

PARCEL INFORMATION

PARCEL # A. 02937198, B. 02905217
 TOTAL AREA: 2.94 ACRES/132,858 SF
 A. 1.31 AC, B. 1.63 AC
 FUTURE ROW TO BE DEDICATED: 0.24 AC
 EXISTING ZONING: A, R-12MF, B, B-1
 EXISTING USE: VACANT
 PROPOSED ZONING: NS
 PROPOSED USE: RETAIL, UP TO 16,900 SF
 PARKING: 1/600 SF = 29 REQUIRED
 92 SPACES PROVIDED
 BICYCLE PARKING: 2
 LOADING SPACES: 1 @ 10' X 50' SPACE
 TREE SAVE AREA: ±0.25 AC (10% TREE SAVE)

LEGEND

- ← FULL ACCESS POINT
- * PROJECT IDENTITY MONUMENT
- ★ TRASH FACILITIES
- ⊙ BIKE PARKING LOCATION

NOTES

1. TOPOGRAPHIC, PARCEL AND ROW INFORMATION, PROVIDED BY MECKLENBURG COUNTY GIS DATABASE.
2. REFER TO PRELIMINARY PLAT CREATED BY JOHN R. MCADAMS FOR BOUNDARY AND EASEMENT INFORMATION.
3. ALL PLAN INFORMATION SHOWN IS PRELIMINARY AND SUBJECT TO CHANGE.
4. ADJACENT OWNER INFORMATION ACQUIRED 1-18-07 AND SUBJECT TO CHANGE.
5. ARCHITECTURAL DESIGN BY CLEARSIGHT ARCHITECTURE.

