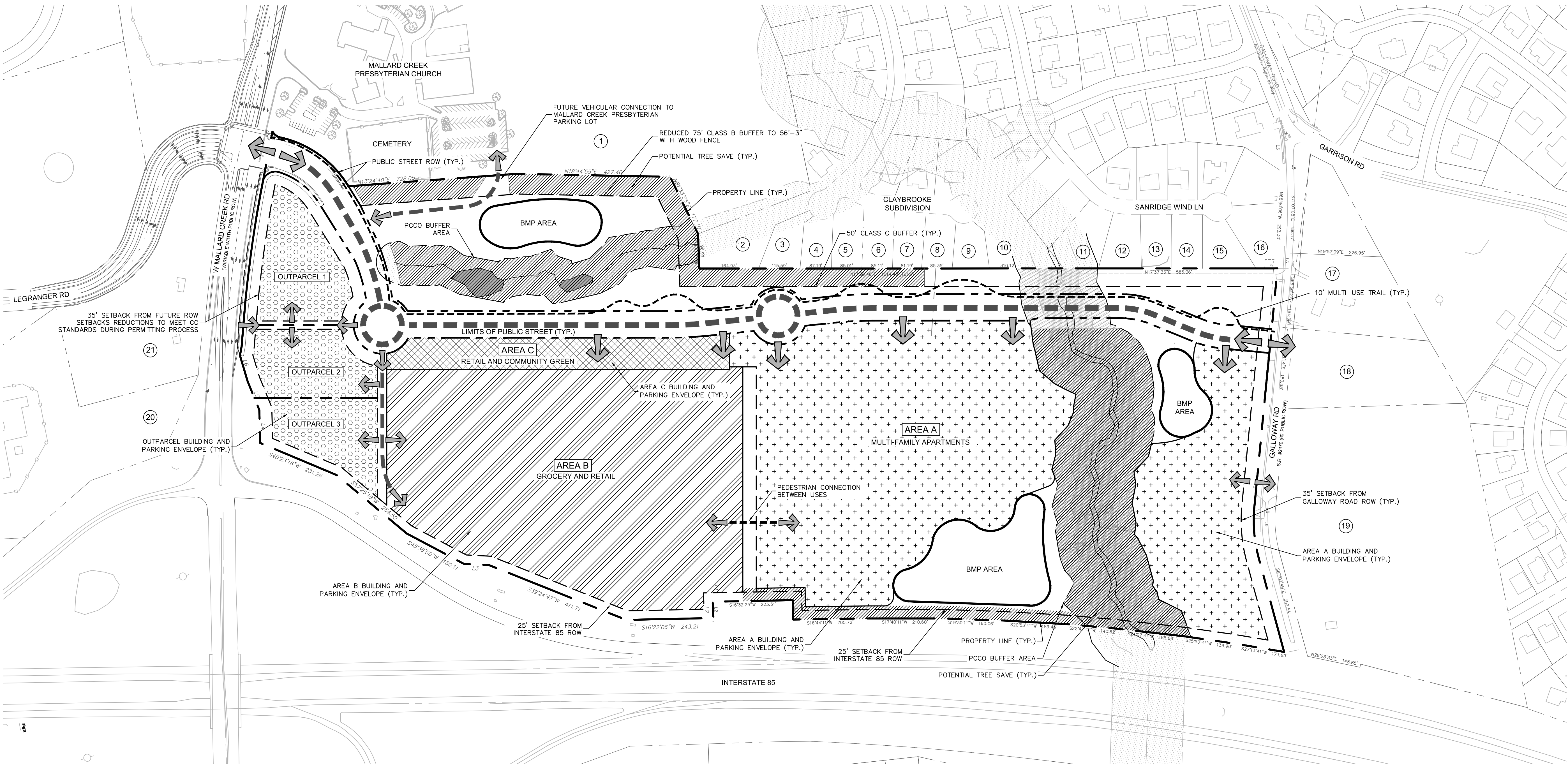
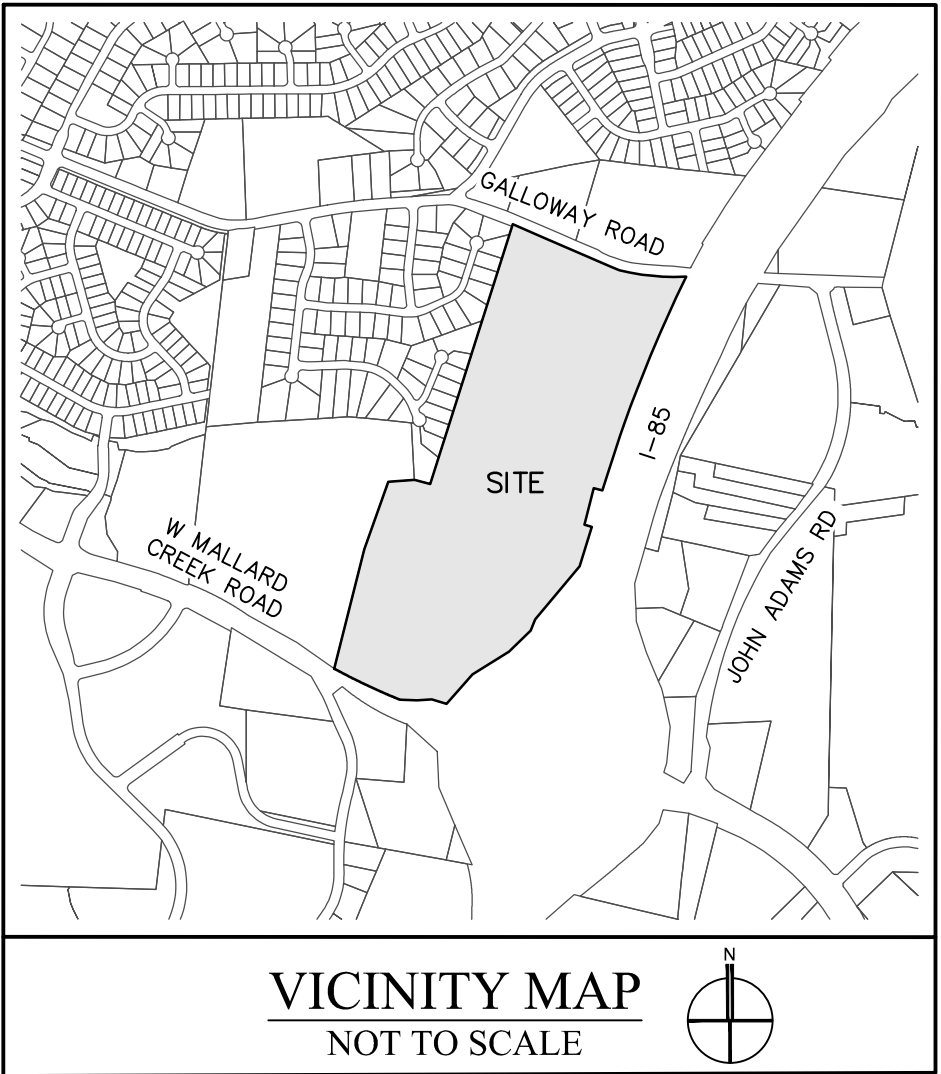


