

BOUNDARY AND WETLAND SURVEY PREPARED BY THE SURVEY COMPANY 4105-C STUART ANDREW BLVD, CHARLOTTE, NC 28217 (704) 561-9970 ISSUED 1/21/03, REVISED 1/31/03
TOPOGRAPHY OBTAINED FROM MECKLENBURG COUNTY MAPPING/GIS SERVICES.

- LEGEND**
- FULL ACCESS MOVEMENT
 - WETLAND AREAS
 - INTERNAL ACCESS
 - EXISTING ZONING
 - ZONING BOUNDARY
 - ADJACENT PROPERTY OWNER

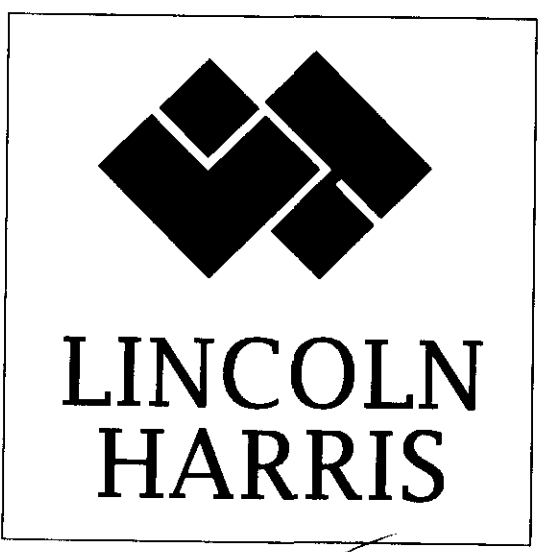
DEVELOPMENT SUMMARY

PARCELS	GROSS AC.	EXISTING ZONING	PROPOSED ZONING	RETAIL SF	OFFICE SF
A	21.70 AC.	NS	NS	90,000	30,000
B	NOT INCLUDED IN REZONING				
C	.319 AC.	B-1	NS	2,532	-
TOTAL	22.02 AC.			92,550	30,000

TAX PARCEL #'S: 193-043-02
193-043-03
193-043-28
193-043-09

BUILDING HEIGHT: 40' MAXIMUM

Z - 1.0 OF 5



MINTWORTH COMMONS

TECHNICAL DATA SHEET

19 APRIL 2004
SCALE: 1" = 100'-0"



APPROVED BY CITY COUNCIL
DATE 4/13/04
CHARLESTON • CHARLOTTE

General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Harris-Murr and Vermillion to accommodate development of a mixed use, pedestrian-friendly village type center on an approximately 22.02 ± acre site located on Margaret Wallace Road at Idlewild Road (the "Site"). Development of the Site will be governed by the Technical Data Sheet, these Development Standards and the applicable provisions of the Zoning Ordinance of the City of Charlotte (the "Ordinance"). Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the NS zoning classification shall govern all development taking place on the Site.

1. Permitted Uses

(a) The Site may be devoted to retail, office and restaurant uses together with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in the NS Zoning District, with the exception of the following disallowed uses:

- convenience stores,
- car washes,
- automobile service stations, and
- restaurants with drive-through facilities with the exception that one Chick-Fil-A restaurant with a drive-through facility may be located on the Site.

(b) The number of freestanding buildings with drive-through facilities is limited to no more than three and the following usage limitations apply to those outparcels:

1. One of the three freestanding buildings with drive-through facilities may be a bank.
2. One of the three freestanding buildings with drive-through facilities may be a Chick Fil A restaurant.
3. One of the three freestanding buildings with drive-through facilities may be any other retail or office use.

2. Maximum Building Areas and Development Limitations

The Site may be developed with up to 122,550 square feet of gross floor area of which no more than 92,550 square feet may be devoted to retail or restaurant uses. While areas devoted to outdoor dining, courtyards and plazas are not included in the square footage noted above, any off street parking required by the Ordinance will be provided for these areas.

3. Setbacks, Side Yards and Rear Yards

All buildings constructed on each Parcel of the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the NS zoning classification. Buildings and parking areas may be located within the building and parking envelopes.

4. Design and Performance Standards

The development depicted on the Conceptual Master Plan (Sheet Z-3.0) is schematic in nature and intended to describe the general arrangement of uses on the Site. Accordingly, the configurations, placements, and sizes of the building footprints and lots, as well as the locations of streets shown on the Conceptual Master Plan (Sheet Z-3.0) 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. Parking layouts may also be modified to accommodate final building locations.

(a) Architectural Controls

(i) Buildings constructed along Margaret Wallace Road and Idlewild Road in Parcel A will contain windows which face these streets. Large expanses of solid walls for these buildings will be avoided through the introduction of articulated facades and other specially designed architectural elements, all as generally depicted on the elevations which accompany the Technical Data Sheet.

(ii) 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 of that building may be substituted for a side.

(iii) The design treatment shall include, at a minimum, the following amenities:

- outdoor dining and seating area(s)
- outdoor seating areas

(iv) All buildings in Parcel A shall be generally compatible with the conceptual elevations depicted on Sheet Z-5.

(b) Landscaping and Screening

(i) Internal areas of the Site shall be landscaped in accordance with the requirements of the Code of the City of Charlotte.

(ii) All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.

(iii) All other screening and landscaping shall conform to the standards of the Ordinance.

(c) Streetscape Treatment

(i) The streetscape treatment along the portion of the Site's frontage on Margaret Wallace Road and Idlewild Road within Parcel A will conform to the Ordinance and include large maturing trees, supplemental shrubbery, sidewalks which are at least 6 feet in width and planting strips which are at least 8 feet in width. The streetscape treatment along the portion of the Site's frontage on Margaret Wallace Road and Idlewild Road within Parcel C will include sidewalk of 6 feet in width. In addition, the streetscape treatment for Parcel C will include planting strips of 8 feet in width where sufficient space permits without impacting any existing buildings or storage units. The streetscape treatment for the Site may be located within the right-of-way and/or within easements.

(ii) The Petitioner shall install monolithic sidewalk of six feet in width along that portion of the western frontage of Margaret Wallace Road which abuts Tax Parcel No. 193-043-08 adjoining the Site, contingent upon the existing right-of-way being sufficient in width to accommodate it. In the event the existing right of way is insufficient to accommodate a six foot sidewalk but could accommodate a sidewalk of a lesser width, a narrower sidewalk may be installed. Should the available right-of-way be insufficient to accommodate sidewalk of any width, then the Petitioner shall not be required to install sidewalk along this portion of the frontage of Margaret Wallace Road.

(iii) Outdoor dining and courtyard areas may be located within the established setback along Margaret Wallace Road and Idlewild Road, but outside of the required setback.

(d) Lighting

(i) All new freestanding lighting fixtures installed will be uniform in design.

(ii) The maximum height of any new freestanding lighting fixture, including its base, may not exceed 25 feet.

(iii) All new parking lot lighting shall be capped and downwardly directed.

(iv) Any new lighting attached to a building shall be capped and downwardly directed.

(iv) Wall-mounted decorative light fixtures such as sconces are permitted.

(v) Existing lighting within Parcel C may remain.

(e) Parking

(i) New off-street parking and loading areas will satisfy the standards established under the Ordinance.

(ii) New off-street parking shall not be located within areas between buildings fronting public streets and the adjoining public streets.

(iii) Except for on-street parking within the areas generally depicted on the Conceptual Master Plan, there shall be no parking between the entry roads and the retail or office buildings fronting on these roads.

