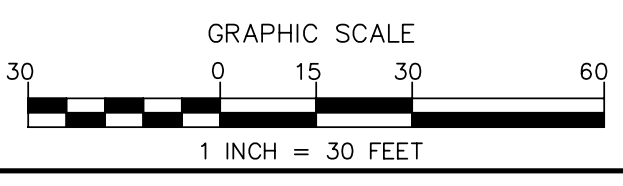


EXISTING TREE NOTE:
NO EXISTING TREES ARE LOCATED ON SUBJECT PROPERTY.

DEVELOPMENT DATA:
TAX PARCEL: 02901166
EXISTING ZONING: MUDD-O
PROPOSED ZONING: MUDD-O SPA
TOTAL SITE AREA: 0.859 ACRES
PROPOSED SQUARE FOOTAGE OF BUILDING: 6,000
LOT SETBACK:
FRONT: 25'
REAR: 0'
SIDE: 0'

- DEVELOPMENT STANDARDS**
- GENERAL PROVISIONS**
THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION (2002-142) FILED BY FIRST COLONY TO ACCOMMODATE DEVELOPMENT OF A MIXED USE, PEDESTRIAN-FRIENDLY COMMUNITY ON APPROXIMATELY 144.5 ACRE SITE LOCATED ON MALLARD CREEK CHURCH ROAD (THE SITE). DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE ORDINANCE) UNLESS THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE DEVELOPMENT DISTRICT (MUDD), SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW, SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON TRACTS A AND B OF THIS SITE. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE-1 (MX-1) DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON TRACT C OF THIS SITE. TRACT C SHALL UTILIZE THE PROVISIONS OF THE ORDINANCE AS OUTLINED ON THE TECHNICAL DATA SHEET AND THIS SITE PLAN WILL CONSTITUTE THE APPROVED MX-1 (INNOVATIVE) SITE PLAN. NO SUBSEQUENT (INNOVATIVE) SITE PLAN APPROVAL WILL BE REQUIRED. THE TECHNICAL DATA SHEET IS ACCOMPANIED BY A SCHEMATIC SITE PLAN AND TWO ALTERNATE DEVELOPMENT SCHEMATIC SITE PLANS, WHICH TOGETHER DEPICT THREE SEPARATE POTENTIAL DEVELOPMENT SCENARIOS FOR TRACT A OF THE SITE.
- PERMITTED USES**
A. TRACT A OF THE SITE MAY BE DEVOTED TO RETAIL, OFFICE, DAY CARE, BANK, HOTEL, COMMERCIAL AND RESTAURANT USES (INCLUDING ANY ACCESSORY USES) AS PERMITTED IN THE MUDD ZONING CLASSIFICATION AND SUBJECT TO THE MAXIMUM DEVELOPMENT PROVISIONS SET FORTH BELOW UNDER PARAGRAPH 4 OF SECTION 2 AND THE MUDD-OPTIONAL PROVISIONS SET FORTH BELOW UNDER PARAGRAPH C OF SECTION 3. HOWEVER, IN NO EVENT SHALL ANY RESTAURANTS WITH DRIVE THROUGH FACILITIES BE PERMITTED ON THE SITE.
- TRANSPORTATION**
1. ACCORDING TO THE CITY OF CHARLOTTE'S DRIVEWAY REGULATIONS, CDOT HAS THE AUTHORITY TO REGULATE/APPROVE ALL PRIVATE STREET/DRIVEWAY AND PUBLIC STREET CONNECTIONS TO THE RIGHT-OF-WAY OF A STREET UNDER THE REGULATORY JURISDICTION OF THE CITY OF CHARLOTTE.
2. ADEQUATE SIGHT TRIANGLES MUST BE RESERVED AT THE EXISTING/PROPOSED STREET ENTRANCE(S). TWO 35'X35' AND TWO 10'X70' SIGHT TRIANGLES ARE REQUIRED FOR THE ENTRANCE(S) TO MEET REQUIREMENTS. ALL PROPOSED TREES, BERMS, WALLS, FENCES, AND/OR IDENTIFICATION SIGNS MUST NOT INTERFERE WITH SIGHT DISTANCE AT THE ENTRANCE(S). SUCH ITEMS SHOULD BE IDENTIFIED ON THE SITE PLAN.