KEY TO ADJACENT PROPERTY OWNERS

1. MALLARD CREEK PRESBYTERIAN CHURCH	DB: 03717 P.: 709 PID#: 02902101 ZONING:R-3 USE: GOVT/INST.
2. PETER AND KATIOIA WERNER	DB: 10850 P.: 864 PID#: 02902348 ZONING:R-3 USE: SINGLE FAMILY
3. CLINTON AND LORRAINE WOUNG	DB: 10867 P.: 143 PID#: 02902347 ZONING:R-3 USE: SINGLE FAMILY
4. SIDONIE AND MAHLON LAWRENCE	DB: 22789 P.: 844 PID#: 02902346 ZONING:R-3 USE: SINGLE FAMILY
5. DETRINA WATKINS	DB: 29789 P.: 294 PID#: 02902345 ZONING:R-3 USE: SINGLE FAMILY
6. SHAWN O KENNEDY	DB: 23743 P.: 519 PID#: 02902344 ZONING:R-3 USE: SINGLE FAMILY
7. ERIC AND SANDY SNYDER	DB: 30872 P.: 151 PID#: 02902343 ZONING:R-3 USE: SINGLE FAMILY
8. WILLIAM AND BEVERLY PAYNE	DB: 11250 P.: 555 PID#: 02902342 ZONING:R-3 USE: SINGLE FAMILY
9. ROGER AND JULIANE MOORE	DB: 13752 P.: 664 PID#: 02902341 ZONING:R-3 USE: SINGLE FAMILY
10. AMIT AND KRISHNA PATEL	DB: 12017 P.: 404 PID#: 02902340 ZONING:R-3 USE: SINGLE FAMILY
11. PAUL MASSEY	DB: 25211 P.: 407 PID#: 02902318 ZONING:R-3 USE: SINGLE FAMILY
12. SEAN AND JENNIFER FLANNERY	DB: 27418 P.: 416 PID#: 02902317 ZONING:R-3 USE: SINGLE FAMILY
13. MARY ANN MACLEOD	DB: 13560 P.: 126 PID#: 02902316 ZONING:R-3 USE: SINGLE FAMILY
14. LOUITA WHITEFIELD	DB: 16829 P.: 809 PID#: 02902315 ZONING:R-3 USE: SINGLE FAMILY
15. DAVID AND JACQUELINE HERNANDEZ	DB: 30168 P.: 132 PID#: 02902314 ZONING:R-3 USE: SINGLE FAMILY
16. PAUL AND LINDA VAICKUS	DB: 18723 P.: 331 PID#: 02902313 ZONING:R-3 USE: SINGLE FAMILY
17. ROBERT AND CARLENE GARRISON	DB: 05307 P.: 423 PID#: 02912107 ZONING:R-3 USE: SINGLE FAMILY
18. ROBERT AND CARLENE GARRISON	DB: 05307 P.: 423 PID#: 02912107 ZONING:R-3 USE: SINGLE FAMILY
19. JAMES PARKER II LUMPKIN	DB: 09756 P.: 691 PID#: 02912108 ZONING:R-3 USE: SINGLE FAMILY
20. PB505B DUKE POWER COMPANY	DB: 05307 P.: 677 PID#: 04738202 ZONING:R-4 USE: SINGLE FAMILY
21. ASSOC IN HERLOCKER LESTER	DB: 04415 P.: 212 PID#: 04738203 ZONING:R-4 USE: SINGLE FAMILY