(iv) The existing parking on Parcel C may remain.

5. Storm Water Management

(a) Storm water runoff from the Site will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte Ordinances and the Charlotte Mecklenburg Storm Water Design Manual. Surface level storm water detention, if provided, may be located in the common open space but shall not be located in the setback.

(b) The detention for Parcel A of the Site shall tie-in to the existing abutting storm water system(s). Prior to the development of Parcel A of the Site, the Petitioner shall have the receiving drainage system abutting the Site analyzed to ensure that it will not be taken out of standard due to this development. If it is found that the development of Parcel A will cause the receiving storm drainage system to be taken out of standard, the Petitioner shall provide adequate detention to prevent this from occurring. Should the existing, receiving drainage system be deemed to be out of standard prior to development of Parcel A of the Site, the Petitioner agrees to provide adequate detention to ensure that the system will not be additionally overburdened.

(c) The following agencies must be contacted prior to construction within Parcel A regarding wetland and water quality permits:

Section 401 Permit NCDEHNR-Raleigh Office

Section 404 Permit US Army Corps of Engineers

6. Water Quality Protection Measures

(a) SWIM buffers shall be provided as required by the Ordinance.

(b) The Petitioner will provide bioretention areas to provide additional treatment of storm water runoff for parking and driveway areas within Parcel A of the Site.

7. Vehicular Access and Road Improvements

(a) Vehicular access to Margaret Wallace Road and Idlewild Road shall be as generally depicted on the Technical Data Sheet.

(b) The placements and configurations of these access points are 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. Any internal full movement access to any of the interior roadways leading to Idlewild Road or Margaret Wallace Road shall not be located within 150 feet of the respective rights-of-way for Idlewild Road or Margaret Wallace Road.

(c) The Petitioner agrees to dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) prior to the issuance of any certificate of occupancy for development taking place on Parcel A that portion of Parcel A that may be required to provide right of way as follows:

Idlewild Road

65 feet from centerline for 500 feet from the intersection with Margaret Wallace Road then tapering down to 50 feet from centerline at a 20:1 taper.

Margaret Wallace Road

70 feet from centerline for 500 feet from the intersection with Idlewild Road then tapering down to 65 feet from centerline at a 20:1 taper.

Corner Clip

A "corner clip" measuring 20 feet along Margaret Wallace Road and 50 feet along Idlewild Road.

Nothing in the above Note 7(c) shall be deemed as a commitment by the Petitioner to provide for dedication of right-of-way of any property located outside the boundaries of this Rezoning Petition.

(d) Prior to the issuance of any certificates of occupancy for any buildings within Parcel A of the Site, the Petitioner shall provide for the following road improvements:

Margaret Wallace Road / Idlewild Road

Construct a southbound right-turn lane on Idlewild Road with 150 feet of storage and a 20:1 bay taper.

Margaret Wallace Road / Access "A"

Construct a northbound left-turn lane on Margaret Wallace Road with 150 feet of storage, a 15:1 bay taper and 45:1 through-lane tapers. Construct the eastbound approach to include one ingress and two egress lanes.

Margaret Wallace Road / Access "B"

Construct a northbound left-turn lane on Margaret Wallace Road with 150 feet of storage, a 15:1 bay taper and 45:1 through-lane tapers. Construct the eastbound approach to include one ingress and two egress lanes.

Idlewild Road / Oak Drive/ Access "C"

Construct a westbound left-turn lane on Idlewild Road with 150 feet of storage and a 15:1 bay taper.

Construct an eastbound left-turn lane on Idlewild Road (to oppose the westbound left turn lane) with 150 feet of storage and a 15:1 bay taper. Construct these improvements while providing for 300 feet of storage for the Idlewild Road eastbound left-turn lane to Margaret Wallace Road.

Construct the northbound approach to include one ingress and two egress lanes consisting of a left-turn lane with a minimum of 150 feet of storage and a right-turn lane with a minimum of 100 feet of storage.

Scope of Improvements

The Petitioner will be responsible for the costs associated with the design and construction of the above described improvements, and all other associated intersection and roadway modifications necessary as a result of these improvements as determined by CDOT and NCDOT, to include but not be limited to: lane realignments, median modifications, utility relocations, traffic signal modifications, pavement markings, and right-of-way acquisition and dedication. The design of these improvements must meet applicable requirements as determined by and be subject to the review/approval of CDOT and the NCDOT.

8. Connectivity

Pedestrian and vehicular connections to the Site will be provided in the manner generally depicted as shown on the Technical Data Sheet.

9. Landscape Areas and Screening

(a) The landscape areas established on this Technical Data Sheet shall contain landscape materials typically associated with a Class B buffer. The landscape areas may be reduced or eliminated if the use of an adjacent parcel changes to a non-residential use.

(b) Storm water detention may not be located within landscape areas or in the

(c) Utility installations may only cross landscape areas at interior angles measured at property lines which are not less than 75 degrees.

(d) No buildings, parking spaces or maneuvering areas may be located within the landscape area.

(e) The Petitioner shall install a wooden fence of eight feet in height in the area of the shared property line between the Site and adjoining Tax Parcel No. 193-043-08 as indicated on the Conceptual Master Plan prior to the issuance of building permits for development taking place within Parcel A. The fence may be eliminated subject to the approval of the owner of Tax Parcel No. 193-043-08.

10. Bicycle Parking

Bicycle parking spaces (bike racks) shall be provided at the front of the commercial buildings within Parcel A of the Site. The number of bicycle parking spaces provided shall be at least one bicycle parking space for every 20 vehicle parking spaces provided.

11. Fire Protection

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

12. Signs

(a) All signs placed on the Site will be erected in accordance with the requirements of the Ordinance, unless more restricted requirements are imposed below.

(b) No more than 2 freestanding monumental type identification signs may be erected on the Site, with one being erected along Idlewild Road and one along Margaret Wallace Road. These freestanding monumental signs may not exceed 15 feet in height.

(c) A uniform signage and graphic system will be employed throughout the Site.

(d) Any existing signage located on Parcel C may remain and shall not be included in the maximum number of freestanding signs outlined in Paragraph 12(b) above.

13. Provisions Related to Parcel C

(a) The existing building, use, parking areas, storage units, signage and any other conforming and/or non-conforming features located on Parcel C may remain with any and all grandfathering rights under the Ordinance. The building may also be expanded by up to 432 square feet generally as depicted on the Technical Data Sheet and Conceptual Master Plan. In addition, new signage may be placed on the building or grounds of Parcel C in accordance with the provisions of the Ordinance. While a portion of the existing building is located within the future right-of-way of Margaret Wallace Road, any building expansion shall be located outside of the future right-of-way as indicated on the Technical Data Sheet.

(b) The required 14 foot building setback on Parcel C is located at the edge of and within the future right-of-way line along Margaret Wallace Road and Idlewild Road, as depicted on the Technical Data Sheet. The existing building may remain within this setback but any expansion shall be located outside of the setback.

(c) Parcel C's existing driveway on Margaret Wallace Road and Idlewild Road shall be removed after the completion of the construction of Access "B" and the portion of the parking area within Parcel A located to the west and south of Parcel C. Upon the closure of the existing driveway, Parcel C shall obtain access through and utilize parking within Parcel A of the Site.

14. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet, the Conceptual Master Plan, the elevation and these Development Standards may be applied for by the then Owner or Owners of the Parcel or Parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

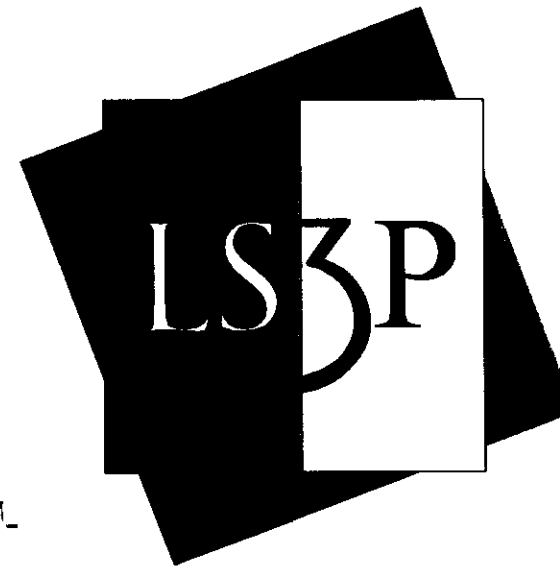
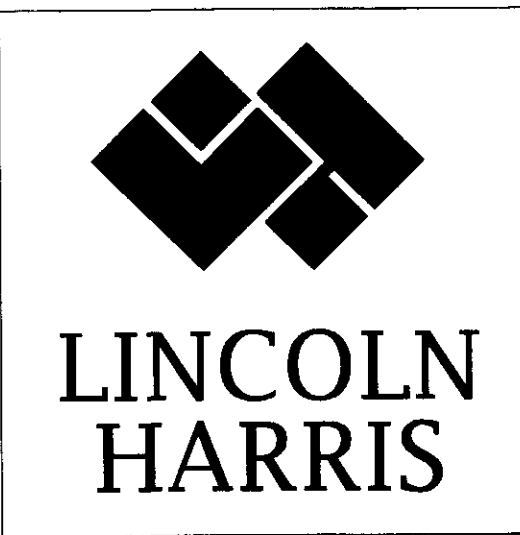
15. Binding Effect of the Rezoning Documents and Definitions

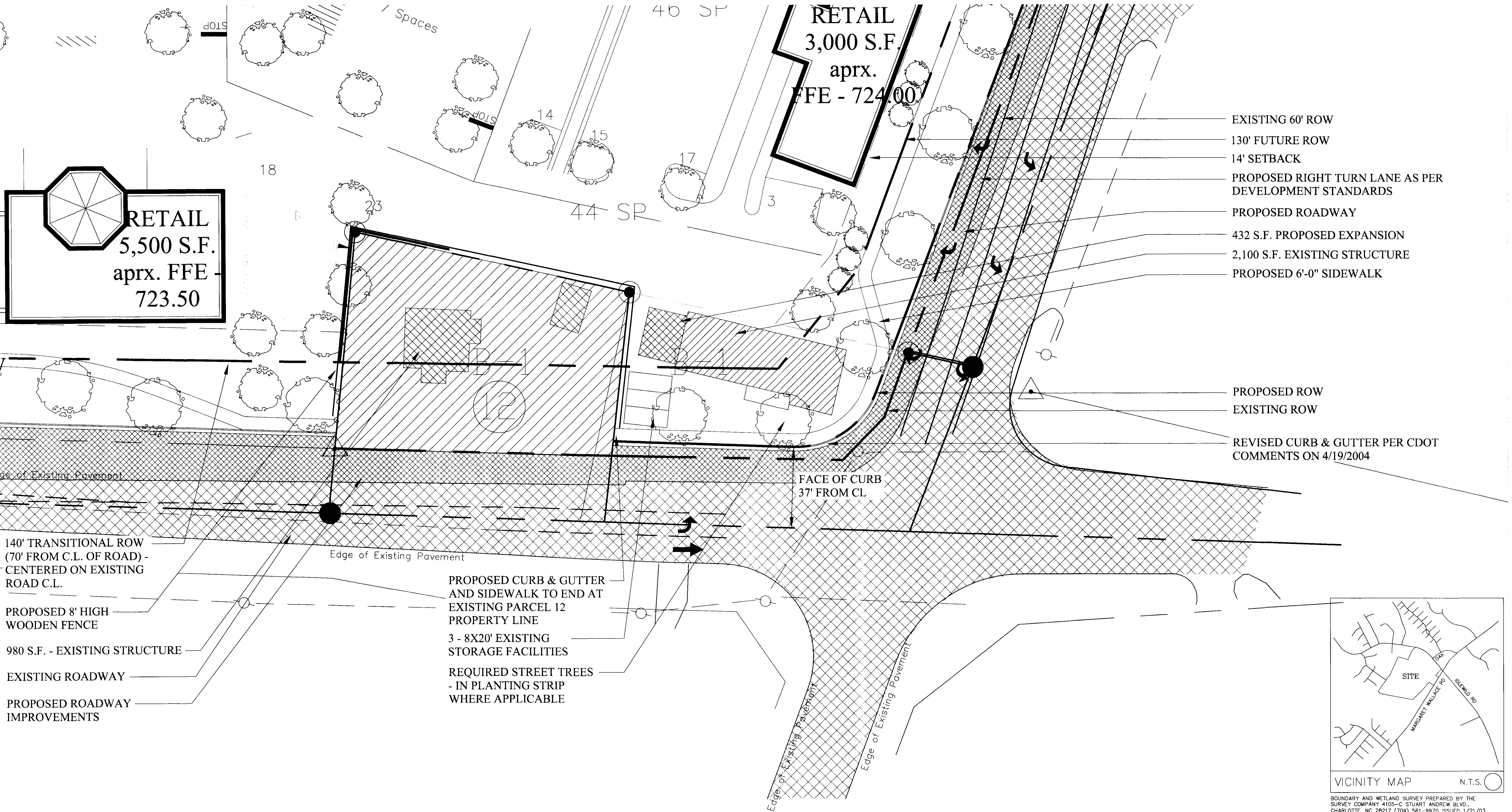
(a) If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current 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 heirs, 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.

ADJACENT PROPERTY OWNERS

1. 193-043-24	SAMUEL W. & FRANCES W. LILLY 4313 MARGARET WALLACE ROAD MATTHEWS, NORTH CAROLINA 28105
2. 193-043-28	AIM OF CHARLOTTE, LLC PO BOX 36469 CHARLOTTE, NC 28236
3. 193-043-33	WILLIAM & SYBIL PARSON 9412 IDLEWILD ROAD CHARLOTTE, NORTH CAROLINA 28227
4. 193-043-28	AIM OF CHARLOTTE, LLC PO BOX 36469 CHARLOTTE, NC 28236
5. 135-163-13	WILLIAM GILL III, HOLLIS 9531 IDLEWILD ROAD CHARLOTTE, NORTH CAROLINA 28227
6. 135-162-03	GARY S. KOCHMAN 9539 IDLEWILD ROAD CHARLOTTE, NORTH CAROLINA 28227
7. 135-162-02	SHERLEY B. TARTLTON 10006 ELBREN LANE MATTHEWS, NORTH CAROLINA 28105
8. 135-162-07	SHERLEY B. TARTLTON 9607 IDLEWILD ROAD CHARLOTTE, NORTH CAROLINA 28227
9. 135-162-04	CHARLETTE B. GORDON 9731 IDLEWILD ROAD CHARLOTTE, NORTH CAROLINA 28227
10. 135-162-08	GCC INVESTMENTS 301 E INDEPENDENCE BOULEVARD CHARLOTTE, NORTH CAROLINA 28205
11. 193-043-09	JAMES E. HENDERSON 9744 IDLEWILD ROAD CHARLOTTE, NORTH CAROLINA 28227
12. 193-043-08	CRAIG R. HIPKINS 4541 MARGARET WALLACE ROAD CHARLOTTE, NORTH CAROLINA 28227
13. 193-051-19	ELIZABETH COFFEY R/T OUTEN 4512 MARGARET WALLACE ROAD MATTHEWS, NORTH CAROLINA 28105
14. 193-051-20	JO ANNE & KATERINE LILLY 4420 MARGARET WALLACE ROAD MATTHEWS, NORTH CAROLINA 28105
15. 193-511-01	MECKLENBURG COUNTY 600 EAST FOURTH STREET, 11TH FLOOR CHARLOTTE, NORTH CAROLINA 28202
16. 193-043-28	AIM OF CHARLOTTE, LLC PO BOX 36469 CHARLOTTE, NC 28236
17. 193-032-34	RAQUEL D. HILL 4310 WILLS WAY CHARLOTTE, NC 28227





