

DEVELOPMENT STANDARDS

I. GENERAL COMMITMENT:

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Parks Hunter to accommodate the development of that approximately 4.3 acre parcel of land located on Community House Road, east of Providence Road West, which parcel of land is more particularly depicted on the Technical Data Sheet (hereinafter referred to as the "Site"). The Site is comprised of two separate parcels of land that are designated as Parcel Nos. 229-041-10 and 229-011-01 on the Mecklenburg County Tax Maps. Parcel No. 229-041-10 is designated on the Technical Data Sheet as "Tract 1", and Parcel No. 229-011-01 is designated on the Technical Data Sheet as "Tract 2".

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 UFG zoning district shall be followed in connection with development taking place on that portion of the Site designated as Tract 1, and all development standards established under the Ordinance for the Institutional zoning district shall be followed in connection with development taking place on that portion of the Site designated as Tract 2.

Petitioner intends to request the abandonment of that portion of the right of way for existing Community House Road that is adjacent to and bisects the Site, which right of way area is more particularly depicted on the Technical Data Sheet (the "Community House Road Right of Way Area"). Petitioner intends to request the abandonment of that portion of the right of way for Dickie Ross Road that is adjacent to the Site, which right of way area is more particularly depicted on the Technical Data Sheet (the "Dickie Ross Road Right of Way Area"). In the event that the Community House Road Right of Way Area and the Dickie Ross Road Right of Way Area are abandoned, then the relevant portions of the Community House Road Right of Way Area and the Dickie Ross Road Right of Way Area shall be incorporated into the Site, and the Site shall be developed in accordance with Schematic Site Plan Option 1. In the event that the Community House Road Right of Way Area and the Dickie Ross Road Right of Way Area are not abandoned, then the Site shall be developed in accordance with Schematic Site Plan Option 2.

Schematic Site Plan Option 1 and Schematic Site Plan Option 2 are schematic representations of the development alternatives for the Site, and the approval of this Rezoning Petition by the City of Charlotte City Council shall constitute the approval of each of these development alternatives. Schematic Site Plan Option 1 and Schematic Site Plan Option 2 are hereinafter sometimes collectively referred to as the "Alternative Schematic Site Plans".

II. PERMITTED USES/MINIMUM BUILDING AREA:

The Site may be devoted only to the following uses:

A child care center comprised of two separate buildings and related parking areas, with each building containing a maximum of 8,200 square feet of gross building area. The building located generally on Tract 1 may serve a maximum of 172 children, and the building located generally on Tract 2 may serve a maximum of 182 children. The Site may also be devoted to any accessory uses in connection with a child care center that are permitted under the Ordinance. The child care center shall comply with the requirements of Section 12.502 of the Ordinance.

III. SETBACKS, SIDE YARDS AND REAR YARDS:

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 Alternative Schematic Site Plans.

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. As more particularly depicted on the Alternative Schematic Site Plans, a Class C buffer shall be established along Tract 2's southern boundary line, and the Class C buffer shall conform to the standards for a Class C buffer set out in Section 12.302 of the Ordinance, subject, however, to the provisions of Section 12.304 thereof. Petitioner may reduce the width of the Class C buffer by 25% by installing a wall, fence or berm in accordance with the requirements of Section 12.302(b) of the Ordinance.

B. 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 Alternative Schematic Site Plans accordingly.

C. The buffer area shall remain as open space except to the extent necessary to accommodate grade changes and the installation and maintenance of a wall, fence or berm, landscaping and utility and drainage facilities and any grading associated therewith.

D. Where existing trees and natural vegetation have been cleared to accommodate grade changes or the installation of a wall, fence or berm or utility or drainage facilities and be landscaped with trees and shrubs in accordance with the requirements of the Ordinance.

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

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

VI. ARCHITECTURAL COMMITMENTS:

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

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

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

VII. LIGHTING:

A. All exterior light fixtures (except street lights along public streets) shall be capped and fully shielded and the illumination downwardly directed 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 pack 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:

Vehicular access to the Site shall be as generally depicted on the Alternative Schematic Site Plans. The placement and configuration of the access points are 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.

X. SIDEWALKS AND PLANTING STRIPS:

Sidewalks and planting strips shall be installed on the Site as depicted on the Alternative Schematic Site Plans.

