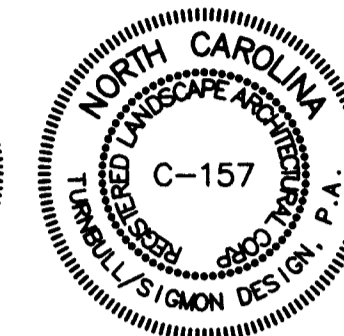
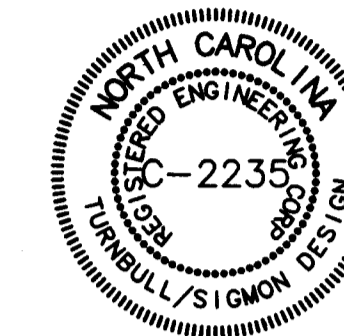


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LAND DEVELOPMENT DESIGN SERVICES



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27TH FLOOR
CHARLOTTE, NC 28202

Quail Valley

APPROVED BY
CITY COUNCIL
OCT 17 2007

CITY OF CHARLOTTE
NORTH CAROLINA

Rezoning Site Plan

Petition #2007-114
For Public Hearing

PROJECT NUMBER: 06-025

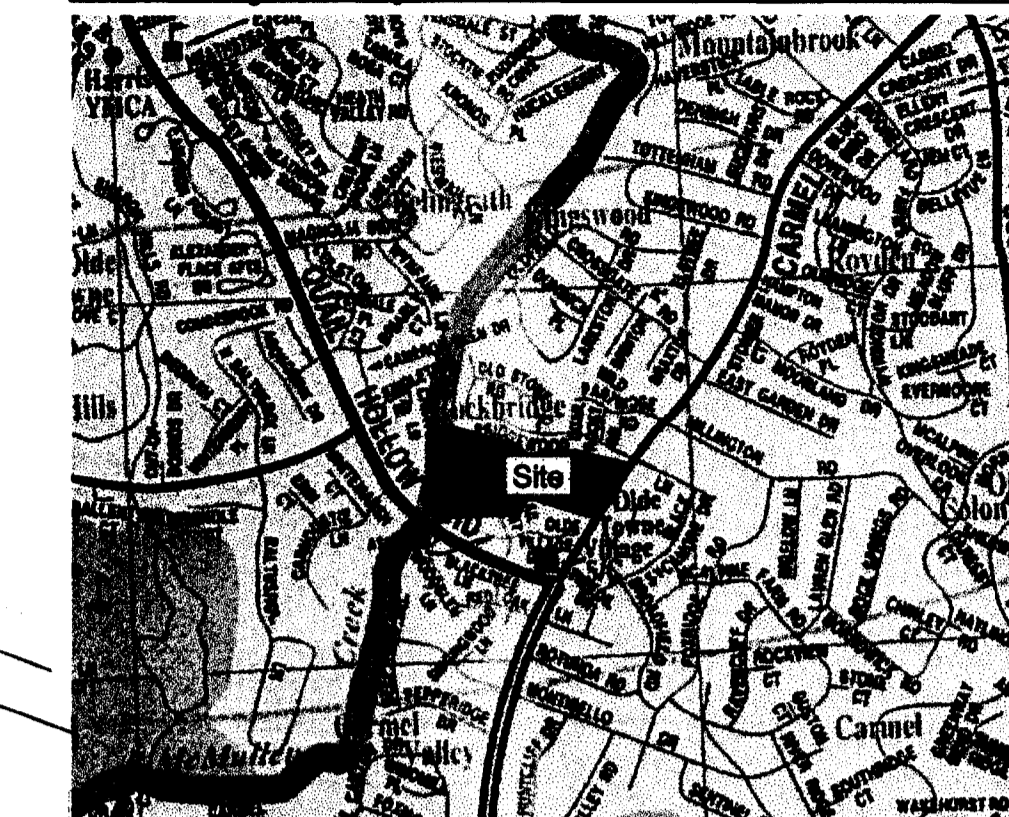
DRAWN BY: SFC, AKK

DESIGNED BY: SRT

ISSUE DATE: 6/20/07

10-15-07 AKK Revisions as per Staff comments
8-21-07 AKK Revisions as per Staff comments
8-20-07 AKK Revisions as per Staff comments
NO. DATE: BY: REVISIONS:

Vicinity Map



Development Standards

A. General Provisions
Unless more stringent standards are established by the Rezoning Site Plan or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the MX-2 zoning district classification shall be followed in connection with development taking place on the Site subject to the innovative development provisions outlined on the Rezoning Site Plan and below. The Rezoning Site Plan is a preliminary schematic plan and is subject to minor modifications pending finalization of building and site engineering plans.

