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By Michael Cataldo at 1:00 pm, Jun 15, 2012

Site Development Data

Tax Parcel:	# 209-17-105
Site Area:	±34.0 ac.
Existing Zoning:	MX-2(INNOV) by Rezoning Petition No. 2007-114
Proposed Zoning:	R-12MF(CD)
Proposed Use:	Up to 390 multi-family dwelling units together with accessory uses, as allowed in the R-12MF zoning district.
Maximum Building Height:	As allowed by the Ordinance, but not to exceed two (2) stories and 40 feet for "Manor House" type buildings ("Manor House") or (3) stories above one level of parking and 60 feet for "Podium" type buildings ("Podium") as generally depicted on the Rezoning Plan and further defined in the notes.
Parking Required:	1.5 Spaces per unit minimum as required by the Ordinance.
Open Space:	A Minimum of 15% of the site will be established as tree save/ open space areas as defined by the Ordinance.

Legend

	Existing Road R/W		Greenway Dedication to Mecklenburg County Parks & Recreation Department		Manor House Building
	Proposed Road R/W		Existing Tree to Remain		Podium Building
	Proposed Tree Save		Proposed Street Tree		Building Key (cross reference to notes)
	Proposed Retaining Wall(s)		Proposed Landscape Screening consisting of Japanese holly, loropetalum, aucuba, cherry laurel, osmanthus, cleyera, or similar		
	Proposed Water Quality		Proposed Ornamental Tree		
			Proposed Laurel Oak (Evergreen)		

**MERRICK & COMPANY**  
7001 MOREHEAD SQUARE DRIVE, SUITE 300  
CHARLOTTE, NC 28226  
PHONE: 704.528.6500 FAX: 704.528.6501  
WWW.MERRICK-AND-COMPANY.COM

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**Faison-Hollow, LLC**

121 West Trade Street  
Suite 2700  
Charlotte, North Carolina 28202

REV	REVISION DESCRIPTION	DATE	BY	CHKD	DATE	BY
1	Revision Per Client Comments 6/15/12	6/15/12	BM	SRT		

DESIGN BY:	SRT	2/12
DRAWN BY:	JBM	2/12
CHECKED BY:	SRT	2/12
APPROVED BY:	SRT	2/12

**Quail Valley Rezoning**  
Charlotte, North Carolina

**Rezoning Site Plan**

JOB NO: 6517230	DATE: 2/27/2012	SHEET: RZ-1
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Site Development Data:

- Acreage: ± 34.00 acres
- Tax Parcel #: 209-171-05
- Existing Zoning: MX-2(INNOV) by Rezoning Petition No. 2007-114
- Proposed Zoning: R-12MF(CO)
- Existing Uses: Multi-family Dwellings
- Proposed Uses: Up to 390 multi-family dwelling units together with accessory uses, as allowed in the R-12MF zoning district.
- Maximum Building Height: As allowed by the Ordinance, but not to exceed two (2) stories and 40 feet for "Manor House" type buildings ("Manor House") or three (3) stories above one level of parking and 60 feet for "Podium" type buildings ("Podium") as generally depicted on the Rezoning Plan and further defined below.
- Parking: 1.5 spaces per unit minimum as required by the Ordinance.
- Open Space: A minimum of 15% of the Site will be established as tree save/open space areas as defined by the Ordinance.
- Rezoning Plan: This Rezoning Petition refers to various documents/drawings including the Rezoning Site Plan, the Landscape Plan, Development Standards, and various Graphic Representations that include Elevations, Cross-Sections and other Drawings/Sketches; all such items are considered integral components of this Rezoning Petition and referred to collectively as the "Rezoning Plan."

