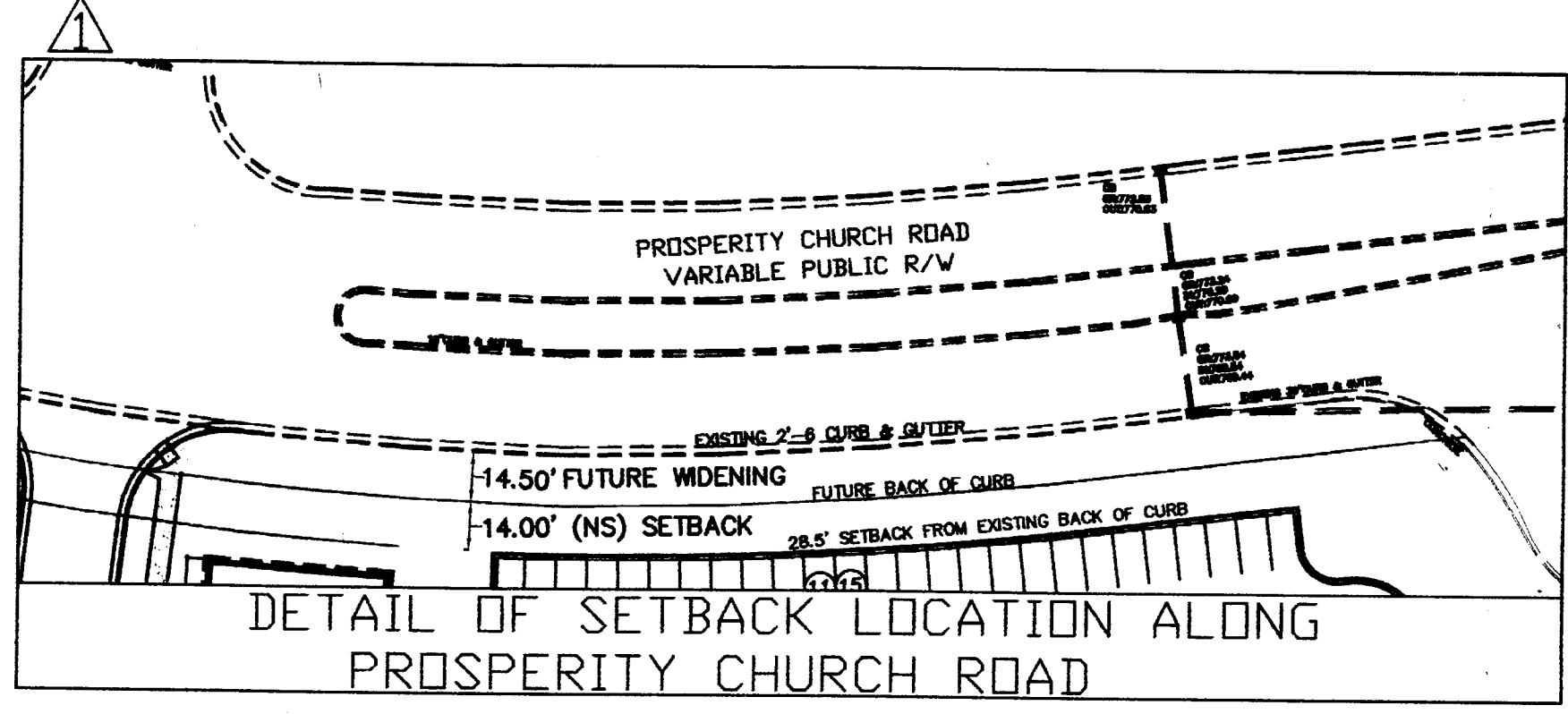
