

VICINITY MAP  
N.T.S.

- Adjoining Property Owners
- 02932107  
Robert Balva Jr. Helms and Helen M. Helms  
Deed Book 02154 Deed Page 107
  - 02931106\*
  - 02931107\*
  - 02931108\*
  - 02946195  
Harvey W. Johnston and Roberto O. Johnston (H/W)  
Deed Book 03236 Deed Page 373
  - 02946173  
Catinia Blazer  
Deed Book 18783 Deed Page 797
  - 02946180  
Lamm W. Millard and Miguel J. Hall  
Deed Book 10852 Deed Page 621
  - 02946181  
E. Nathan III Hale and Shelley B. Hale  
Deed Book 10724 Deed Page 620
  - 02932121  
William G. Langley and Sarah H. Langley  
Deed Book 03690 Deed Page 675
  - 02755198\*\*
  - 02755197\*\*
  - 02755101\*\*
  - 02932112  
Gary L. Norris and Dean P. Norris  
Deed Book 05110 Deed Page 538
  - 02932486  
Beazer Homes Corporation  
Deed Book 19300 Deed Page 505
  - 02932480  
Prosperity Church Road LLC and % Landcraft Properties Inc.  
Deed Book --- Deed Page ---
  - 02932483  
Prosperity Church Road LLC and % Landcraft Properties Inc.  
Deed Book --- Deed Page ---
  - 02932199  
Prosperity Church Road LLC and % Landcraft Properties Inc.  
Deed Book --- Deed Page ---



- LEGEND**
- Proposed Park Area
  - Existing Contour
  - Direction of House Frontage
  - Existing Trees to Remain (Part of Tree Save Requirements)
  - Proposed Trees within Public Open Space Areas

ASSUMED NORTH  
SCALE: 1"=100'

**DEVELOPMENT DATA**

<b>ZONING</b>	
PROPOSED ZONING:	MX-1
EXISTING ZONING	R-3
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
<b>SITE DESIGN</b>	
TOTAL SITE AREA:	50.74 Ac.
TOTAL LOTS:	260
MIN. LOT AREA:	3000 S.F. MIN. (0.07 ACRE)
MIN. LOT WIDTH:	30 FT.

- HEIGHT: 1-2 STORIES
- SETBACK: 20'-30' FROM CURB ALONG 3 MINOR THOROUGHFARES, 15'-20' ALONG OTHER STREETS.
- ENTRANCES: FRONT DOOR ENTRANCES DIRECTLY FROM THE STREET WITH PRIVATE ACCESS FROM ALLEYS, GARAGES OR DRIVEWAYS.
- FACADES: PORCHES AND BALCONIES WILL BE PROVIDED TO ALLOW INTERACTION BETWEEN RESIDENTS AND PEOPLE OF THE STREET. AT GREATEST DEPTH, PORCHES TO BE A MINIMUM OF 6', NOT LESS THAN 4'.
- PARKING: IN GARAGES OFF OF REAR ALLEYS PREFERABLY. WHEN GARAGE IS IN FRONT OFF OF PUBLIC STREET IT SHOULD BE RECESSED BEHIND THE BUILDING FACADE.
- ANCILLARY UNITS: AN ADDITIONAL UNIT, TYPICALLY ABOVE A DETACHED GARAGE THAT ARE ENCOURAGED IN SINGLE FAMILY DETACHED DEVELOPMENTS TO PROVIDE AFFORDABLE RENTAL HOUSING.
- THIS PROJECT WILL HAVE GREATER THAN 24% BUILT UPON AREA.
- TREE SAVE AREA (CHAPTER 21 CITY CODE) 10% MIN. 10% MIN. PROVIDED (EXCLUDES PROPOSED TREES IN OPEN SPACE AREAS)

TOTAL OPEN SPACE WILL BE GREATER THAN 10% OF SITE AREA.  
OPEN SPACE WILL BE IMPROVED PER APPROVED PROSPERITY CHURCH ROAD VILLAGE PLAN, DATED MARCH 1999.