VICINITY MAP

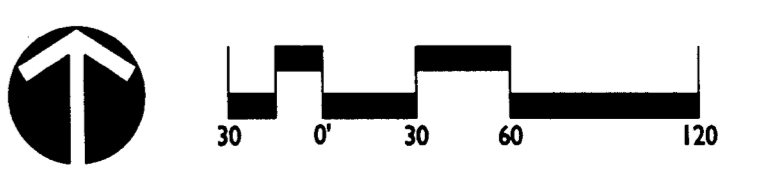


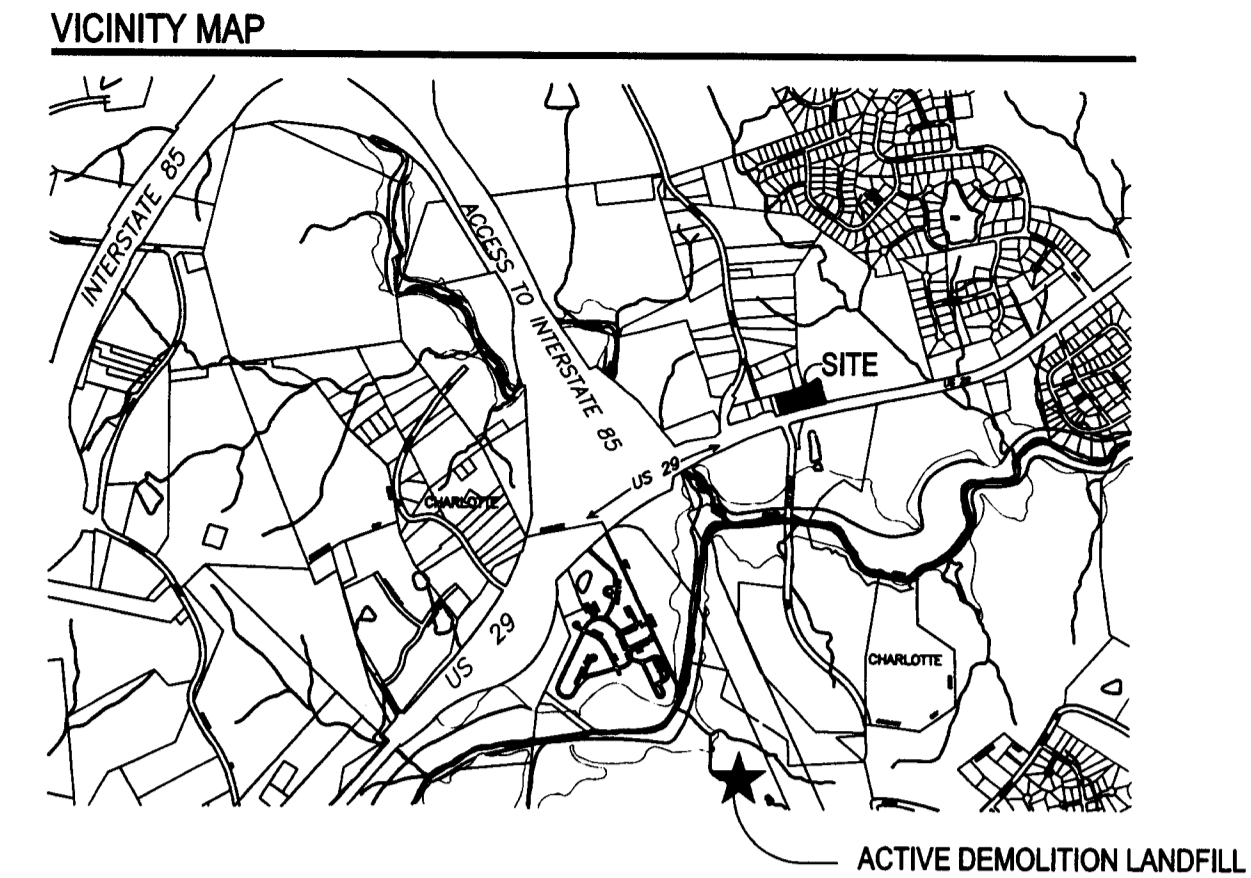
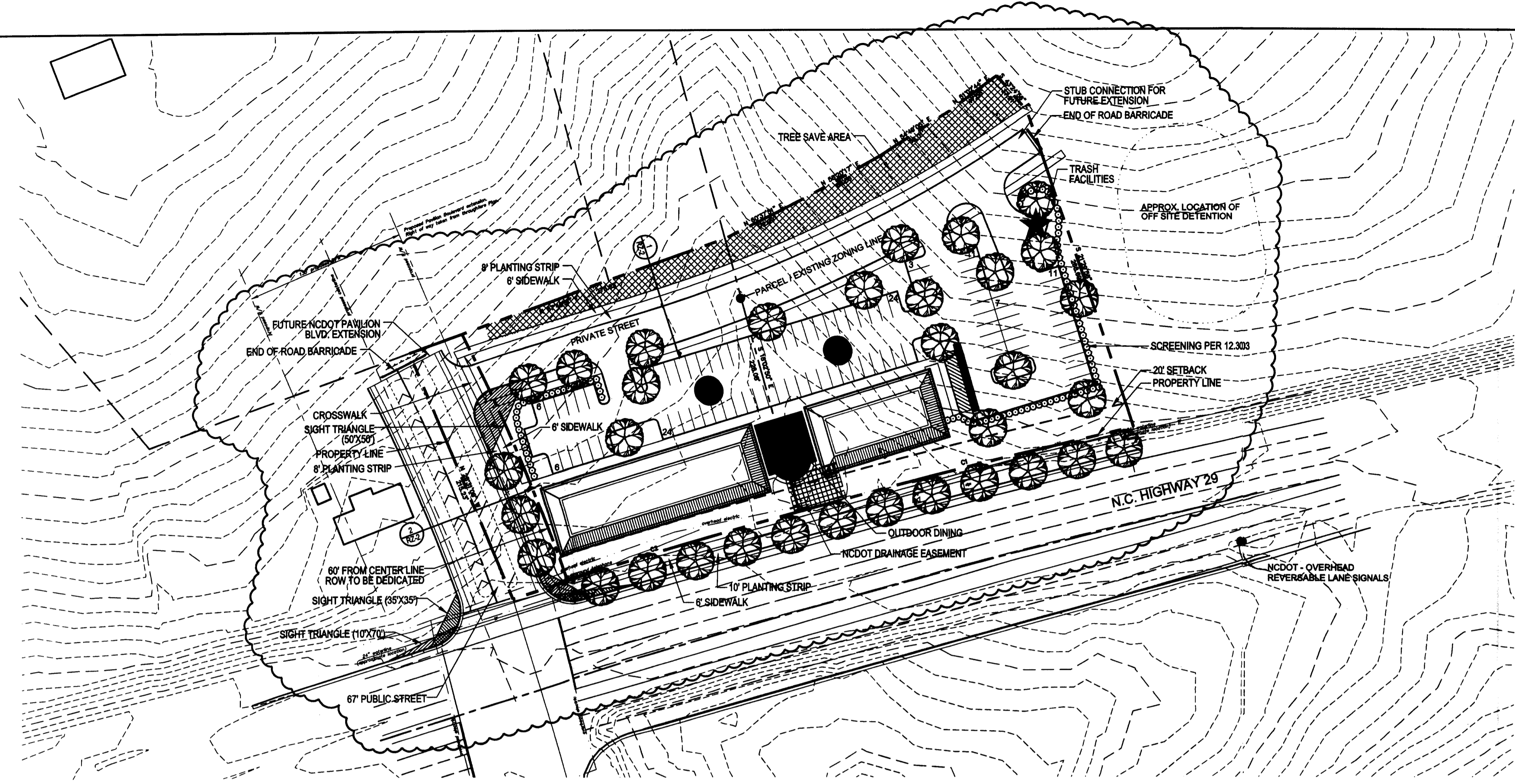
ADJACENT OWNERS