SITE DEVELOPMENT DATA

SITE ACREAGE:	±65.70 ACRES (2,862,072 SQ FT)
TAX PARCEL #:	02902121, 02902132, 02902124, 02902133, 02902126 AND A PORTION OF 02902101
EXISTING ZONING:	RE-1 AND RE-3(CD) AND R-3
PROPOSED ZONING:	CC
EXISTING USE:	VACANT — OPEN FIELD SINGLE FAMILY RESIDENTIAL
PROPOSED USE:	
• MULTI-FAMILY APARTMENTS:	395 UNITS (AREA A)
• BUSINESS RETAIL:	160,000 SF OF GROSS FLOOR AREA (AREAS B, C AND OUTPARCELS 1, 2 & 3)
WATERSHED:	MALLARD CREEK
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS
OPEN SPACE:	SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE:	SHALL MEET ORDINANCE REQUIREMENTS



REZONING PETITION
FOR PUBLIC HEARING
2016-XXX

REZONING PETITION

WEST MALLARD CREEK CHURCH ROAD
CHARLOTTE, NORTH CAROLINA

CHARTER PROPERTIES, INC &
BROWDER GROUP

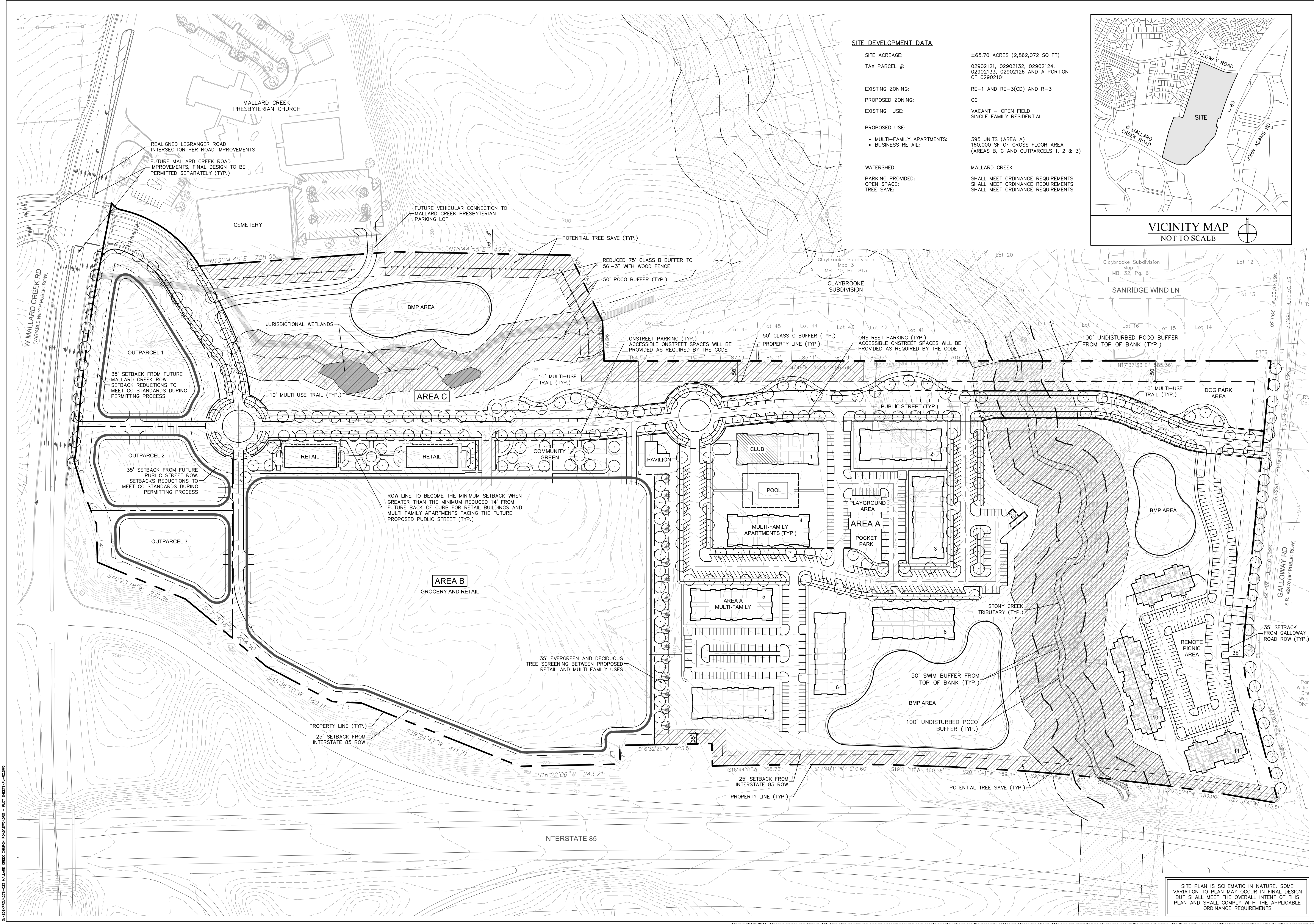
TECHNICAL
DATA SHEET

0 150
SCALE: 1" = 150'