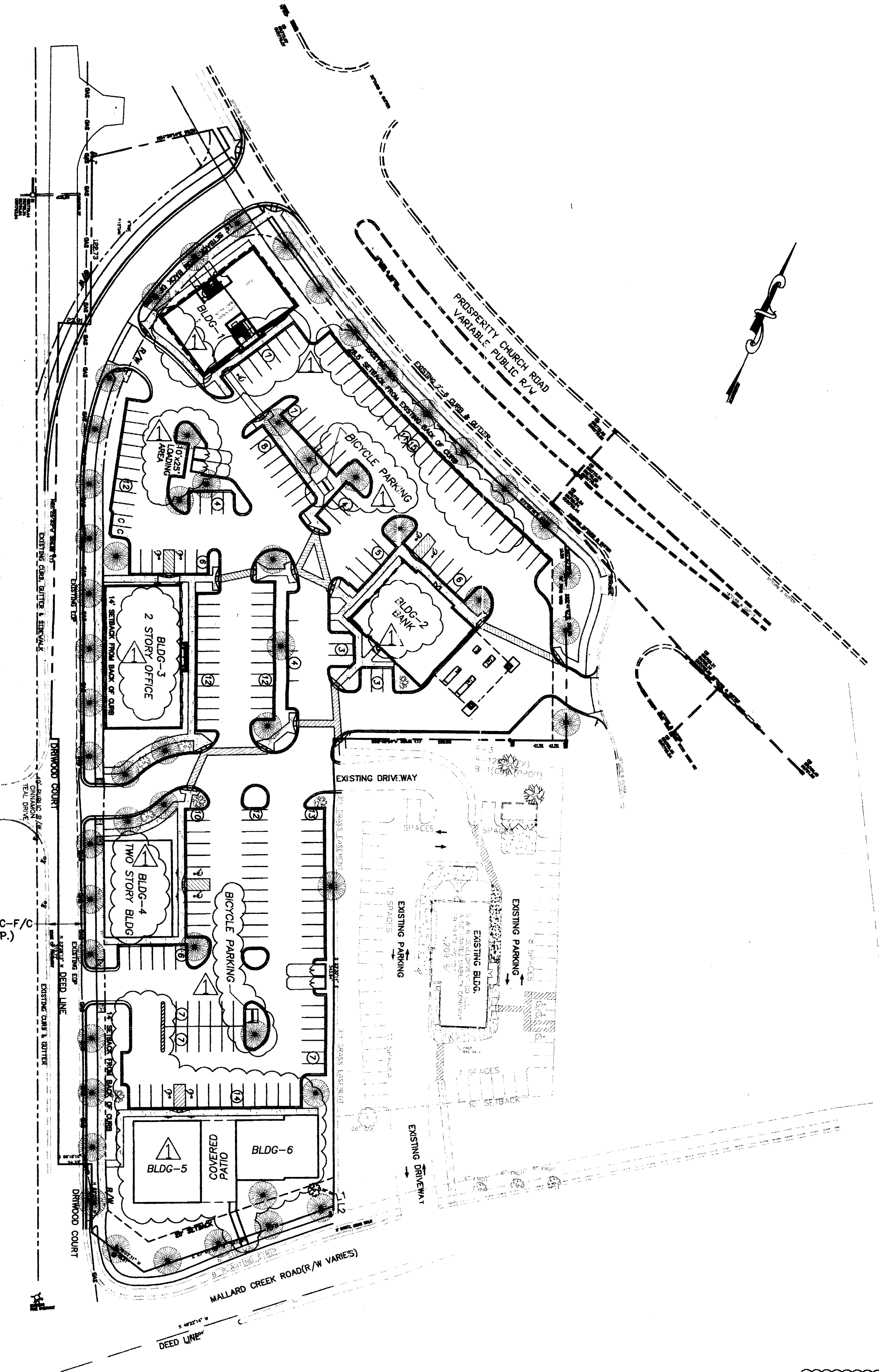