1. General Provisions:

- a. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Quail-Hollow, LLC to accommodate development of multi-family dwellings on an approximately 34.0 acre site located on Carmel Road (the "Site").
- b. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Because the Rezoning Plan establishes more stringent standards than the regulations established under the Ordinance for the R-12MF zoning district classification, the Rezoning Plan shall govern development taking place on the Site, and anything not cited in the Rezoning Plan will be governed by the Ordinance for the R-12MF Zoning District.
- c. While the development depicted on the Rezoning Site Plan is schematic in nature, it is intended to describe the general arrangements of uses and site elements subject to the provisions of the Development Standards. The depictions of the uses, parking areas, structures and buildings, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. Consequently, except as otherwise expressly specified on the Rezoning Site Plan and these Development Standards, the ultimate layout of the development proposed, the exact alignments of streets and points of access, the numbers, the size, configuration and placements of buildings and parking areas; and the depictions other site elements on the Rezoning Plan as well as any schematic building plans, elevations and sections are preliminary graphic representations of the types and quality of development proposed. They may, therefore, be altered or modified during design development and construction document phases as long as the changes maintain the general building context and design and parking orientations, the specific commitments and limitations expressly set forth in the Rezoning Plan, and the character of the development generally depicted on the Rezoning Site Plan. Changes to the Rezoning Plan will be reviewed and approved as allowed by Section 6.207.(2).
- d. Parking layouts for surface and structured parking may be modified to accommodate final building locations and parking spaces may be located within the development area boundaries to the extent permitted by the Ordinance. Sidewalks generally located on the Rezoning Plan are intended to reflect the general pedestrian circulation for development on the Site but the specific locations of such sidewalks may be subject to variations that do not materially change the design intent generally depicted on the Rezoning Plan.
- e. Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed 26. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. No more than one (1) separate maintenance building will be constructed on the Site. The separate maintenance building will be located in the same general area of the Site as the compactor. The maintenance building will be designed to be architecturally compatible with Manor House and Podium buildings constructed on the Site by utilizing similar architectural styles, architectural detailing, materials and colors. The maintenance building will not exceed 15 x 22 feet in size or an equivalent square footage. Any other facility or rooms housing equipment, supplies or materials used to maintain the grounds and buildings must be located within the clubhouse/pool area or garage areas of the Podium buildings. The location of the permitted maintenance building shall not be closer than 60 feet from the common boundary of the Site with the Ashfield Court Condominiums and the base of such buildings shall contain landscaping screening from the view from the adjoining condominiums.

2. Permitted Uses & Development Commitments:

- a. The Site may be developed with up to 390 multi-family dwelling units together with accessory uses allowed in the R-12MF zoning district, provided, however, such permitted uses shall not include: bed and breakfasts, boarding houses, dormitories, institutional uses, or office and business uses except for customary home occupations which shall be allowed.
- b. As part of the development of the Site, the Petitioner will limit the total number of bedrooms that may be constructed on the Site. Plans as of the approval date of this Petition contemplates a total of 549 bedrooms. Notwithstanding the foregoing, it is understood that no more than a total of 580 bedrooms may be constructed, but as indicated no more than a total number of 390 multi-family dwelling units are allowed in any event, it being understood that the mixture of units may change provided that the total number of bedrooms and units set forth above are adhered to. For the purpose of calculating the maximum number of bedrooms allowed a den will not be considered a bedroom. A den will be defined as a room that does not contain a closet.
- c. Buildings # 1-21 as generally depicted on the Rezoning Plan are designated as Manor House buildings and are to be limited to two story residential buildings with attached garages as shown on the Rezoning Plan. Buildings # 22-26 are designated as Podium buildings and are to be limited to three stories at the front with a ground floor garage in the back as shown on the Rezoning Plan.
- d. The maximum height of the Manor House type buildings will be two (2) stories and not to exceed 40 feet as calculated by the Ordinance. The maximum height for the Podium type buildings will be three (3) stories not to exceed 48 feet on the front and four (4) stories on not to exceed 60 feet at the rear of the building, as calculated by the Ordinance.
- e. As part of the development of the Site, no dwelling unit constructed on the Site will have less than 700 square feet of heated floor area exclusive of an attached garage if applicable.
- f. Each of the proposed units will contain a washer and dryer. In the future as may be customary other facilities may be provided.
- g. High quality amenities will be provided on the Site such as: a club house with a leasing office, a fitness facility for the residents of the community, club room/recreational room, a pool and pool deck, a dog park and a natural landscape area with seating areas.
- h. Surface parking areas will not be allowed between the proposed buildings and Carmel Road or in the setback/buffer areas.