<b>SETBACK WIDTH</b>	
FRONT YARD SETBACK:	20'-30' (MINOR THOROUGHFARE)
(MEASURED FROM CURB)	15'-20' (LOCAL STREETS)
SIDE YARD SETBACK:	3 FT.
REAR YARD SETBACK:	5 FT.

PUBLIC HEARING 2006-126  
ITEMS DELETED

PROJECT PHASING:  
FLOODWAY AREA:  
RIVER BUFFER:

REVISIONS  
1. REVISED PER STAFF COMMENTS 11/22/06.

DATE: 28 APRIL 2006  
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Transportation Engineering

**THE VILLAGES  
AT PROSPERITY PLACE**

PROSPERITY CHURCH ROAD & JOHNSTON OEHLER ROAD, CITY OF CHARLOTTE, NC  
MECKLENBURG COUNTY, NC

**D.R. HORTON HOMES**

1100 S. TRYON STREET, SUITE 100, CHARLOTTE, NC

DATE: 20 JUNE 2006	PROJECT NO.: 5887.001
DRAWN BY: MHW	CHECKED BY:
SHEET TITLE: SITE LAYOUT	
DRAWING FILES: B:\SK\5887\001\dwg\Engineering\dwg\587001\layout B:\SK\5887\001\dwg\Survey\dwg\5887001\survey.dwg	
PETITION NO. 2006-126	
SHEET NO.: 1	



GENERAL NOTES:

1. DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGMENT OF PROPOSED USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND THE SIZE OF THE INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING DESIGN DEVELOPMENT AS SHOWN ON THE PLAN PER SECTION 6.2 OF THE ZONING ORDINANCE.

UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THE TECHNICAL DATE SHEET OR THESE DEVELOPMENT STANDARDS, ALL STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE FOR THE MX-1 RESIDENTIAL ZONING DISTRICT CLASSIFICATION SHALL BE FOLLOWED IN CONNECTION WITH DEVELOPMENT TAKING PLACE PLACE ON THE SITE SUBJECT TO THE INNOVATIVE DEVELOPMENT STANDARDS SET OUT BELOW.

2. SIGNAGE WILL BE PERMITTED IN ACCORDANCE WITH APPLICABLE ZONING STANDARDS.

3. SCREENING AND BUFFER AREAS, IF REQUIRED, WILL BE DEVELOPED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE. REQUIRED BUFFERS ON THE SITE MAY BE ELIMINATED IF THE ADJOINING PARCELS ARE REZONED OR THE USE CHANGES SUCH THAT BUFFERS ARE NO LONGER REQUIRED.

4. DEVELOPMENT OF THIS SITE MAY REQUIRE SUBMISSION OF AN ASBESTOS NOTIFICATION OF DEMOLITION AND RENOVATION TO MCAQ DUE TO POSSIBLE DEMOLITION OR RENOVATION OF AN EXISTING STRUCTURE. A LETTER OF NOTIFICATION AND THE REQUIRED FORMS WILL BE MAILED DIRECTLY TO THE PETITIONER BY MCAQ.

5. MECKLENBURG COUNTY SOLID WASTE REQUESTS THE PETITIONER SUBMIT A SOLID WASTE MANAGEMENT PLAN PRIOR TO INITIATING DEMOLITION AND/OR CONSTRUCTION ACTIVITIES TO INCLUDE, AT A MINIMUM, THE PROCEDURES THAT WILL BE USED TO RECYCLE ALL CLEAN WOOD, METAL, AND CONCRETE GENERATED DURING DEMOLITION AND CONSTRUCTION ACTIVITIES. THE PLAN SHALL SPECIFY THAT MONTHLY REPORTING OF ALL TONNAGE DISPOSED AND RECYCLED WILL BE MADE TO THE MECKLENBURG COUNTY SOLID WASTE PROGRAM. THE REPORT SHALL INCLUDE THE IDENTIFICATION AND LOCATION OF FACILITIES RECEIVING DISPOSED OR RECYCLED MATERIALS.

