DEVELOPMENT STANDARDS

General Provision

Unless more stringent standards are established by this Technical Data Sheet or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the B-1 zoning district classification shall be followed in connection with development taking place on the Site.

Permitted Uses

The Site may be devoted to any use, including any accessory use, which is permitted by right or under prescribed conditions in the B-1 zoning district including, without limitation, restaurants (provided that restaurants with drive-thru windows shall not be permitted on the Site). Non-restaurant facilities with drive-thru windows such as banks and drug stores shall be expressly permitted on the Site. Gas stations and convenience stores shall not be permitted on the Site.

Square Footage Restrictions

The gross floor area of all buildings constructed within the Site, including the outparcels, may not exceed, in the aggregate, 85,000 square feet.

Setbacks, Side Yards and Rear Yards.

1. All buildings constructed within the Site shall satisfy or exceed the rear yard and side yard requirements established under the Ordinance for the B-1 Zoning District.
2. A 70' parking setback and a 80' building setback will be established along Mallard Creek Church Road, and a 30' building and parking setback will be established along Mallard Creek Road, all as depicted on the Technical Data Sheet. Notwithstanding the foregoing, a 70' parking setback and a 70' building setback will be established along Mallard Creek Church Road on Parcel 2.
3. Storm water detention will not be located within any setback area, except that the storm management flow restricting plate or structure may be located within the 30' building and parking setback established along Mallard Creek Road at the existing wetland area north of the proposed entrance off Mallard Creek Road.
4. Grading and clearing activities shall be permitted in the parking setbacks as long as there is no violation of the City of Charlotte "Tree Ordinance". All trees within the setback (8" cal. and larger) will be preserved at Mallard Creek Road and area within the first 40' of building setback from street right-of-way at Mallard Creek Church Road.

Screening and Landscaped Areas

1. Landscaped areas will be planted and improved in sequences which are keyed to each phase of development taking place on the Site.
2. Plantings within landscaped areas will meet or exceed the requirements of the Zoning and Tree Ordinances.
3. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.
4. All loading docks shall be screened from the view of future David Taylor Drive and an adjacent parcel of land currently owned by John W. Adams and designated as Parcel No. 029-011-07 on the Mecklenburg County Tax Maps (hereinafter referred to as the "Adams Property"). Screening shall consist of evergreen plantings, brick faced walls or berms or any combination thereof, provided, however, that berms may not be used exclusively. If a berm is utilized, it must be utilized in conjunction with evergreen plantings or brick faced walls. The height of any such screening shall be a minimum of 8 feet at the time of installation.
5. All retail and restaurant buildings shall be sited so that any loading dock on such buildings will not be facing east towards the Adams Property.
6. Petitioner will install a double row of small maturing trees and shrubs in the setback along Mallard Creek Church Road, in addition to any existing trees that are preserved, as generally depicted on the Technical Data Sheet.
7. ~~Petitioner will install evergreen trees or evergreen shrubs with a maturing height of 5' minimum along Mallard Creek Rd. (north of the proposed entrance) as generally depicted on sheet 2 of 2 "Illustrative Site Plan."~~
8. On Parcel 2, Petitioner shall be allowed to install landscape and hardscape improvements within the northernmost 30' of the 70' building and parking setback provided that such improvements are of a nature to compliment the pedestrian character of the buildings to be developed on Parcel 2. Such improvements may include, without limitation, pavers, sidewalks, fountains, benches, pedestrian courtyards, and etc.

Parking

1. Off street parking will meet the minimum standards established under the Ordinance.
2. Petitioner will designate up to 20 parking spaces within the location depicted on the Illustrative Site Plan for use as "Van Pool/Park & Ride" parking spaces. These parking spaces will be available for use as "Van Pool/Park & Ride" parking spaces on a non-exclusive basis so that customers, employees and vendors of those businesses located on the Site may also utilize these parking spaces.

