

## DEVELOPMENT STANDARDS March 24, 2008

## 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 NS zoning district shall be followed in connection with development taking place on the Site.

The development depicted on the Rezoning Plan is intended to reflect the arrangement of proposed uses on the Site, but the final configuration, placement and size of individual Site elements may be altered or modified within the limits prescribed by the Ordinance and the standards established by the Rezoning Plan and these Development Standards during design development and construction phases. Street layouts may be modified to accommodate final building locations.

4. The division of the Site into Tract A and Tract B on the Rezoning Plan is solely for the purposes of this Rezoning Petition and may or may not represent any future property lines in the event that the Site is subsequently subdivided. The

etitioner does, however, reserve the right to subdivide the Site in the future.

PERMITTED USES/MAXIMUM GROSS BUILDING AREA/MAXIMUM NUMBER OF DWELLING UNITS/ARCHITECTURAL COMMITMENTS

1. That portion of the Site designated as Tract A on the Rezoning Plan may be

devoted to any use (including any accessory use) which is permitted under the Ordinance by right or under prescribed conditions in the NS zoning district, provided, however, that the following uses shall not be permitted on Tract A:

 Active adult retirement communities Adult care centers

Adult care homes Automotive service stations, including minor adjustments, repairs and

 Bed and breakfast inns Boarding houses

Bus and train terminals

1. That portion of the Site designated as Tract B on the Rezoning Plan may be Civic, social service or fraternal facilities devoted to for-sale, single-family attached townshome dwelling units and to any incidental or accessory use in connection therewith which is permitted by right Commercial rooming houses Dormitories or under prescribed conditions in the NS zoning district. Dwellings, duplex, triplex or quadraplex

> No more than 16 for-sale, single-family attached townhome dwelling units may be constructed on Tract B. All buildings to be located on Tract B will be constructed such that at least 51% of

the exterior opaque vertical surfaces on at least three of the four building sides below the eaves (not including the doors and windows) will be composed of The elevation of any building located on Tract B that fronts or faces Harris

Boulevard shall not have expanses of solid walls greater than 20 feet in length. Expanses of solid walls greater than 20 feet in length shall be avoided through he use of doors, windows and articulated facades. Sublots will include 400 feet of private open space.

The building to be located on Tract A may have drive-in service lanes/windows as an accessory use in accordance with the requirements of Section 12.413 of the Ordinance if it is developed with a drug store. The maximum height of any building constructed on the Site shall be 40 feet. The Petitioner may elect to develop Tract A and/or Tract B of the Site for single The building to be located on Tract A may contain up to 15,000 square feet of family detached homes in accordance with the development standards of the R-3

For purposes of the development limitations set forth in this Paragraph 3, the SETBACKS, SIDE YARDS AND REAR YARDS term "gross floor area" shall mean and refer to the sum of the gross horizontal areas of each floor of the principal building, and any accessory buildings or Development of the Site shall comply with the setback, side yard and rear yard structures on the site, measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude any requirements established under the Ordinance for the NS zoning district, which surface parking facilities or related access areas and areas used for building and ements are more particularly depicted on the Rezoning Plan. equipment access (such as stairs, elevator shafts and maintenance crawl spaces),

No buildings, parking spaces, maneuvering areas or surface level storm water detention or surface level storm water quality treatment areas may be located within the setbacks along Mount Holly - Huntersville Road and Harris Boulevard as required by the Ordinance. Eight foot planting strips and six foot sidewalks shall be installed along the Site's rontages on Mount Holly - Huntersville Road and Harris Boulevard. The

planting strips and sidewalks along Tract A shall be installed at the time of the development of Tract A and the planting strip and sidewalk along Tract B shall be installed at the time that for-sale, single-family attached townhome dwelling units are developed on Tract B.

As depicted on the Rezoning Plan, a 20 foot rear yard and landscaped area will be established to provided additional screening between Tract A and Tract B. This 20 foot rear yard and landscaped area shall meet the tree and shrub requirements of a Class B buffer. Additionally, either an 8 foot masonry wall or a berm will be installed within this 20 foot rear yard and landscaped area. The 20 foot rear yard and landscaped area and either the 8 foot masonry wall or berm shall be established and installed at the time that Tract B is developed with forsale, single-family attached townhome dwelling units. A detail of the 8 foot masonry wall is set out on the Rezoning Plan.

SCREENING AND LANDSCAPE AREAS

Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance. All landscaping installed on the Site will meet or exceed the requirements of the Ordinance.

2. Any dumpsters visible from a public street or from an adjoining parcel of land will be screened from view by a solid-enclosure with gates. If one or more sides of a dumpster area adjoin a rear wall of a building, the rear wall may be All roof mounted mechanical equipment will be screened from view at grade

from adjacent public rights of way. 4. Townhome buildings on Tract B shall be located a minimum of 65 feet from the F. STORM WATER MANAGEMENT commercial building on Tract A.