3. Access: CATS Waiting Pad and Related Design Features:

- a. Access to the Site will be from Carmel Road and Quail Forest Drive as generally depicted on the Rezoning Plan.
- b. An internal private street as required by and adhering to the standards of the Urban Street Design Guidelines (set forth in the Subdivision Ordinance in existence at the time of the approval of this Petition (USDG)) will be provided that links Carmel Road to Quail Forest Drive (the "Private Street"). Gates may not be installed where this Private Street intersects with Carmel Road or Quail Forest Drive. However, the Petitioner reserves the right to install gates along this Private Street at its intersection with internal drives provided that the gates at these intersections are installed so as to not prohibit connectivity between Carmel Road and Quail Forest Drive on the Private Street.
- c. The placements and configurations of vehicular access points are subject to any minor modifications, as approved by CDOT, required to accommodate final site plans, and construction plans and designs and to any adjustments required for approval by the CDOT in accordance with published standards.
- d. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.
- e. The Petitioner will provide a bus passenger waiting pad along Carmel Road for use by CATS. The location of the proposed passenger waiting pad to be determined during the Subdivision approval process.
- f. The Petitioner will provide vertical curb and gutter along the first 200 feet of the Private Street entrances into the Site from Carmel Road and Quail Forest Drive.

4. Architectural Standards:

- a. The building materials used on the principle buildings constructed on Site will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hard-plank), stucco, or wood. At least 35% of the exterior of each building, exclusive of windows, doors and roofs, will be constructed of brick, stone and synthetic stone, precast stone or precast concrete. Vinyl as a building material may only be used on windows, rails, soffits and details.
- b. The attached illustrative building elevations are included to reflect an architectural style and a quality of the building that the Petitioner or developer of record, upon an election to proceed with development, will make a reasonable effort to construct on the Site as per the building elevations included in the Rezoning Plan, recognizing that the actual building constructed on the Site may vary from the attached elevations in non-material respects as long as the general design intent is retained. The building materials used on the exterior of the buildings will utilize an earth tone color pallet.
- c. The proposed two story Manor House buildings will be oriented in such manner that the rear portion of the building (e.g. the long portion of the building that contains four garage doors) is not oriented toward: (i) Carmel Road; (ii) the Site's Private Street; (iii) along the southern boundary of the Site along Buildings 9, 10, 12, 13 and 14; or (iv) the adjacent single-family homes located along the northern property boundary. Instead the side or front elevations of the Manor House building will be oriented toward these locations substantially as depicted on the Rezoning Plan.
- d. Meter banks will be screened per the Rezoning Plan and Zoning Ordinance, as applicable.
- e. HVAC and related mechanical equipment, including roof top mechanical equipment if applicable, will be screened from public view at grade per the Rezoning Plan and Zoning Ordinance, as applicable.
- f. Trash created by the residents of the Site will be collected in a compactor/recycling facility to be located in the area generally as shown on the Rezoning Plan. Other than several containers (e.g. dumpsters) provided for the collection of recyclable materials which will be located in the compactor/recycling facility, dumpsters may not be used to collect trash generated by residents of the community, provided that the use of dumpsters during construction or when units are being renovated will be allowed.
- g. The compactor facility area and recycling area will be enclosed by a solid masonry or stone wall with one side containing a decorative gate. The wall used to enclose the compactor/recycling facility will be architecturally compatible with the building materials and colors used on the nearby principal buildings. Evergreen landscape materials will also be used to screen and enhance the appearance of the compactor facility and recycling areas from the Ashfield Court Condominium.
- h. The compactor/recycling facility area will be located a minimum of 60 feet from the property line and in the location as generally depicted on the Rezoning Plan and on Sheet RZ-3.
- i. Cooling towers will not be allowed on the Site.