140' TRANSITIONAL ROW
(70' FROM C.L. OF ROAD) -
CENTERED ON EXISTING
ROAD C.L.

PROPOSED 8' HIGH
WOODEN FENCE

980 S.F. - EXISTING STRUCTURE

EXISTING ROADWAY

PROPOSED ROADWAY
IMPROVEMENTS

PROPOSED CURB & GUTTER
AND SIDEWALK TO END AT
EXISTING PARCEL 12
PROPERTY LINE

3 - 8X20' EXISTING
STORAGE FACILITIES

REQUIRED STREET TREES
- IN PLANTING STRIP
WHERE APPLICABLE

EXISTING 60' ROW

130' FUTURE ROW

14' SETBACK

PROPOSED RIGHT TURN LANE AS PER
DEVELOPMENT STANDARDS

PROPOSED ROADWAY

432 S.F. PROPOSED EXPANSION

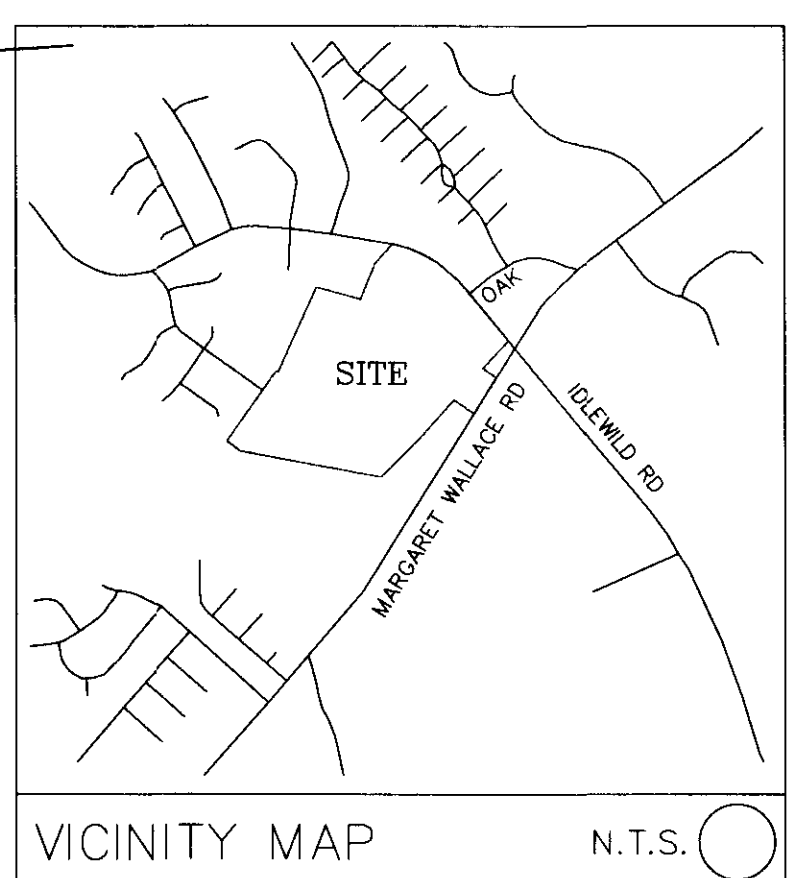
2,100 S.F. EXISTING STRUCTURE

PROPOSED 6'-0" SIDEWALK

PROPOSED ROW

EXISTING ROW

REVISED CURB & GUTTER PER CDOT
COMMENTS ON 4/19/2004

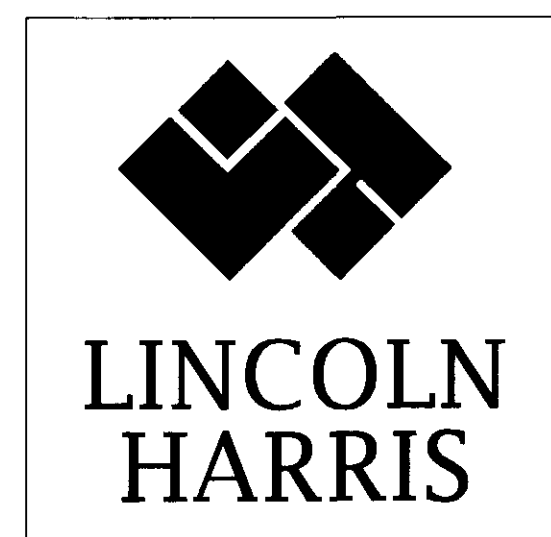


VICINITY MAP N.T.S.

BOUNDARY AND WETLAND SURVEY PREPARED BY THE
SURVEY COMPANY 4105-C STUART ANDREW BLVD.,
CHARLOTTE, NC 28217 (704) 561-9970 ISSUED 1/21/03,
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TOPOGRAPHY OBTAINED FROM MECKLENBURG COUNTY
MAPPING/GIS SERVICES.