6. GROUNDWATER & WASTEWATER SERVICES - A LOCAL GROUNDWATER ORDINANCE THAT ADDRESSES THE INSTALLATION, REPAIR AND ABANDONMENT OF WELLS (INCLUDING MONITORING WELLS) WAS EFFECTIVE JANUARY 2005. THE MECKLENBURG COUNTY GROUNDWATER & WASTEWATER SERVICES PROGRAM SHOULD BE CONTACTED AT 704-336-5500 PRIOR TO ANY INSTALLATION OR ABANDONMENT OF WELLS ON THIS PROPERTY TO ENSURE COMPLIANCE WITH THESE REGULATIONS. ABANDONMENT OF WELLS DISCOVERED DURING THE DEVELOPMENT PROCESS SHOULD BE DONE IN ACCORDANCE WITH THE MECKLENBURG COUNTY GROUNDWATER WELL REGULATIONS AND NORTH CAROLINA'S 15A NCAC 2C RULE .0133 - "ABANDONMENT OF WELLS".

7. ANY SEPARATE, DEFINED DRAINAGE AREA WITHIN A PROJECT THAT WILL HAVE GREATER THAN 24% BUILT-UPON AREA IS TO HAVE WATER QUALITY BEST MANAGEMENT PRACTICES (BWMPs) TO TREAT STORM WATER RUNOFF FROM THE ENTIRE BUILT-UPON AREA WITHIN THE SEPARATE, DEFINED DRAINAGE AREA.

8. THE SITE WILL COMPLY WITH CHAPTER 21 CITY CODE - TREES. PROPOSED PLANTING SHOWN IS CONCEPTUAL ONLY AND WILL BE SUBJECT TO CHANGE ON ACTUAL SITE CONDITIONS AND URBAN FORESTRY STAFF APPROVAL. INTERNAL LANDSCAPING SHOWN ON THE PLAN IS ILLUSTRATIVE AND EXACT DESIGN WILL BE DETERMINED DURING DESIGN AND DEVELOPMENT PROCESS. THE PROPOSED LANDSCAPING WILL INCLUDE THE 10% MINIMUM TREE SAVE AND STREET TREES ON ALL STREETS. SPECIFIC TREES IN PUBLIC OPEN SPACE (SEE SITE PLAN) WILL COMPLY WITH THE PRESERVATION OF EXISTING SPECIMEN PER THE PROSPERITY VILLAGE PLAN BY CMPC DATED MARCH 1999.

9. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, STANDARDS, POLICIES, AND APPROPRIATE DESIGN MANUALS WILL EXIST. THOSE CRITERIA (FOR EXAMPLE, THOSE THAT REQUIRE BUFFERS, REGULATE STREETS, SIDEWALKS, TREES, STORMWATER, AND SITE DEVELOPMENT, ETC.) WILL APPLY TO THE DEVELOPMENT SITE. THIS INCLUDES CHAPTERS 6, 9, 12, 17, 18, 19, 20 AND 21 OF THE CITY CODE. CONDITIONS SET FORTH IN THIS PETITION ARE SUPPLEMENTAL REQUIREMENTS IMPOSED ON THE DEVELOPMENT IN ADDITION TO OTHER STANDARDS. WHERE CONDITIONS ON THIS PLAN DIFFER FROM ORDINANCES, STANDARDS, POLICIES, AND APPROACHES IN EXISTENCE AT THE TIME OF FORMAL ENGINEERING PLAN REVIEW SUBMISSION, THE STRICTER CONDITION OR EXISTING REQUIREMENTS SHALL APPLY.

10. THE RIGHT-OF-WAY FOR JOHNSTON OEHLER ROAD REALIGNMENT SHOULD BE DEDICATED AS A PART OF THIS REZONING. THIS WILL OCCUR PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS.

11. THE POSSIBILITY OF WETLANDS AND/OR JURISDICTIONAL STREAMS HAS BEEN DETERMINED. ANY NECESSARY PERMITTING WILL FOLLOW N.C. DIVISION OF WATER QUALITY AND U.S. ARMY CORPS OF ENGINEERS STANDARD METHODOLOGY.