5. Streetscape, Buffers and Landscaping:

- a. Along Carmel Road the proposed buildings will be setback from the existing right-of-way substantially as indicated on Sheet RZ-3 with a minimum setback for Building # 8 of 70 feet at the southeast edge of such building and 102 feet at the northeast edge of such building, and for Building # 1 of 97 feet from the southeast edge of such building and 127 feet from the northeast edge of such building, provided, however variations in such distances may be altered by up to 5% closer to Carmel Road as a result of Site conditions during the design development and construction phases provided that the Petitioner shall exercise good faith to avoid such variations.
- b. The Petitioner will provide a planting strip that will vary in width along Carmel Road and a six (6) foot sidewalk along the Site's frontage on Carmel Road. In addition, except as provided below, an eight (8) foot planting strip and a five (5) foot sidewalk will be constructed on both sides of the internal Private Street that links Carmel Road to Quail Forest Drive as generally depicted on Sheet RZ-3 of the Rezoning Plan. Due to the Petitioner's desire to save trees along the northern property boundary, the portion of the sidewalk along the piece of Private Street not separated from the northern property boundary by any proposed buildings will be located at the back of curb.
- c. Along the Site's internal parking and driveway areas, the Petitioner will provide a sidewalk and cross-walk network that links the buildings on the Site with one another and links the buildings to the sidewalks along the abutting public streets. The minimum width for required internal sidewalks will be five (5) feet. Non-required sidewalks may be less than five (5) feet.
- d. A pedestrian access to the adjoining shopping center will be provided between building # 9 and # 8 as generally depicted on Sheet RZ-1.
- e. A sidewalk or bike path may not be located between the Ashfield Condominiums and the proposed compactor/recycling area and building number # 26 as generally depicted on Sheet RZ-1.
- f. Screening requirements of the Ordinance will be met where not otherwise exceeded in the drawings made a part of the Rezoning Plan or these development standards. The Petitioner or developer/owner of the development will maintain all buffers and tree save areas. This shall include trimming and removal of any shrubs, trees or other plant material that is diseased or dead. In such an instance, such parties will replace the shrub, tree or other plant material as soon as practicable and no later than the next recommended planting cycle. The minimum size of new trees and shrubs at installation will meet city ordinance standards unless otherwise specified in these development standards or on the Rezoning Plan.
- g. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
6. Environmental Features:
- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance (PCCO).
- b. The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
- c. If access to the proposed storm water management system is required for maintenance the access will be limited to the project side of the water management system when possible.
- d. The Site will meet or exceed the requirements of the Tree Ordinance.
7. Open Space/Tree Save Areas:
- a. Open space/tree save areas equaling a minimum of 15% of the Site area will be provided as generally depicted on the Rezoning Plan, provided, however, the final locations may be altered in a non-material manner during the design, development and construction phases. The area of the Site to be dedicated to County Parks and Recreation, as described below, for a greenway may be used to meet this requirement.
- b. The Petitioner will initiate the procedure to convey, to Mecklenburg County Parks and Recreation a portion of the 100 foot Post Construction Control (PCC) Buffer along McMullen Creek as generally depicted on Sheet RZ-1 of the Rezoning Plan. The Petitioner will provide a 40 foot wide greenway access easement in the location generally depicted on Sheet RZ-1 of the Rezoning Plan. This proposed access easement will allow County Parks and Recreation to gain an access to the Greenway for the residents of the Site. The exact location of the proposed access easement will be determined during the subdivision review process. This area and easement will be conveyed to County Parks and Recreation prior to the issuance of a certificate of occupancy for the first building completed adjacent to the 100 foot PCC Buffer.