Z - 3.1 OF 5



MINTWORTH COMMONS

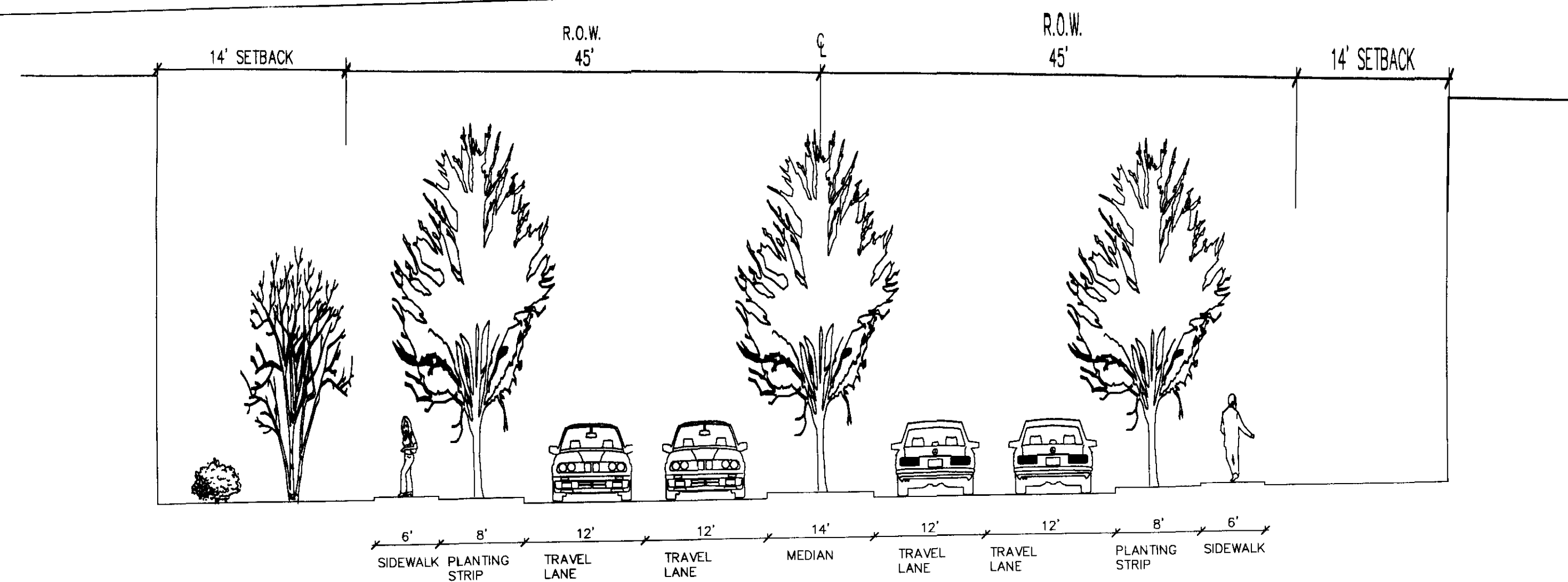
CONCEPTUAL MASTER PLAN

19 APRIL 2004

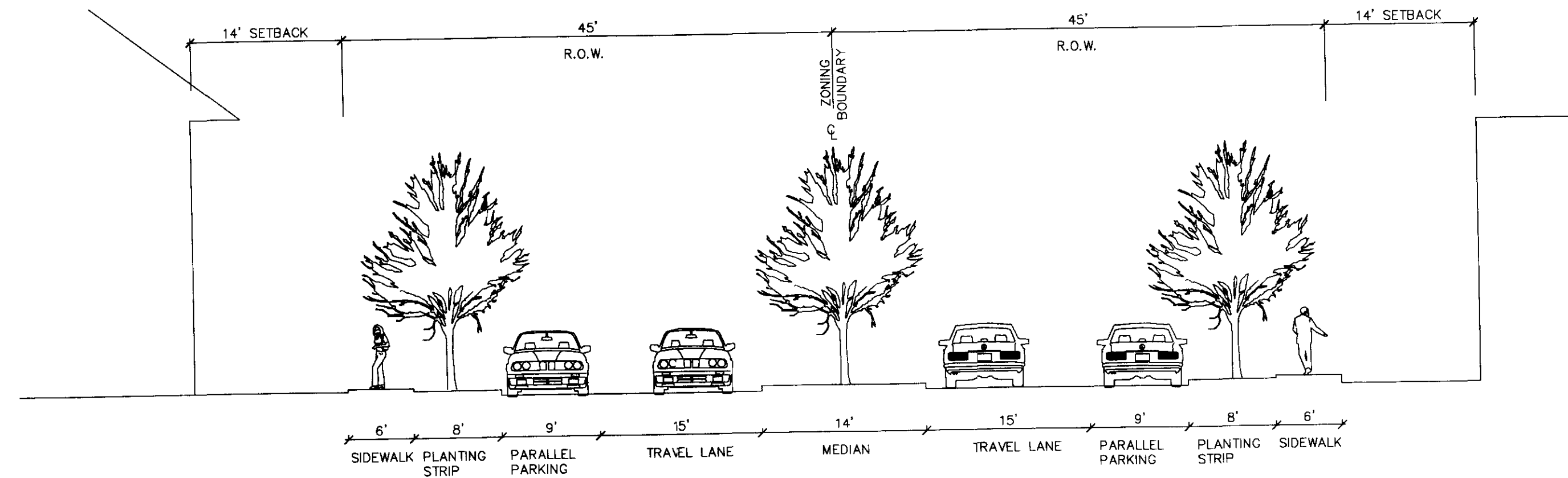
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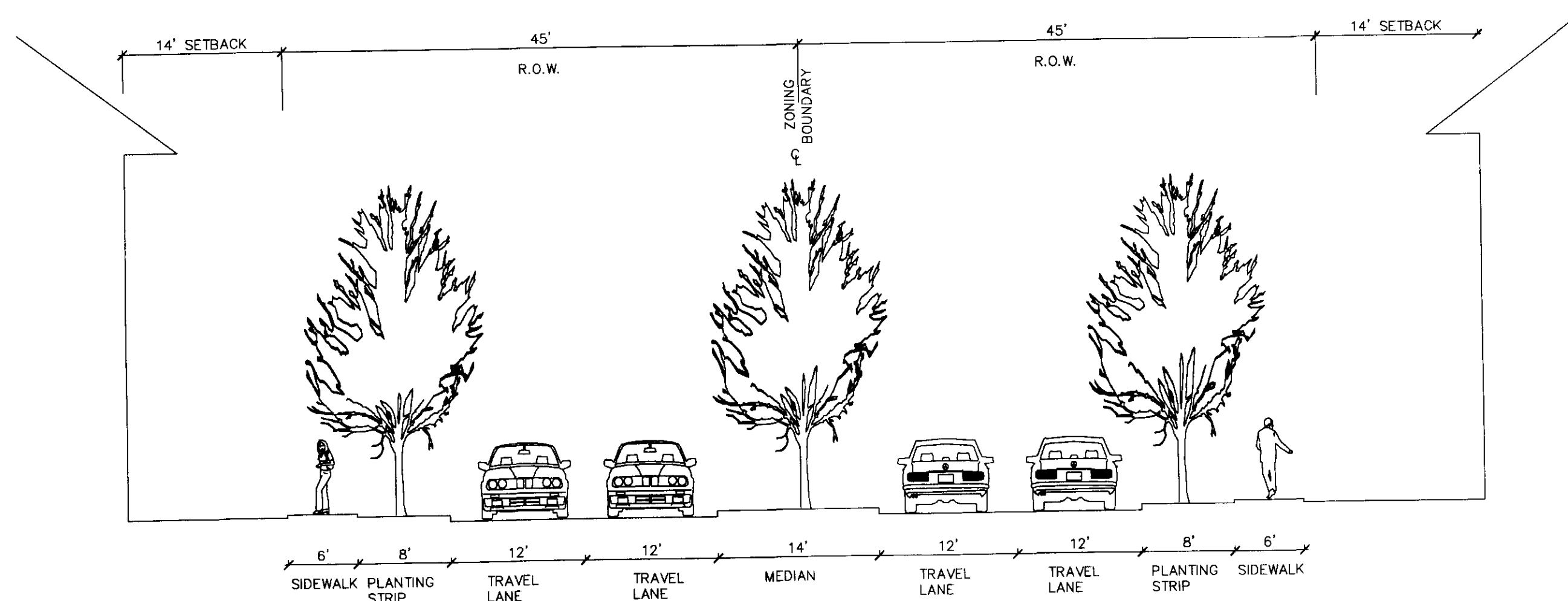
APPROVED BY CITY COUNCIL
DATE 4/15/04 CHARLESTON • CHARLOTTE



