




NO POINT SET
 EXISTING IRON PIN (AS DESCRIBED)
 CONCRETE MONUMENT FOUND
 FENO GPS MONUMENT
 SPOT ELEVATION
 TEMPORARY BENCH MARK (TBM)
 UNDERGROUND JUNCTION BOX

GAS VALVE
WATER VALVE
FIRE HYDRANT
POWER POLE
GUY WIRE
GUY POLE
SAN. SEWER MANHOLE

OVERHEAD POWER LINE
OVERHEAD POWER & TELEPHONE LINE
UNDERGROUND TELEPHONE LINE
GAS LINE
SANITARY SEWER LINE
WATER LINE
FENCE
TIE LINE
SUBJECT PROPERTY (BY PLAT)
BOUNDARY BY DEED OR PLAT
RIGHT OF WAY
EDGE GRAVEL
EXISTING MAJOR CONTOURS
EXISTING MINOR CONTOURS
PROP SEWER
PROP STORM DRAINAGE
PROP WATER

PROPOSED BRT
TRANSIT STOP

 TOWNHOUSES - 4 UNITS (TYPICAL)
 APARTMENT BUILDING - 24 UNITS - 3 STORIES (TYPICAL)
 PROPOSED CANOPY TREE

SCHOOL SITE

PUBLIC AREAS (PARKS, COMMUNITY OPEN SPACE, WALKING TRAILS, ETC.)

RETAIL

OFFICE

**SINGLE FAMILY
RESIDENTIAL**

**MEDIUM DENSITY
RESIDENTIAL**

**HIGH DENSITY
RESIDENTIAL**

S.W.I.M. BUFFER

GENERAL NOTES

1. BOUNDARY TOPOGRAPHIC AND LOCATION OF UTILITIES, TREES, ETC... WERE TAKEN FROM GIS INFORMATION PROVIDED BY CABARRUS COUNTY GIS CDROM AND CHARLOTTE MECKLENBURG FIELD CDROM.

WECKLENBURG FIELD CORP.:

NO EXAMINATION TO DETERMINE WHETHER ANY HAZARDOUS OR TOXIC MATERIALS ARE PRESENT OR CONTAINED IN, UNDER, OR ON THE SUBJECT PROPERTY OR ITS WATERS, OR IF ANY HAZARDOUS OR TOXIC MATERIALS HAVE CONTAMINATED THIS OR OTHER PROPERTIES OR ITS WATERS IN ANY WAY WHATSOEVER. NO SUBSTANCE EXAMINATION OF ANY KIND HAS BEEN CONDUCTED TO DETERMINE THE EXISTENCE OF ANY OPINION IS EXPRESSED OR INFERRED ON ALL SUCH MATTERS. FURTHER NO OPINION IS RENDERED AS TO ANY VIOLATION OF AN ENVIRONMENTAL LAWS OR REGULATIONS, EITHER FEDERAL, STATE, OR LOCAL RELATED TO THE INFORMATION SHOWN ON THIS PLAN, AND THE ENGINEER IS NOT LIABLE FOR ANY VIOLATION OF SUCH REGULATIONS OR LAWS THAT MAY BE EXIST.

ENVIRONMENTAL LAWS SHOULD THEY EXIST.

3. PER FLOOD INSURANCE RATE MAP, PANEL 65 OF 180, MAP #3701580065 B EFFECTIVE DATE: NOVEMBER 2, 1994, PROPERTY IS LOCATED IN ZONE X.

4. BUILDING SETBACKS ARE 35' FRONT, 25' SIDE, AND 25' REAR AS PER CC ZONING REQUIREMENTS BUT MAY BE REDUCED PER SECTION 11.405 AND 11.407 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.

5. SUBJECT PROPERTY IS CLASSIFIED AS HILLY TERRAIN AS PER N.C.D.O.T. SUBDIVISION BOARDS MANUAL.

EXISTING ZONING: CC

PROPOSED ZONING:

TOTAL SITE AREA: 363.1 ACRES +/-
348.0 ACRES +/- MECKLENBURG COUNTY
15.1 ACRES +/- CABARRUS COUNTY

PROPOSED USES:	700,000 SQUARE FEET RETAIL	80 ACRES +/- MECKLENBURG COUNTY
RETAIL MIXED USE VILLAGE	1,000,000 SQUARE FEET OFFICE	74 ACRES +/-
OFFICE MIXED USE VILLAGE	2100 DWELLING UNITS	193 ACRES +/-
RESIDENTIAL MIXED USE VILLAGE	20,000 SQUARE FEET OF SUPPORT RETAIL (DAYCARE)	

* IF CUE DOES NOT ACCEPT THE PROPOSED SCHOOL SITE (20 ACRES+/-) IT WILL REVERT TO HIGH DENSITY RESIDENTIAL.

NOTE: ALL AREA CALCULATIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE BASED ON FINAL DESIGN LAYOUT.

