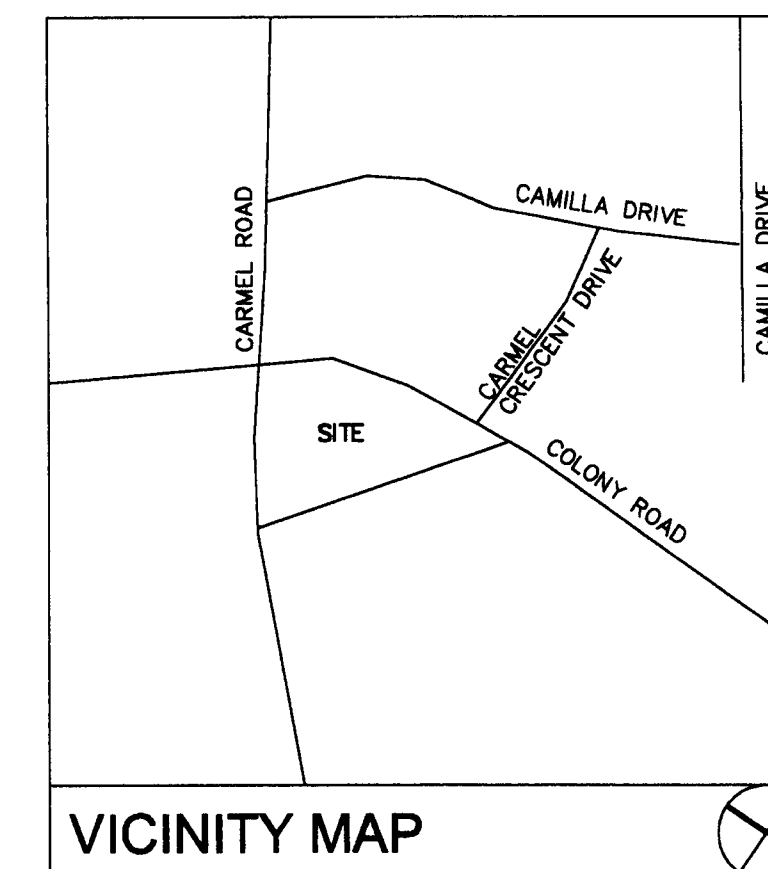


Tuscan Development, LLC

1920 Cleveland Avenue
Charlotte, North Carolina 28203

704.343.0110 voice
704.343.0443 fax
www.tuscandevelopment.com

APPROVED BY
CITY COUNCIL
JAN 17 2006



ZONING CODE SUMMARY

SITE:	PORTION OF TAX PARCEL NO. 211-632-99
EXISTING ZONING:	R-3
PROPOSED ZONING:	UR-2(CD)
PROPOSED USE:	36 UNIT (MAXIMUM) MULTI-FAMILY CONDOMINIUMS FOR SALE
ACREAGE:	7.64 ACRES
SETBACK:	30.0' (COLONY ROAD)
SIDE YARD:	15.0'
REAR YARD:	50.0'
FLOOR AREA RATIO:	1.0 (MAXIMUM)
HEIGHT:	SEE NOTE V, ARCHITECTURAL COMMITMENTS A, B, AND C, SHEET R22, FOR BUILDING HEIGHTS
PARKING REQUIRED:	36 SPACES
PARKING PROVIDED:	72 SPACES (MINIMUM) 108 SPACES (MAXIMUM)

Project: _____

Hagood Reserve

Sheet Title: _____

Rezoning Plan Petition No. 2005-162

For Public Hearing

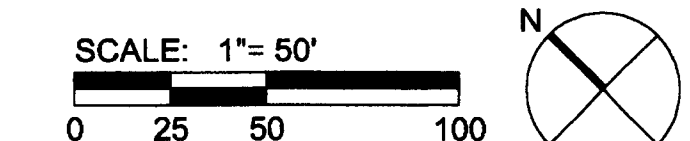
Issue Date: _____

September 13, 2005

Revision: _____

Date	Description
11/18/05	PER CMPC COMMENTS
12/21/05	PER CMPC COMMENTS
1/17/06	PER CMPC COMMENTS
1/18/06	PER CMPC COMMENTS

