

**SITE DATA**

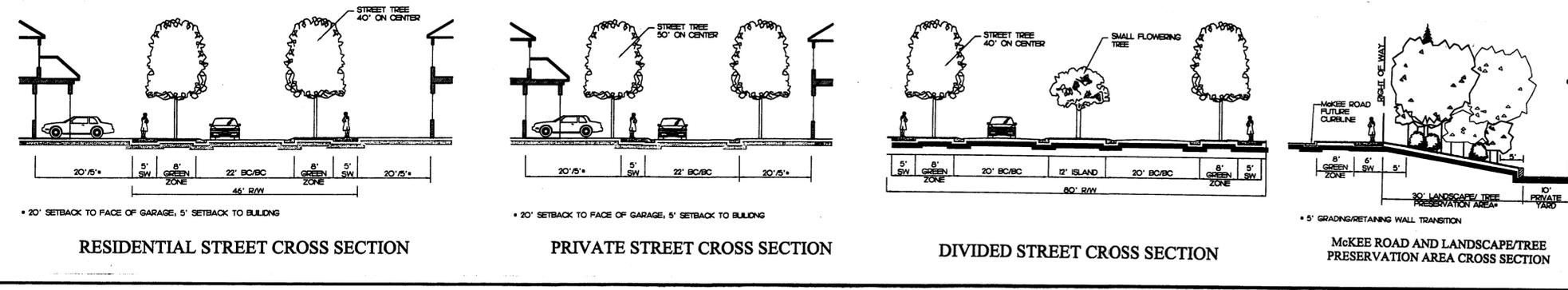
Site Area: 15.80 Ac.  
 Tax Parcel ID: 231-054-01  
 Existing Zoning: R-3  
 Proposed Zoning: MX-2 (Innovative)  
 Proposed Units: 78 For Sale Townhomes

**INNOVATIVE DEVELOPMENT PROVISIONS**

Building Setback: 5 feet minimum (as measured from edge of sidewalk)  
 Garage Setback: 20 feet minimum (as measured from edge of sidewalk)  
 Internal Side and Rear Yards: 0  
 Minimum Building Separation: 16 feet  
 Public Street: 46' Right-of-way  
 Divided Public Street: 80' Right-of-way

- (2) The exterior lighting plan will include lighting along the internal streets. Such lighting will include the following types of fixtures:
- Acom fixtures of no more than 20 feet in height that may be located throughout the Site.
  - Shoebox fixtures of no more than 30 feet in height that must be located a minimum of 100 feet from any exterior project boundary line. Any such fixtures shall be fully shielded downward at a 45 degree angle.
- J. FIRE PROTECTION**  
 Fire protection will be provided in accordance with the City of Charlotte's standards.
- V. AMENDMENTS TO THE REZONING PLAN:**  
 The owner or owners of the Site may apply for future amendments to this Rezoning Site Plan and these Development Standards in accordance with the provisions of Chapter 5 of the Ordinance.
- VI. BINDING EFFECT OF THE REZONING PETITION:**  
 If the Petitioner's rezoning petition is approved, the development program established under these Development Standards and this Rezoning Site Plan shall, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the owners (from time to time) and their respective heirs, devisees, personal representatives, successors in interest and assigns.
- Throughout these Development Standards, the terms, "Petitioner" and "Owner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

