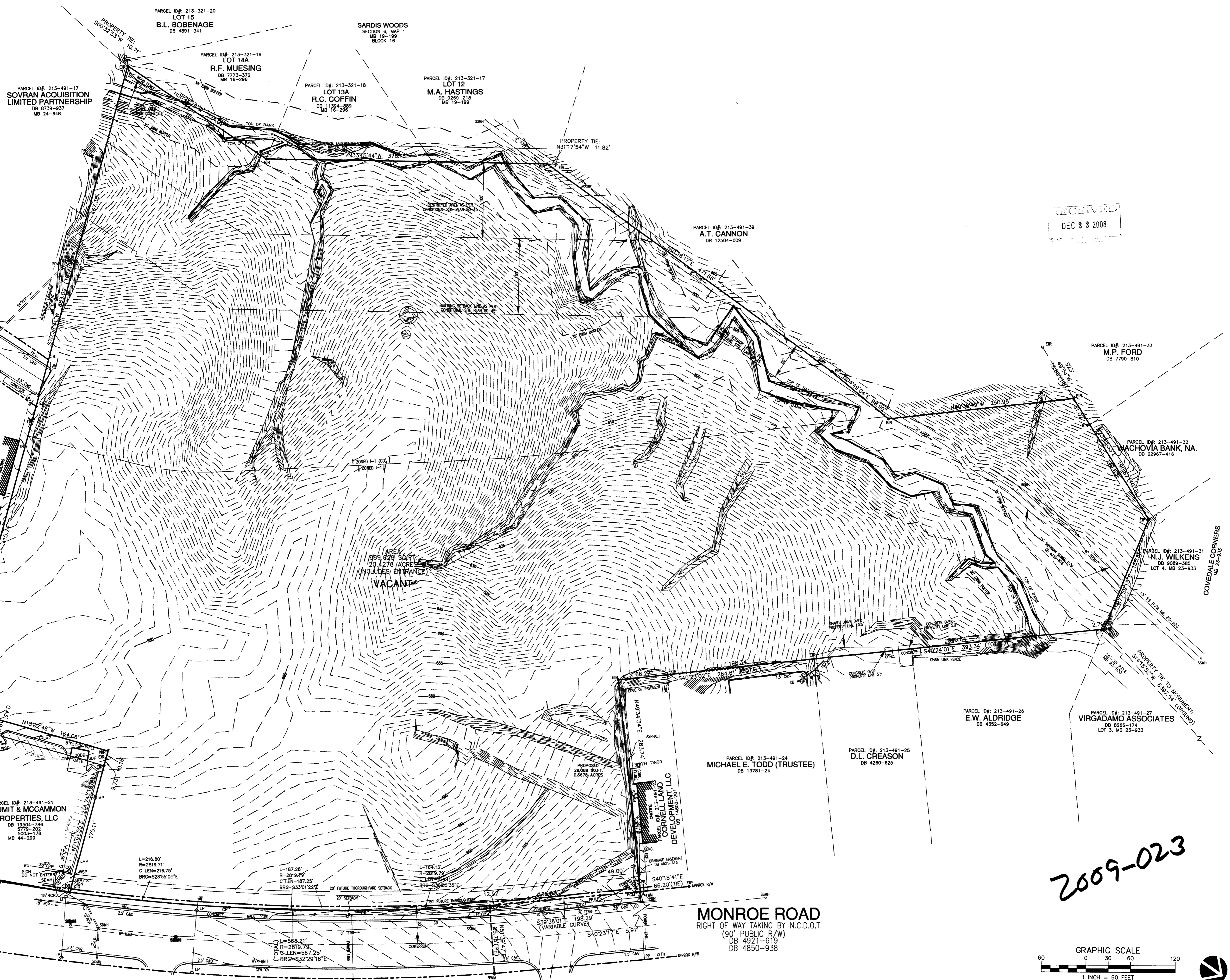


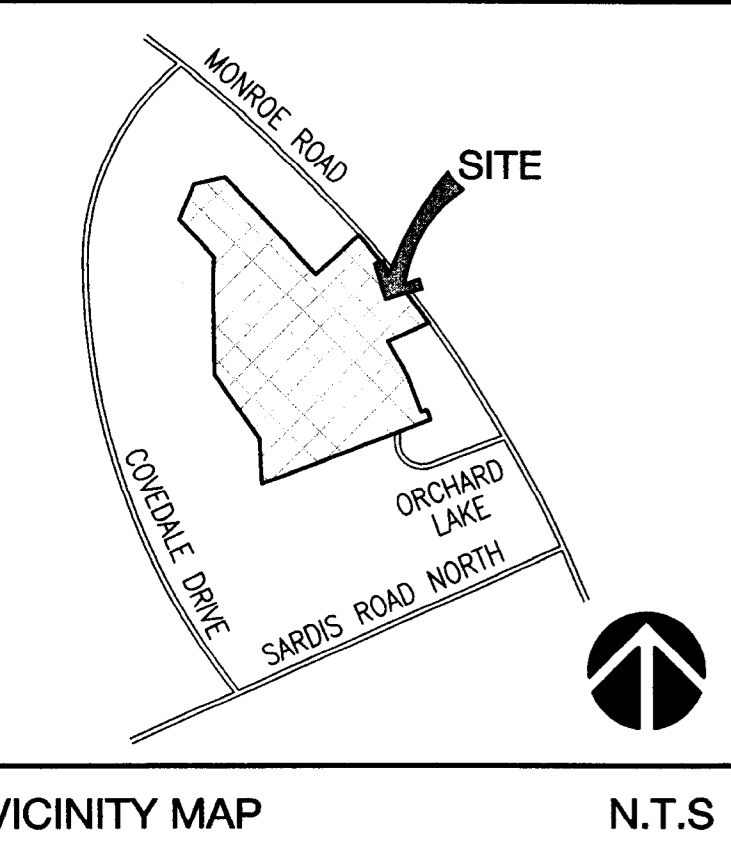
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