

THE PURPOSE OF THE DRYLAND ACCESS IS TO PROVIDE FOR THE ABILITY TO ACCESS A HABITABLE BUILDING DURING A FLOOD CONDITION. THE ORDINANCE REQUIRES THAT A SITE PROVIDES A DRYLAND ACCESS POINT AT THE HIGHEST POINT ON THE PROPERTY WHEN THE FLOOD CONDITIONS PREVENT THE DRIVEWAY FROM BEING USED.

DRY LAND ACCESS:

- Location:**
1. Front right corner of site. Drive has access to exit door of building
 2. Front Right Corner is at the highest elevation of property frontage.
- Elevation:**
- Community Base Flood Elevation = 575.3
Elevation of street at Highest Point = 574.0
- Properties:**
1. Drive can utilize an existing curb cut in Sardis Road
 2. Drive is to be constructed of Gravel.
 3. A minimum of 12' wide.

Building Description

Size: 5,000 sf. to 7,500 sf.

Building Material:

Exterior Wall Finish: Brick
Residential Style: Aluminum Entry Wood Trusses @ 5:12 min.
End Conditions using gables or hips
Roof Configuration: Composition, residential style
Roof Material: Painted Hardplank, synthetic Stucco, or painted wood.
Trim Options:
Exterior Wall Accents: Special shapes brick or synthetic EIFS

THE FOLLOWING EXPLAINS HOW THE PETITION ADDRESSES THE ENVIRONMENTALLY SENSITIVE SITE DESIGN GUIDANCE IN THE GENERAL DEVELOPMENT POLICIES:

- PROTECTS/RESTORES ENVIRONMENTALLY SENSITIVE AREAS AND MINIMIZES IMPACTS IN THE NATURAL ENVIRONMENT BY DEDICATING PROPERTY TO MECKLENBURG COUNTY PARK AND RECREATION DEPARTMENT FOR GREENWAY PURPOSES.
- MINIMIZES IMPACTS TO THE NATURAL ENVIRONMENT BY INCORPORATING A PROPOSED RAIN GARDEN INTO THE SITE DESIGN.
- FACILITATES THE USE OF ALTERNATIVE MODES OF TRANSPORTATION BY PROVIDING A GREENWAY CONNECTION (See note this sheet).