PROJECT #: 278-023
DRAWN BY: NB
CHECKED BY: JG

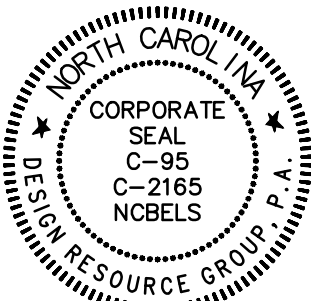
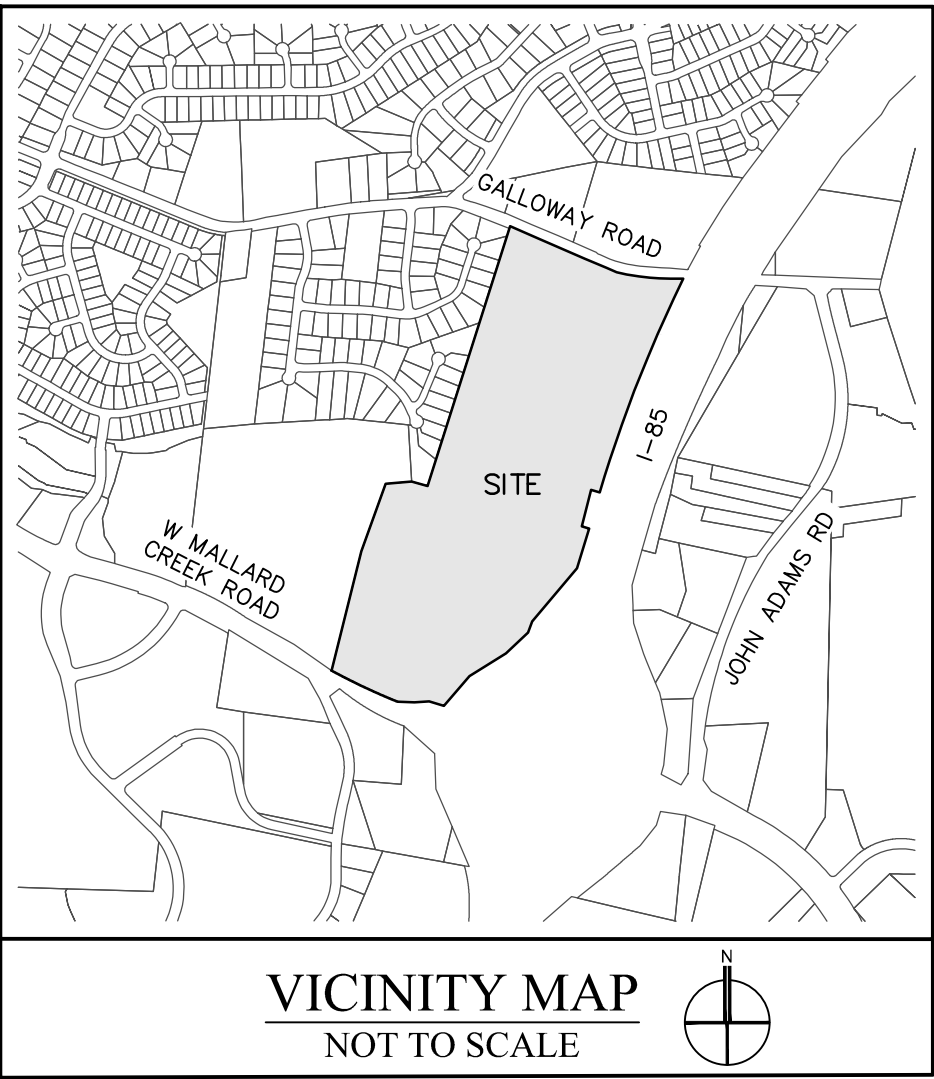
AUGUST 22, 2016

REVISIONS:



SITE DEVELOPMENT DATA

SITE ACREAGE:	±65.70 ACRES (2,862,072 SQ FT)
TAX PARCEL #:	02902121, 02902132, 02902124, 02902133, 02902126 AND A PORTION OF 02902101
EXISTING ZONING:	RE-1 AND RE-3(CD) AND R-3
PROPOSED ZONING:	CC
EXISTING USE:	VACANT - OPEN FIELD
PROPOSED USE:	SINGLE FAMILY RESIDENTIAL
WATERSHED:	MALLARD CREEK
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS
OPEN SPACE:	SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE:	SHALL MEET ORDINANCE REQUIREMENTS



REZONING PETITION
FOR PUBLIC HEARING
2016-XXX

REZONING PETITION

WEST MALLARD CREEK CHURCH ROAD
CHARLOTTE, NORTH CAROLINA
CHARTER PROPERTIES, INC &
BROWDER GROUP

SCHEMATIC
SITE PLAN

50 0 50 100
SCALE: 1" = 100'