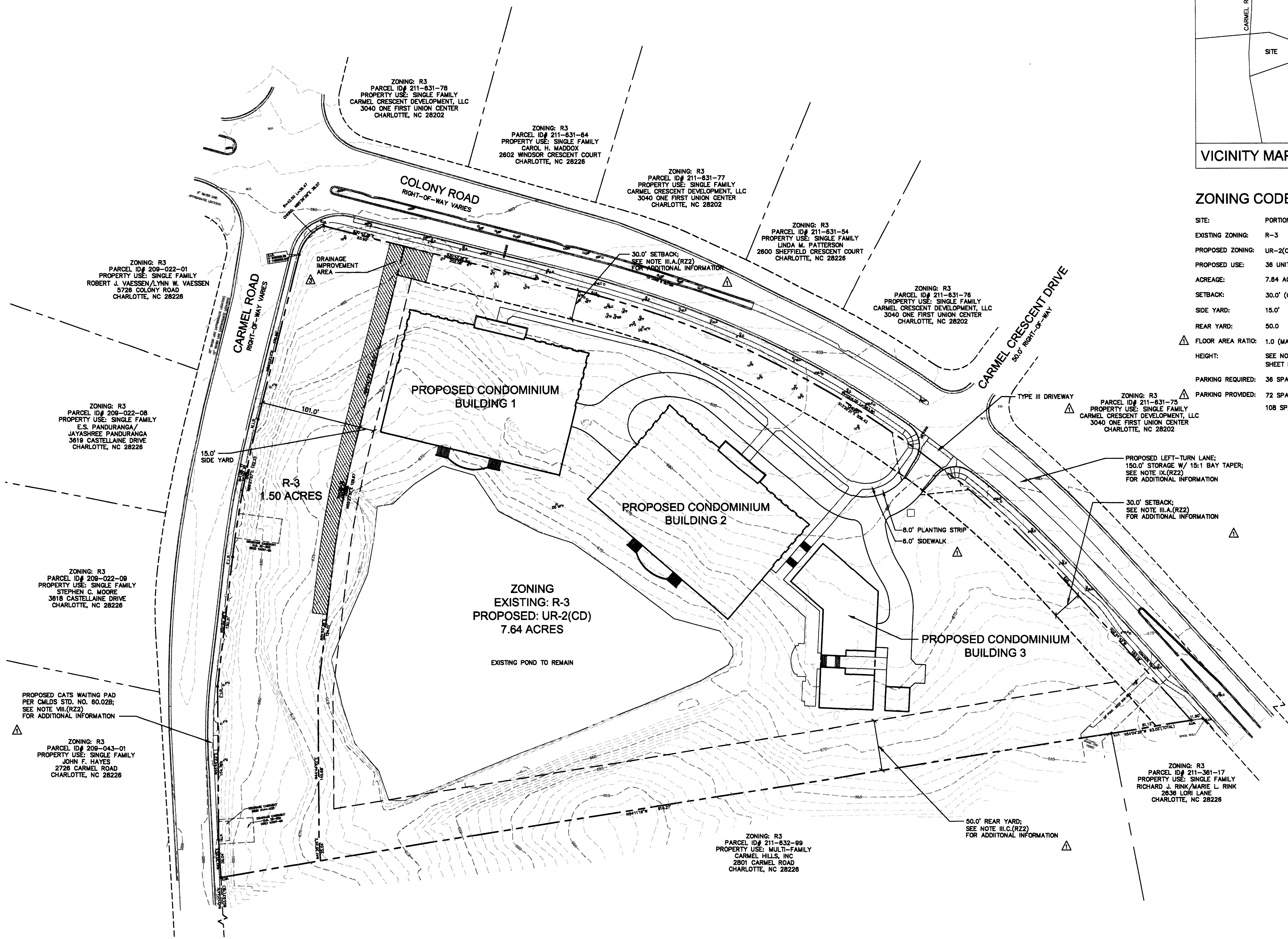
Scale: _____



Sheet Number: _____

FOR REZONING PURPOSES ONLY; NOT FOR CONSTRUCTION

IRZ1



ZONING: R3
PARCEL ID# 211-631-78
PROPERTY USE: SINGLE FAMILY
CARMEL CRESCENT DEVELOPMENT, LLC
3040 ONE FIRST UNION CENTER
CHARLOTTE, NC 28202

ZONING: R3
PARCEL ID# 211-631-64
PROPERTY USE: SINGLE FAMILY
CAROL H. MADDOX
2802 WINDSOR CRESCENT COURT
CHARLOTTE, NC 28228

ZONING: R3
PARCEL ID# 211-631-77
PROPERTY USE: SINGLE FAMILY
CARMEL CRESCENT DEVELOPMENT, LLC
3040 ONE FIRST UNION CENTER
CHARLOTTE, NC 28202

ZONING: R3
PARCEL ID# 211-631-54
PROPERTY USE: SINGLE FAMILY
LINDA M. PATTERSON
2800 SHEPHERD CRESCENT COURT
CHARLOTTE, NC 28228

ZONING: R3
PARCEL ID# 211-631-76
PROPERTY USE: SINGLE FAMILY
CARMEL CRESCENT DEVELOPMENT, LLC
3040 ONE FIRST UNION CENTER
CHARLOTTE, NC 28202

ZONING: R3
PARCEL ID# 211-631-75
PROPERTY USE: SINGLE FAMILY
CARMEL CRESCENT DEVELOPMENT, LLC
3040 ONE FIRST UNION CENTER
CHARLOTTE, NC 28202

ZONING: R3
PARCEL ID# 211-361-17
PROPERTY USE: SINGLE FAMILY
RICHARD J. RINK/MARIE L. RINK
2836 LORI LANE
CHARLOTTE, NC 28226

ZONING: R3
PARCEL ID# 211-632-99
PROPERTY USE: MULTI-FAMILY
CARMEL HILLS, INC
2801 CARMEL ROAD
CHARLOTTE, NC 28228

ZONING: R3
PARCEL ID# 209-022-01
PROPERTY USE: SINGLE FAMILY
ROBERT J. VAESSEN/LYNN W. VAESSEN
5728 COLONY ROAD
CHARLOTTE, NC 28228

ZONING: R3
PARCEL ID# 209-022-08
PROPERTY USE: SINGLE FAMILY
E.S. PANDURANGA/
JAYASHREE PANDURANGA
3819 CASTELLANE DRIVE
CHARLOTTE, NC 28228