RESIDENTIAL MIXED USE VILLAGE

**PROPOSED
SCHOOL SITE**

RETAIL MIXED USE VILLAGE

OFFICE MIXED USE VILLAGE

APPROVED BY CITY COUNCIL

GRAPHIC SCALE

50	300	800
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(IN FEET)
1 inch = 300 ft

**CONCORD
ENGINEERING &
SURVEYING, INC.**

ENGINEERS - SURVEYORS - PLANNERS
NSPE PENC ACSM NSPS NCSS ASHE ASCE

45 SPRING ST. SW P.O. BOX 288
CONCORD, NC 28026-0288
CONCORD (704) 786-8404
CHARLOTTE (704) 532-8934
FAX (704) 786-7454

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**PRELIMINARY DRAWINGS
FOR REVIEW PURPOSES
ONLY**

KING'S GRANT
MECKLENBURG COUNTY, NORTH CAROLINA
CABARRUS COUNTY, NORTH CAROLINA
TECHNICAL DATA SHEET

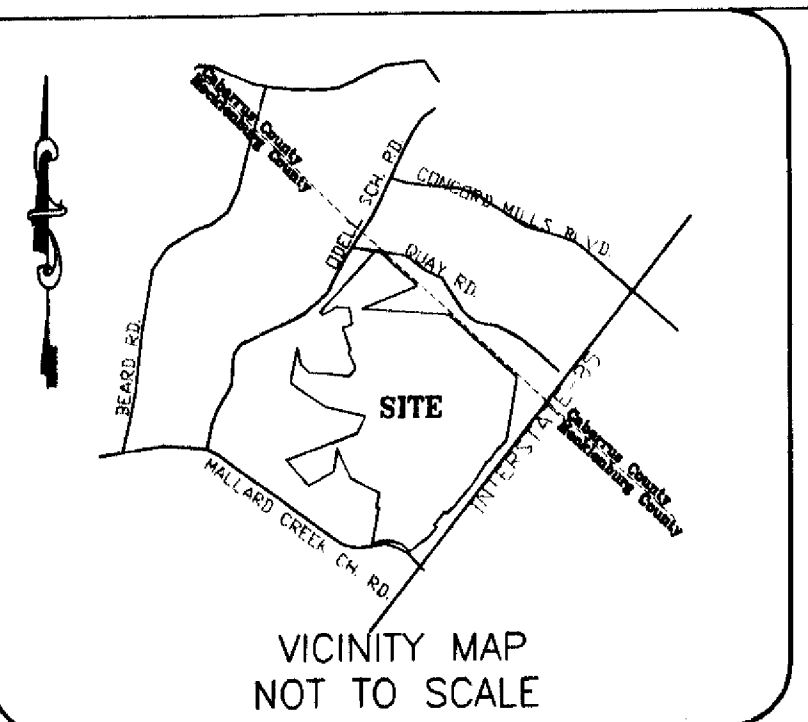
PREPARED FOR:
SPEEDWAY MOTORSPORTS INC.
P.O. BOX 600 CONCORD NC 28026-0600
704-455-3290

No	DATE	REASON	REVISION	REVISIONS PER CLIENT AND CHARLOTTE REVIEW
1.	9/19/03			REVISIONS PER CITY OF CHARLOTTE COMMENTS
2.	1/17/03			REVISIONS PER CITY OF CHARLOTTE COMMENTS
3.	1/17/03			REVISIONS PER CITY OF CHARLOTTE COMMENTS

SCALE :
HORIZONTAL : 1"=300'
VERTICAL : NA
DRAWN BY : JED
COMPUTATIONS BY : JED
DESIGNED BY: CESI
PROJECT MANAGER: JMB
FILE: 020911.005.dwg
DATE: APRIL 28, 2003

JOB# 020911.005

SHEET 1 OF 5



BEFORE YOU DIG 1
CALL 1-800-632-4949
N.C. ONE-CALL CENTER
IT'S THE LAW!

- LEGEND**
- NO POINT SET
 - EXISTING IRON PIN (AS DESCRIBED)
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 - PROPOSED CANOPY TREE

- SCHOOL SITE
- PUBLIC AREAS (PARKS, COMMUNITY OPEN SPACE, WALKING TRAILS, ETC.)
- RETAIL
- OFFICE
- SINGLE FAMILY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- S.W.I.M. BUFFER

GENERAL NOTES

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- THE ENGINEER HAS MADE NO EXAMINATION TO DETERMINE WHETHER ANY HAZARDOUS OR TOXIC MATERIALS ARE PRESENT OR CONTAINED IN, UNDER, OR ON THE SUBJECT PROPERTY OR ITS WATERS, OR IF ANY HAZARDOUS OR TOXIC MATERIALS HAVE CONTAMINATED THIS OR OTHER PROPERTIES OR ITS WATERS IN ANY WAY WHATSOEVER. NO SUBSURFACE EXAMINATION OF ANY TYPE HAS BEEN MADE BY THE ENGINEER AND ACCORDINGLY, NO OPINION IS EXPRESSED OR INFERRED ON ALL SUCH MATTERS. FURTHER, NO OPINION IS RENDERED AS TO ANY VIOLATION OF AN ENVIRONMENTAL LAWS OR REGULATIONS, EITHER FEDERAL, STATE, OR LOCAL RELATED TO THE INFORMATION SHOWN ON THIS PLAN AND THE ENGINEER IS IN NO WAY LIABLE FOR ANY VIOLATION OF SUCH ENVIRONMENTAL LAWS SHOULD THEY EXIST.
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- BUILDING SETBACKS ARE 35' FRONT, 25' SIDE, AND 25' REAR AS PER CC ZONING REQUIREMENTS BUT MAY BE REDUCED PER SECTION 11.405 AND 11.407 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.
- SUBJECT PROPERTY IS CLASSIFIED AS HILLY TERRAIN AS PER N.C.D.O.T. SUBDIVISION ROADS MANUAL.

