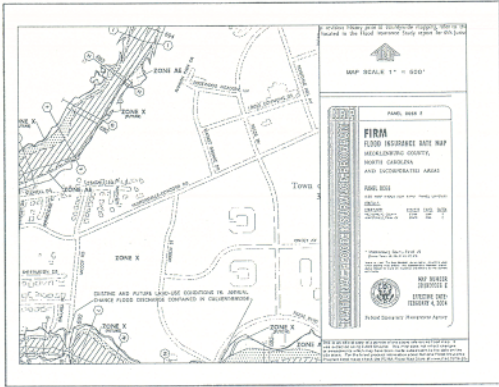
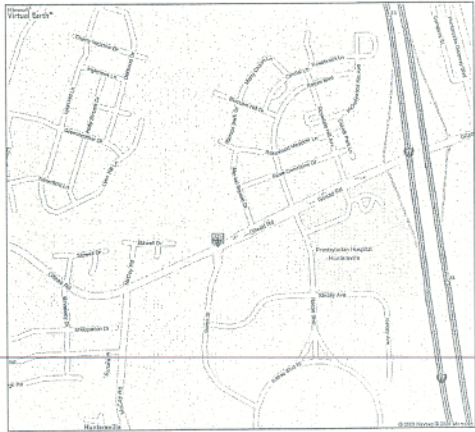


See Page four (4) for Petitioner's proposed changes.



FEMA MAP

NOT TO SCALE



VICINITY MAP

NOT TO SCALE



BEFORE YOU DIG.....STOP!
North Carolina One-Call Center, Inc.
Call 48 Hours Before You Dig!
1-800-632-4949 IT'S THE LAW

LAUREL RESTAURANT

GILEAD ROAD & BOREN STREET
HUNTERSVILLE, NC.
MECKLENBURG COUNTY
PROPOSED ZONING: HC-CD
PIN: 01715807

ANTICIPATED ACTIVITY SCHEDULE						
ACTIVITY/MONTH	1	2	3	4	5	6
1 INSTALL EROSION CONTROL AND TREE PROTECTION						
2 CLEARING AND GRADING						
3 STORM DRAIN INSTALLATION						
4 SANITARY SEWER INSTALLATION						
5 GRASS (TEMP.) (PERM.)						
6 UTILITY INSTALLATION						
7 MAINTAIN EROSION CONTROL						
8 BLDG. CONST. AND PAVING						
9 FINAL LANDSCAPING						
10 CLEAN UP						

NOTE:
EROSION CONTROL DEVICES ARE REQUIRED ON THIS PROJECT. CONTRACTOR TO INSTALL ANY EROSION CONTROL DEVICE THAT REDUCES EXCESS RUNOFF INTO NEIGHBORING STORMWATER SYSTEMS. THE INSTALLATION OF EROSION CONTROL MEASURES AND TREE PROTECTION DEVICES SHALL OCCUR PRIOR TO OR CONCURRENT WITH LAND DISTURBING ACTIVITIES. EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES WILL BE INSTALLED IF DEEMED NECESSARY BY ON SITE INSPECTION.

INDEX OF DRAWINGS

- RZ.1. REZONING SITE PLAN
- RZ.2. REZONING GRADING PLAN
- RZ.3. DETAIL/NOTE SHEET
- RZ.4. EXISTING FEATURES PLAN

REZONING PETITION R08-14
APPROVED BY THE TOWN OF HUNTERSVILLE
Brent D. Dant 5/14/09
Planning Staff Date
• Approved by BOC 4/30/09 (4-1 vote)
• Please see Town of Huntersville letter dated 5/14/09 for additional conditions

PREPARED FOR: **CHEN**
DEVELOPMENT, INC

CONTACT:
MR. JEFF WATSON

21235 CATAWBA AVENUE
CORNELIUS, NC 28031
(704) 895-2084

ENGINEER:

PM ENGINEERING
INCORPORATED

CONTACT:
MR. KYLE J. CROWE, E.I.