XI. STORM WATER:

A. Petitioner will tie-in to the existing storm water system(s). Petitioner shall have the receiving drainage system(s) analyzed to ensure that it will not be taken out of standard due to the proposed development. If it is found that the proposed development will cause the storm drainage system(s) to be taken out of standard, Petitioner shall provide alternate methods to prevent this from occurring. If the receiving drainage system(s) is already out of standard, Petitioner's proposed development will be designed so as to not place the downstream system(s) further out of standard.

B. The use of structural storm water treatment systems (wet ponds, extended detention wetlands, bio-retention, etc.) will be incorporated into the Site to achieve 85 percent Total Suspended Solids removal for the entire post development runoff volume for the runoff generated from the first 1-inch of rainfall. BMPs must be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources Best Management Practices Manual, April 1999, Section 4.0. The use of low impact development techniques is optional.

C. Petitioner shall control the peak to match the predevelopment runoff rates for the 10 year and 25 year, 6 hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency.

XII. AMENDMENTS TO THE 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 Site in accordance with the provisions of Chapter 6 of the Ordinance.

XIII. BINDING EFFECT OF THE REZONING PETITION:

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Technical Data Sheet 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" and "owner" or "owners" 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.

SITE DATA

TRACT 1
SITE AREA 1.7357 AC
EXISTING ZONING UR-C (CD)
PROPOSED ZONING UR-C (CD)
OWNER: JEFFREY ROSS
19614 META RD.
CORNELIUS, NC 28031
PARCEL ID # 22904110
ALLOWABLE BUILDING SF = 8200 SF
PROPOSED USE: CHILDCARE FACILITY

TRACT 2
SITE AREA 1.6426 AC (EXCLUDES R/W)
EXISTING ZONING R-3
PROPOSED ZONING INST. (CD)
OWNER: CHARLOTTE BLAKE
9807 COMMUNITY HOUSE RD.
CHARLOTTE, NC 28277

Parcel ID#: 22901101
ALLOWABLE BUILDING SF = 8200 SF
PROPOSED USE: CHILDCARE FACILITY

TRACT 1

SIDEALKS FOR TRACT 1 AND TRACT 2 WILL VARY BASED UPON THE FUTURE DEVELOPMENT CONDITIONS. SIDEWALKS ARE SHOWN ON OPTION 1 AND OPTION 2 ATTACHED.

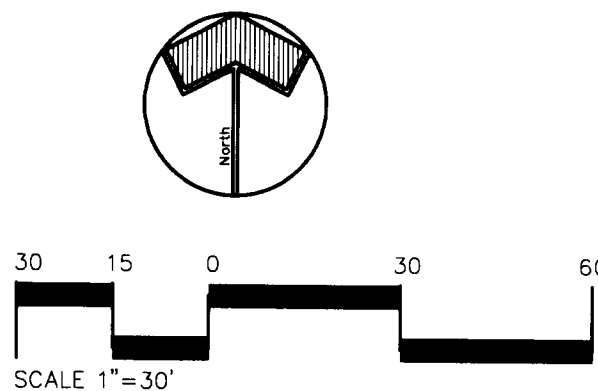
SETBACKS FOR TRACT 1 AND TRACT 2 WILL VARY BASED UPON THE FUTURE DEVELOPMENT CONDITIONS. SETBACKS ARE SHOWN ON OPTION 1 AND OPTION 2 ATTACHED.

TRACT 2

ALL EXISTING STRUCTURES TO BE REMOVED

VICINITY MAP

PROVIDENCE ROAD WEST
COMMUNITY HOUSE ROAD
DICKIE ROSS ROAD



For Public Hearing Pet. No. 2006-109

Henson-Harrington, Inc.

