

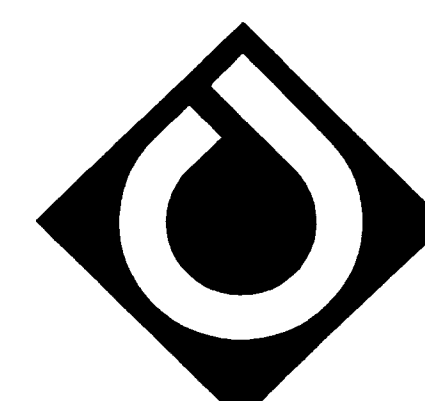
SITE DATA TABLE:
SITE ACREAGE: 170.2697 AC
EXISTING ZONING: MUDD-O; O-1(CD); O-15 (CD), R-4
PROPOSED ZONING: MUDD-O

LEGEND	
	FULL MOVEMENT ACCESS POINT
	RIGHT-IN, RIGHT-OUT ACCESS POINT
	PROPOSED PEDESTRIAN TRAIL
	PROPOSED RIGHT OF WAY
	PROPERTY LINE
	50' CONSERVATION EASEMENT
	GREEN STREET
	PUBLIC STREET

- STREET SECTIONS**
SEE SHEET R26.0 FOR DETAILS
- A. PRIVATE STREET (MAIN STREET) CITY PARK DRIVE ANGLED PARKING
 - B. PRIVATE STREET (MAIN STREET) CITY PARK DRIVE PARALLEL PARKING
 - C. PUBLIC STREET DIVIDED ENTRY ROAD FOR NORTH-SOUTH CONNECTOR AT TYVOLA ROAD
 - D. PUBLIC STREET - AVENUE WITH BICYCLE LANE
 - E. PUBLIC STREET - LOCAL STREET - PARKING ONE SIDE
 - F. PUBLIC GREEN STREET - PUBLIC PARKING ONE SIDE
 - G. PRIVATE GREEN STREET - PRIVATE PARKING ONE SIDE
 - H. PUBLIC STREET - LOCAL STREET PARKING TWO SIDES
 - I. PRIVATE STREET - LOCAL STREET PRIVATE PARKING TWO SIDES
 - J. PUBLIC STREET - AVENUE WITHOUT BICYCLE LANE
 - K. PUBLIC STREET - DIVIDED ENTRY ROAD FOR NORTH-SOUTH CONNECTOR AT BILLY GRAHAM PARKWAY
 - L. PUBLIC STREET DIVIDED ENTRY ROAD FOR CITY PARK DRIVE AT TYVOLA ROAD

- ADJACENT PROPERTY OWNERS**
- BILLY GRAHAM EVANGELISTIC ASSOC. PID: 143-031-06
 - STATE OF NORTH CAROLINA PID: 143-131-02
 - BILLY GRAHAM EVANGELISTIC ASSOC. PID: 143-021-07
 - P & L COLISEUM LP PID: 143-141-07
 - P & L COLISEUM LP PID: 143-141-06
 - MCALLISTER INVESTMENT PROP. #5 PID: 143-141-05
 - MCALLISTER INVESTMENT PROP. #5 PID: 143-141-04
 - DORIS G MCALLISTER AND R J MCALLISTER PID: 143-141-03
 - DORIS G MCALLISTER AND R J MCALLISTER PID: 143-141-02
 - CITY OF CHARLOTTE PID: 143-131-03
 - CITY OF CHARLOTTE PID: 143-133-01
 - DUKE POWER CO. PID: 143-133-02
 - LAKEPOINTE PROPERTY OWNERS PID: 143-133-05
 - HPT SUITE PROPERTIES TRUST AND PRIME HOSPITALITY CORP. PID: 143-133-04
 - LAKEPOINTE RESTAURANT AND DIVISION CONTROLLER PID: 143-133-03
 - COLISEUM TRANSFER INC AND CRESCENT RESOURCES LLC PID: 143-272-08
 - COLISEUM TRANSFER INC AND CRESCENT RESOURCES LLC PID: 143-272-10
 - COLISEUM TRANSFER INC AND CRESCENT RESOURCES LLC PID: 143-272-09
 - TRIUMPH FINANCE I LP PID: 143-272-05
 - COLISEUM TRANSFER INC AND CRESCENT RESOURCES LLC PID: 143-272-04

APPROVED BY
CITY COUNCIL
JAN 22 2008



Cole Jenest & Stone
Shaping the Environment
Realizing the Possibilities

Land Planning
Landscape Architecture
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CITY PARK

CHARLOTTE, NORTH CAROLINA

TECHNICAL DATA SHEET

For Public Hearing

Petition # 2007-082

Project No.

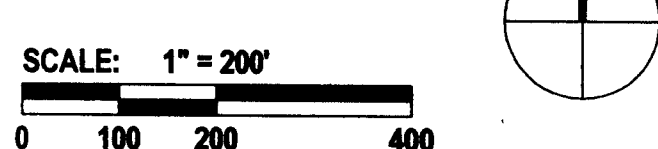
3592

Issued

03.26.07

Revised

08/14/07
10/25/07
11/16/07
12/14/07



RZ1.0

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1. GENERAL PROVISIONS

THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET (SHEET R2 1.) ASSOCIATED WITH THE REZONING PETITION FILED BY THE PETITIONER TO ACCOMMODATE REDEVELOPMENT OF THE 159 ± ACRE TRACT OCCUPIED BY THE OLD CHARLOTTE COLESEUM WHICH LIES BETWEEN TYVOLA ROAD AND YORKMONT ROAD AND THE 12 ACRE TRACT LOCATED ON THE OPPOSITE SIDE OF TYVOLA ROAD (COLLECTIVELY CALLED THE "SITE," ALL AS MORE PARTICULARLY DEPICTED ON THE TECHNICAL DATA SHEET. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TECHNICAL DATA SHEET, THE ACCOMPANYING EXHIBITS, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), ACCOMPANYING THE REZONING PETITION ARE THE TECHNICAL DATA SHEET (SHEET R2 1.), A CONCEPTUAL SITE PLAN FOR THE DEVELOPMENT OF THE SITE (SHEET R2 3.0), A CONCEPTUAL SITE PLAN ALTERNATIVE, DEFERRING OPTIONAL DEVELOPMENT PLANS FOR VARIOUS AREAS WITHIN THE SITE (SHEET R2 3.1) AND THE RESPECTIVE RENDERING LOOKING NORTH UP CITY PARK DRIVE (SHEET R2 3.2). THE PETITIONER RESERVES THE OPTION TO COMBINE OR NOT COMBINE BUILDINGS DEPICTED ON SHEETS R2 3.0 AND R2 3.1. HOWEVER, THIS OPTION DOES NOT INCLUDE THE RIGHT TO INCREASE THE NUMBER OF BUILDINGS SHOWN ON EITHER OF THESE SHEETS UNLESS THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS OR THE ACCOMPANYING EXHIBITS ESTABLISH MORE STRINGENT STANDARDS. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, INASMUCH AS PLANNING FOR THE PROPOSED PROPOSED, THE EXACT ALIGNMENTS OF STREETS AND POINTS OF ACCESS, THE CONFIGURATIONS AND PLACEMENTS OF PARKING AREAS AND THE HEIGHTS AND MASSES OF BUILDINGS HAVE NOT YET BEEN DETERMINED. AS A CONSEQUENCE, THE CONFIGURATIONS, PLACEMENTS AND SIZES OF THE BUILDINGS AND PARKING AREAS DEPICTED ON THE CONCEPTUAL SITE PLAN (SHEET R2 3.0) AND THE OPTIONAL DEVELOPMENT PLANS (SHEET R2 3.1) ARE SCHEMATIC IN NATURE AND THEREFORE ARE SUBJECT TO REFINEMENTS AS PART OF THE TOTAL DEVELOPMENT PROCESS. THE PLAN, THE ORDINANCE AND UNDER THE ORDINANCE FOR THE MUDD DISTRICT, FOR PURPOSES OF THE PROPOSED SO LONG AS THE MAXIMUM PARKING AND BUILDING ENVELOPE LINES ESTABLISHED ON THE TECHNICAL DATA SHEET (SHEET R2 1.) ARE NOT VIOLATED AND THE PROPOSED ALTERATIONS OR MODIFICATIONS DO NOT EXCEED THE PARAMETERS ESTABLISHED UNDER THE DEVELOPMENT STANDARDS AND UNDER THE ORDINANCE FOR THE MUDD DISTRICT, FOR PURPOSES OF THE PRECEDING PARAGRAPH, ANY ALTERATIONS OR MODIFICATIONS WHICH SUBSTANTIALLY ALTER THE CHARACTER OF THE DEVELOPMENT OR SIGNIFICANTLY ALTER THE CONCEPTUAL SITE PLAN, THE CONCEPTUAL SITE PLAN ALTERNATIVE, OR THEIR RESPECTIVE CONDITIONS AS WELL AS ANY CHANGES WHICH INCREASE THE INTENSITY OF DEVELOPMENT SHALL NOT BE DEEMED TO BE MINOR AND MAY ONLY BE MADE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 6.207(1) OR (2) OF THE ORDINANCE, AS APPLICABLE, THE RESPECTIVE RENDERING ACCOMPANYING THE TECHNICAL DATA SHEET (SHEET R2 3.2), WHICH HAS AS ITS VIEWPOINT OR POINT OF REFERENCE THE VIEW A MOTORIST ENTERING CITY PARK TOWN SQUARE FROM TYVOLA ROAD WOULD HAVE OF DEVELOPMENT WITHIN THE SITE ALONG EITHER SIDE OF CITY PARK DRIVE AS THE MOTORIST CONTINUED TRAVELING IN A NORTHERLY DIRECTION, ILLUSTRATES THE QUALITY OF DEVELOPMENT THE PETITIONER INTENDS TO ACHIEVE FOR CITY PARK. THE PETITIONER AGREES TO SUBMIT DETAILED PLANS WITH RESPECT TO EACH PHASE OF DEVELOPMENT PROPOSED ON THE SITE TO THE STAFF OF THE CHARLOTTE MECKLENBURG PLANNING COMMISSION FOR REVIEW PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR CONSTRUCTION OF THE PROPOSED PHASES OF DEVELOPMENT. THE PETITIONER AGREES TO COMPLY WITH ALL CITY ORDINANCES, ACCOMPANYING THE REZONING PETITION. COMPLIANCE WITH THE PROVISIONS OF THIS PARAGRAPH SHALL NOT BE DEEMED TO BE AN ADMINISTRATIVE SITE PLAN APPLICATION OR REQUIRE ADMINISTRATIVE SITE PLAN APPROVAL AS ENVISIONED BY SECTION 6.207 OF THE ORDINANCE.