LAND PLANNERS
ENGINEERS
TRANSPORTATION
SURVEYORS

4601 CHARLOTTE PARK DRIVE
SUITE 160
CHARLOTTE, NORTH CAROLINA, 28217
VOICE 888.521.9973
FAX 704.521.9974

JOB NO:

2008384

REZONING PETITION #: TO BE ASSIGNED

SITE INFORMATION

TAX PARCEL ID#: 01715907
PROPOSED ZONING: HC (CD)
SITE TO BE ZONED: #1.56 ACRES
OWNER: RHP, LLC, HOLIDAY INVESTMENTS, LLC, GOODE INVESTMENTS, LLC
DEVELOPER: CHEN DEVELOPMENT, LLC, AND/OR SUCCESSORS OR ASSIGNS OF PROPERTY RIGHTS
BOUNDARY SURVEY PROVIDED BY: REGIONAL LAND SURVEYORS, INC.
ADJACENT PARCEL INFORMATION PROVIDED BY COUNTY FIELD DATA

SUBJECT PROPERTY: THE SUBJECT PROPERTY TOTALS APPROX. 1.56 AC (THE SITE). THE SITE CONSISTS OF ONE EXISTING PARCEL. THE APPROVAL OF THIS PETITION WILL RESULT IN THE MAINTAINING OF PARCEL DEPICTED IN THIS REZONING PLAN (THE "PLAN") AND ACCOMPANYING SKETCH PLAN. RECOMBINATION, RECONFIGURATION OR REDUCTION OF PARCELS MAY OCCUR TO ACCOMMODATE THE FINAL DEVELOPMENT / ENGINEERING PLANS PREPARED BY DEVELOPER.

PROPOSED USE: THE PROPOSED BUILDING IS A RESTAURANT WITH DRIVE THROUGH AND IS APPROXIMATELY 5,200 (±45'x=115') SQUARE FEET IN A HIGHWAY COMMERCIAL BUILDING TYPE IN ACCORDANCE WITH THE ORDINANCE.

BUILDING MATERIALS CONFIGURATION AND DESIGN: ALL BUILDING TYPES AS SPECIFIED HEREIN AND AS PERMITTED IN THE IIC DISTRICT WILL BE PERMITTED ON THE SITE AND DESIGNED IN ACCORDANCE WITH THE HUNTSVILLE ZONING ORDINANCE (THE "ORDINANCE"). THE ARCHITECTURAL DESIGN OF THE BUILDINGS (I.E. THE BUILDING MATERIALS AND BUILDING SCALE) SHALL BE COMPATIBLE WITH THE LAUREL AT HUNTSVILLE AND CONFORM TO THE ORDINANCE. MINOR MODIFICATIONS TO THE SPECIFIC FEATURES THAT MAKE UP THE BUILDINGS ELEVATIONS (BRICK, BLOCK/CMU, METAL, FABRIC, GLASS, ETC.) MAY BE MADE TO BUILDING BASED ON FINAL ARCHITECTURAL DESIGN OF THE BUILDING PERMITTING PHASE, SUBJECT TO TOWN STAFF APPROVAL AND COMPLIANCE WITH THE ORDINANCE. HOWEVER, THE CHARACTER OF THE BUILDING SHALL REMAIN CONSISTENT WITH THE DESCRIPTION OF THE ELEVATIONS CONTAINED HEREIN. THE RESTAURANT WITH DRIVE THROUGH BUILDING SHALL BE DESIGNED TO REFLECT THE ELEVATIONS DESCRIPTION ABOVE AND A MASONRY SCREEN WALL TO MATCH THE BUILDING TO SCREEN THE LOADING AREA AS DEPICTED ON THE PLAN.

THE BUILDING FOOT PRINT DEPICTED IS INTENDED TO DEFINE THE OVERALL INTENT OF THE RELATIONSHIP THE BUILDINGS WILL HAVE TO THE ROAD FRONTAGES. BASED UPON FINAL ENGINEERING DESIGN THE BUILDING FACADES WILL NOT SUBSTANTIALLY CHANGE FROM THE LOCATION DEPICTED ON THE PLAN. THE DEVELOPER MAY MODIFY THE SIZE, SHAPE AND FOOTPRINT FROM WHAT IS DEPICTED WITH MINOR MODIFICATIONS, SUBJECT TO TOWN STAFF APPROVAL AND COMPLIANCE WITH THE ORDINANCE. MINOR MODIFICATIONS OF THE EXACT DIMENSIONS, ORIENTATION AND LOCATION OF BUILDING AND BUILD TO LINES, LOADING AND SERVICE AREAS, INGRESS AND EGRESS POINTS (BOTH PEDESTRIAN AND VEHICULAR) MAY BE MADE AT THE ENGINEERING PHASE OF PERMITTING TO ACCOMMODATE THE DEVELOPMENT AND/OR SITE FEATURES SUCH AS TOPOGRAPHY, EXISTING VARIATIONS AND CHANGES IN THE PROPERTY LINES. ALL MINOR MODIFICATIONS TO THE PLAN ARE SUBJECT TO TOWN STAFF APPROVAL AND COMPLIANCE WITH THE ORDINANCE.