Land Planning

Site, Grading, and Foundation

10225 Hickorywood Hill Avenue
Suite A
Huntersville, North Carolina 28078
704.975.0950 fax
www.Henson-Harrington.com

© COPYRIGHT 2006



RAINBOW CENTER

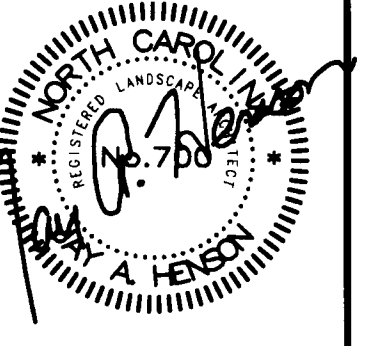
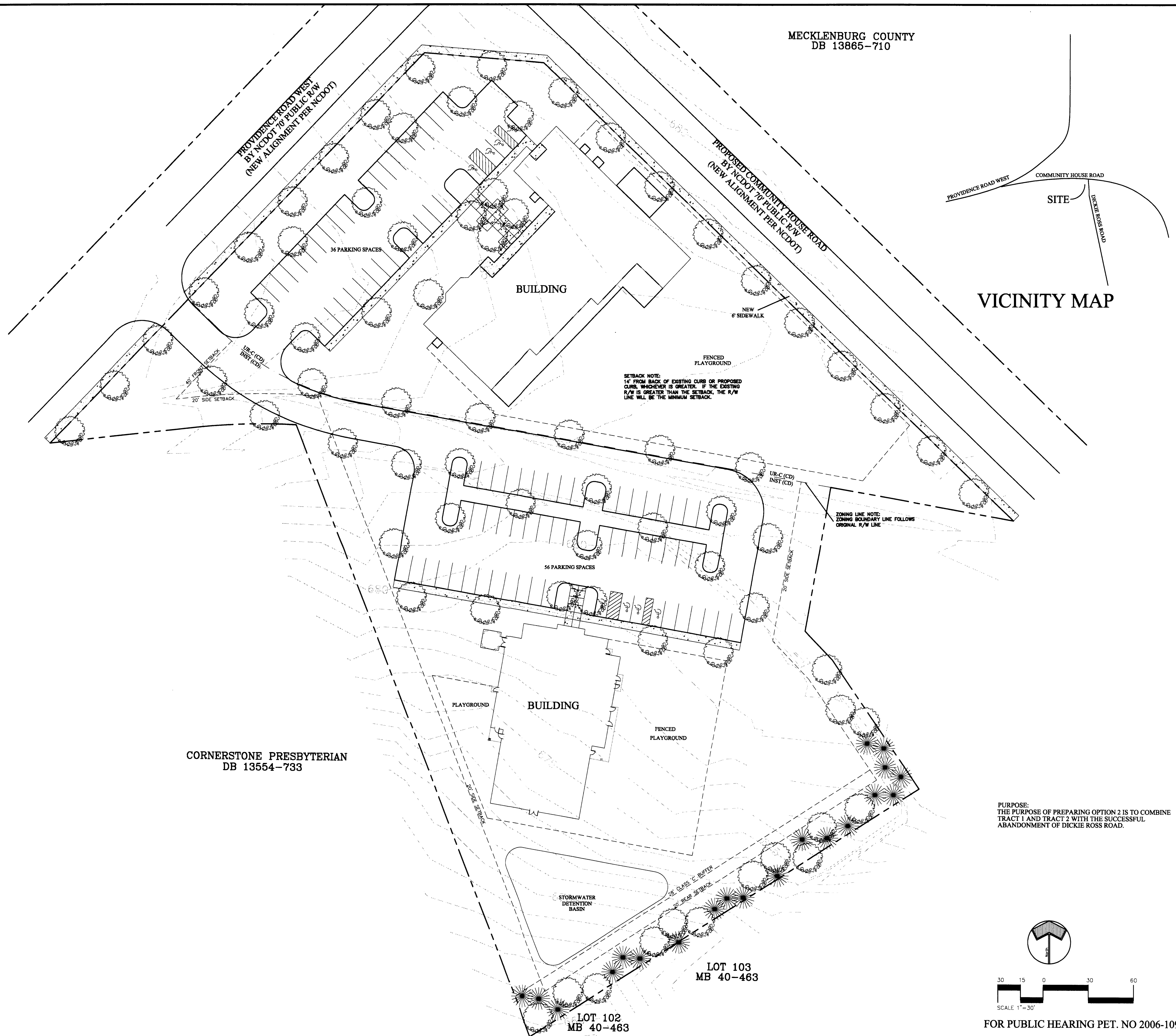
TAX ID# 22901101