2. REQUIREMENTS FOR REMOVING PUBLIC ART PIECE

THESE IS CURRENTLY IN PLACE IN FRONT OF THE CHARLOTTE COLESEUM A MAYA LIN PUBLIC ART PIECE FEATURING NINE HOLLY SHRUBS DESIGNED TO GIVE THE APPEARANCE OF ROLLING BALLS. THE CONTRACT WHICH THE CITY OF CHARLOTTE ENTERED INTO WITH ITS ARTIST RESERVED A RIGHT ON THE PART OF THE CITY TO REMOVE THIS ART PIECE, PROVIDED CERTAIN TERMS AND CONDITIONS WERE SATISFIED. A COPY OF THIS CONTRACT IS ON FILE IN THE OFFICE OF THE CITY MANAGER OF THE CITY OF CHARLOTTE. WHILE THE OWNER OR OWNERS OF THAT PORTION OF THIS SITE INVOLVED MAY REMOVE THIS PIECE OF ART, THEY MAY ONLY DO SO AFTER HAVING FULLY COMPLIED WITH ALL OF THE TERMS AND CONDITIONS SET FORTH IN THE MAYA LIN CONTRACT.

3. PERMITTED USES

EXCEPT AS OTHERWISE PROVIDED IN THE NEXT SUCCEEDING PARAGRAPH, THE SITE MAY BE DEVOTED TO ANY USES (INCLUDING ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH) WHICH ARE PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN A MUDD ZONING DISTRICT UNDER THE ORDINANCE. THE PETITIONER AGREES TO SUBMIT DETAILED PLANS WITH RESPECT TO EACH PHASE OF DEVELOPMENT PROPOSED NOTWITHSTANDING THE FOREGOING PARAGRAPH OF THIS SECTION 3, THE FOLLOWING USES SHALL NOT BE ALLOWED ON THE SITE:

- FAST FOOD RESTAURANTS WITH DRIVE THROUGH FACILITIES;
- CONVENIENCE STORES WITH GASOLINE SALES;
- CAR WASHES; AND
- AUTOMOTIVE SERVICE STATIONS

SUBJECT TO THE PROVISIONS OF THE NEXT SUCCEEDING PARAGRAPH OF THIS SECTION 3, ONE OF EACH OF THE FOLLOWING USES MAY BE LOCATED ON THE SITE WITHIN AREAS A, B AND C DEPICTED ON THE TECHNICAL DATA SHEET AND WILL BE ALLOWED TO HAVE DRIVE-THROUGH SERVICE LANES AND WINDOWS AS AN ACCESSORY USE:

- A COFFEE SHOP;
- A BANK;
- A DRUG STORE; AND
- A DRY CLEANER

DRIVE-THROUGH WINDOWS SHALL ONLY BE LOCATED ON THE SAME PARCEL AS THE PRINCIPAL USE, AND, TO MINIMIZE VISIBILITY ALONG PUBLIC RIGHTS-OF-WAY, SHALL BE LOCATED TO THE REAR OR SIDE OF THE PRINCIPAL USE. EXCEPT AS OTHERWISE DEPICTED ON THE CONCEPTUAL SITE PLAN AND THE OPTIONAL DEVELOPMENT PLANS, OR AS APPROVED THROUGH AN ADMINISTRATIVE VARIANCE, NO MANEUVERING/STAGING FOR THE DRIVE-THROUGH WINDOWS MAY NOT OCCUR BETWEEN BUILDINGS AND PUBLIC OR PRIVATE STREETS. NO MORE THAN A DRIVE THROUGH SERVICE LANES SHALL BE PERMITTED PER INDIVIDUAL USE, AND FREESTANDING DRIVE THROUGH LANES SHALL BE PROHIBITED. EACH SUCH DRIVE-THROUGH SERVICE LANE/WINDOW SHALL BE APPROVED AND DESIGNED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 12.143 OF THE ORDINANCE. THE BUILDING CURRENTLY SITUATED BEHIND THE COLESEUM BUILDING WHICH WAS FORMERLY OCCUPIED BY THE CHARLOTTE HORNETS MAY BE RENOVATED, REUSED OR REPLACED WITH NEW DEVELOPMENT.

4. MAXIMUM DEVELOPMENT

THE MAXIMUM MIXED/MULTI-USE DEVELOPMENT WHICH MAY TAKE PLACE ON THE SITE SHALL BE AS FOLLOWS:

COMMERCIAL

- UP TO 200,000 SQUARE FEET OF RETAIL DEVELOPMENT, EXCLUSIVE OF AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS AND MAINTENANCE CRAWL SPACES), SERVICE AREAS, MECHANICAL AND ELECTRICAL ROOMS, STORAGE AREAS, AND BACK OF HOUSE OFFICE SPACES MAY BE CONSTRUCTED ON THE SITE;
- UP TO TWO HOTELS CONTAINING, IN THE AGGREGATE, NO MORE THAN 350 ROOMS; AND
- UP TO 400,000 SQUARE FEET OF OFFICE DEVELOPMENT EXCLUSIVE OF AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS AND MAINTENANCE CRAWL SPACES), SERVICE AREAS, MECHANICAL AND ELECTRICAL ROOMS, STORAGE AREAS, AND BACK OF HOUSE OFFICE SPACES MAY BE CONSTRUCTED ON THE SITE.

AREAS DEVOTED TO OUTDOOR DINING, COURTYARDS AND PLAZAS ARE NOT INCLUDED IN THE SQUARE FOOTAGE AMOUNTS NOTED ABOVE.

RESIDENTIAL

FOR SALE RESIDENTIAL

- UP TO 1,000 DWELLING UNITS CONSISTING OF ANY COMBINATION OF TOWNHOMES, CONDOS, FLATS, AND DETACHED DUPLEX OR SINGLE FAMILY RESIDENCES.

MULTI-FAMILY RESIDENTIAL

- UP TO 1,210 HIGH DENSITY RESIDENTIAL UNITS, AND
- UP TO 200 MEDIUM DENSITY RESIDENTIAL UNITS.

5. SETBACKS, SIDE YARDS AND REAR YARDS

EXCEPT AS MAY OTHERWISE BE PROVIDED HEREIN, ALL BUILDINGS BE CONSTRUCTED ON THE SITE SHALL, AT A MINIMUM, SATISFY THE REQUIREMENTS OF THE MUDD DISTRICT. THE DEVELOPER MAY SUBDIVIDE THE SITE AND CREATE LOTS WITHIN THE INTERIORS OF THE PARCELS WITH NO SIDE OR REAR YARDS AS PART OF A UNIFIED DEVELOPMENT PLAN.

6. MUDD-OPTIONAL PROVISIONS/WAIVER OF SIGHT TRIANGLE REQUIREMENTS

(c) THIS PETITION PROPOSES UTILIZATION OF THE MUDD-OPTIONAL PROVISIONS TO ALLOW FOR THE FOLLOWING OPTIONAL DEVIATIONS:

- DEVIATIONS THAT WOULD ALLOW SURFACE LEVEL OFF STREET PARKING SPACES AND MANEUVERING WITHIN AREAS BETWEEN ANY BUILDING FRONTING ON ANY PUBLIC STREET THAT WAS IN EXISTENCE AS OF THE DATE ON WHICH THIS REZONING PETITION IS APPROVED AND THE PARTICULAR PUBLIC STREET INVOLVED.
- DEVIATIONS THAT WOULD ALLOW THOSE BUILDINGS WITHIN THE CITY PARK TOWN SQUARE RETAIL DISTRICT WHICH ARE SHOWN ON THE CONCEPTUAL SITE PLAN OR THE CONCEPTUAL SITE PLAN ALTERNATIVE TO HAVE OFF-STREET PARKING SPACES OR MANEUVERING WITHIN AREAS BETWEEN THESE BUILDINGS AND THE PUBLIC OR PRIVATE STREET ON WHICH THEY FRONT TO HAVE SUCH AREAS.
- DEVIATIONS THAT WOULD ALLOW SURFACE LEVEL OFF STREET PARKING SPACES AND MANEUVERING WITHIN AREAS LOCATED BETWEEN ANY BUILDING CONSTRUCTED WITHIN THAT PART OF THE SITE WHICH IS BOUNDED BY BILLY GRAHAM PARKWAY, RE-ALIGNED YORKMONT ROAD AND PRICE LANE AND THE STREET ON WHICH IT FRONTS.
- DEVIATIONS THAT WOULD ALLOW THE SIDEWALKS CURRENTLY LOCATED ON THE SITE WHICH RUN ALONG TYVOLA ROAD TO REMAIN IN PLACE.
- DEVIATIONS TO ACCOMMODATE OPTIONAL PAWING SYSTEMS WITH ON PRIVATE PLAZAS AND WALKWAYS;
- DEVIATIONS FROM THE SIGNAGE PROVISIONS TO ALLOW THE FOLLOWING:
- TWO DETACHED, GROUND-MOUNTED PROJECT /TENANT IDENTIFICATION SIGNS ALONG TYVOLA ROAD AND ONE EACH ON YORKMONT ROAD AND BILLY GRAHAM PARKWAY. THESE SIGNS MAY EACH EXTEND TO A HEIGHT OF UP TO 25 FEET AND MAY INCLUDE UP TO 100 SQUARE FEET IN SIGNAGE AREA;

OTHER DETACHED PROJECT/TENANT IDENTIFICATION SIGNS SHALL BE LIMITED IN SIZE TO 10 FEET IN HEIGHT AND 80 SQUARE FEET IN SIGNAGE AREA AND MUST BE LOCATED INTERNAL TO THE PROJECT.