12. ANY SEPARATE, DEFINED DRAINAGE AREA WITHIN A PROJECT THAT WILL HAVE GREATER THAN 24% BUILT-UPON AREA IS TO HAVE WATER QUALITY BEST MANAGEMENT PRACTICES (BWMPs) TO TREAT STORM WATER RUNOFF FROM THE ENTIRE BUILT-UPON AREA WITHIN THE SEPARATE, DEFINED DRAINAGE AREA.

13. FOR PROJECTS WITH DEFINED WATERSHEDS GREATER THAN 24% BUILT-UPON AREA (BUA), CONTROL THE ENTIRE VOLUME FOR THE 1-YEAR, 24-HOUR STORM. RUNOFF VOLUME DRAWDOWN TIME SHALL BE A MINIMUM OF 24 HOURS, BUT NOT MORE THAN 120 HOURS.

14. FOR RESIDENTIAL PROJECTS WITH GREATER THAN 24% BUA, 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.

15. THE USE OF LOW IMPACT DESIGN (LID) SUCH AS BIORETENTION SYSTEMS IN TREE ISLANDS, GRASSED SWALES, VEGETATED BUFFERS, LEVEL SPREADERS, AND OTHER INNOVATIVE SYSTEMS IN A "TREATMENT TRAIN" IS OPTIONAL AND ENCOURAGED.

16. STORM WATER RUNOFF FROM THE DEVELOPMENT SHALL BE TRANSPORTED FROM THE SITE BY VEGETATED CONVEYANCES TO THE MAXIMUM EXTENT PRACTICABLE.

17. THE PETITIONER SHALL TIE-IN TO THE EXISTING STORM WATER SYSTEM(S). THE PETITIONER SHALL HAVE THE RECEIVING DRAINAGE SYSTEM(S) 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 SYSTEM(S) TO BE TAKEN OUT OF STANDARD, THE PETITIONER SHALL PROVIDE ALTERNATE METHODS TO PREVENT THIS FROM OCCURRING.

18. STREET TREES TO BE PLANTED IN THE 8-FOOT PLANTING STRIP (OR 6 FOOT AS NOTED ON SECTION FOR 50-FOOT ROW).

19. THE RIGHT-OF-WAY FOR JOHNSTON OEHLER ROAD REALIGNMENT SHOULD BE DEDICATED AS A PART OF THIS REZONING.

20. NO PHASING OF THE DEVELOPMENT PROVIDED THAT THE PETITIONER/DEVELOPER CONSTRUCT JOHNSTON-OEHLER ROAD ON NEW ALIGNMENT WEST OF PROPOSED PROSPERITY RIDGE DRIVE AND REALIGN A PORTION OF EXISTING JOHNSTON-OEHLER ROAD TO CREATE A NEW INTERSECTION 200 FEET WEST OF THE PROPOSED JOHNSTON-OEHLER ROAD/PROSPERITY RIDGE DRIVE INTERSECTION. SHOULD OWNER CHOOSE TO PHASE PROJECT, REALIGNMENT IS NOT NECESSARY AS LONG AS THE DEVELOPMENT DOES NOT EXCEED EXISTING ZONING DENSITY (152 UNITS).

21. ADEQUATE SIGHT TRIANGLES MUST BE RESERVED AT THE PROPOSED STREET ENTRANCES. TWO 35' X 35' AND TWO 10' X 70' SIGHT TRIANGLES ARE REQUIRED FOR THE ENTRANCES TO MEET REQUIREMENTS. ALL PROPOSED TREES, BERMS, WALLS, FENCES, AND/OR IDENTIFICATION SIGNS MUST NOT INTERFERE WITH SIGHT DISTANCE AT THE ENTRANCES. SUCH ITEMS SHOULD BE IDENTIFIED ON THE SITE PLAN.

