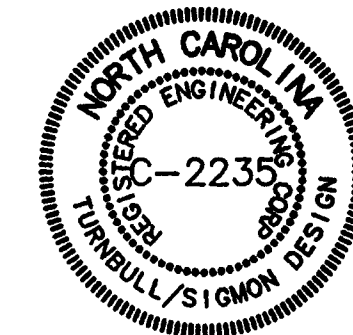


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LAND DEVELOPMENT DESIGN SERVICES



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Charter Properties Inc.

1520 SOUTH BLVD.  
CHARLOTTE, NC 28203  
704-377-4172

## The Pavilion Rezoning Plan

CITY OF CHARLOTTE  
MECKLENBURG COUNTY

## Rezoning Petition

For Public Hearing

2007-071

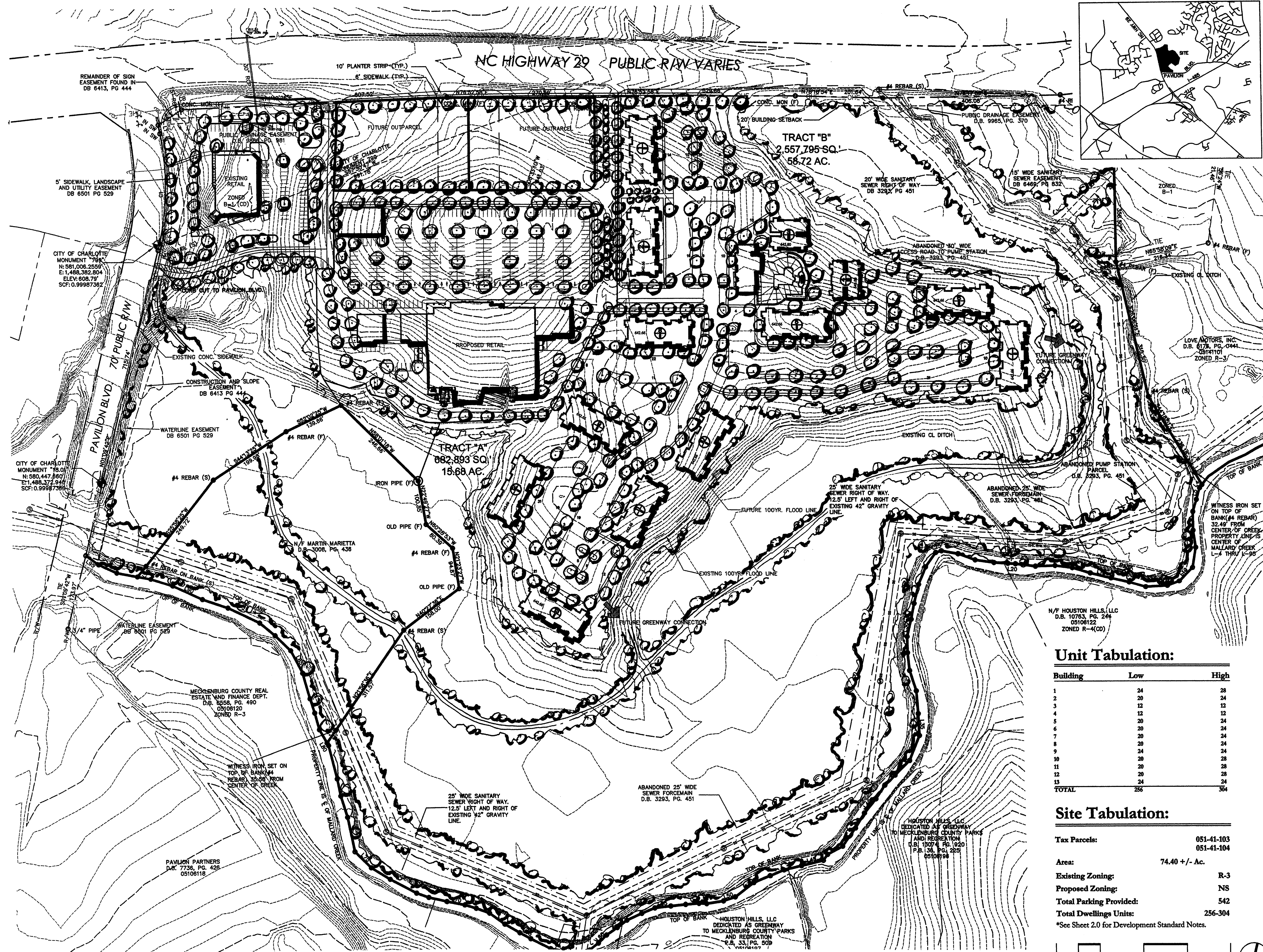
PROJECT NUMBER: 06-099

DRAWN BY: HAV

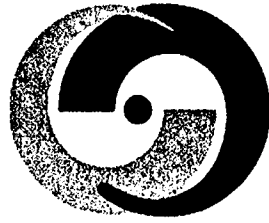
DESIGNED BY: BCS

ISSUE DATE: 03-26-2007

NO. DATE: BY: REVISIONS:







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## LAND DEVELOPMENT DESIGN SERVICES

## DEVELOPMENT STANDARDS

## GENERAL PROVISIONS

Unless more stringent standards are established by the Rezoning Plan or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the Neighborhood Services ("NS") zoning district shall be followed in connection with development taking place on this approximately 72.079 acre site located on N.C. Highway 29 (the "Site"), which Site is more particularly depicted on the Rezoning Plan.

The development depicted on the Rezoning Plan is intended to reflect the arrangement of proposed uses on the Site, but the final configuration, placement and size of the individual Site elements may be altered or modified within the limits prescribed by the Ordinance and the standards established by the Rezoning Plan and these Development Standards during design development and construction phases. Street layouts may be modified to accommodate final building locations.

**PERMITTED USES/MAXIMUM GROSS BUILDING AREA/MAXIMUM NUMBER OF DWELLING UNITS**

**Tract A**

1. That portion of the Site designated as Tract A on the Rezoning Plan may be devoted to any use (including any accessory use) which is permitted under the Ordinance by right or under prescribed conditions in the NS zoning district, provided, however, that the following uses shall not be permitted on Tract A:

- Active adult retirement communities
- Adult care centers
- Adult care homes
- Bed and breakfasts
- Beneficial fill sites
- Boarding houses
- Bus and train terminals
- Cemeteries
- Childcare centers in a residence
- Civic, social service or fraternal facilities
- Commercial rooming houses
- Construction and demolition land fills
- Dormitories
- Dwellings, detached, duplex, triplex or quadraplex
- Dwellings, mixed use, multi-family, planned multi-family residential development and/or attached residential development
- Elementary and secondary schools
- Equestrian oriented subdivisions
- Family childcare homes
- Fences and fence material sales
- Funeral homes, embalming or crematories
- Group homes
- Jails and prisons
- Land clearing and inert debris landfills
- Locksmiths and gunsmiths
- Marinas, commercial
- Nursing homes, rest homes and homes for the aged
- Orphanages, children's homes and similar nonprofit institutions providing domiciliary care for children

2. The buildings located on Tract A may have drive-in service lanes/windows as an accessory use in accordance with the requirements of Section 12.413 of the Ordinance.
3. The Rezoning Plan depicts one possible development scheme on Tract A. Other potential development schemes may be allowed subject to the review and approval of the Charlotte-Mecklenburg Planning Commission Staff through the administrative site plan amendment process (Section 6.207 of the Ordinance) and subject to the provisions and standards contained herein.
4. A maximum of 100,000 square feet of gross building area may be developed on Tract A.

**Tract B**

That portion of the Site designated as Tract B on the Rezoning Plan may be devoted to a maximum of 304 multi-family dwelling units together with any accessory uses permitted under the Ordinance in the NS zoning district.

