

### Fence Detail Not to Scale

Note: All fences will meet the requirements established in section 12.302 of the Ordinance.



## DEVELOPMENT STANDARDS

March 22, 2007

### GENERAL PROVISIONS

Unless more stringent standards are established by the Technical Data Sheet 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 the Site. The development depicted on the Technical Data Sheet 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 Technical Data Sheet and these Development Standards during design development and construction phases. Street layouts may be modified to accommodate final building locations.

### PERMITTED USES

The Site may be devoted to a maximum of 70 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.

### BUFFER

1. The Petitioner shall establish a 46 foot Class C buffer along the Site's eastern boundary line as more particularly depicted on the Technical Data Sheet, which buffer shall conform to the standards of Section 12.302 of the Ordinance. The exterior 25 feet of this 46 foot Class C buffer shall be undisturbed, provided, however, that in the event that the existing vegetation does not meet the tree and shrub requirements of a Class C buffer, the Petitioner may install supplemental plantings to bring the Class C buffer into compliance with these requirements. Additionally, in the event that a wall, fence or berm is installed within this 46 foot Class C buffer, it must be installed within the interior 21 feet of this 46 foot Class C buffer. Notwithstanding anything contained herein to the contrary, the width of this 46 foot Class C buffer may not be reduced.

2. The Petitioner shall establish a 46 foot buffer that meets the tree and shrub requirements of a Class A buffer along the Site's northern boundary line as more particularly depicted on the Technical Data Sheet, 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 the Site, then the Petitioner may reduce or eliminate, as the case may be, this 46 foot buffer accordingly. The Petitioner may reduce the width of this 46 foot buffer by 25% by installing a wall, fence or berm pursuant to Section 12.302(8) of the Ordinance.

3. The Petitioner reserves the right to grade and to install a wall, fence, berm, pedestrian sidewalks and utility lines and facilities within the interior 21 feet of the 46 foot Class C buffer located along the Site's eastern boundary line and within the 46 foot buffer located along the Site's northern boundary line, 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.

4. Where existing trees and natural vegetation have been cleared within the interior 21 feet of the 46 foot Class C buffer located along the Site's eastern boundary line and within the 46 foot buffer located along the Site's northern boundary line to accommodate 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.

5. No buildings, parking spaces or maneuvering areas may be located within the buffer areas.

6. No above ground detention facilities or water quality facilities may be located within the buffer areas.

7. Petitioner reserves the right to utilize existing trees and natural vegetation to meet the planting requirements for all proposed buffers on site.

### SETBACKS, SIDE YARDS AND REAR YARDS

1. All principal structures constructed on the Site shall satisfy or exceed the setback, side yard and rear yard requirements under the Ordinance for the R-12 MF zoning district as depicted on the Technical Data Sheet.

2. Garages shall be setback a minimum of 20 feet from the back of the sidewalk.

### COMMON OPEN SPACE

1. Common open space shall be provided in various locations as depicted on the Technical Data Sheet. At a minimum, 50% of the Site shall be devoted to common open space.

2. For purposes of calculating the amount of required common open space, the tree save areas, the buffer areas, the wetlands areas and the detention pond shall be considered to be common open space.

3. The common open space areas shall be maintained by a to be formed homeowners association.

### SCREENING AND LANDSCAPE AREAS

1. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.

2. Any dumpsters located within the Site that are visible from a public street or from an external adjoining parcel of land will be screened from view by a solid enclosure with gates.

3. A 20 foot wide landscaped area shall be established and maintained along that portion of the Site's western boundary line more particularly depicted on the Technical Data Sheet. This 20 foot wide landscaped area shall meet the tree and shrub requirements of a Class C buffer.

### TREE ORDINANCE

1. A minimum of 10 percent of the Site will be devoted to tree save areas, which tree save areas are more particularly depicted on the Technical Data Sheet.

2. Development of the Site will comply with the applicable provisions of the City of Charlotte Tree Ordinance as of the date of the approval of this Rezoning Petition.

### PARKING

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

### S.W.I.M. BUFFERS/WETLANDS

1. All development on the Site will comply with the applicable provisions of the City of Charlotte S.W.I.M. Ordinance as of the date of the approval of this Rezoning Petition.

2. Any jurisdictional wetlands or streams, if present, need to be protected or proper environmental permits obtained prior to their disturbance. For 401 permits contact NCDENR. For 404 permits contact the Army Corps of Engineers.

