

Technical Data Plan

SITE DATA

TOTAL AREA:	13.32 AC.
EXISTING ZONING:	R-3
PROPOSED ZONING:	R-8MF (CD)
PARCEL ONE:	
AREA:	1.96 AC.
PROPOSED USE:	10,000 S.F. DAY CARE FACILITY
PARCEL TWO:	
AREA:	11.36 AC.
PROPOSED USE:	85 TOWNHOMES
PROPOSED DENSITY:	7.48 D.U./A.
PROPOSED COMMON OPEN SPACE:	0.46 AC.
PROPOSED AREA FOR GREENWAY DEDICATION:	2.19 AC.

I. GENERAL COMMITMENT:

A. Development of the real estate identified on this Technical Data Plan, consisting of 13.32 acres, more or less (the "Site"), will be governed by the standards established under the zoning ordinance of the City of Charlotte (the "Ordinance") for the R-8MF Zoning District unless more stringent standards are established by these Development Standards or this Technical Data Plan.

B. The configurations, placements, and sizes of the child care facility and the single family attached residential buildings, parking areas, driveways and common open spaces shown on the Schematic Site Plan which accompanies this Technical Data Plan are schematic and conceptual in nature and may be altered and/or modified based upon final design, development and construction documents and site and topographical constraints within the building/parking/service areas established on this Technical Data Plan and in accordance with Section 6.206(2) of the Ordinance.

II. PERMITTED DEVELOPMENT WITHIN THE SITE:

A. Parcel One may be developed with a child care facility for up to 225 children and associated outdoor play space, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in an R-8MF Zoning District.

B. Parcel Two may be developed with up to 85 for-sale, multi-family dwelling units, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in an R-8MF Zoning District.

C. Provided, however, the Petitioner may elect not to develop the Site as provided in this conditional plan and instead the Petitioner may develop the Site for single family detached homes in accordance with the standards of the R-3 Zoning District.

III. VEHICULAR ACCESS POINTS:

A. The number of access points to/from the Site shall be limited to those shown on the Technical Data Plan.

B. Access to Highway 49 shall be limited to one right turns in and out only driveway.

C. The Petitioner shall provide for the installation of a left turn lane on Erwin Road into the Site. The engineering, design and construction of the left turn lane will be the responsibility of the Petitioner and will be designed by a registered professional engineer with roadway design experience to CDOT and NCDOT standards.

D. Access points shall be located in the general areas depicted on this Technical Data Plan. Final location of each access point is subject to any modifications required to accommodate final site and construction plans/design, and site/topographic constraints.

IV. DESIGN GUIDELINES:

A. ARCHITECTURAL TREATMENT

- The architecture of the day care building located within Parcel One shall be residential in character.
- The outdoor play space associated with the day care center shall be enclosed with a decorative aluminum fence.
- The architecture of the townhome buildings located within Parcel Two shall be similar in style to the attached elevations. However, a minimum of 20 percent of the units shall feature a front elevation constructed predominantly of brick materials. Any building elevation oriented to Erwin Road or Highway 49 will include windows with exterior shutters.
- Any dumpster or trash receptacle "corral" associated with the day care center will be screened with a solid enclosure with a gate and shall also have a five foot minimum planting strip around the perimeter.
- Roll-out trash collection will be utilized for the homes within Parcel Two.

B. YARD RESTRICTIONS AND BUFFER REQUIREMENTS

(1) In every instance the side yard, setback, and rear yard requirements imposed under the Ordinance will be satisfied with respect to the development taking place within the Site, unless more stringent requirements are established under these Development Standards. Within that portion of Parcel Two in which buildings have a rear orientation to Highway 49, the building setback shall be 40 feet as indicated on the Technical Data Plan.

(2) Buffer areas shall be maintained along portions of the Site boundary in the manner shown on this Technical Data Plan and in accordance with the standards of the Ordinance. In the event that an adjacent parcel is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, then the Petitioner may reduce or eliminate, as the case may be, the buffers set out on the Technical Data Plan accordingly.

C. OFF STREET PARKING

Off street parking shall meet the minimum standards established under the Ordinance.

D. STORM WATER MANAGEMENT

- Storm water shall be managed in accordance with the requirements of the City of Charlotte.
- Surface level storm water detention shall not be located within the setbacks or buffers.