- 06-76
- DEVELOPMENT STANDARDS**
- I. GENERAL COMMITMENT:**  
 Unless more stringent standards are established by the Rezoning Site Plan or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the MX-2 zoning district classification shall be followed in connection with development taking place on the Site subject to the innovative development provisions outlined on the Rezoning Site Plan.
- STATEMENTS WITH RESPECT TO THE GRAPHICS WHICH ARE SET FORTH ON EXHIBITS ACCOMPANYING THE REZONING SITE PLAN
- The ultimate layouts of the development proposed for the Site, the exact alignments of streets and points of access, the configurations and placements of parking areas and the precise locations, heights and masses of buildings and other individual site elements to be constructed have not been determined. As a consequence, the graphics and building elevations which accompany the Rezoning Site Plan are schematic in nature and are not to be considered as final specific site development plans but rather as preliminary graphic representations of the types and quality of development proposed, including the exact configurations and placements of streets, driveways, parking areas, buildings and other individual site elements may be altered or modified within the limits prescribed by the Rezoning Site Plan and the Ordinance during the design development and construction phases. All such changes are subject to the normal review processes. Without limiting the generality of the foregoing, buildings generally depicted on the Rezoning Site Plan may be combined or separated provided that the maximum number of buildings may not be increased above the number of buildings generally depicted on the Rezoning Site Plan.
- II. PERMITTED USES:**  
 The Site may be developed with up to 78 for sale, single family attached dwelling units, together with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in the MX-2 Zoning District (including but not limited to temporary sales centers).
- III. VEHICULAR ACCESS POINTS/TRANSPORTATION:**
- The number of access points to and from the Site shall be limited to those shown on the Rezoning Site Plan.
  - Access points shall be located in the general areas depicted on this Rezoning Site Plan. The final location of each access point is subject to any modifications required to accommodate final site and construction plans design, and site topographic constraints, and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
  - The Petitioner agrees to dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) prior to the issuance of any building permit those portions of the Site immediately abutting the following roadways as required to provide right of way as outlined below if such right-of-way does not presently exist:  
**McKee Road**  
 50 feet from centerline  
**Interstate 485**  
 175 feet from centerline
  - The Petitioner shall install a left turn lane on McKee Road into the Site with a minimum of 150 feet of storage, a 15:1 bay taper and 45:1 through lane tapers.
  - Specialty paving materials may be permitted within public and/or private streets internal to the Site subject to any necessary review and approval by CDOT.
- IV. DESIGN GUIDELINES:**
- ARCHITECTURAL TREATMENT**
    - The primary exterior building materials to be employed in the construction of the single family attached dwelling units shall be brick or stone materials and cement fiber board (i.e. Hardi-Plank). A minimum of 50% of the front elevation of each dwelling unit will consist of brick or stone materials. A minimum of 30% of the side and rear elevation of each dwelling unit will consist of brick or stone materials.
    - The elevations of the buildings along McKee Road shall be substantially similar to the attached renderings.
  - YARD RESTRICTIONS AND BUFFER REQUIREMENTS**
    - Building setbacks and yards will be established in the manner depicted on the Rezoning Site Plan.
    - Class C buffers shall be provided along the eastern and southern edges of the Site boundary. The site development may require grading within a portion of the buffers. However, once the buffers have been established, they will remain undisturbed. The Petitioner reserves the right to reduce the width of some or portions of these buffers by up to 25 percent in accordance with Section 12.302 (8) of the Ordinance.
    - A Class C buffer shall be provided along the western edge of the Site boundary in the manner generally shown on the Rezoning Site Plan. This buffer is one-half of the buffer required by the adjoining church use. The buffer required by the church is 48 feet and therefore a 24 foot buffer is required on the western edge of the Site. The Petitioner reserves the right to reduce the width of this buffer by 25 percent to 18 feet in accordance with Section 12.302 (8) of the Ordinance.
    - In the event that an adjacent parcel is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the eastern or western edges of the Site, then the Petitioner may reduce or eliminate, as the case may be, the eastern and/or western edge buffers set out on the Rezoning Site Plan accordingly. In no event however shall the buffer along I-485 be eliminated or reduced.
  - OFF STREET PARKING**  
 Off street parking shall meet the minimum standards established under the Ordinance.
  - STORM WATER MANAGEMENT**
    - Storm water shall be managed in accordance with the requirements of the City of Charlotte.
    - Surface level storm water detention, if required, shall not be located within the required setbacks or buffers.
    - Water quality best management practices (BMPs) will be incorporated into the Site to achieve 85% Total Suspended Solid removal for the entire post-development runoff volume for the runoff generated from the first 1-inch of rainfall. BMPs must be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources (NCDENR) 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.
    - 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. The peak shall be controlled to match the predevelopment runoff rates for the 10-year and 25-year, 8-hour storms or, in the alternative, the Petitioner can perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency.
    - The Petitioner shall have the receiving drainage system analyzed to ensure that it will not be taken out of standard due to the development. If it is found that the development will cause the storm drainage system to be taken out of standard, the petitioner shall provide alternate methods to prevent this from occurring.
  - SIDEWALKS**
    - A 6 foot wide sidewalk and an 8 foot wide planting strip will be installed along the Site's frontage on McKee Road, as generally depicted on the cross section on the Rezoning Site Plan.
    - The Petitioner will provide internal sidewalks substantially in the locations depicted on the Rezoning Site Plan and in conformance with the Ordinance.
    - In the event that the sidewalk on McKee Road is located wholly or partially outside of the right-of-way, a sidewalk easement will be provided.
  - TREE SAVE/OPEN SPACE**
    - A minimum of 17.5 percent of the site will be devoted to tree save area(s). The exact locations of the tree save area(s) will be determined through the subdivision review process.
    - Development of the Site shall include common open space areas in the general locations shown on the Rezoning Site Plan.
  - LANDSCAPING AND SCREENING**
    - Landscaping and screening shall, at a minimum, satisfy the requirements of Section 12.303 of the Ordinance.
    - Landscaping will be installed in stages in accordance with the Ordinance as the Site is developed.
    - It is contemplated that garbage disposal shall be handled by way of roll out cans and pick up by a private service. If dumpsters or trash receptacle controls are installed on the Site, they will be screened with solid enclosures with gates. Pursuant to Section 12.403 of the Ordinance, if public trash collection is provided to the Site, any required dumpsters, trash receptacles and recycling facilities will be located in the areas generally depicted on the Rezoning Site Plan, provided, however, other improvements, such as parking and landscaping areas may be located in such areas if the private roll-out trash collection is used.
    - The Site will conform to the City of Charlotte Tree Ordinance.
    - Street trees shall be installed along both sides of the internal streets at a minimum spacing of 40 feet on center on internal public streets and a minimum spacing of 50 feet on center on internal private streets.
  - SIGNS**  
 All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.
  - LIGHTING**
    - All exterior lighting within the site (except streetlights which may be erected along McKee Road and/or I-485) will be downwardly directed to project light downward and otherwise designed such that direct illumination does not extend past any adjacent property line.