22. THE PROPOSED DRIVEWAY CONNECTION(S) TO JOHNSTON-OEHLER ROAD WILL REQUIRE A DRIVEWAY PERMIT(S) TO BE SUBMITTED TO CDOT AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR REVIEW AND APPROVAL. THE EXACT LOCATION(S) AND DESIGN OF THE STREET(S) WILL BE DETERMINED BY CDOT DURING THE SUBDIVISION PROCESS. THE LOCATIONS OF THE STREET(S) SHOWN ON THE SITE PLAN ARE SUBJECT TO CHANGE IN ORDER TO ALIGN WITH STREET(S)/DRIVEWAY(S) ON THE OPPOSITE SIDE OF THE STREET AND COMPLY WITH CITY DRIVEWAY REGULATIONS AND THE CITY TREE ORDINANCE.

23. ANY FENCE OR WALL CONSTRUCTED ALONG OR ADJACENT TO ANY SIDEWALK OR STREET RIGHT-OF-WAY REQUIRES A CERTIFICATE ISSUED BY CDOT.

24. 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 CDOT PRIOR TO THE CONSTRUCTION/INSTALLATION OF THE NON-STANDARD ITEM(S). CONTACT CDOT FOR ADDITIONAL INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS.

25. THE PETITIONER WILL COORDINATE WITH CHARLOTTE AREAT TRANSIT SYSTEM (CATS) ON THE LOCATION AND CONSTRUCTION OF A WAITING PAD ON PROSPERITY RIDGE ROAD. CATS WILL BE RESPONSIBLE FOR ANY PASSENGER SHELTER, SIGNAGE, LIGHTING ETC. THE PETITIONER WILL COMPLY WITH RESERVING AN AREA FOR CATS AND THE CONSTRUCTION OF THEIR CONCRETE PAD. CATS WILL BE RESPONSIBLE FOR LOCATING THE PAD DURING ENGINEERING PLAN APPROVAL AND CONSTRUCTING THE SHELTER.

26. PETITIONER COMMITS TO THE THE RIGHT-OF-WAY MODIFICATIONS WITHIN JOHNSTON-OEHLER ROAD AND THE NORTH-SOUTH THOROUGHFARE IN PROSPERITY VILLAGE FOR THIS REZONING PETITION, 06-126. THE FOLLOWING MODIFICATIONS WILL BE PART OF THIS RE-ZONING PETITION:

- FOR ALL OF JOHNSTON-OEHLER ROAD: 75 FEET OF ROW (37.5' FROM CENTERLINE)
- FOR THE N-S THOROUGHFARE: 75 FEET OF ROW FOR THE FIRST 150 FEET SOUTH OF JOHNSTON-OEHLER ROAD, THEN A 21:1 TAPER DOWN TO 70 FEET.
- A MIRRORING SECTION IS NEEDED APPROACHING PROSPERITY CHURCH ROAD (75' FOR THE FIRST 150' NORTH OF PROSPERITY CHURCH, THEN 21:1 TAPER DOWN TO 70 FEET)

