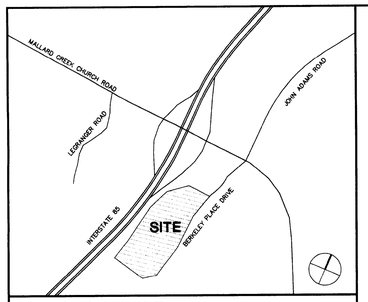

VICINITY MAP N.T.S.

NOTES FROM REZONING PETITION NO. 2000-156

DEVELOPMENT STANDARDS

PART 1

COMMITMENT:

UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS, ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE") FOR THE R-12MF ZONING DISTRICT CLASSIFICATION SHALL BE FOLLOWED IN CONNECTION WITH THE PROPOSED DEVELOPMENT.

THE BUILDING CONFIGURATIONS, PLACEMENTS AND SIZES AND THE LOCATIONS OF ALL OTHER DEVELOPMENT SHOWN ON THE SCHEMATIC SITE PLAN ARE SCHEMATIC IN NATURE AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES WITHIN THE MAXIMUM DEVELOPMENT LINES ESTABLISHED ON THE TECHNICAL DATA SHEET.

PART II
PERMITTED DEVELOPMENT WITHIN THE SITE.

TRACT I AND TRACT II - RESIDENTIAL COMPONENT UP TO 876 MULTI- FAMILY
DWELLING UNITS MAY BE DEVELOPED ON THE SITE.

1 BOTH TRACTS I AND II ARE INTENDED TO BE DEVELOPED UNDER SINGLE OWNERSHIP. THE MAXIMUM PROPOSED NUMBER OF MULTI-FAMILY DWELLING UNITS SHALL THEREFORE, BE PERMITTED BETWEEN THE TWO TRACTS IN ACCORDANCE WITH ALL APPLICABLE DEVELOPMENT STANDARDS. THE NUMBER OF DWELLING UNITS SHALL NOT BE EXCEEDED. IN THE EVENT THAT TRACTS I AND II ARE NOT DEVELOPED UNDER SINGLE OWNERSHIP, THEN EACH FUTURE DEVELOPMENT TRACT SHALL BE REQUIRED TO STAND AS AN INDIVIDUAL TRACT AND REQUIRED TO COMPLY WITH APPLICABLE DEVELOPMENT STANDARDS, INCLUDING DENSITY.

PART III

VEHICULAR ACCESS POINT AND CONNECTIVITY:

(A) DIRECT VEHICULAR ACCESS TO THE SITE FROM MALLARD CREEK CHURCH ROAD WILL BE LIMITED TO ONE ACCESS POINT WHICH WILL BE LOCATED IN THE GENERAL AREA DEPICTED ON THE TECHNICAL DATA SHEET.

(B) THE PETITIONER AGREES TO FUND ONE HALF OF THE COST OF INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF THE COMMERCIAL COLLECTOR AND MALLARD CREEK CHURCH ROAD.

(C) AT LEAST THREE EXITING LANES, TWO FOR LEFT TURNS AND ONE FOR RIGHT TURNS, WILL BE CONSTRUCTED AT THE ACCESS TO MALLARD CREEK CHURCH ROAD.

(D) THE CONFIGURATIONS AND ULTIMATE LOCATIONS OF MALLARD CREEK CHURCH ROAD ACCESS, AS WELL AS EACH POINT OF ACCESS PROVIDING CONNECTIVITY TO ABUTTING PROPERTIES, ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND ARCHITECTURAL PLANS AND DESIGNS.

PART IV

DESIGN GUIDELINES

SECTION 1. YARD RESTRICTIONS

ALL BUILDINGS CONSTRUCTED WITHIN THE SITE SHALL SATISFY OR EXCEED THE APPLICABLE SETBACK, REAR YARD, AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE. IN ADDITION, CONNECTIVITY WILL BE PROVIDED TO ABUTTING PROPERTIES IN THE GENERAL AREAS DEPICTED ON THE TECHNICAL DATA SHEET.

SECTION 2. OFF STREET PARKING

(A) THE PARKING SPACES DEPICTED ON THE SCHEMATIC SITE PLAN MAY VARY IN LAYOUT AND LOCATION BUT, IN ALL EVENTS, WILL BE SUFFICIENT TO SATISFY THE MINIMUM OFF STREET PARKING STANDARDS ESTABLISHED UNDER THE ORDINANCE.

(B) NO PARKING WILL BE PERMITTED WITHIN BUFFER OR SETBACK AREAS.