The development depicted on the Rezoning Site Plan is schematic in nature, not to be considered as specific development plans but rather as preliminary graphic representations of the types of development and arrangements proposed for the Site, and intended to describe the general arrangement of uses on the Site. Accordingly the configuration of the streets, lots and/or buildings outlined on the Rezoning Site Plan are conceptual in nature, and, subject to the provisions set forth below under Design and Performance Standards, may be altered or modified during design development and construction phases within the context of these development standards, the general depiction set forth on the Rezoning Site Plan and Section 8.208.12 of the Ordinance. Furthermore, it is acknowledged that the dimensions and locations of buildings and structures shown on the Rezoning Site Plan are illustrative and subject to modifications but such improvements shall not be located any closer than 37.5 feet from the exterior property line, provided that buildings and structures along the northern property line shall not be located closer than 50' from such line except in the locations specifically shown on plan where the buffer is reduced to 37.5'.

Parking layouts, internal private streets and open space configurations may be modified to accommodate final building locations and ancillary facilities and parking spaces may be located inside or outside development area boundaries to the extent permitted by the Ordinance.

B. Permitted Uses and Maximum Development
The Site may be developed with up to 229 single family detached, attached and/or multi-family for sale dwelling units, along with any amenity area and incidental or accessory structures permitted under the Ordinance in the MX-2 district.

C. Setbacks, Side Yards and Rear Yards
Building setbacks and yards will be established in the manner depicted on this Rezoning Site Plan.
All required yards of lots located along the perimeter of the Site shall be measured from the exterior project boundary rather than from any common open space.
Decks shall not extend into any required rear yards. However, at-grade patios may be located in whole or in part within required rear yards.

D. Landscaping
The Site shall conform to the City of Charlotte Tree Ordinance. (Subject to conflicts with utility, right-of-way, sidewalk and driveway needs during the design and development of the Site, Petitioner shall save hardwood trees having greater than 8 inch caliper within the area located within 30 feet of Carmel Road.)

E. Common Open Space Area
A minimum of 15 percent of the Site shall be devoted to common open space and all open space will be maintained by a Homeowners Association to be established by the Petitioner. Pedestrian features such as sidewalks, benches and landscaping areas shall be incorporated into portions of open spaces areas.

F. Streetscape Treatment/Lighting
The Petitioner shall install six (6) foot sidewalk, min. eight foot planting strip along the Site's frontage on Carmel Road. Sidewalk may meander to avoid existing trees. Large maturing trees shall be installed 40 foot on center within the eight foot planting strip if power line placement allows. Otherwise, small maturing trees 30 foot on center will be installed.
The Petitioner shall provide pedestrian scale lighting along the internal streets. Such lighting shall be provided in conjunction with applicable utility company regulations and requirements for such lighting. (Free-standing light fixtures shall be "fully shielded" to project light downward and away from adjoining property.
Internal private streets shall include a five foot sidewalk on one side of the street as shown on site plan.