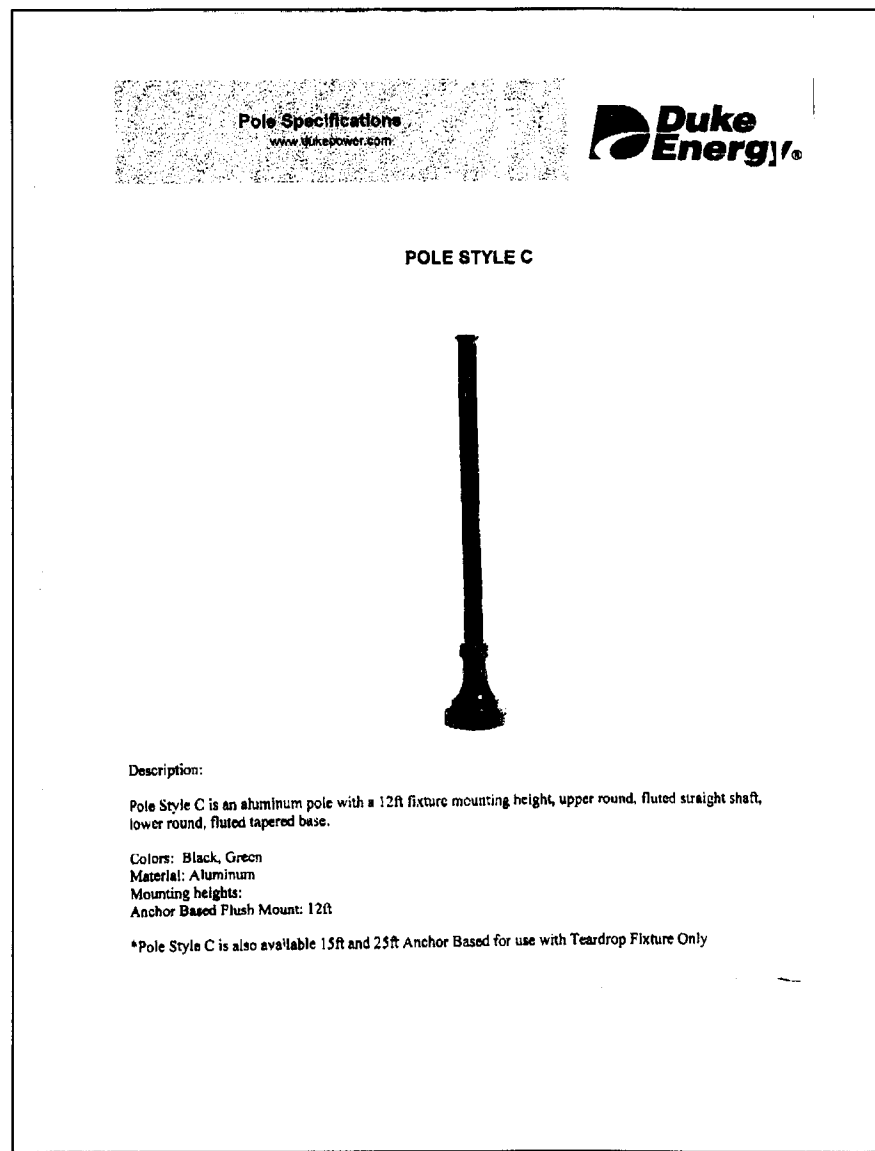
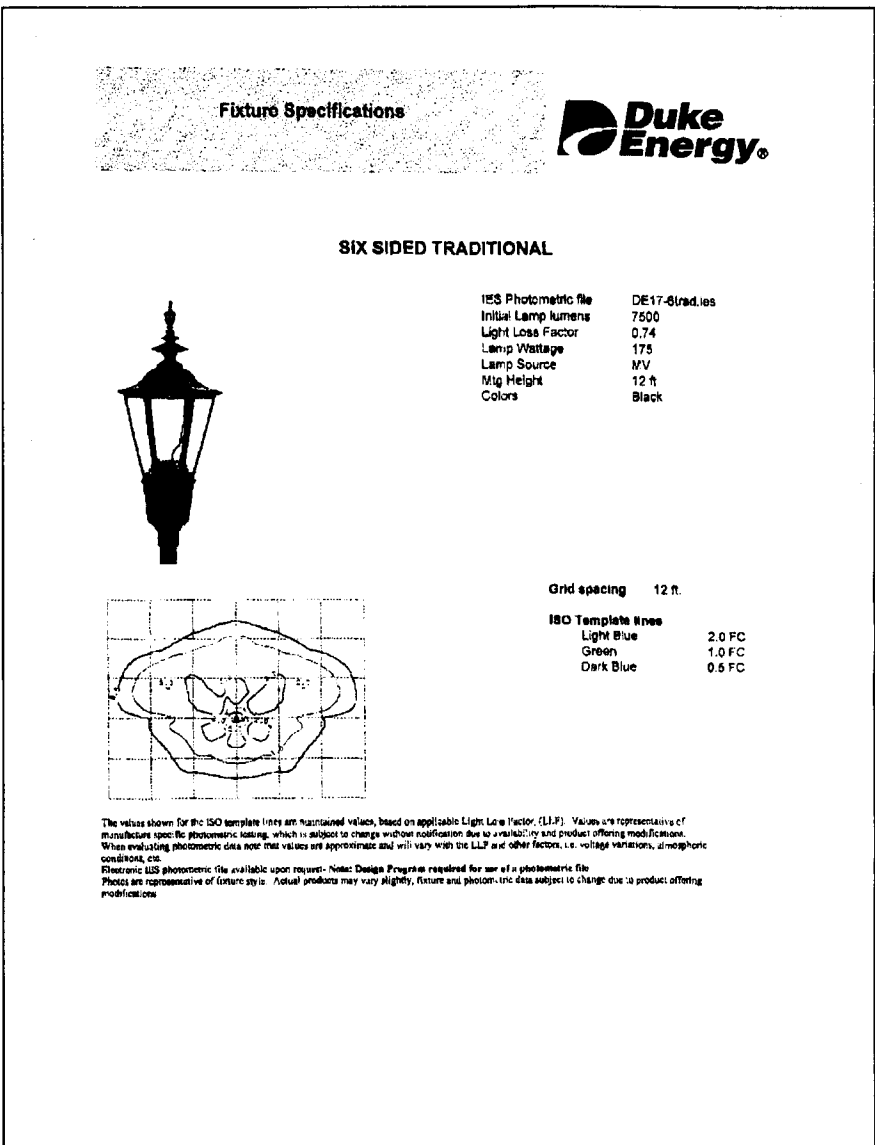
27. GROSS RESIDENTIAL DENSITY FOR THE PROJECT WILL NOT EXCEED 5.2 UNITS PER ACRE. OPEN SPACE AREAS SHALL BE INCLUDED IN THE CALCULATION FOR GROSS RESIDENTIAL DENSITY.