- CONDITIONAL NOTES**
- THE DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THE SITE PLAN AND BY THE STANDARDS OF THE CITY OF CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED BY THIS PLAN IS INTENDED TO REFLECT THE GENERAL ARRANGEMENT OF PROPOSED USES ON THIS SITE, BUT THE EXACT DETAILS OF THIS CONFIGURATION, PLACEMENT, AND SIZE OF THE INDIVIDUAL BUILDINGS AND/OR SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE AS SPECIFIED IN SECTION 6.206(2) DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES. THE PROPOSAL IS INTENDED TO ENABLE THE DEVELOPMENT OF OFFICE/OFFICE PARK AND RELATED ANCILLARY FUNCTION. OTHER USES PERMITTED IN THE NS DISTRICT ARE ALLOWED ALSO. (SEE NOTE 8)
 - ALL PROPOSED DEVELOPMENT ON THIS SITE SHALL COMPLY WITH ORDINANCE REQUIREMENTS REGARDING THE NUMBER AND ARRANGEMENT OF OFF-STREET PARKING SPACES, SIGNAGE, YARD DIMENSIONS, BUFFERS, SCREENING, LANDSCAPING, ETC.
 - STORM WATER DETENTION FACILITIES SHALL NOT BE LOCATED WITHIN THE FRONT SETBACK OR BUFFER AREAS.
 - DUMPSTER/RECYCLING AREAS SHOULD BE ENCLOSED ON ALL FOUR SIDES BY A SOLID FENCE OR WALL WITH ONE SIDE BEING A HINGED GATE.
 - WALL PACK LIGHTING SHALL BE PROHIBITED. DETACHED LIGHTING WILL BE LIMITED TO TWENTY FEET IN HEIGHT AND WILL BE DESIGNED AND ERRECTED SUCH THAT THE LIGHTING IS FULLY SHIELDED/CAPPED. DOWN LIGHTING WILL BE PERMITTED.
 - VEHICULAR ACCESS POINTS SHALL BE LIMITED TO THOSE SHOWN ON THE SITE PLAN. THE EXACT LOCATION MAY VARY SLIGHTLY FROM THAT DEPICTED, BUT SHALL COMPLY WITH ALL APPLICABLE DESIGN REQUIREMENTS OF THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND/OR N.C.D.O.T.
 - MAXIMUM BUILDING HEIGHT SHALL BE LIMITED TO 2 STORIES. BUILDINGS MAY BE ONE OR TWO STORY.
 - ALL USES PERMITTED WITHIN THE NS ZONING DISTRICT SHALL BE PERMITTED EXCEPT THAT RETAIL AND RESTAURANT USES ALLOWED ONLY IN THE B-1 DISTRICT AS PERMITTED WITHIN THE NS DISTRICT SHALL BE LIMITED TO THE GROUND FLOORS OF BUILDINGS No. 1, 5, & 6 WITH A MAXIMUM OF 11,500 SQUARE FEET. MAXIMUM OF 37,800 SQUARE FEET SHALL BE PERMITTED ON THE SITE.
 - ALL BUILDINGS ON THE SITE SHALL BE CONSTRUCTED OF BRICK, STUCCO, STONE AND/OR A COMBINATION OF THOSE OR OTHER MASONRY FINISHING MATERIALS. ALTHOUGH SOME ARCHITECTURAL DIVERSITY AND INDIVIDUAL BRANDING/IDENTITY WILL BE PERMITTED AMONG THE VARIOUS BUILDINGS, THERE WILL BE A REQUIREMENT FOR COMPLIMENTARY BUILDING MATERIALS, ROOF MATERIAL/DESIGN, COLORS, ETC. SUCH THAT AN OVERALL CONSISTENT DESIGN THEME IS ACHIEVED.
 - A MAXIMUM OF 1 FINANCIAL INSTITUTION WITH DRIVE THROUGH WINDOWS SHALL BE PERMITTED. (BUILDING # 2)
 - AS ILLUSTRATED BY THIS SITE PLAN, PARCELS WITHIN THE DEVELOPMENT SHALL BE INTERCONNECTED BY MEANS OF VEHICULAR AND SIDEWALK CONNECTIONS. THIS CONDITION ALSO PERTAINS TO THE EXTENSION OF VEHICULAR AND SIDEWALK CONNECTIONS TO THE ADJACENT PARCEL (029-362-05) PROPOSED FOR A FAST FOOD RESTAURANT AND PARCEL (023-352-06) AN EXISTING GAS STATION/CONVENIENCE STORE.
 - BACKFLOW PREVENTERS ARE NOT PERMITTED ABOVE GROUND IN THE SETBACK AREAS.
 - ALL BUILDINGS WITHIN THE SITE SHALL BE DESIGNED SO THAT ALL SIDES OF EACH BUILDING ARE FINISHED WITH THE SAME BUILDING MATERIALS, COLOR, ETC. FURTHERMORE, IF THE BUILDING AT THE CORNER OF MALLARD CREEK ROAD AND DRIVWOOD COURT DOES NOT FRONT ON MALLARD CREEK RD, THEN THE BUILDING ELEVATION FACING MALLARD CREEK RD SHALL NOT BE A BLANK WALL. AT A MINIMUM, THE ELEVATION SIDE FACING MALLARD CREEK ROAD SHALL BE DESIGNED WITH WINDOWS.