E. SIDEWALKS

- Along Highway 49 the concrete sidewalk and planting strip to be built by and per NCDOT plans which are currently under construction (NCDOT Project # U-2512A).
- A 5 foot wide sidewalk and an 8 foot wide planting strip will be installed along Erwin Road.
- Petitioner shall provide a 5 foot by 5 foot concrete pad behind the right-of-way attached to the sidewalk in Parcel 2 for a bus waiting area.
- Petitioner will provide internal sidewalks in substantially the manner as depicted on the Schematic Site Plan attached hereto and as required by Section 12.529 of the Ordinance. The internal sidewalk system will connect to the sidewalk along Highway 49 and to the property line of the adjoining elementary school site.

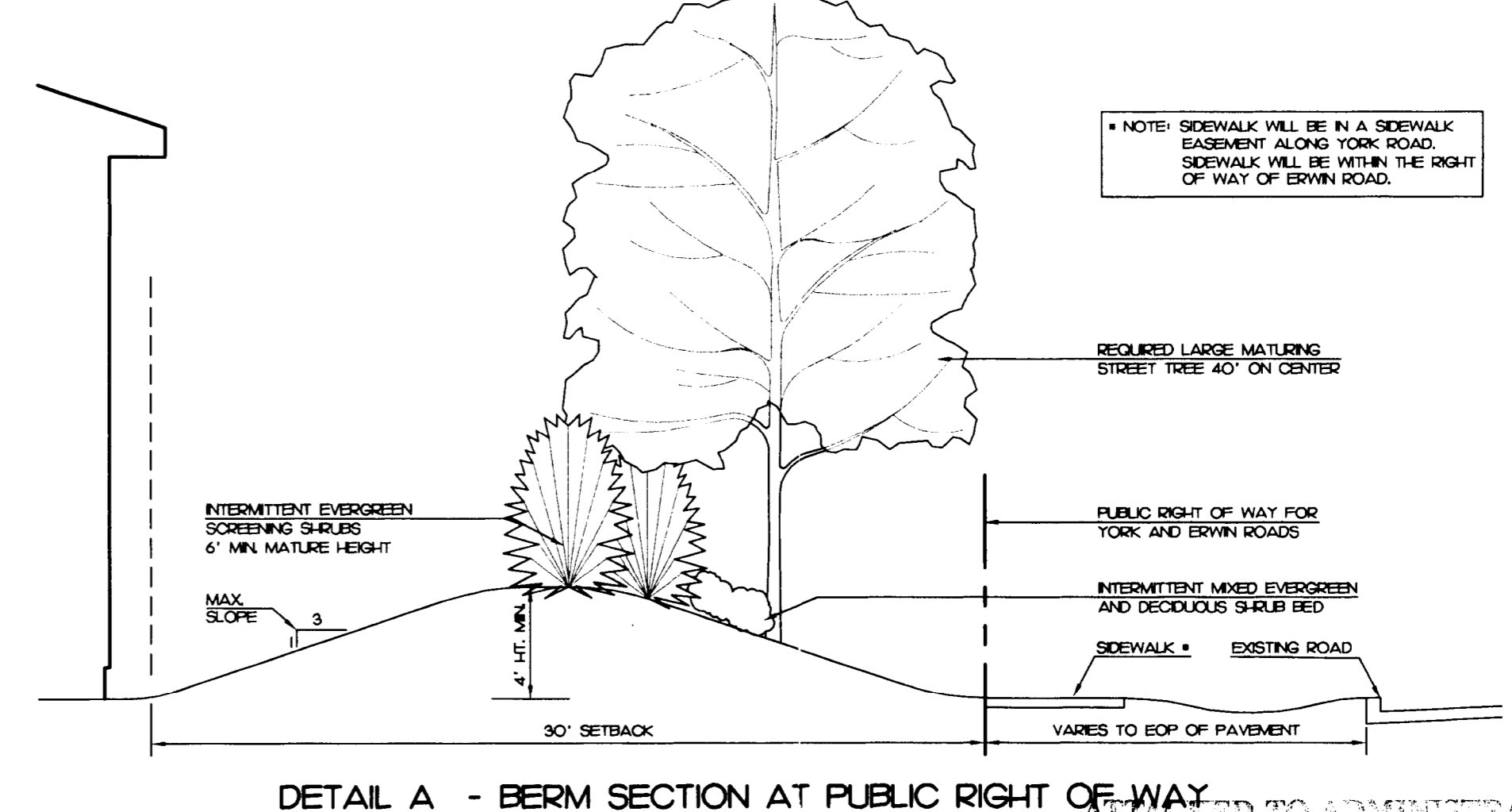
F. OPEN SPACE

- Development of the Site shall include a common open space area in the general location shown on the Technical Data Plan. The specific location and dimension of such common open space area may be altered and/or modified based upon final design, development and construction documents and site and topographical constraints, provided that such common open space area shall consist of a minimum of 0.46 acres. The common open space area shall include a creek/ramble/pedestrian trail along Polk Ditch Creek, landscaping and grass areas, and benches or other seated areas.
- The Petitioner shall dedicate and convey the 50 foot SWIM buffer and the other areas between the SWIM buffer and the easterly property line as depicted on the Technical Data Plan for Polk Ditch Greenway purposes. Such greenway shall be offered for dedication to Mecklenburg County prior to the issuance of certificates of occupancy for buildings located within Parcel Two.
- The Petitioner may install a trail system/creek/ramble along Polk Ditch either prior to or after the dedication of Polk Ditch for greenway purposes as noted above.

G. LANDSCAPING, SCREENING AND TREE PRESERVATION

- Landscaping and screening shall, at a minimum, satisfy the requirements of Section 12.303 of the Ordinance.
- Landscaping will be installed in stages in accordance with the Ordinance as the Site is developed.
- The landscape/screening treatment along the Highway 49 and Erwin Road frontages will include a berm of approximately 4 feet in height and in accordance with Detail A on the Rezoning Petition. The berm will be reduced or eliminated in those areas where existing trees 8 inch caliper and greater are located within the setback. An additional row of evergreen shrubbery will be added where the buildings have a rear orientation to Highway 49.
- Any dumpster or trash receptacle "corral" associated with the day care center will be screened with a solid enclosure with a gate and shall also have a five foot minimum planting strip around the perimeter.
- The Petitioner shall not disturb the existing trees located with the SWIM buffer except as necessary to create the trail system/creek/ramble as described in Section F above and except as needed for utility crossings.

Schematic Site Plan



DETAIL A - BERM SECTION AT PUBLIC RIGHT OF WAY

H. SIGNS