LIMITED USES PERMITTED USES: PERMITTED USES SHALL BE IN ACCORDANCE WITH USES PERMITTED IN THE IIC ZONING DISTRICT INCLUDING RESTAURANTS WITH DRIVE THROUGH.

PROHIBITED USES ARE:

- Bars, music clubs, nightclubs and similar entertainment facilities
- Retail establishments
 - Pawn Shop
- Studios, broadcast facilities (including towers)
- Limos
- Hotels
- Boarding or rooming houses
- Conference facilities
- Congregate housing
- Cemeteries
- Commercial Marinas
 - Neighborhood gas stations
- Parking lots as principal use
- Marinas as accessory to residential uses
- Auction sales
- Contractor offices and accessory storage yards
- Indoor and outdoor recreation
- Wholesale sales with related office, storage and warehousing entirely within an enclosed building
- Adult establishments
- Amusement facilities, outdoor
 - Car Wash
- Temporary mobile food sales
- Vehicle and boat service, rental, cleaning, mechanical repair and body repair
- Transmission lines (above and below ground) including electrical, natural gas, and
- water/wastewater distribution lines
- Pumping stations
- Lift stations
- Telephone switching facilities
- Elevated water storage tanks
- Package treatment plants
- Substations, or other similar facilities used in connection with telephone, electric, steam and water facilities
- Raw water treatment facilities
- Transit shelters
- Stalls or merchandise stands for outdoor sale of goods at street front

LANDSCAPING/SCREENING/PARKING/SIGNAGE: DEVELOPER REQUESTS TOWN BOARD APPROVAL FOR THE LANDSCAPING AND PLANTINGS AS DEPICTED ON THE PLAN. THE DEVELOPER WILL ALSO PROVIDE AN ADDITIONAL SECOND ROW OF STREET TREES ALONG GILEAD ROAD & BOREN STREET.

THE LANDSCAPING COMPONENTS OF THE SITE (STREET TREES, SCREENING, PARKING LOT LANDSCAPING AND BUFFERS) AS THEY MAY BE REQUIRED (THE "LANDSCAPING") WILL BE DESIGNED IN ACCORDANCE WITH THE STANDARDS OF THE ORDINANCE AND THE PLAN. THE LANDSCAPING DEPICTED ON THE SITE PLAN ARE CONDITIONS OF THIS PETITION AND ARE PERMITTED AS DEPICTED. ALL MECHANICAL EQUIPMENT, WHETHER ROOFTOP OR GROUND MOUNTED WILL BE SCREENED AND LOCATED ON SITE AS REQUIRED BY THE ORDINANCE.

PARKING LOT LANDSCAPING WILL BE DESIGNED IN ACCORDANCE WITH THE ORDINANCE AND WHERE BUFFERS AND SCREENING ARE REQUIRED AND OR WHEN EXISTING VEGETATION CAN BE SAVED, DEVELOPER MAY USE IT TO SATISFY THE PARKING LOT LANDSCAPING.

PARKING SPACES AND MANEUVERING AREA MAY BE MODIFIED TO ACCOMMODATE THE LANDSCAPING, BUILDINGS, STORM WATER MEASURES AND OTHER FEATURES OF THE PROJECT WHICH WILL BE FULLY ENGINEERING / DESIGNED AT THE PRELIMINARY PLAN STAGE AND AS A RESULT MAY CHANGE THEIR SHAPE, SIZE, LOCATION, AND NUMBER. IN NO EVENT SHALL MORE THAN 45 % OF THE PROJECT FRONTAGE MEASURED ALONG RIGHT OF WAY BE CONSUMED WITH PARKING LOTS.

SIGNS TO BE PERMITTED SEPARATELY AND IN ACCORDANCE WITH ARTICLE 10 OF THE ZONING ORDINANCE.

SPECIMEN AND HERITAGE TREES: NO SPECIMEN OR HERITAGE TREES ARE BELIEVED TO BE LOCATED ON SITE BASED UPON PREPARED SURVEY INFORMATION.