SECTION 3. INTERNAL STREETS

1 (A) THE INTERNAL STREET PATTERN SHOWN ON THE SCHEMATIC SITE PLAN IS SCHEMATIC IN NATURE AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES. HOWEVER, DUE TO IDENTIFIED WETLANDS BETWEEN PHASES I AND II OF TRACT I, THERE SHALL NOT BE ANY VEHICULAR CONNECTIVITY BETWEEN THE 2 MULTI-FAMILY PARCELS.

(B) STREETS WILL BE CONSTRUCTED IN PHASES AND IN SEQUENCES WITH DEVELOPMENT TAKING PLACE ON THE SITE.

(C) ALL NON STANDARD STREET CROSS SECTIONS WILL BE APPROVED BY NCDOT.

SECTION 4. LANDSCAPING AND SCREENING

(A) SCREENING SHALL CONFORM WITH THE STANDARDS AND TREATMENTS SPECIFIED IN SECTION 12.303 OF THE ORDINANCE.

(B) STREET TREES WILL BE PROVIDED IN THE MEDIAN AND ON BOTH SIDES OF THE COMMERCIAL, COLLECTOR, DIVIDED RESIDENTIAL COLLECTOR, AND RESIDENTIAL COLLECTOR AT THE RATE OF ONE LARGE MATURING TREE FOR EVERY 40 LINEAR FEET.

SECTION 5. SIGNAGE

(A) A UNIFORM SIGNAGE AND GRAPHIC SYSTEM WILL BE EMPLOYED WITHIN THE SITE.

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

SECTION 6. STORM WATER MANAGEMENT

STORM WATER RUNOFF FROM THE SITE WILL BE MANAGED THROUGH PROVEN TECHNIQUES WHICH SATISFY THE STANDARDS IMPOSED BY THE CITY OF CHARLOTTE ENGINEERING DEPARTMENT.

A DETENTION FACILITY MAY BE SHARED BETWEEN DIFFERENT USES AND ZONING CLASSIFICATIONS. WHERE A DETENTION FACILITY CROSSES BOUNDARIES OF DIFFERENT USES REQUIRING A BUFFER, THE BUFFER MAY BE PROVIDED BY GOING AROUND THE DETENTION FACILITY OR BY OTHER ALTERNATIVE METHODS WHICH PROVIDE THE SEPARATION INTENDED BY THE ORDINANCE, ALL AS INTERPRETED BY THE ZONING ADMINISTRATOR.

NO STORM WATER DETENTION FACILITIES SHALL BE LOCATED WITHIN THE BUFFERS OR SETBACKS.
THE FOLLOWING AGENCIES MUST BE CONTACTED PRIOR TO CONSTRUCTION REGARDING WETLAND AND WATER QUALITY PERMITS:

401 / 404 PERMIT NCDENR - RALEIGH OFFICE (919) 733-1786
401 / 404 PERMIT U.S. ARMY - CORPS OF ENGINEERS (704)271-4854

SECTION 7. BUFFER AREAS

(A) THE BUFFER AREAS ESTABLISHED ON THIS TECHNICAL DATA SHEET SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE; SUBJECT, HOWEVER, TO THE PROVISIONS OF SECTION 12.304 THEREOF.

(B) THE BUFFER AREAS SHALL REMAIN AS OPEN SPACE AND, SUBJECT TO THE PROVISIONS OF PARAGRAPHS (C) AND (D) BELOW, WILL REMAIN UNDISTURBED.

(C) WHERE THERE ARE EXISTING TREES, THE PETITIONER RESERVES THE RIGHT TO CLEAR, GRADE, AND FILL WITHIN THE FIRST 30.0' ON THE INTERIOR SIDE OF THE BUFFER AREA AND, WHERE A BUFFER AREA CONTAINS A SPARSE AMOUNT OF VEGETATION. THE PETITIONER RESERVES THE RIGHT TO GRADE AND CREATE BERMS WITHIN THAT AREA.

(D) THE PETITIONER RESERVES THE RIGHT, WITHIN ALL PORTIONS OF BUFFER AREAS, TO INSTALL UTILITIES AND PEDESTRIAN PATHS. HOWEVER, UTILITY INSTALLATIONS MAY ONLY CROSS BUFFER AREAS AT INTERIOR ANGLES MEASURED AT THE PROPERTY LINE WHICH ARE NOT LESS THAN 75 DEGREES.

(E) NO BUILDINGS, PARKING SPACES, OR MANEUVERING AREAS MAY BE PLACED WITHIN THE BUFFER AREAS.