● 02937198 GATEWAY HOMES, LLC 1121 CARMEL COMMONS BLVD CHARLOTTE, NC 28228 EXISTING ZONING: R-12MF EXISTING USE: VACANT	● 05141104 PROPERTIES CARPENTER INVESTMENT 745 CABARRUS AVE CONCORD, NC 28025 EXISTING ZONING: B-1(CD) EXISTING USE: COMMERCIAL
● 05141105 PAVILION AT TWENTY NINE LLC PO BOX 5028 CONCORD, NC 28027 EXISTING ZONING: B-1(CD) EXISTING USE: COMMERCIAL	● 05141106 PROPERTIES CARPENTER INVESTMENT 745 CABARRUS AVE CONCORD, NC 28025 EXISTING ZONING: B-1(CD) EXISTING USE: COMMERCIAL
● 05103208 ARK VENTURES INC 19401 OLD JETTON ROAD, ST. 101 CORNELIUS, NC 28031 EXISTING ZONING: CC EXISTING USE: COMMERCIAL	● 02905216 CARRIE BELL MCCLELLAN 11413 N. TRYON ST CHARLOTTE, NC 28262 EXISTING ZONING: R-3 EXISTING USE: VACANT
● 02905215 CARRIE BELL MCCLELLAN 11413 N. TRYON ST CHARLOTTE, NC 28262 EXISTING ZONING: R-3 EXISTING USE: VACANT	● 02905214 HERLOCKER LESTER AND ASSOC., INC. 1718 E. 8TH ST. CHARLOTTE, NC 28204 EXISTING ZONING: R-3 EXISTING USE: SINGLE-FAM
● 02905213 HERLOCKER LESTER & ASSOC. 1718 E. 8TH ST. CHARLOTTE, NC 28204 EXISTING ZONING: R-3 EXISTING USE: SINGLE-FAM	● 02905211 JAMES FLANDERS 3032 LASALLE ST CHARLOTTE, NC 28216 EXISTING ZONING: R-3 EXISTING USE: SINGLE-FAM
● 02905212 JIMMIE & BERTHA LEONARD 217 LINDSEY STREET CONCORD, NC 28025 EXISTING ZONING: R-3 EXISTING USE: VACANT	● 02905232 STEPHEN A. COOPER PO BOX 862012 CHARLOTTE, NC 28256 EXISTING ZONING: R-3 EXISTING USE: VACANT
● 02905210 DAVID COOPER 317 SYLVANIA AVE CHARLOTTE, NC 28206 EXISTING ZONING: R-3 EXISTING USE: SINGLE-FAM	● 02905230 JOEL TALLEY 1810 SALOME CHURCH ROAD CHARLOTTE, NC 28262 EXISTING ZONING: R-3 EXISTING USE: SINGLE-FAM

APPROVED BY
 CITY COUNCIL
 JAN 22 2008

FOR PUBLIC HEARING
 PETITION NO. 2007-047





DEVELOPMENT STANDARDS

SITE DATA:
 Acreage: 2.94 acres
 Existing Zoning: B-1, R-12MF
 Proposed Zoning: NS
 Building Area: 16,900 square feet

DEVELOPMENT STANDARDS
 Unless more stringent standards are established by the Technical Data Sheet (Sheet RZ-1), the Schematic Master Plan (Sheet RZ-2), the Building Elevations (Sheet RZ-3), or by these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the NS zoning district classification shall be followed in connection with development taking place on the Site.