ZONING: R3
PARCEL ID# 209-022-09
PROPERTY USE: SINGLE FAMILY
STEPHEN C. MOORE
3818 CASTELLANE DRIVE
CHARLOTTE, NC 28228

ZONING: R3
PARCEL ID# 209-043-01
PROPERTY USE: SINGLE FAMILY
JOHN F. HAYES
2728 CARMEL ROAD
CHARLOTTE, NC 28228

ZONING
EXISTING: R-3
PROPOSED: UR-2(CD)
7.64 ACRES

EXISTING POND TO REMAIN

R-3
1.50 ACRES

PROPOSED CONDOMINIUM
BUILDING 1

PROPOSED CONDOMINIUM
BUILDING 2

PROPOSED CONDOMINIUM
BUILDING 3

DRAINAGE
IMPROVEMENT
AREA

30.0' SETBACK;
SEE NOTE III.A.(R22)
FOR ADDITIONAL INFORMATION

PROPOSED LEFT-TURN LANE,
150.0' STORAGE W/ 15:1 BAY TAPER;
SEE NOTE IX.(R22)
FOR ADDITIONAL INFORMATION

30.0' SETBACK;
SEE NOTE III.A.(R22)
FOR ADDITIONAL INFORMATION

8.0' PLANTING STRIP
8.0' SIDEWALK

50.0' REAR YARD;
SEE NOTE III.C.(R22)
FOR ADDITIONAL INFORMATION

PROPOSED CATS WAITING PAD
PER CMDS STD. NO. 60.02B;
SEE NOTE VIII.(R22)
FOR ADDITIONAL INFORMATION

DEVELOPMENT STANDARDS

I. GENERAL COMMITMENT:

A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY TUSCAN DEVELOPMENT, LLC TO ACCOMMODATE THE DEVELOPMENT OF THAT APPROXIMATELY 7.64 ACRE PARCEL OF LAND LOCATED ON THE SOUTHWESTERN CORNER OF THE INTERSECTION OF CARMEL ROAD AND COLONY ROAD, WHICH PARCEL OF LAND IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE").

THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") FOR THE UR-2 ZONING DISTRICT UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THESE DEVELOPMENT STANDARDS OR THIS REZONING PLAN.

B. SUBJECT TO THE TERMS AND CONDITIONS SET OUT BELOW, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDINGS SHOWN ON THE REZONING PLAN ARE SCHEMATIC AND CONCEPTUAL IN NATURE AND MAY BE ALTERED AND/OR MODIFIED BASED UPON FINAL DESIGN, DEVELOPMENT AND CONSTRUCTION DOCUMENTS AND SITE AND TOPOGRAPHICAL CONSTRAINTS WITHIN THE BUILDING ENVELOPES ESTABLISHED ON THIS REZONING PLAN AND IN ACCORDANCE WITH SECTION 6.206(2) OF THE ORDINANCE.

II. PERMITTED USES:

A. THE SITE MAY BE DEVOTED ONLY TO THE FOLLOWING USES:

UP TO 36 FOR SALE MULTI-FAMILY ATTACHED DWELLING UNITS, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH WHICH ARE PERMITTED UNDER THE ORDINANCE IN THE UR-2 ZONING DISTRICT. THE 36 FOR SALE MULTI-FAMILY ATTACHED DWELLING UNITS WILL BE LOCATED IN THREE BUILDINGS AS DEPICTED ON THE REZONING PLAN.

III. SETBACKS, SIDE YARDS, AND REAR YARDS:

A. AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, ALL BUILDINGS AND PARKING AREAS SHALL BE SETBACK A MINIMUM OF 30 FEET FROM THE RIGHT-OF-WAY LINE ALONG COLONY ROAD (WHICH SETBACK LINE IS APPROXIMATELY 45 FEET FROM THE BACK OF THE EXISTING CURB ALONG COLONY ROAD). BUILDINGS AND PARKING AREAS SHALL NOT BE PERMITTED WITHIN THE 30 FOOT SETBACK. SUBJECT TO THE STANDARDS SET OUT BELOW, ALL TREES LOCATED WITHIN THE 30 FOOT SETBACK SHALL BE PRESERVED, AND THIS AREA SHALL BE MAINTAINED IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

- (1) THE 30 FOOT SETBACK AREA SHALL, AT A MINIMUM, MEET THE TREE AND SHRUB REQUIREMENTS SPECIFIED FOR A CLASS 'C' BUFFER. ACCORDINGLY, PETITIONER SHALL INSTALL ADDITIONAL TREES AND SHRUBS AS NECESSARY TO CAUSE THE 30 FOOT SETBACK AREA TO COMPLY WITH THE TREE AND SHRUB REQUIREMENTS OF A CLASS 'C' BUFFER.
- (2) TREES AND SHRUBS MAY BE HAND PRUNED ONLY. NO HEAVY EQUIPMENT OR VEHICLES ALLOWED IN THIS AREA.
- (3) PLANT MATERIAL, WHICH MAY BE REMOVED, SHALL BE CUT FLUSH WITH THE GROUND. NO DISTURBANCE OF THE SOIL SHALL BE PERMITTED, EXCEPT THAT THE SOIL MAY BE DISTURBED IN CONNECTION WITH THE INSTALLATION OF ADDITIONAL TREES AND SHRUBS.
- (4) NO TREE LIMB REMOVAL, WITH THE EXCEPTION OF DEAD OR DISEASED LIMBS.
- (5) WEEDS AND VINES MAY BE REMOVED.
- (6) TREES THAT MEASURE LESS THAN TWO INCHES IN CALIPER AT THE BASE THAT ARE CLEARLY IN THE DRIPLINE OF A TREE THAT IS TWO FEET OR GREATER MAY BE REMOVED.
- (7) DEAD TREES AND MATERIALS MAY BE REMOVED. DISEASED TREES MAY BE REMOVED AT THE DISCRETION OF THE CITY OF CHARLOTTE URBAN FORESTER.
- (8) MULCH MAY BE APPLIED TO THIS AREA. MULCH SHALL BE KEPT TWO TO THREE INCHES AWAY FROM THE BARK OF ANY TREE.

NOTWITHSTANDING THE FOREGOING, THE PETITIONER MAY REMOVE TREES AND SHRUBS AND DISTURB THE SOIL AS REQUIRED TO INSTALL OR IMPROVE THE VEHICULAR ACCESS DRIVEWAY INTO THE SITE. ADDITIONALLY, THE PETITIONER MAY REMOVE TREES AND SHRUBS AND DISTURB THE SOIL WITHIN THE DRAINAGE IMPROVEMENT AREA LOCATED WITHIN THE SETBACK AND DEPICTED ON THE REZONING PLAN AS REQUIRED TO INSTALL AND MAINTAIN CERTAIN DRAINAGE IMPROVEMENTS, PROVIDED, HOWEVER, THAT THE PETITIONER SHALL PLANT TREES AND SHRUBS WITHIN THE DRAINAGE IMPROVEMENT AREA TO REPLACE ANY TREES OR SHRUBS THAT ARE REMOVED IN CONNECTION WITH THE INSTALLATION OR MAINTENANCE OF THE DRAINAGE IMPROVEMENTS.