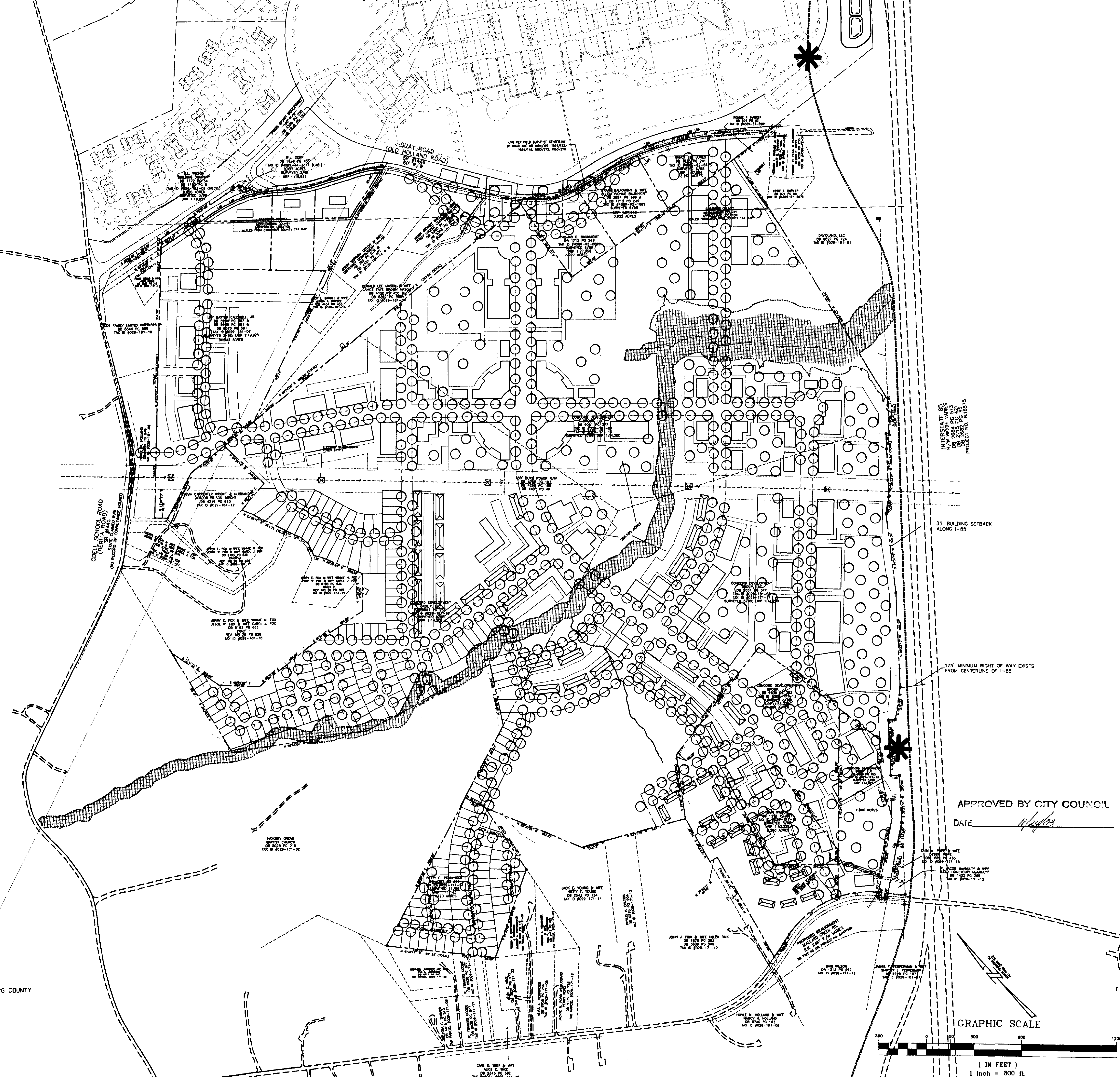
EXISTING ZONING: CC
PROPOSED ZONING: CC

TOTAL SITE AREA: 363.1 ACRES +/- MECKLENBURG COUNTY
348.0 ACRES +/- CABARRUS COUNTY
15.1 ACRES +/-

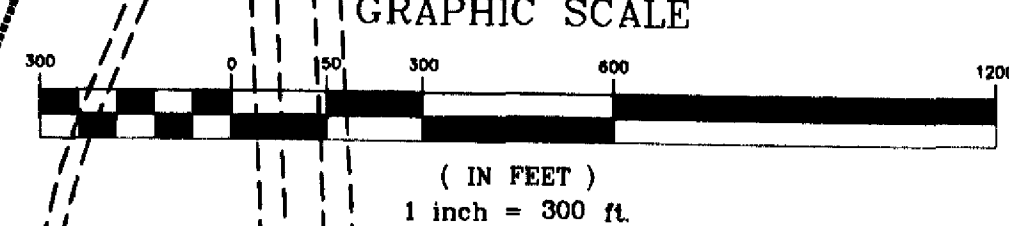
PROPOSED USES: RETAIL MIXED USE VILLAGE 700,000 SQUARE FEET RETAIL 80 ACRES +/- MECKLENBURG COUNTY
OFFICE MIXED USE VILLAGE 1,000,000 SQUARE FEET OFFICE 74 ACRES +/-
RESIDENTIAL MIXED USE VILLAGE 2100 DWELLING UNITS 193 ACRES +/-
30,000 SQUARE FEET OF SUPPORT RETAIL (DAYCARE)

* A MINIMUM OF 25 ACRES WILL BE DEVOTED TO LOW DENSITY RESIDENTIAL.
** IF CMS DOES NOT ACCEPT THE PROPOSED SCHOOL SITE (20 ACRES +/-) IT WILL REVERT TO HIGH DENSITY RESIDENTIAL.

NOTE: ALL AREA CALCULATIONS ARE APPROXIMATE AND ARE SUBJECT TO CHANGE BASED ON FINAL DESIGN LAYOUT.