- A. PERMITTED USES**
 - Permitted uses shall be those allowed in the NS zoning classification; however, the following uses will not be permitted on the Site:
 Convenience stores, Gasoline sales, and Drive-through window facilities as an accessory to any establishment.
 - The gross floor area of all buildings constructed on the Site may not exceed, in the aggregate, 20,000 square feet.
- B. SETBACKS, SIDE YARDS AND REAR YARDS**
 - Building setbacks on the Site shall be 20', measured from the curb line of the new public street (extension of Pavilion Blvd) and 20' from the ROW line of N.C. Highway 29.
- C. SCREENING AND STREETScape TREATMENT**
 - Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.
 - Any dumpsters located within the Site that are visible from a public street or from an external adjoining property will be screened from view by a solid enclosure with gates.
 - The Site shall comply with the City of Charlotte Tree Ordinance.
 - Roof-top mechanical equipment shall be screened from public view.
- D. DESIGN AND PERFORMANCE STANDARDS**
 - The exterior elevations of each of the buildings to be constructed on the Site will be designed and constructed such that they are substantially similar to the elevations depicted on Sheets RZ-3.
 - No spandrel glass shall be allowed along street fronts. Glass doors with emergency access bars along the street shall be provided.
- F. LIGHTING**
 - All freestanding lighting fixtures will be uniform in design.
 - All freestanding lighting fixtures shall be boxed and fully shielded and not exceed 20 feet in height, including its base.
 - Parking lot light poles shall not be placed in the tree islands.
 - Wall "Pak" lighting shall not be permitted.
- G. SIGNS**
 - Signage shall conform to the provisions of the Ordinance.
 - No more than one detached monumental project identification signs shall be permitted and it shall be located within the location generally depicted on the Technical Data Sheet. These signs may not exceed 7 feet in height and the actual signage area may not exceed 64 square feet on either side.
 - Directional signs shall be allowed as permitted in the ordinance but may not exceed 30" in height in the sight triangles.

- H. PARKING**
 - Off street parking spaces will, at a minimum, satisfy the requirements of the NS zoning district in the Ordinance.
 - Parking shall not be located between the buildings and Highway 29.
 - Bicycle parking spaces (bike racks) shall be provided within the areas generally depicted on the Sheet RZ-1 in accordance with the Ordinance.
- I. SIDEWALKS, PLANTING STRIPS AND PEDESTRIAN CONNECTIONS**
 - A sidewalk shall be provided along the Site side of the proposed extension of Pavilion Blvd and along US HWY 29 which will be at least 6 feet in width and have a planting strip between the sidewalk and the street curb or edge of pavement which is at least 8 feet in width, all as generally depicted on Sheet RZ-1.
 - Planting strips and sidewalks may be located within the setback and/or the rights-of-way subject to any necessary government approval.
 - A 6' sidewalk and 8' planting strip connection to the adjacent parcel along both sides of the proposed private street will be provided as generally depicted on sheet RZ-2.
- J. RIGHT-OF-WAY DEDICATION**

The 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 prior to the issuance of any building permits for the Site:
 Pavilion Blvd Extension
 60 feet from center line of Pavilion Blvd.
- K. ACCESS POINTS (DRIVEWAYS) / ROAD IMPROVEMENTS**
 - The number of vehicular access points to the Site shall be limited to the number depicted on the Technica Data Sheet RZ-1.
 - 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 require for approval by the City of Charlotte and/or the North Carolina Department of Transportation.
 - The proposed private street access will be converted to Right In/Right Out when the full Pavilion Boulevard extension improvements are completed by NCDOT.
 - Upon review and acceptance of a cost estimator prepared by CDOT for signal costs, the petitioner will be responsible for such costs associated with traffic signal modifications at the North Tryon Street/Pavilion Boulevard intersection to accommodate the addition of the 4th leg of the intersection and any necessary modifications to the reversible lane system on North Tryon Street. Items that may be involved in modifying the traffic signal include, but are not limited to, new/relocated/upgraded poles, wiring, controller or pulbox locations, pedestrian signals, detection equipment, and system interconnect cable.
- L. FIRE PROTECTION**

Adequate fire protection in the form of fire hydrants will be provided to the Fire Marshal's specifications.
- M. 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.
- N. 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 insure to the benefit of Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns. Throughout these Development Standards, the terms Petitioner and Owner(s) 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.

O. TREE SAVE AREA

- Tree Save Area will be as generally depicted on this plan but may adjust due to grading requirements needed for the proposed private road. At a minimum, the final tree save percentage will equal 10% of the total existing tree covered area of the site.