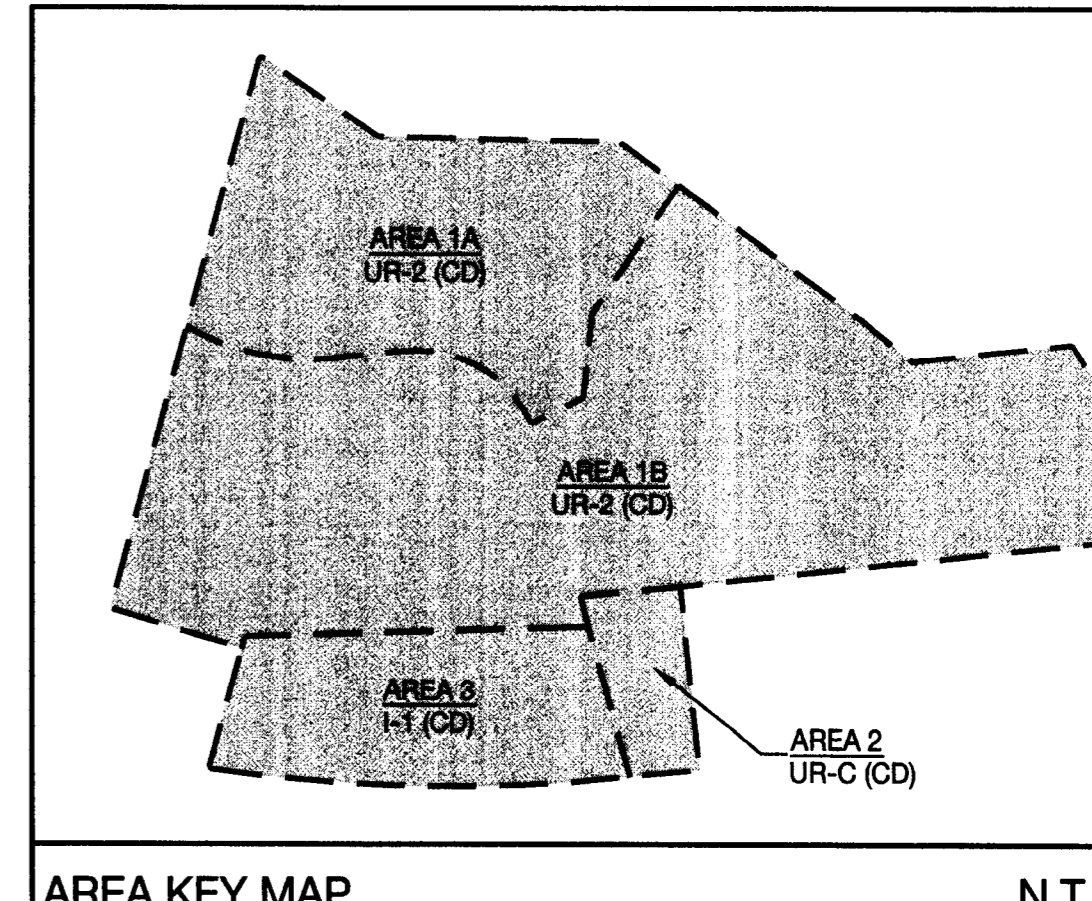
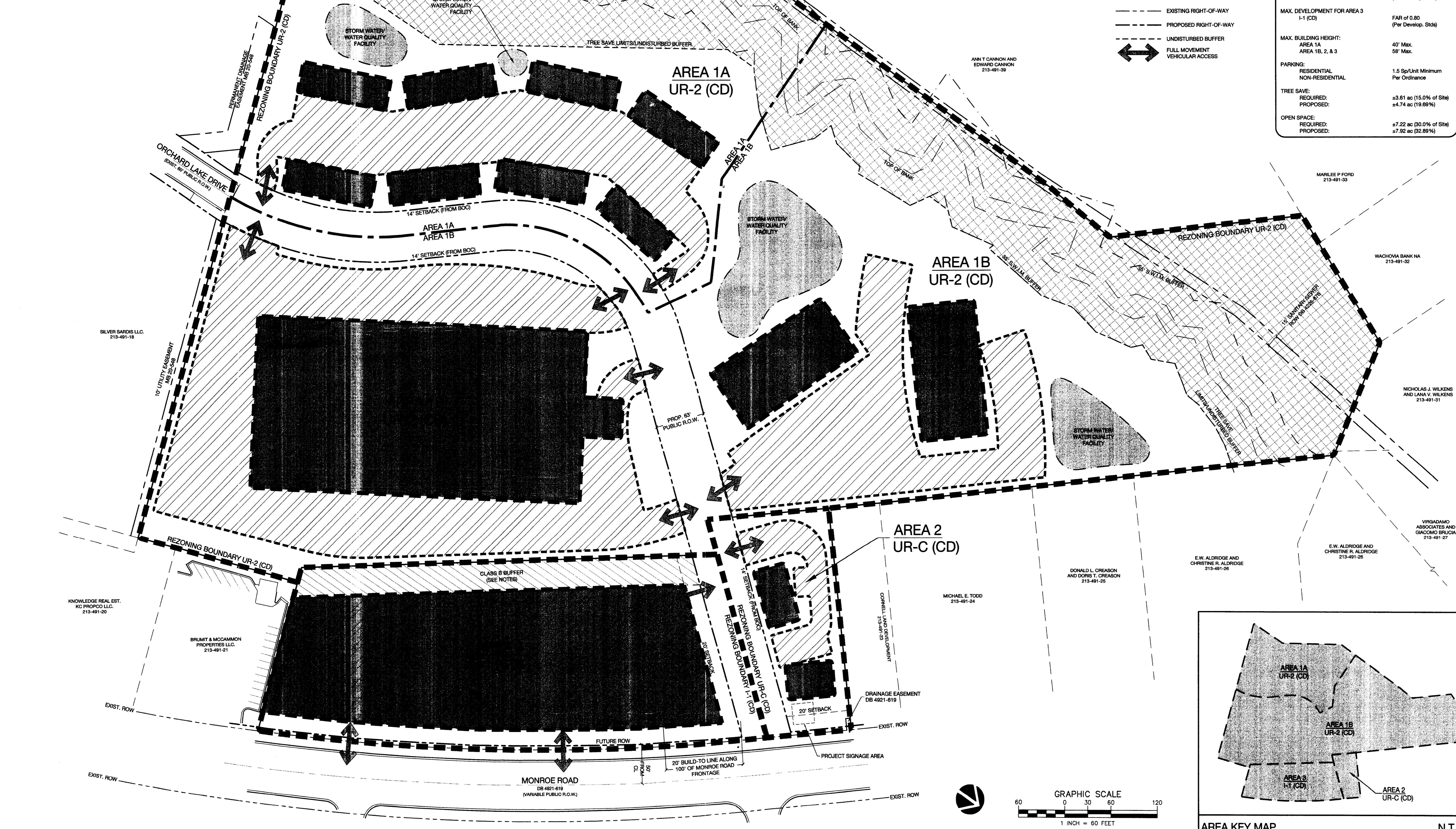
2009-023