APPROVED BY CITY COUNCIL
DATE: 11/24/03



CONCORD ENGINEERING & SURVEYING, INC.
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HOPE FORD ASHBY HOPE WESS ASHBY
45 SPRING ST. SUITE 200
CHARLOTTE, NC 28202-1000
TEL: 704-399-1000
FAX: 704-399-1001
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PRELIMINARY DRAWINGS FOR REVIEW PURPOSES ONLY

KING'S GRANT
MECKLENBURG COUNTY, NORTH CAROLINA
CABARRUS COUNTY, NORTH CAROLINA
SCHEMATIC/SKETCH PLAN

PREPARED FOR:
SPEEDWAY MOTORSPORTS, INC.
P.O. BOX 600 CONCORD NC 28026-0600
704-455-3290

REVISION	DATE	BY	REVISIONS PER CLIENT AND CHARLOTTE REVIEW	REVISIONS PER CITY OF CHARLOTTE COMMENTS	REVISIONS PER CITY OF CHARLOTTE COMMENTS
1	11/19/03	JED			
2	11/14/03	JED			
3	11/19/03	JED			

SCALE: HORIZONTAL: 1"=300'
VERTICAL: NA

DRAWN BY: JED

COMPUTATIONS BY: JED

DESIGNED BY: CESI

PROJECT MANAGER: JMB

FILE: 020911.005.dwg

DATE: APRIL 28, 2003

JOB# 020911.005

SHEET 2 OF 5

Kings Grant
Development Standards

Part I

Commitment

Development of the real estate identified on the accompanying Technical Data Sheet prepared by Concord Engineering & Surveying, Inc., dated April 28, 2003 as may subsequently be amended, consisting of 348 acres, more or less (the "Site") and its individual components will be governed by these Development Standards, the Technical Data Sheet and all applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The development depicted on this plan is intended to reflect the arrangement of proposed uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phase.

Part II

Statement of Intent

It is the intention of the Petitioner to create within the Site three interconnected, pedestrian and transit friendly mixed-use villages offering a variety of shopping, employment and residential opportunities and providing support for future transit service in the area.

Part III

Permitted Development Within the Site

Section 1. RETAIL MIXED USE VILLAGE

The Retail Mixed Use Village encompasses an area of approximately 85 acres, more or less, and is generally located south of the Cabarrus County line as generally depicted on the Technical Data Sheet.

- (a) The Retail Mixed Use Village may be used for any uses (including accessory uses), which are prescribed by right under the Ordinance.
- (b) The total floor area (including any permitted accessory use), which may be developed within the Retail Mixed Use Village, may not exceed 700,000 square feet.
- (c) A maximum of three complete out parcels will be allowed within the Retail Mixed Use Village. Since the development of certain portions of the site can only be accomplished in conjunction with parcels in Cabarrus County, parcels that do not lie totally within the site that is the subject of this Petition will not be counted toward this limit.
- (d) Residential units and Office square footage may be incorporated into the Retail Mixed Use Village as a mixed use component, so long as the maximum number of residential units for the entire project does not exceed 2100 dwelling units or the maximum amount of office square footage for the entire site does not exceed 1,000,000 square feet.

Section 2. OFFICE MIXED USE VILLAGE

The Office Mixed Use Village encompasses an area of 73 acres, more or less, and is generally located between I-85 and the Retail Component and north of Mallard Creek Road.

- (a) The Office Mixed Use Village may be used for any general office uses and permitted accessory uses, which are prescribed by right under the Ordinance.
- (b) The total floor area of general office uses (including any permitted accessory use which may be developed within the Office Mixed Use Village) may not exceed 1,000,000 square feet.
- (c) Residential units may be incorporated into mixed-use buildings so long as the maximum number of residential units for the entire site shall not exceed 2100 dwelling units.
- (d) The Petitioner may place retail uses within office buildings on the site as well as within the Retail Component in order to further the mixed-use nature of the site. Retail floor area located within office buildings will not be counted toward the total retail floor area located elsewhere on the site. Any such retail space will be limited to 75% of the first floor area of the building and may only be located in multistory buildings of at least 15,000 square feet of total floor area.

Section 3. RESIDENTIAL MIXED USE VILLAGE

The Residential Mixed Use Village encompasses an area of 189 acres, more or less, and is generally located north of Mallard Creek Road and west and south of the Retail and Office Mixed Use Villages.

- (a) The total number of dwelling units, which may be constructed within the Residential Mixed Use Village, may not exceed 2100 units.

- (b) Up to 30,000 square feet of support retail uses, excluding fast food, service station/convenience stores and hotels/motels, may be developed within the Residential mixed use village center areas which are generally depicted on the Technical Data Sheet.
- (c) The Residential Mixed Use Village may be devoted to any residential use (including any accessory use) which is permitted by right in the Commercial Center Development (CC) Zoning District under the Ordinance.
- (d) A variety of housing types and densities may be developed within the Residential Mixed Use Village and within the areas and at the densities depicted and described on the Technical Data Sheet.
- (e) Single-family development will comply with the provisions of the R-6 district.

Section 4. SCHOOL SITE

With regard to the proposed school site depicted on the site plan, the Petitioner proposes to dedicate the site for use as an elementary school based on the following schedule of events and commitments.