8. Signage:
- a. Signage as allowed by the Ordinance will be provided at the entrances to the Site from Carmel Road and Quail Forest Drive. The sign proposed along Carmel Road will be integrated into the proposed serpentine masonry wall features and will be composed of individual letters that are either back lit with opaque lettering or illuminated with up lighting. This sign may not utilize internally illuminated letters.

9. Lighting:

- a. All new lighting fixtures shall be full cut-off in nature excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Detached lighting on the Site will be limited to 15 feet in height. Detached lighting between the proposed buildings and the Class C buffer along the northern boundary of Site will be limited to low path and landscape lighting only.
- c. No exterior "wall pak" lighting will be allowed, however architectural lighting on building facades, such as sconces, will be permitted. Lights located on the portions of the buildings that face the Rockbridge neighborhood to the north, Carmel Road to the east and Ashfield Court to the south must be down lights.
- d. The Petitioner will provide pedestrian scale lighting along the internal Private Street and for a distance of at least 200 feet from the entrance to the Site off of Carmel Road and 100 feet in each direction (east and west) along the Private Street from Quail Forest Drive.
10. Other:
1. Rockbridge Neighborhood Edge Treatment (Northern Property Boundary):
- a. A tree save area/buffer area and setback a minimum of 50 feet in width will be established along the northern boundary line of the Rockbridge Neighborhood as generally depicted on Sheets RZ-1 and RZ-3 of the Rezoning Plan. The tree save/buffer area will vary in width but in no case will the tree save/buffer area be less than 50 feet wide. This tree save/buffer area will be an undisturbed tree save/buffer area provided, however, the Petitioner may remove from the tree save/buffer area dead and dying trees as well as invasive vines and ground cover so as to improve the appearance of the tree save/buffer area. The Petitioner will plant one tree within the tree save area for every tree that is removed because it is dying, diseased, deteriorated or dead. The Petitioner will consult with a Certified Arborist to assist with the identification and removal of dead and dying trees that are greater than three (3) inch caliper. The tree save/buffer area will meet or exceed the Class C buffer requirements of the Ordinance.
- b. As indicated on Sheets RZ-1 and RZ-3 of the Rezoning Plan, a series of retaining walls will be constructed along the inner edge of portions of the tree save/buffer area. These retaining walls will not be located any closer to the property line than indicated on the Rezoning Plan and the accompanying Cross-Sections incorporated on the Rezoning Plan. The height of the proposed retaining walls located behind Manor House buildings designated as "3" 3" and "2" 2" on Sheet RZ-1 of the Rezoning Plan will not exceed seven (7) feet in height. Notwithstanding the foregoing, the locations and heights of the above referenced retaining walls may be altered by up to 10% as a result of Site conditions during the design development and construction phases provided that the Petitioner shall exercise good faith to avoid such variations.