ALLOWABLE SIGNAGE TYPES INCLUDING ALL TYPES OF SIGNAGE PERMITTED UNDER CHAPTER 13 AND/OR, IN ADDITION, COMPUTER PROGRAMMABLE FULL SYSTEMS, COLOR, FULL MATRIX DISPLAYS AND MESSAGE BOARDS, INCLUDING TICKET TAPE TYPE MOVING MESSAGES. HOWEVER, IN NO EVENT SHALL A L.E.D. SIGN OR A MESSAGE BOARD SIGN BE PERMITTED ALONG ANY PORTION OF THE SITE'S FRONTAGE ALONG TYVOLA ROAD, YORKMONT ROAD OR BILLY GRAHAM PARKWAY.

ONE MONUMENT STYLE BUILDING IDENTIFICATION SIGN OF UP TO 6 FEET IN HEIGHT AND UP TO 36 SQUARE FEET IN SIGNAGE SIZE AREA FOR EACH BUILDING LOCATED WITHIN THE SITE;

WALL MOUNTED SIGNAGE WHICH CONFORMS TO THE UMUD DISTRICT STANDARDS OF THE ORDINANCE.

- THE ESTABLISHMENT OF LIMITED DRIVE-THROUGH FACILITIES AS ACCESSORY USES FOR EACH OF THE FOLLOWING PRINCIPAL USES THAT MAY BE LOCATED ON THE SITE IN ACCORDANCE WITH (AND SUBJECT TO) THE PROVISIONS OF SECTION 3:
- A COFFEE SHOP;
- A BANK;
- A DRUG STORE; AND
- A DRY CLEANERS

(b) WAIVER OF SIGHT TRIANGLE REQUIREMENTS

- IN ADDITION TO THE FOREGOING MUDD OPTIONAL DEVIATIONS, THE PETITIONER RESERVES THE RIGHT TO REQUEST THE DIRECTOR OF CDOT TO WAIVE ALL OR PART OF THE SIGHT TRIANGLE REQUIREMENTS OF THE ORDINANCE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 12.109(f) THEREOF.

7. GRANDFATHER PROVISIONS

DURING THE VARIOUS PHASES OF THE REDEVELOPMENT PROCESS, IT IS THE INTENTION OF THE PETITIONER TO RETAIN AND PRESERVE ANY AND ALL GRANDFATHER RIGHTS UNDER THE ORDINANCE WITH RESPECT TO ALL STRUCTURES, STREETS, SIDEWALKS, PARKING AREAS, AND OTHER IMPROVEMENTS CURRENTLY IN PLACE ON THE SITE (INCLUDING THE SIDEWALKS IN PLACE ALONG PAUL BUCK BOULEVARD AND TYVOLA ROAD) WHICH ARE NOT REMOVED OR RENOVATED TO ACCOMMODATE THE PARTICULAR ASSOCIATED REDEVELOPMENT PHASE.

8. CONNECTIVITY

PEDESTRIAN AND VEHICULAR CONNECTIVITY WILL BE ENHANCED BY THE PROPOSED LOOP AT CITY PARK, A 3 MILE HARD SURFACE TRAIL SYSTEM THAT WILL ENCRIRCLE THE SITE, THE GENERAL ALIGNMENT OF WHICH IS MORE PARTICULARLY DEPICTED ON THE TECHNICAL DATA SHEET (SHEET R2-1) AND DESIGNATED AS THE PROPOSED LOOP PEDESTRIAN TRAIL SYSTEM. IT IS TO BE NOTED THAT PORTIONS OF THIS TRAIL SYSTEM RUN THROUGH ADJOINING PROPERTIES SO AS TO PROVIDE BETTER PEDESTRIAN/BICYCLISTS LINKAGE TO:

- LAKE POINTE OFFICE PARK;
- COLESEUM CENTER OFFICE PARK;
- LAKE POINTE CORPORATE CENTER;
- PARKWAY PLAZA OFFICE PARK;
- 500 HOTEL ROOMS
- THE FUTURE GREENWAY TRAIL;
- BILLY GRAHAM EVANGELISTIC ASSOCIATION LIBRARY AND HEADQUARTERS;
- THE FARMER'S MARKET;
- RENAISSANCE PARK; AND
- RENAISSANCE GOLF CLUB

9. INTERNAL STREET SYSTEMS

THE SITE'S INTERNAL STREET SYSTEM SHALL BE COMPOSED OF PUBLIC AND PRIVATE STREETS AS DEPICTED ON THE TECHNICAL DATA SHEET. THE RIGHT TO DEViate FROM THE STREET ALIGNMENTS DEPICTED ON THE TECHNICAL DATA SHEET IS RESERVED, PROVIDED ANY PROPOSED CHANGE IN ALIGNMENT IS APPROVED IN ADVANCE BY CDOT AND/OR NCDOT, AS APPLICABLE. EACH STREET SECTION WILL BE CONSISTENT WITH THE PROPOSED URBAN STREET DESIGN GUIDELINES FOR ITS TYPE OF STREET.

10. VEHICULAR ACCESS AND ROADWAY RIGHT-OF-WAY

VEHICULAR ACCESS TO TYVOLA ROAD AND YORKMONT ROAD WILL BE AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. THE EXTENSION OF SOUTH TYVOLA ROAD TO THE REAR OF THE SITE IS NOT REQUIRED, IN THE FACT THAT THE PETITIONER DOES NOT OWN ALL OF THE RIGHT-OF-WAY NECESSARY TO MAKE THE CONNECTION. HOWEVER, IF OTHER PARTIES, AT THEIR EXPENSE, EXTEND SOUTH STREAM BOULEVARD TO THE SITE, THE PETITIONER WILL PROVIDE ANY RIGHT-OF-WAY NEEDED TO CONNECT SOUTH STREAM BOULEVARD TO THE SITE'S INTERNAL STREET SYSTEMS UNLESS THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS OR THE ACCOMPANYING CONNECTIONS ACROSS TYVOLA ROAD WILL BE PROVIDED AS GENERALLY DEPICTED ON THE CONCEPTUAL SITE PLAN THAT WILL INCLUDE THE REASONABLE CROSSWALKS, A LANDSCAPED MEDIAN REFUGE ISLAND AND PEDESTRIAN SIGNALS. SIX ACCESS POINTS ARE PROPOSED ONTO TYVOLA ROAD, NAMELY: (1) AN EXCLUSIVE RIGHT-OF-WAY TURN LANE AND AN EXCLUSIVE RIGHT-OF-WAY TURN LANE WITH A LEFT-TURN LANE ON YORKMONT ROAD WHICH IS A COLLECTOR ROAD. THE ONE FURTHEST TO THE WEST EXISTS CURRENTLY, WITH A LEFT-TURN LANE ON YORKMONT ROAD. THE OTHER FOUR ARE PROPOSED TO BE LOCATED AT THE INTERSECTION OF TYVOLA ROAD AND BILLY GRAHAM PARKWAY. AS PART OF THE NEW NORTH/SOUTH CONNECTOR ROAD EXTENDING FROM TYVOLA ROAD TO BILLY GRAHAM PARKWAY WHICH WILL INTERSECT A REALIGNED YORKMONT ROAD, THE TWO ADDITIONAL ACCESS POINTS DEPICTED ALONG THE REALIGNED YORKMONT ROAD WILL SERVE THE LANE AND INTERSECT THE NORTH/SOUTH CONNECTOR ROAD, AND THE NORTH/SOUTH CONNECTOR ROAD, AND BILLY GRAHAM PARKWAY. THESE ACCESS POINTS MAY REQUIRE LEFT-TURN LANES WHICH WILL BE DETERMINED THROUGH THE BUILDING/DRIVEWAY PERMIT PROCESS. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE TECHNICAL DATA SHEET ARE SUBJECT TO ANY MINOR MODIFICATIONS AND CONSTRUCTION PLANS AND DESIGN AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT). THE PETITIONER WILL BE RESPONSIBLE FOR THE GEOMETRY AT ALL INTERNAL INTERSECTIONS, INCLUDING TURN LANES AS DEEMED NECESSARY BY CDOT PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT FOR ANY PHASE TWO DEVELOPMENT TO BE CONSTRUCTED ON THE SITE, THE PETITIONER AGREES TO DEDICATE AND CONVEY OUT OF THE SITE (BY QUITCLAIM DEED AND SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) ANY ADDITIONAL RIGHT-OF-WAY SOUTH OF THE CENTERLINE OF TYVOLA ROAD REQUIRED TO PROVIDE 30 FEET OF RIGHT-OF-WAY SOUTH OF THE CENTERLINE. THE PETITIONER FURTHER AGREES TO DEDICATE AND CONVEY ADDITIONAL RIGHT OF WAY OUT OF THE SITE NECESSARY TO ACCOMMODATE THE EXTENSION OF TYVOLA ROAD THROUGH THE SITE AS A 60 FEET WIDE RIGHT-OF-WAY TURN LANE AND AN EXCLUSIVE RIGHT-OF-WAY TURN LANE WITH A LEFT-TURN LANE. THE PETITIONER ANTICIPATES THAT IF THE NORTH/SOUTH CONNECTOR IS APPROVED AND YORKMONT ROAD IS REALIGNED AND EXTENDED THROUGH THE SITE, IT WILL PETITION FOR THE ABANDONMENT OF THAT PART OF THE EXISTING RIGHT-OF-WAY FOR YORKMONT ROAD WHICH IS NOT REQUIRED TO ACCOMMODATE THE PROPOSED TYVOLA ROAD. THE PETITIONER AGREES TO CONVEY AND CONVEY (BY QUITCLAIM DEED AND SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS) ADDITIONAL PORTIONS OF THE SITE REQUIRED TO ACCOMMODATE ALL PUBLIC STREETS DEPICTED ON THE TECHNICAL DATA SHEET, IF SUCH RIGHT-OF-WAY DOES NOT PRESENTLY EXIST.

