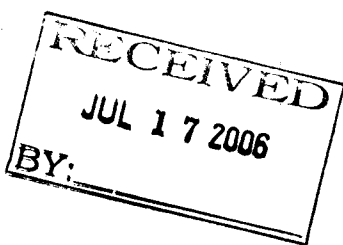
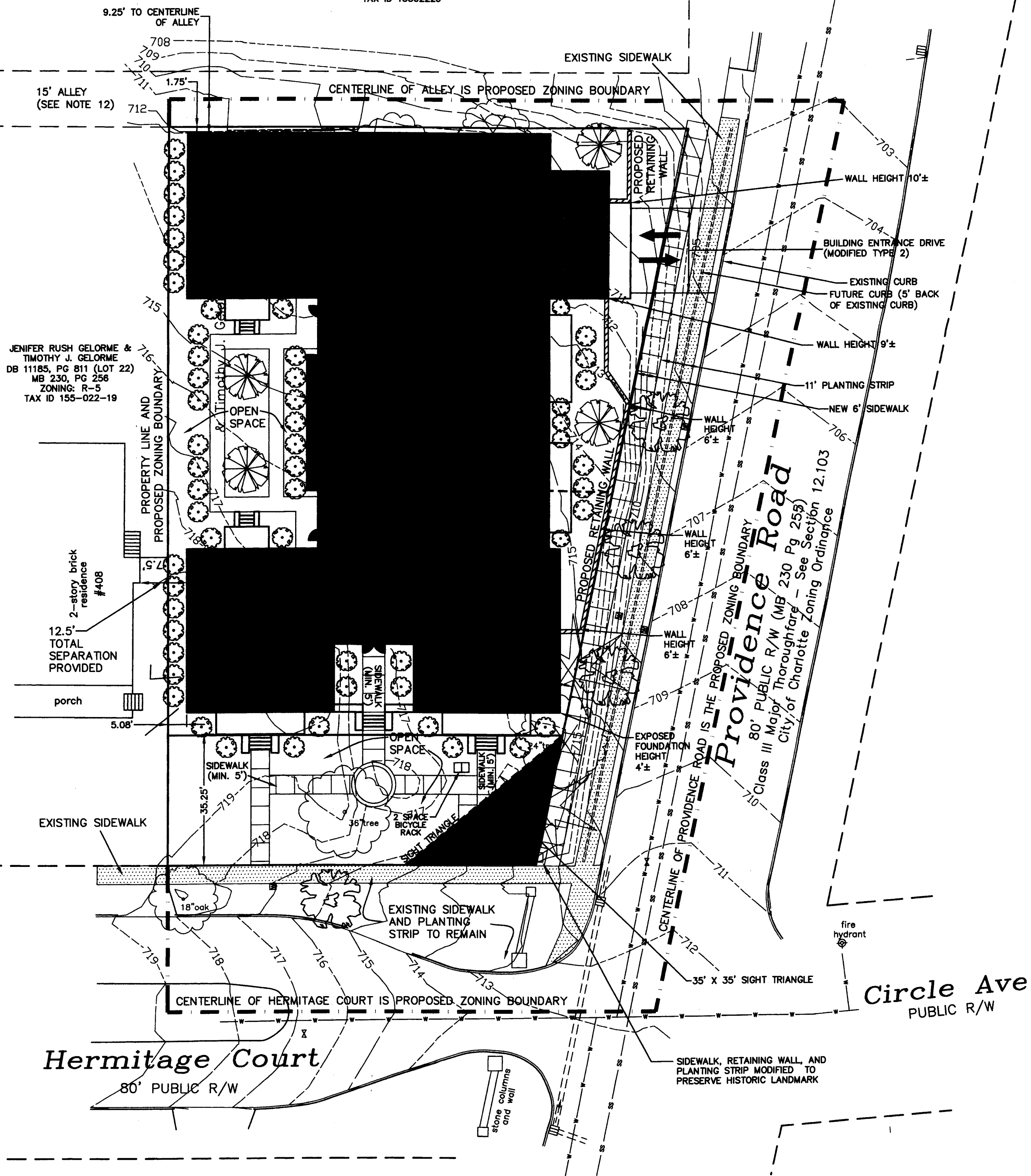