IN ADDITION TO THE FOREGOING REQUIREMENTS, ANY EXISTING TREE LOCATED WITHIN THE 30 FOOT SETBACK ALONG COLONY ROAD DEPICTED ON THE REZONING PLAN THAT IS TWO INCHES IN CALIPER OR LARGER THAT IS DESTROYED BY ANY CAUSE OR REMOVED WILL BE REPLACED BY THE OWNER(S) OF THE SITE AND THE R-3 AREA (INCLUDING ANY HOMEOWNERS ASSOCIATION) WITH A REPLACEMENT TREE (A "REPLACEMENT TREE"). A REPLACEMENT TREE SHALL BE OF A SIMILAR SPECIES AS THE TREE THAT IS DESTROYED OR REMOVED, IT SHALL BE OF A TYPE THAT WILL REACH THE HEIGHT OF THE TREE THAT IS DESTROYED OR REMOVED AT ITS MATURITY AND IT SHALL BE AT LEAST 2.5 INCHES IN CALIPER AND 8.5 FEET IN HEIGHT AT THE TIME OF INSTALLATION. FOR PURPOSES OF THIS PROVISION, A TREE SURVEY OF THE 30 FOOT SETBACK IS ATTACHED TO THIS REZONING PLAN. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR ANY BUILDING CONSTRUCTED ON THE SITE, THE OWNER(S) OF THE SITE SHALL CAUSE TO BE RECORDED IN THE MECKLENBURG COUNTY PUBLIC REGISTRY A PERPETUAL RESTRICTIVE COVENANT OR DEED RESTRICTION IN FAVOR OF CARMEL CRESCENT OWNERS ASSOCIATION, INC. THAT CONTAINS THE RESTRICTIONS AND REQUIREMENTS OF THIS PARAGRAPH.

B. AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, A 15 FOOT SIDE YARD SHALL BE ESTABLISHED ALONG THE SITE'S NORTHERN BOUNDARY LINE. BUILDINGS AND PARKING AREAS SHALL NOT BE PERMITTED WITHIN THE 15 FOOT SIDE YARD.

C. AS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, A 50 FOOT REAR YARD SHALL BE ESTABLISHED ALONG THE SITE'S WESTERLY BOUNDARY LINE. BUILDINGS AND PARKING AREAS SHALL NOT BE ALLOWED WITHIN THIS 50 FOOT REAR YARD. SUBJECT TO THE STANDARDS SET OUT BELOW, ALL TREES LOCATED WITHIN THE 50 FOOT REAR YARD SHALL BE PRESERVED, AND THIS AREA SHALL BE MAINTAINED IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

- (1) TREES AND SHRUBS MAY BE HAND PRUNED ONLY. NO HEAVY EQUIPMENT OR VEHICLES ALLOWED IN THIS AREA.
- (2) PLANT MATERIAL, WHICH MAY BE REMOVED, SHALL BE CUT FLUSH WITH THE GROUND. NO DISTURBANCE OF THE SOIL SHALL BE PERMITTED.
- (3) NO TREE LIMB REMOVAL, WITH THE EXCEPTION OF DEAD OR DISEASED LIMBS.
- (4) WEEDS AND VINES MAY BE REMOVED.
- (5) TREES THAT MEASURE LESS THAN TWO INCHES IN CALIPER AT THE BASE THAT ARE CLEARLY IN THE DRIPLINE OF A TREE THAT IS TWO FEET OR GREATER MAY BE REMOVED.
- (6) DEAD TREES AND MATERIALS MAY BE REMOVED. DISEASED TREES MAY BE REMOVED AT THE DISCRETION OF THE CITY OF CHARLOTTE URBAN FORESTER.
- (7) MULCH MAY BE APPLIED TO THIS AREA. MULCH SHALL BE KEPT TWO TO THREE INCHES AWAY FROM THE BARK OF ANY TREE.

IV. LANDSCAPING AND SCREENING:

A. LANDSCAPING AND SCREENING SHALL, AT A MINIMUM, SATISFY THE REQUIREMENTS OF SECTION 12.303 OF THE ORDINANCE.

B. LANDSCAPING WILL BE INSTALLED IN STAGES IN ACCORDANCE WITH THE ORDINANCE AS THE SITE IS DEVELOPED.

C. ANY DUMPSTERS LOCATED ON 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 PURSUANT TO SECTION 12.403 OF THE ORDINANCE.

D. THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE.

E. ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW AT GRADE FROM PUBLIC RIGHTS OF WAY AND ADJOINING PROPERTIES.

V. ARCHITECTURAL COMMITMENTS:

A. THE MAXIMUM HEIGHT OF BUILDING 1 SHALL BE:

- (1) 39 FEET TO THE EAVE ABOVE THE GRADE OF THE SITE AT THE BASE OF THAT PORTION OF THE BUILDING FRONTING COLONY ROAD.
- (2) 15 FEET FROM THE EAVE TO THE TOP OF THE ROOF ON THE SIDE OF THE BUILDING FRONTING COLONY ROAD.
- (3) ADDITIONALLY, AN ARCHITECTURAL ELEMENT IN THE CENTER OF THE FACADE MAY EXTEND ANOTHER 7 FEET ABOVE THE ROOF LINE.