DEVELOPMENT SUMMARY	
TAX PARCEL ID #:	21-349-122
SITE AREA:	±24.08 ac
EXISTING ZONING:	± 8.36 ac I-1 ±15.72 ac
PROPOSED ZONING:	±19.98 ac UR-2 (CD) UR-C (CD) I-1 (CD) ± 3.23 ac
PROPOSED USE:	Townhomes Apartments Mixed Use Commercial/Industrial
MAX. DWELLING UNITS FOR AREA 1:	270 Units (Per Develop. Stds)
MAX. DEVELOPMENT FOR AREA 2:	8 Residential Units and 6,000 sq ft of Non-Residential Use (Per Develop. Stds)
MAX. DEVELOPMENT FOR AREA 3:	FAR of 0.80 (Per Develop. Stds)
MAX. BUILDING HEIGHT:	40' Max. 58' Max.
PARKING:	RESIDENTIAL 1.5 Sp/Unit Minimum NON-RESIDENTIAL Per Ordinance
TREE SAVE:	REQUIRED: ±3.61 ac (15.0% of Site) PROPOSED: ±4.74 ac (19.69%)
OPEN SPACE:	REQUIRED: ±7.22 ac (30.0% of Site) PROPOSED: ±7.92 ac (32.89%)

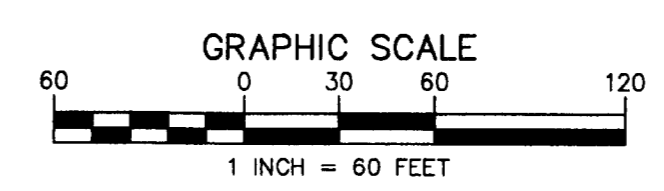
LEGEND	
	TREE SAVE AREA
	BUILDING ENVELOPE
	PARKING ENVELOPE
	CLASS B BUFFER
	STORM WATER MANAGEMENT/ WATER QUALITY
	REZONING BOUNDARY
	35' S.W.I.M. BUFFER
	TOP OF BANK
	EXISTING RIGHT-OF-WAY
	PROPOSED RIGHT-OF-WAY
	UNDISTURBED BUFFER
	FULL MOVEMENT VEHICULAR ACCESS