SITE ACCESS/CONNECTIVITY: DEVELOPER WILL BE REQUIRED TO SUBMIT FOR CITY PERMITS TO SERVE THE SITE AND CONSTRUCT THE ROAD IMPROVEMENTS ASSOCIATED WITH ISSUANCE OF DRIVEWAY PERMITS, SUBJECT TO TOWN STAFF & NCDOT REVIEW.

THE DEVELOPER WILL INSTALL A PEDESTRIAN CONNECTION TO LAUREL AT HUNTSVILLE THRU THE SUBJECT SITE AND ALL INTERNAL SIDEWALKS SHALL BE CONSTRUCTED OF PAVERS AND WILL HAVE DECORATIVE LANDSCAPING.

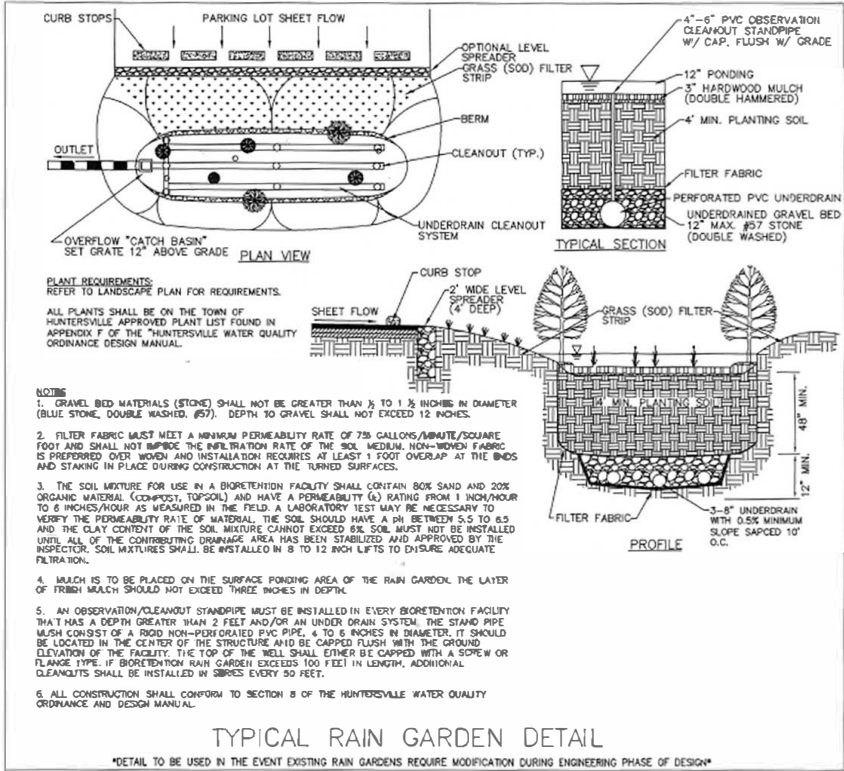
STORMWATER MANAGEMENT: THE STORMWATER MANAGEMENT PLAN HAS BEEN PREVIOUSLY SUBMITTED BUT MAY BE MODIFIED DURING THE FINAL ENGINEERING DESIGN WITH TOWN AND MECKLENBURG COUNTY LESA APPROVAL. THE MODIFICATIONS MAY INCLUDE: ADJUSTING THE NUMBER, SIZE, LOCATION, LAYOUT AND TYPE OF STORMWATER MANAGEMENT PRACTICES BEING UTILIZED. DEVELOPER MAY UTILIZE ABOVE OR BELOW GROUND DESIGNS TO ACCOMMODATE STORMWATER REQUIREMENTS OF THE SITE AS APPROVED BY LESA.

APPLICABILITY OF PETITION AND AMENDMENTS: OWNER RESERVES THE RIGHT TO MODIFY THE ZONING PETITION IN ACCORDANCE WITH HUNTSVILLE ZONING STANDARDS AND NORTH CAROLINA GENERAL STATUTES. MODIFICATIONS TO THIS PETITION ZONING PLAN MAY OCCUR TO ACCOMMODATE FINAL SITE DESIGN. IN THE INSTANCE THAT THIS PETITION ZONING PLAN LACKS CLARITY, THE ORDINANCE SHALL PREVAIL. MATERIAL MODIFICATIONS TO THE PLAN MAY REQUIRE APPROVAL FROM THE TOWN BOARD.

SITE LIGHTING: ALL SITE LIGHTING SHALL COMPLY WITH ARTICLE 8.26 OF THE HUNTSVILLE ORDINANCE.