11. ROADWAY IMPROVEMENTS

(a) MINIMUM ROADWAY IMPROVEMENTS FOR PHASE ONE DEVELOPMENT

FOR PURPOSES OF THIS PARAGRAPH 11(A), PHASE ONE DEVELOPMENT SHALL BE DEEMED TO INCLUDE:

- 90,000 SQUARE FEET OF RETAIL/COMMERCIAL FLOOR AREA
- 150,000 SQUARE FEET OF OFFICE DEVELOPMENT
- 175 HOTEL ROOMS
- 750 DWELLING UNITS

THE PETITIONER MAY APPLY FOR BUILDING PERMITS FOR PHASE ONE DEVELOPMENT AFTER OBTAINING FINAL PLAT APPROVAL FOR THE PUBLIC STREET SYSTEM AND AFTER THE LETTING OF CONTRACTS FOR THE FOLLOWING TYVOLA ROAD IMPROVEMENTS, ALL OF WHICH MUST BE DESIGNED IN ACCORDANCE WITH THE CITY'S STANDARDS AND BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL:

- DESIGN AND CONSTRUCTION OF A RAISED LANDSCAPED MEDIAN ON TYVOLA ROAD BEGINNING AT SOUTH STREAM BLVD. AND TERMINATING EAST OF THE NORTH/SOUTH CONNECTOR ROAD, MEDIAN MAY VARY IN WIDTH FROM A MINIMUM OF 8 FEET UP TO 22 FEET, FACE-OF-CURB TO FACE-OF-CURB; DESIGN AND INSTALLATION OF A NEW PAVEMENT MARKING PLAN ON TYVOLA ROAD TO INCLUDE PAVEMENT MILLING/OVERLAY MADE NECESSARY BY THE LANDSCAPED MEDIAN AND APPROPRIATE TRANSITIONS TO EXISTING CROSS SECTIONS.

THE PETITIONER RESERVES THE RIGHT TO REQUEST CDOT TO CONSIDER ALLOWING IT TO CONSTRUCT AN EXCLUSIVE EAST BOUND LEFT-TURN LANE ON TYVOLA ROAD WITH 150 FEET OF STORAGE AT THE PROPOSED NORTH/SOUTH CONNECTOR ROAD TO MINIMIZE CONSTRUCTION COSTS ASSOCIATED WITH CONSTRUCTING THE INTERSECTION BETWEEN TYVOLA ROAD AND THE PROPOSED NORTH/SOUTH CONNECTION IN LIEU OF THE EXTENDED MEDIAN.

- AS PART OF THE FIRST SUBDIVISION SUBMITTAL FOR ANY PART OF THE CONSTRUCTION OF THE PROPOSED NORTH/SOUTH CONNECTOR ROAD, THE PETITIONER WILL ALSO SUBMIT TO CDOT PRELIMINARY PLANS FOR THE VERTICAL/HORIZONTAL ALIGNMENT FOR THE NORTH/SOUTH CONNECTOR ROAD BETWEEN BILLY GRAHAM PARKWAY AND TYVOLA ROAD, INCLUDING THE REALIGNED PORTION OF YORKMONT ROAD TO ENSURE THAT THE TURN LANE DESCRIBED IN THE PRECEDING PARAGRAPH (IF APPROVED BY CDOT) IS CONSTRUCTED IN ITS FINAL LOCATION.

- CONSTRUCTION OF THE TWO RIGHT-IN/RIGHT-OUT ACCESSES ON TYVOLA ROAD;
- TYVOLA ROAD/CITY PARK DRIVE INTERSECTION;

EASTBOUND TYVOLA ROAD LEFT-TURN LANE WITH 275 FEET OF STORAGE;

WESTBOUND TYVOLA ROAD LEFT-TURN LANE WITH 150 FEET OF STORAGE;

WESTBOUND TYVOLA ROAD RIGHT-TURN LANE WITH 150 FEET OF STORAGE;

SOUTHBOUND CITY PARK APPROACH WITH DUAL LEFT-TURN LANES WITH 250 FEET OF STORAGE EACH AND A THROUGH/RIGHT-TURN LANE.

NORTHBOUND CITY PARK APPROACH WITH LEFT-TURN LANE WITH 150 FEET OF STORAGE AND A THROUGH/RIGHT-TURN LANE.

INSTALLATION OF A TRAFFIC SIGNAL AT CITY PARK DRIVE AND TYVOLA ROAD. THE SIGNAL WILL UTILIZE MAST ARM ASSEMBLY POLES/STEEL POSTS (USING EQUIPMENT FROM THE FORMER REVERSIBLE LANE SYSTEM WHERE FEASIBLE) AND TIE INTO THE EXISTING INTERCONNECT ALONG TYVOLA ROAD;

- BIKE LANES WILL NOT BE PROVIDED ALONG THE SITE'S TYVOLA ROAD FRONTAGE; THEREFORE, A CONTINUOUS ROUTE WITHIN THE SITE SHALL BE CONSTRUCTED TO ACCOMMODATE EASTBOUND/WESTBOUND BIKE TRAFFIC PARALLELING TYVOLA ROAD. FUTURE BIKE LANE ARE CONTEMPLATED BY THE CITY ALONG TYVOLA ROAD (EAST OF THE SITE'S FRONTAGE); THEREFORE, BIKE FRIENDLY INGRESS AND EGRESS POINTS FROM THE EXISTING TYVOLA ROAD PAVEMENT TO THE PROPOSED PEDESTRIAN/BIKE LOOP TRAIL SHALL BE CONSTRUCTED. THE SECTION THAT PROVIDES INGRESS AND EGRESS TO THE LOOP TRAIL SHALL BE LIT AND ACCESSIBLE. ONCE CONSTRUCTED, THE LOOP TRAIL WILL BE MAINTAINED IN ITS FINAL LOCATION BY THE CITY.

THE PETITIONER MAY NOT RECEIVE CERTIFICATES OF OCCUPANCY FOR ANY PHASE ONE DEVELOPMENT UNTIL AFTER THE PHASE ONE ROADWAY IMPROVEMENTS DESCRIBED ABOVE HAVE BEEN COMPLETED.

(a) MINIMUM ROADWAY IMPROVEMENTS FOR PHASE TWO DEVELOPMENT

FOR PURPOSES OF THIS SECTION 11(B), PHASE TWO DEVELOPMENT SHALL BE DEEMED TO INCLUDE:

- 110,000 SQUARE FEET OF ADDITIONAL RETAIL/COMMERCIAL FLOOR AREA
- 250,000 SQUARE FEET OF ADDITIONAL OFFICE SPACE
- 175 ADDITIONAL HOTEL ROOMS
- 1,000 ADDITIONAL DWELLING UNITS

THE PETITIONER MAY NOT APPLY FOR BUILDING PERMITS FOR PHASE TWO DEVELOPMENT UNTIL AFTER THE LETTING OF CONTRACTS FOR THE FOLLOWING ROADWAY IMPROVEMENTS, ALL OF WHICH MUST BE DESIGNED IN ACCORDANCE WITH THE CITY'S STANDARDS AND BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL:

- EXTENSION OF THE RIGHT-TURN LANE ON EASTBOUND TYVOLA ROAD AT TRYON STREET TO A TOTAL LENGTH OF 1,000 FEET;
- CONSTRUCTION OF AN ADDITIONAL RIGHT-TURN LANE ON WESTBOUND TYVOLA ROAD AT BEAM ROAD, INCLUDING THE RIGHT-TURN STORAGE AT TYVOLA ROAD. THIS IMPROVEMENT IS TO BE COMPLETED BY OTHERS AND IS NOT THE RESPONSIBILITY OF THE PETITIONER.
- CONSTRUCTION OF A NEW ROAD (THE NORTH/SOUTH CONNECTOR ROAD) WHICH WILL EXTEND THROUGH THE EASTERN PORTION OF THE SITE FROM TYVOLA ROAD NORTHWARD INTERSECTING WITH YORKMONT ROAD AND BILLY GRAHAM PARKWAY ALONG THE ALIGNMENT GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET.

THIS ROAD SHALL HAVE THE FOLLOWING ELEMENTS:

CONSTRUCTION OF THE NORTH/SOUTH CONNECTOR ROAD BETWEEN YORKMONT ROAD AND BILLY GRAHAM PARKWAY TO INCLUDE TWO TRAVEL LANES NORTHBOUND AND TWO TRAVEL LANES SOUTHBOUND. THE NORTHBOUND APPROACH OF THE NORTH/SOUTH CONNECTOR ROAD AT BILLY GRAHAM PARKWAY WILL INCLUDE AN EXCLUSIVE LEFT-TURN LANE, A SHARED THROUGH/RIGHT TURN LANE, AND AN EXCLUSIVE RIGHT TURN LANE WITH 150 FEET OF STORAGE. TYVOLA ROAD/NORTH-SOUTH CONNECTOR INTERSECTION WILL CONSIST OF TWO THROUGH LANES AND AN EXCLUSIVE LEFT TURN LANE WITH 150 FEET OF STORAGE. WESTBOUND TYVOLA ROAD APPROACH WILL CONSIST OF A THROUGH LANE AND A SHARED THROUGH/RIGHT-TURN LANE. SOUTHBOUND NORTH/SOUTH CONNECTOR APPROACH WILL CONSIST OF TWO THROUGH LANES WITHIN 15 FEET IN WIDTH, 18 FEET FACE-OF-CURB TO FACE-OF-CURB ALONG MEDIAN SECTION; DEVELOPER RESPONSIBLE (SOLELY) FOR ALL COSTS ASSOCIATED WITH NECESSARY MEDIAN LANDSCAPED MEDIAN (AT LEAST 7 FEET IN WIDTH) RUNNING FROM THE TYVOLA ROAD/NORTH-SOUTH CONNECTOR INTERSECTION IN A NORTHERLY DIRECTION TO A POINT JUST NORTH OF THE PROPOSED INTERSECTION BETWEEN THE NORTH/SOUTH CONNECTOR ROAD AND CITY PARKWAY, ALL AS MORE PARTICULARLY DEPICTED ON THE CONCEPTUAL SITE PLAN (SHEET R2.1). INSTALLATION OF A TRAFFIC SIGNAL (WHEN WARRANTED IN PHASE TWO OR BEYOND). THE SIGNAL WILL UTILIZE MAST ARM ASSEMBLY POLES/STEEL POSTS (USING EQUIPMENT FROM THE FORMER REVERSIBLE LANE SYSTEM WHERE FEASIBLE) AND TIE INTO THE EXISTING INTERCONNECT ALONG TYVOLA ROAD, REALIGNMENT OF YORKMONT ROAD IN THE MANNER GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET, BILLY GRAHAM PARKWAY/NORTH-SOUTH CONNECTOR ROAD/WESTMONT DRIVE INTERSECTION (NEW 4TH LEG CONNECTION) CONSTRUCTION OF AN ADDITIONAL WESTBOUND LEFT-TURN LANE ON BILLY GRAHAM PARKWAY AT THE NORTH/SOUTH CONNECTOR ROAD TO PROVIDE DUAL LEFT-TURN LANE STORAGE OF 275 FEET, RESTRIPIING, AS NEEDED, ON THE SOUTHBOUND AND EASTBOUND APPROACH OF THE BILLY GRAHAM PARKWAY AND WESTMONT DRIVE INTERSECTION TO ACCOMMODATE THE PROPOSED FOURTH LEG OF THE INTERSECTION (NORTH/SOUTH CONNECTOR ROAD); MODIFICATIONS TO THE EXISTING BILLY GRAHAM PARKWAY AND WESTMONT DRIVE TRAFFIC SIGNAL THE EXISTING POLES, TRAFFIC SIGNAL EQUIPMENT, AND INTERCONNECT WILL BE UTILIZED TO THE EXTENT POSSIBLE AT THE INTERSECTION OF BILLY GRAHAM PARKWAY AND WESTMONT DRIVE; AND THE CONSTRUCTION OF, OPERATION OF, AND THE LANES REQUIRED AT THE INTERSECTION OF THE REALIGNED YORKMONT ROAD AND THE NORTH/SOUTH CONNECTOR ROAD AND AT THE INTERSECTION OF BILLY GRAHAM PARKWAY AND THE NORTH/SOUTH CONNECTOR ROAD ARE SUBJECT TO APPROVAL BY CDOT AND NCDOT. INSTALLATION OF A TRAFFIC SIGNAL AT THE TYVOLA ROAD AND NORTH/SOUTH CONNECTOR ROAD

INTERSECTION (WHEN WARRANTED IN PHASE TWO OR BEYOND). THE SIGNAL WILL UTILIZE MAST ARM ASSEMBLY POLES/STEEL POSTS (USING EQUIPMENT FROM THE FORMER REVERSIBLE LANE SYSTEM WHERE FEASIBLE) AND TIE INTO THE EXISTING INTERCONNECT ALONG TYVOLA ROAD, THE SOUTHBOUND APPROACH OF THE NORTH/SOUTH CONNECTOR ROAD AT TYVOLA ROAD WILL CONSIST OF DUAL LEFT-TURN LANES WITH AT LEAST 275 FEET OF STORAGE AND AN EXCLUSIVE RIGHT-TURN LANE. THE EASTBOUND APPROACH WILL CONSIST OF TWO THROUGH LANES AND AN EXCLUSIVE LEFT TURN LANE WITH 150 FEET OF STORAGE. THE WESTBOUND APPROACH WILL CONSIST OF A THROUGH LANE AND A SHARED THROUGH/RIGHT LANE. IF A CONNECTION TO BILLY GRAHAM PARKWAY IS NOT POSSIBLE, THEN IN PLACE OF THE ROADWAY/OPERATIONAL IMPROVEMENTS DESCRIBED ABOVE, THE NORTHBOUND RIGHT-TURN LANE ON TYVOLA ROAD AT YORKMONT ROAD MUST BE CONVERTED TO A SHARED THROUGH/RIGHT LANE INSTEAD; AND THE PETITIONER MAY NOT RECEIVE CERTIFICATES OF OCCUPANCY FOR ANY PHASE TWO DEVELOPMENT UNTIL AFTER THE PHASE TWO ROADWAY IMPROVEMENTS DESCRIBED ABOVE HAVE BEEN COMPLETED.

(c) MINIMUM ROADWAY IMPROVEMENTS FOR PHASE THREE DEVELOPMENT

FOR PURPOSES OF THIS SECTION 11(C), PHASE THREE DEVELOPMENT SHALL BE DEEMED TO INCLUDE 750 ADDITIONAL DWELLING UNITS. THE PETITIONER MAY NOT APPLY FOR BUILDING PERMITS FOR PHASE THREE DEVELOPMENT UNTIL AFTER THE LETTING OF CONTRACTS FOR THE FOLLOWING ROADWAY IMPROVEMENT, ALL OF WHICH MUST BE DESIGNED IN ACCORDANCE WITH THE CITY'S STANDARDS AND BE SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL:

- MODIFICATION OF THE OFF-RAMP FROM SOUTHBOUND BILLY GRAHAM PARKWAY TO TYVOLA ROAD TO REMOVE THE FREE-FLOW RIGHT-TURN LANE. THE SIGNAGE AND THE SIGNAGE INTERSECTION APPROACH FROM TWO TO THREE LANES (ONE LEFT-TURN, ONE LEFT-RIGHT AND ONE RIGHT-TURN) WITH AT LEAST 1000 FEET OF STORAGE;
- MODIFICATION OF THE PAVEMENT MARKINGS ON EASTBOUND YORKMONT ROAD AT S. TRYON STREET TO PROVIDE AT LEAST 500 FEET OF DUAL LEFT-TURN LANE STORAGE; AND
- THE ADDITION OF A SOUTHBOUND THROUGH LANE ON YORKMONT ROAD AT BEAM ROAD. THIS IMPROVEMENT IS TO BE COMPLETED BY OTHERS AND IS NOT THE RESPONSIBILITY OF THE PETITIONER.

THE PETITIONER MAY NOT RECEIVE CERTIFICATES OF OCCUPANCY FOR ANY PHASE THREE DEVELOPMENT UNTIL AFTER THE PHASE THREE ROADWAY IMPROVEMENTS DESCRIBED ABOVE HAVE BEEN COMPLETED. IF PETITIONER IS UNABLE TO ACQUIRE ANY ADDITIONAL RIGHT-OF-WAY NEEDED TO MAKE THE ROADWAY IMPROVEMENTS ASSOCIATED WITH PHASES I, II OR III WHICH PETITIONER ELECTS TO MAKE AND IF THE PETITIONER, AFTER A GOOD FAITH EFFORT, IS UNABLE TO ACQUIRE ANY SUCH ADDITIONAL RIGHT-OF-WAY VOLUNTARILY, THE PETITIONER MAY REQUEST THE CITY TO CONDEMN THE PROPERTY PROVIDED THE PETITIONER AGREES TO PAY FOR ALL COSTS AND EXPENSES ASSOCIATED THEREWITH.

12. PHASING ADJUSTMENTS

TO PROVIDE FLEXIBILITY FOR ADDRESSING EMERGING MARKETS, THE SQUARE FOOTAGE ALLOTMENTS FOR RETAIL AND OFFICE DEVELOPMENT, THE NUMBER OF HOTEL ROOMS AND THE NUMBER OF DWELLING UNITS SPECIFIED FOR EACH USE IN A PARTICULAR PHASE CAN BE CHANGED FROM ONE USE TO ANOTHER USE PROVIDED THAT TOTAL NEW EXTERNAL TRIPS GENERATED BY THE SITE WITHIN THAT PHASE DO NOT EXCEED THE TOTAL NET NEW EXTERNAL TRIPS THAT WOULD HAVE BEEN GENERATED BY THE LAND USES SPECIFIED FOR THE PHASE INVOLVED AND PROVIDED FURTHER THAT IN NO EVENT MAY ANY USE CATEGORY OR COMPONENT OF THE MIXED/MULTI-USE DEVELOPMENT COME INTO EXISTENCE BEFORE THE MAXIMUM SQUARE FOOTAGE OR NUMBER OF UNITS ESTABLISHED FOR THAT PARTICULAR USE CATEGORY OR COMPONENT UNDER SECTION 4 ABOVE. BY WAY OF AN EXAMPLE, THE MAXIMUM AMOUNT OF OFFICE SPACE THAT COULD BE BUILT ON THE SITE WOULD BE 400,000 SQUARE FEET, IN THE EVENT THAT ONE OR MORE OF THE TRANSPORTATION IMPROVEMENTS TIED TO A PARTICULAR PHASE ARE COMPLETED PRIOR TO THE PHASING PROVISIONS CONTAINED IN SECTION 11 ABOVE MAY BE ALTERED TO ACCOMMODATE ADDITIONAL DEVELOPMENT WARRANTED BY SUCH IMPROVEMENT OR IMPROVEMENTS BY WAY OF AN ADMINISTRATIVE SITE PLAN AMENDMENT THE APPLICATION OF WHICH MUST BE JOINED IN BY CDOT.

13. TRANSIT

PRIOR TO THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR MORE THAN 100,000 SQUARE FEET OF RETAIL SPACE, THE OWNER OR OWNERS INVOLVED SHALL PROVIDE AT ITS OR THEIR EXPENSE THE FOLLOWING TRANSIT IMPROVEMENTS (AND SHALL DEDICATE AND CONVEY TO THE CHARLOTTE AREA TRANSIT SYSTEM (CATS) EASEMENTS TO ACCOMMODATE THE SAME):

- TWO FULL OFF TYPE TRANSIT STOP AREAS WITHIN THE SITE THAT WILL ACCOMMODATE UP TO TWO BUSES EACH. THE OWNER SHALL SEEK FROM CATS COMMENTS ON THE DESIGN) AND TIMING OF THE CONSTRUCTION OF THESE BUS STOP FACILITIES AND GIVE CONSULTATION TO ANY SUCH COMMENTS PRIOR TO MAKING FINAL DECISIONS WITH REGARD THERETO.
- BUS SHELTERS AT EACH OF THESE BUS STOPS WHICH SHALL BE CONSTRUCTED IN ACCORDANCE WITH EXISTING CATS PROTOTYPE DESIGN OR SUBJECT TO PRIOR APPROVAL BY CATS, IN ACCORDANCE WITH AN INDIVIDUAL DESIGN OR DESIGN.