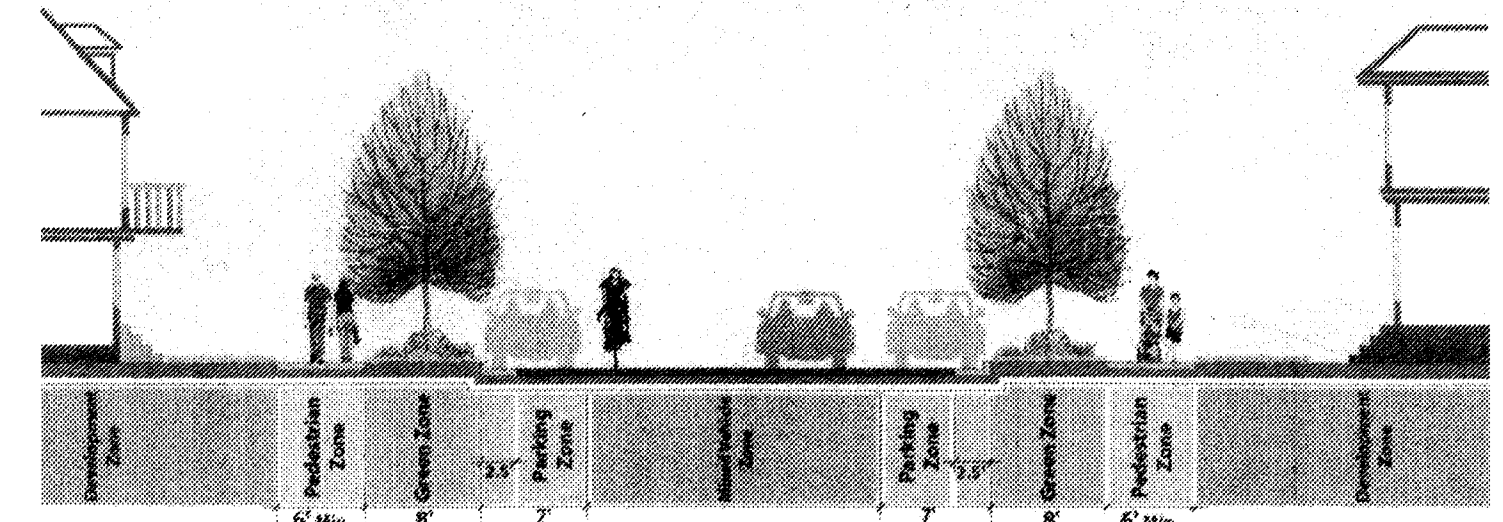
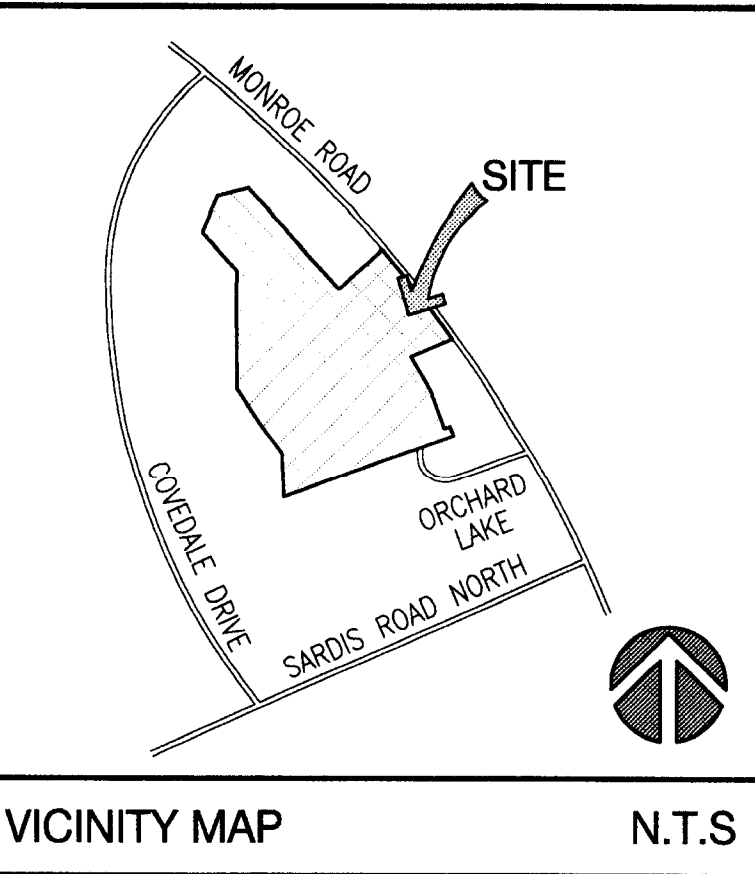
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AREA KEY MAP N.T.S.

