

a cellular telephone and wireless communications tower and any facility plant, supp constructed, installed and operated on a portion of the Site in accordance with the on this Conditional Rezoning Plan. Except as provided above, this rezoning request itions imposed on the Site under Rezoning Petition No. 2005-167, as amended. of Rezoning Petition No. 2005-167, which was approved by the Charlotte City d on May 20, 2009 to revise the greenway commitments. The current tax parcel o. 2005-167 are 025-113-23, 025-113-22, 025-113-05 and 025-113-02. titing to Rezoning Petition No. 2005-167, the Petitioner was required to dedicate and 'ax Parcel No. 025-113-23 (hereinafter referred to as the "Greenway Areal"), and in conveyed to Mecklenburg County by a Special Warranty Deed dated December 29, at Page 266 of the Mecklenburg County Public Registry.

Site

VICINITY MAP

The cellular telephone and wireless the cellular telephone and wireless

As required under Section 12.108(8) of the Ordinance, the cellular teleph uipped with the technological and structural capability to accommodate a The Cell Tower Area shall be screened from the street and any abutting p. 303 of the Ordinance. suant to Section 12.108(f) of the Ordinance, any support building shall be limited in size to 500 square feet per communication company the cellular telephone and wireless communications tower and limited in height to 15 feet, provided, however, that the building height tion may be waived by the Director of Engineering and Property Management, or his designee, up to a maximum height of 25 feet in to accommodate architectural design, screening or similar needs.

rtion of the Long Creek Greenway to be located immediately adjacent to the Site to the Greenway area (the "Phase One of the Long Creek Greenway to be located immediately adjacent to the Site to the Site to the Long Creek Greenway to be located immediately adjacent to the Site to the Phase One Construction of the Phase One Construction of the Phase One Conditional Rezoning Plan and Park and Rec. shall be responsible for the design, installation and construction of the Phase One Connection will be installed and constructed contemporaneously with the construction of the Long Creek Greenway to be located immediately adjacent to the Site by Park and Rec. nd Rec. shall be responsible for the maintenance, repair and replacement (as needed from time to time) of the Phase One Connection er shall, at no cost to Park and Rec., grant an appropriate easement to Park and Rec. to facilitate the installation, construction, ance, repair and replacement (as may be needed from time to time) of that portion of the Phase One Connection to be located on the foregoing easement shall contain a self-help provision that will enable the Petitioner to maintain and repair that portion of the Phase needs to be located on the Site in the event that Park and Rec. fails to meet its obligation to maintain and repair the Phase One ion, and this easement shall be granted by Petitioner to Park and Rec. prior to the commencement of the installation and construction hase One Connection. ner agrees, upon the request of the Mecklenburg County Park and Recreation Department ("Park and Rec.") after that portion of the sek Greenway to be located immediately adjacent to the Site is designed to dedicate and convey to Mecklenburg County for greenway an additional portion of the Site located at the northwest corner thereof across from Secretariat Drive to accommodate a trail leading Greenway Area to the sidewalk along Reames Road (the "Additional Greenway Area"). The size of the Additional Greenway Area mited to that area that is reasonably required to accommodate the construction, installation, maintenance and use of the trail of above.

urk and Rec. shall be responsible for the maintenance, repair and replacement (as needed from time to time) of the Phase Two Connection ioner shall, at no cost to Park and Rec., grant an appropriate easement to Park and Rec. to facilitate the installation, construction, tenance, repair and replacement (as may be needed from time to time) of that portion of the Phase Two Connection to be located on the The precise location of the Phase Two Connection and the easement described above shall be mutually determined by Petitioner and and Rec. at the time that portion of the Long Creek Greenway to be located immediately adjacent to the Site is designed by Park and Ren phase two of the residential community to be located on the Site is designed and platted, whichever is first to occur. k and Rec. shall be responsible for the design, installation and construction of the Phase Two Connection, and it is anticipated that the Two Connection will be installed and constructed contemporaneously with the construction of that portion of the Long Creek Greenvelocated immediately adjacent to the Site by Park and Rec. The Phase Two Connection may be designed, installed and constructed by and Rec. to be ADA accessible to and from the Greenway Area.

ent to Reames Road in a lourlotte to facilitate its use and

A stub street shall be provided to the parcel of land located to the south of the Site as depicted on the Conditional Rezoning Plan. This stu street shall be a part of the Site's private street system. Petitioner shall open this stub street to vehicular traffic from the adjoining parcel of land provided that an appropriate easement agreement can be negotiated with the owner(s) of the adjoining parcel of land.

quate fire protection in the form of fire hydrants will be provided to the City of Charlotte Fire Code's be submitted to the Fire Marshal's office for approval before the construction of that building commen amendments to this Conditional Rezoning Plan and these Deaccordance with the provisions of Chapter 6 of the Ordinance. NG EFFECT OF THE REZONING APPLICATION

If this Rezoning Petition is approved, all conditions applicable Conditional Rezoning Plan will, unless amended in the manner and subsequent owners of the Site and their respective heirs, de

TABULATION

EXISTING ZONING: PROPOSED ZONING: TAX PARCEL ID # R-12 MF (CD) 2 MF (CD) S.P.A.

sigmon design

All exterior light fixtures (except street lights along Reames Road) shall be capped, fully shielded and the solution that direct illumination does not extend past any property line of the Site. Consideration will be given and without the perimeter of the Site. Items for consideration will include intensity, cut-off angles, color, sources of light, the intent being to eliminate glare towards public streets and adjacent properties.

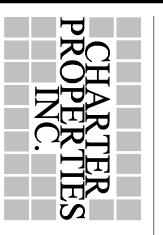
landscape architecture urbandesign design land planning 1815 south tryon street suite b charlotte north carolina 28203 telephone 704 3 3 3 4 8 3 0 www.sigmondesign.com

Apartments

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View

Charlotte, North Carolina Mecklenburg County



1520 South Boulevard, Suite 215 Charlotte, North Carolina 28203

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project number drawn by designed by issue date revisions BCS 06/24/2010 09004

Zoning Admendment