Lighting

1. All freestanding light fixtures installed within the Site will be uniform in design. All parking lot lighting in the retail parking lots shall be metal halide.
2. The maximum height of any freestanding lighting fixture, including its base, shall not exceed 30 feet.
3. All direct lighting within the Site (except street lights which may be erected along Mallard Creek Church Road or Mallard Creek Road) shall be designed such that direct illumination does not extend past any exterior property line. Consideration will be given to the impact of lighting both within and without the perimeter of the site. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards Mallard Creek Church Road, Mallard Creek Road and adjacent properties.
4. ~~No wall pack type lights, except for wall fixtures which illuminate downward, shall be allowed.~~
5. (Eliminated)

Sign

1. ~~All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.~~ No shopping center identification sign with tenant names shall be located within 100 feet of future David Taylor Drive.
2. The Shopping Center sign may not be a pole sign and it shall have a maximum height of 20' with a maximum sign face area of 100 square feet, and shall be constructed of brick compatible to the shopping center. The ground mounted or monument type signs on the outparcels shall have a 4' maximum height with a maximum sign face area of 50 square feet.

Access Points (Driveways)

1. The number of vehicular access points to the Site shall be limited to the number depicted on this Technical Data Sheet.
2. The placement and configuration of each vehicular access point is 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 Charlotte Department of Transportation and the North Carolina Department of Transportation.
3. Access to Mallard Creek Road from the Site shall be limited by a "left-over" median design, which will prohibit left turn movements and through movements out of the shopping center Site onto Mallard Creek Road, while permitting left turn movements and right turn movements into the shopping center Site and right turn movements out of the shopping center Site onto Mallard Creek Road.

Fire Protection

Adequate fire protection in the form of fire hydrants will be provided to the 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.

Architectural Controls and Restrictive Covenants

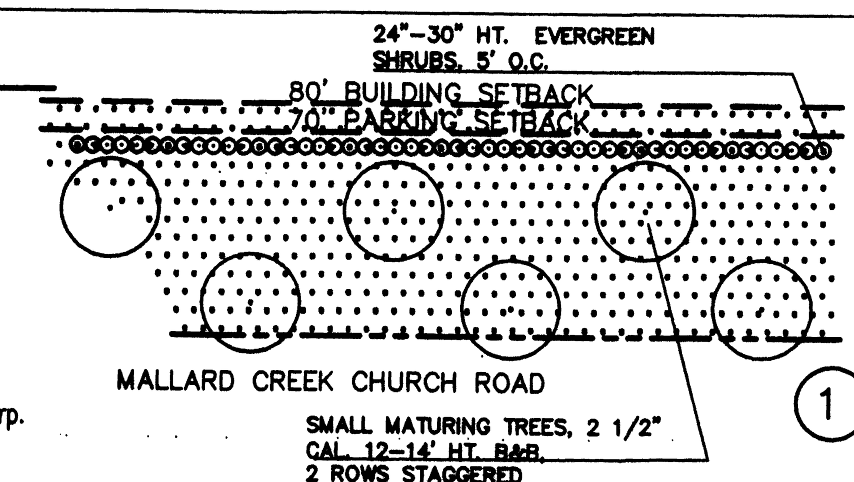
1. Dumpster areas will be enclosed on all four sides, with three sides being a brick wall and one side being a hinged metal gate. If one or more sides of a dumpster area adjoins a rear wall of a building, the rear wall may be substituted for a side (s). Sealed trash compactors (if any) will be screened with a gate on the access side.
2. All mechanical equipment, including rooftop equipment, shall be screened to its full height and shall not be visible from Mallard Creek Road, Mallard Creek Church Road, the future David Taylor Drive or the first floor level of the proposed office buildings to be located on the Adams Property. The mechanical screens shall be constructed of drivit or brick material as part of architecturally integrated building walls.
3. At least 60% of all the exterior opaque vertical surfaces of the front, side and rear elevations of all buildings constructed on the Parcel 3 will consist of brick materials. All brick materials used shall be compatible in color with the red-tone brick selected for the office buildings to be located on the Adams Property. No painted block or wood/vinyl/metal siding shall be permitted on the exterior of the buildings. The exterior opaque vertical surfaces of the front and side elevations of the buildings on Parcels 1 and 2 will be at least 80% brick.
4. The remaining non-brick opaque vertical surfaces and architectural accents shall be constructed with a combination of the following materials only: drivit, ground face block, split-faced block, spandrel glass, precast concrete, precast stone or natural stone.
5. Canopies or awnings shall be constructed of canvas material, colored standing seam metal, tile or slate material or other similar architectural materials designed to look like these materials.
6. Sloped roof surfaces that are visible from the ground shall be made of colored standing-seam metal, tile or slate or other similar architectural materials designed to look like these materials.
7. Buildings on the outparcels shall be architecturally compatible with the shopping center as evidenced by some architectural design features, similar material, color and landscaping.
8. Petitioner may construct one or more buildings within Parcel 2. If Petitioner constructs more than one building on Parcel 2, then two of the buildings must be connected by a patio or an urban plaza space as generally depicted on the Illustrative Site Plan.
9. No parking shall be located between any building on Parcel 2 and the northern edge of the 70 foot building and parking setback depicted on the Technical Data Sheet. The elevation of each building constructed within Parcel 2 that faces Mallard Creek Church Road shall have a door and/or windows so that each building will appear to front Mallard Creek Church Road.