- All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.
- A master signage and graphics system will be adopted and implemented throughout the Site.

I. LIGHTING

- All freestanding lighting fixtures installed will be uniform in design and the maximum height of any such lighting fixture, including its base, may not exceed 15 feet in height.
- All direct lighting within the site (except streetlights which may be erected along the private drives and streets) will be capped to project light downward and otherwise designed such that direct illumination does not extend past any adjacent 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 sources of light, the intent being to eliminate glare towards public streets and adjacent properties.

J. FIRE HYDRANTS

Fire hydrants shall be located within 750 feet of the most remote point of buildings as the truck travels.

V. CONSTRUCTION PHASING COMMITMENT

The internal street and utility infrastructure for the two separate Parcels (Parcels One and Two) will be installed concurrently. A minimum of four homes will be constructed in Parcel Two within six months of the completion of the internal street and utility infrastructure for the Site.

VI. AMENDMENTS TO THE REZONING PLAN:

The owner or owners of the Site, in accordance with the Ordinance, may apply for future amendments to this Technical Data Plan and these Development Standards.

VII. BINDING EFFECT OF THE REZONING PETITION:

If the Petitioner's rezoning petition is approved, the development program established under these Development Standards and this Technical Data Plan shall, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the owners (from time to time) and their respective heirs, devisees, personal representatives, successors in interest and assigns.

Throughout these Development Standards, the terms "Petitioner" and "Owner" 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.

ERWIN ROAD REZONING
 CHARLOTTE, NORTH CAROLINA

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 8712 HIGHGROVE ST.
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REZONING PETITION

FOR PUBLIC HEARING
 PETITION #2002-117

Scale: 1" = 100'
 Date: 18 JULY 2002
 Project No.: 121-002

Revisions:
 28 AUGUST 2002
 19 SEPTEMBER 2002
 18 OCTOBER 2002
 25 OCTOBER 2002
 2 DECEMBER 2003
 ADMINISTRATIVE APPROVAL

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CHARLOTTE - MECKLENBURG PLANNING COMMISSION
INTER - OFFICE COMMUNICATION

DATE: December 3, 2003

TO: Robert Brandon
 Zoning Administrator

FROM: Debra Campbell
 Interim Planning Director

SUBJECT: Administrative Approval for Petition No. 2002-117 by Kent Olson.

Attached is a revised conditional plan for the above petition. The plan has been revised to eliminate the requirement that the developer construct the sidewalk along Highway 49 since the NCDOT will be constructing this walkway as part of the widening project. Since this change is minor I am administratively approving this revised plan. Please use this plan when evaluating requests for building permits and certificates of occupancy. **Note that all other conditions still apply.**