The Petitioner shall establish a 16.5 foot buffer along Tract A's western boundary line as more particularly depicted on the Rezoning Plan. Existing trees within this buffer area that are 4 inches in caliper or larger shall remain unless they must be removed in connection with the installation of the fence described below This buffer shall include at a minimum 15 evergreen shrubs per 100 linear feet and a six foot solid wood or solid vinvl fence. A detail of the fence is set out on the Rezoning Plan. This buffer area and the fence shall be installed at the time that Tract A is developed.

The Petitioner shall establish a 45 foot buffer along Tract B's western and outhern boundary lines as more particularly depicted on the Rezoning Plan. Existing trees and vegetation within this buffer shall remain undisturbed, provided, however, that supplemental plant materials may be installed within the buffer. This buffer shall include at a minimum 3 Leyland Cypress trees per 100 linear feet and a six foot solid wood or solid vinyl fence. A detail of the fence is set out on the Rezoning Plan. This buffer area and the fence shall be installed at the time that for-sale, single-family attached townhome dwelling units are

The buffers and the fences described above in D.1 and D.2 are to be maintained at all times by the property owner(s) and/or the property owners association. The property owner(s) and/or the property owners association will be required

4. The Petitioner reserves the right to install a solid wood or solid vinyl fence within the buffer areas described in D.1 and D.2. The Petitioner reserves the right to utilize existing trees and natural vegetation to meet the planting requirements as noted above for the buffers on the Site. Storm water detention and storm water quality treatment areas may not be located within the buffer areas described in D.1 and D.2.

Development of the Site shall comply with the City of Charlotte Tree Ordinance as of the date of the approval of this Rezoning Petition.

developed on Tract B.

1. The Petitioner shall tie into the existing public storm water system(s). The Petitioner shall have the receiving public 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 public storm drainage system(s) to be taken out of standard, the Petitioner shall provide alternate methods to prevent this from occurring. If the receiving public drainage system(s) is already out of standard, the Petitioner's proposed development will be designed so as to not place the downstream public system(s) further out of For projects with defined watersheds greater than 24 % 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. For residential projects with greater than 24 % BUA, control the peak to match the predevelopment runoif rates for the 10-year and 25 year, 6-hour storms or perform a downstream analysis to determine whether additional peak control is

needed and if so, for what level of storm frequency. For commercial projects with greater than 24 % BUA, control the peak to match the predevelopment runoff rates for the 10-year, 6-hour storm and perform a instream analysis to determine whether additional peak control is needed and if so, for what level of storm frequency or if a downstream analysis is not performed, control the peak for the 10-year and 25 year, 6-hour storms.

For commercial projects with less than or equal to 24 % BUA but greater than one acre of disturbed area, control the peak to match the predevelopment runoff rates

For projects with defined watersheds greater than 24% built-upon area, the Petitioner will construct water quality best management practices (BMPs) that are designed to achieve 85% total suspended solids removal for the entire post development runoff volume generated from the first 1-inch of rainfall. BMP's shall be designed and constructed in accordance with the Mecklenburg County BMP Design Manual, July 2007 or North Carolina Division of Water Quality Stormwater Best Alanagement Practices Manual July 2007. Design standards shall be met according to City of Charlotte Best Management Practices Manual

when available. Use of LID techniques is optional. The following agencies must be contacted prior to construction regarding Section 401 Permit NCDEHNR - Raleigh office

Section 404 Permit US Army Corps of Engineers Storm water detention and storm water quality treatment areas may not be located within the buffer areas noted above in D.1 and D.2.

The maximum height of any freestanding light fixture installed on Tract A (other than street lights on public rights-of-way) including its base, shall not exceed 30 feet. All lighting will be capped and fully shielded to direct lighting downward and/or away from adjoining residential properties.

throughout Tract B. The decorative, pedestrian scale, freestanding lighting fixtures will be uniform in design, and the final spacing of such lighting fixtures shall be determined by the Petitioner. The maximum height of any decorative, pedestrian scale, freestanding lighting fixture installed on Tract B, including its base, shall not exceed 15 feet. The light fixtures to be located on Tract B will be installed at the time that for-sale, single-family attached townhome dwelling

units are developed on Tract B. No wall pack style light fixtures will be permitted on the Site, and any wall mounted light fixtures installed on the Site shall be capped and fully shielded so that illumination does not extend past any property line of the Site.