PROJECT #: 278-023
DRAWN BY: NB
CHECKED BY: JG

AUGUST 22, 2016

REVISIONS:

SITE PLAN IS SCHEMATIC IN NATURE. SOME VARIATION TO PLAN MAY OCCUR IN FINAL DESIGN BUT SHALL MEET THE OVERALL INTENT OF THIS PLAN AND SHALL COMPLY WITH THE APPLICABLE ORDINANCE REQUIREMENTS

SITE DEVELOPMENT DATA

SITE ACREAGE:	±65.70 ACRES (2,862,072 SQ FT)
TAX PARCEL #:	02902121, 02902132, 02902124, 02902133, 02902126 AND A PORTION OF 02902101
EXISTING ZONING:	RE-1 AND RE-3(CD) AND R-3
PROPOSED ZONING:	CC
EXISTING USE:	VACANT – OPEN FIELD SINGLE FAMILY RESIDENTIAL
PROPOSED USE:	<ul style="list-style-type: none">MULTI-FAMILY APARTMENTS: 395 UNITS (AREA A)BUSINESS RETAIL: 160,000 SF OF GROSS FLOOR AREA (AREAS B, C AND OUTPARCELS 1, 2 & 3)
WATERSHED:	MALLARD CREEK
PARKING PROVIDED:	SHALL MEET ORDINANCE REQUIREMENTS
OPEN SPACE:	SHALL MEET ORDINANCE REQUIREMENTS
TREE SAVE:	SHALL MEET ORDINANCE REQUIREMENTS

1. GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN (COMPRISED OF THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND DEVELOPMENT STANDARDS SHEET) ASSOCIATED WITH THE REZONING PETITION FILED BY CHARTER PROPERTIES, INC. AND BROWDER GROUP REAL ESTATE, LLC (HEREINAFTER COLLECTIVELY REFERRED TO AS THE "PETITIONER") TO ACCOMMODATE A MULTI-USE DEVELOPMENT ON AN APPROXIMATELY 65.7 ACRE SITE LOCATED ON THE NORTHWEST QUADRANT OF THE INTERSTATE 85 AND WEST MALLARD CREEK CHURCH ROAD INTERCHANGE, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF THOSE PARCELS OF LAND DESIGNATED AS TAX PARCEL NOS. 029-021-21, 029-021-32, 029-021-24, 029-021-26 AND 029-021-33 AND A PORTION OF TAX PARCEL NO. 029-021-01.
- B. FOR ENTITLEMENT PURPOSES, THE SITE IS DIVIDED INTO FOUR SEPARATE DEVELOPMENT AREAS THAT ARE DESIGNATED AS DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C AND OUTPARCELS 1, 2 AND 3 ON THE REZONING PLAN. ANY REFERENCE HEREIN TO THE SITE SHALL BE DEEMED TO INCLUDE DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C AND OUTPARCELS 1, 2 AND 3 AS APPLICABLE UNLESS OTHERWISE NOTED.
- C. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE COMMERCIAL CENTER ("CC") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- D. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS PROVIDED. HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- E. THE DEVELOPMENT OF THE SITE PROPOSED UNDER THIS REZONING PLAN SHALL BE CONSIDERED TO BE A PLANNED/UNITED DEVELOPMENT. THEREFORE, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION REQUIREMENTS AND OTHER SIMILAR ZONING STANDARDS SHALL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS, USES AND OTHER ELEMENTS LOCATED ON THE SITE. FURTHERMORE, THE PETITIONER AND/OR THE OWNER(S) OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE AND TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS AND PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS, PROVIDED, HOWEVER, THAT THE DEVELOPMENT OF THE SITE SHALL BE REQUIRED TO MEET ANY APPLICABLE SETBACK, SIDE YARD, REAR YARD AND BUFFER REQUIREMENTS WITH RESPECT TO THE EXTERIOR BOUNDARIES OF THE SITE.
- F. PURSUANT TO SECTION 1-110 OF THE ORDINANCE AND SECTION 160A-385.1 OF THE NORTH CAROLINA GENERAL STATUTES, THE REZONING PLAN, IF APPROVED, SHALL BE VESTED FOR A PERIOD OF 5 YEARS DUE TO THE SIZE AND PHASING OF THE DEVELOPMENT, THE LEVEL OF INVESTMENT, ECONOMIC CYCLES AND MARKET CONDITIONS.
- G. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR 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. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

2. PERMITTED USES

A. DEVELOPMENT AREA A

- (1) SUBJECT TO THE DEVELOPMENT LIMITATIONS SET OUT BELOW, THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA A ON THE REZONING PLAN MAY ONLY BE DEVOTED TO MULTI-FAMILY DWELLING UNITS, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE CC ZONING DISTRICT. INCIDENTAL AND ACCESSORY USES MAY INCLUDE, WITHOUT LIMITATION, A LEASING AND MANAGEMENT OFFICE AND AMENITIES SUCH AS A FITNESS CENTER, CLUBHOUSE, SWIMMING POOL, DOG PARK, PLAYGROUND, POCKET PARK AND OUTDOOR GRILLING AND GATHERING AREAS.