### ARCHITECTURAL COMMITMENTS

1. Attached hereto is a schematic architectural rendering of the front elevation of the single family attached townhome buildings proposed to be constructed on the Site that are intended to depict the general conceptual architectural style, character and elements of these buildings. Accordingly, the front elevation of any single family attached townhome buildings constructed on the Site must be substantially similar in appearance to the attached schematic architectural rendering in terms of its architectural style, character and elements. Changes and alterations which do not materially change the overall conceptual architectural style and character are permitted based upon final design/construction drawings.

2. The maximum height of the single family attached townhome buildings proposed to be constructed on the Site shall be 50 feet.

3. The permitted building materials for the single family attached townhome buildings to be constructed on the Site shall be a combination of brick, stone and similar masonry products, stucco, wood and wood products, shake and hard-plank and fiber cement board. Notwithstanding the foregoing, vinyl may be utilized on the soffits of the single family attached townhome buildings. Except as provided above, vinyl shall not be a permitted exterior building material.

4. No more than three (3) consecutive individual townhome units located in the same building may have the same front building elevation in terms of primary exterior building materials.

5. Vinyl fences shall be permitted on the Site.

### LIGHTING

1. Decorative, pedestrian scale, freestanding lighting fixtures will be installed throughout the Site. 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.

2. The maximum height of the decorative, pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed 15 feet.

3. All exterior light fixtures (except street lights along public or private streets) shall be capped and fully shielded and the illumination downwardly directed so that direct 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/RIGHT OF WAY DEDICATION

1. The number of vehicular access points to the Site shall be limited to the number depicted on the Technical Data Sheet.

2. 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.

3. Sidewalks and planting strips shall be installed in accordance with the Technical Data Sheet.

4. A 5 foot wide sidewalk will be provided from the Site to Senator Royall Drive.

5. A 5 foot wide sidewalk and stairs (as needed) will be provided from the Site to West Mallard Creek Church Road, provided, however, that the Petitioner reserves the right to seek and obtain a variance from the requirements of Section 12.529 of the Ordinance to eliminate the requirement to provide this sidewalk and stairs.

6. Prior to the issuance of a building permit for any building to be constructed on the Site, the Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) those portions of the Site immediately adjacent to West Mallard Creek Church Road as required to provide right of way measuring 50 feet from the existing centerline of West Mallard Creek Church Road if such right of way does not currently exist.



## Vicinity Map

Not To Scale



## Site Data

Parcel Numbers:	029-011-27 029-011-33
Municipality:	City of Charlotte
Total Acreage:	+/- 8.85 AC
Existing Zoning:	MUDD-O
Proposed Zoning:	R-12MF
Total Units:	70
Density:	7.90 DU/AC
Open Space Required:	4.42 Acres (50%)
Open Space Provided:	4.42 Acres (50%)
Tree Save Required:	0.88 Acres (10%)
Tree Save Provided:	0.88 Acres (10%)

### General Notes

1. All base information received from file titled "Q114\_Mast.dwg" by ESP Associates, P.A.

### PRIVATE STREET CONNECTION TO MALLARD CREEK PRESBYTERIAN CHURCH

As more particularly depicted on the Technical Data Sheet, the Petitioner shall construct and provide a private stub street connecting the parcel of land (the "Church Property") currently owned by Mallard Creek Presbyterian Church (the "Church") located immediately to the east of the Site and Senator Royall Drive (the "Connecting Street"). The Connecting Street shall be a part of the Site's private street system, and it shall provide a perpetual vehicular connection from the Church Property to Senator Royall Drive.

2. The Petitioner shall grant to the Church a perpetual, non-exclusive easement appurtenant to the Church Property over, across and upon the Connecting Street for the purpose of ingress, egress, regress, passage and delivery by vehicles to, from and between the Church Property and Senator Royall Drive. This easement shall be memorialized in an easement agreement to be signed by the parties and recorded in the Mecklenburg County Public Registry (the "Easement Agreement").

3. The Easement Agreement shall provide, among other things, that the Church shall be responsible for sharing in the cost of maintaining the Connecting Street.

### DUMPSTER, COMPACTOR AND RECYCLING

This development shall meet all requirements as stated in Chapters 9 and 12 of the Charlotte City Code regarding solid waste dumpster, compactor and recycling areas.

### 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 townhome building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

### STORM WATER MANAGEMENT

1. If the Petitioner ties into an public existing storm water 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 proposed development. If it is found that the proposed development will cause the public storm drainage system(s) to be taken out of standard, the Petitioner shall provide alternate methods to prevent this from occurring. If the receiving public drainage system(s) is already out of standard, the Petitioner's proposed development will be designed so as to not place the downstream public system(s) further out of standard.

2. The Petitioner shall not be required to provide storm water detention or storm water quality treatment measures for the storm water generated from those portions of the Site designated as Area B and Area C on the Storm Water Drainage Area Plan attached hereto.

