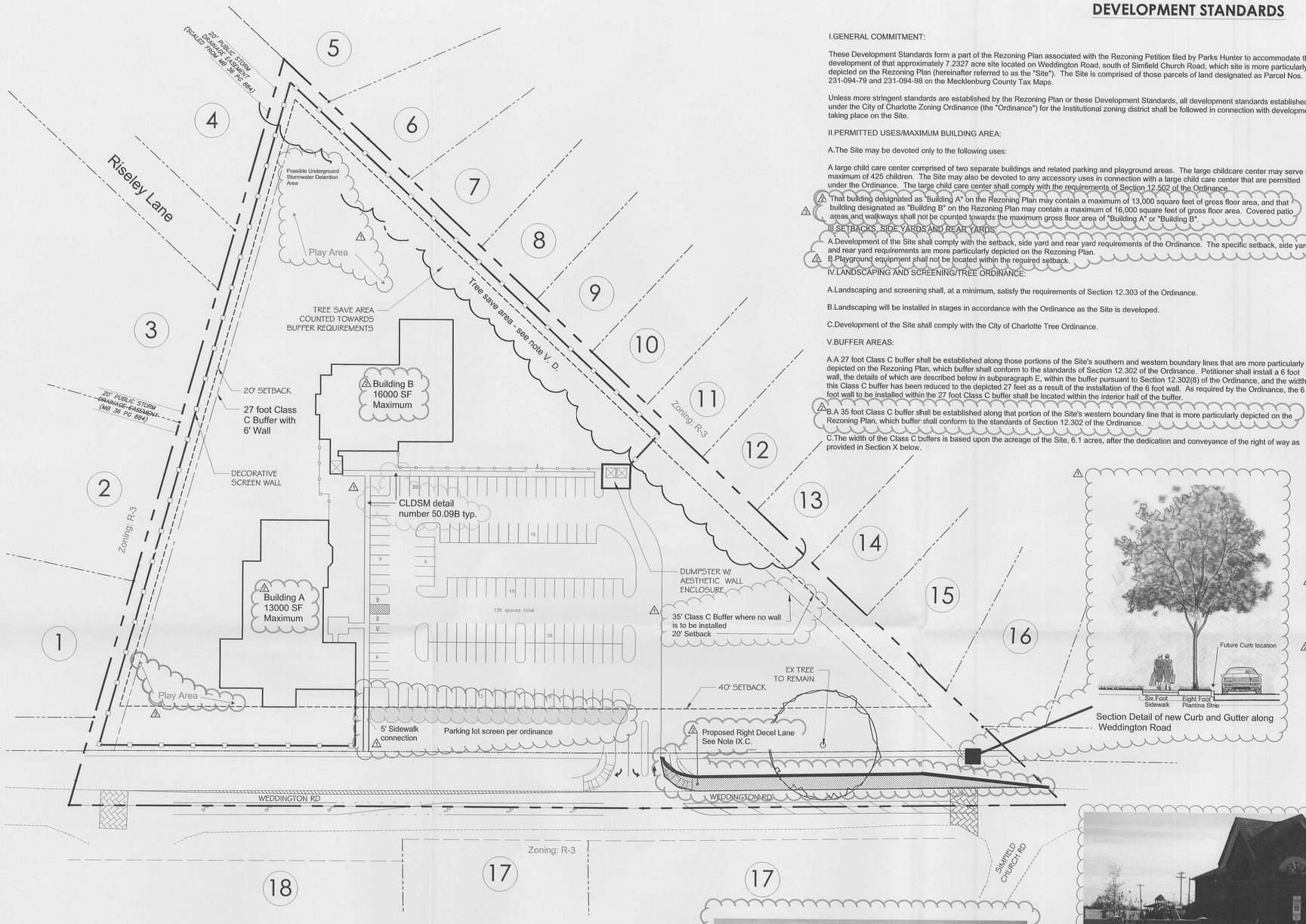


ADJACENT PROPERTY OWNERS: *note - all adjacent properties are zoned R-3

DEVELOPMENT STANDARDS

I.GENERAL COMMITMENT:

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Parks Hunter to accommodate the development of that approximately 7.2327 acre site located on Weddington Road, south of Simfield Church Road, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of those parcels of land designated as Parcel Nos. 231-094-79 and 231-094-98 on the Mecklenburg County Tax Maps.

Unless more stringent standards are established by the Rezoning Plan or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the Institutional zoning district shall be followed in connection with development taking place on the Site.

II.PERMITTED USES/MAXIMUM BUILDING AREA:

A.The Site may be devoted only to the following uses:

A large child care center comprised of two separate buildings and related parking and playground areas. The large childcare center may serve a maximum of 425 children. The Site may also be devoted to any accessory uses in connection with a large child care center that are permitted under the Ordinance. The large child care center shall comply with the requirements of Section 12.502 of the Ordinance.

That building designated as "Building A" on the Rezoning Plan may contain a maximum of 13,000 square feet of gross floor area, and that building designated as "Building B" on the Rezoning Plan may contain a maximum of 16,000 square feet of gross floor area. Covered patio areas and walkways shall not be counted towards the maximum gross floor area of "Building A" or "Building B".

III.SETBACKS, SIDE YARDS AND REAR YARDS:

A.Development of the Site shall comply with the setback, side yard and rear yard requirements of the Ordinance. The specific setback, side yard and rear yard requirements are more particularly depicted on the Rezoning Plan.

B.Playground equipment shall not be located within the required setback.

IV.LANDSCAPING AND SCREENING/TREE ORDINANCE:

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.Development of the Site shall comply with the City of Charlotte Tree Ordinance.