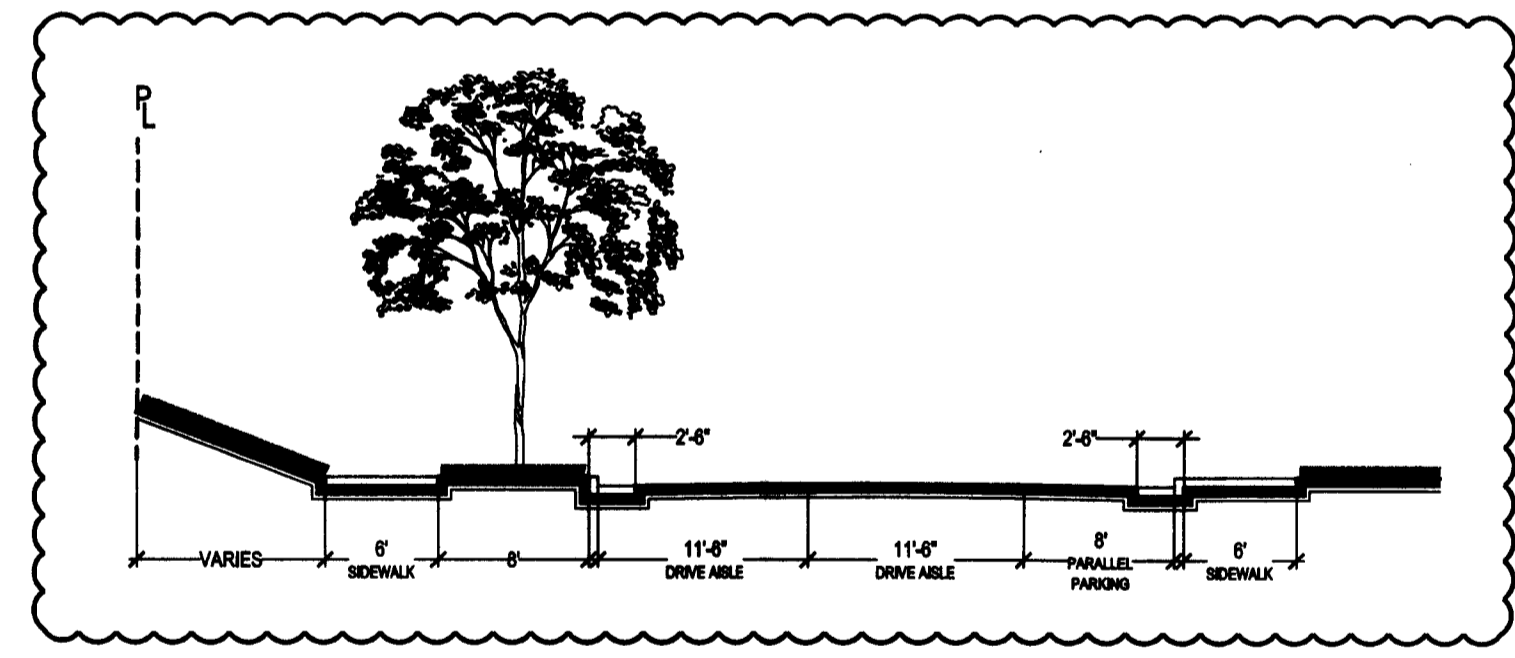
ADDITIONAL NOTES:

- The petitioner acknowledges that other standard development requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Those criteria (for example, those that require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc.), will apply to the development site. This includes chapters 6, 9, 12, 17, 18, 19, 20, and 21 of the city code. Conditions set forth in this petition are supplemental requirements imposed on the development in addition to other standards. Where conditions on this plan differ from ordinances, standards, policies, and approaches in existence at the time of formal engineering plan review submission, the stricter condition or existing requirements shall apply.
- Any jurisdictional wetlands or streams, if present, need to be protected or proper environmental permits obtained prior to their disturbance. For 401 permits contact DEHNR. For 404 permits contact the Army Corps of Engineers.
- Location, size, and type of any Stormwater Management Systems depicted on rezoning site plan is subject to review and approval with full development plan submittal and is not implicitly approved with this rezoning. Adjustments to site layout may be necessary in order to accommodate actual stormwater treatment requirements and natural site discharge points.
- Storm Water Quantity Control - The petitioner shall tie-in to 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 drainage system(s) to be taken out of standard, the petitioner shall provide alternate methods to prevent this from occurring.
- Storm Water Quality Treatment - For projects with defined watersheds greater than 24% built-upon area, construct water quality best management practices (BMPs) to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the runoff generated from the first 1-inch of rainfall. BMPs must be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources (NCDENR) Best Management Practices Manual, April 1999, Section 4.0 (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, when available). Use of Low Impact Development (LID) techniques is optional.