 - DETACHED BUILDING IDENTIFICATION SIGNAGE SHALL BE LIMITED TO A MAXIMUM OF FOUR FEET IN HEIGHT AND THIRTY-TWO SQUARE FEET IN AREA.
 - IT IS ANTICIPATED THAT THE PARCELS WILL BE DEVELOPED UNDER ONE OWNERSHIP; HOWEVER THE PLAN IS DESIGNED SO THE PARCELS CAN BE DEVELOPED INDEPENDENT OF ONE ANOTHER (e.g. REQUIRED STREET FRONTAGE, OFF-STREET PARKING, ETC.). IN THIS CASE, CROSS PARKING AND ACCESS EASEMENTS, ETC. SHALL BE ESTABLISHED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
 - THE PETITIONER/DEVELOPER SHALL TIE-IN TO THE EXISTING STORM WATER SYSTEMS. THE PETITIONER SHALL HAVE THE RECEIVING DRAINAGE SYSTEMS ANALYZED 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 SYSTEMS TO BE TAKEN OUT OF STANDARD, THE PETITIONER SHALL PROVIDE ALTERNATE METHODS TO PREVENT THIS FROM OCCURRING.
 - THE PETITIONER/DEVELOPER SHALL EXTEND/RE-ROUTE DRIVWOOD COURT TO PROSPERITY CHURCH ROAD AS SHOWN. THE PAVEMENT THICKNESS OF REDUCED DRIVWOOD COURT SHALL COMPLY WITH COMMERCIAL COLLECTOR PUBLIC STREET STANDARDS. THE PETITIONER/DEVELOPER SHALL DEDICATE RIGHT OF WAY FOR RELOCATED DRIVWOOD COURT THROUGH THE SUBDIVISION PROCESS AS REQUIRED.
 - BUILDING SETBACK FOR MALLARD CREEK ROAD SHALL BE 20' MEASURED FROM ITS EXISTING R/W. BUILDING SETBACK FOR PROSPERITY CHURCH ROAD SHALL BE 14' MEASURED FROM THE BACK OF CURB OF A FUTURE 14.5' STREET WIDENING. BUILDING SETBACK ALONG DRIVWOOD COURT SHALL BE 14' FROM THE PROPOSED BACK OF CURB AT R/W.
 - BUILDING FOOTPRINTS WHICH ARE ILLUSTRATED ARE GENERAL AND APPROXIMATE WITH RESPECT TO SIZE, SHAPE, ETC. MINOR AND INCIDENTAL CHANGES ARE ALLOWED AS A MATTER OF RIGHT BASED UPON FINAL CONSTRUCTION/ENGINEERING DRAWINGS, SPECIFIC TENANT NEEDS, ETC. HOWEVER, THIS MODIFICATION ALLOWANCE DOES NOT PERTAIN TO BUILDING PLACEMENT ON THE PARCEL.
 - THE SETBACK AREA ON PROSPERITY CHURCH ROAD SHALL BE LANDSCAPED WITH A COMBINATION OF NEW TREES AND SHRUBS AS WELL AS THE RETENTION OF EXISTING TREES WITHIN THE SETBACK THAT ARE SIX INCHES IN CALIPER OR GREATER. THE REQUIREMENT TO RETAIN SUCH TREES MAY BE WAIVED FOR THE AREA WITHIN TEN FEET OF PLACEMENT OF THE BUILDING.
 - AS ILLUSTRATED ON THE PLAN, NO OFF-STREET PARKING SHALL BE PERMITTED WITHIN THE AREA OF THE BUILDING ALONG DRIVWOOD COURT AND THE STREET RIGHT OF WAY.
 - IF NOT ALREADY CONSTRUCTED, THE ENTRANCE PROVIDING VEHICULAR INGRESS/EGRESS TO PARCEL (029-362-05) LOCATED OPPOSITE THE PROPOSED DRIVEWAY FOR THE MULTI-FAMILY ACROSS DRIVWOOD CT. SHALL BE CONSTRUCTED AS SOON AS POSSIBLE AFTER SUBDIVISION APPROVAL FOR THIS SITE.
 - OFF-STREET PARKING SHALL BE PROVIDED IN ACCORDANCE WITH A PARKING RATIO OF ONE SPACE PER 300 SQUARE FEET FOR GENERAL/PROFESSIONAL OFFICES AND ONE SPACE PER 200 SQUARE FEET FOR MEDICAL OFFICE USE, AND AT ONE SPACE PER 250 SQUARE FEET FOR NS USES, AND ONE SPACE PER 175 SQUARE FEET FOR RESTAURANT USES. PATIO AREAS WILL NOT REQUIRE PARKING IN EXCESS OF THE ADJACENT BUILDING PARKING REQUIREMENT.
 - PROPOSED DEVELOPMENT WILL COMPLY WITH ANY BICYCLE STORAGE/PARKING ORDINANCE IN AFFECT AT THE TIME OF BUILDING PERMIT SUBMITTALS.
 - AS SIMILARLY SHOWN ALONG DRIVWOOD COURT, A 6' SIDEWALK AND 8' PLANTING STRIP SHALL BE CONSTRUCTED ALONG THE SITES MALLARD CREEK ROAD AND PROSPERITY CHURCH ROAD FRONTAGES.
 - NO DRIVE THROUGH WINDOWS WILL BE PERMITTED EXCEPT FOR THE FINANCIAL INSTITUTION ALLOWED UNDER NOTE 10.