(F) WHERE EXISTING TREES AND NATURAL VEGETATION WITHIN THE BUFFER AREAS HAVE BEEN CLEARED TO ACCOMMODATE PEDESTRIAN SIDEWALKS OR PATHS, CONNECTIVE ROADWAYS OR THE INSTALLATION OF UTILITIES, ANY CLEARED, UNIMPROVED PORTION OF THE BUFFER AREA SHALL BE LANDSCAPED WITH TREES AND SHRUBS IN A MANNER WHICH COMPLIES WITH SECTION 12.302 OF THE ORDINANCE.

(G) IN THE EVENT THE ZONING FOR OR THE USES ON ANY ADJACENT PROPERTY SHOULD CHANGE AT SOME POINT IN THE FUTURE SO THAT THE BUFFER REQUIREMENTS UNDER THE ORDINANCE CHANGE OR ARE ELIMINATED, THEN THE BUFFER REQUIREMENTS MAY BE CHANGED ACCORDINGLY.

SECTION 8. S.W.I.M. BUFFER

(A) THE S.W.I.M. BUFFER IS MEASURED HORIZONTALLY ON A LINE PERPENDICULAR TO THE SURFACE WATER, LANDWARD FROM THE TOP OF THE BANK ON EACH SIDE OF THE STREAM.

(B) STREAM SIDE AND MANAGED USE ZONES OF THE BUFFER ARE TO BE LEFT UNDISTURBED. NO GRADING IS ALLOWED IN THESES ZONES.

(C) GRADING IS ALLOWED IN THE UPLAND ZONE, BUT NO FILL MATERIAL CAN BE BROUGHT INTO THE AREA.

(D) NO OCCUPIED STRICTURES CAN BE PLACED IN ANY OF THE THREE (3) BUFFER ZONES. NON-COMMERCIAL BUILDINGS FOR STORAGE CAN BE PLACED IN THE UPLAND ZONE PROVIDED THEY DO NOT EXCEED 150 SQUARE FEET.

(E) ENGINEERED OR APPROVED CHANNELS AND PIPED STORM WATER ARE NOT ALLOWED IN OR THROUGH THE BUFFER. TEMPORARY SEDIMENT BASINS CAN NOT BE PLACED IN THE MANAGED USE ZONE. DRAINAGE AREAS WILL BE DESIGNATED TO ALLOW WATER TO SHEET FLOW ACROSS THE BUFFER TO FILTER OUT POLLUTANTS. PLUNGE POOLS, ENERGY DISSIPATORS, DIVERSION DEVICES OR WETLAND FLOW WILL BE USED. DESIGN DETAILS FOR THESE DEVICES CAN BE OBTAINED FROM THE CHARLOTTE-MECKLENBURG LAND DEVELOPMENT STANDARDS MANUAL.

(F) THE OUTSIDE BUFFER BOUNDARY WILL BE CLEARLY MARKED BY ORANGE FABRIC FENCING PRIOR TO ANY LAND DISTURBED ACTIVITIES AT THE SITE.

(G) ANY ACTIVITY IN THE BUFFER WILL COMPLY WITH THE S.W.I.M. STREAM BUFFER SECTION OF THE LAND DEVELOPMENT STANDARD MANUAL.

(H) STREAMS AND BUFFER BOUNDARIES INCLUDING THE DELINEATION OF EACH ZONE AND A DIMENSION FROM A SPECIFIC LOCATION ARE SHOWN ON ALL SURVEYS AND RECORD PLATS INCLUDING INDIVIDUAL DEEDS FOR ANY LOTS AFFECTED.

(I) EDUCATIONAL MATERIALS CONCERNING THE BUFFER WILL BE DISTRIBUTED TO EACH HOMEOWNER AND BUILDER PRIOR TO LIVING IN THE HOUSE OR STARTING CONSTRUCTION OF THE HOUSE. MATERIAL IS AVAILABLE THROUGH THE MECKLENBURG COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION BY CALLING 336-5500.

(J) ALL SUB-CONTRACTORS OF THE LAND DEVELOPER AND HOME BUILDING WILL BE NOTIFIED OF THE BUFFER RELATIONS PRIOR TO DEVELOPMENT.

SECTION 9. SIDEWALKS

A 5.0' SIDEWALK WITH AN 8.0' PLANTING STRIP WILL BE PROVIDED ALONG THE DIVIDED RESIDENTIAL COLLECTOR AND RESIDENTIAL COLLECTOR. A 6.0' SIDEWALK WITH A 6.0' PLANTING STRIP WILL BE PROVIDED ALONG THE COMMERCIAL COLLECTOR. SEE DETAILS SHEET 8 FOR CROSS SECTIONS.
4.0' SIDEWALKS WITH ASSOCIATED TREES ALONG INTERNAL PRIVATE STREET WILL BE PROVIDED AS SHOWN ON SHEETS 2 AND 3.
SECTION 10. LIGHTING

(A) ALL FREESTANDING LIGHTING FIXTURES WILL BE UNIFORM IN DESIGN.
(B) EXCEPT FOR PUBLIC STREET LIGHTS, THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE, INCLUDING ITS BASE, SHALL NOT EXCEED 20.0' IN HEIGHT.