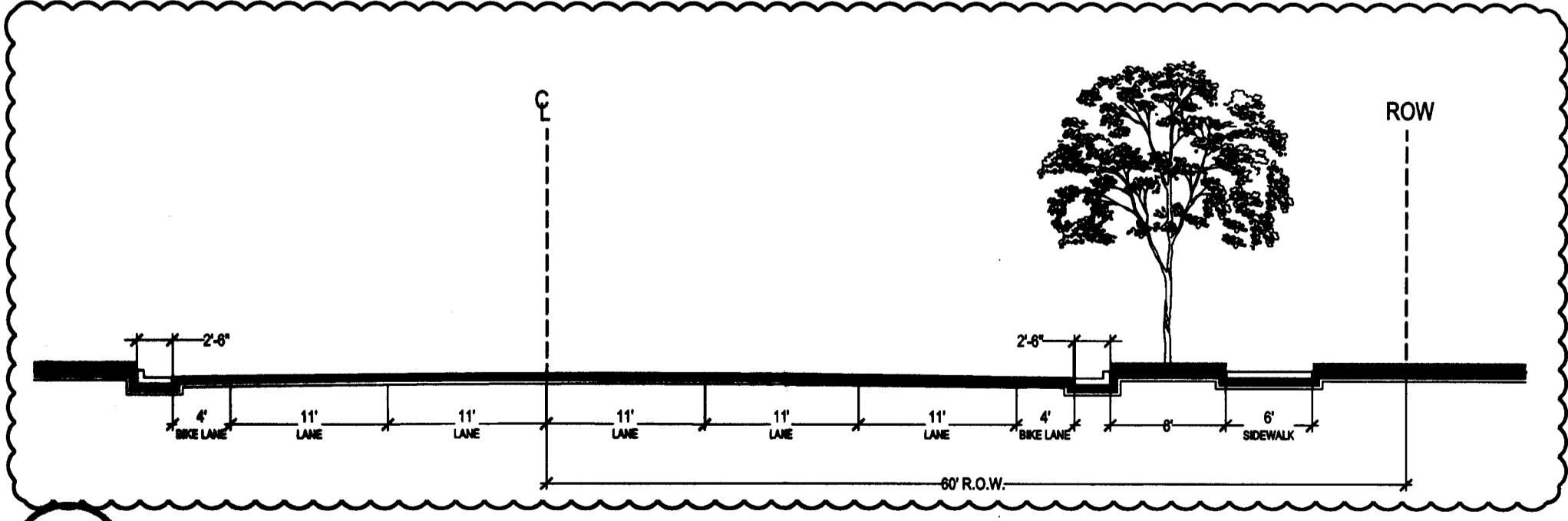
Volume and Peak Control - For projects with defined watersheds greater than 24% built-upon area, control the entire volume for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours. For residential projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency. "Residential" shall be defined as "A development containing dwelling units with open yards on at least two sides where land is sold with each dwelling unit."

For commercial projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-yr, 6-hr storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, control the peak for the 10-yr and 25-yr, 6-hour storms.

For commercial projects with less than or equal to 24% BUA, but greater than one acre of disturbed area, control the peak to match the predevelopment runoff rates for the 2 and 10-yr, 6-hr storm.