STORE INTERIOR: THE INTERIOR OF THE STORE SHALL BE INITIALLY CONSTRUCTED IN A STYLE SIMILAR TO THE PHOTOGRAPHS OF INTERIORS SHOWN AT THE PUBLIC HEARING; HOWEVER, SPECIFIC FABRICS AND MATERIALS SHALL BE DETERMINED BY THE FRANCHISEE OR STORE OWNER DURING THE PERMITTING PROCESS.

OPERATING HOURS: OPERATING HOURS OF THE DINING AREA SHALL BE NO EARLIER THAN 5:00 A.M. AND NO LATER THAN MIDNIGHT. HOWEVER THE DRIVE THROUGH SERVICE MAY BE OPERATED 24 HOURS A DAY, SEVEN DAYS A WEEK. NOISE ORDINANCE SHALL BE CONFORMED WITH AT ALL TIMES.



- Pursuant to the agreement between application and Melbourne HOA, Petitioner agrees to complete the following:
1. Petitioner confirms that this rezoning request is for the 1.56-acre site at Gilead Road & Boren Street ONLY.
 2. Petitioner agrees that any future changes to the site plan and renderings (with the exception of minor changes) will require a new public hearing and that Melbourne Board will be notified of any requested changes (with the exception of minor changes).
 3. Petitioner will provide a double row of street trees along Boren Street and Gilead Road as shown on the site plan.
 4. Petitioner will add landscaping along Boren Street over that required by the Ordinance to provide screening of the parking area as shown on the site plan.
 5. Petitioner will add landscaping to the green areas contained within the parking area.
 6. Petitioner will prohibit the following uses currently permitted under the approved zoning for the Property: Bars and Nightclubs, Pawn Shops.
 7. Petitioner will add the following at the driveway entrance to the Property from Boren Street: A "One Way / Do Not Enter" sign; a stop bar for exiting cars in the one-way drive aisle; and a stop sign for exiting cars in the one-way drive aisle.
 8. Trash cans shall not be visible from Gilead Road.
 9. Wrought iron seating shall be located in the patio area.
 10. Brick pavers shall be included in the crosswalk areas.
 11. A brick screen wall shall be provided around the service area.
 12. Brick and/or landscaped screening shall be utilized to screen the order area from Gilead Road.
 13. Parking lot lighting shall be shielded in accordance with the Ordinance.
 14. The building will be constructed substantially the same as shown on the site plan and renderings shown.

The items in these additional notes will be fulfilled at the time McDonald's commences construction and are conditioned upon a successful rezoning and McDonald's commencing construction.

"Operating Hours" modified to allow for 24/7 drive through only and affirm compliance with noise ordinance. Dining area shall continue to operate from 5:00 am until midnight only.

Land Use and Environmental Services Agency Notes

Air Quality

Development of this site may require submission of an asbestos Notification of Demolition and Renovation to MCAQ due to possible demolition or renovation of an existing structure. A letter of notification and the required forms will be mailed directly to the petitioner by MCAQ.

Groundwater & Wastewater Services

Submitted site plans and review of parcel information indicate parcel 015-264-35 contains a residential structure constructed in 1937. Given the age it is likely that the residence was originally served by a private water supply well and on-site sewage disposal system. Parcel information also indicates that the residence has previously used fuel oil for heat.

GWS recommends that the petitioner conduct a water supply well survey to locate all existing water supply wells within the proposed development. The wells must be protected from damage during site development or they must be properly abandoned prior to site work beginning. The Mecklenburg County Groundwater & Wastewater Services (GWS) Program should be contacted at 704-336-5500 prior to undertaking any well related activity.

No regulation governs the abandonment of septic systems; however, GWS does recommend that septic tanks be pumped to remove any residual contents, and then crushed and backfilled. This recommendation is made because tanks that collapse pose a safety hazard and improperly abandoned septic tanks may not be able to support the weight of vehicular traffic, structural foundations, or people.

GWS further recommends that the petitioner locate any fuel oil storage tanks and properly close them per NCDENR guidelines prior to any demolition or grading activity.

All water supply wells shall be protected by flagging and fencing during site development or abandoned per the Mecklenburg County Groundwater Well Regulations prior to any demolition or grading activity.

The property shall be inspected for septic tanks. Any tanks identified will be pumped by a licensed waste hauler to removal residual contents, crushed and backfilled.