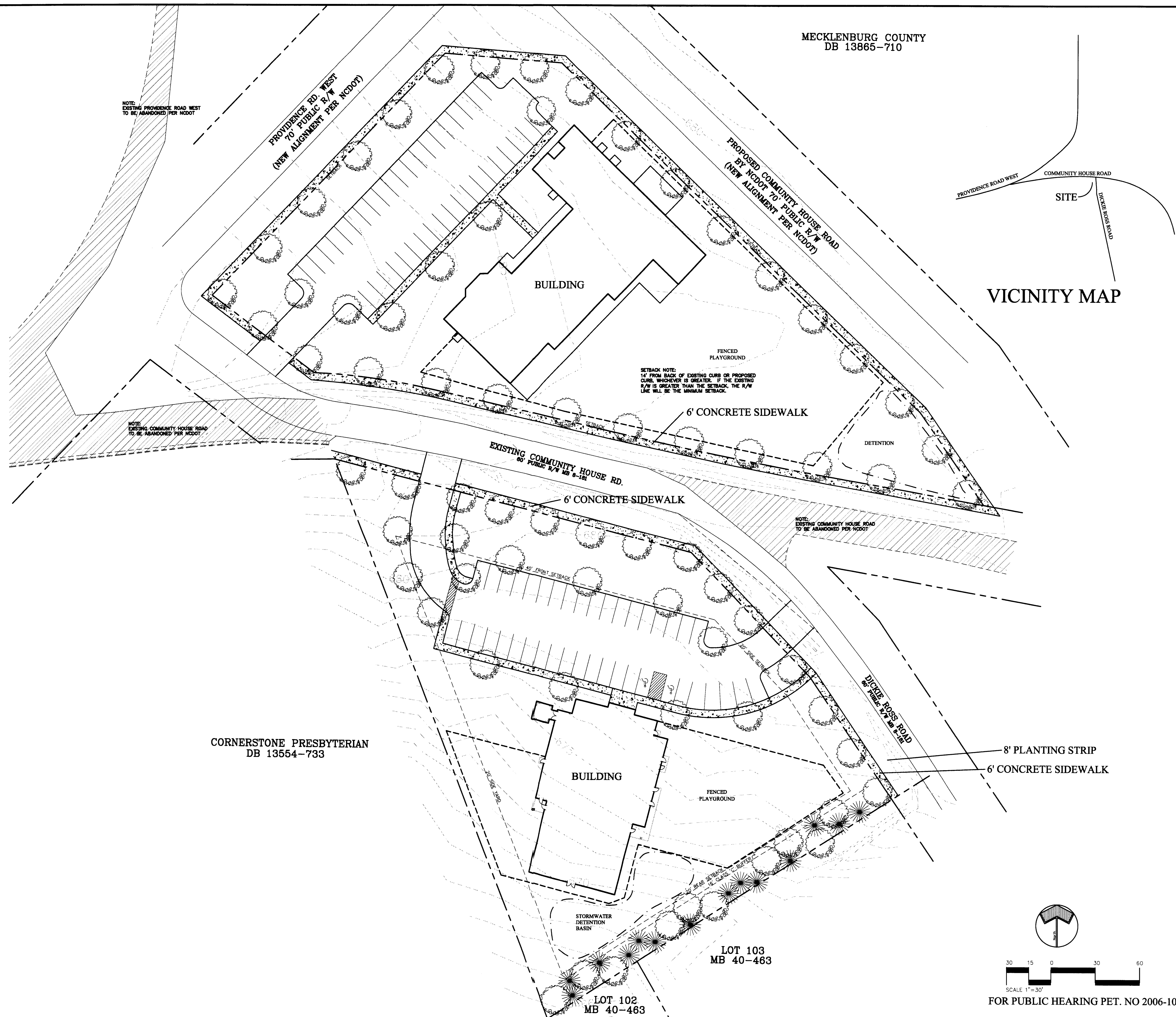
9807 COMMUNITY HOUSE ROAD CHARLOTTE, NORTH CAROLINA

TECHNICAL DATA SHEET

Date: AUGUST 4, 2006
Drawn by: JAH
Scale: 1"=30'
File name: technicaldatasheet
Project no.: 2626

Revisions:
9/15/06 added sheet

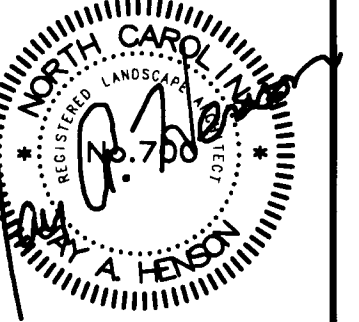




MECKLENBURG COUNTY
DB 13865-710

VICINITY MAP

Henson-Harrington, Inc.
Land Planning
10225 Hickorywood Hill Avenue
Suite A
Huntersville, NC 28078
704.875.0659
www.Henson-Harrington.com



RAINBOW CENTER
TAX ID# 22901101
9807 COMMUNITY HOUSE ROAD CHARLOTTE, NORTH CAROLINA
SCHEMATIC SITE PLAN
OPTION 2

Date: AUGUST 4, 2006
Drawn by: JA
Scale: 1"=30'
File name: OPTION 1
Project no.: 2626

Revisions:
SEPTEMBER 15, 2006