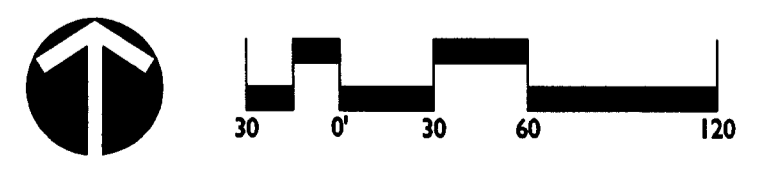


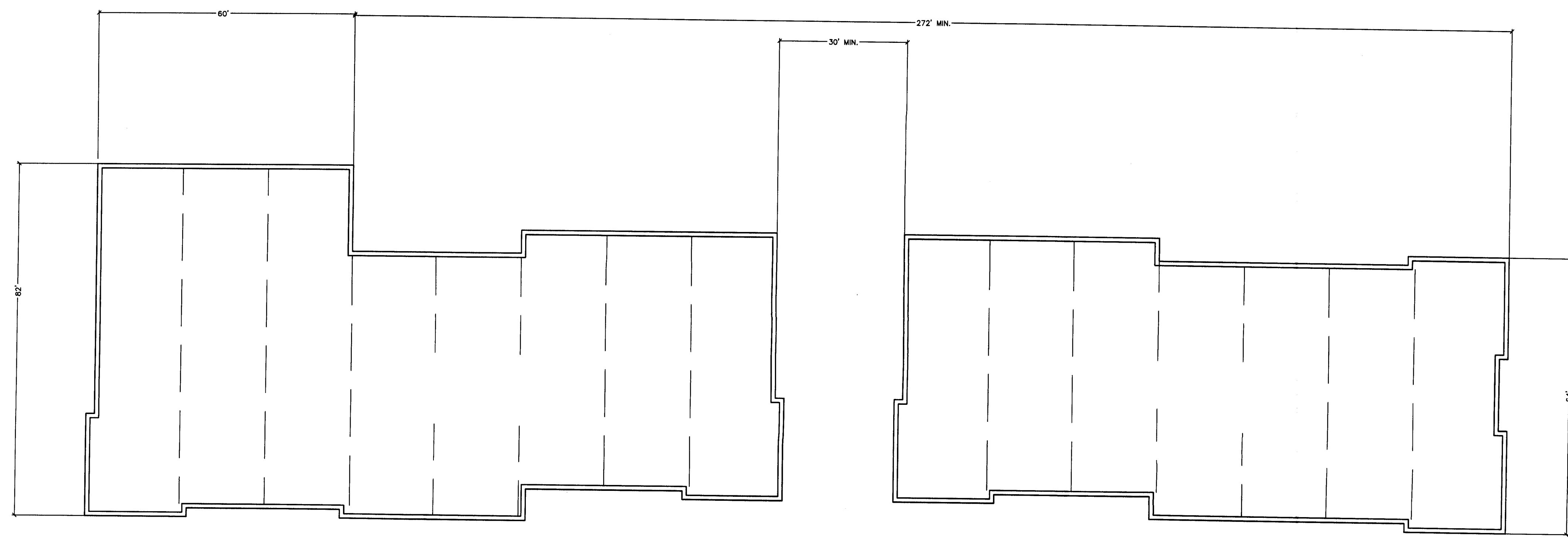
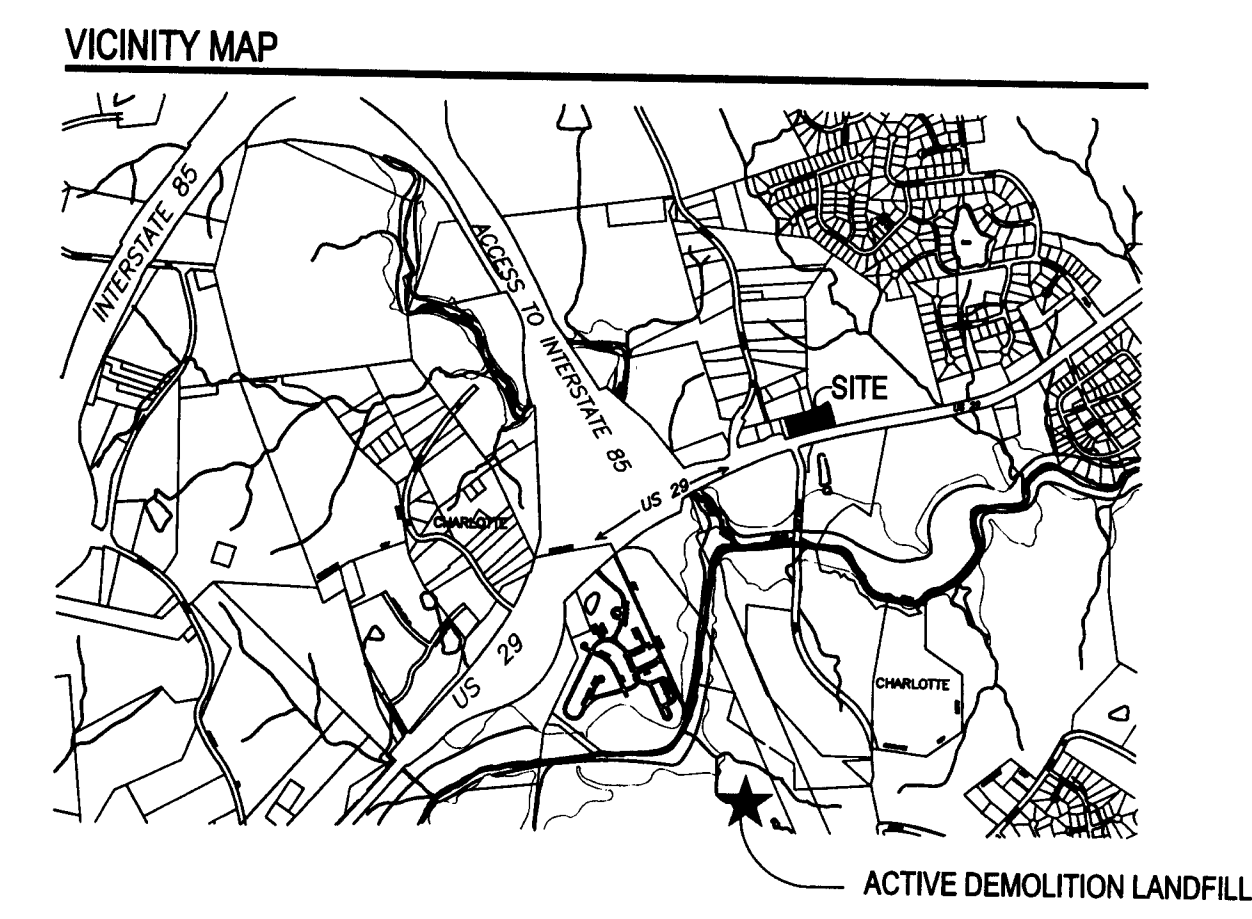
1 PRIVATE STREET SECTION
 SCALE: 1" = 10'-0"