V.BUFFER AREAS:

A.A 27 foot Class C buffer shall be established along those portions of the Site's southern and western boundary lines that are more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance. Petitioner shall install a 6 foot wall, the details of which are described below in subparagraph E, within the buffer pursuant to Section 12.302(8) of the Ordinance, and the width of this Class C buffer has been reduced to the depicted 27 feet as a result of the installation of the 6 foot wall. As required by the Ordinance, the 6 foot wall to be installed within the 27 foot Class C buffer shall be located within the interior half of the buffer.

B.A 35 foot Class C buffer shall be established along that portion of the Site's western boundary line that is more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance.

C.The width of the Class C buffers is based upon the acreage of the Site, 6.1 acres, after the dedication and conveyance of the right of way as provided in Section X below..

Section Detail of new Curb and Gutter along Weddington Road

V. BUFFER AREA:

D.The trees located within those portions of the buffers that are designated on the Rezoning Plan as the "Tree save area" shall be preserved except as required to install the 6 foot wall described below in subparagraph E.

E.The 6 foot wall to be installed within the 27 foot Class C buffer and on the other portions of the Site depicted on the Rezoning Plan shall be constructed of pre-cast concrete, it shall have a decorative finish and it shall be substantially similar in appearance to the wall detail set out on the Rezoning Plan.

F.In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer area set out on the Rezoning Plan accordingly.

G.No buildings, parking spaces or maneuvering areas may be located within the buffer areas.

H.Above ground storm water detention facilities may not be located in the buffer area.

I.Playground equipment shall not be located within with buffer areas.

VI.ARCHITECTURAL COMMITMENTS:

A.The maximum height of any building constructed on the Site shall be 40 feet.

B.Buildings shall be residential in character with pitched roofs.

C.Playground fencing shall be decorative fencing or walls, and the use of chain link fences shall be prohibited.

VII.LIGHTING:

A.All exterior light fixtures shall be fully shielded with full cutoff fixtures so that direct illumination does not extend past any property line of the Site.

B.The maximum height of any freestanding light fixture installed on the Site, including its base, shall be 20 feet.

C.Wall pak type light fixtures shall be prohibited.

VIII.SIGNS:

All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.

IX.VEHICULAR ACCESS/TRANSPORTATION IMPROVEMENTS:

A.Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access point is 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 and/or the North Carolina Department of Transportation.

B.Petitioner shall install a left turn lane on Weddington Road at the access point into the Site as generally depicted on the Rezoning Plan. The left turn lane shall be designed to North Carolina Department of Transportation standards and shall have a minimum of 150 feet of storage.

C.Petitioner shall install a right turn lane (deceleration lane) on Weddington Road at the access point into the Site provided that it is approved by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.

X.RIGHT OF WAY DEDICATION:

Prior to the issuance of a building permit for any building to be constructed on the Site, the Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) those portions of the Site immediately adjacent to Weddington Road as required to provide right of way measuring 50 feet from the existing centerline of Weddington Road if such right of way does not currently exist.

XI.SIDEWALKS AND PLANTING STRIPS:

A.Sidewalks and planting strips shall be installed on the Site as depicted on the Rezoning Plan.

B.Petitioner shall extend the sidewalk to be constructed on Weddington Road to Beacon Forest Drive.

C.The sidewalk to be constructed on Weddington Road may meander to save existing trees.

XII.PARKING:

Off-street parking shall be provided on the Site in accordance with the requirements of the Ordinance.

XIII.STORM WATER:

A.Development of the Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

B.Storm water detention shall be provided by way of an underground storm water detention system.

XIV.AMENDMENTS TO THE REZONING PLAN:

Future amendments to the Rezoning 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 6 of the Ordinance.

XV.BINDING EFFECT OF THE REZONING PETITION:

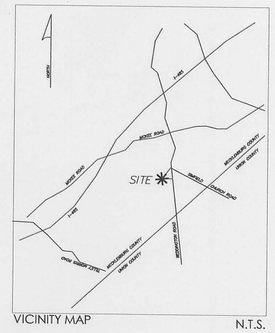
If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns. Throughout these Development Standards, the terms, "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

Wall Detail per Buffer Section V. E.

DEVELOPMENT SUMMARY

TAX PARCEL INFORMATION	231-094-79 231-094-98
SITE AREA	7.2 ACRES GROSS
CURRENT ZONING	R-3
PROPOSED ZONING	INSTITUTIONAL (CD)
PROPOSED BLDG. HEIGHT	40 Foot Max
PROPOSED USE	DAYCARE FACILITY
REQUIRED YARDS	40' Setback from right of way 20' REAR YARD 20' SIDE YARD
	MAX F.A.R.: 0.50 Total Square Footage Allowed 29,000 SF See note II.B.

APPROVED BY CITY COUNCIL
JAN 19 2010



VICINITY MAP N.T.S.

NORTH

0 50 100 200 feet
SCALE: 1"= 50'

DAVID TIBBALS
LANDSCAPE ARCHITECT

2301 studio

R-E-D REAL ESTATE DEVELOPMENT PARTNERS

711 Central Ave Charlotte NC 28204 www.redpart.com

RAINBOW STATION

CHARLOTTE , NC

Rezoning Petition 2009-077

HAM HOLDINGS | TECHNICAL DATA SHEET

PROJECT ID 0906.00

RZ1.0

Rev 1 | 19 | 2010
08 | 24 | 2009
Rev 11 | 20 | 2009
Rev 12 | 29 | 2009