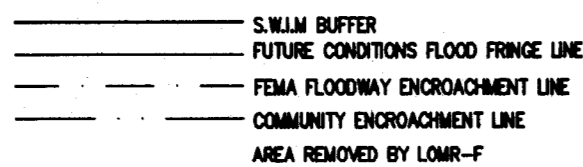
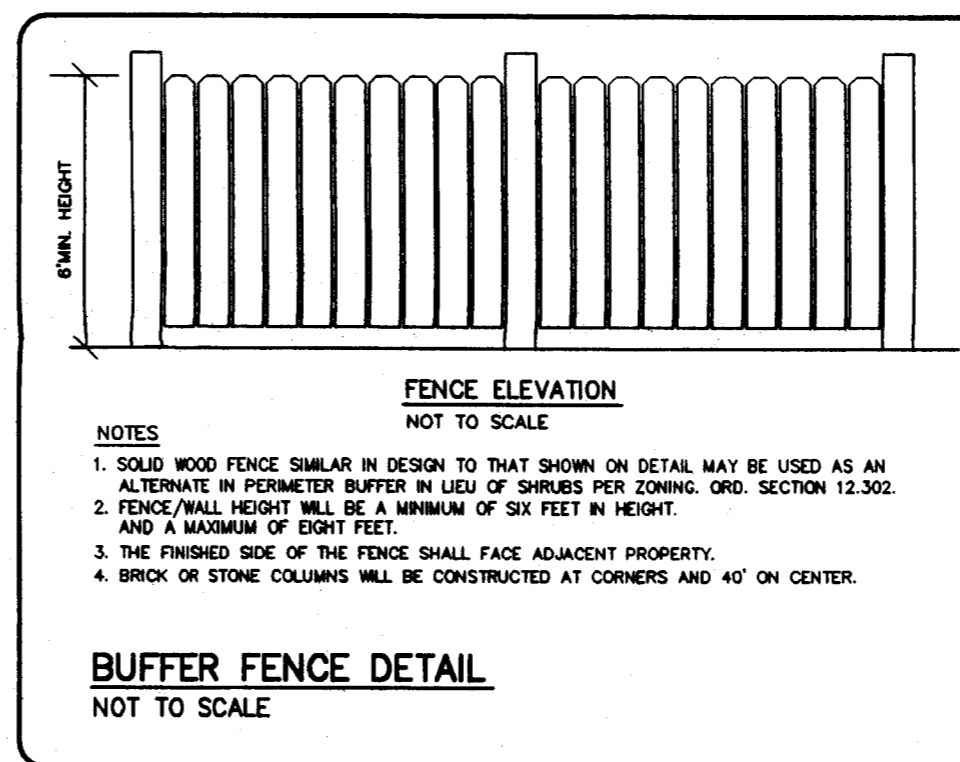
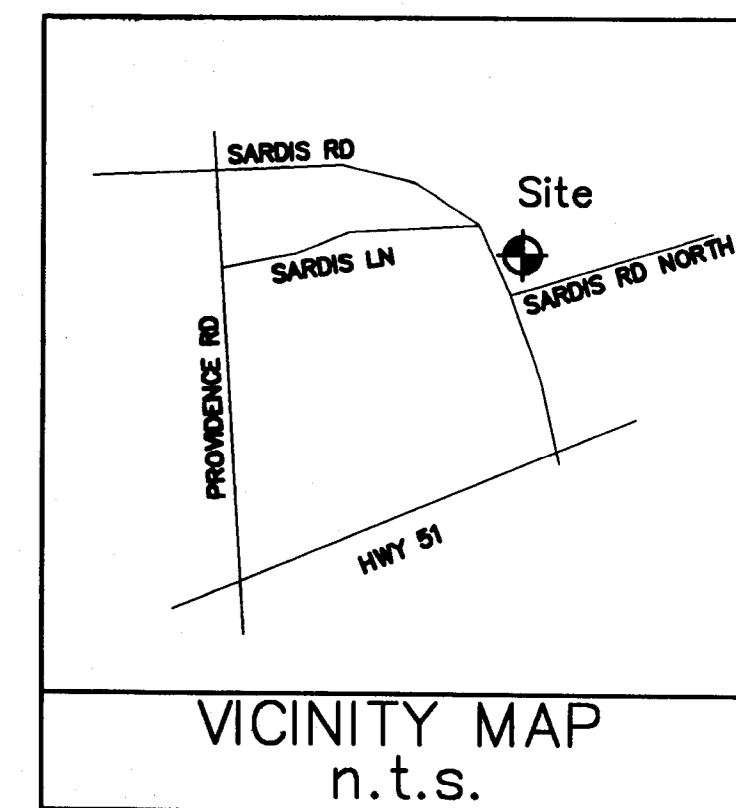
DESCRIPTION OF TRACT TO BE REZONED

BEGINNING AT A THE SOUTH WEST CORNER OF LOT 5 AS SHOWN ON MAP BOOK 46, PAGE 607 THENCE FROM THE POINT OF BEGINNING WITH A BEARING N42°52'00"E AND A DISTANCE OF 231.09' TO A POINT; THENCE WITH A BEARING S31°25'13"E AND A DISTANCE OF 9.10' TO A POINT; THENCE WITH A BEARING S53°45'23"E AND A DISTANCE OF 184.53' TO A POINT; THENCE WITH A BEARING S48°43'33"E AND A DISTANCE OF 139.24' TO A POINT; THENCE WITH A BEARING S44°11'00"W AND A DISTANCE OF 253.85' TO A POINT; THENCE WITH A BEARING N47°08'00"W AND A DISTANCE OF 325.42' TO THE POINT OF BEGINNING, AND CONTAINING 1.841 ACRES.

SURVEY NOTES:

1. IRON PINS SET AT ALL CORNERS MARKED WITH SYMBOLS.
2. TAX PARCEL NUMBERS: 21310163, 21310164, 21310165, 21310166, 21310167, 21310168
3. SOURCE REFERENCE: MAP BOOK 7, PAGE 521 MAP BOOK 46, PAGE 607
4. BOUNDARY SURVEY ONLY THROUGH POINTS AS SHOWN.
5. THIS PROPERTY IS LOCATED IN A FEMA REGULATED FLOOD HAZARD AREA PER FIRM COMMUNITY PANEL 3701594570J, EFFECTIVE MARCH 2, 2009.
6. OFFSITE BENCHMARK IS MECKLENBURG COUNTY STORM WATER MARKER "MCA-16".
7. ANY CONSTRUCTION OR USE WITHIN ANY DELINEATED FLOOD AREA IS SUBJECT TO THE RESTRICTIONS IMPOSED BY THE FLOODWAY REGULATIONS.
8. Proposed Yard Requirements:

PROPOSED	INSTITUTIONAL (INST.)
MIN. LOT SIZE:	15,000 SF.
MIN. LOT WIDTH:	80 FEET
MIN. FRONT SETBACK:	40 FEET
MIN. REAR YARD:	20 FEET
MIN. SIDE YARD:	20 FEET
9. THIS LOT IS SUBJECT TO THE MECKLENBURG COUNTY POST CONSTRUCTION ORDINANCE.