- a) If the Charlotte-Mecklenburg School board (CMS) votes to fund, either with bonds or other means, the construction and improvement of an elementary school on the site with such a funding decision to be made by April 1, 2008 for a bond election (if required) to be conducted in November 2008, or any earlier time, then the Petitioner will dedicate the school site to CMS. Such a dedication will be subject to the restriction that the site be used for school purposes and that construction of the school on the site must commence by July 1, 2010.
- b) By April 1, 2008, if CMS has not indicated a commitment to fund the development of a public school on the site, with construction to be commenced no later than July 1, 2010, or if, at any time prior to April 1, 2008, CMS makes a specific decision not to use the site for a public school facility, then the Petitioner will be released from any further commitment to dedicate all or any of the proposed site and thereafter will be free to use the site for medium or high density residential development as permitted by the approved zoning plan for the site.
- c) If the November 2008 bonds (if required) are not approved or if, after the approval of the bonds, CMS makes a decision that would result in CMS not following through on the funding of the public school construction to commence no later than July 1, 2010, then the Petitioner will be released from any further commitment to dedicate all or any of the proposed site and thereafter will be free to use the site for medium or high density residential development as permitted by the approved zoning plan.
- d) The July 1, 2010 deadline for the commencement of construction of a school on the site will be extended if, on July 1, 2009, (1) at least 500 residential units have not been permitted for construction within the area covered by the conditional zoning plan and (2) the site does not have access to at least a Collector street that could furnish access to the school. If these two conditions precedent are not satisfied as of July 1, 2009, then the deadline for the commencement of construction of a school on the site will be extended to the date that is one year from the date that CMS is notified in writing that the conditions precedent are satisfied. If construction does not commence within the extended deadline, then the Petitioner will be released from any further commitment to dedicate all or any of the proposed site and thereafter will be free to use the site for medium or high density residential development as permitted by the approved zoning plan. CMS may, at it's sole discretion, choose to commence construction of an elementary school on the designated site consistent with all of the other provisions of this section, even if fewer than 500 residential units have been permitted for construction on the site or if the site does not have access to at least a Collector street that could furnish access to the school.
- e) Finally, in conjunction with the provisions above, the Petitioner agrees that if the dedication commitment is terminated as outlined under any of the circumstances above, then, prior to the development or sale of the school site for any other use, the Petitioner will grant a first right of refusal to CMS for the purchase of the site. Thereafter, the Petitioner will be free to use the reserved area for medium or high density residential development as permitted by the approved zoning plan.
- f) Subsequent to the approval of this zoning Petition, nothing in any of the foregoing provisions will prevent CMS from proceeding with a decision to fund and the construction of an elementary school on the designated site at any earlier time than any of the dates for actions noted above or prior to the fulfillment of any of the conditions for residential development or street access noted above. Any such dedication that may occur pursuant to the provisions above will be subject to the following specific conditions.

- a) The Petitioner agrees to dedicate to CMS a site of at least 20 acres for use as an elementary school within the general area depicted on the Technical Data Sheet. The precise property boundary of the elementary school site will be determined by the mutual agreement between the Petitioner and CMS. CMS may also choose to utilize part of the site for a joint use facility with Mecklenburg County Parks Department.

- b) The conveyance of the School Site will be made by the Petitioner upon terms, conditions and restrictions which address items of mutual concern, including but not limited to, the uses to which the site may be devoted, the precise location and size of the site, the arrangement of buildings proposed to be constructed on the site and the reservation of a possibility of reverter in favor of the Petitioner should the site not be devoted to school purposes.

- a) The Petitioner's deed may reserve easements over reasonable portions of the school site for drainage, sanitary sewers, water lines, telephone lines, power lines, cable television lines, gas lines and such other utility purposes as it may deem necessary or desirable for the orderly development of the c) entire site, said easements being consistent with and not materially interfering with the use of the property for an elementary school.
- d) The Petitioner's commitment with respect to the School Site is expressly conditioned upon approval of this Rezoning Petition.
- e) If for any reason the School Site is not conveyed to CMS, such site may be developed for medium or high density residential uses as determined by the Petitioner so long as the total number of residential units on the site does not exceed the total permitted by this Petition.

Section 5. PEDESTRIAN AND OPEN SPACE COMPONENT

- (a) Each building or dwelling unit within the site shall be connected to a public sidewalk system to be established along in accordance with the provisions of city ordinances. The street sidewalks will be 5' wide and separated from the street with a planting strip at least 6' wide in residential areas and 6' wide with an 8' planting strip in non-residential areas. Location of these connector sidewalks are discretionary and may parallel the location of parking lots or cross them, but may not run continuously within parking and vehicular circulation areas.
- (b) The Open Space System, or Public Areas, will be used for the purposes of providing alternative transportation for pedestrians and bicyclist to provide alternative cross-connectivity, as well as to preserve existing natural stream beds and open space.
- (c) Development parcels within the site that adjoin the Open Space System must provide pedestrian access to the open space system via sidewalks which are at least 5' in width.
- (d) The Pedestrian and Bicycle pathways within the Open Space System shall consist of an eight foot (8') paved trail of either concrete or asphalt. Development of the pathway system will be implemented in such a manner as to minimize stream crossings and disturbances.
- (e) The Open Space System and the SWIM Buffers shall be delineated on the record plat(s) for all affected parcels within the entire development.
- (f) Open space improvements may consist of any combination of passive or active spaces, sidewalks, pathways and trails, bike paths, benches or other seating areas, natural or improved landscaped areas, exercise or play equipment, or other similar facilities and uses. These amenities will be installed within each development component of the site as that component is developed.

PART IV
Transportation Commitments

The Petitioner and each future owner will install or cause to be installed the transportation commitments which are listed below and are included as a condition applicable to the development of the site. These improvements will be installed in conjunction with the development phases noted in the Traffic Impact Study prepared by Parsons Brinckerhoff Quade & Douglas, Inc. Nothing in this section prohibits a public/private venture for the construction of any or all of these improvements, and under such circumstances, the actual construction of the improvements may be accomplished by an entity other than the Petitioner.