- c. The proposed retaining wall illustrated in Cross-Section A on Sheet RZ-3 of the Rezoning Plan and located behind the Manor House building designated as "3" 3" on Sheet RZ-1 of the Rezoning Plan will be a two tiered retaining wall. Each tier will not exceed seven (7) feet in height and will have a minimum of six (6) feet between tiers. Prior to the construction of these retaining walls the Petitioner will stake the location of these proposed retaining walls. Once the location of the retaining walls has been located in the field the Petitioner will contact the property owner of tax parcel # 209-161-51 so that this property owner in conjunction with Petitioner can determine if the design of the proposed retaining wall should be changed from a two tier wall to a taller one tier wall in order to best preserve existing trees that are three (3) inch caliper or greater. If the one tier option is chosen, the height of the retaining wall may exceed seven (7) feet. Due to the proximity of the Manor House building designated as "3" 3" on Sheet RZ-1 of the Rezoning Plan to the home on tax parcel # 209-161-51, the Petitioner will install at the common property line with this parcel and on the north side of the existing creek a row of larger evergreen trees (a minimum of 8'-10' feet tall at installation and 15 feet on center). These evergreen trees will be installed prior to the issuance of the certificate of occupancy for the Manor House building designated as #3 on Sheet RZ-1 of the Rezoning Plan.
- d. At the base and the top of the retaining walls abutting the Rockbridge neighborhood tree save/buffer areas, the Petitioner will install landscaping in the form of evergreen trees and shrubs as generally depicted on Sheet RZ-1 of the Rezoning Plan and the referenced Cross-Sections. In addition at the top of the retaining walls located behind the "Manor House" buildings designated as "3" 3" "2" 2" and "2" 2" on Sheet RZ-1 of the Rezoning Plan the Petitioner will install a decorative metal fence as generally depicted on Sheets RZ-1 and RZ-3 of the Rezoning Plan. The proposed landscaping to be installed at the top and base of these retaining walls will meet the following specifications at installation: (i) deciduous trees will have a 3" inch caliper with a minimum height of 11 feet; (ii) small maturing evergreen trees will be six (6) feet tall; (iii) large maturing evergreen trees will be 11 feet tall; and (iv) evergreen shrubs will be 30" to 36" inches tall.
- e. The Petitioner will provide evergreen shrubs and trees at the ends of the private drives that are used to access the garages in Podium and the Manor House units. In addition the Petitioner will also provide evergreen trees and shrubs where a private street, private drive or surface parking lot is adjacent to the Rockbridge neighborhood. This landscape material will be planted per the minimum Class C buffer requirements at the rate of a minimum of 10 trees and 20 shrubs per 100 linear feet. The minimum height of the proposed plant material at installation will be: (i) six (6) feet for small maturing evergreen trees; (ii) 11 feet for large maturing evergreen trees; and (iii) 30" to 36" inches for evergreen shrubs.
- f. As generally depicted on Sheets RZ-1 and RZ-3 of the Rezoning Plan and the accompanying Cross-Sections, the following minimum rear yards shall apply: (i) for the building designated as "3" 3" on Sheet RZ-1 of the Rezoning Plan a rear yard of 60; (ii) for the building designated as building "2" 2" on Sheet RZ-1 of the Rezoning Plan a minimum rear yard of 75 feet; (iii) for the building designated as building "4" 21" on Sheet RZ-1 of the Rezoning Plan a minimum rear yard of 130 feet; and (iv) for the buildings designated as buildings "2" 22" and "2" 23" on Sheet RZ-1 of the Rezoning Plan a minimum side yard of 140 feet.