THE 18" CLASS "C" BUFFER REQUIREMENTS ARE TO BE MET. EXISTING VEGETATION IS TO BE UTILIZED AS APPROPRIATE AND WHERE POSSIBLE.

GREENWAY NOTES

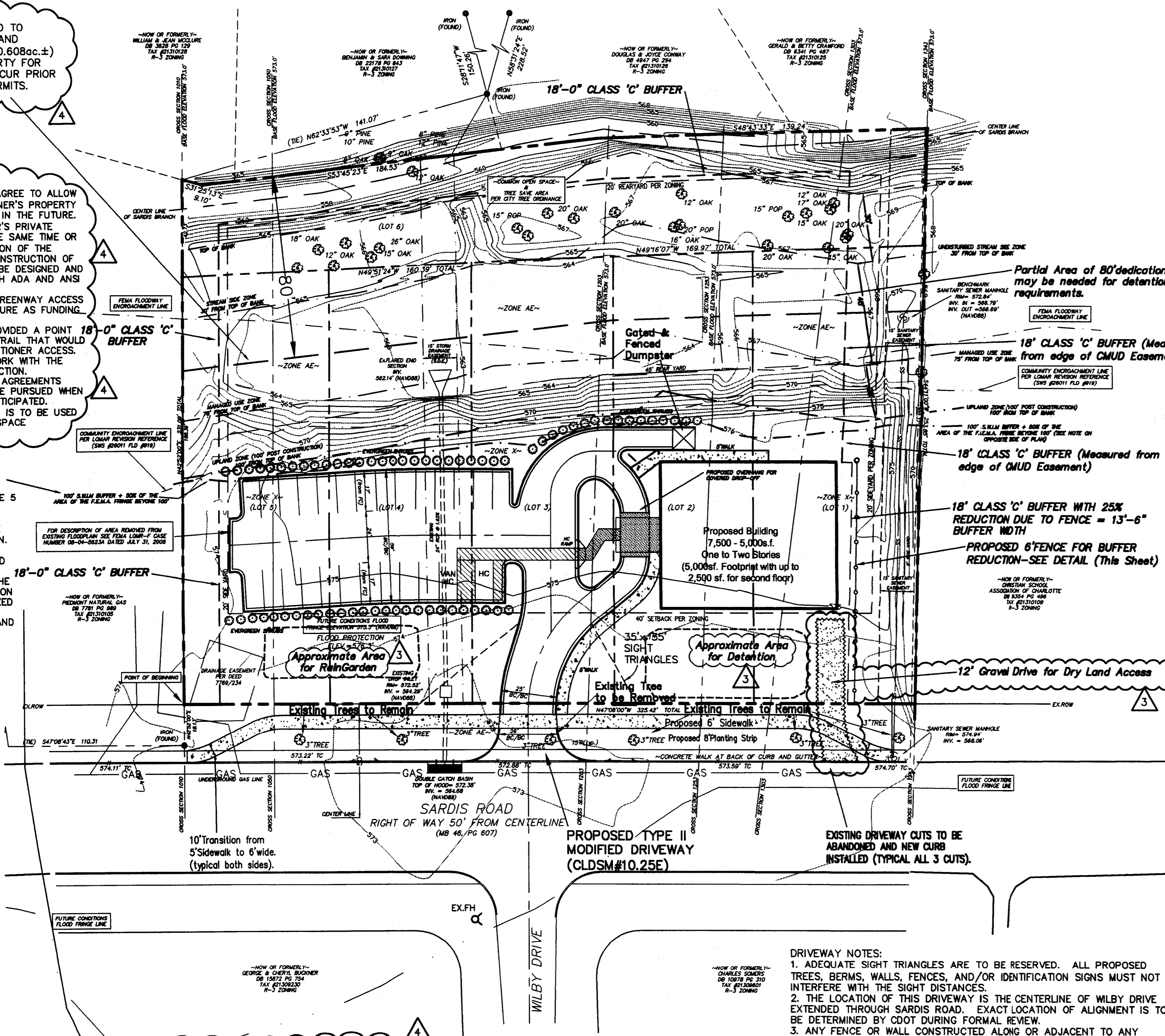
1. PROPERTY TO BE DEDICATED TO MECKLENBURG COUNTY PARK AND RECREATION FOR GREENWAY (0.608ac.±)
2. THE DEDICATION OF PROPERTY FOR GREENWAY PURPOSES WILL OCCUR PRIOR TO ISSUANCE OF BUILDING PERMITS.