3. ALL PROPOSED COMMERCIAL DRIVEWAY CONNECTIONS TO A FUTURE PUBLIC STREET WILL REQUIRE A DRIVEWAY PERMIT TO BE SUBMITTED TO CDOT FOR REVIEW AND APPROVAL.
4. ANY FENCE OR WALL CONSTRUCTED ALONG OR ADJACENT TO ANY SIDEWALK OR STREET RIGHT-OF-WAY REQUIRES A CERTIFICATE ISSUED BY CDOT.
5. A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NONSTANDARD ITEM(S) (IRRIGATION SYSTEMS, DECORATIVE CONCRETE PAVEMENT, BRICK PAVERS, ETC.) WITHIN A PROPOSED/EXISTING CITY MAINTAINED STREET RIGHT-OF-WAY BY A PRIVATE INDIVIDUAL, GROUP, BUSINESS, OR HOMEOWNER'S/BUSINESS ASSOCIATION. AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY CDOT PRIOR TO THE CONSTRUCTION/INSTALLATION OF THE NON-STANDARD ITEM(S). CONTACT CDOT FOR ADDITIONAL INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS.
- MAXIMUM DEVELOPMENT**
PROPOSED 6,000 SQUARE FOOT BUILDING.
- MUDD-OPTIONAL PROVISIONS**
THIS PETITION PROPOSES UTILIZATION OF THE MUDD-O PROVISIONS TO ACCOMMODATE THE FOLLOWING VARIATIONS:
A. THE MUDD-OPTIONAL SIGNAGE PLAN INCLUDES AN ENTRY MONUMENT SIGN ON MALLARD CREEK CHURCH ROAD AT THE TWO ENTRANCES TO THE DEVELOPMENT AS GENERALLY INDICATED ON THE TECHNICAL DATA SHEET. THE TWO MONUMENT SIGNS SHALL BLEND WITH THE ARCHITECTURE OF THE BUILDINGS AND NOT EXCEED 6 FEET IN HEIGHT AND 45 SQUARE FEET (PER SIDE OF EACH SIGN) IN SIZE. THE SIGNAGE PLAN ALSO INCLUDES BUILDING WALL SIGNAGE ON BUILDINGS DEVOTED TO OFFICE AND/OR COMMERCIAL/RETAIL USE(S) ONLY UP TO 10% OF BUILDING WALL AREA TO WHICH THE SIGN IS ATTACHED UP TO A MAXIMUM OF 150 SQUARE FEET PER TENANT.
B. THE MUDD-OPTIONAL PLAN ALLOWS LIMITED PARKING IN FRONT OF BUILDINGS GENERALLY IN THE MANNER INDICATED ON THE SCHEMATIC SITE PLANS.
C. THE MUDD-OPTIONAL PLAN INCLUDES LIMITED DRIVE-THRU FACILITY PROVISIONS. IN THE EVENT BANKS OR OTHER TAPES OF FINANCIAL INSTITUTIONS ARE DEVELOPED ON THE SITE, THEY MAY INCLUDE ACCESSORY DRIVE THROUGH FACILITIES. AS DRY CLEANING FACILITIES ARE DEVELOPED ON THE SITE, THEY MAY INCLUDE ACCESSORY DRIVE THROUGH FACILITIES. A CONVENIENCE STORE FACILITY MAY INCLUDE GASOLINE PUMPS BUT SUCH GASOLINE PUMPS MUST BE ORIENTED SO THAT THEY ARE NOT FACING ONTO MALLARD CREEK CHURCH ROAD. D. ONE FREE STANDING MONUMENT SIGN ALONG MALLARD CREEK CHURCH ROAD FRONTAGE THAT IS CONSISTENT WITH THE PREVIOUSLY APPROVED TECHNICAL STANDARDS WILL BE ALLOWED.
- SETBACKS, SIDE YARDS AND REAR YARDS**
ALL BUILDINGS CONSTRUCTED SHALL SATISFY OR EXCEED THE SETBACK, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD DISTRICT. BUILDINGS AND PARKING AREAS MAY BE LOCATED WITHIN THE DEVELOPMENT AREA BOUNDARIES.
- ARCHITECTURAL CONTROLS**
1. SURFACE LEVEL PARKING SHALL NOT BE LOCATED BETWEEN THE BUILDINGS AND MALLARD CREEK CHURCH ROAD, EXCEPT AS PROVIDED UNDER MUDD OPTIONAL PROVISIONS (B).