### Setbacks, Side yards and Rear Yards

All buildings constructed on the Site shall satisfy or exceed the setback, side yard and rear yard requirements established under the Ordinance for the NS zoning district as more particularly depicted on the Rezoning Plan. The development depicted on the Rezoning Plan can be viewed as a unified development plan. Therefore, interior yards will not be required between buildings located on the Site. The Developer reserves the right to subdivide the Site and to create separate lots within the interior of the development with no internal side and/or rear yards as part of a unified development plan, subject to the normal Staff review and approval process.

## SCREENING AND LANDSCAPED AREAS

1. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance. All landscaping installed on the Site will meet or exceed the requirements of the Ordinance.
2. All roof mounted mechanical equipment will be screened from view at grade from adjacent public rights of way.
3. Any dumpsters visible from a public street or from an adjoining parcel of land will be screened from view by a solid-enclosure with gates. If one or more sides of a dumpster area adjoin a rear wall of a building, the rear wall may be substituted for the fence along each such side.

## COMMON OPEN SPACE/TREE ORDINANCE

1. Common open space shall be provided in various locations on the Site as depicted on the Rezoning Plan.
2. Development of the Site shall comply with the City of Charlotte Tree Ordinance.
3. A recreational amenity area shall be provided on Tract B, and it shall contain, at a minimum, a swimming pool and a clubhouse.

## Lighting

1. The maximum height of any freestanding light fixture installed on the Site (other than street lights on public rights-of-way) including its base, shall not exceed 35 feet. All lighting will be capped and fully shielded to direct lighting downward and/or away from adjoining properties.
2. The use of wal-pak lighting fixtures shall not be permitted on the Site, however, architectural light fixtures may be installed on building facades.

## ACCESS POINTS

1. Access points serving the Site will be as generally depicted on the Rezoning Plan.
2. The placement and configuration of each vehicular 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 City of Charlotte Department of Transportation and/or the North Carolina Department of Transportation.

## PARKING

**Off-street vehicular and bicycle parking shall be provided in accordance with the requirements of the Ordinance.**

### Signs

**All signs located on the Site shall comply with the requirements of Chapter 13 and Section 11.509 of the Ordinance.**

## SOLID WASTE

The multi-family community to be developed on Tract B will meet all requirements as stated in Chapters 9 and 12 of the Charlotte City Code regarding solid waste dumpster, compactor and recycling areas.

## STORM WATER MANAGEMENT

Storm water runoff from the Site will be managed through proven techniques which satisfy the standards, if any, imposed by the City of Charlotte Engineering Department.

## Fire Protection

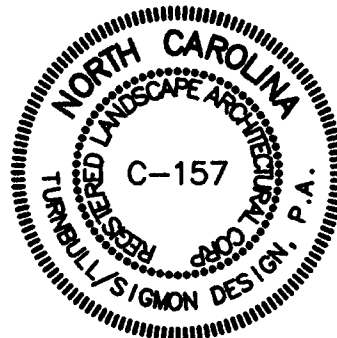
Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

## AMENDMENTS TO THE REZONING PLAN

Future amendments to the Rezoning Plan 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.

## BINDING EFFECT OF THE REZONING APPLICATION

1. If this Rezoning Petition is approved, all conditions applicable to the 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 the Petitioners and the current and subsequent owners of the Site and their respective successors in interest and assigns.
2. Throughout these Development Standards, the terms, "Petitioners" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioners or the owner or owners of the Site from time to time who may be involved in any future development thereof.



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## The Pavilion

**CITY OF CHARLOTTE  
MECKLENBURG COUNTY**

# Rezoning Petition Notes

<b>PROJECT NUMBER: 06-099</b>	
<b>DRAWN BY:</b>	<b>HAV</b>
<b>DESIGNED BY:</b>	<b>BCS</b>
<b>ISSUE DATE:</b>	<b>03-26-2007</b>
<b>NO. DATE: BY: REVISIONS:</b>	