THE FORM AND CONTENT OF EACH OF THE EASEMENTS DESCRIBED ABOVE SHALL BE MUTUALLY SATISFACTORY WITH COUNSEL FOR CATS AND COUNSEL FOR THE OWNER OR OWNERS INVOLVED.

14. DESIGN AND PERFORMANCE STANDARDS

THE INTENT OF THE CITY PARK REDEVELOPMENT CONCEPT IS TO CREATE A VARIETY OF ARCHITECTURAL EXPERIENCES. THE REDEVELOPMENT WILL UTILIZE PRIMARILY STONE, BRICK, STUCCO AND/OR ARCHITECTURAL FACE BLOCK CONSTRUCTION MATERIALS. THE ATTACHED PERSPECTIVE RENDERING IS INTENDED TO DESCRIBE THE CONCEPTUAL ARCHITECTURAL THEME PROPOSED FOR CITY PARK. HOWEVER, IT SHOULD BE NOTED THAT THE PERSPECTIVE SHOWN IS SCHEMATIC IN NATURE. ACCORDINGLY, THE ARCHITECTURAL CONCEPT MAY BE ALTERED OR SIMPLIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES.

EXCEPT AS OTHERWISE PROVIDED UNDER SECTION 6 ABOVE, ALL BUILDINGS CONSTRUCTED ON THIS SITE SHALL CONFORM TO THE MUDD URBAN DESIGN AND DEVELOPMENT STANDARDS OUTLINED IN SECTION 8.506 OF THE ORDINANCE.

EXCEPT AS OTHERWISE PROVIDED UNDER SECTION 6 ABOVE, SURFACE LEVEL OFF-STREET PARKING SHALL NOT BE LOCATED BETWEEN BUILDINGS FRONTING ON PUBLIC OR PRIVATE STREETS AND THE PUBLIC OR PRIVATE STREETS WHICH THE BUILDINGS FRONT. HOWEVER, PARKING MAY BE LOCATED TO THE SIDE AND/OR REAR OF BUILDINGS LOCATED ALONG THE PUBLIC OR PRIVATE STREETS.

ANY LIGHTING ATTACHED TO A REAR EXTERIOR BUILDING WALL FACING A RESIDENTIAL COMPOSITE SHALL BE CAPPED AND DOWNWARDLY DIRECTED.

ALL STREET AND PARKING LOT LIGHTING FIXTURES WILL BE FULLY SHIELDED:

- THE STREET ELEVATION OF THE FIRST FLOORS OF ALL BUILDINGS IN WHICH GROUND FLOOR RETAIL USES ARE TO BE LOCATED ON CITY PARK DRIVE AND CITY PARKWAY WILL BE DESIGNED TO ENCOURAGE AND COMPLEMENT PEDESTRIAN – SCALE INTEREST AND ACTIVITY BY THE USE OF DOOR AND WINDOW GLASS, SIGNAGE, BUSINESS HOURS AND TRANSPARENT STORE FRONT GLASS SO THAT THE USES ARE VISIBLE FROM AND ACCESSIBLE TO THE STREET.
- EXPANSES OF BLANK WALLS EXCEEDING 20 FEET IN LENGTH THAT WOULD NOT ADD TO THE CHARACTER OF THE STREETScape WILL BE ELIMINATED THROUGH USE OF ANY ONE OR MORE OF THE FOLLOWING DESIGN ELEMENTS:

- AWNINGS;
- DISPLAY WINDOWS;
- ORNAMENTATION,
- MOLDING;
- STRING COURSES;
- BELT COURSES;
- FOUNTAINS;
- STREET FURNITURE;
- LANDSCAPING AND GARDEN AREAS; AND
- DISPLAY AREAS.

PROVIDED, HOWEVER, THAT THE USE OF OPAQUE OR REFLECTIVE GLASS MAY NOT BE UTILIZED AS A MEANS FOR ADDRESSING BLANK WALLS.

- METER BOXES, BACK FLOW PREVENTORS, AND SIMILAR ITEMS WILL BE SCREENED FROM PUBLIC VIEW.
- EXCEPT AS OTHERWISE PROVIDED UNDER SECTION 5 AND SECTION 6 ABOVE, THE STREETScape TREATMENT ALONG ANY PUBLIC STREET FRONTAGE WILL MEET OR EXCEED THE STANDARDS OF THE ORDINANCE AND INCLUDE LARGE MATURING TREES, SUBSTANTIAL SHRUBBERY, SIDEWALKS OF AT LEAST SIX FEET IN WIDTH AND PLANTING STRIPS OF AT LEAST 8 FEET IN WIDTH. SIDEWALKS MAY BE LIMITED TO PREEXISTING SIDEWALKS.
- OFF-STREET PARKING MAY BE PROVIDED EITHER THROUGH SURFACE LOTS OR THROUGH PARKING STRUCTURES.
- PRIVATE STREETS, AS IDENTIFIED ON THE TECHNICAL DATA SHEET, WILL BE DESIGNED IN ACCORDANCE WITH THE CDOT URBAN STREET DESIGN GUIDELINES AND SHALL BE CONSTRUCTED TO ACCOMMODATE ALL PRIVATE STREETS MAY BE CONVERTED TO PUBLIC STREETS AT THE PETITIONER'S OPTION, PROVIDED THEY ARE DESIGNED TO CITY STANDARDS.

15. SIGNS

- ALL SIGNS AND GRAPHICS PLACED ON THE SITE WILL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MUDD DISTRICT EXCEPT AS OTHERWISE PERMITTED UNDER THE MUDD-OPTIONAL PROVISIONS SET FORTH UNDER PARAGRAPH (A) OF SECTION 6 ABOVE AND EXCEPT FOR PETITIONER'S RESERVATION OF AN OPTION TO SEEK SUCH VARIANCES FROM THE CITY'S SIGN REGULATIONS AS MAY BE PERMITTED BY THE ORDINANCE.
- A UNIFORM SIGNAGE AND GRAPHIC SYSTEM WILL BE EMPLOYED THROUGHOUT THE SITE.

16. PARKING

EXCEPT AS OTHERWISE PROVIDED UNDER SECTION 5, OFF STREET PARKING AND LOADING WILL MEET THE STANDARDS ESTABLISHED UNDER THE ORDINANCE.

17. 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.

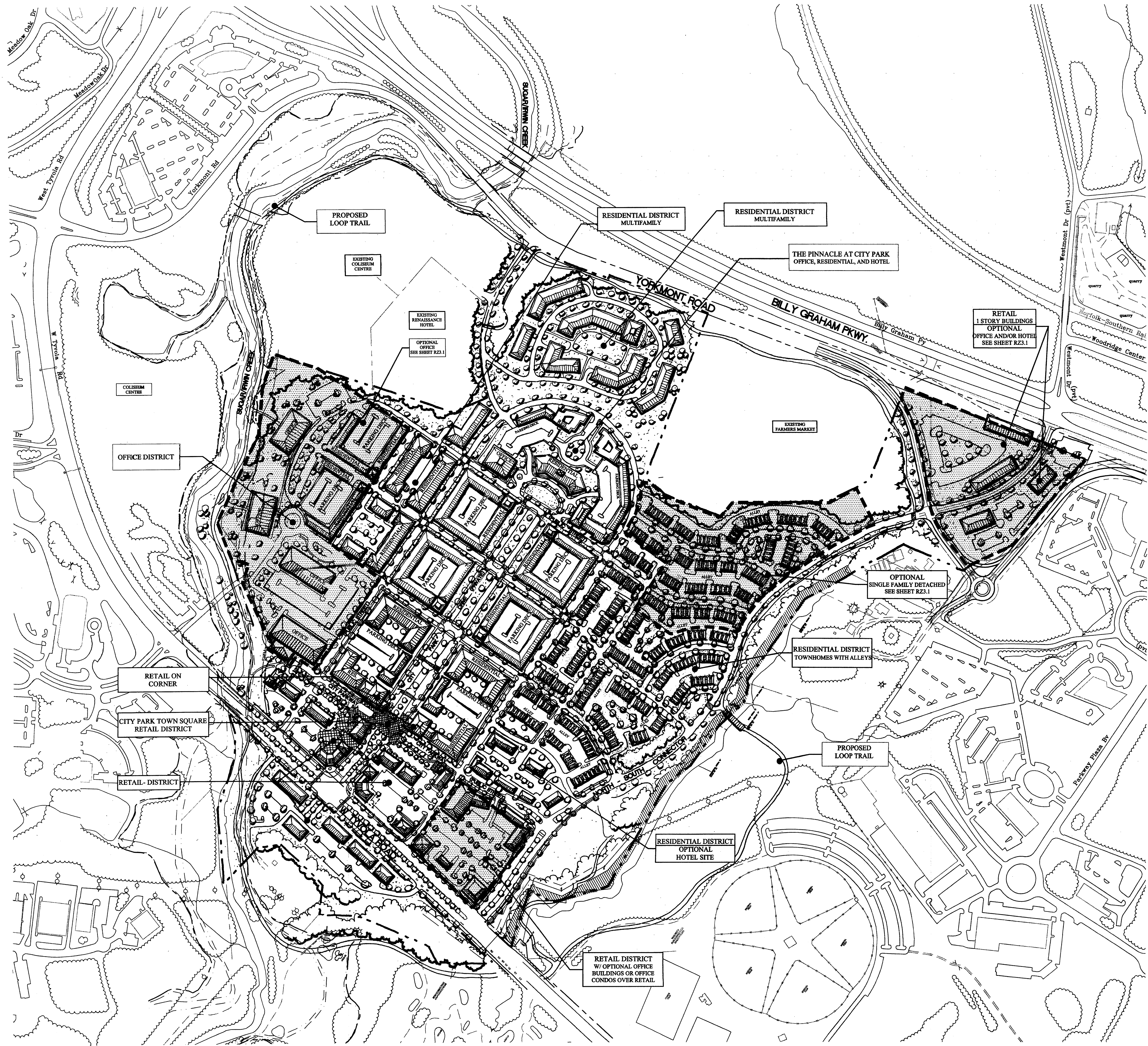
18. STORMWATER DETENTION AND QUALITY PROTECTION MEASURES

(a) S.W.I.M. BUFFERS SHALL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

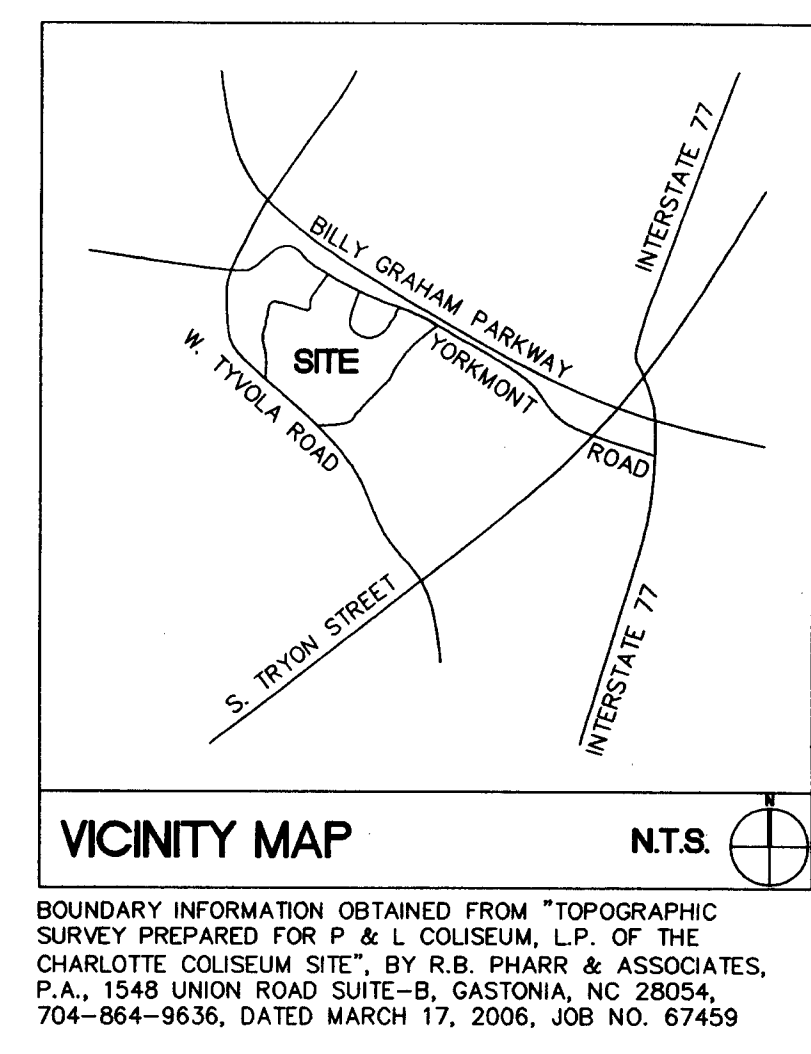
STORM WATER RUNOFF WILL BE MANAGED THROUGH PROVEN TECHNIQUES WHICH SATISFY THE STANDARDS IMPOSED BY THE CITY OF CHARLOTTE. ORDINANCES AND THE CHARLOTTE MECKLENBURG PLANNING COMMISSION'S DESIGN MANUAL. IN PLACE AT THE TIME THIS REZONING PETITION WAS FILED, EXCEPT AS MODIFIED BELOW, WHERE REQUIRED, SURFACE LEVEL STORM WATER DETENTION MAY BE LOCATED IN COMMON OPEN SPACE AREAS BUT NOT WITHIN SETBACK OR S.W.I.M. BUFFER AREAS. SPECIFICALLY, THE PETITIONER SHALL PROVIDE FOR THE FOLLOWING BASINS IDENTIFIED ON THE SUPPLEMENTAL DATA SHEET (R22-0):

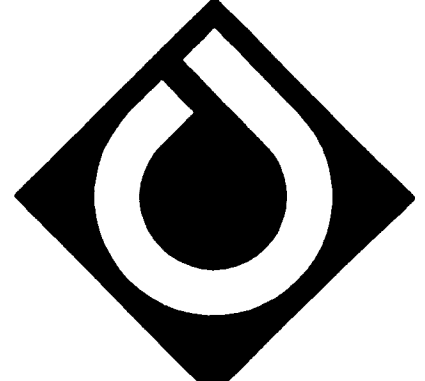
(b) BASIN 1 (FORMER COLESEUM AND PARKING LOT DRAINING TO SUGAR CREEK) – FOR WATERSHEDS EXCEEDING 245 BUILT-UPON AREA (S), SAND FILTERS, OR OTHER ALTERNATE BMPs TO PROVIDE TREATMENT OF STORM WATER RUNOFF FROM SURFACE PARKING AREAS. THE BMP(S) SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE MECKLENBURG COUNTY BMP DESIGN MANUAL, JULY 2007, TO ACHIEVE 85% TOTAL SUSPENDED SOLIDS REMOVAL FOR THE RUNOFF GENERATED FROM THE FIRST 1-INCH OF RAINFALL. THE PETITIONER SHALL BE PERMITTED TO RELOCATE, ELIMINATE, OR COMBINE REQUIRED TREE PLANTING ISLANDS TO CREATE SUFFICIENT AREAS WITHIN THE PARKING AREAS TO ACCOMMODATE THE BMP(S). AS AN OPTION TO INSTALLING BIORETENTION AREAS, SAND FILTERS, OR ALTERNATE BMPs DUE TO SLOPE OR OTHER CONSIDERATIONS, THE PETITIONER SHALL BE PERMITTED TO INSTALL PERVIOUS CONCRETE ACCORDING TO SPECIFICATIONS FROM STORM WATER SERVICES IN LIEU OF THE BASIN TO TREAT SURFACE PARKING AREAS. WITHIN SUBAREA 1 TO THE CONCEPTUAL SITE PLAN, THE PETITIONER ANTICIPATES THAT SURFACE PARKING AREAS WILL BE CONSTRUCTED, IN LIEU OF PROVIDING BMP(S) FOR THIS AREA, THE PETITIONER SHALL INSTALL 1-1/2" INCH CALIPER TREES NOT TO EXCEED 500 STEMS IN AREAS COVERED BY THE CITY OF CHARLOTTE IN CONNECTION WITH THE PROPOSED CHANNEL RESTORATION PROJECT AT THE TRIBUTARY ADJOINING THE EAST PROPERTY BOUNDARY. THE TREES WILL CONSIST OF MIXED NATIVE HARDWOODS AND PLANTED ACCORDING TO THE LANDSCAPE PLAN DEVELOPED BY CHARLOTTE STORM WATER SERVICES. ADDITIONALLY, THE PETITIONER AGREES TO DONATE 10% OF THE PLANTING MATERIALS TO THE CHARLOTTE FIRE MARSHAL'S OFFICE FOR THE EAST PROPERTY BOUNDARY FROM THE CONFLUENCE WITH TYVOLA ROAD TO THE UPPER LIMIT OF JURISDICTIONAL STREAM CHANNEL.

(c) BASIN



LEGEND
OPTIONAL SITE PLAN
SEE SHEET RZ3.1





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CITY PARK

CHARLOTTE, NORTH CAROLINA

CONCEPTUAL SITE PLAN

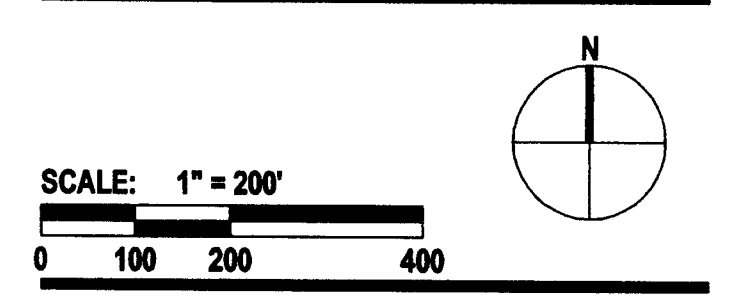
For Public Hearing
Petition # 2007-082

Project No.
3592

Issued
03.26.07

Revised

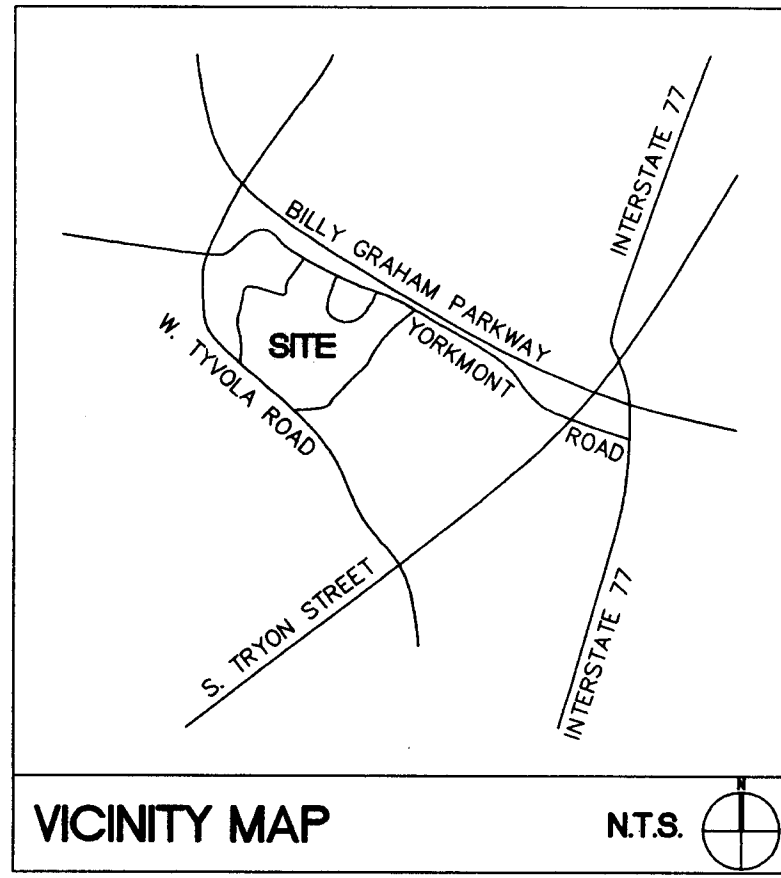
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11/16/07
12/14/07