II. Ashfield Court Condominiums and Quail Forest Drive Edge Treatment:

- a. Along the southern property boundary adjacent to the Ashfield Condominiums the Petitioner will provide a minimum of a 40 foot wide tree save/buffer area and setback. In certain areas along this property boundary the tree save area will be greater than 40 feet as generally depicted on Sheet RZ-1 of the Rezoning Plan. In addition, the Petitioner will supplement the existing trees within this tree save area with evergreen trees and shrubs at the rate of a minimum of ten (10) evergreen trees and 20 evergreen shrubs per 100 linear feet as generally depicted, Sheet RZ-1 of the Rezoning Plan and the accompanying Cross-Section. This tree save/buffer area will be an undisturbed tree save/buffer area provided, however, the Petitioner may remove from the tree save/buffer area dead and dying trees as well as invasive vines and ground cover so as to improve the appearance of the tree save/buffer area. The Petitioner will plant one tree within the tree save area for every tree that is removed because it is dying, diseased, deteriorated or dead. The Petitioner will consult with a Certified Arborist to assist with the identification and removal of dead and dying trees that are greater than three (3) inch caliper. The tree save/buffer area will meet or exceed the Class C buffer requirements of the Ordinance.
- b. The Petitioner will provide at the entrance to the Site from Quail Forest Drive a decorative entry wall and landscaping as generally depicted on Sheet RZ-3. A sign identifying the Site may also be incorporated into this entrance feature.
- III. Carmel Road Edge Treatment:
- a. For the edge of the Site along Carmel Road, the Petitioner has created the schematic landscape plan set forth on RZ-3 of the Rezoning Plan ("Carmel Road Plan") that provides details that will be made within this treatment area. The Carmel Road Plan will establish which existing trees within the treatment area will be preserved and will integrate existing trees with the proposed tree, shrub, and other plant material locations. The Petitioner will plant one tree within the tree save area for every tree that is removed because it is dying, diseased, deteriorated or dead. The existing trees that form landscaping along Carmel Road will not be "timbed up" greater than 8 to 10 feet from above the ground. In addition the Carmel Road Plan will describe the amount, type, height, and caliper of new landscape materials that will be planted to supplement the existing trees that will be preserved. The Petitioner will also construct along Carmel Road within the treatment area a serpentine masonry wall that will vary in height as generally depicted on the Carmel Road Plan. This masonry wall will be architecturally compatible with the building materials and colors used on the buildings, constructed on the Site. These improvements will be installed prior to the issuance of a certificate of occupancy for the first completed buildings located within 150 feet of Carmel Road.
- b. Alternate plant material similar in character and specification may be substituted for the plant materials specified, if the plant material indicated on the Rezoning Plan has become unavailable, has developed a disease or is no longer recommended as an appropriate plant for the region by the American Nursery & Landscape Association or the City Arborist.

IV. Old Town Shopping Center Edge Treatment:

- a. The Petitioner will preserve the existing vegetation along the southern property boundary adjacent to the Old Town Shopping Center as generally depicted on the Rezoning Plan. Where the existing vegetation adjacent to the Old Town Shopping Center is removed or does not exist the Petitioner will plant new vegetation at the rate of 10 trees and 20 shrubs per 100 linear feet and as generally depicted on Sheet RZ-3. The trees installed in this area will be allowed to grow to the maximum height allowed by Duke Energy. The water quality area located near Building 12 and the Old Town Shopping Center shall be treated as part of the edge treatment along the Old Town Shopping Center in compliance with the Class C buffer requirements.