- DOT NOTES:**
- THE PROPOSED DRIVEWAY CONNECTION TO DRIVWOOD COURT WILL REQUIRE A DRIVEWAY PERMIT TO BE SUBMITTED TO CDOT FOR REVIEW AND APPROVAL. THE EXACT DRIVEWAY LOCATION AND TYPE/WIDTH OF THE DRIVEWAY WILL BE DETERMINED BY CDOT DURING THE DRIVEWAY PERMIT PROCESS. THE LOCATIONS OF THE DRIVEWAY SHOWN ON THE SITE PLAN ARE SUBJECT TO CHANGE IN ORDER TO COMPLY WITH CITY DRIVEWAY REGULATIONS AND THE CITY TREE ORDINANCE.
 - ANY FENCE OR WALL CONSTRUCTED ALONG OR ADJACENT TO ANY SIDEWALK OR STREET RIGHT-OF-WAY REQUIRES A CERTIFICATE ISSUED BY CDOT.
 - A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEM(S) (IRRIGATION SYSTEMS, DECORATIVE CONCRETE PAVEMENT, BRICK PAVERS, ETC.) WITHIN A PROPOSED/EXISTING CITY MAINTAINED STREET RIGHT-OF-WAY BY A PRIVATE INDIVIDUAL, GROUP, BUSINESS, OR HOMEOWNER'S/BUSINESS ASSOCIATION. AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY NCDOT PRIOR TO THE CONSTRUCTION/INSTALLATION OF THE NON-STANDARD ITEM(S). CONTACT NCDOT FOR ADDITIONAL INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS.
 - THE DEVELOPER MUST DEVELOP THE SITE WITH A 28.5 FOOT SETBACK FROM EXISTING BACK OF CURB ALONG PROSPERITY CHURCH ROAD. THIS WILL ALLOW FUTURE 14.5' WIDENING AND 14 FOOT SETBACK (NS) FROM BACK OF FUTURE CURB.
 - DEVELOPER MUST PROVIDE A 14 FOOT SETBACK FROM BACK OF CURB ALONG DRIVWOOD COURT.

DEVELOPMENT DATA:
 EXISTING ZONING= NS
 PROPOSED ZONING= NS SPA
 LOT SIZE= 4.74 ACRES
 PROPOSED USE= (OFFICE AND OTHER NS USES)
 MAX. BUILDING AREA: (TOTAL= 37,800)

APPROVED BY
 CITY COUNCIL
 OCT 18 2006

FOR PUBLIC HEARING PETITION # 2006-139

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 (704) 880-8200

James McGovern & Associates
 Consulting Engineers

Sheet Title: **Rezoning Plan**

Project: **Prosperity Pointe
 Drivewood Court
 Charlotte, North Carolina**

Engineer: **Tom A. Mann**
 Senior Designer: **Ted W. Lawrence**

Project Number: **465.002**
 Dwg. No.: **dwg/finalbase**

Graphic Scale:
 50 0 25 50 100
 (IN FEET)
 Scale: (1"=50')

No.	Revision	Date
1	PER REVIEW COMMENTS	TW 9.17.2006
2	PER REVIEW COMMENTS	TW 10.16.2006

No.	Revision	Date

Date: 5.30.2006
 Sheet of