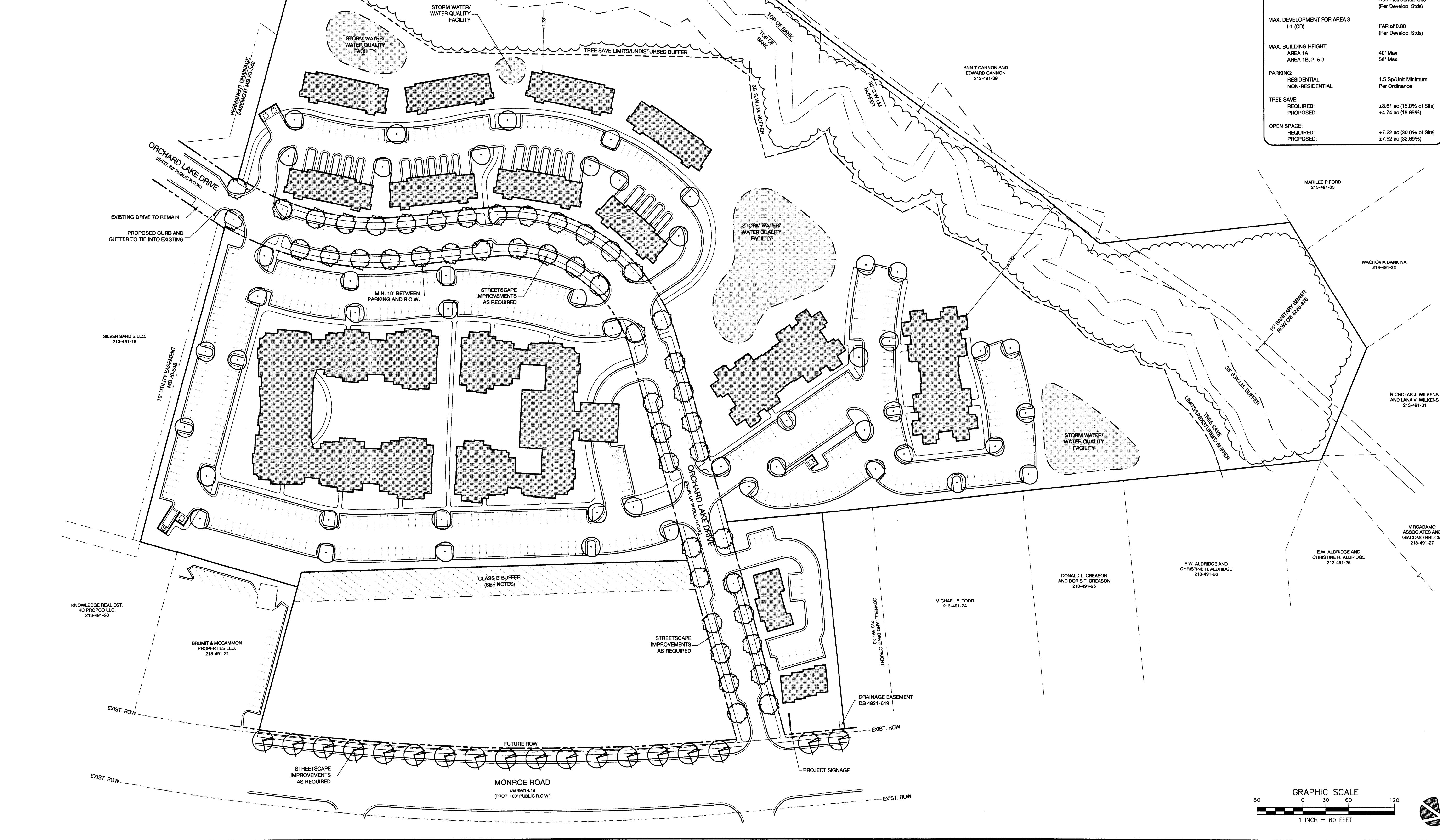


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ORCHARD PARK DRIVE SECTION
LOCAL RESIDENTIAL - WIDE
SCALE: NTS

DEVELOPMENT SUMMARY	
TAX PARCEL ID #:	21-349-122
SITE AREA:	±24.08 ac
EXISTING ZONING I-1 (CD):	± 8.36 ac
I-1 (CD):	±15.72 ac
PROPOSED ZONING: UR-2 (CD):	±19.98 ac
UR-C (CD):	± 0.87 ac
I-1 (CD):	± 3.23 ac
PROPOSED USE:	Townhomes
AREA 1A:	Apartments
AREA 2:	Mixed Use
AREA 3:	Commercial/Industrial
MAX. DWELLING UNITS FOR AREA 1: UR-2 (CD):	270 Units (Per Develop. Stds)
MAX. DEVELOPMENT FOR AREA 2: UR-C (CD):	8 Residential Units and 6,000 sf of Non-Residential Use (Per Develop. Stds)
MAX. DEVELOPMENT FOR AREA 3: I-1 (CD):	FAR of 0.80 (Per Develop. Stds)
MAX. BUILDING HEIGHT: AREA 1A:	40' Max.
AREA 1B, 2, & 3:	58' Max.
PARKING: RESIDENTIAL:	1.5 Sp/Unit Minimum
NON-RESIDENTIAL:	Per Ordinance
TREE SAVE: REQUIRED:	±3.61 ac (15.0% of Site)
PROPOSED:	±4.74 ac (19.69%)
OPEN SPACE: REQUIRED:	±7.22 ac (30.0% of Site)
PROPOSED:	±7.92 ac (32.92%)



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Cashel Rock Investors Orchard Park Apartments Charlotte, North Carolina