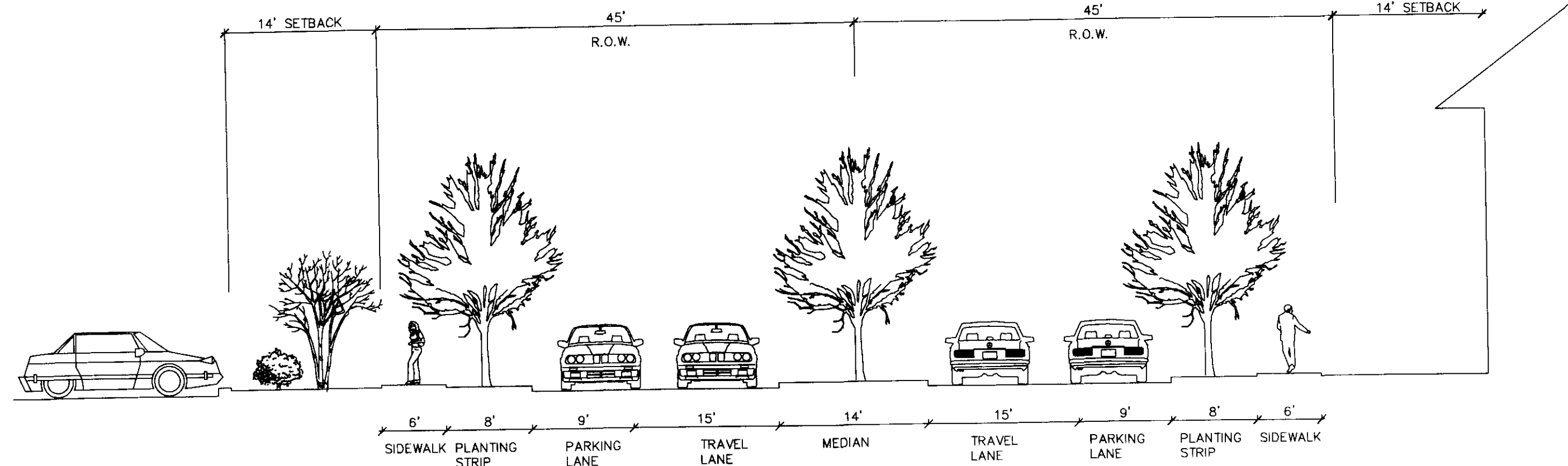
SECTION A-A: MAIN ENTRY ROAD FROM MARGARET WALLACE W/O PARALLEL PARKING (PUBLIC STREET)



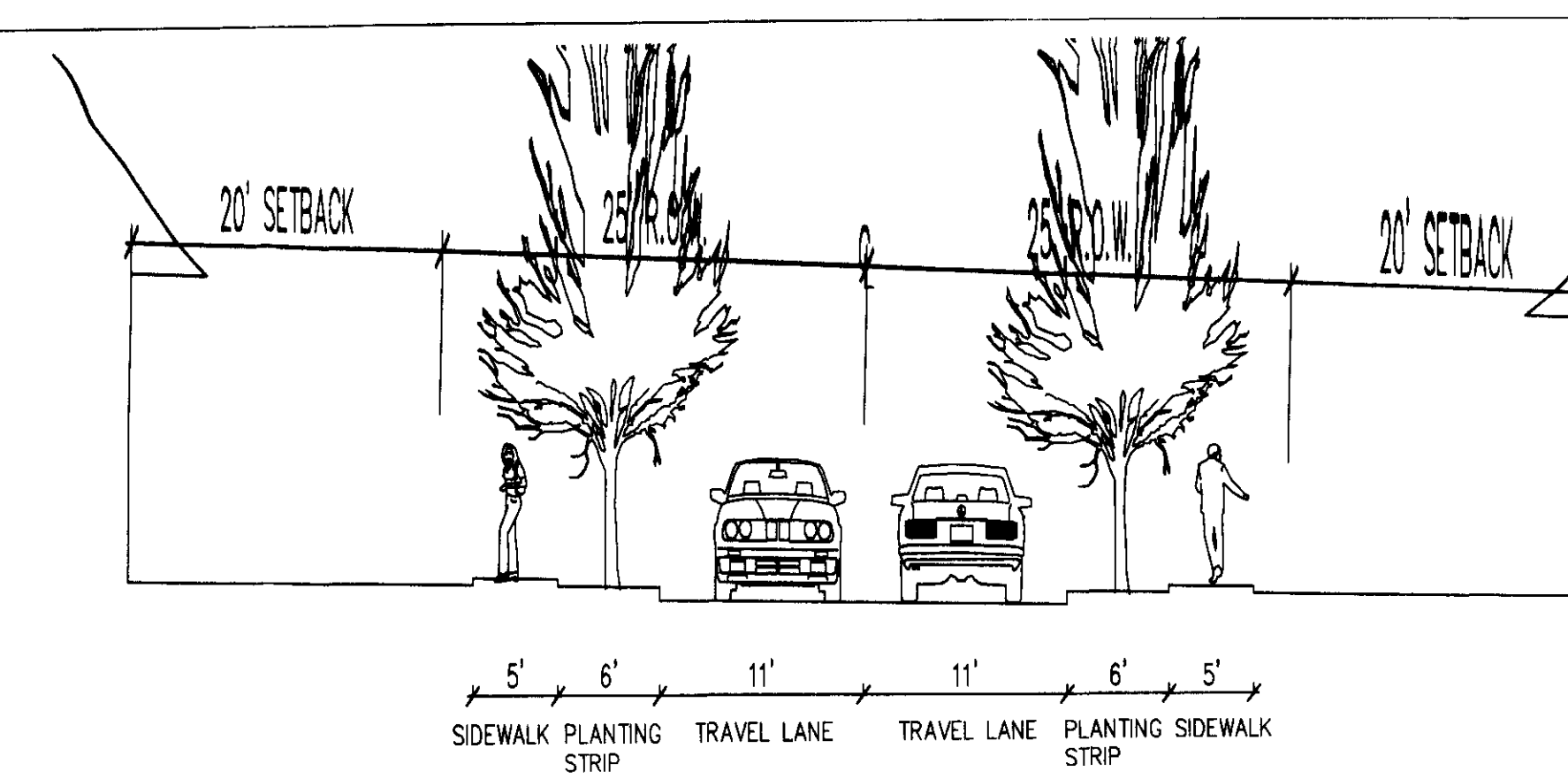
SECTION B-B: MAIN ENTRY ROAD FROM MARGARET WALLACE W/PARALLEL PARKING (PUBLIC STREET)



