



DEVELOPMENT STANDARDS

August 2, 2007

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 B-1 zoning district shall be followed in connection with development taking place on that portion of the Site designated as Tract A on the Rezoning Plan.
- 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 R-12 MF zoning district shall be followed in connection with development taking place on that portion of the Site designated as Tract B on the Rezoning Plan.
- 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.
- 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 Petitioner does, however, reserve the right to subdivide the Site in the future.

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

Tract A

- 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 B-1 zoning district, provided, however, that the following uses shall not be permitted on Tract A:

- ABC Stores/Liquor Stores
- Active adult retirement communities
- Adult care centers
- Adult care homes

- Automotive service stations, including minor adjustments, repairs and lubrication
- Bed and breakfast inns
- Boarding houses
- Bus and train terminals
- Car washes
- Cemeteries
- Child, social service or fraternal facilities
- Commercial rooming houses
- Dormitories
- Dwellings, detached, duplex, triplex or quadruplex
- Dwellings, mixed use, multi-family, planned multi-family residential development and/or attached residential development
- Elementary and secondary schools
- Family childcare homes
- Farm and horse material sales
- Funeral homes, embalming or crematories
- Group homes
- Lacksmith and gunsmith
- Large child-care centers
- Martins, commercial
- Nightclubs, bars or lounges
- Nursing homes, rest homes and homes for the aged
- Veterinary Clinics

- 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 12.417 of the Ordinance.

- The building to be located on Tract A may contain up to 15,000 square feet of gross floor area.

For purposes of the development limitations set forth in this Paragraph 3, the 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 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 mezzanine space, any surface parking facilities or related access areas and areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl spaces), and provided, further, that areas devoted to outdoor dining shall not be included in the calculation of gross floor area.

Tract B

That portion of the Site designated as Tract B on the Rezoning Plan may be devoted to a maximum of 33 for sale single family attached townhome dwelling units and to any incidental or accessory use in connection therewith which is permitted by right or under prescribed conditions in the R-12 MF zoning district.

SETBACKS, SIDE YARDS AND REAR YARDS

- Development of that portion of the Site designated as Tract A on the Rezoning Plan shall comply with the setback, side yard and rear yard requirements established under the Ordinance for the B-1 zoning district, which requirements are more particularly depicted on the Rezoning Plan.
- Development of that portion of the Site designated as Tract B on the Rezoning Plan shall comply with the setback, side yard and rear yard requirements established under the Ordinance for the R-12 MF zoning district, which requirements are more particularly depicted on the Rezoning Plan.
- No buildings, parking spaces or maneuvering areas may be located within the setbacks.

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.
- 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 substituted for the fence along each such side.
- All roof mounted mechanical equipment will be screened from view at grade from adjacent public rights of way.

BUFFERS

- The Petitioner shall establish a 27 foot Class B buffer along Tract A's western and southern boundary lines as more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance, subject, however, to the provisions of Section 12.304 thereof. 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 Tract A, then the Petitioner may reduce or eliminate, as the case may be, the relevant portions of the 27 foot Class B buffer areas set out on the Rezoning Plan accordingly. The width of this Class B buffer has been reduced to 27 feet.

as a result of the Petitioner's commitment to install a wall or fence pursuant to Section 12.302(8) of the Ordinance.

- The Petitioner shall establish a 20 foot Class C buffer along Tract B's western and southern boundary lines as more particularly depicted on the Rezoning Plan, which buffer shall conform to the standards of Section 12.302 of the Ordinance, subject, however, to the provisions of Section 12.304 thereof. 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 Tract B, then the Petitioner may reduce or eliminate, as the case may be, the relevant portions of the 20 foot Class C buffer areas set out on the Rezoning Plan accordingly. The Petitioner may reduce the width of the 20 foot Class C buffer areas by 25% by installing a wall, fence or berm pursuant to Section 12.302(8) of the Ordinance.

- The Petitioner reserves the right to grade and to install a wall, fence, berm, pedestrian sidewalks and utility lines and facilities within the buffer areas depicted on the Rezoning Plan, provided, however, that utility lines and facilities may only cross these buffer areas at interior angles measured at the property line which are not less than 75 degrees.

- Where existing trees and natural vegetation have been cleared within the buffer areas to accommodate grading or the installation of a wall, fence, berm, pedestrian sidewalks or utility lines and facilities, the cleared, unimproved areas will be landscaped with trees and shrubs in accordance with the requirements of the Ordinance.

- The Petitioner reserves the right to utilize existing trees and natural vegetation to meet the planting requirements for all buffers on the Site.

COMMON OPEN SPACE/TREE ORDINANCE

- Common open space shall be provided at various locations on the Site as depicted on the Rezoning Plan.
- For purposes of calculating the amount of common open space, the park and the buffer areas shall be considered to be common open space.
- A recreational amenity area shall be provided on Tract B, and it shall contain, at a minimum, a swimming pool and a clubhouse/community building.
- The common open space located on Tract B shall be maintained by a to be formed homeowners association.
- Development of the Site shall comply with the City of Charlotte Tree Ordinance as of the date of the approval of this Rezoning Petition.

STORM WATER MANAGEMENT

Storm water runoff from the Site will be managed through proven techniques which satisfy the standards, if any, imposed by the City of Charlotte Engineering Department.

LIGHTING

- 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 35 feet. All lighting will be capped and fully shielded to direct lighting downward and/or away from adjoining residential properties.
- Decorative, pedestrian scale, freestanding lighting fixtures will be installed 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.
- 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.

SIGNS

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

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 Transportation.
- Sidewalks and planting strips will be installed in accordance with the Rezoning Plan.

- A pedestrian connection shall be provided between Tract A and Tract B as depicted on the Rezoning Plan.

PARKING

Vehicular and bicycle parking will satisfy the minimum standards established under the Ordinance.

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.

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, devisees, personal representatives, successors in interest or assigns.

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.

REVISIONS

NO.	DATE	BY	DESCRIPTION

CERTIFICATION AND SEAL

PROJECT NAME
SUGAR CREEK SITE
VANCE ROAD & MT. HOLLY - HUNTERSVILLE ROAD
CHARLOTTE, NORTH CAROLINA

DRAWING TITLE
SITE PLAN

CADD PLOT: 06127	SCALE: NTS	DRAWING NO.
VOID PLOT:	DRAWN BY: TJH	SP.100
RELEASED TO CONSTRUCTION	DATE: 08-21-07 REVIEWED BY:	
		1 OF 1 DWGS.