Storm Water Management

1. Storm water runoff from the Site will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte Engineering Department.
2. Some of the existing storm drainage pipes and structures on or exiting the Site may be inadequate for proper drainage from the Petitioner's Site. In the event improvements are necessary for existing pipes and structures to make them consistent with City Engineering Standards or to make them adequate for Petitioner's project, the Petitioner agrees to make such changes and modifications at its expense.

Adjacent Property Owners

1.	029-361-11	John H. Alexander 10701 Mallard Creek Rd. Charlotte, NC 28262
2.	029-361-24	Tradition At Mallard Creek LP PO Box 450233 Atlata, GA 31145
3.	029-361-09	WEC 99J-51 LLC % CVS Corp. 1 CVS Dr./Store 255 ATTN. Property Admin. Dept Woonsocket, RI 02895
4.	029-362-07	Southern Bell Telephone and Telegraph PO Box 30188 Charlotte, NC 28230
5.	047-168-20	Lincoln Center at Mallard Creek LLC PO Box 657 Lincolnton, NC 28092
6.	047-168-21	Koger Equity Inc. 8880 Freedom Crossing RL ATTN: Michael F. Beale CCIM Jacksonville, FL 32256
7.	047-162-12	Koger Equity Inc. 8880 Freedom Crossing RL ATTN: Michael F. Beale CCIM Jacksonville, FL 32256
8a.	029-011-20	High Family Partnership 1 LP
8b.	029-011-21	P. O. Box 10008
8c.	029-011-07	Lancaster, PA 17605-0008
9.	029-011-04	Dallas Merle King 2509 Mallard Creek Church Rd. Charlotte, NC 28262
10.	029-011-05B	Mallard Creek Volunteer Fire Department RFD 7, Box 382 Charlotte, NC 28213
11.	029-011-05A	Mary H Galloway Limited Partnership 10186 Clay Brooke Dr. Charlotte, NC 28262
12.	029-361-05	Mallard Crossing Assoc. 125 Scaleybark Road Charlotte, NC 28209



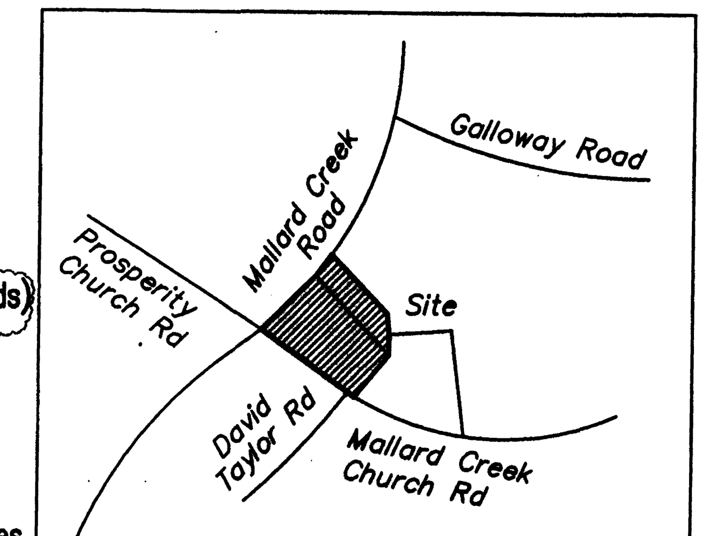
TYPICAL STREETSCAPE ALONG MALLARD CREEK CHURCH ROAD