DEVELOPMENT PHASE I

PERMITTED DEVELOPMENT:
120 Single Family Detached Houses; 100 Townhouses
800 Apartment Units
400,000 g.s.f. Office
150,000 g.s.f. Retail

- * Complete I-485 interchange local road project at Mallard Creek Road (NCDOT TIP project) including realignment of Ridge, Mallard Creek and Odell School at a single, signalized intersection; include exclusive NB RT bay (if not part of TIP project)
- * At Speedway/NB I-85 ramps, add WB thru lane on Speedway Blvd
- * At Speedway/SB I-85 ramps intersection, convert EB Speedway Blvd RT lane onto I-85 ramp to free-flow
- * Add EB thru lane thru Concord Mills Mall Entrances 1 & 2
- * At Mallard Creek/Spine Road intersection, add WB Mallard Creek RT and WB LT bays

CONCORD
ENGINEERING &
SURVEYING, INC.
ENGINEERS - SURVEYORS - PLANNERS
NSPE PEAC ACSP NPS NCSS ASSE ASCE
OFFICE: 300 N. P.O. BOX 200
CHARLOTTE, NC 28202-0200
TEL: 704-455-3290
FAX: 704-455-3290
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PRELIMINARY DRAWINGS
FOR REVIEW PURPOSES ONLY

KING'S GRANT
MECKLENBURG COUNTY, NORTH CAROLINA
CABARRUS COUNTY, NORTH CAROLINA
DEVELOPMENT STANDARDS SHEET
PREPARED FOR:
SPEEDWAY & CONCORD NC 28026-0600
704-455-3290

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- * At Mills Blvd/Odell School intersection, add WB Mills Blvd LT bay (dual); convert NB Odell School RT onto Mills Blvd to either a free-flow lane or dual NB RT lanes; Widen Mills Blvd to six lanes between Odell School and existing 6-lane section
- * At Odell/Carolina Lily, add exclusive WB Carolina Lily RT lane; Add SB Odell School LT bay (dual); Widen Odell School Road to 5-lanes or 4-lane divided between Carolina Lilly and Mills Boulevard; signalize intersection
- * At Carolina Lily/Quay intersection, realign Carolina Lilly/ intersection so Carolina Lilly to Quay Road is thru movement and add turn bays to all approaches

DEVELOPMENT PHASE II

PERMITTED DEVELOPMENT:
39 Single Family Detached Houses; 52 Townhouses;
700 Apartment Units
350,000 g.s.f. Office
200,000 g.s.f. Retail

- * Widen Odell/Derita to 5-lanes or 4-lane divided from Mallard/Ridge/Odell intersection through Mills Blvd
- * At Speedway/Weddington intersection, add EB Speedway Blvd LT bay (dual)
- * At Odell School/Odell Driveway intersection, add SB Odell School LT bay (dual), add NB Odell RT bay and signalize intersection
- * Interconnection of signals on Odell School Road

DEVELOPMENT PHASE III

PERMITTED DEVELOPMENT:
275 Apartment Units
250,400 g.s.f. Office
468,800 g.s.f. Retail

- * At Mallard/Ridge/Odell intersection, add thru lanes on Odell School thru intersection (6-lanes) and RT bays on all approaches; add WB Mallard Creek LT bay (dual)
- * At Mallard Creek/Spine Road intersection, add SB Spine Road LT bay (dual) and signalize Intersection
- * At Mallard/Salome Church intersection, realign intersection so Mallard Creek to Salome Church is thru movement and add turn bays on all approaches
- * At Mallard Creek/Mallard Driveway #2 intersection, widen Mallard Creek to 5-lanes or 4-lane divided from Odell/ Mallard/Ridge intersection thru driveway intersection; Add EB RT and WB LT bays; signalize intersection
- * At I-485/Mallard Creek SPUI intersection, add EB I-485 off-ramp LT bay (triple) and add NB Mallard Creek thru lane through SPUI intersection
- * Interconnection of signals on Mallard Creek Road

In addition to these specific commitments, the following general provisions also apply to the development of the site and related transportation improvements.

- 1) The developer has been informed that the extent of the recommended intersection improvements will include additional transition pavement requirements and that these details will be resolved by the appropriate jurisdiction during roadway design.
- 2) The ability to provide either dual right turn lanes or a free-flow right turn lane on northbound Odell School Road at Concord Mills Boulevard will be reserved for an ultimate decision by the appropriate jurisdiction during roadway design. A note has been added in the TIS report text and on the recommended improvement diagrams.
- 3) The developer has been informed that Phase I roadway improvement design plans will need to reflect the ultimate development improvements, including ultimate right-of-way, curb placement and drainage considerations.
- 4) The developer has been informed that coordination efforts with NCDOT will be necessary to include recommended improvements to the future I-485/Mallard Creek interchange area project.
- 5) Provisions for signal interconnection for new and existing signals on Odell School Road and Mallard Creek Road will be the responsibility of the developer and be included in the signal design plans. These items also have been included in the text of improvement recommendations.

Section 1. TRANSIT COMMITMENTS

The site will have up to three transit stops developed withir the site. The location and timing for the completion of each of these transit stops will be in accordance with the development of the portions of the site where the transit stop is located and in consultation with CATS. The Petitioner will install a concrete pad to (a) (a) (a) accommodate the insallation of a CATS shelter, unless an alternate design is approved by CATS.

(a) With regard to the future LRT or BRT transit facility that is presently being considered to be located along the easterly edge of the site along the I-85 right-of-way, the Petitioner will coordinate the design of the site in proximity to the proposed transit facility so as to compliment and support the transit facility and to facilitate pedestrian and limited vehicular access to the facility such that a pedestrian alighting from a vehicle would not have to walk more than 400' to the proposed station. This commitment is conditioned on the decision for the location of the transit facility having been made by CATS and the MTC, and the issuance of a FEIS and Record of Decision on the project by the Federal Transit Administration, prior to the development of construction drawings for the portion of the site that adjoins the transit facility. The Petitioner will notify CATS when the development of specific development plans for the site that adjoins the transit facility is scheduled to commence. Nothing is this section shall prohibit the Petitioner and CATS officials from discussing the future transit facility and the site design at any earlier time regarding the mutual benefits of the design of the site and the support of the transit system. If, at any time prior the dates or actions noted above for transit decisions, CATS or other responsible entity amends, alters, abandons, or otherwise publicly declares that there is no longer a plan or intent to establish a LRT or BRT transit facility adjacent to the site, the Petitioner will be released form this specific commitment.