All signs placed on the Site will be erected in accordance with the requirements of the

ACCESS POINTS/SIDEWALKS

The number of vehicular access points to the Site shall be limited to the number depicted on the Rezoning Plan. The placement and configuration of each access point 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

Sidewalks will be provided within the interior of the Site in accordance with the

Development of the Site shall comply with the requirements of Section 12:529 of

A vehicular connection shall be provided between Tract A and Tract B as depicted on the Rezoning Plan. RIGHT OF WAY/TRANSPORTATION IMPROVEMENTS

As generally depicted on the Rezoning Plan, the Petitioner shall reserve for future acquisition by the applicable authorities that portion of the Site located

Decorative, pedestrian scale, freestanding lighting fixtures will be installed along Harris Boulevard for right of way required for the future realignment of Harris

As generally depicted on the Rezoning Plan, the Petitioner shall reserve for future acquisition by the applicable authorities that portion of the Site located along Mount Holly-Huntersville Road required to provide right of way measuring 70 feet from the existing centerline of Mount Holly-Huntersville

The Rezoning Plan depicts the future centerline of realigned Harris Boulevard, and the development of the Site has been planned so as to reserve right of way needed for realigned Flarris Boulevard. Nevertheless, the Planning Staff will review any construction plans relating to the Site to be sure that the location of the centerline of realigned Harris Boulevard is accurately depicted on such construction plans prior to the issuance of a building permit for the Site.

The driveway from Harris Boulevard into Tract A (the westernmost driveway on Harris Boulevard) will be limited to right-in-right out movements. A raised concrete median will be installed by the developer at its sole cost and expense to prohibit left turns into and left turns out of Tract A at this driveway.

The driveway into Tract B from Harris Boulevard (the easternmost driveway on Harris Boulevard) will be a full movement access. The developer will be required to install a westbound left turn lane on Harris Boulevard at this access point at its sole cost and expense, and since there is no existing eastbound left turn lane opposite this westbound left turn lane, the developer will also be required to construct the opposite eastbound left turn lane at its sole cost and expense. These left turn lanes will be designed and constructed in accordance with the standards of NCDOT and have a minimum of 150 feet of storage.

The driveway into Tract A from Mount Holly-Huntersville Road will be limited to right-in-right-out movements. In the event that a concrete median is not already in place, a raised concrete median will be installed by the developer at its sole cost and expense to prohibit left turns into and left turns out of Tract A at

PARKING Vehicular and bicycle parking will satisfy the minimum standards established

Parking pads and driveways will have a minimum length of 20 feet, measured from the back of the sidewalk, or edge of pavement, whichever is greater. L. FIRE PROTECTION

Adequate fire protection in the form of fire hydrants will be provided to the City of Charlotte Fire Code's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

M. BINDING EFFECT OF THE REZONING PETITION If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under these Development Standards and this 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, devise es, personal representatives, successors in interest or assigns.

N. AMENDMENTS TO REZONING PLAN

Future amendments to this 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.



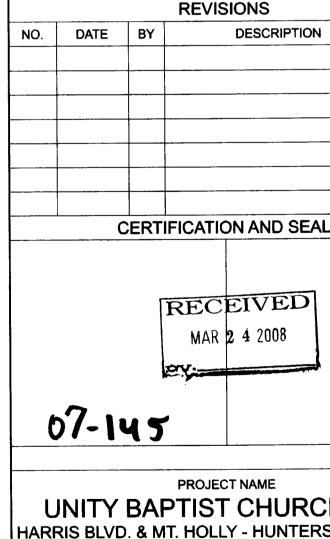
SITE DATA **DEED 9237, PAGE 723** 5.5954 ACRES

**CURRENT ZONING: R3** PROPOSED ZONING: NS

MAX RETAIL: 15,000 SF

MAX RESIDENTIAL: 16 UNITS

MIN PARKING: TRACK A: 50 SPACES TRACK B: 24 SPACES



UNITY BAPTIST CHURCH SITE HARRIS BLVD. & MT. HOLLY - HUNTERSVILLE ROAD CHARLOTTE, NORTH CAROLINA

DRAWING TITLE SITE PLAN DRAWING NO.

CADD PLOT: 06127 VOID PLOT:

SCALE: NTS **DRAWN BY:** DATE: 03-24-08

REVIEWED BY:

1 OF 1 DWGS.

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Car washes

Family childcare homes

Locksmiths and gunsmiths

Nightclubs, bars or lounges

in the calculation of gross floor area.

hardi-plank or a combination thereof.

Largé childcare centers

Gasoline sales

Restaurants with drive through facilities

Funeral homes, embalming or crematories

Fences and fence material sales

Dwellings, mixed use, multi-family, planned multi-family residential

and provided, further, that areas devoted to outdoor dining shall not be included

The primary exterior building materials for the building to be located on Tract A

shall be brick, stone, pre-cast concrete or similar masonry products, stucco,

development and/or attached residential development

Nursing homes, rest homes and homes for the aged