B. DEVELOPMENT AREA B

- (1) SUBJECT TO THE DEVELOPMENT LIMITATIONS SET OUT BELOW, THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA B ON THE REZONING PLAN MAY ONLY BE DEVOTED TO A NON-RESIDENTIAL USE OR USES ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE CC ZONING DISTRICT (INCLUDING ANY COMBINATION OF SUCH USES), TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE CC ZONING DISTRICT.

C. DEVELOPMENT AREA C

- (1) SUBJECT TO THE DEVELOPMENT LIMITATIONS SET OUT BELOW, THAT PORTION OF THE SITE DESIGNATED AS DEVELOPMENT AREA C ON THE REZONING PLAN MAY ONLY BE DEVOTED TO A NON-RESIDENTIAL USE OR USES ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE CC ZONING DISTRICT (INCLUDING ANY COMBINATION OF SUCH USES), TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE CC ZONING DISTRICT.

D. OUTPARCELS 1, 2 AND 3

- (1) SUBJECT TO THE DEVELOPMENT LIMITATIONS SET OUT BELOW, THAT PORTION OF THE SITE DESIGNATED AS OUTPARCELS 1, 2 AND 3 ON THE REZONING PLAN MAY ONLY BE DEVOTED TO A NON-RESIDENTIAL USE OR USES ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE CC ZONING DISTRICT (INCLUDING ANY COMBINATION OF SUCH USES), TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE CC ZONING DISTRICT.

3. DEVELOPMENT LIMITATIONS

- A. A MAXIMUM OF 395 MULTI-FAMILY DWELLING UNITS MAY BE DEVELOPED ON DEVELOPMENT AREA A.
- B. A TOTAL MAXIMUM OF 160,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON DEVELOPMENT AREA B, DEVELOPMENT AREA C AND OUTPARCELS 1, 2 AND 3.
- C. AT LEAST TWO BUILDINGS SHALL ULTIMATELY BE DEVELOPED ON DEVELOPMENT AREA C THAT SHALL EACH CONTAIN A MINIMUM OF 5,000 SQUARE FEET OF GROSS FLOOR AREA. THE TIMING OF THE DEVELOPMENT OF THESE BUILDINGS SHALL BE DETERMINED BY PETITIONER IN ITS DISCRETION.
- D. THE BUILDINGS LOCATED ON DEVELOPMENT AREA B AND DEVELOPMENT AREA C MAY NOT HAVE DRIVE-THROUGH SERVICE LANES/WINDOWS AS AN ACCESSORY USE.
- E. THE BUILDINGS LOCATED ON OUTPARCELS 1, 2 AND 3 MAY HAVE DRIVE-THROUGH SERVICE LANES/WINDOWS AS AN ACCESSORY USE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 12.413 OF THE ORDINANCE.
- F. THE NUMBER OF PRINCIPAL BUILDINGS AND ACCESSORY STRUCTURES THAT MAY BE LOCATED ON DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C AND OUTPARCELS 1, 2 AND 3 SHALL BE GOVERNED BY THE APPLICABLE PROVISIONS OF THE ORDINANCE, PROVIDED, HOWEVER, THAT ANY SUCH BUILDINGS AND ACCESSORY STRUCTURES MUST BE LOCATED WITHIN THE BUILDING/PARKING ENVELOPES ON DEVELOPMENT AREA A, DEVELOPMENT AREA B, DEVELOPMENT AREA C AND OUTPARCELS 1, 2 AND 3.
- G. FOR PURPOSES OF THESE DEVELOPMENT LIMITATIONS AND THE DEVELOPMENT STANDARDS IN GENERAL, THE TERM "GROSS FLOOR AREA" SHALL MEAN AND REFER TO THE SUM OF THE GROSS HORIZONTAL AREAS OF EACH FLOOR OF A PRINCIPAL BUILDING 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 SURFACE PARKING AREAS, AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS, VESTIBULES, ROOF TOP EQUIPMENT ROOMS AND MAINTENANCE CRAWL SPACES), ALL LOADING DOCK AREAS (OPEN OR ENCLOSED), OUTDOOR COOLERS AND OUTDOOR DINING AREAS. PARKING FOR OUTDOOR DINING AREAS WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

4. TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- B. AS GENERALLY DEPICTED ON THE REZONING PLAN, A NEW PUBLIC STREET SHALL BE CONSTRUCTED WITHIN THE SITE THAT WILL PROVIDE A VEHICULAR CONNECTION FROM WEST MALLARD CREEK CHURCH ROAD TO GALLOWAY ROAD.

- C. INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.