2. BUILDINGS CONSTRUCTED ALONG MALLARD CREEK CHURCH ROAD WILL CONTAIN WINDOWS WHICH FACE THIS STREET AND LARGE EXPANSES OF SOLID WALLS FOR THESE BUILDINGS WILL BE AVOIDED THROUGH THE INTRODUCTION OF ARTICULATED FACADES AND
3. OTHER SPECIALLY DESIGNED ARCHITECTURAL ELEMENTS IN CONFORMANCE WITH SECTION 9.8506 OF THE ORDINANCE AND AS GENERALLY DEPICTED ON THE ARCHITECTURAL ELEVATION SHEET.
4. DUMPSTER AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL WITH ONE SIDE BEING A HINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A DUMPSTER AREA ADJOIN A SIDE OR REAR WALL OF A BUILDING, THEN THE SIDE OR REAR WALL MAY BE SUBSTITUTED FOR A SIDE.
5. THE DESIGN TREATMENT SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING AMENITIES AS GENERALLY INDICATED ON THE PERSPECTIVE ON SHEET 3:
A. A COURTYARD/PLAZA AREA AND
B. SEATING AREA(S).
- STREETSCAPE AND LANDSCAPING**
1. INTERNAL AREAS OF THE SITE SHALL BE LANDSCAPED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY CODE.
2. ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHT-OF-WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE.
3. ALL OTHER SCREENING AND LANDSCAPING SHALL CONFORM TO THE STANDARDS OF THE ORDINANCE.
4. THE STREETSCAPE TREATMENT ALONG MALLARD CREEK CHURCH ROAD WILL CONFORM TO THE ORDINANCE AND INCLUDE LARGE MATURING TREES, SUPPLEMENTAL SHRUBBERY, SIDEWALKS OF AT LEAST SIX FEET IN WIDTH AND PLANTING STRIPS OF AT LEAST 8 FEET IN WIDTH. IN THE EVENT THERE IS SURFACE LEVEL PARKING LOCATED IN BETWEEN BUILDING(S) AND ANY PORTION OF MALLARD CREEK CHURCH ROAD (SEE SCHEMATIC SITE PLANS), THE STREETSCAPE TREATMENT ALONG THOSE PORTIONS OF MALLARD CREEK CHURCH ROAD SHALL ALSO INCLUDE A TWO AND ONE-HALF INCH HIGH SOLID MASONRY WALL IN ORDER TO SCREEN SUCH PARKING.
5. OUTDOOR DINING AND COURTYARD AREAS MAY BE LOCATED WITHIN THE ESTABLISHED, BUT OUTSIDE OF THE REQUIRED, SETBACK ALONG MALLARD CREEK CHURCH ROAD.
- LIGHTING**
1. ALL PARKING LOT LIGHTING SHALL BE DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY EXTERIOR PROJECT EDGE PROPERTY LINE.
2. THE PARKING LOT LIGHTING WITHIN TRACT A SHALL NOT EXCEED 30 FEET IN HEIGHT.
3. THE LIGHTING UNDER THE CANOPY OF ANY CONVENIENCE STORE CONSTRUCTED ON TRACT A SHALL BE OF THE FLAT LENS TYPE (AS OPPOSED TO A DROPPED LENS) AND MAY NOT EXCEED A MAXIMUM OVERAGE OF 46 FOOT CANDLES UNDER THE CANOPY AT GRADE LEVEL.
4. ANY LIGHTING ATTACHED TO A REAR EXTERIOR BUILDING WALL FACING THE RESIDENTIAL COMPONENT IN TRACT C SHALL BE CAPPED AND DOWNWARDLY DIRECTED.
5. WALL-MOUNTED DECORATIVE LIGHT FIXTURES SUCH AS SCONCES ARE PERMITTED.
- PARKING**
OFF STREET PARKING AND LOADING WILL MEET THE STANDARDS ESTABLISHED UNDER THE ORDINANCE AT LEAST ONE BICYCLE RACK SHALL BE PROVIDED AT EACH BUILDING.