B. THE MAXIMUM HEIGHT OF BUILDING 2 SHALL BE:

- (1) 51 FEET TO THE EAVE ABOVE THE GRADE OF THE SITE AT THE BASE OF THAT PORTION OF THE BUILDING FRONTING COLONY ROAD.
- (2) 15 FEET FROM THE EAVE TO THE TOP OF THE ROOF ON THE SIDE OF THE BUILDING FRONTING COLONY ROAD.
- (3) ADDITIONALLY, AN ARCHITECTURAL ELEMENT IN THE CENTER OF THE FACADE MAY EXTEND ANOTHER 7 FEET ABOVE THE ROOF LINE.

C. THE MAXIMUM HEIGHT OF BUILDING 3 SHALL BE:

- (1) 39 FEET TO THE EAVE ABOVE THE GRADE OF THE SITE AT THE BASE OF THAT PORTION OF THE BUILDING FRONTING COLONY ROAD.
 - (2) 15 FEET FROM THE EAVE TO THE TOP OF THE ROOF ON THE SIDE OF THE BUILDING FRONTING COLONY ROAD.
- SEE ATTACHED ELEVATIONS FOR MORE DETAIL.

D. THE ATTACHED SCHEMATIC ARCHITECTURAL ELEVATIONS OF BUILDINGS 1 AND 2 ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THESE BUILDINGS, CHANGES AND ALTERATIONS WHICH DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER ARE PERMITTED BASED UPON FINAL DESIGN/CONSTRUCTION DRAWINGS.

E. TO ENSURE THAT BUILDING 3 IS ARCHITECTURALLY COMPATIBLE AND CONSISTENT WITH THE ARCHITECTURAL STYLE AND CHARACTER OF BUILDINGS 1 AND 2, PETITIONER WILL SUBMIT ELEVATIONS OF BUILDING 3 TO THE PLANNING STAFF FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR BUILDING 3.

F. THE EXTERIOR FINISH OF THE BUILDINGS (EXCLUDING THE ROOF) SHALL CONSIST PRIMARILY OF HARD COAT STUCCO OR SIMILAR MATERIALS.

VI. LIGHTING:

- A. ALL FREESTANDING LIGHTING FIXTURES INSTALLED WITHIN THE SITE SHALL BE UNIFORM IN DESIGN, AND THE MAXIMUM HEIGHT OF ANY SUCH LIGHTING FIXTURE, INCLUDING ITS BASE, MAY NOT EXCEED 15 FEET IN HEIGHT.
- B. ALL EXTERIOR LIGHT FIXTURES (EXCEPT STREET LIGHTS) SHALL BE CAPPED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND WITHOUT THE PERIMETER OF THE SITE. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUT-OFF ANGLES, COLOR, ENERGY EFFICIENCY AND SHIELDING OF SOURCES OF LIGHT, THE INTENT BEING TO ELIMINATE GLARE TOWARDS PUBLIC STREETS AND ADJACENT PROPERTIES.

VII. OFF-STREET VEHICULAR AND BICYCLE PARKING:

- A. A MINIMUM OF 72 OFF-STREET PARKING SPACES AND A MAXIMUM OF 108 OFF-STREET PARKING SPACES SHALL BE PROVIDED.
- B. THE OFF-STREET PARKING SPACES SHALL BE LOCATED WITHIN OR UNDERNEATH THE BUILDINGS LOCATED ON THE SITE. NOTWITHSTANDING THE FOREGOING, UP TO TEN OFF-STREET SURFACE PARKING SPACES MAY BE LOCATED ADJACENT TO BUILDING 3.
- C. THE SITE WILL COMPLY WITH THE BICYCLE PARKING REQUIREMENTS OF THE ORDINANCE. BICYCLE PARKING SPACES WILL BE LOCATED WITHIN OR UNDERNEATH THE BUILDINGS LOCATED ON THE SITE.

VIII. TRANSIT STOP:

PETITIONER SHALL INSTALL A CONCRETE BUS STOP PAD ADJACENT TO CARMEL ROAD IN THE LOCATION DEPICTED ON THE REZONING PLAN. PETITIONER WILL GRANT AN APPROPRIATE EASEMENT TO THE CITY OF CHARLOTTE TO FACILITATE ITS USE AND MAINTENANCE OF THE CONCRETE BUS STOP PAD.

IX. TRANSPORTATION COMMITMENTS:

- A. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR ANY BUILDING CONSTRUCTED ON THE SITE, PETITIONER SHALL INSTALL A NORTHBOUND LEFT TURN LANE ON COLONY ROAD AT THE VEHICULAR ACCESS POINT INTO THE SITE. THE LEFT TURN LANE SHALL HAVE A LENGTH OF 150 FEET. PETITIONER SHALL BE RESPONSIBLE FOR ALL COSTS AND EXPENSES RELATED TO THE DESIGN AND CONSTRUCTION OF THE LEFT TURN LANE.
- B. PETITIONER SHALL DEDICATE AND CONVEY RIGHT OF WAY ALONG CARMEL ROAD MEASURING 35 FEET FROM THE CENTERLINE OF CARMEL ROAD. THIS RIGHT OF WAY SHALL BE DEDICATED AND CONVEYED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR ANY BUILDING CONSTRUCTED ON THE SITE.