- D. THE ALIGNMENTS AND CONFIGURATIONS OF THE INTERNAL PRIVATE DRIVEWAYS, PARKING AREAS AND VEHICULAR CIRCULATION AREAS MAY BE MODIFIED BY PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

5. ARCHITECTURAL STANDARDS

- A. THE MAXIMUM HEIGHT OF ANY BUILDING LOCATED ON THE SITE SHALL BE 60 FEET.
- B. THE PERMITTED PRIMARY EXTERIOR BUILDING MATERIALS FOR THE BUILDINGS CONTAINING MULTI-FAMILY DWELLING UNITS SHALL BE BRICK VENEER, STONE, MANUFACTURED STONE AND CEMENTITIOUS SIDING. VINYL AND ALUMINUM SHALL NOT BE A PERMITTED EXTERIOR BUILDING MATERIAL PROVIDED, HOWEVER, THAT VINYL AND/OR ALUMINUM MAY BE UTILIZED ON THE SOFFITS AND TRIM, AND VINYL WINDOWS, SHUTTERS, DOORS, GARAGE DOORS AND RAILINGS MAY BE INSTALLED ON THE BUILDINGS.
- C. SURFACE PARKING AND VEHICULAR MANEUVERING AND CIRCULATION AREAS MAY NOT BE LOCATED BETWEEN THE BUILDINGS LOCATED ON DEVELOPMENT AREA C AND THE NEW PUBLIC STREET.
- D. THE BUILDINGS LOCATED ON DEVELOPMENT AREA C SHALL FEATURE FOUR-SIDED ARCHITECTURE AND WINDOWS THAT FRONT THE NEW PUBLIC STREET.
- E. PURSUANT TO SECTION 11.405(7) OF THE ORDINANCE, THE MINIMUM 35 FOOT SETBACK MAY BE REDUCED TO 14 FEET FROM THE BACK OF THE EXISTING OR PROPOSED FUTURE CURB PROVIDED THAT THE REQUIREMENTS OF SECTION 11.405(7) ARE SATISFIED. IN THOSE CIRCUMSTANCES WHERE THE RIGHT OF WAY IS GREATER THAN THE SETBACK FROM THE BACK OF THE EXISTING OR PROPOSED FUTURE CURB, THE RIGHT OF WAY LINE SHALL BE THE SETBACK LINE.

6. STREETScape/LANDSCAPING/BUFFERS/OPEN SPACE

- A. THE DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE APPLICABLE LANDSCAPING AND SCREENING REQUIREMENTS OF THE ORDINANCE.
- B. A MINIMUM 56.25 FOOT CLASS B BUFFER SHALL BE ESTABLISHED ALONG THOSE PORTIONS OF THE SITE'S WESTERN BOUNDARY LINE THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, WHICH BUFFER SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE. PURSUANT TO SECTION 12.302(8) OF THE ORDINANCE, THIS CLASS B BUFFER HAS BEEN REDUCED IN WIDTH BY 25% FROM 75 FEET TO 56.25 FEET AS A RESULT OF PETITIONER'S COMMITMENT TO INSTALL A FENCE THAT MEETS THE REQUIREMENTS OF SECTION 12.302(8) OF THE ORDINANCE IN THE CLASS B BUFFER.
- C. A MINIMUM 50 FOOT CLASS C BUFFER SHALL BE ESTABLISHED ALONG THOSE PORTIONS OF THE SITE'S WESTERN BOUNDARY LINE THAT ARE MORE PARTICULARLY DEPICTED ON THE REZONING PLAN, WHICH BUFFER SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE.
- D. 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 AREAS SET OUT ON THE REZONING PLAN ACCORDINGLY.
- E. THE BUFFER AREAS SHALL NOT BE DISTURBED EXCEPT FOR REQUIRED DRIVEWAYS, SIDEWALKS, OR OTHER PEDESTRIAN PATHS, WALLS, FENCES, OR REQUIRED LANDSCAPING, LANDSCAPING MAINTENANCE AND REPLACEMENT OR THE INSTALLATION AND MAINTENANCE OF UTILITY LINES IN ACCORDANCE WITH SECTION 12.302(12) OF THE ORDINANCE. PURSUANT TO SECTION 12.302(12) OF THE ORDINANCE, THE MINIMUM 10 FOOT WIDE MULTI-USE PATH DESCRIBED BELOW IN PARAGRAPH G MAY BE LOCATED IN THE MINIMUM 50 FOOT CLASS C BUFFER.
- F. WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED TO ACCOMMODATE THOSE ITEMS SET OUT ABOVE IN PARAGRAPH E, THE CLEARED UNIMPROVED AREAS WILL BE LANDSCAPED WITH TREES AND SHRUBS IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.
- G. A MINIMUM 10 FOOT WIDE MULTI-USE PATH SHALL BE INSTALLED ALONG THE WESTERN EDGE OF THE NEW PUBLIC STREET AS GENERALLY DEPICTED ON THE REZONING PLAN. THIS 10 FOOT WIDE MULTI-USE PATH MAY MEANDER TO PROTECT EXISTING TREES AND NATURAL FEATURES.
- H. ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE.
- I. DUMPSTER AND RECYCLING AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL OR FENCE WITH ONE SIDE BEING A HINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A DUMPSTER AND RECYCLING AREA ADJOIN A SIDE WALL OR REAR WALL OF A BUILDING, THEN THE SIDE WALL OR REAR WALL OF THE BUILDING MAY BE SUBSTITUTED FOR THE WALL OR FENCE ALONG EACH SUCH SIDE.
- J. AS PROVIDED ABOVE IN PARAGRAPH I.E., BUFFERS SHALL NOT BE REQUIRED BETWEEN USES LOCATED ON THE SITE, NOTWITHSTANDING THE FOREGOING, A MINIMUM 35 FOOT WIDE LANDSCAPED AREA SHALL BE INSTALLED ON THE SITE BETWEEN DEVELOPMENT AREA B AND THE MULTI-FAMILY USES LOCATED ON DEVELOPMENT AREA A.
- K. A COMMUNITY GREEN FEATURING LANDSCAPING AND HARDSCAPE SHALL BE INSTALLED ON DEVELOPMENT AREA C.

