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EXISTING 50' CLASS C
BUFFER TO BE REMOVED
ADMINISTRATIVELY

MALLARD GLEN APARTMENTS
TAX ID #: 029-651-03
ZONING: R-12 MF(CD)
USE: MULTI-FAMILY

PROPOSED PROPERTY
TO BE COMBINED WITH
EXISTING MALLARD
GLEN APARTMENTS

EXISTING 50'
CLASS C BUFFER
TO BE REMOVED
ADMINISTRATIVELY

ADAMS PLACE CONDOMINIUMS
TAX ID #: 029-111-08
ZONING: R-8 MF(CD)
USE: MULTI-FAMILY

JOHN ADAMS
TAX ID #: 029-651-02
ZONING: O-1(CD)
USE: VACANT

SITE DATA

Tax Parcel #: 029-651-05
Total Site Area: 1.112 Acres
Existing Zoning: R-3
Proposed Zoning: R-12 MF (CD)
Proposed Dwelling Units: 0

DEVELOPMENT STANDARDS

Intent:

It is the intention of the Petitioner to rezone this tract to R-12 MF (CD) and combine it with the existing Mallard Glen Apartments (Petition # 99-13(c)) for the purpose of providing additional vehicular and pedestrian connectivity to John Adams Road. Recommendation shall be done prior to final approval of private drive construction.

Permitted development within the site:

- A Private drive connection from Mallard Glen Apartments to John Adams Road via recorded access easement through Adams Place Condominiums shall be provided, generally as depicted on the Plan. Recorded access easement shall be provided prior to final construction document approvals.
- The private drive connection through the subject property may include parking at the Petitioners discretion so long as it meets the requirements of the Ordinance.
- A 5' Sidewalk shall be provided from Mallard Glen Apartments to John Adams Road and shall incorporate the following:
 - The sidewalk shall be handicap accessible where existing and proposed slopes do not exceed 10%, as per North Carolina Accessibility Code 1.1.
 - A minimum 8' planting strip shall be provided between the sidewalk and the private drive from John Adams Road to Mallard Glen Apartments. No planting strip shall be required within Mallard Glen Apartments where retaining walls and steep slopes necessitate the sidewalk be at back of curb.
 - Street trees shall be provided at a minimum spacing of 40' on center. Street trees may be any combination of existing and proposed trees. Trees shall be a minimum of 2" in caliper.
- The Petitioner shall make every effort feasible to preserve the existing historic structure. Petitioner is evaluating feasibility of adaptive reuse of the structure. Possible options may include renovation for the purposes of providing an accessory use to Mallard Glen Apartments, as allowed in the Ordinance, and/or dedication to the Historic Landmarks Commission. Demolition of the structure is not contemplated, however, should circumstance arise that necessitate demolition, it shall be considered only after the Petitioner has demonstrated that all other viable options have been exhausted.
- No additional apartment units are requested with this petition.
- The petitioner shall provide pedestrian scale lighting along the sidewalk. Lighting shall be fully shielded.

Storm Water Management:

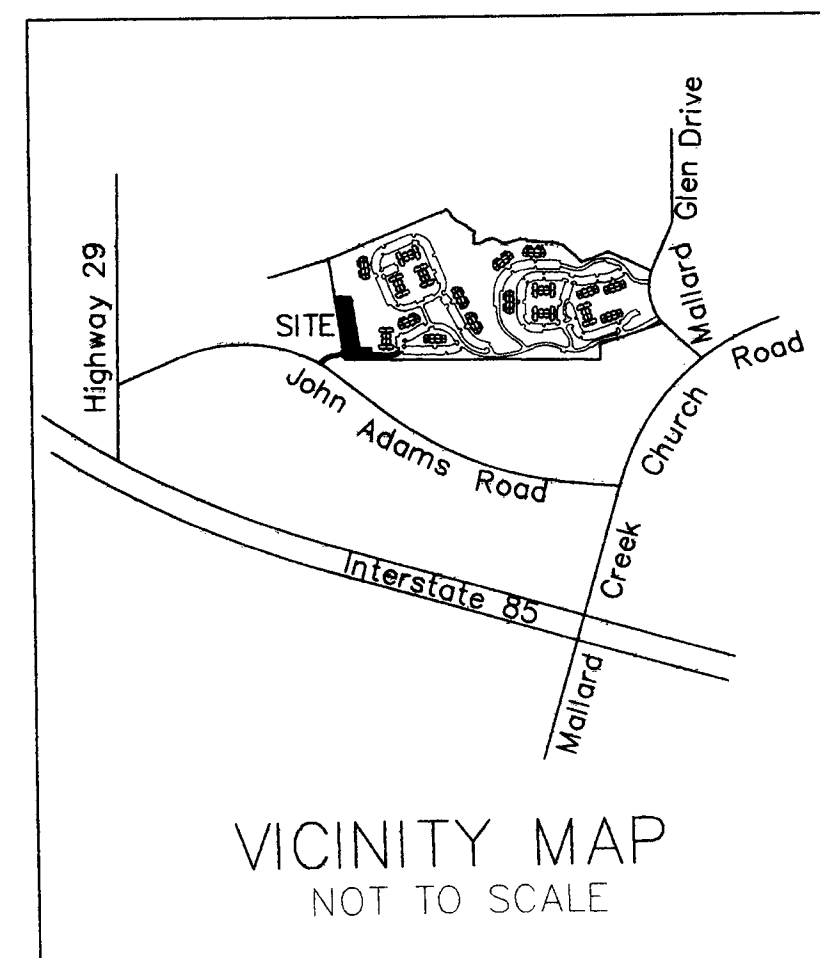
- Storm water shall be managed strictly in accordance with the requirements of the City of Charlotte.
- No storm water detention facilities shall be installed within the setback areas.
- Development of the site shall be governed by the requirements of the SWIM Buffer Ordinance.
- The petitioner acknowledges that other standard development requirements imposed by other city ordinances, standards, policies, and appropriate design manuals will exist. Those criteria, (for example those that regulate streets, sidewalks, trees, storm water, and site development, etc.) will apply to the development site. 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.

The S.W.I.M. Stream Buffer requirements shall be applied as described in the City of Charlotte Zoning Ordinance, Chapter 12. In addition, intermittent and perennial streams within the project boundary shall be delineated by a certified professional using U.S. Army Corps of Engineers and N.C. Division of Water Quality methodology and shall be shown in the site plan submittal along with all buffer areas. All perennial and intermittent streams draining less than 50 acres shall have a minimum 30-foot vegetated buffer including a 10-foot zone adjacent to the bank. Disturbance of the buffer is allowed; however, any disturbed area must be re-vegetated and disturbance of the 10-foot zone adjacent to the bank shall require stream bank stabilization using bioengineering techniques as specified in the Design Manual. All streams draining greater than or equal to 50 acres and less than 300 acres shall have a 35-foot buffer with two (2) zones, including stream side and upland. Streams draining greater than or equal to 300 acres and less than 640 acres shall have a 50-foot buffer with three (3) zones, including stream side, managed use and upland. Streams draining greater than or equal to 640 acres shall have a 100-foot buffer, plus 50% of the area of the flood fringe beyond 100 feet. This buffer shall consist of three (3) zones, including stream side, managed use and upland. All buffers shall be measured from the top of the bank on both sides of the stream. The uses allowed in the different buffer zones as described in the S.W.I.M. Stream Buffer requirements in the Zoning Ordinance, Chapter 12, as well as the other provisions of the S.W.I.M. ordinance shall apply (except buffer widths).

Signs:

- All signs placed on the site shall be erected in accordance with the requirements of the Ordinance.

RECEIVED
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BY:



PROPOSED REZONING

FOR

BILTMARK CORPORATION

PO Box 1229

WILMINGTON, NORTH CAROLINA 28402

REZONING PETITION

FOR PUBLIC HEARING
REZONING PETITION # 2006-21



Scale: 1" = 30'

Date: 14 NOV. 2005

Project No.: 134-015

Revisions:

- 19 JAN. 06 PER CMPC COMMENTS
- 20 FEB. 06 PER CMPC COMMENTS

Sheet 1 of 1