G. Buffers/Landscape Area
Any required buffers shall be established in accordance with the standards of Section 12.302 of the Ordinance. Internal buffers shall not be required between single family attached and multi-family units.
No buildings may be located within buffers or landscaped areas.
All required buffers can be reduced with the use of a wall or fence per section 12.302 (6) of the Ordinance.
Existing trees located within any required buffer area may be counted toward the planting requirement in accordance with the Ordinance.
In the event the abutting properties should be rezoned or used in a manner so as to not require such a buffer, the required buffer for this property may be adjusted accordingly to meet the minimum requirements for buffering and screening per the Ordinance.
A landscaped/tree save area shall be located along the northern boundary of the Site in common with the Rockledge neighborhood substantially in the manner depicted on the Rezoning Site Plan. This landscaped area shall be 50 feet in width from the northern property line, except for certain areas generally depicted on the Rezoning Site Plan which will not be less than 37.5 feet. Existing trees and vegetation within this landscaped area shall be supplemented where such existing vegetation is insufficient to meet landscape standards associated with a Class C buffer. Further, subject to and in accordance with the following standards, trees located within this landscape area shall be preserved and such area maintained as follows: (a) trees and shrubs may be hand pruned only and no heavy equipment or vehicles shall be allowed within the area (unless needed to remove diseased or dead trees or construct retaining walls); (b) any plant material removed, shall be cut flush with the ground and efforts shall be made to minimize any disturbance of the soil, except that the soil may be disturbed in connection with the installation of additional trees and shrubs and in conjunction with any utility, retaining wall installations or repair; (c) no tree limb removal, with the exception of dead or diseased limbs and in connection with utility, retaining wall installations or repair; (d) weeds and vines may be removed; (e) dead or diseased trees and materials may be removed; (f) mulch may be applied to these areas; and (g) utilities may be installed and repaired throughout said landscaped/tree save area.
H. Signs
All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.
I. Innovative Development Provisions
The Petitioner hereby seeks in this Rezoning Petition the following Innovative Development Standards in connection with development taking place on the Site to accommodate a variety of setback and yard widths and other development elements so as to allow clustering of homes, thus preserving more open space than required by the Ordinance and promoting a diverse blend of residential housing:
(a) Streets within the Site may be public or private, and the Site may be developed as "secure/gated" residential community.
(b) Sidewalks may be located only on one side of the internal private streets in the areas generally depicted on the Rezoning Site Plan.
J. Stormwater Management/Wetlands
Stormwater runoff from the Site will be managed through a site specific water quality plan similar to the Stormwater management Plan (Sheet 2) attached hereto. In connection with the engineering of the Site, Petitioner may modify the location of the underground proprietary devices or select to eliminate such devices in favor of other conventional water quality devices provided that the Petitioner shall treat at least the number of acres set forth on the Stormwater Management Plan.
Double sill fences shall be utilized in critical areas of the Site at the base of slopes and other locations where the potential for off-site sedimentation is greatest.
Any jurisdictional wetlands or streams, if present, shall be protected or proper environmental permits obtained prior to their disturbance.
K. Access Points
The number of vehicular access points to the Site shall be located in the general area depicted on this Technical Data Sheet. The configuration and ultimate location of these 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 Charlotte Department of Transportation.

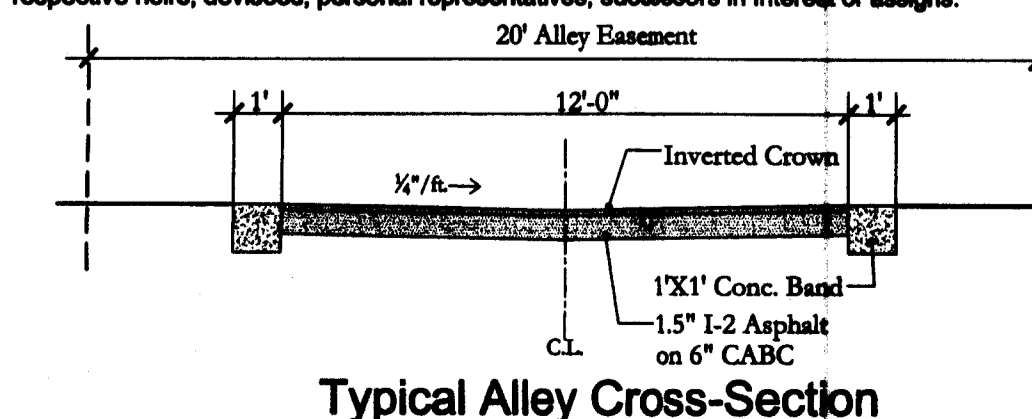
L. Right-of-Way Abandonment
The Petitioner reserves the right to seek abandonment of that portion of the right-of-way of Carmel Road located at the entrance to the Site along Carmel Road as generally depicted with a hatched pattern on the Rezoning Plan.