Petition# 2002-49

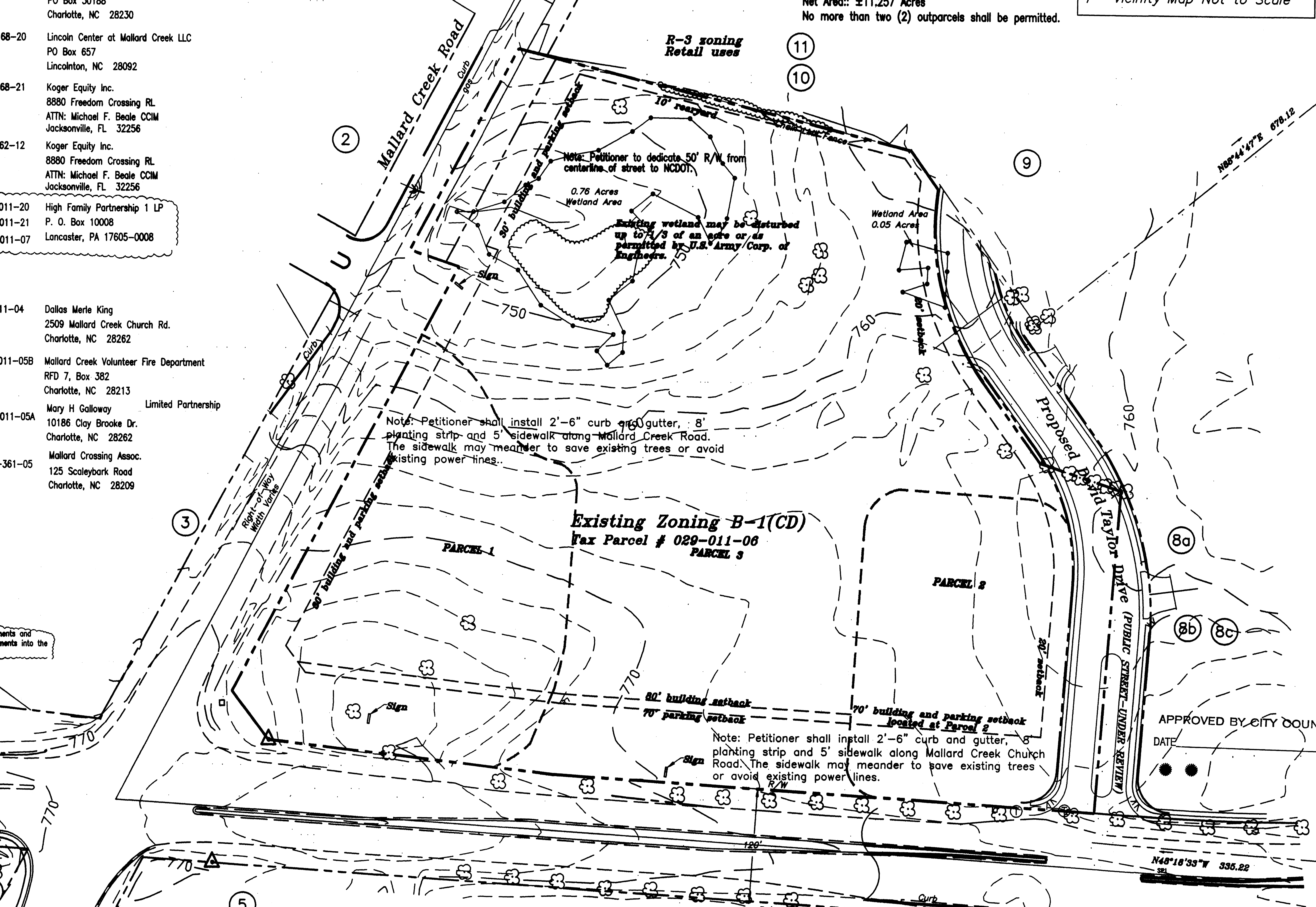
Site Data

Site Area: ±11.83 Acres
Existing Zoning: B-1 (CD)
Proposed Zoning: B-1(CD) Site Plan Amendment
Proposed Uses: (eliminated, see Development Standards)

Proposed Maximum Square Footage: 85,000 SF
Area Within Mallard Creek Road R/W: ±0.169 Acres
Area Within Proposed David Taylor Drive: ±0.404 Acres
Net Area:: ±11.257 Acres
No more than two (2) outparcels shall be permitted.