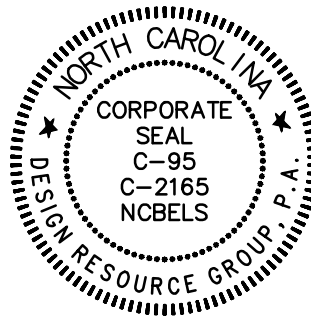
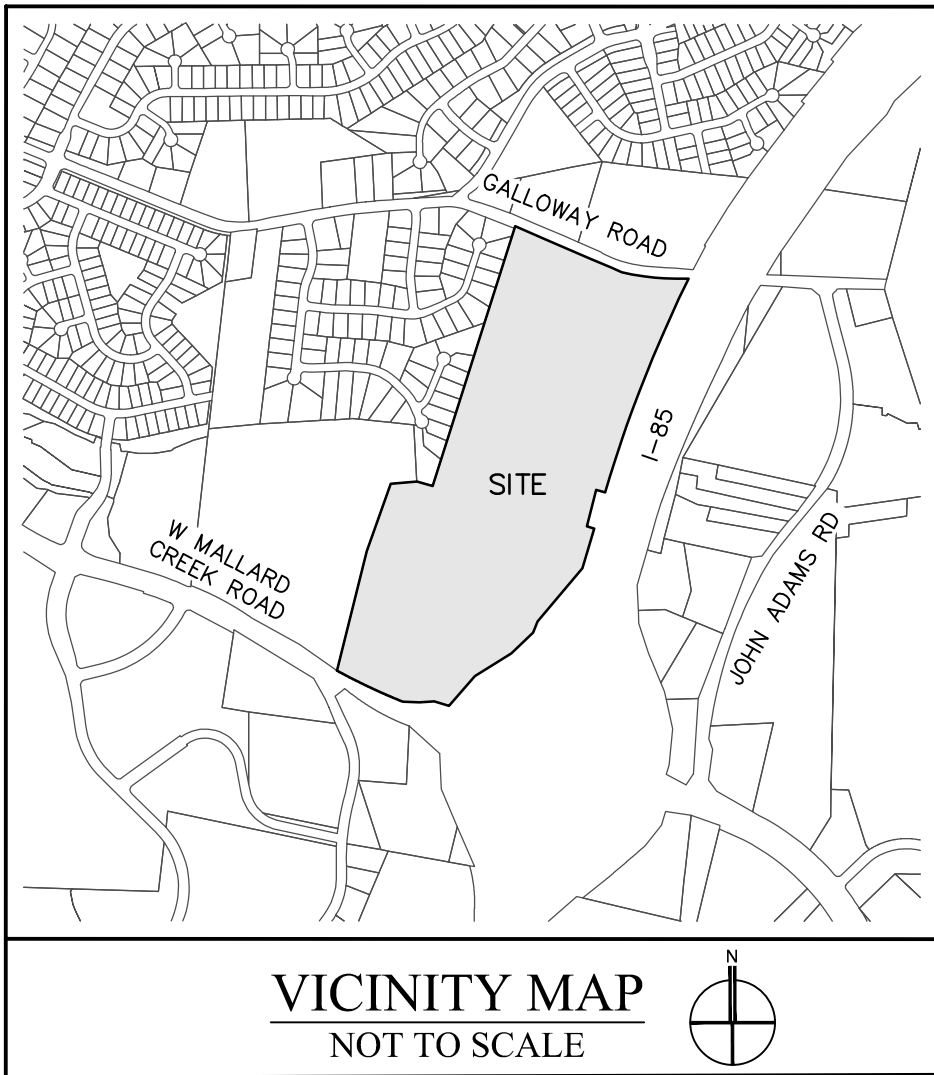
7. ENVIRONMENTAL FEATURES

- A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE.

- B. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE POST CONSTRUCTION CONTROLS ORDINANCE.

8. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND 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 PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" 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.
- C. ANY REFERENCE TO THE ORDINANCE HEREIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.



REZONING PETITION

FOR PUBLIC HEARING

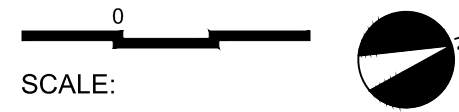
2016-XXX

REZONING PETITION

WEST MALLARD CREEK CHURCH ROAD
CHARLOTTE, NORTH CAROLINA

CHARTER PROPERTIES, INC &
BROWDER GROUP

CONDITIONAL
NOTES



PROJECT #: 278-023
DRAWN BY: NB
CHECKED BY: JG

AUGUST 22, 2016

REVISIONS: