

SITE TABULATION
TOTAL SITE ACREAGE: +/-32.3AC.
EXISTING ZONING: R-3
PROPOSED ZONING: NS
SQUARE FOOTAGE: 140,000s.f.

NOTES:
THE DESIGNER HAS CONDUCTED VISUAL ANALYSIS OF THE PROPOSED DEVELOPMENT AND HAS DETERMINED THAT THE PROPOSED DEVELOPMENT IS VISUALLY COMPATIBLE WITH THE SURROUNDING DEVELOPMENT.
ALL AREAS ON PLAN NOT WITHIN SETBACKS, EASEMENTS, OR RIGHT-OF-WAY ARE CONSIDERED BUILDABLE AREA FOR PARKING AND EASEMENTS.
ALL EASEMENT LOCATIONS SHOWN ARE SUBJECT TO FINAL DESIGN AND ENGINEERING.

PARCEL INFORMATION

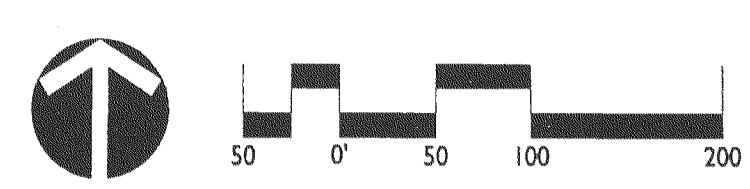
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- LEGEND:**
- PROPERTY BOUNDARY
 - BUILDING/PARKING ENVELOPE
 - BUILDING EDGE
 - TREE SAVE AREA
- NOTES:**
1. BUILDING/PARKING ENVELOPES AND BUILDING EDGES ARE SCHEMATIC FOR THE PURPOSE OF DEPICTING DESIGN INTENT. ACTUAL BUILDING LOCATIONS ARE SUBJECT TO CHANGE DURING DESIGN DEVELOPMENT BUT THE SITE WILL MAINTAIN SITE RELATIONSHIPS AS APPROVED.
 2. TREE SAVE AREAS ARE PRELIMINARY AND ARE SUBJECT TO CHANGE AS NEEDED TO GRADE ROADWAYS AND REQUIRED WATER MANAGEMENT AREAS AS SHOWN ON SCHEMATIC SITE PLAN.

- UTILITIES:**
- POWER: I-800-357-3853
 - TELEPHONE: (704) 357-6974, (704) 357-9580
 - WATER & SEWER: (704) 399-2223
 - GAS: (704) 525-5585
 - CABLE TELEVISION: I-800-632-4949
- DUKE POWER CO. HELP DESK:**
- BELL SOUTH TELECOMMUNICATIONS: (704) 357-6974, (704) 357-9580
 - CHAR-MECK UTILITY DEPT. (CMUD): CONTACT: CARL WILSON
 - PEDMONT NATURAL GAS CO.: NEW CONNECTIONS (THERESA BOND), EXISTING CONNECTIONS (MIG SOCM)

| LINE TABLE | | | |
|------------|---------------|----------|--|
| LINE | BEARING | DISTANCE | |
| L1 | N 173°47' E | 29.62 | |
| L2 | S 72°43'58" E | 10.34 | |
| L3 | S 03°08'17" E | 51.43 | |

| CURVE TABLE | | | |
|-------------|--------|---------------|--------|
| CURVE | RADIUS | ARC BEARINGS | CHORD |
| C1 | 200.60 | N 09°25'34" W | 146.08 |
| C2 | 200.60 | N 09°14'08" W | 149.14 |
| C3 | 733.64 | S 05°40'57" E | 65.65 |



ROCKY RIVER ROAD SITE
CHARLOTTE, NORTH CAROLINA
JDH CAPITAL
TECHNICAL DATA SHEET

REVISIONS:
06/17/05 PER CITY AND CDDT COMMENTS
06/17/05 PER CITY COMMENTS
08/09/05 PER CITY COMMENTS

DATE: 05/23/05
DRAWN BY: V.D.
CHECKED BY: R.C.
O.C. BY:
PROJECT # 1004260
SHEET #

RZ-1

General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by JDH Capital to accommodate development of a mixed use, pedestrian-friendly village type center on an approximately 31 ± acre site located on the southeasterly corner of the intersection of Rocky River Road and the proposed Eastern Circumferential (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

The Site may be devoted to uses which are permitted under the Ordinance by right or under prescribed conditions in the NS Zoning District.

2. Maximum Building Areas and Development Limitations

The Site may be developed with up to 140,000 square feet of gross floor area devoted to retail, restaurant and/or office uses subject to the following limitations and provisions:

- Of the total 140,000 square foot total floor area, no more than 130,000 square feet may be devoted to retail/commercial uses and no more than 30,000 square feet may be devoted to office uses.
- No more than two uses on the Site may include drive through facilities.
- No more than one independent, freestanding, single tenant building shall be permitted on the Site. The remaining freestanding, single tenant buildings shall be interconnected as defined in the General Development Policies, adopted November, 2003. Site plans for the interconnected, freestanding, single tenant buildings shall be submitted to Planning staff for review and approval prior to issuance of building permits.
- Of the two uses on the Site that may include drive through facilities, no more than one of the two may be a fast food restaurant with a drive through facility.
- In addition to the two uses on the Site that may include a drive through facility, one coffee house type of restaurant (such as Starbucks) or doughnut shop type of restaurant (such as Krispy Kreme) with a drive through facility may be located on the site.
- There shall be no limit on the number of restaurants without drive through facilities permitted on the Site.
- 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 the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the NS zoning district. Buildings and parking areas may be located within the development area boundaries.

4. Design and Performance Standards

The development depicted on the Schematic Site Plan(Sheet Z-2.O) 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 Schematic Site Plan 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 Rocky River Road and the Eastern Circumferential will contain non-opaque windows which face these streets. Large expanses of solid walls exceeding 20 linear feet for these buildings will be avoided through the introduction of articulated facades and other specially designed architectural elements.

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

- outdoor dining and seating areas
- outdoor seating areas

(b) Landscaping and Screening

(i) The Petitioner shall cause to be installed within the setback areas along Rocky River Road and the Eastern Circumferential Road plants, trees and other materials in accordance with the Ordinance and the related cross-sections on Sheet RZ-4, which forms a part of the Technical Data Sheet, and shall thereafter maintain or cause to be maintained all such materials (including replacement of all dead or dying plants).

(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) Buffering along the southerly project edge shall conform to the standards and treatments delineated in Cross-Section G of the Technical Data Sheet and the Ordinance.

(iv) All screening and landscaping shall meet or exceed the standards of the Ordinance.

(v) Dumpster areas will be enclosed on all four sides by an opaque wall with one side being a hinged opaque gate. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.

(c) Streetscape Treatment

(i) The streetscape treatment along Rocky River Road and the Eastern Circumferential will conform to the Ordinance and include maturing trees, supplemental shrubbery, sidewalks which are at least 6 feet in width and planting strips which are at least 8 feet in width.

(ii) Outdoor dining and courtyard areas may be located within the established setback along Rocky River Road and the Eastern Circumferential, but outside of the required setback.

(iii) Parking shall not be located between buildings and the Eastern Circumferential or between buildings and Rocky River Road with the exception of the key anchor store. Parking may be located between the key anchor store and the Eastern Circumferential generally as indicated on the Schematic Site Plan.

(d) Lighting

(i) The maximum height of any freestanding lighting fixture erected on the Site (other than street lights on public rights-of-way) including its base, shall not exceed 30 feet.

(ii) All parking lot lighting shall be fully-shielded and downwardly directed.

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

(iv) No wall pack light fixtures will be allowed on any structures constructed on the Site with the exception of the grocery store walls oriented toward the loading area. Wall pack light fixtures in this location are permitted if they are downwardly directed.

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

(vi) All freestanding lighting fixtures will be uniform in design.

5. Storm Water Management

(a) Storm water runoff 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 or buffer.

(b) The detention shall tie-in to the existing abutting storm water system(s). 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 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 the Site, the Petitioner agrees to provide adequate detention to ensure that the system will not be additionally overburdened.

(c) The Petitioner shall control and treat the difference in storm water runoff volume leaving the project site between the pre and post development runoff conditions for the 2-year 24-hour storm. Runoff draw down time shall be a minimum of 24 hours, but not more than 120 hours. Peak storm water release rates should match pre-development rates for the 2-year and 10-year 6-hour storm events. The use of structural storm water treatment systems (wet ponds, extended detention wetlands, bio-retention etc) shall be incorporated into the site and designed to have an 85 % average annual removal for Total Suspended Solids generated from the development according to specifications in the North Carolina Department of Environment and Natural Resources Best Management Practices Manual, April 1999.

(d) Measures for controlling erosion on the Site shall include the following:

- Phased grading to significantly limit the amount of exposed soil and reduce the potential for erosion problems and off-site sedimentation.
- Temporary or staged seeding on parking lots and other graded areas immediately following the completion of land disturbing activities to minimize the amount of disturbed area and reduce the potential for off-site sedimentation.
- Polymers and other flocculating measures in sediment basins to enhance settling capabilities and reduce the discharge of solids from the site.
- Double super-silt fences in critical areas of the site such as at all intermittent and perennial streams, wetlands, at the base of slopes and other locations where the potential for off-site sedimentation is greatest.
- Orange construction barrier fencing along stream buffers to preserve the buffers during construction, and
- Two-stage sediment basins with outlet weirs sized for a 50-year storm event to prevent the risk of basin failure.

(e) The following agencies must be contacted prior to construction regarding wetland and water quality permits:

Section 401 Permit NCDEHNC-Raleigh Office

Section 404 Permit US Army Corps of Engineers

6. Vehicular Access and Road Improvements

(a) Vehicular access to Rocky River Road, Hood Road and the Eastern Circumferential Road shall be as generally depicted on the Technical Data Sheet and noted below.

(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.

(c) At least 150 feet of internal channelization shall be provided at each full movement driveway and at least 100 feet of internal channelization shall be provided at each right in, right out driveway.

(d) The Site abuts portions of the proposed Eastern Circumferential, Rocky River Road and Hood Road. 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 those portions of the Site immediately abutting the following roadways as required to provide right of way as outlined below if such right-of-way does not presently exist.

Eastern Circumferential at Rocky River Road Northbound Bore

- 70 feet from centerline for the first 500 feet south of Rocky River Road
- 20:1 taper down to 50 feet from centerline over the next 400 feet
- 50 feet from centerline thereafter to the south

Rocky River Road at the Eastern Circumferential

60 feet from centerline for 500 feet from the intersection with the Eastern Circumferential then tapering down to 50 feet from centerline at a 45:1 taper.

Rocky River Road at Hood Road

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

Nothing in the above Note 6(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.

(e) No certificates of occupancy for development occurring on the Site shall be issued prior to the installation of traffic signal control at the intersection of Rocky River Road and Back Creek Church Road and the intersection of Rocky River Road and Hood Road. In addition, no certificates of occupancy for development occurring on the Site shall be issued prior to the installation of a westbound left turn lane on Rocky River Road at Hood Road.

(f) Prior to the issuance of any certificates of occupancy for more than 25,000 square feet of development on the Site, the following road improvements shall be provided:

Eastern Circumferential

- Two through lanes of the portion of the Eastern Circumferential which abuts the Site.

- A northbound left turn lane on the Proposed Eastern Circumferential with a minimum of 150 feet of storage and a 15:1 bay taper.

- Two access locations along the Proposed Eastern Circumferential as depicted on the site plan. Initially, both access locations will be full-movement. Once the Eastern Circumferential is constructed from its intersection with Back Creek Church Road to its intersection with Plaza Road Extension and upgraded to a multi-lane facility, the more northerly access shall be converted to a R/R/O only access point. The more southerly access point may remain full movement. These access connections require the approval of NCDOT and CDOT and shall concur with the latest edition of the NCDOT Policy on Street and Driveway Access to North Carolina Highways.

Collector Street

- The internal public collector street which runs from Hood Road to the Eastern Circumferential, and

Stub Street

- The public stub street which extends from the internal public collector to the southerly property line.

(g) Prior to the issuance of any certificates of occupancy for the remainder of the development on the Site, the following road improvements shall be provided:

Rocky River Road and Gravel Road

- Re-striping of the existing pavement to provide for an exclusive eastbound left turn lane on Rocky River Road with a minimum 825 feet of storage for each lane and a 15:1 bay taper and the through lane should terminate as a combination left-right lane.

- Construction of an additional northbound through lane on Rocky River Road to receive the eastbound dual left turn lanes. The additional eastbound through lane shall extend to a point 100 feet east of the Reedy Creek Park entrance followed by a 375 foot through lane transition taper. In the event that Rocky River Road is widened to four lanes, this additional through-lane (receiving lane) is no longer required.

Rocky River Road and Proposed R/R/O Access

- Construction of the right-in/right-out access along Rocky River Road as depicted on the site plan. This driveway connection requires the approval of NCDOT and CDOT and shall concur with the latest edition of the NCDOT Policy on Street and Driveway Access to North Carolina Highways.

- Construction of a concrete median along Rocky River Road opposite the proposed R/R/O access to prevent left turns into and out of the site.

Rocky River Road and Back Creek Church Road/Proposed Access "B"

- Construction of the fourth leg of the intersection to include the northbound approach of Proposed Access "B" with three existing lanes. The through-lane should terminate as such and add an exclusive left turn lane and right turn lane each with a minimum of 150 feet of storage. This driveway connection requires the approval of NCDOT and CDOT and shall concur with the latest edition of the NCDOT Policy on Street and Driveway Access to North Carolina Highways.

- Construction of east/westbound left turn lanes on Rocky River Road each with a minimum 150 feet of storage and a 15:1 bay taper with 45:1 through lane taper(s).

- Construction of a southbound left turn lane on Back Creek Church Road with a minimum 150 feet of storage and a 15:1 bay taper with 45:1 through lane taper(s).

- Construction of an eastbound right turn lane on Rocky River Road with a minimum 150 feet of storage and a 20:1 bay taper.

Hood Road and Proposed Access "C"

- As per CDOT, construction of a northbound left turn lane on Hood Road with a minimum of 150 feet of storage, a 15:1 bay taper and 45:1 through lane taper(s).

- Construction of the eastbound approach on Proposed Access "C" to include two existing lanes. The through-lane should terminate as a left turn lane and add a right turn lane with a minimum of 150 feet of storage. This driveway connection requires the approval of NCDOT and CDOT and shall concur with the latest edition of the NCDOT Policy on Street and Driveway Access to North Carolina Highways.

Rocky River Road and Proposed Access via Proposed Eastern Circumferential

- Construction of a westbound left turn lane on Rocky River Road with a minimum of 150 feet of storage, a 15:1 bay taper and 45:1 through lane taper(s).

All road improvements, driveways and new public streets shall meet all applicable CDOT and NCDOT design standards and require the review and approval of CDOT and NCDOT, where applicable.

7. Connectivity

Pedestrian and vehicular connections throughout the Site will be provided in the manner generally depicted as shown on the Technical Data Sheet. Where internal sidewalks are located between buildings and parking bays, either a sidewalk at least seven feet in width or wheelstops shall be provided.

8. Parking

(a) Bicycle parking spaces (bike racks) shall be provided in accordance with the Ordinance.

(b) The center, as a whole, will have off-street automobile parking spaces at a ratio of one space per 250 square feet of floor area. Tenants within the center may be located on their own individual parcels of land that may or may not have this amount of parking spaces located on or assigned to such individual parcel. The parking formula outlined above shall be for the center in its entirety rather than for single tenants within the center.

9. 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.

10. 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) Detached signage shall be ground mounted or monumental type signs only and shall not exceed 15 feet in height.

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

11. CMUD Service

The Site shall utilize CMUD water and sewer service.

12. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet, the Schematic Site Plan 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.

13. 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.