Vicinity Map Not to Scale



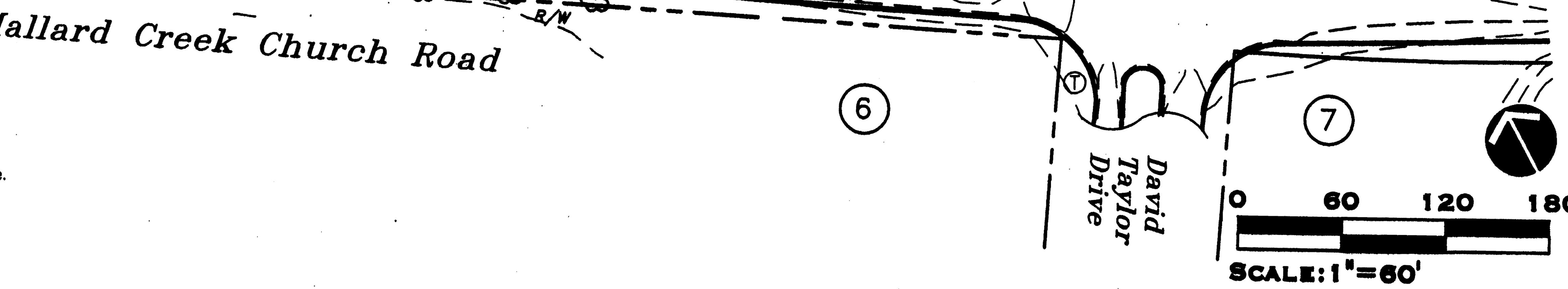
DEVELOPMENT STANDARDS (Continued)

Sidewalks

1. The Petitioner will install a 5' wide sidewalk along Mallard Creek Road and Mallard Creek Church Road to facilitate a pedestrian friendly development, generally as depicted on the Illustrative Site Plan. The sidewalk will be no closer to the back of curb than 8 feet, except where necessary to comply with the tree ordinance.
2. The petitioner will provide an internal sidewalk system within the shopping center Site.
3. Sidewalk connections to existing public streets shall be installed to meet the requirements specified in section 12.529 of the Ordinance.

Roadway Improvements

1. Petitioner/developer will install curb and gutter along the Site's Mallard Creek Church Road frontage. ~~A left-turn lane to the Site will be installed on Mallard Creek Road.~~
2. Petitioner/ developer to convey 50' right-of-way measured from center line of Mallard Creek Road to NCDOT prior to a.) issuance of certificate of occupancy or b.) when requested by either the City of Charlotte or NCDOT.



LandDesign, Inc.
Landscape Architecture
Urban Design
Land Planning
Civil Engineering

Raley Miller Retail Site
Charlotte, N.C.

Raley Miller Properties, Inc.

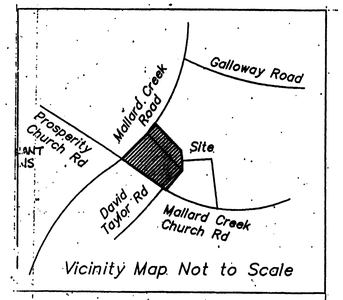
Technical Data Sheet

REVISIONS
04/15/02 per CMPC comments
05/13/02 per CMPC comments
05/20/02 misc. revisions
5/29/02 Revised adj. owner's names