M. Greenway
The Petitioner shall dedicate or convey (at Petitioner's option) to Mecklenburg County, the land within the 100' S.W.M. buffer for future greenway purposes prior to the issuance of partitioned occupancy of development on the Site. Petitioner shall reserve rights and/or easements to make use of various portions of the 100' buffer areas for any purposes permitted under the Ordinance, including but not limited to underground utility line installations so long as such uses do not interfere with use of such areas for greenway purposes. Petitioner also reserves the right to (i) provide up to two (2) - 16' wide gated pedestrian connections between the greenway and Petitioner's private street network on the Site provided that any gate must be located on Petitioner's property and not within the dedicated (or conveyed) greenway land and the final location of the connections shall be coordinated with Mecklenburg County Parks and Rec and (ii) install at its expense, walking trails, picnic areas, and other improvements within the area to be dedicated (or conveyed) in accordance with the Ordinance. With regard to (i), Petitioner will coordinate the placement of private recreational features on the dedicated (or conveyed) property with MCPR and such improvements shall be open to the public. Petitioner acknowledges that MCPR will have the right to remove any improvements installed by Petitioner (other than the gated connections described above) at such time as the County's greenway improvements are actually constructed through the property so dedicated (or conveyed). Any improvements installed by Petitioner within the dedicated (or conveyed) area shall be maintained by the HOA established for the community to be built on the Property.
The matters described above shall be memorialized by a memorandum of understanding between Mecklenburg County Parks & Recreation Department and Petitioner prior to issuance of the first building permit for homes to be constructed on the property.

N. Cell Tower Easement
Petitioner reserves the right to relocate the cell tower access and maintenance easement from its current location shown on site.

O. Amendments to Rezoning Plan
Future amendments to the Rezoning Site Plan and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter B of the Ordinance.

P. 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 the Rezoning Site Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

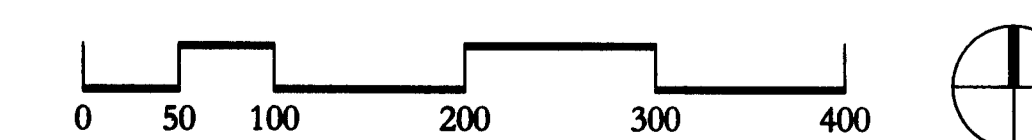


Legend

- Project Boundary
- 100' SWIM Buffer
- Future 100-yr Flood Fringe
- Exist. 100-yr Flood Fringe
- Community Encroachment Line
- FEMA Encroachment Line
- Existing Zoning Line

Development Data

Tax Parcels:	# 209-17-105
	# 209-17-106
Site Area:	33.7 ac.
Existing Zoning:	R-20MF(CD), R-3 Petition # 76-35 (C)
Proposed Zoning:	MX-2 Innovative
Proposed Use:	Multi-family Residential
Total # of Units:	229 d.u.
Density:	6.8 d.u./ac.
Tree-Save:	Min. 4 ac. (12%)
Common Open Space Required	3.37 ac. (10%)
Common Open Space Provided (incl. Tree save):	Min. 5.06 ac. (15%)

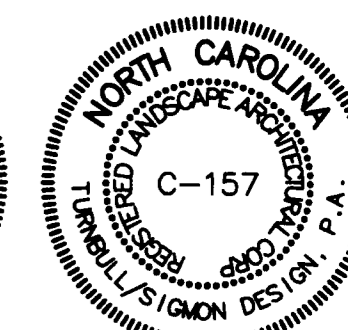
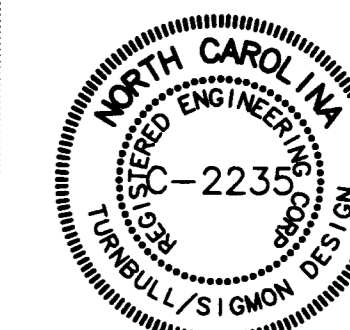