7. ANY BUILDING(S) USED PRINCIPALLY FOR HOTEL OR OFFICE USES WILL NOT EXCEED 60 FEET IN HEIGHT. OTHER BUILDING(S) ON TRACT A WILL NOT EXCEED 40 FEET IN HEIGHT.
- BUFFERS**
AND ZONING ORDINANCE BUFFERS ARE NOT REQUIRED BETWEEN DISSIMILAR LAND USES WITHIN THE SITE. ANY REQUIRED BUFFER BETWEEN TRACT C AND ITS ADJOINING PROPERTIES MAY BE PROVIDED EITHER ON TRACT C OR ON THE ADJOINING PROPERTY OR PROPERTIES, OR THE BUFFER MAY STRADDLE THE COMMON PROPERTY LINE AND MUST BE IN ACCORDANCE WITH PLANS AND SPECIFICATIONS THAT ARE SUBJECT TO THE REVIEW AND APPROVAL OF THE ZONING ADMINISTRATOR.
- AMENDMENTS TO REZONING PLAN**
FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET, THE SCHEMATIC PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE TRACT OR TRACTS WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.
- BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**
A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER 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 THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HERESI 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.
C. THE DEVELOPMENT DEPICTED ON THE SCHEMATIC SITE PLANS IS SCHEMATIC IN NATURE AND INTENDED TO DESCRIBE THE GENERAL ARRANGEMENT OF USES ON THE SITE. ACCORDINGLY, THE CONFIGURATION, PLACEMENT, AND SIZE OF THE BUILDING FOOTPRINTS OUTLINED ON THE SCHEMATIC SITE PLANS ARE SCHEMATIC IN NATURE, AND SUBJECT TO THE PROVISIONS SET FORTH ABOVE UNDER ARCHITECTURAL CONTROLS, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES WITHIN THE MAXIMUM DEVELOPMENT AREA BOUNDARIES ESTABLISHED ON THE TECHNICAL DATA SHEET. STREET AND PARKING LAYOUTS MAY ALSO BE MODIFIED TO ACCOMMODATE FINAL BUILDING LOCATIONS AND PARKING SPACES MAY BE LOCATED INSIDE OR OUTSIDE DEVELOPMENT AREA BOUNDARIES TO THE EXTENT PERMITTED BY THE ORDINANCE.
- ENVIRONMENTAL**
THE SITE MUST COMPLY WITH THE PCOD.
- PARKS, GREENWAYS AND OPEN SPACE**
RESERVED
- FIRE PREVENTION**
RESERVED
- SIGNAGE**
RESERVED
- PHASING**
RESERVED

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1	WOP	8/20/12	PER REVIEW COMMENTS

PETITION #2012-79

Project: **THE ARBORS**
MALLARD CREEK CHURCH RD
CHARLOTTE, NORTH CAROLINA

Title: **REZONING PLAN**

File #: 12007.DWG Date: 6/22/12 Project Egr: BTU
Design By: BTU
Drawn By: CBH
Scale: 1"=30'

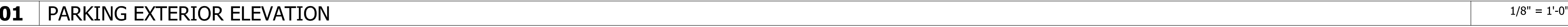
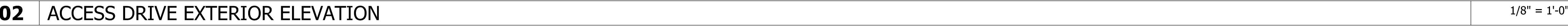
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CIVIL ENGINEERING DESIGN AND LAND SURVEYING

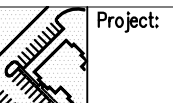

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Title: REZONING PLAN			
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