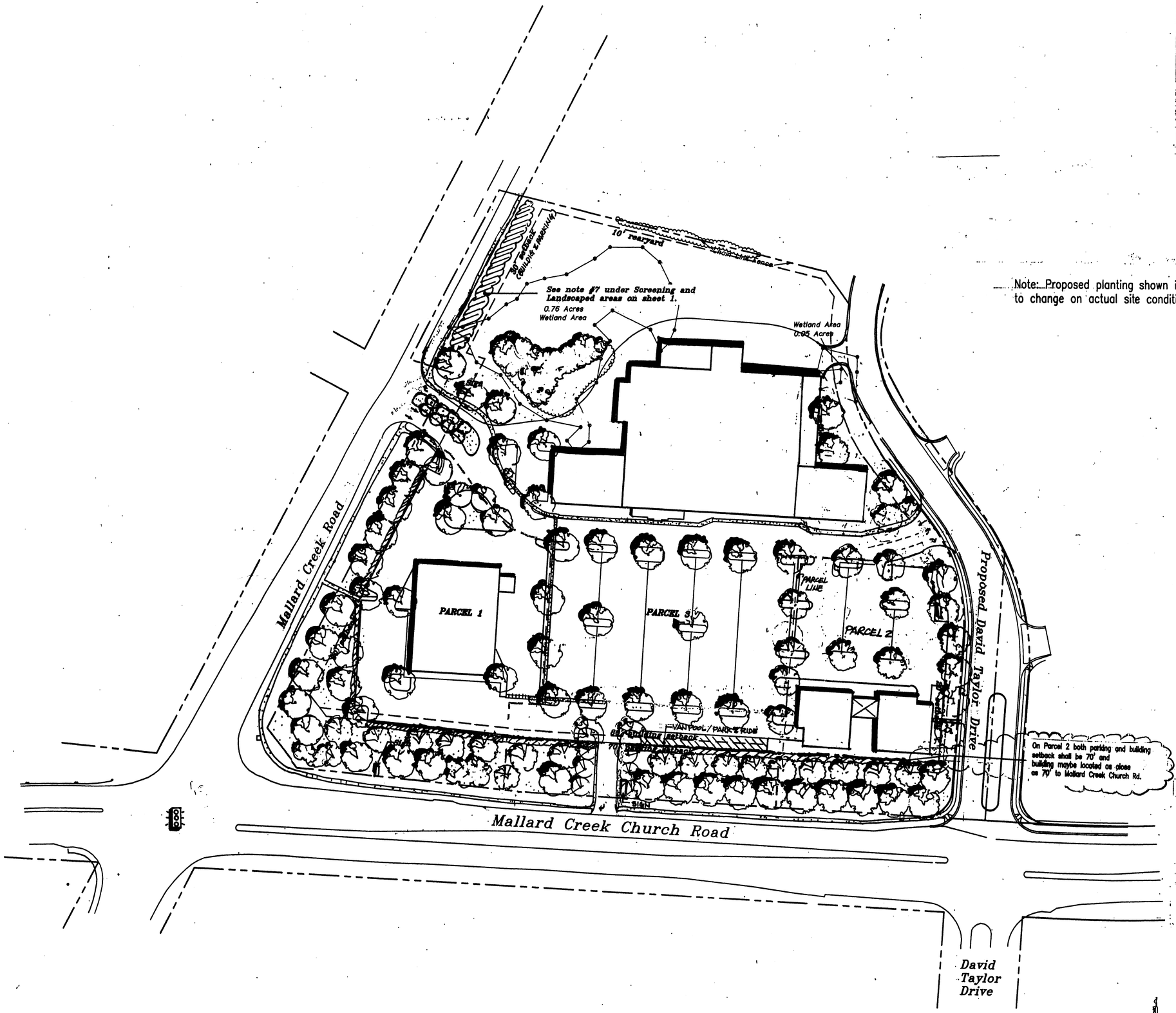
DATE: March 2002	
DES. JS	DWN. KV
SCALE: 1" = 60'	
PROJECT/FILE NO. 1099152	
SHEET NO. SHEET 1 OF 2	

FILE: G:/99152./DWG/1522TEAMENDMENT.

REV'D, SEE 7/23/02



Note: Proposed planting shown is conceptual only and will be subject to change on actual site conditions and urban Forestry Staff approval.



APPROVED BY CITY COUNCIL

DATE_____

"FOR PUBLIC HEARING"

THE SIZE, SHAPE AND LOCATION OF BUILDINGS, PARKING LOTS, CURBS, CURB CUTS, LANDSCAPING AND PARCEL PROPERTY LINES AS DEPICTED ON THE ILLUSTRATIVE SITE PLAN ARE CONCEPTUAL IN NATURE AND THE SAME MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES AND SHALL BE SUBJECT TO SECTION 6 OF THE ZONING ORDINANCE.

0 60 120 180

SCALE: 1"=60'

Land Design

LandDesign, Inc.
Landscape Architecture
Land Planning
Civil Engineering

Raley Miller Retail Site
Charlotte, N.C.

Raley Miller Properties, Inc.

Illustrative Site Plan

REVISIONS
4/15/02 per CMPC comments
5/13/02 per CMPC comments
5/20/02 MISC. REVISIONS

DATE: March 2002	
DES. AO	DWN. AO
SCALE: 1" = 60'	
PROJECT/FILE NO. 109152	
SHEET NO. SHEET 2 OF 2	

FILE d:\109152\Dwg\152rezone.dwg Thu Jul 13 10:52:25 2000 AO

RECORD 5/20/02 JEE 12