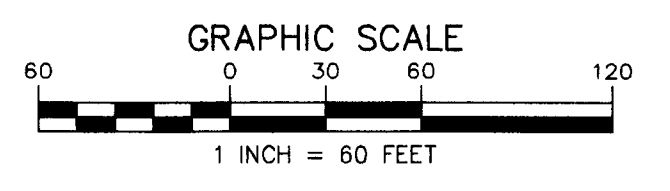


Resoning Petition
#09-XXXX

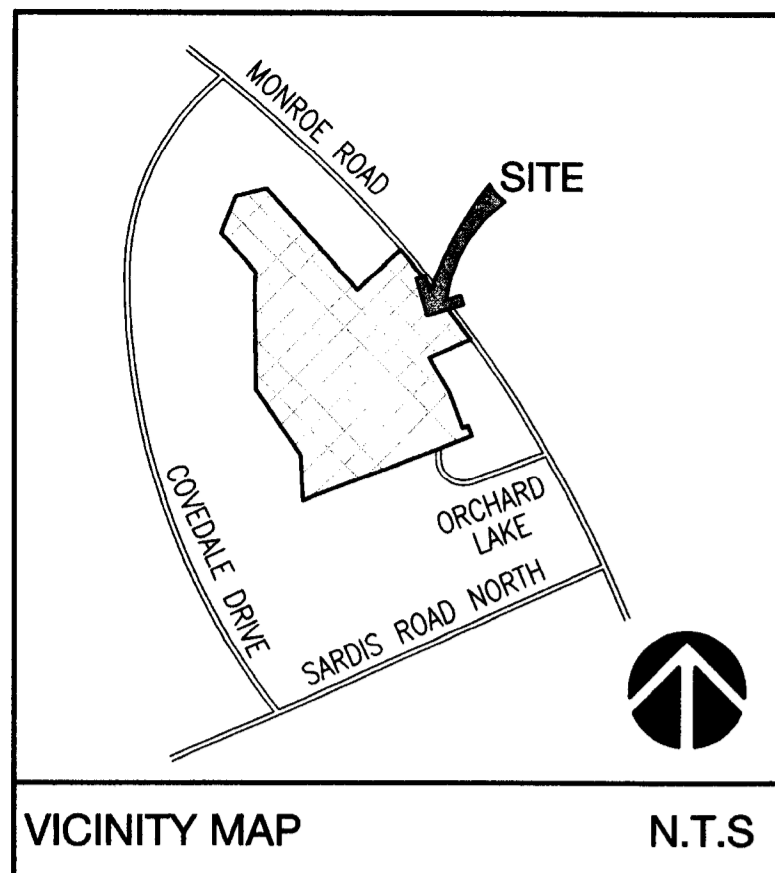
PROJECT: 08128
DATE: 12.22.2008
REVISIONS: DATE

DRAWN BY: CLINE DESIGN
CHECKED BY: UDP

RZ-3
Schematic Site Plan



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DEVELOPMENT STANDARDS

A. General Provisions

- 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 UR-2, UR-C and I-1 zoning districts shall be followed in connection with development taking place on the Site. The Rezoning Plan is subject to modifications during the design development stages as provided below.
- The ultimate layouts of the development proposed for the Site and the parcels or lots forming parts thereof, the exact alignments and location of points of access, the configurations and placements of parking areas and the precise locations of buildings and other individual site elements to be constructed on the Site have not been finalized. As a consequence, the graphics which accompany the Schematic Site Plan are schematic in nature and are not to be considered as the final development plans but rather as preliminary graphic representations of the types and quality of development proposed and the general locations of the proposed buildings on the Site. They may, therefore, be altered or modified during the design development and construction document phases subject to the accompanying Development Standards and Section 5.207 of the Ordinance.
- Without limiting the generality of the foregoing, buildings generally depicted on the Schematic Site Plan may not be increased beyond the number generally depicted (it being understood that structures such as detached garages, utility buildings, mail kiosks and the like shall not be considered in connection with the number of buildings). Buildings depicted on the Schematic Site Plan may be constructed in phases over time and in any sequence as determined by the Petitioner. The dimensions and specific locations of building/parking envelopes generally depicted on the Schematic Site Plan may be subject to minor variations that do not materially change the design intent generally depicted.

B. Area 1 - Planned Multi-Family Provisions

- Permitted Uses and Maximum Development in Area 1, UR-2(CD)
 - The portion of the Site designated as Areas 1A and 1B on the Rezoning Plan (together "Area 1") may be developed with up to 270 planned multi-family dwelling units, along with any amenity area and accessory uses and structures associated with the allowed principal use as allowed in the UR-2 district. Non-residential principle uses will not be allowed.
 - Area 1 has two components 1A and 1B. Units within component 1A must be units designed and constructed as town home style units which will be offered as rental units initially but may later be subdivided from the larger parcel and sold individually as either one-family attached for sale units or condominiums.
 - Area 1 may be developed in phases.

C. Area 2 - Mixed Use Buildings

- Permitted Uses and Maximum Development in Area 2 Mixed Use Buildings, UR-C (CD)
 - The portion of the Site designated as Area 2 on the Rezoning Plan may be developed with up to 6,000 square feet of retail, office and personal service uses and up to eight (8) dwelling units. The non-residential uses must be located on the ground floor of the proposed buildings as part of a vertical mixed use building. The Petitioner reserves the right to convert the 6,000 square feet of non-residential square footage into additional residential units at the rate of one residential unit per 1,000 square feet of allowed non-residential uses.