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121 WEST TRADE STREET
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CHARLOTTE, NC 28202

Quail Valley

CITY OF CHARLOTTE
NORTH CAROLINA

Stormwater Management Plan

**Petition #2007-114
For Public Hearing**

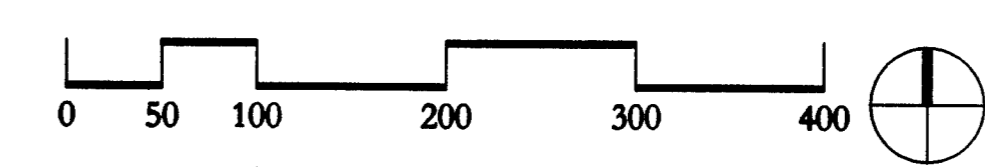
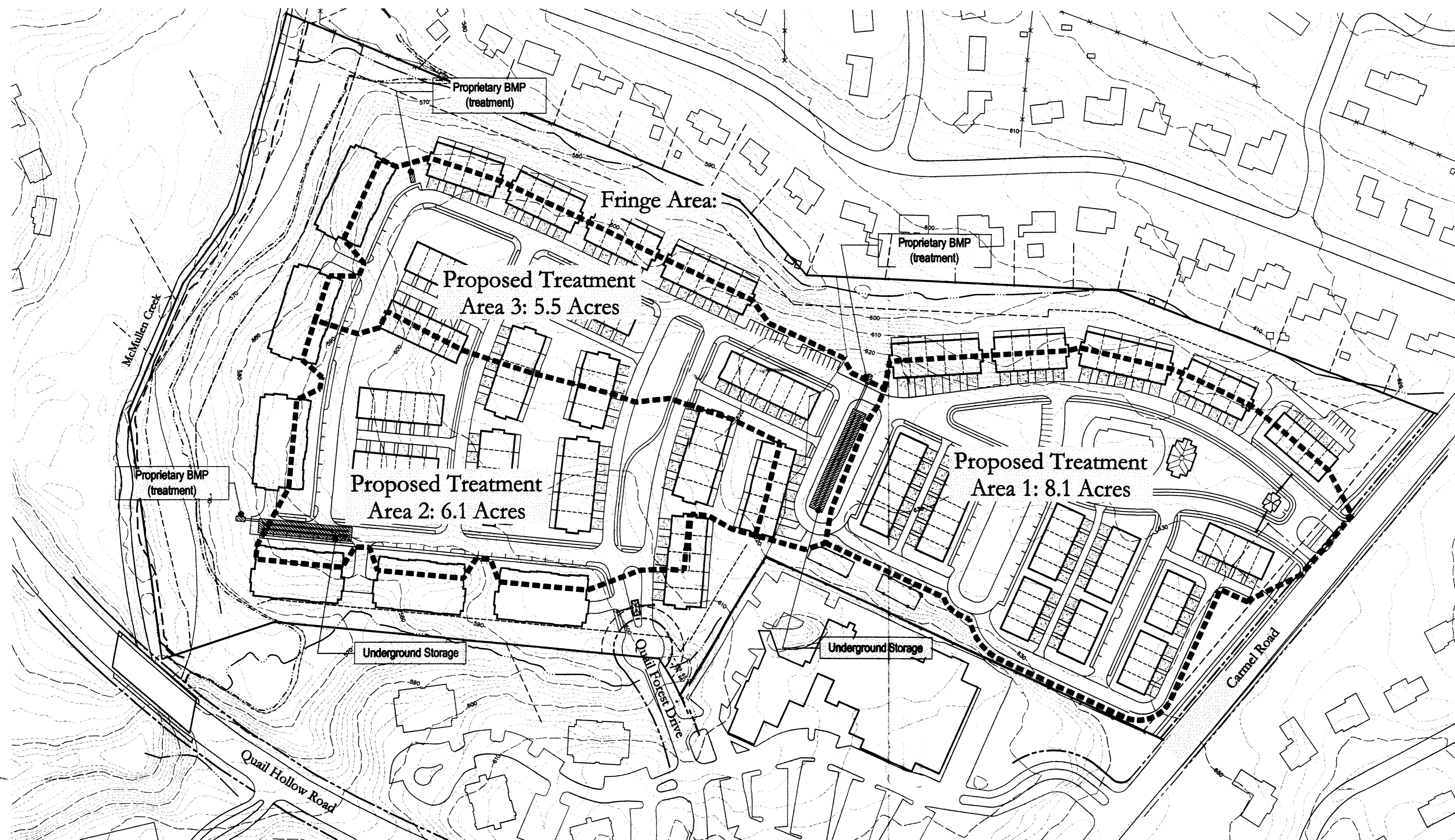
PROJECT NUMBER: 06-025

DRAWN BY: BCM

DESIGNED BY: BCM

ISSUE DATE: 10/2/07

NO. DATE: BY: REVISIONS:



Storm Water Quantity Control

The petitioner shall tie-in to the existing storm water system(s). The petitioner shall have the receiving drainage system(s) analyzed, to and including Quail Hollow Road, 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 Control

- A. 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 Mecklenburg County BMP Design Manual, July 2007 or North Carolina Division of Water Quality Storm Water Best Management Practices Manual, July 2007. (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. Unapproved methods shall follow the requirements indicated in "B" below.
- B. As available, the use of pre-manufactured devices to be used shall be approved by the City of Charlotte Storm Water Services (CSWS) prior to being incorporated in to the project design and must be incorporated into the CSWS test pilot BMP study program. The petitioner agrees to purchase, operate and maintain the devices approved by CSWS, and enter a monitoring agreement with CSWS. Some of the study program criteria are, but not limited to:

- 1) Where multiple storm water treatment devices (BMPs) will be utilized to meet the storm water quality requirements within the project, the design of the project shall utilize no more than one (1) proprietary device of a particular brand name within the project and shall instead utilize different devices of other brand names (i.e. one of Brand Name X, one of Brand Name Y, one of Brand Name Z, etc.) The selection of various brand names of BMPs must be reviewed and approved by CSWS.
- 2) Pre-manufactured storm water treatment devices (BMPs) in treatment areas #1 and #2 shall utilize filter technology as approved by CSWS. The BMPs must be appropriately designed and sized to treat the entire post-development runoff volume for the runoff generated from the first 1-inch of rainfall for each respective treatment area. Runoff volume drawdown time shall be 24 hours.
- 3) Pre-manufactured storm water treatment devices (BMPs) in treatment area #3 shall utilize a hydrodynamic separation chamber as approved by CSWS. The BMP must be appropriately designed and sized to treat the water quality runoff peak flow rate generated from treatment area #3 from the 1-year, 6-hour storm for Charlotte, NC. The runoff flow rate for this design storm shall be derived utilizing a TR-55 based modeling program to create a type II - center weighted storm with the appropriate local rainfall intensities.
3. All pre-manufactured storm water treatment devices (BMPs) shall be designed to include monitoring access manholes and sampling conduits within the storm drainage system and project design that are located independently and immediately upstream and downstream of each BMP. Access manhole and sampling conduit locations shall be reviewed and approved by CSWS.
4. The Petitioner shall grant a temporary monitoring and maintenance easement to the City of Charlotte to allow for access to the treatment devices (BMPs) by the City.
5. The Petitioner shall provide proper operation and maintenance (O&M) of all storm water treatment devices within the project in perpetuity, and the O&M agreement for the devices shall be tied to the deed of the land in case of a future land sale.

Additional Notes:

The following agencies must be contacted prior to construction regarding wetland and water quality permits:

Section 401 Permit NCDEHNR - Raleigh Office (919) 733-1786
Section 404 Permit US Army Corps of Engineers (704) 271-4854

Development Data

Site Area:	33.7 ac.
Existing Impervious Area:	12.1 ac (35.9%)
Proposed Impervious Area:	15.7 ac (46.5%)
Net Impervious Increase:	3.6 ac (increase)

Water Quality Summary

Proposed Treatment Area (Total):	19.7 ac.
Proposed Treatment Area Impervious %	48.5%
Proposed Impervious Area Treated	9.6 ac