Section 2. DEDICATION OF RIGHT-OF-WAY

(a) The Petitioner shall dedicate right-of-way sufficient to establish 50' from centerline along Mallard Creek Road. The Petitioner will dedicate and convey the additional right-of-way with such dedication and conveyance to occur prior to the issuance of a Certificate of Occupancy for the first building on the site or at the time that subdivision approval for any road improvements required by this Petition is granted, which ever shall occur first. Any such dedication and conveyance will take the form of an instrument such as a quitclaim, non-warranty deed or plat with appropriate reversion clause wherein the rights in the property or right of way so dedicated and conveyed will revert to the owner of the property without cost should the purpose for which the dedication and conveyance no longer exist or if the centerline of the road is itself relocated away from the Petitioner's site and the responsible governmental authority abandons its use of or need for the property for future road improvements.

Section 3. INTERIOR ROADWAYS

- (a) The Petitioner will construct a network of interconnecting streets and blocks that facilitate a pedestrian and transit friendly environment, generally as depicted on the Technical Data Sheet. The layout of the street network may be revised and adjusted as long as the basic layout remains the same and the revised layout functions as well.
- (b) Dead end streets shall be prohibited unless specifically indicated on the Technical Data Sheet or prior written consent is provided by the Subdivision Administrator. In all events, each dead end street must terminate in an approved turn-around unless it is a stub street that will be extended in the future.
- (c) Block length in the Retail or Office Mixed Use Villages may not exceed 1200' more or less. Block length in the Residential Mixed Use Village may not exceed 600', and shorter blocks may be utilized. Shorter block lengths may be achieved through the use of private streets or street type entrances.
- (d) The construction of interior streets will be in sequences keyed to the various phases of development taking place on the Site.

PART V
Phasing of Development

The Petitioner agrees to develop Kings Grant in accordance with the phasing schedule that will be tied to the provision of infrastructure that is related to the impacts of this development as further defined in a Traffic Impact Study conducted for the site by Parsons Brinkerhoff and submitted to CDOT for their review. The details of this phasing are established in Part IV above.

PART VI
General Design Guidelines for all Villages

Section 1. BUILDING ENTRANCES AND FAÇADE ARTICULATION

- (a) All principal buildings must be oriented to and have their main entrances from a public street. Secondary entries shall be allowed from public or private streets, plazas, open spaces, or parking lots.
- (b) Elevations facing the street shall be varied and articulated with a combination of street level windows, arcades, bays, multiple entrances, balconies, etc., the intent being to ensure that no building elevation fronting a street consist of a blank unarticulated wall.

Section 2. YARD RESTRICTIONS

- (a) Interior setbacks may be reduced per Section 11.405 (7) of the Ordinance.
- (b) In order to facilitate a pedestrian and transit friendly environment, the Petitioner shall be allowed a minimum front yard of 14' in the Medium and High Density Residential and Office Mixed Use Villages and shall be allowed 14' front yard requirement in the Retail Mixed Use Village. Single family detached housing will be developed in accordance with the R-6 standards.
- (c) A minimum 25-foot rear yard will be maintained in all villages.
- (d) Unless otherwise provided on the Technical Data Sheet or in the Ordinance, in every instance the side yard, setback and rear yard requirements governing development in the CC District Ordinance taking place on the exterior boundary of the Site will be satisfied.

Section 3. STREETS

- (a) The number of exterior vehicular access points to the Site shall be limited to the number depicted on this Technical Data Sheet, unless additional street connections are required by law or approved as part of an adjoining development. The location and design of interior access points shall be established through driveway permitted process.
- (b) The placement and configuration of each access point are subject to modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the City or the North Carolina Department of Transportation.
- (c) On street parallel parking shall be allowed on both public and private streets.
- (d) All public and private streets shall meet the applicable City or State standards, subject to modifications that may be approved by the appropriate transportation authorities.
- (e) A coordinated Streetscape Tree Planting Plan shall be developed for the entire site and will be reviewed as part of the of any construction documents. Proposed tree planting shown is conceptual only and will be subject to change on actual site conditions and Urban Forestry Staff approval. Installation of street trees will be coordinated with the development of the site and will proceed as the various portions of the site are developed and such trees will be counted toward compliance with the Tree Ordinance.
- (f) Streets will be designed and constructed to comply with adopted City ordinances and the provision of the Land Development Standards Manual or with the standards of NCDOT, which ever shall have jurisdiction for the particular street.

Section 4. PARKING

- (a) Parking lots or garages cannot adjoin a square or Open Space area, as generally depicted on the Technical Data Sheet, except for the open space areas located within the Duke Power overhead transmission right-of-way except as may be required to comply with the provisions of paragraph (b) below.
- (b) Parking lots shall be located at the rear or sides of buildings. If located at the side, screening shall be provided at the lot line by landscaping or decorative walls or fences.
- (c) Parking lots will not be located between buildings and public streets, except that this restriction will not apply to the portion of the site that adjoins the I-85 right-of-way.
- (d) The use of alleys shall be encouraged and front load garages shall be kept to a minimum. Where front load garages are used the garage must set back 5' from the principal structure.
- (e) In mixed use areas, shared parking plans may be allowed at the discretion of the Zoning Administrator.