All fuel oil storage tanks, both below and above ground, shall be closed per NCDENR guidelines. Any release of regulated substances shall be reported to NCDENR at 704-663-1699.

Solid Waste

Mecklenburg County Solid Waste requests the petitioner submit a Solid Waste Management Plan prior to initiating demolition and/or construction activities to include, at a minimum, the procedures that will be used to recycle all clean wood, metal, and concrete generated during demolition and construction activities.

The Plan shall specify that monthly reporting of all tonnage disposed and recycled will be made to the Mecklenburg County Solid Waste Program and that all non-recyclable materials shall be removed and disposed of in a properly permitted landfill; this includes land clearing and inert debris, as well as any other debris generated. The report shall include the identification and location of facilities receiving disposed or recycled materials. Special care and consideration shall be given to the handling and disposal of any debris generated under demolition of any structure requiring a nESHAP permit from the Air Quality Section.

Mecklenburg County is committed to reduction of construction/demolition waste. Technical assistance is available at no charge to those companies willing to partner with the County in this effort. Please contact Mike Bogart at (704) 353-0141 for more information regarding the County's technical assistance services.

Water Quality

The proposed project will include a substantial amount of impervious area, which will directly affect surface water quality due to storm water runoff from the project. Storm water runoff becomes contaminated with pollutants associated with the impervious area usage, transporting these pollutants to surface waters. In addition, this impervious area acts to increase the volume and velocity of storm water entering surface waters, which affects stream channel stability and negatively impacts water quality and aquatic habitat. In order to mitigate the impacts of these pollutants and to protect water quality conditions, the proposed project has measures that has been previously permitted.

Storm Water Quality Treatment

Storm water treatment systems must be installed to achieve average annual 85% Total Suspended Solids (TSS) removal for the developed area of the site. All sites must employ LID practices to control and treat runoff from the first one inch of rainfall.

LID practices or a combination of LID and conventional storm water management practices shall be used to control and treat the increase in storm water runoff volume associated with post-construction conditions as compared with pre-construction (existing) conditions for the 2-year frequency, 24-hour duration storm event in the Rural and Transitional Zoning Districts. For all other Zoning Districts, LID practices or a combination of LID and conventional storm water management practices shall be used to control and treat the increase in storm water runoff volume associated with post-construction conditions as compared with pre-construction (existing) conditions for the 1-year frequency, 24-hour duration storm event. This may be achieved by hydrologic abstraction, recycling and/or reuse, or other accepted management practice as described in the Huntsville Water Quality Design Manual.

Storm Water Volume and Peak Controls (previously permitted)

Peak storm water runoff rates shall be controlled for all development above 12% imperviousness. The peak storm water runoff release rates leaving the site during post-construction conditions shall be equal to or less than the pre-development peak storm water runoff release rates for the 2-year frequency, 24-hour duration storm event and 10-year frequency, 24-hour duration storm event. The emergency overflow and outlet works for any pond or wetland constructed as a storm water BMP shall be capable of safely passing a discharge with a minimum recurrence frequency of 50 years. For detention basins, the temporary storage capacity shall be restored within 72 hours. Requirements of the Dam Safety Act shall be met when applicable. Where any storm water BMP employs the use of a temporary water quality storage pool as a part of its treatment system, the drawdown time shall be a minimum of 48 hours and a maximum of 120 hours.

No one BMP shall receive runoff from an area greater than five (5) acres. However, the total drainage area from BMPs used in series (i.e., integrated) can exceed this five (5) acre maximum.

Storm water runoff from the development shall be transported from the development by vegetated conveyance to the maximum extent practicable.