X. STORM WATER MANAGEMENT:

- A. THE PETITIONER SHALL TIE-IN TO THE EXISTING STORM WATER SYSTEM(S). THE PETITIONER SHALL HAVE THE RECEIVING DRAINAGE SYSTEM(S) ANALYZED TO ENSURE THAT IT WILL NOT BE TAKEN OUT OF STANDARD DUE TO THE DEVELOPMENT. IF IT IS FOUND THAT DEVELOPMENT WILL CAUSE THE STORM SYSTEM(S) TO BE TAKEN OUT OF STANDARD, THE PETITIONER SHALL PROVIDE METHODS TO PREVENT THIS FROM OCCURRING.
- B. THE PETITIONER SHALL CONTROL AND TREAT THE ENTIRE RUNOFF VOLUME FOR THE POST-DEVELOPMENT 1-YEAR 24-HOUR STORM. RUNOFF DRAW DOWN TIME SHALL BE A MINIMUM OF 24 HOURS, BUT NOT MORE THAN 120 HOURS. PEAK STORM WATER RELEASE RATES SHOULD MATCH PRE-DEVELOPMENT RATES FOR THE 2-YEAR AND 10-YEAR 6-HOUR STORM EVENTS.
- C. THE USE OF STRUCTURAL STORM WATER TREATMENT SYSTEMS (WET PONDS, EXTENDED DETENTION WETLANDS, BIO-RETENTION, ETC.) SHALL BE INCORPORATED INTO THE SITE AND DESIGNED TO HAVE AN 85% AVERAGE ANNUAL REMOVAL FOR TOTAL SUSPENDED SOLIDS GENERATED FROM THE DEVELOPMENT ACCORDING TO SPECIFICATIONS IN THE MOST RECENT VERSION OF THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEST MANAGEMENT PRACTICES MANUAL (DESIGN STANDARDS SHALL BE MET ACCORDING TO THE CITY OF CHARLOTTE BEST MANAGEMENT PRACTICES MANUAL, WHEN AVAILABLE).
- D. THE FOLLOWING AGENCIES MUST BE CONTACTED PRIOR TO CONSTRUCTION REGARDING WETLAND AND WATER QUALITY PERMITS:
SECTION 401 PERMIT NCDENR - RALEIGH OFFICE (919)733-1788
SECTION 404 PERMIT US ARMY CORPS OF ENGINEERS (704)271-4854

E. THE DEVELOPER MAY, THROUGH AN AGREEMENT WITH NECESSARY PROPERTY OWNERS AND/OR AGENCIES AND ENTITIES UTILIZE AND IMPROVE THE EXISTING POND ON THE PROPOSED DEVELOPMENT SITE FOR DETENTION AND WATER QUALITY BENEFITS. IF THE EXISTING POND IS TO BE UTILIZED, THE PETITIONER SHALL IMPROVE/ENHANCE THE POND TO MEET THE AFOREMENTIONED SPECIFICATIONS LISTED IN ITEMS #1-4 ABOVE. IMPROVEMENTS AND ENHANCEMENTS MAY INCLUDE CONSTRUCTION OF A FOREBAY AT THE SITE'S STORM WATER DISCHARGE, CONSTRUCTION OF A LITTORAL SHELF AROUND THE PERIMETER OF THE POND, AND CONSTRUCTION OF AN OUTLET CONTROL STRUCTURE TO MEET ALL DETENTION REQUIREMENTS AS WELL AS DRAWDOWN REQUIREMENTS.

XI. SIGNS:

ALL SIGNS PLACED ON THE SITE WILL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

XII. VEHICULAR ACCESS:

A. VEHICULAR ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND ARCHITECTURAL CONSTRUCTION PLANS AND DESIGNERS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

B. A VEHICULAR CONNECTION TO CARMEL ROAD SHALL NOT BE PERMITTED.

XIII. SIDEWALKS:

A. PURSUANT TO SECTION 12.529 OF THE ORDINANCE, THE PETITIONER SHALL INSTALL MINIMUM 5 FOOT WIDE SIDEWALKS CONNECTING THE BUILDINGS ON THE SITE TO THE EXISTING SIDEWALK LOCATED ALONG COLONY ROAD.

B. PETITIONER SHALL INSTALL AN 8 FOOT PLANTING STRIP AND A SIX FOOT SIDEWALK ALONG THE SITE'S FRONTAGE ON COLONY ROAD. PETITIONER RESERVES THE RIGHT TO SEEK A VARIANCE FROM THIS REQUIREMENT TO PRESERVE THE EXISTING STREET TREES, WHICH ARE LOCATED APPROXIMATELY 35 FEET ON CENTER.

C. AN INTERNAL PEDESTRIAN TRAIL SYSTEM WILL BE INSTALLED WITHIN THE SITE. PEDESTRIAN CONNECTIONS TO EXISTING SIDEWALKS WILL BE PROVIDED AT THE SOUTHWEST PORTION OF THE SITE TO CARMEL ROAD, THE INTERSECTION OF CARMEL ROAD AND COLONY ROAD, AND AT THE SOUTHEAST PORTION OF THE SITE TO COLONY ROAD. EXACT LOCATION OF THE TRAIL SYSTEM AND CONNECTIONS TO THE EXISTING SIDEWALKS WILL BE DETERMINED BY FIELD TOPOGRAPHY AND EXISTING TREE LOCATIONS.

XIV. INTERNAL PEDESTRIAN AMENITIES:

THE PETITIONER SHALL PROVIDE INTERNAL PEDESTRIAN AMENITIES ON SITE SUCH AS THE TRAIL SYSTEM, BENCHES, PEDESTRIAN SCALE LIGHTING, POCKET GARDENS, AND VEGETABLE GARDEN.

XV. SOLID WASTE SERVICES:

THIS SITE SHALL COMPLY WITH ALL REQUIREMENTS AS STATED IN CHAPTERS 9 AND 12 OF THE CHARLOTTE CITY CODE REGARDING SOLID WASTE DUMPSTER, COMPACTOR, AND RECYCLING AREAS.

XVI. DEMOLITION:

THE DEMOLITION OF EXISTING SITE IMPROVEMENTS SHALL COMPLY WITH THE MECKLENBURG COUNTY AIR POLLUTION CONTROL ORDINANCE AND THE MECKLENBURG COUNTY GROUNDWATER AND WASTEWATER SERVICES REQUIREMENTS.