Section 5. SIGNS AND GRAPHICS.

A master signage and graphics system will be developed and, at a minimum, will satisfy the requirements of the Charlotte Sign Ordinance. In addition, the following specific limitations will apply.

- (a) All freestanding retail signage shall be a maximum of 12' height. All office signage shall be a maximum of 7' height.
- (b) All freestanding building and tenant identification signs and graphics installed will be complementary in scale and appearance to the structures, which they identify.
- (c) No sign may be mounted on the roof of any structure.
- (d) Public information signs and graphics will be easily understood and complementary in scale and appearance.

APPROVED BY CITY COUNCIL

DATE 11/24/03

CONCORD
ENGINEERING &
SURVEYING, INC.

ENGINEERS - SURVEYORS - PLANNERS
NSPE REG. NO. 10000 NSPS REG. NO. 10000
AS EXPIRES 12/31/04
CONCORD, NC 28026-0600
TEL: 704-455-3700 FAX: 704-455-3700
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MECKLENBURG COUNTY, NORTH CAROLINA
CABARRUS COUNTY, NORTH CAROLINA
TYPICAL STREET CROSS SECTIONS
PREPARED FOR:
SPEEDWAY MOTORSPORTS INC.
1000 CONCORD NC 28026-0600
704-455-3700

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- (a) A Master Storm Water Management Concept Plan shall be developed and approved prior to the approval of any construction documents. Storm water runoff from the Site will be managed through a variety of proven techniques, which at a minimum satisfy the standards imposed by the City of Charlotte.
- (b) No detention ponds may be located within setback areas or buffer areas.
- (c) The Petitioner will follow the requirements of the SWM Buffer Ordinance.
- (d) No filling or grading will be allowed in the Floodway Fringe, except as needed to accommodate community recreational needs, utility and road crossings.

1. Inlet protection;
2. Double silt fences along SWIM buffers; and
3. Two stage sediment basins with outlet weirs sized for a 50-year storm event.

Special attention will be given to the key entryways to the project. Landscape materials including street trees, shrubs and ground cover will establish continuity at each entryway, while creating a pleasant and harmonious interface with other site elements, such as signage, pedestrian circulation ways, and lighting.

(a) Subject to the provisions of paragraph (e) below, exterior buffer areas will be established in accordance with the specifications provided on the Technical Data Sheet. Additional Buffer Areas will be provided when required by the Ordinance. All Buffer Areas will, at a minimum, conform to the standards of Sections 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 of the Ordinance.

(c) In all undisturbed Buffer Areas where existing trees and natural vegetation have been cleared in order to accommodate pedestrian paths or the installation of utility lines, the cleared, unimproved areas will be landscaped as required by Section 12.302 of the Ordinance.

(e) If in the future adjoining zoning districts are changed to zoning districts which either do not require a buffer or only require a reduced buffer, then the buffer provided at the applicable edge depicted on the Technical Data Sheet may be adjusted in accordance with Table 12.302(a) and Table 12.302(b) of the Ordinance.

Section 9. SCREENING

(b) All roof mounted mechanical equipment will be screened from view.

Section 10. LIGHTING

(b) The maximum height of any freestanding lighting fixture (excluding public streetlights), including its base, within the Retail Components shall not exceed 30 feet in height.

(d) All freestanding light fixtures and wall pack light fixtures installed within each Component other than streetlights erected along public streets 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 and capping, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards adjacent streets and properties. At a minimum, all detached lighting will be capped or aimed into the site away from adjoining properties and public streets.

The Petitioner agrees to establish an Owners' Association. One of the duties of the Board of Directors of this association will be to establish a Design Review Committee. This committee shall have responsibility for adopting and implementing guidelines for all development taking place within the project other than within the Residential Component. Key areas to be addressed by these guidelines will include landscaping, open space and signage criteria which incorporate the concepts which have been included within this site plan and conditional notes. The Committee will consist of at least three members. The Petitioner further agrees to invite a member of the Charlotte-Mecklenburg Planning Commission's Staff to serve on the Committee.

Amendments to Rezoning Plan and Acknowledgements

Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

Future amendments to the Rezoning Plan, the Technical Data Sheet and these Development Standards involving one or more Component Parcels may be applied for by the then Owner or Owners of the Parcel or Parcels involved in accordance with Chapter 6 of the Ordinance without the need to include any other portions of the site not affected by any such amendment. Further, any such amendment will be reviewed solely on the basis of the specific change being proposed and will not include portions of the site or conditions for the site that do not relate directly to the proposed amendment.

The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.

Initial Submission, 4/28/03

Revisions per staff comments, 8/8/03

Revisions per staff comments, 8/20/03

Revisions per staff comments, 11/13/03

Revisions per Zoning Committee approval, 11/19/03

**PRELIMINARY DRAWINGS
FOR REVIEW PURPOSES
ONLY**

KING'S GRANT
MECKLENBURG COUNTY, NORTH CAROLINA
CABARRUS COUNTY, NORTH CAROLINA
TYPICAL STREET CROSS SECTIONS

PREPARED FOR:
SPEEDWAY MOTORSPORTS INC.
P.O. BOX 600 CONCORD NC 28028-0600
704-455-3290

[illegible]

SCALE :
HORIZONTAL : NA
VERTICAL : NA
DRAWN BY : JED
COMPUTATIONS BY : JED
DESIGNED BY: CESI
PROJECT MANAGER: JMB
FILE: 020911.005.dwg
DATE: APRIL 28, 2003

JOB# 020911.005

SHEET 5 OF 5

APPROVED BY CITY COUNCIL

DATE 11/24/03