PROJECT

**LAUREL
RESTAURANT**

GILEAD ROAD &
BOREN STREET
MECKLENBURG CO.
HUNTSVILLE, NC

FOR

**CHEN
DEVELOPMENT,
INC**

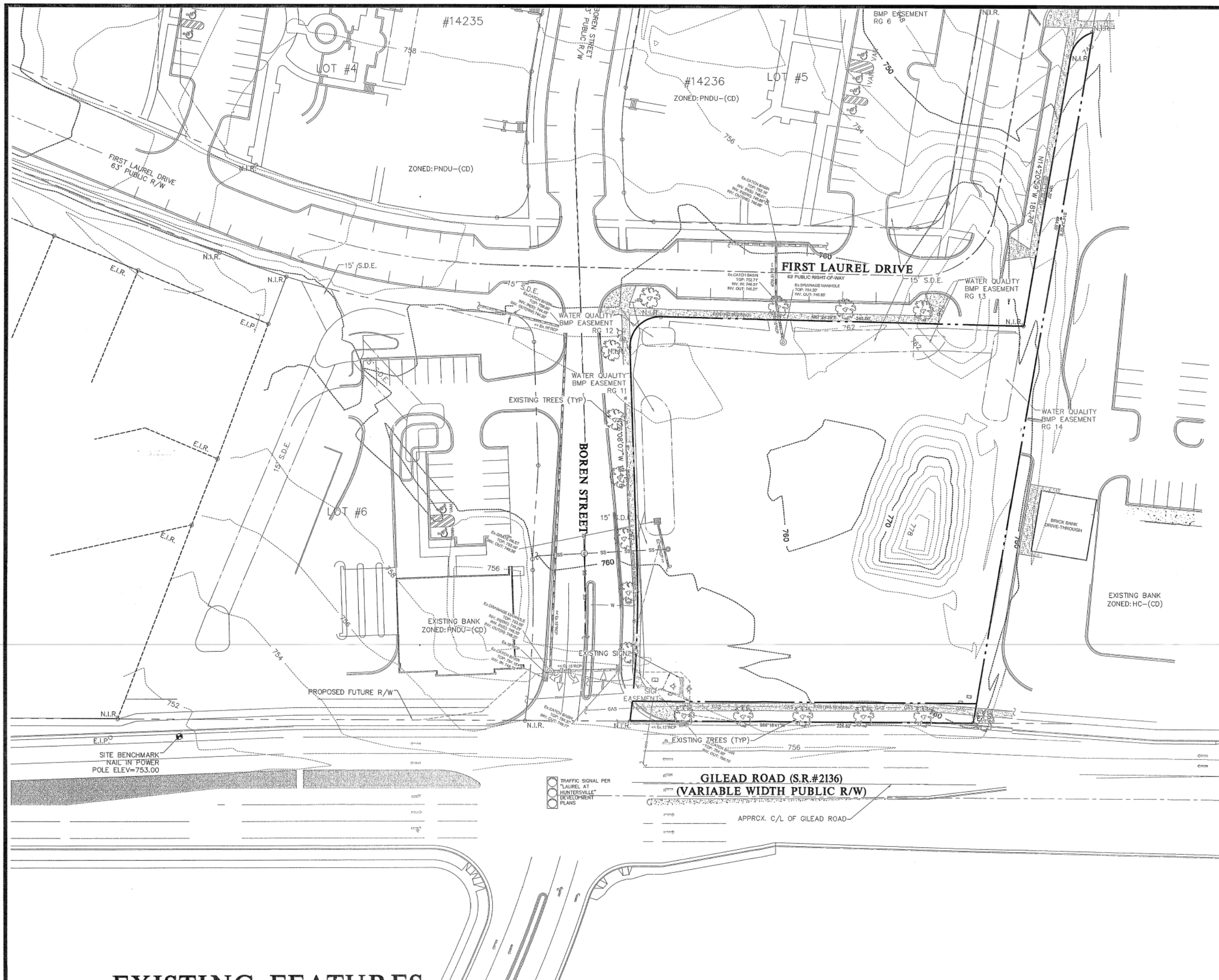
21325 CATAMBA AVENUE
CORNELIUS, NC 28031
(704) 895-2084

REVISIONS

DWG. NAME : 2008384.71
DRAWN BY : KJC
DATE : 10.30.08
SCALE: NTS

**DETAIL/NOTE
SHEET**

RZ.3



EXISTING FEATURES

0 15 30 60 120
SCALE: 1"=30'

PM ENGINEERING
Incorporated
Land Planners • Engineers • Transportation • Surveyors
4601 Charlotte Park Drive, Suite 160
Charlotte, NC 28217
Telephone: (704) 521-9973 Fax: (704) 521-9974

PROJECT

LAUREL RESTAURANT

GILEAD ROAD &
BOREN STREET
MECKLENBURG CO.
HUNTERSVILLE, NC

FOR

CHEN DEVELOPMENT, INC

21325 CATAWBA AVENUE
CORNELIUS, NC 28031
(704) 895-2084

REVISIONS

DWG. NAME : 2008384.71
DRAWN BY : KJC
DATE : 10.30.08
SCALE : 1"=30'