VICINITY MAP

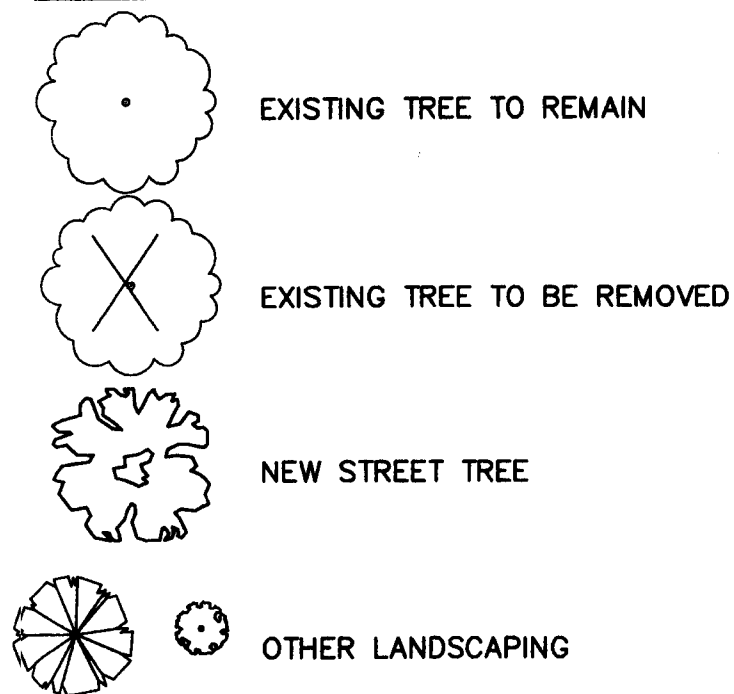
FOR PUBLIC HEARING
PETITION NUMBER
2006-75



BEVERLY HEALTH AND
REHABILITATION SERVICES, INC.
DB 12437, PG 368 (LOTS 1-6)
MB 230, PG 256
ZONING: O-2
TAX ID 15502223



TREE LEGEND



SITE DATA

TOTAL SITE AREA 0.55 ACRES (24,120 SF)
EXISTING ZONING R-5
PROPOSED ZONING MUDD-O
PROPOSED DWELLINGS MAX 13 DU'S
DENSITY 23.6 UNITS/ACRE
MINIMUM OPEN SPACE PURSUANT TO THE ORDINANCE
PROPOSED USE MULTIFAMILY RESIDENTIAL

ALL TOPOGRAPHY INFORMATION TAKEN FROM TOPOGRAPHIC SURVEY OF LOTS 20 & 21,
HERMITAGE COURT, PREPARED BY A.G. ZOUTEWELLE SURVEYORS, DATED MARCH 22, 2006.
SITE PLAN DESIGNED BY FMK ARCHITECTS.

General Provisions

These Development Standards form a part of the Technical Data Sheet for a residential development on approximately .55 Acres at Hermitage Court and Providence Road (the "Site") submitted by The Conformity Corporation (the "Developer"), working as agent for Southeast Resort Investment Partners, LLC (the "Owner"). Development of the property identified on this Technical Data Sheet (the "Development") and the individual components to be located thereon will be governed by the conditions of this Technical Data Sheet and those plans and drawings expressly incorporated herein by reference and the applicable provisions of the City of Charlotte Zoning Ordinance. Unless more stringent standards are established by this Technical Data Sheet, the development standards established under the Ordinance for the MUDD-O District classification shall be followed in connection with development taking place on the Site.

The development depicted on the Schematic Site Plan attached is merely schematic in nature and is intended only to describe the possible arrangement of uses on the Site. Accordingly, the configuration, placement and size of the building footprints outlined on the Schematic Site Plan are schematic in nature and, subject only to the provisions set forth below under Architectural controls and Restrictive Covenants, may be altered or modified during design, development, and construction phases to the extent permitted by the Ordinance.

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 arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases within the building envelope line as shown on the plan per Section 6.2 of the Zoning 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 require buffers, regulate streets, sidewalks, trees, stormwater, and site development, etc.), will apply to the development site. This includes chapters 5, 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."

Permitted Uses

The Site may only be developed with the proposed uses outlined in the Technical Data Sheet. Not more than 13 newly developed residential units may be constructed on the site. The units will be integrated into a single structure and be built in one phase.

Building Limitations

Petitioner agrees to a maximum F.A.R. of 1.25. The conceptual drawing of the elevations depicted on Exhibit A depicts the general intent of the Petitioner with respect to height, scale, articulation, rhythm, massing, proportions and design elements.

Buffers

Exempt

Setbacks, Side Yards and Rear Yards

All buildings constructed within the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the ordinance for the MUDD-O District. As to the setback, (from Hermitage Court), the owner further commits to respecting an arbitrarily established build-to line of 35' as measured from the back of the existing sidewalk. The build-to line will have the effect of causing the newly developed multi-family building to generally respect the established streetscape of Hermitage Court. Stairs, related cheek walls, structured planters and other landscaped landscape elements and the like may extend into the area which is forward of the build-to line.

Screening Landscaping and Trees

- Landscaping will meet or exceed the requirements of the Ordinance along City Rights of Way.
- Screening shall conform to the standards and treatments specified in Sections 12.303 of the Ordinance and 12.403.
- Petitioner shall exercise good faith efforts to preserve trees. Trees 8 inches in caliper or greater shall be preserved within setbacks along roadways except where their preservation conflicts with the installation or replacement of utilities and other similar site elements such as retaining walls and stairs. Should trees have to be removed, the mitigation of such removal of any setback trees will be coordinated through Urban Forestry consistent with the Tree Ordinance.
- The site will comply with Chapter 21 of the City Code. Proposed planting 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 the exact design will be determined during the design and development process.
- Petitioner commits to provide a minimum of 4" caliper trees in the planting strip along Providence Road.
- Perimeter tree planting shall conform to Charlotte ordinance requirements with respect to spacing, size and species.