NOTES FOR GREENWAY ACCESS:

1. THE PETITIONER AND COUNTY AGREE TO ALLOW A CONNECTION FROM THE PETITIONER'S PROPERTY TO THE GREENWAY ACCESS TRAIL IN THE FUTURE. CONSTRUCTION OF THE PETITIONER'S PRIVATE ACCESS TRAIL WILL OCCUR AT THE SAME TIME OR AFTER THE COUNTY'S CONSTRUCTION OF THE GREENWAY ACCESS TRAIL. THE CONSTRUCTION OF THE PRIVATE ACCESS TRAIL WILL BE DESIGNED AND BUILT IN STRICT ACCORDANCE WITH ADA AND ANSI CODES AND STANDARDS.
2. THE COUNTY WILL BUILD THE GREENWAY ACCESS TRAIL AT SOME POINT IN THE FUTURE AS FUNDING ALLOWS.
3. THE PETITIONER WOULD BE PROVIDED A POINT TO CONNECT ONTO THE COUNTY TRAIL THAT WOULD ENABLE THE CLIENTS OF THE PETITIONER ACCESS.
4. THE PETITIONER AGREES TO WORK WITH THE COUNTY FOR THIS FUTURE CONNECTION.
5. ANY NECESSARY COOPERATIVE AGREEMENTS REQUIRED BY THE COUNTY WILL BE PURSUED WHEN DESIGN AND CONSTRUCTION IS ANTICIPATED.
6. THE 80' GREENWAY DEDICATION IS TO BE USED TO SATISFY ANY AND ALL OPEN SPACE REQUIREMENTS.

NOTES FOR 50% OF FEMA FRINGE:

1. THE 50% LINE SHOWN WAS APPROVED AND PLATTED WITH THE 5 LOT SUBDIVISION. THE SURVEYOR (CAROLINA SURVEYORS) HAS REPRODUCED THAT LINE WITH THE SURVEY USED FOR THIS SITE PLAN.
2. THE EXTENSIVE FLOOD STUDY SHOWING THIS FILL WAS APPROVED BY MECKLENBURG COUNTY BUT THERE MAY BE AN ISSUE THAT THE LETTER OF MAP REVISION BASED ON FILL MAY NOT HAVE BEEN FINALIZED THROUGH FEMA.
3. THE NECESSARY PAPERWORK AND COORDINATION NEEDS TO BE ADDRESSED THROUGH THE APPROPRIATE DEPARTMENTS.



ZONING REQUEST
EXISTING ZONING: R-3
PROPOSED ZONING: INST (CD)