EXISTING FEATURES PLAN

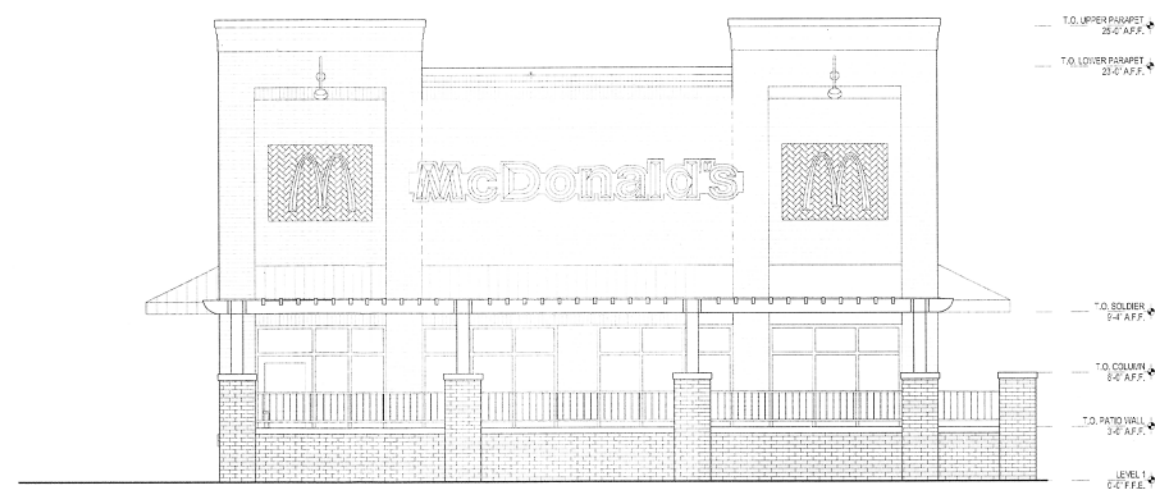
RZ.4



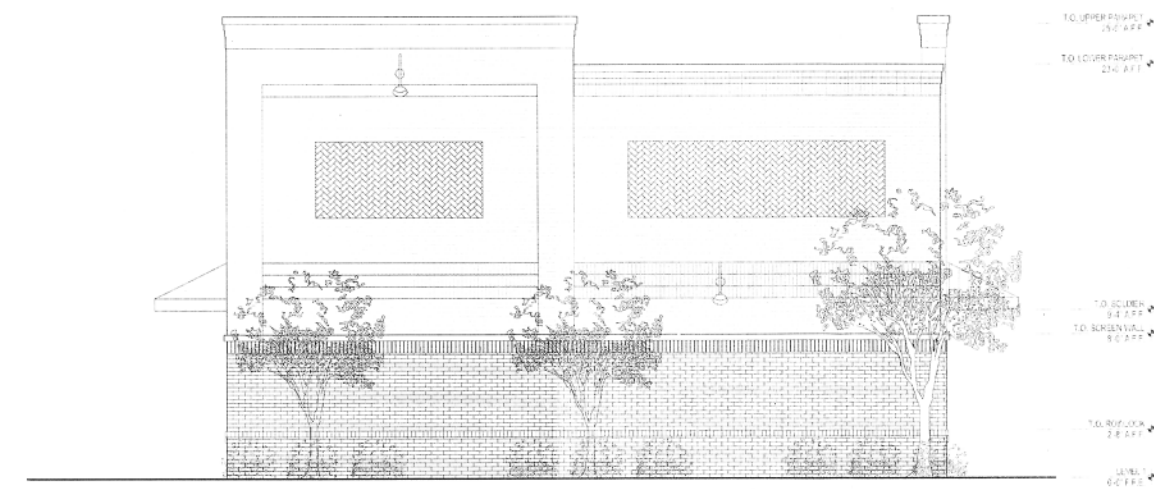
1 LEFT SIDE ELEVATION
SCALE: $\frac{3}{16}" = 1'-0"$



2 FRONT ELEVATION
SCALE: $\frac{3}{16}" = 1'-0"$



3 SIDE ELEVATION
SCALE: $\frac{3}{16}" = 1'-0"$



4 REAR ELEVATION
SCALE: $\frac{3}{16}" = 1'-0"$

McDONALD'S - GILEAD ROAD

HUNTERSVILLE, NORTH CAROLINA - RJA PROJECT #SP-601 - REVISED 03. 17. 09