D. Area 3 - Monroe Road Commercial and/or Industrial Uses

- Permitted Uses and Maximum Development in Area 3 Commercial and Industrial Buildings, I-1(CD)
 - The portion of the Site designated as Area 3 on the Rezoning Plan may be developed with a FAR of .8 as allowed by the I-1 zoning district.
 - Allowed uses for Area 3 are those uses allowed by right and under prescribed conditions in the I-1 zoning district with the following restrictions: uses that are 100 % industrial or manufacturing uses are prohibited; but manufacturing or distribution uses that occupy a maximum of 75% of the proposed building area with the other 25% of the building area being office uses will be allowed.
- Design Standards and Performance Standards for Area 3; I-1(CD)
 - The first 100 linear feet of Area 3, as measured along Monroe Road starting at the intersection with Orchard Lake Drive, will be developed with a building or buildings fronting on Orchard Lake Drive and Monroe Road substantially similar to the buildings illustrated across Orchard Lake Drive in Area 2. Parking or maneuvering for parking and service will not be allowed between any building constructed on this portion of the Site and Orchard Lake Drive or Monroe Road (but parking and maneuvering can be located to the side or behind such buildings).
 - A 38 foot Class B Buffer as indicated on the Rezoning Plan will be provided at the rear of Area 3. The buffer width may be reduced by 25% if a berm, fence or wall is installed. The Class B Buffer is to be installed as development occurs within Area 3. If Area 3 is subdivided, then each individual parcel within Area 3 will be responsible for its portion of the 38 foot Class B Buffer as part of development of that parcel. If an industrial use is developed on Area 3 then the size and planting standards of the buffer will be increased per the zoning regulation for the parcel on which the industrial use is located. If the industrial use is located on all of Area 3 then the entire buffer will be increased in size.

PROVISIONS AND STANDARDS THAT APPLY TO ALL AREAS - AREAS 1, 2, AND 3

E. Setbacks, Side Yards, Rear Yards and Maximum Height

- Building setbacks and yards will be established in the manner depicted on the Rezoning Plan.
 - Along Orchard Lake Drive a 14 foot setback from the back of the proposed curb will be established for Area 1 and 2. Area 3 will provide a 20 foot setback from the right-of-way line of Orchard Lake Drive.
 - Along Monroe Road, a 20 foot setback from the future right-of-way for Monroe Road will be provided for Area 2 and 3.
 - Buffers for portions of the Site are set forth in Section H.
 - Parking or maneuvering for parking will not be allowed between the buildings and public streets that such buildings front within Area 1A or Area 2, or as indicated above in Note D.2(a) for a portion of Area 3 (but parking and maneuvering can be located to the side or behind such buildings).
 - All other side and rear yards will be provided as required by the UR-2, UR-C and I-1 zoning district.
 - Decks shall not extend into any required rear yards. However, at-grade patios may be located in whole or in part within required rear yards.
- The maximum building height for buildings within Area 1B, Area 2 and 3 will be 58 feet, the maximum height of buildings within Area 1A will be 40 feet. Building height will be measured as defined by the City of Charlotte Zoning Ordinance.

F. Landscaping and Screening

- Interior landscaping and screening shall meet or exceed the standards in the Ordinance.
- Screening will be provided as required in section 12.303 of the Ordinance.
- Dumpster areas and recycling areas (if any) will be enclosed by walls constructed with materials similar to or identical to the siding materials utilized on the buildings within the Area the dumpster enclosure is located in with one side being a decorative wooden gate. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.
- All utility meters, electrical connectors and transformers and backflow valves shall be screened from view from public streets. Above ground backflow preventers are not allowed in the setback.
- Petitioner shall show the location of any back flow valves and above grade utilities and screening required by the Ordinance on design development plans submitted as part of the planned multi-family and building permit review process.

G. Tree Ordinance

- The Site shall conform to the City of Charlotte Tree Ordinance.
- Within the 20 foot setback along Monroe Road, trees eight (8) inches or greater DBH (Diameter Breast Height) will be preserved. Existing trees within the setback may be removed for the installation of required roadway and utility improvements.

H. Streetscape Treatment, Lighting, Sidewalks and Utilities

- Along the Site's frontage on Monroe Road, the Petitioner shall replace the existing sidewalk with a new six (6) foot sidewalk behind an eight (8) foot planting strip. The location of the sidewalk may meander to preserve existing trees within the setback. The Petitioner proposes to transplant the existing Crepe Myrtles along Monroe Road into the newly created eight (8) foot planting strip. The transplanting or planting of these street trees would occur in the late fall or winter, no sooner than after the completion of the new sidewalk and planting strip. If the existing Crepe Myrtles cannot be transplanted or die new trees of a minimum of 2 1/2 inch caliper shall be installed within such planting strip. The Petitioner shall replace the existing sidewalk along Monroe Road in Area 3 prior to issuance of a final certificate of occupancy for the second building in Area 1B. The existing sidewalk on Monroe Road in front of Area 2 will be replaced when development on that parcel occurs.
- Along Orchard Lake Drive, an eight (8) foot planting strip and six (6) foot sidewalk will be provided on both sides of the street.
- Sidewalks will connect from the interior of the Site to exterior sidewalks as required by Section 12.529 of the Ordinance.