V. Miscellaneous Other:

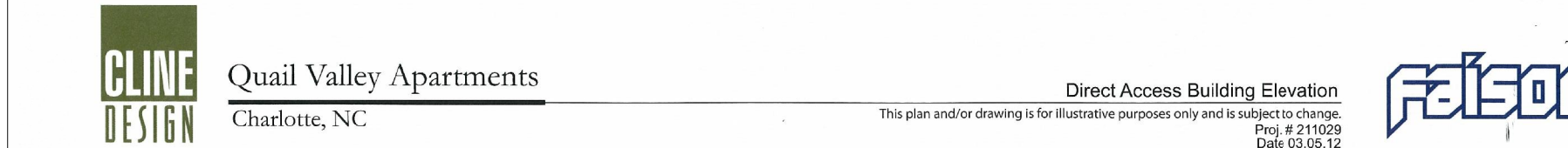
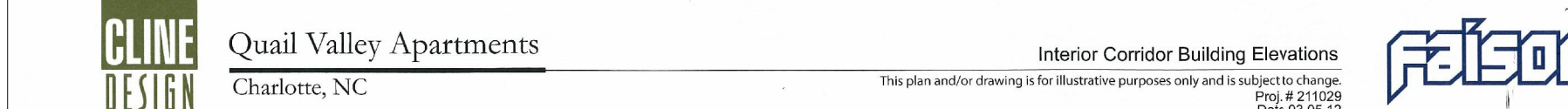
- a. Trash pick-up from the compactor/recycling facility area shall occur between the hours of 9:00 AM and 5:00 PM.
- b. On the Site there currently exists two wireless communication transmission towers which will remain. However, no additional wireless communication transmission towers will be allowed on the Site. Any changes to the wireless communication transmission towers will comply with Section 12.108 of the Ordinance. As specified in Section 12.108.(8)(i) All new wireless communication transmission facilities located in or within 400 feet of a residential zoning district are subject to the following additional standards:
- The tower must be designed, constructed or integrated into or as a structure in such a manner that it no longer appears to be wireless communication tower, for example, locate in other towers on buildings, in steeples or be disguised as trees.
  - The tower must have indiscernible antennae.
  - Concealment measures..."
- c. All new public utility transmission and distribution lines will be placed underground. Existing above ground utility lines located along Carmel Road and along the southern property boundary (adjacent to the Old Town Shopping Center) may remain. The Site will comply with Section 12.509 of the Ordinance.
- d. Required and specified plant material may be planted in phases as buildings are completed. The Petitioner may delay planting due to poor weather conditions for planting. If a delay occurs due to bad weather conditions, the required and specified plant material will be planted as soon as practicable and no later than the next recommended planting cycle.
- e. Prior to the commencement of construction on the Site, the Petitioner will meet to discuss the construction aspects of the redevelopment of the Site with the adjoining neighborhood associations.
- f. As part of the Petitioner's discussion with the City and County agencies responsible for demolition permits and the approval of the routes used by trucks removing the debris from the Site, the Petitioner will inform these agencies that the adjoining homeowners associations would prefer that trucks coming and going from the Site use Quail Forest Drive for ingress and egress. If the Carmel Road access is utilized by the trucks coming and going from the Site, the adjoining homeowners association would prefer that trucks only be allowed to utilize the portion of Carmel Road south of the Site (the desired outcome would be that the two lane section of Carmel Road which starts north of the Site not be utilized).
- g. The Petitioner will comply with City of Charlotte Soil Erosion and Sedimentation Control Ordinance (Section 18-21 of the City Code). The Ordinance requires "Protection of Property". Persons conducting Land-disturbing Activity shall take all reasonable measures to project all public and private property from damage caused by such activity and associated Sedimentation.

11. Amendments to the Rezoning Plan:

- a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

12. Binding Effect of the Rezoning Application:

- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan 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.



**MERRICK & COMPANY**  
107 HOPKINS SQUARE DRIVE, SUITE 550  
CHARLOTTE, NC 28202  
PHONE: 774.589.6599  
FAX: 774.589.6599

THIS AND ANY OTHER LITIGATION, WITH OR WITHOUT AN ATTORNEY, UNDER ANY COURT ORDER, OR BY ANY OTHER MEANS, SHALL BE LIMITED TO THE REVENUE OF THE PROJECT. THE REVENUE OF THE PROJECT SHALL BE THE ONLY REMEDY AVAILABLE TO THE PARTIES. THE REVENUE OF THE PROJECT SHALL BE THE ONLY REMEDY AVAILABLE TO THE PARTIES. THE REVENUE OF THE PROJECT SHALL BE THE ONLY REMEDY AVAILABLE TO THE PARTIES.

**Faison-Hollow, LLC**

121 West Trade Street  
Suite 2700  
Charlotte, North Carolina 28202

DESIGN BY:	DATE:	DESIGN BY:	DATE:	DESIGN BY:	DATE:
SRT	2/12	SRT	2/12	SRT	2/12
DRN	2/12	DRN	2/12	DRN	2/12
CHECKED BY:		CHECKED BY:		CHECKED BY:	
APPROVED BY:		APPROVED BY:		APPROVED BY:	
1	Revision Per Client Comments	6/15/12	RM	SRT	SRT
REV	REVISION DESCRIPTION	DATE:	BY:	DATE:	BY:

**Quail Valley Rezoning**

Charlotte, North Carolina

JOB NO: 6511720

DATE: 2/27/2012

SHEET

**RZ-2**