XVII. TREE PRESERVATION WITHIN R-3 AREA

A. SUBJECT TO THE EXCEPTIONS SET OUT BELOW, ALL TREES AND SHRUBS LOCATED WITHIN THE APPROXIMATELY 101 FOOT WIDE, 1.5 ACRE PORTION OF TAX PARCEL NO. 211-632-99 THAT IS NOT SUBJECT TO THIS REZONING REQUEST AND IS LOCATED BETWEEN CARMEL ROAD AND THE NORTHERLY BOUNDARY OF THE SITE (HEREINAFTER REFERRED TO AS THE "R-3 AREA") SHALL BE PRESERVED BY THE OWNER(S) OF THE SITE AND THE R-3 AREA (INCLUDING ANY HOMEOWNERS ASSOCIATION), AND THE R-3 AREA SHALL BE MAINTAINED AS AN UNDISTURBED AREA. NOTWITHSTANDING THE FOREGOING, TREES AND SHRUBS MAY BE REMOVED AND THE R-3 AREA MAY BE DISTURBED IN CONNECTION WITH THE FOLLOWING:

- (1) THE INSTALLATION OF THE CONCRETE BUS STOP PAD ADJACENT TO CARMEL ROAD DEPICTED ON THE REZONING PLAN.
- (2) THE WIDENING OF CARMEL ROAD OR COLONY ROAD OR THE INSTALLATION OF SIDEWALKS OR OTHER IMPROVEMENTS BY THE CITY OF CHARLOTTE OR GOVERNMENTAL ENTITY.
- (3) THE INSTALLATION AND MAINTENANCE OF CERTAIN DRAINAGE IMPROVEMENTS WITHIN THE DRAINAGE IMPROVEMENT AREA LOCATED WITHIN THE R-3 AREA AND DEPICTED ON THE REZONING PLAN PROVIDED, HOWEVER, THAT THE OWNER(S) OF THE SITE AND THE R-3 AREA SHALL PLANT TREES AND SHRUBS WITHIN THE DRAINAGE IMPROVEMENT AREA TO REPLACE ANY TREES AND SHRUBS THAT ARE REMOVED IN CONNECTION WITH THE INSTALLATION OR MAINTENANCE OF THE DRAINAGE IMPROVEMENTS. THE INSTALLATION OF SUCH DRAINAGE IMPROVEMENTS SHALL BE SUBJECT TO THE APPROVAL OF CHARLOTTE-MECKLENBURG STORM WATER SERVICES.

B. NOTWITHSTANDING THE TERMS AND PROVISIONS OF SUBPARAGRAPH A ABOVE, THE OWNER(S) OF THE SITE AND THE R-3 AREA MAY, AT ITS OPTION, DISTURB THE R-3 AREA AND REMOVE TREES 2 INCHES IN CALIPER AND SMALLER AND SHRUBS TO INSTALL AND MAINTAIN A PEDESTRIAN TRAIL WITHIN THE R-3 AREA. TREES LARGER THAN 2 INCHES IN CALIPER MAY NOT BE REMOVED TO INSTALL AND MAINTAIN THE PEDESTRIAN TRAIL.

C. NOTWITHSTANDING THE TERMS AND PROVISIONS OF SUBPARAGRAPH A ABOVE, THOSE PORTIONS OF THE R-3 AREA LOCATED WITHIN THE TWO DRAINAGE EASEMENTS DEPICTED ON THE REZONING PLAN MAY BE DISTURBED AND TREES AND SHRUBS MAY BE REMOVED THEREFROM BY THE OWNER(S) OF SUCH DRAINAGE EASEMENTS IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THE RESPECTIVE EASEMENT AGREEMENTS.

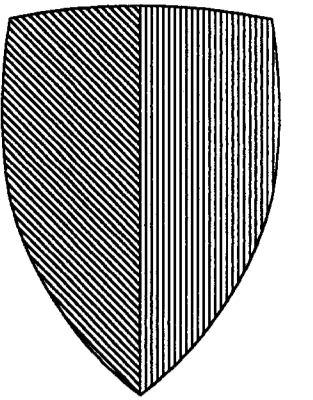
D. PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR ANY BUILDING CONSTRUCTED ON THE SITE, THE OWNER(S) OF THE SITE AND THE R-3 AREA SHALL CAUSE TO BE RECORDED IN THE MECKLENBURG COUNTY PUBLIC REGISTRY A PERPETUAL RESTRICTIVE COVENANT OR DEED RESTRICTION IN FAVOR OF THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION THAT CONTAINS THE RESTRICTIONS, REQUIREMENTS, AND PROVISIONS SET OUT ABOVE IN SUBPARAGRAPHS A, B, AND C.

XVIII. AMENDMENTS TO THE REZONING PLAN:

FUTURE AMENDMENTS TO THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

XIX. BINDING EFFECT OF THE REZONING PETITION:

IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THIS REZONING PLAN WILL, 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 SUCCESSORS IN INTEREST AND ASSIGNS. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS "PETITIONER" AND "OWNER" OR "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.



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Project:

Hagood Reserve

Sheet Title:

**Rezoning Plan
Petition No. 2005-162**

For Public Hearing

Issue Date:

September 13, 2005

Revision:

Date	Description
11/16/05	PER CMPC COMMENTS
12/21/05	PER CMPC COMMENTS
1/17/06	PER CMPC COMMENTS
1/19/06	PER CMPC COMMENTS

Scale:

Sheet Number:

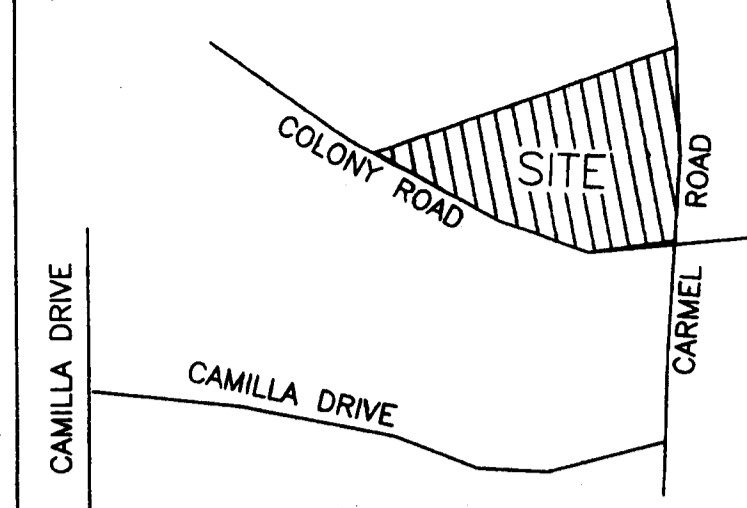
RZ2

NCGS MONUMENT "M 084"
N 513,614.124 FEET
E 1,460,274.258 FEET
ELEV=678.100

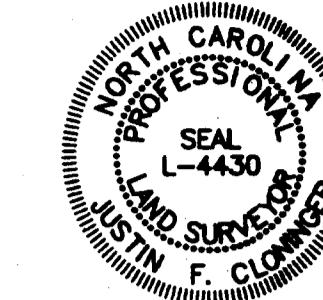
GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

VICINITY MAP
(NOT TO SCALE)



FLOOD CERTIFICATION
THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT
LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON
MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT
AGENCY (FEMA) FEDERAL INSURANCE ADMINISTRATION, DATED
COMMUNITY PANEL NO. 3701990247E 28TH DAY OF JULY 20 05 AN ACTUAL
SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT AND THAT THE BOUNDARY LINES
AND THE DIMENSIONS IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE
FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT
EXCEED AN ERROR OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 50 SPACES THRU
THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED. SIGNED: *[Signature]*



REVISIONS		BOUNDARY AND TOPO SURVEY PREPARED FOR:	
1/3/06	- ADD TREES.	TUSCAN DEVELOPMENT III	
		2601 CARMEL ROAD & 5930 COLONY ROAD CHARLOTTE, MECKLENBURG COUNTY, N.C.	
		DEED BOOK 1129 PAGE 227	
		TAX NUMBER: 211-632-99	
		R.B. PHARR & ASSOCIATES, P.A.	
		SURVEYING & MAPPING	
		420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL. (704) 376-2186	
DATE:	JULY 28, 2005	FILE NO. W-3178	
SCALE:	1"=30'	JOB NO. 65324	

TOTAL AREA: 398,262 SQ. FT.
OR
9.1428 ACRES

- NOTES:**
- THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
 - ALL CORNERS MONUMENTED AS SHOWN.
 - NO RECOVERABLE NCGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
 - THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
 - THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
 - THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
 - ELEVATIONS BASED ON NCGS MONUMENT "M 084" ELEVATION: 678.100'

ZONING:
ZONING RESTRICTIONS AS PER ZONING ORDINANCE:
SUBJECT PROPERTY ZONED: R-3

MINIMUM SETBACK: 30'
MINIMUM SIDE YARD: 6'
MINIMUM SIDE STREET SETBACK: 15'
MINIMUM REAR YARD: 40'

- LEGEND**
- C.B. - CATCH BASIN
 - C.C. - CURB CUT
 - CG - CURB AND GUTTER
 - CO - CLEANOUT
 - CPP - CORRUGATED PLASTIC PIPE
 - D.B. - DEED BOOK
 - D.I. - DRAIN INLET
 - E.I.R. - EXISTING IRON ROD
 - FES - FLARED END SECTION
 - F.H. - FIRE HYDRANT
 - G.M. - GAS METER
 - G.W. - GUT WIRE
 - L.P. - LIGHT POLE
 - M.B. - MAP BOOK
 - N.I.R. - NEW IRON ROD
 - P.B. - POWER BOX
 - PM - POWER METER
 - P.P. - POWER POLE
 - PSE - PERMANENT STORM DRAINAGE EASEMENT
 - PVC - POLYVINYL CHLORIDE
 - R.C.P. - REINFORCED CONCRETE PIPE
 - S.D.M.H. - STORM DRAIN MANHOLE
 - S.S.M.H. - SANITARY SEWER MANHOLE
 - W.V. - WATER VALVE

- TREE LEGEND**
- CRP - CRAPES MYRTLE
 - M - MAPLE
 - MA - MAGNOLIA
 - P - PINE
 - PO - POPLAR
 - WC - WILD CHERRY
- PROPERTY LINE SURVEYED:
- RIGHT-OF-WAY SURVEYED:
- RIGHT-OF-WAY NOT SURVEYED:
- SETBACK:

- NEW TREE LEGEND**
- A - ASH
 - B - BIRCH
 - BE - BEECH
 - BL - BLACK LOCUS
 - C - CEDAR
 - CT - LITTLE LEAF CYPRESS
 - D - DOGWOOD
 - E - ELM
 - G - GUM
 - H - HICKORY
 - K - OAK
 - L - LOCUST
 - M - MAPLE
 - MT - MOUNTAIN LAUREL
 - N - NUTMEAT
 - P - PINE
 - R - POPLAR
 - S - SUGAR
 - SC - STICKLEBERRY
 - T - TWIN
 - U - UNIDENTIFIED
 - W - WILD CHERRY
 - X - CHERRY
 - Y - HOLLY
 - Z - MAGNOLIA
- EX. 2DU - 2" DOGWOOD CLUSTER

CARMEL ROAD
VARIABLE PUBLIC R/W

COLONY ROAD
VARIABLE PUBLIC R/W

CARMEL CRESENT
DRIVE
50' PUBLIC R/W

CARMEL HILLS INC.
D.B. 4019, PG. 740

RICHARD & MARIE RINK
D.B. 8256, PG. 301