**RECEIVED**  
 JUN 21 2006  
 BY: \_\_\_\_\_

**MCKEE ROAD TOWNHOMES**  
 CHARLOTTE, NC

**LANDMARK LLEWELLYN HOLDINGS, LLC**  
 831 BAXTER STREET, SUITE 200  
 CHARLOTTE, NC 28202

**Design Resource Group**

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- Landscape Architecture
- Urban Design
- Civil Engineering
- Land Planning

DRG

**REZONING SITE PLAN**

FOR PUBLIC HEARING  
 REZONING PETITION #2006-76

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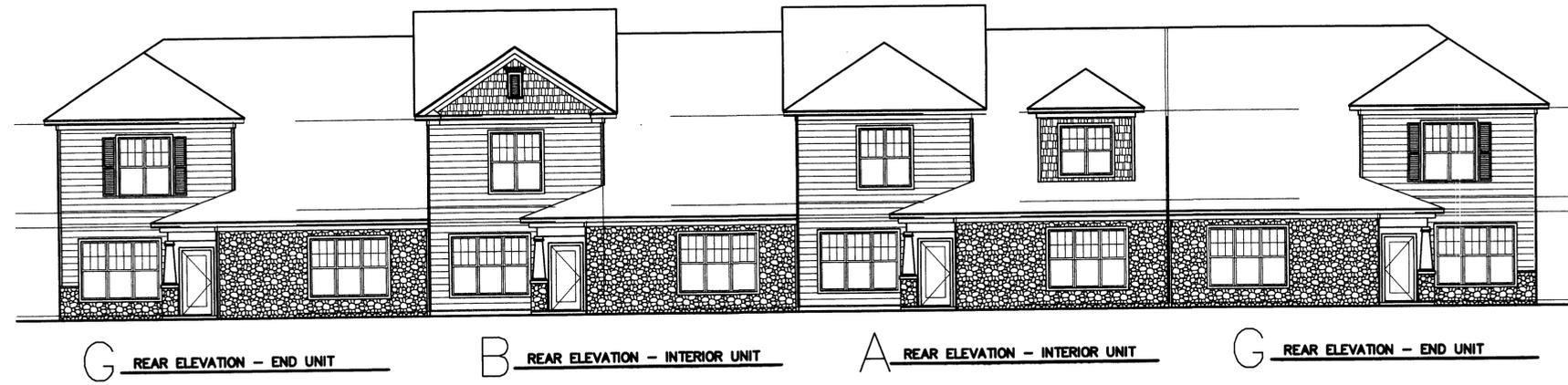
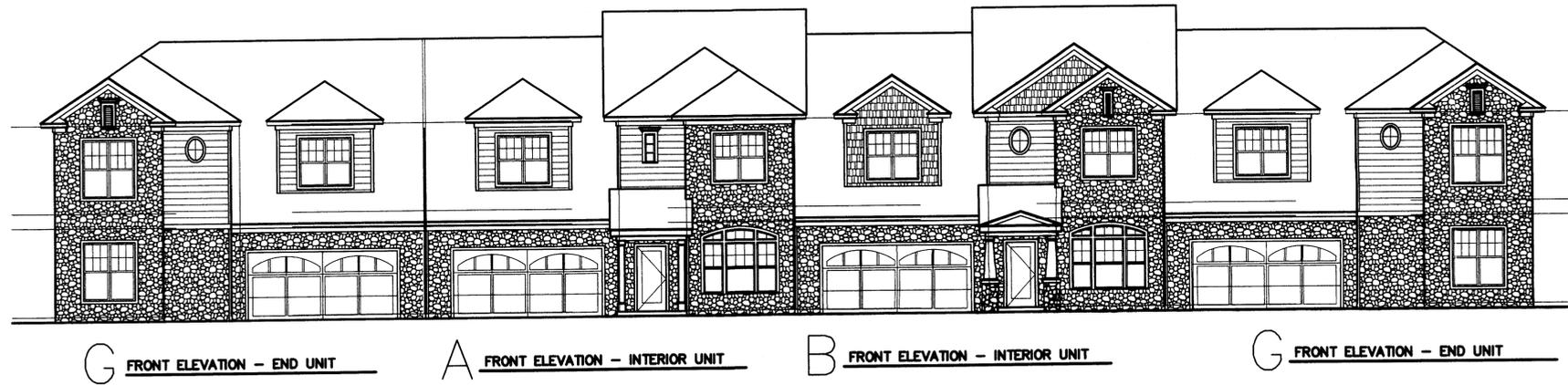
**NORTH**