(C) ALL DIRECT LIGHTING INSTALLED WITHIN THE SITE SHALL BE DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND WITHOUT THE PERIMETER OF THE SITE. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUTOFF ANGLES, COLOR, ENERGY EFFICIENCY AND SHIELDING OF SOURCES OF LIGHT, THE INTENT BEING TO ELIMINATE GLARE TOWARDS MALLARD CREEK CHURCH ROAD AND ADJACENT PROPERTIES.
SECTION 11. FIRE PROTECTION
ADEQUATE FIRE PROTECTION IN THE FORM OF FIRE HYDRANTS WILL BE PROVIDED TO THE CITY OF CHARLOTTE FIRE MARSHAL'S SPECIFICATIONS.

SECTION 12. DESIGN STANDARDS

(A) DUMPSTER AREAS, WHERE PROVIDED, WILL BE SCREENED IN ACCORDANCE WITH THE ORDINANCE. EACH DUMPSTER AREA WILL BE ENCLOSED ON ALL FOUR SIDES BY A WOODEN FENCE OR BRICK WALL WITH ONE SIDE BEING A HANGED GATE.

(B) THE DESIGN OF THE TRANSIT STOPS, IF ANY, WITHIN THE DEVELOPMENT WILL BE COORDINATED AND APPROVED BY CHARLOTTE DEPARTMENT OF TRANSPORTATION.

PART V

AMENDMENTS TO REZONING PLAN
FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL OR PARCELS INVOLVED IN ACCORDANCE WITH THE CHAPTER 6, SECTION 6.206 (2) OF THE ZONING ORDINANCE.

PART VI

BINDING EFFECT OF THE REZONING APPLICATION

(A) IF THE PETITIONER'S REZONING PETITION IS APPROVED, THE DEVELOPMENT PROGRAM ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND OTHER SUPPORTIVE DOCUMENTS SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INSURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE, AND THEIR RESPECTIVE HEIRS, DEVISES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS.

(B) THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER", AND "OWNERS" SHALL BE DEEMED TO INCLUDE HEIRS, DEVISES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE WHO, FROM TIME TO TIME, MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT OF THE SITE.

PART VI

OPEN SPACE

AREAS LABELED AS "OPEN SPACE COMMONS" ON SHEET 2 ARE HEREBY INCLUDED AS PART OF THE DEVELOPMENT STANDARDS, AND THE SIZES AND GENERAL LOCATIONS SHOWN WILL BE REQUIRED. THESE AREAS WILL HAVE WALKWAY CONNECTIONS AND WILL BE DEVELOPED AND MAINTAINED AS LAWNS AND AMENITIES AS INDICATED ON PLANS. OTHER AREAS LABELED AS "OPEN SPACE" ON SHEETS 2 AND 3 SHALL ALSO BE REQUIRED AS GENERALLY SHOWN. EXACT LOCATIONS AND CONFIGURATIONS OF SPECIFIC AMENITIES MAY BE REVISED UPON FURTHER DEVELOPMENT OF PLANS.

1 5/16/05 ADMINISTRATIVE SITE PLAN AMENDMENT REQUEST TO PETITION #2000-156

ATTACHED TO ADMINISTRATIVE APPROVAL
DATED: May 27, 2005
BY: DEBRA D. CAMPBELL

GNA DESIGN ASSOCIATES, Inc.
428 East Fourth Street
Suite 408 (704) 375-1907
Charlotte, NC 28202
Surveying • Landscape Architecture • Civil Engineering

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PROJECT: ABBINGTON PLACE AT PINNACLE POINT PHASE II
(FORMERLY MALLARD CREEK VILLAGE AND MALLARD CREEK WOODS)
DEVELOPED BY: CB DEVELOPMENT
MALLARD CREEK TOWNSHIP/ CHARLOTTE, NORTH CAROLINA

SHEET TITLE: ADMINISTRATIVE SITE PLAN AMENDMENT PLAN TO TRACT I/PHASE II

Project No.	57535
Checked by	TLH
Drawn by	PAB
Date Drawn	05.16.05
Revisions	
Sheet	RZ-2

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