LAND OWNER:
LARRY A. JOHNSON
5609 TIMBER LANE
CHARLOTTE, NC 28270

- 1. GENERAL PROVISIONS**
- 1.1 This rezoning petition relates to that certain 1.894 acre parcel lying within Mecklenburg County, now or formerly known as Larry A. Johnson property, hereinafter referred to as the "Site".
 - 1.2 Development of the Site will be controlled by Chapter 6 of the City of Charlotte Zoning Ordinance. The development depicted on the Rezoning Plan is intended to reflect the arrangements of proposed buildings and uses on the Site, but the exact configurations, placements and sizes of individual elements may be altered or modified within the limits prescribed by the Ordinance during the design development and construction phases.
 - 1.3 Unless more stringent standards are established by these Development Standards, all development standards established under the Charlotte Zoning Ordinance (the "Ordinance") for the Institutional (Inst) District shall be followed with respect to the Site.
 - 1.4 Prior to the demolition of the existing structures on the Site the Petitioner shall contact LUESA in order to evaluate potential issue related to asbestos, abandoned wells, septic tanks and underground storage, which may or may not be present on the Site.
 2. STATEMENTS WITH RESPECT TO THE GRAPHICS WHICH ARE SET FORTH ON EXHIBITS ACCOMPANYING THE REZONING PLAN
 - 2.1 Any Exhibits accompanying the Rezoning Plan are conceptual images of portions of the Site. They are not to be considered as development plans but rather as preliminary representations of the types and quality of development proposed for the Site.
 - 2.2 The Rezoning Plan identifies building footprints. Buildings shown on the Concept Site Plan shall be located within the building footprints. However, the exact location and size of buildings within the specific footprint is subject to change.
 3. PERMITTED USES AND MAXIMUM DEVELOPMENT
 - 3.1 The primary use of the facility will be for an Adult Care Center with an anticipated 80 clients and related personnel. The Site may utilize associated accessory uses, parking, and service areas as permitted by the Ordinance in an Institutional District. However, the following uses are specifically prohibited:
 - a. Beneficial Fill Site
 - b. Cemetery
 - c. Jails or Prisons
 - d. Jails or Prisons
 - 3.2 No more than 7,500 square feet of building space may be developed on the Site. First Floor Building footprint will not exceed 5,000sf. Additional square footage may be added with a second floor for up to an additional 2,500 sf. making a 7,500 sf total for the building.
 4. ACCESS POINTS
 - 4.1 The total number of ingress/egress points to and from the Site shall be limited to one entrance on Sardis Road. The exact location may vary somewhat from those depicted based upon final design and location requirements as regulated by CDOT and, where applicable, NCDOT.
 5. SETBACK, SIDE YARDS AND REAR YARDS
 - 5.1 All buildings constructed on the Site shall satisfy or exceed the setback, rear yard and side yard dimensions established under the Ordinance for the Inst. District.
 6. DESIGN AND PERFORMANCE STANDARDS
 - 6.1 The proposed buildings and development will comply with all Ordinance requirements for signage, buffering, screening and landscaping.
 - 6.2 The Site shall comply with all requirements of the Charlotte Tree Ordinance.
 - 6.3 The Developer shall preserve the natural area of the flood plain. However, this provision shall not prohibit the Developer from removing dead or dying trees from any portion of the flood plain area. Areas within the construction envelopes of the parking areas shall be planted in conformity with the landscape plan for those areas.
 - 6.4 All Buildings shall be connected by sidewalk to sidewalks along roadways. All sidewalks shall comply with Ordinance requirements regarding width, material, and other construction specifications.
 - 6.5 All sidewalks installed within the Site shall be at least five feet in width.
 - 6.6 Finished Floor Elevation of Building shall be above the 100+1 Elevation of 576.30. Lowest Elevation of parking lot shall be above 574.80 which is 6' below the Base Flood Elevation of 575.30.
 - 6.7 The Developer shall replace the existing sidewalk along Sardis Road with a minimum six-foot sidewalk.
 - 6.8 All healthy trees three inches caliper and greater within the front setback and labeled "Existing Trees to Remain" along Sardis Road shall be preserved.
 - 6.9 No utilities, HVAC units or other structures shall be located within any of the buffers.
 7. PARKING
 - 7.1 Off-street vehicular parking for the Site shall meet or exceed the minimum standards established by the Ordinance.
 - 7.2 The parking total indicated in the Development Data is an estimate. The final parking count may deviate from that indicated in the Development Data, provided that at the time of building permit submittal the proposed parking meets or exceeds Ordinance requirements.
 - 7.3 Bicycle parking shall be provided to meet or exceed the amended parking section of the Zoning Ordinance.
 8. LIGHTING
 - 8.1 All freestanding lighting and all exterior lighting will be shielded with full cut-off fixtures to minimize the impact from lights that may be visible from nearby properties. Freestanding lighting shall not exceed 20 feet in height. No wall "pak" type lighting shall be used, but attached decorative lighting fixtures such as sconces may be used.
 9. STORMWATER
 - 9.1 The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
 - 9.2 Impervious Area is not allowed inside the S.W.I.M. Buffer.
 - 9.3 No fill may be placed within the Community or FEMA Floodplain.
 - 9.4 Required Class "C" Buffers shall be constructed according to Chapter 12 of the City of Charlotte Zoning Ordinance.
 - 9.5 It is understood that any Drainage structures located within the setback can not be over 7" in height above natural grade.
 10. ALTERATIONS TO PLAN
 - 10.1 Future amendments to the Rezoning Plan and these Development Notes may be applied for by the then owner or owners of the tract or tracts within the Site involved in accordance with the provisions of Section 6.2 of the Charlotte City Ordinance.
 11. BINDING EFFECT
 - 11.1 Upon approval, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioners and the current and subsequent owners of the Site and their respective successors in interest and assigns.
 - 11.2 Throughout these Development Notes, the terms "Developer", "Petitioner", "Owner" or "Owners," shall, with respect to each parcel within the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