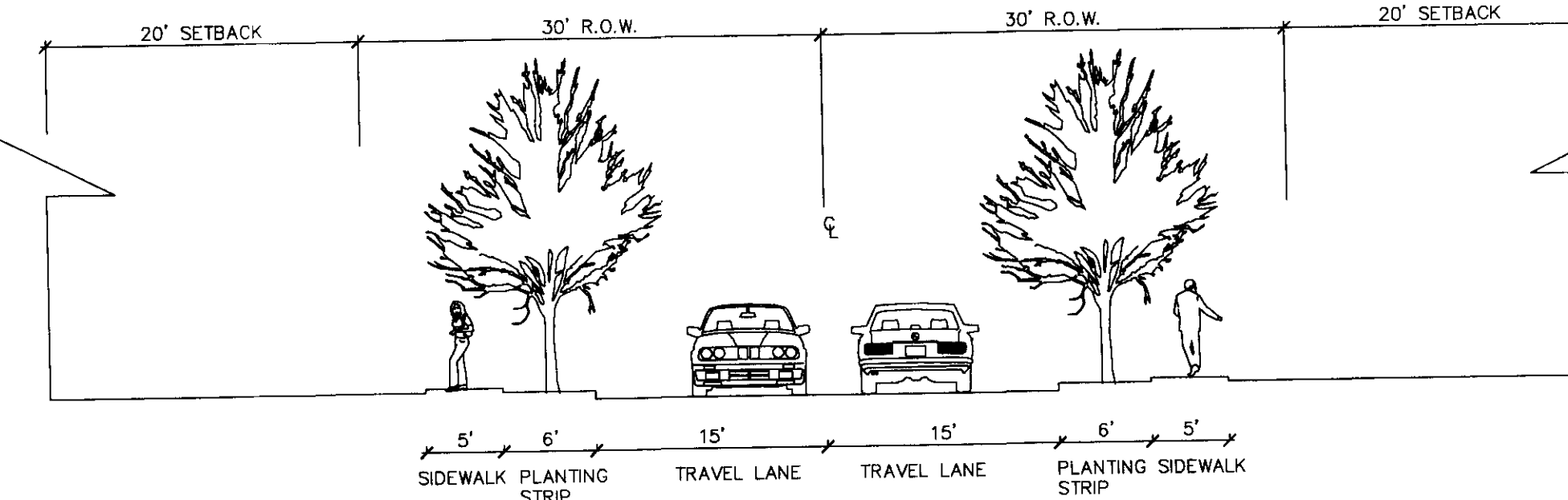
SECTION C-C: MAIN ENTRY ROAD FROM IDLEWILD W/O PARALLEL PARKING (PUBLIC STREET)



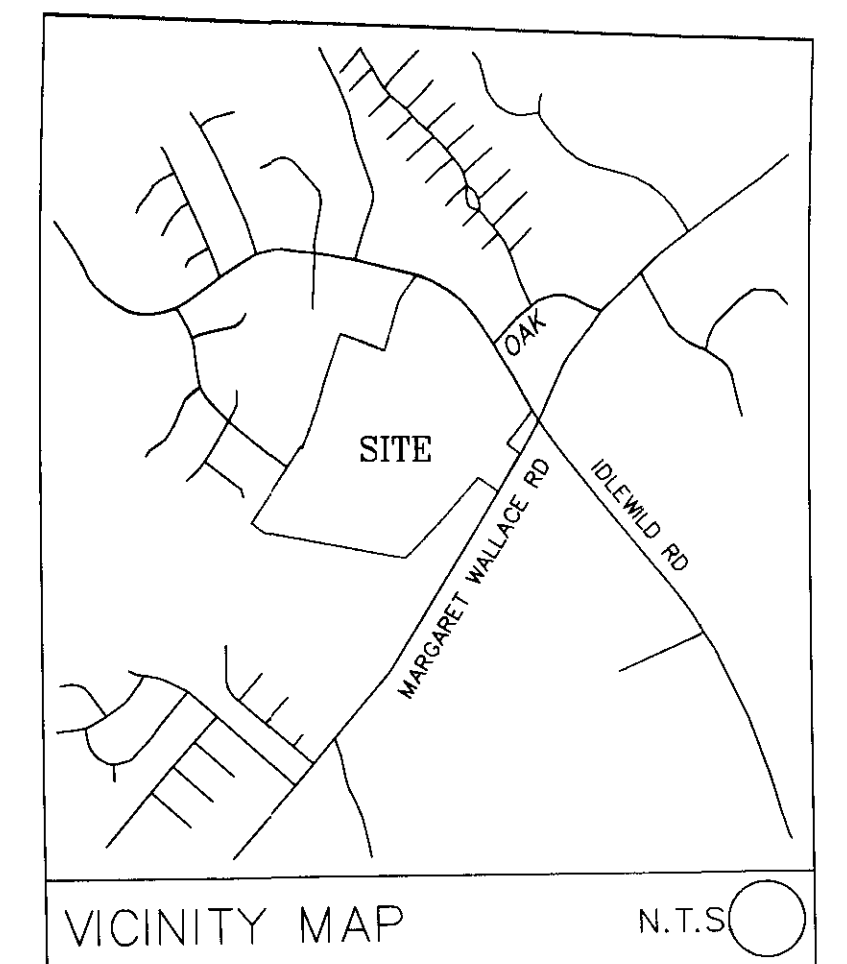
SECTION D-D: MAIN ENTRY ROAD FROM IDLEWILD W/PARALLEL PARKING (PUBLIC STREET)



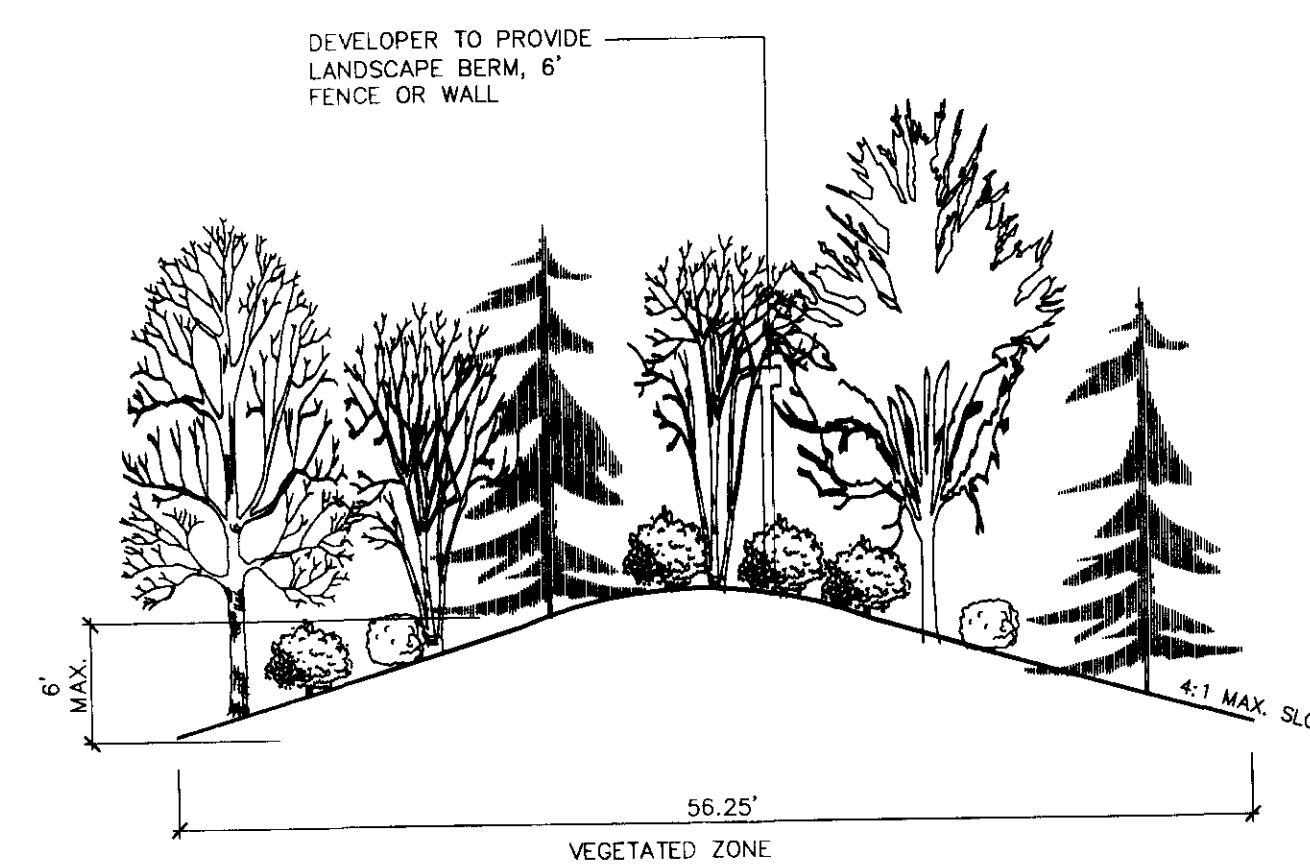
SECTION E-E: TYPICAL RESIDENTIAL STREET 50' R.O.W. (PUBLIC)