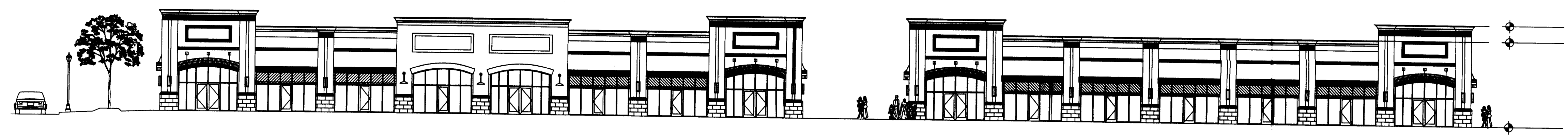
2 67' PUBLIC STREET - PAVILION BOULEVARD EXTENSION SECTION
 SCALE: 1" = 10'-0"

FOR PUBLIC HEARING
 PETITION NO. 2007-047

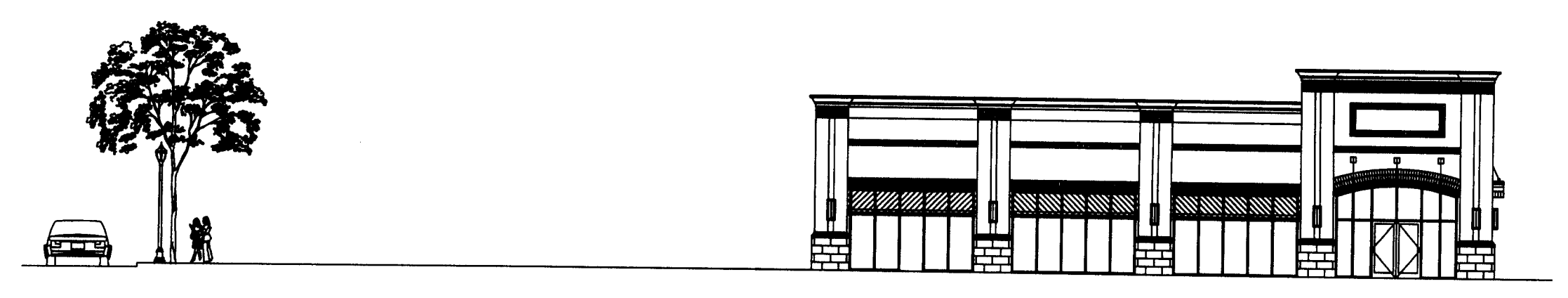




PLAN VIEW
ALL DIMENSIONS ARE PRELIMINARY AND SUBJECT TO CHANGE



SOUTH ELEVATION



WEST ELEVATION

LandDesign
233 N Graham Street Charlotte, NC 28202
V: 704.333.0235 F: 704.333.3246
www.LandDesign.com

HIGHWAY 29 SITE
MULTI-FAMILY COMMUNITY
GATEWAY HOMES, CHARLOTTE, NC
ARCHITECTURAL DESIGN

REVISIONS:
03/20/07 REVISIONS FOR PLANNING COMMENTS
04/13/07 REVISIONS PER CITY COMMENTS
07/10/08 REVISIONS PER CITY COMMENTS
07/10/08 REVISIONS PER CITY COMMENTS

DATE: JANUARY 22, 2007
DESIGNED BY:
CHECKED BY:
Q.C. BY:
SCALE: NTS
PROJECT #: 1006327
SHEET #:

FOR PUBLIC HEARING
PETITION NO. 2007-047



RZ-3