I. Buffers/Tree Save Areas and Open Space Improvements

- Any required buffers shall be established in accordance with the standards of Section 12.302 of the Ordinance and as specified in note D.2 (b) above.
- At a minimum a 100 foot undisturbed buffer will be established along the westerly property line of Area 1 as generally depicted on the Rezoning Plan, such buffer being measured from the property line. The entire 100 feet of this buffer will be an undisturbed buffer, except for maintenance of the existing vegetation, the removal of dead and dying vegetation and utility connections that may cross the buffer at angles of no less than 75 degrees. Any areas that are disturbed as a result of utility crossings or the removal of dead and dying vegetation will be re-planted to meet the standards of the Ordinance. This buffer width may not be reduced. If the existing vegetation within the 100 buffer does not meet Class C Buffer standards additional vegetation to meet the requirements of a Class C Buffer will be planted.
- No buildings, parking or storm water detention may be located within buffers.
- Existing trees located and preserved within any required buffer area may be counted toward the buffer planting requirement in accordance with the Ordinance.
- In the event the abutting properties should be rezoned or used in a manner so as to not require such a buffer, the required buffers for this property may be adjusted accordingly to meet the minimum requirements for buffering and screening per the Ordinance.
- Proposed Tree Save areas have been indicated on the Rezoning Plan. Existing vegetation within the identified tree save areas will be preserved and protected during construction, except as otherwise referenced in these Development Standards.
- Utility connections and easement may cross buffers at angles of no less than 75 degrees.
- The open space within Area 1 will be improved with a soft surface trail no less than five (5) feet wide.

J. Lighting

- The Petitioner shall provide pedestrian scale decorative lighting within Area 1A, 1B and Area 2. Along Orchard Lake Drive decorative street lighting will be used. Such lighting shall be provided in conjunction with applicable utility company regulations and requirements for such lighting.
- All parking lot light fixtures will be fully shielded and full cut off type fixtures. Light fixtures will be limited to a maximum height of 20 feet within Area 1 and 2, in Area 3 lighting will be limited to 25 feet.
- No wall "pak" lighting will be allowed however decorative down lighting and accents lights will be allowed.

K. Signs

- All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.
 - A sign identifying the proposed multi-family community will be allowed to be located on Area 2 at the intersection of Orchard Lake Drive and Monroe Road, as indicated on the Site Plan.

L. Storm Water Management/Wetlands

- Development on the Site shall adhere to the applicable requirements of the Post-Construction Ordinance as adopted by Charlotte City Council on November 26, 2007.
- Any jurisdictional wetlands or streams, if present, shall be protected or proper environmental permits obtained prior to their disturbance.
- Location, size, and type of any Storm water Management Systems depicted on the Rezoning Plan is subject to review and approval with full development plan submittal and is not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points consistent with the above standards.
- The Petitioner reserves the right to provide regional storm water detention and water quality treatments for the entire site within the storm water and water quality structures indicated in Area 1.
- In order to create a unified development and help minimize excessive cutting and filling on the Site, the Petitioner reserves the right to ask for a clearing and grading permit for the entire site (Areas 1, 2 and 3) as part of the grading and clearing permit associated with the development taking place on Area 1.

M. Vehicular Access

- Orchard Lake Drive Vehicular Access
 - For Area 1, up to seven (7) vehicular access points will be allowed to Orchard Lake Drive.
 - For Area 2, only one vehicular access point will be allowed to Orchard Lake Drive.
 - For Area 3, only one vehicular access point will be allowed to Orchard Lake Drive.
- Monroe Road Vehicular Access
 - Area 3 will be allowed up to two (2) vehicular access points to Monroe Road as generally depicted on the Rezoning Plan.
 - Area 2 will not be allowed to have any vehicular access to Monroe Road.
- The vehicular access points to the Site shall be located in the general area depicted on this Rezoning Plan. The configuration and ultimate location of these are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any minor adjustments required for approval by the Charlotte Department of Transportation and the North Carolina Department of Transportation.

N. Right-of-Way Reservation and Transportation Improvements

- The Petitioner shall reserve that portion of the Site located along Monroe Road as may be necessary to provide for a right-of-way extending 50 feet from the existing centerline as generally depicted on the Rezoning Technical Data Sheet; said reservation to be recorded when a record map for the dedication of Orchard Lake Drive occurs.

O. Parking

- Off-street parking will satisfy the standards established under the Ordinance for each of the zoning categories requested. Limitations on the location of parking areas are set forth in Section E.1 above.

P. Design and Architectural Treatment; Entrance Features for Areas 1 and 2

- Reference is made to those certain conceptual elevations for a prototypical building of dwelling units and mixed used building contemplated for Areas 1 and 2 attached to this Rezoning Plan. It is acknowledged that the attached elevations is conceptual only and changes may be made during the design development stage of the project provided, however, the overall design intent shall not undergo material changes and the following design and architectural treatments shall apply to Areas 1 and 2:
 - The primary exterior building materials (excluding windows, window trim, doors and roof faces) to be employed in the construction of buildings housing dwelling units and the clubhouse buildings, if any, shall be brick, stone, stucco or stucco like materials, and/or cement fiber board (i.e. hard-plank).
 - The exterior siding materials for all of the elevations and of buildings housing dwelling units (excluding windows, window trim, doors and roof faces) will consist of one or more of the following materials a cement siding material similar to the brand name material called Hardi Plank, brick, stone, simulated stone or pre-cast stone materials.
 - No vinyl siding or aluminum siding shall be used in buildings housing dwelling units including but not limited to any garages or carports.
 - Dormers flat and/or pitched roofs shall be incorporated into the building design for buildings housing dwelling unit.

Q. Amendments to 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.

R. Binding Effect of the Rezoning

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.



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Cashel Rock Investors
Orchard Park Apartments
Charlotte, North Carolina



Rezoning Petition
#09-XXXX

PROJECT: 08128
DATE: 12.22.2008
REVISIONS: _____ DATE: _____

DRAWN BY: CLINE DESIGN
CHECKED BY: UDP

RZ-4
Development Standards

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