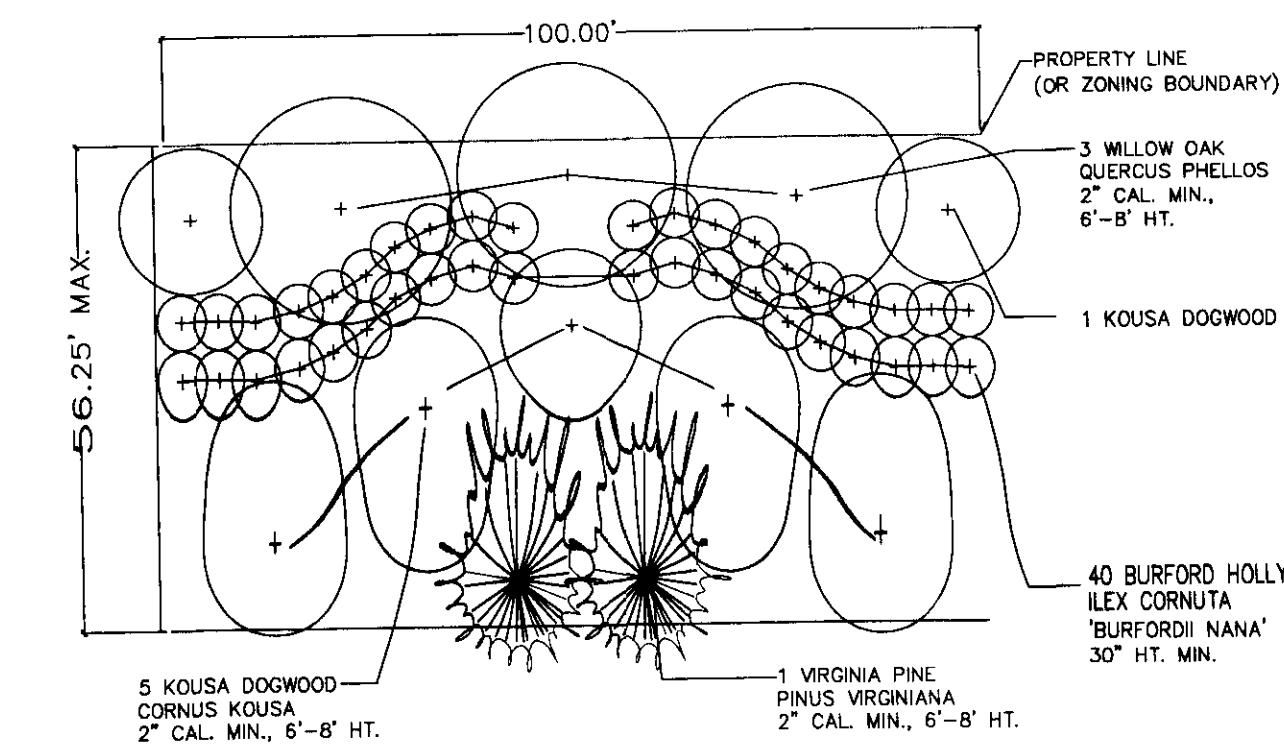
SECTION F-F: TYPICAL RESIDENTIAL COLLECTOR STREET 60' R.O.W. (PUBLIC)



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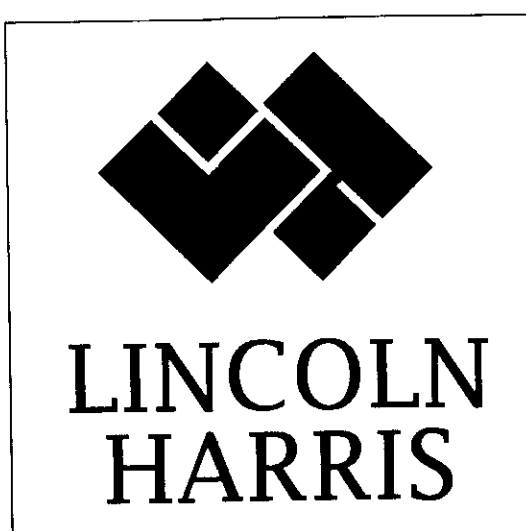
SECTION G-G: 56.25' LANDSCAPE AREA WITH BERM, WALL OR FENCE



PLAN - 56.25' LANDSCAPED AREA, TYP. 100' SECTION (NT)

NOTE: WITHIN THE DENOTED LANDSCAPE AREAS, TREES AND SHRUBS SHALL GENERALLY MEET THE REQUIREMENTS OF SECTION 12.302 OF THE CITY OF CHARLOTTE ZONING ORDINANCE. THE TOTAL WIDTH OF THE PROPOSED LANDSCAPED AREAS WILL BE 56.25' AND WILL INCORPORATE A LANDSCAPED BERM, FENCE OR WALL. QUANTITIES OF PLANT MATERIAL MAY VARY PENDING THE QUANTITY OF EXISTING PLANT MATERIAL THAT CAN BE UTILIZED.

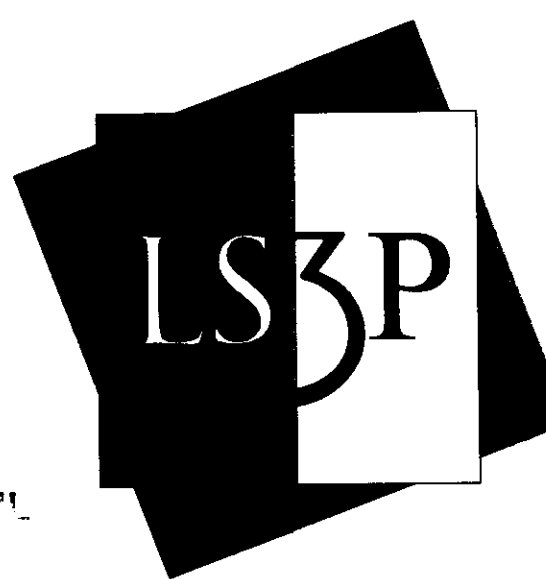
Z - 4.0 OF 5



MINTWORTH COMMONS

ILLUSTRATIVE STREET SECTIONS

19 APRIL 2004
SCALE: 1" = 10'-0"



APPROVED BY CITY COUNCIL
DATE 4/19/04

CHARLESTON • CHARLOTTE