3. Water quality best management practices (BMPs) will be incorporated into the Site to achieve 85% Total Suspended Solid removal for the post-development runoff volume for the runoff generated from the first 1-inch of rainfall for that portion of the Site designated as Area A on the Storm Water Drainage Area Plan attached hereto. 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.

4. With respect to that portion of the Site designated as Area A on the Storm Water Drainage Area Plan attached hereto, the Petitioner shall control the 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.

5. With respect to that portion of the Site designated as Area A on the Storm Water Drainage Area Plan attached hereto, the Petitioner shall control the peak to match the predevelopment runoff rates for the 10 year, 6 hour storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, control the peak for the 10 year and 25 year, 6 hour storms.

### BINDING EFFECT OF THE REZONING PETITION

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and 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 heirs, devisees, personal representatives, successors in interest or assigns.

### AMENDMENTS TO REZONING PLAN

Future amendments to this Technical Data Sheet 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.



ESP Associates, P.A.

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CLIENT



1300 South Blvd.  
Charlotte, NC 28203

PROJECT

Glenmere  
at  
Mallard Creek

For Public Hearing

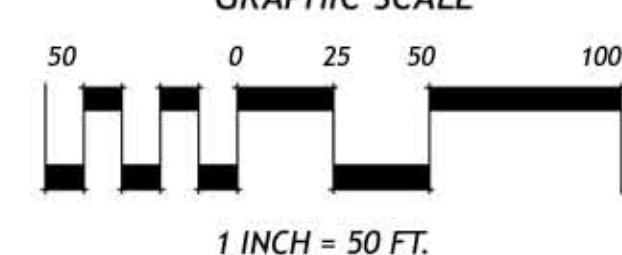
SHEET TITLE

## Technical Data Sheet

Petition #07-032

PROJECT LOCATION Charlotte, NC

GRAPHIC SCALE



PROJECT NUMBER Q114.102

DRAWING NAME Q114-TDS.psd

DATE December 21, 2006

DRAWN BY NB / MM

CHECKED BY PT

### ESP / CLIENT REVISION

NO.	DATE	BY	REVISION
-	12/22/06	-	Application Submittal to CMPC.
1	02/20/07	MM	2nd Submittal to CMPC.
2	03/22/07	MM	Revised Submittal to CMPC

### AGENCY / SUBMITTAL REVISION

NO.	DATE	BY	REVISION
-	12/22/06	-	Application Submittal to CMPC.
1	02/20/07	MM	2nd Submittal to CMPC.
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**Vicinity Map**  
Not To Scale

**Site Data**

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Required:	4.42 Acres (50%)
Provided:	4.42 Acres (50%)
Tree Save	
Required:	0.88 Acres (10%)
Provided:	0.88 Acres (10%)

**General Notes**  
1. All base information received from file titled "Q114\_Mast.dwg" by ESP Associates, P.A.

**Storm Water Notes:**

1. All drainage areas represented on this exhibit are preliminary and are subject to change during final engineering and grading.



**ESP Associates, P.A.**

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CLIENT



1300 South Blvd.  
Charlotte, NC 28203

PROJECT

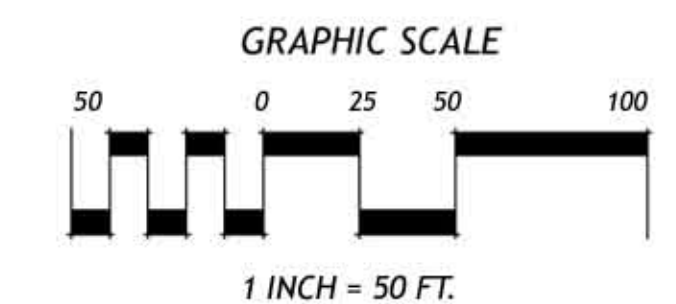
**Glenmere  
at  
Mallard Creek**

SHEET TITLE

**Storm Water  
Drainage Area  
Plan**

**Petition #07-032**

PROJECT LOCATION    Charlotte, NC



PROJECT NUMBER	Q114.102
DRAWING NAME	Q114-Stormwater Plan.psd
DATE	March 15, 2006
DRAWN BY	MM
CHECKED BY	PT

ESP / CLIENT REVISION			
NO.	DATE	BY	REVISION

AGENCY / SUBMITTAL REVISION			
NO.	DATE	BY	REVISION







*Front Elevation*



*Side Elevation*

*Rear Elevation*



*Glenmere at Mallard Creek*  
*Illustrative Elevations*  
 January 30, 2007 Not to Scale



Note: These elevations are for illustrative purposes only.