Parking

- No parking shall be allowed between the established back of curb and the building face. This section is meant to preclude parking in the setback and related yard created by the build-to line. Parking is currently allowed on street.
- Parking shall conform to the standards and treatments specified in Sections 9.8507 of the Ordinance.
- A minimum of 29 spaces, inclusive of 2 handicap spaces, will be provided by the Petitioner.

Lighting

- Pursuant to Ordinance.
- No wall packs, visible from the exterior of the building will be used.
- Detached lighting will be fully shielded.
- Any detached lighting on the site will be limited to 20 feet in height.
- Architectural lighting will be attached to the building and any pedestrian scale lighting will be limited to the courtyard and private walkways.

Signs

Pursuant to the Ordinance.
No neon signs will be provided.

Fire Protection

- Plans will be submitted to the Fire Marshal's office for approval before construction commences.
- All building will be within 750 feet of a hydrant as prescribed by the Charlotte Fire Department.

Open Space

Pursuant to the Ordinance

Architectural Controls and Restrictive Covenants

- The Petitioner agrees to record restrictive covenants governing the use and development of the Site prior to the issuance of a Certificate of Occupancy by the Building Standards Department. The restrictive covenants will be enforced by a Property Owners Association and will provide for the establishment of:
 - A Property or Homeowner's Association
 - Use restrictions on the property no less restrictive and in keeping with the use restrictions set forth in these Development Standards
 - Common areas maintenance
 - An architectural review process for external modifications and installation of satellite dishes, etc.
- In no event shall the building exceed 3 stories; however, if the 3rd story is constructed it must be wholly contained within roof structure. Dormers may be used.
- Maximum height will not exceed 43' as measured from average grade plane to the average height of the highest roof surface.
- The site will comply with the requirements of the Historic District Overlay District for Hermitage Court.

Storm Water

- Petitioner's calculations anticipate that detention will not be required. If stormwater detention is required facilities will not be placed in any setbacks or buffers. The development of the Petitioner's site will comply with all adopted post construction storm water standards that may be applicable to the site.
- Storm Water Quantity Control - The Petitioner shall tie in to the existing stormwater 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.
- Storm Water Volume Control - The Petitioner shall 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.
- Storm Water Quality Treatment - For projects with defined watersheds greater than 248 built-upon area, water quality best management practices (BMPs) to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the runoff generated from the first one inch of rainfall will be provided to the extent practicable. BMPs must be designed and constructed in accordance with N.C. Department of Environmental and Natural Resources (NCEM) Best Management Practices Manual, April 1999, Section 4.0 (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, when available). Use of Low Impact Development (LID) techniques is optional.

Amendments to Rezoning Plan

The then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance may apply for future amendments to this Technical Data Sheet.

Binding Effect

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Technical Data Sheet 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 successors in interest or assigns.

Right of Way Dedication

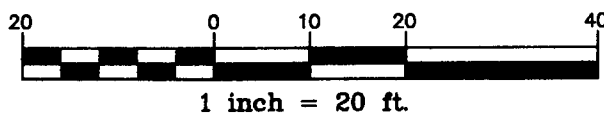
40 feet of right-of-way will be dedicated and conveyed prior to the release of C.O.'s by Building Standards.

MUDD-Optional Provisions

- The Petitioner proposes to utilize MUDD-O provisions of the Ordinance in order to accommodate the following:
 - The petitioner will not be required to irrigate the planting strips on Hermitage Court and Providence Road adjacent to the site.
 - Planting strip on Providence Road will be reduced from 8' to 6'.
 - The routing of the sidewalk and planting strip may be modified pursuant to the attached site plan, in order to preserve Historic Landmark at Hermitage Court.



GRAPHIC SCALE



THE JOHN R. MCADAMS
COMPANY, INC.
ENGINEERS/PLANNERS/SURVEYORS
5311 SEVENTH SEVEN CENTER DRIVE, SUITE 66
CHARLOTTE, NORTH CAROLINA 28217
(704) 527-0600 WWW.JOHNMCADAMS.COM

REVISIONS:	5/23/2006 PER REVIEW COMMENTS	7/13/2006 PER CITY COMMENTS

FOR:
CONFORMITY CORPORATION
P.O. BOX 35366
CHARLOTTE, NORTH CAROLINA 28233
PHONE: (704) 334-5516

HERMITAGE SITE
HERMITAGE COURT & PROVIDENCE ROAD
CITY OF CHARLOTTE, NORTH CAROLINA
REZONING EXHIBIT

PROJECT NO. SEP-06000
FILENAME: SEP06000-RZ
DESIGNED BY: SKC
DRAWN BY: JC
SCALE: 1"=20'
DATE: 3/24/2006
SHEET NO. 1-1
McADAMS