THE FUTURE CONDITIONS FLOOD FRINGE ELEVATION IS THE ELEVATION BY WHICH THE PARKING AND BUILDING NEEDS TO BE REFERENCED. THE PARKING AND BUILDING HAVE MINIMUM CRITERIA THAT USE THIS ELEVATION. THE FLOOD STUDY (ALREADY COMPLETED AND APPROVED) ESTABLISHED THE ELEVATION.

SIDEWALK NOTES:

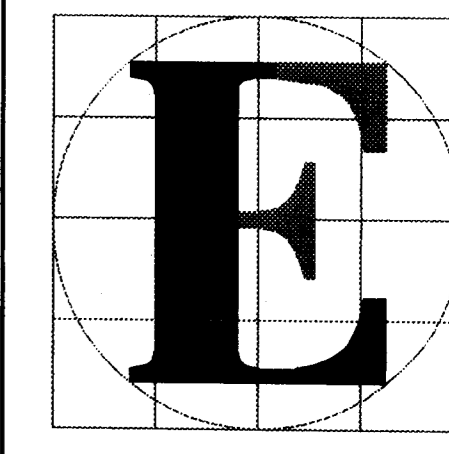
1. EXISTING SIDEWALK IS TO BE REMOVED.
2. TIE INTO EXISTING SIDEWALK AT PROPERTY LINES EXTENDED AND WIDEN WALK TO A MINIMUM OF 6'.
3. MEANDER SIDEWALK TO BEHIND EXISTING TREES. WHAT IS SHOWN IS APPROXIMATELY 5' OFF EXISTING TREES AND 3' OF R/W.

DRIVEWAY NOTES:

1. ADEQUATE SIGHT TRIANGLES ARE TO BE RESERVED. ALL PROPOSED TREES, BERMS, WALLS, FENCES, AND/OR IDENTIFICATION SIGNS MUST NOT INTERFERE WITH THE SIGHT DISTANCES.
2. THE LOCATION OF THIS DRIVEWAY IS THE CENTERLINE OF WILBY DRIVE EXTENDED THROUGH SARDIS ROAD. EXACT LOCATION OF ALIGNMENT IS TO BE DETERMINED BY CDOT DURING FORMAL REVIEW.
3. ANY FENCE OR WALL CONSTRUCTED ALONG OR ADJACENT TO ANY SIDEWALK OR STREET RIGHT OF WAY REQUIRES A CERTIFICATE ISSUED BY CDOT.
3. AN ENCROACHMENT PERMIT MAY BE REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEM (I.E. IRRIGATION SYSTEMS, PAVERS ETC.)
4. THE THREE EXISTING CURB CUTS ALONG SARDIS ROAD NEED TO BE CLOSED AND THE CURB & GUTTER INSTALLED TO MATCH EXISTING.

Revisions:

1. 5/15/09 REVISED TO INCLUDE BACK PARCEL IN ZONING.
2. 6/18/09 REVISED PER COMMENTS FROM THE DIFFERENT DEPARTMENTS.
3. 7/7/09 REVISED PER COMMENTS FROM THE DIFFERENT DEPARTMENTS.
4. 2/7/10 REVISED FROM PLANNING COMMENTS.



LASH ENGINEERING
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Phone: 704-847-3031
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PROJECT ENGINEER:
MICHAEL LASH, P.E.

CLIENT:
KODIAK CONSTRUCTORS, INC.
5935 CARNEGIE BLVD.
SUITE 201
CHARLOTTE, NC 28209

Phone: 704/364-8744
Fax: 704/364-8743

PROJECT:
Mt. Tabor Adult Day Care Center
7809 Sardis Road
Charlotte, NC 28270

DESCRIPTION:
Conditional Zoning Plan
Petition Number: 2009-050

STATUS:
SUBMITTED TO: Planning
FOR: 'Zoning Process'

Scale: 1" = 30'
Date: 6/18/09
SHEET NO. 1 OF 1

RECEIVED
FEB 18 2010
2009-050