Scale: 1" = 60'  
 Date: 20 MAY 2006  
 Project No.: 185-002

Revisions:  
 22 MAY 2006 PER CMPC  
 28 MAY 2006 PER CMPC/MTG  
 18 JUNE 2006 PER CMPC/CDOT

Sheet 1

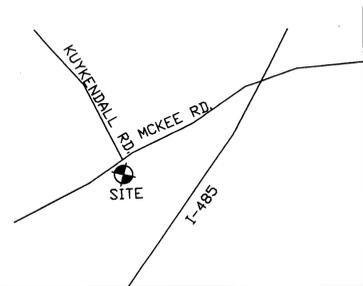
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PROJECT 0603  
 DATE 21MAY06  
 DRAWN BY CEL  
 CHECKED BY CEL

All  
 ELEVATIONS

BUILDING EXTERIOR ELEVATIONS ARE CONCEPTUAL. ELEVATIONS MAY VARY ACCORDING TO OPTIONS SELECTED BY INDIVIDUAL BUYERS.



VICINITY MAP (N.T.S.)

I-485  
PUBLIC RIGHT-OF-WAY VARIES  
PROJ.# 8.U670116

- NOTES:
1. TRAVERSE ADJUSTED BY THE COMPASS RULE ADJUSTMENT METHOD.
  2. AREAS DETERMINED BY COORDINATE COMPUTATIONS
  3. ALL DISTANCE ARE HORIZONTAL GROUND DISTANCES.
  4. NO GEODETIC MONUMENTS FOUND WITHIN 2000'.
  5. SUBJECT PROPERTY IS ZONED R-100.

- REFERENCES:
1. DEEDS AND TAX MAPS SHOWN HEREON

LINE TABLE		
LINE	LENGTH	BEARING
L1	18.67	N46°33'47"E
L2	22.74	N39°55'35"W

N/F MARSHA HARTIS  
TAX PARCEL# 231-054-09  
DB.4846 PG.508

N/F MATTHEWS COMMUNITY CHURCH (TRUSTEES)  
TAX PARCEL# 231-054-12  
DB.6898 PG.542

N/F CHIN PIAO CHEN AND  
PI HSING LIN  
TAX PARCEL# 231-054-11  
DB.10395 PG.833

EXISTING TRACT  
13.94 ACRES  
607,322 sqft

SET CONC. NAIL  
@ INT. OF  
MCKEE RD. &  
KUYKENDALL RD.

LEGEND

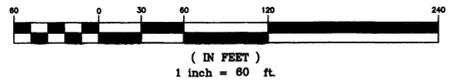
- P — POWER POLE WITH LINE
- B — BOUNDARY AS SURVEYED
- T — TIE LINE
- A — ADJACENT LINE BY DEED OR PLAT
- T — TOP OF BANK (GREEK)
- L — LINES NOT SURVEYED
- SET IRON PIN (#4 REBAR)
- EXISTING IRON PIN (AS DESCRIBED)
- ⊙ SANITARY SEWER MANHOLE
- ⊗ NO POINTS FOUND OR SET
- ⊕ POWER POLES

I DOUGLAS S. PRESSLEY JR., CERTIFY THAT THIS MAP WAS DRAWN FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEEDS AS SHOWN); THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES WAS 1:10,000+; THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN DEEDS AS SHOWN; THAT THE ANGULAR ERROR OF CLOSURE WAS 05" PER TURN; AND THAT

- THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
- THIS SURVEY IS AN EXCEPTION TO THE DEFINITION OF SUBDIVISION.
- THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.
- TOPOGRAPHICAL SURVEY

WITNESS MY HAND AND OFFICIAL SEAL THIS 25th DAY OF DECEMBER, 2005

GRAPHIC SCALE



TREE SURVEY  
REZONING PETITION 2006-76 SHEET 3 OF 3

SURVEY FOR:  
LANDMARK/LEVELLYN HOLDINGS, LLC  
ADDRESS: 831 BAXTER STREET  
SUITE 200  
CHARLOTTE, NC 28202

PREPARED BY:  
DOUGLAS S. PRESSLEY JR. PLS  
13221 BROOKS RD. STANFIELD, NORTH CAROLINA 28163  
OFFICE: (704) 888-3978 MOBILE: (704) 622-3626  
DATE: DECEMBER 25th 2005  
SCALE: 1"=100'