ROCKY RIVER ROAD SITE
CHARLOTTE, NORTH CAROLINA
JDH CAPITAL
DEVELOPMENT STANDARDS NOTES

REVISIONS:
06/17/05 PER CITY AND CDOT COMMENTS
07/08/05 PER CITY COMMENTS

DATE: 05-23-05
DESIGNED BY: RC
DRAWN BY: VLD
CHECKED BY: RC
SCALE: N/A
PROJECT #: 1004260

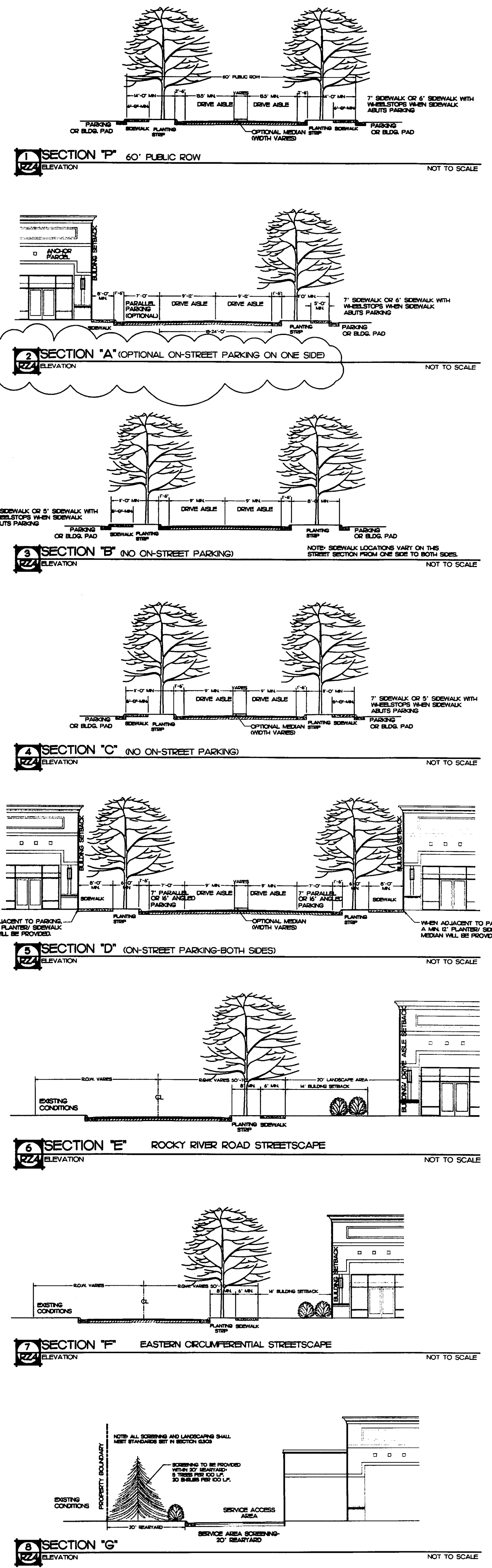
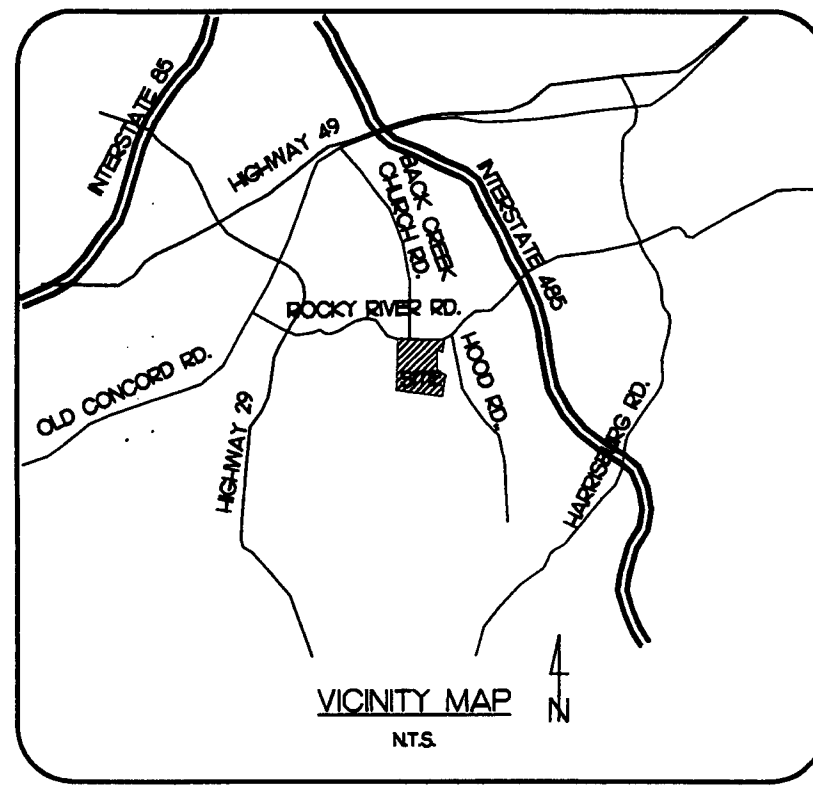
SHEET #:

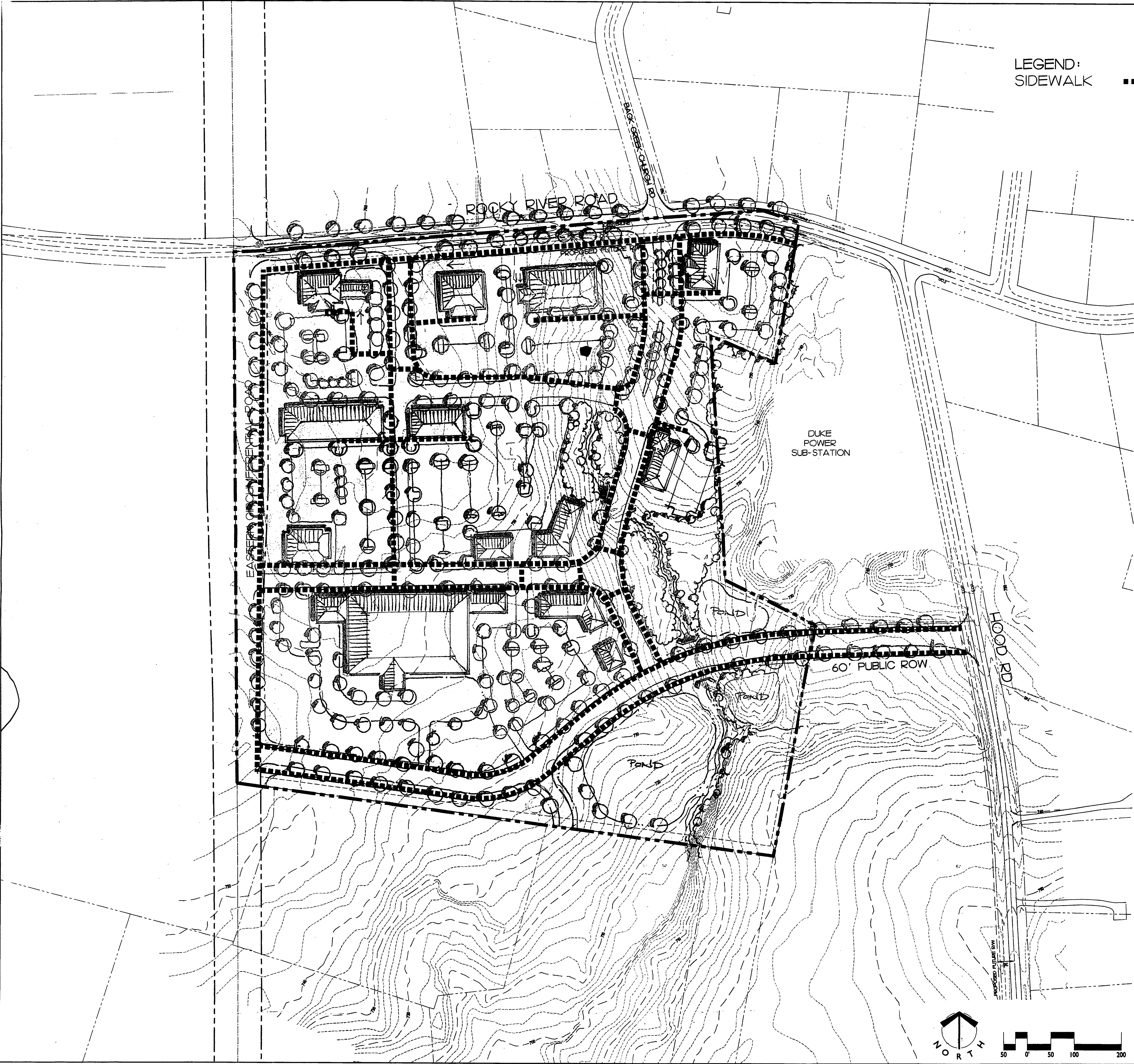
RZ-3

LandDesign

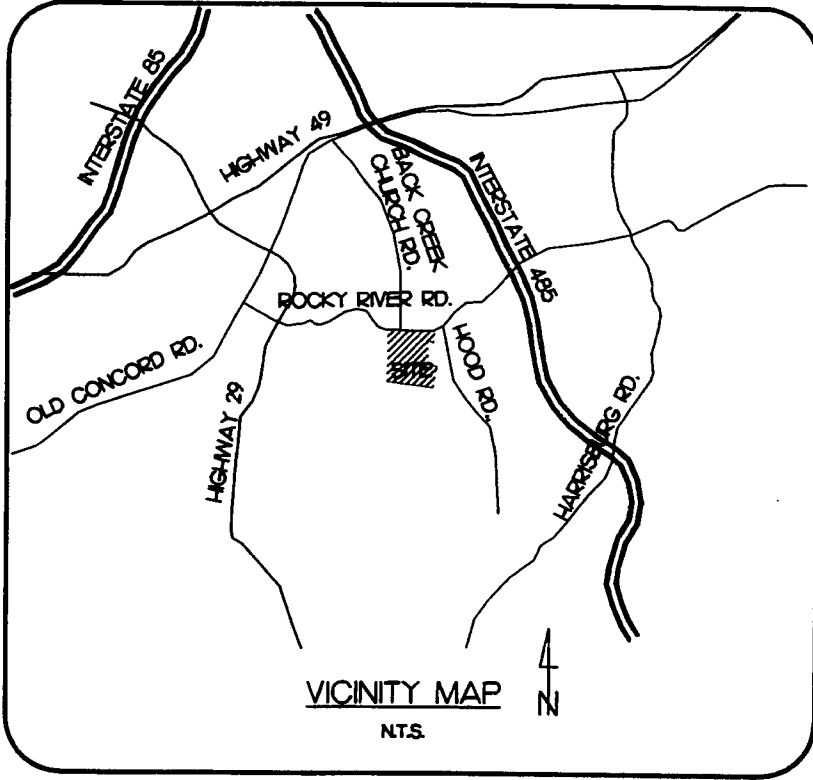
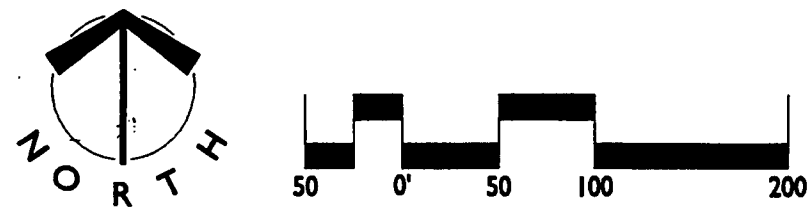
223 N Graham Street, Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3246
www.LandDesign.com

- LEGEND:
STREET TYPE 'A' [---]
STREET TYPE 'B' [---]
STREET TYPE 'C' [---]
STREET TYPE 'D' [---]
STREET TYPE 'P' [---]





LEGEND:
SIDEWALK



REVISIONS:
06/17/05 PER CITY AND CDOT COMMENTS
07/08/05 PER CITY COMMENTS

DATE: 05-23-05
DESIGNED BY: RC
CHECKED BY: RC
Q.C. BY:
SCALE: 1"=100'
PROJECT #: 1004560

SHEET #:

RZ-5

**ROCKY RIVER ROAD SITE
CHARLOTTE, NORTH CAROLINA**

JDH CAPITAL

PEDESTRAIN CIRCULATION PLAN

LandDesign .

233 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3246
www.LandDesign.com