28. IN ACCORDANCE WITH THE PROVISIONS OF SECTION 11.208, "INNOVATIVE DEVELOPMENT STANDARDS", THE PETITIONER MAY PROPOSE MODIFICATIONS TO THE FOLLOWING STANDARDS:

- STREET TYPE, DIMENSIONS AND CONSTRUCTION STANDARDS
- SIDEWALKS, CURBS AND GUTTERS
- MINIMUM LOT SIZE AND LOT WIDTH
- SETBACKS, SIDE, FRONT, AND REAR YARDS FOR PRINCIPLE AND ACCESSORY STRUCTURES
- BUILDING SEPARATION

IT IS THE PETITIONER'S INTENT TO CREATE THE OPPORTUNITY TO SEEK MODIFICATION OF ANY OR ALL OF THESE STANDARDS, BUT THE DETAILS OF ANY SUCH PROPOSED MODIFICATION WILL BE ESTABLISHED AND REVIEWED IN ACCORDANCE WITH THE STANDARDS INNOVATIVE PROCESS AFTER MORE DETAILED AND SPECIFIC ENGINEERING OF THE SITE. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, AND SITE DEVELOPMENT, MAY APPLY TO THE DEVELOPMENT OF THE SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR, AND OR NOT SEPARATE ZONING CONDITIONS IMPOSED BY THE SITE PLAN.

29. PEDESTRIAN SCALE LIGHTING WILL BE PROVIDED WITHIN THE DEVELOPMENT. ANY DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 12 FEET (NOT TO EXCEED 15 FEET) IN HEIGHT UNLESS CITY STANDARDS REQUIRE STREETLIGHTS TO BE HIGHER.



1. RELEASED  
2. REVISED PER STAFF COMMENTS 10/25/06  
3. REVISED PER STAFF COMMENTS 11/22/06

DATE: 23 OCT. 2006  
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THE VILLAGES  
AT PROSPERITY PLACE  
PROSPERITY CHURCH ROAD & JOHNSTON OEHLER ROAD, CITY OF CHARLOTTE, NC  
MECKLENBURG COUNTY, NC

D.R. HORTON HOMES  
1100 S. TRYON STREET, SUITE 100, CHARLOTTE, NC

DATE: 23 OCT. 2006 PROJECT NO.: 5887.001  
DRAWN BY: MHW CHECKED BY:

SHEET TITLE: SITE GENERAL NOTES

DRAWING FILES: B:\3K\5887\001\dwg\Engineering\dwg\587001\layout

PETITION NO. 2006-126

SHEET NO.: 2