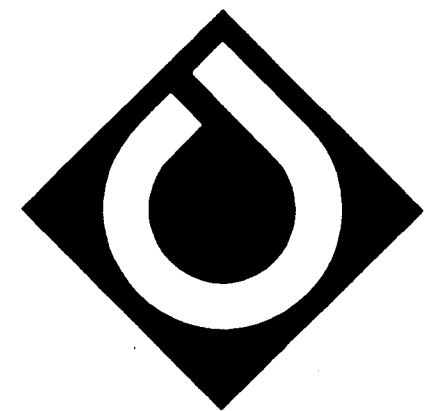
RZ3.0

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CHARLOTTE, NORTH CAROLINA

CONCEPTUAL SITE PLAN ALTERNATIVE For Public Hearing Petition # 2007-082

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Issued

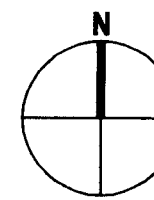
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Revised

09/14/07
11/16/07
12/14/07

SCALE: 1" = 200'

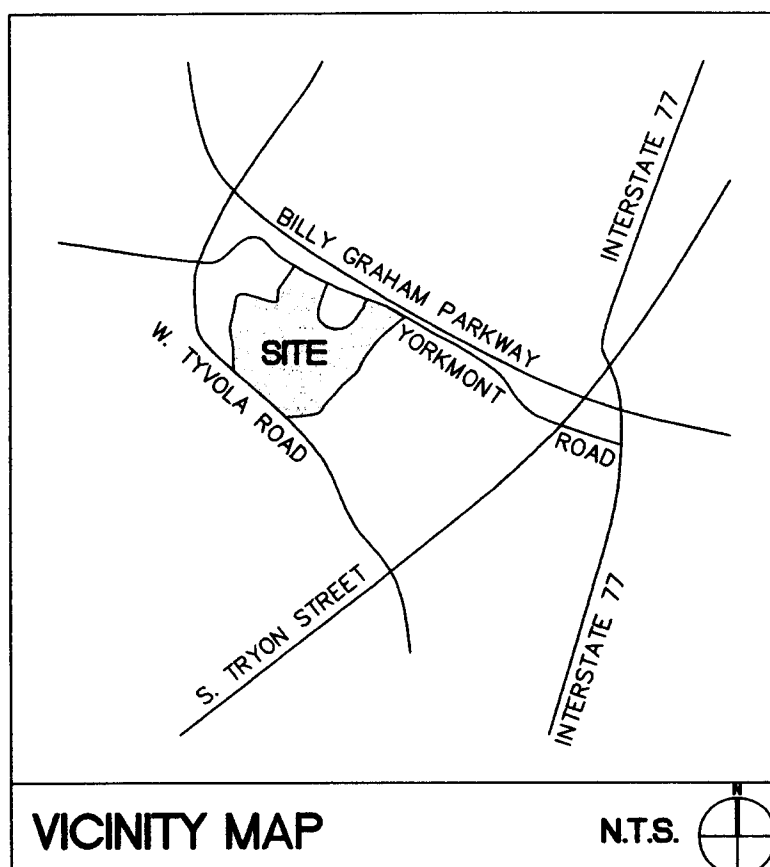
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RZ3.1

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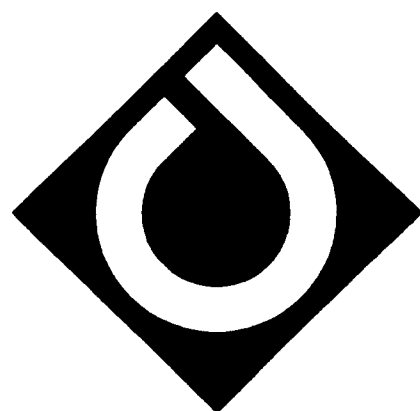


SITE DATA TABLE:

EXISTING ZONING:	MUDD-O; O-1(CD); O-15 (CD), R-4
PROPOSED ZONING:	MUDD-O
SITE ACREAGE:	170.2697 AC
EXISTING WOODED AREA:	74.8 AC
PROPOSED TREE SAVE AREA:	12.4 AC
TREE SAVE AREA % OF TOTAL PROPERTY AREA:	7.28%

LEGEND

	PROPOSED PHASE I DEVELOPMENT AREA		PROPERTY LINE
	EXISTING WOODED AREA		PROPOSED TREE SAVE AREA
	PROPOSED SIDEWALK		EXISTING BIKE TRAIL
	PROPOSED PEDESTRIAN LOOP "THE LOOP"		FUTURE PEDESTRIAN TRAIL DESIGNED BY OTHERS



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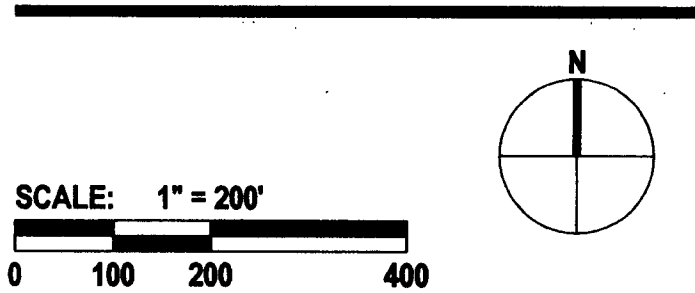
CITY PARK

CHARLOTTE, NORTH CAROLINA

SUPPLEMENTAL DATA SHEET
For Public Hearing
Petition # 2007-082

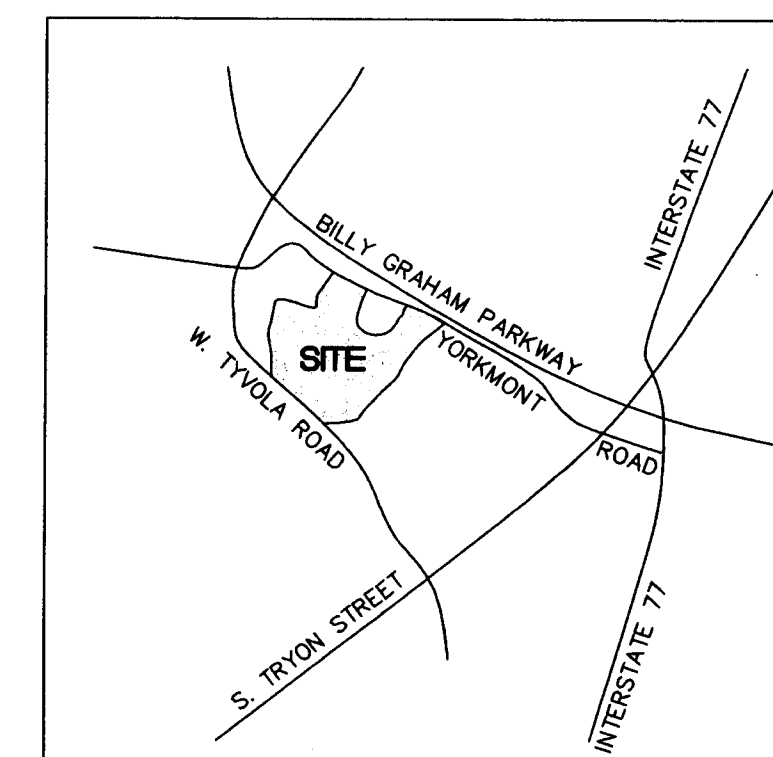
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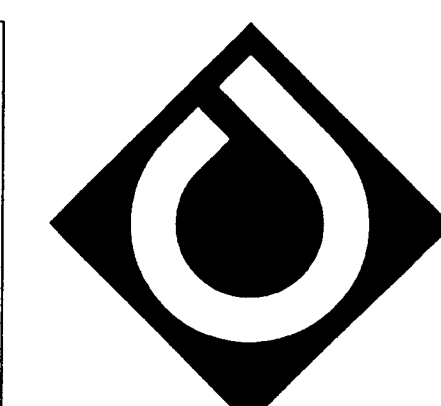
RZ4.0

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VICINITY MAP N.T.S.

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CITY PARK

CHARLOTTE, NORTH CAROLINA

**SUPPLEMENTAL
DATA SHEET**
For Public Hearing
Petition # 2007-082

Project No.

3592

Issued

03.26.07

Revised

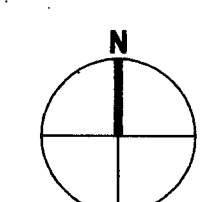
09/14/07

11/16/07

12/14/07

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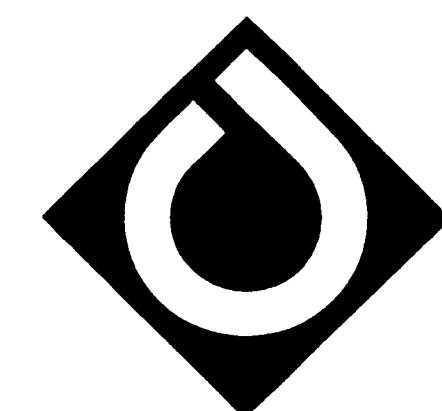
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RZ5.0

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ENTERPRISES, INC**
CUMBERLAND CENTER IV
3225 CUMBERLAND BLVD, SUITE 400
ATLANTA, GEORGIA 30339

CITY PARK

CHARLOTTE, NORTH CAROLINA

**STREET SECTION
DETAILS**
For Public Hearing
Petition # 2007-082

Project No.

3592

Issued

03.26.07

Revised

09/14/07

10/25/07

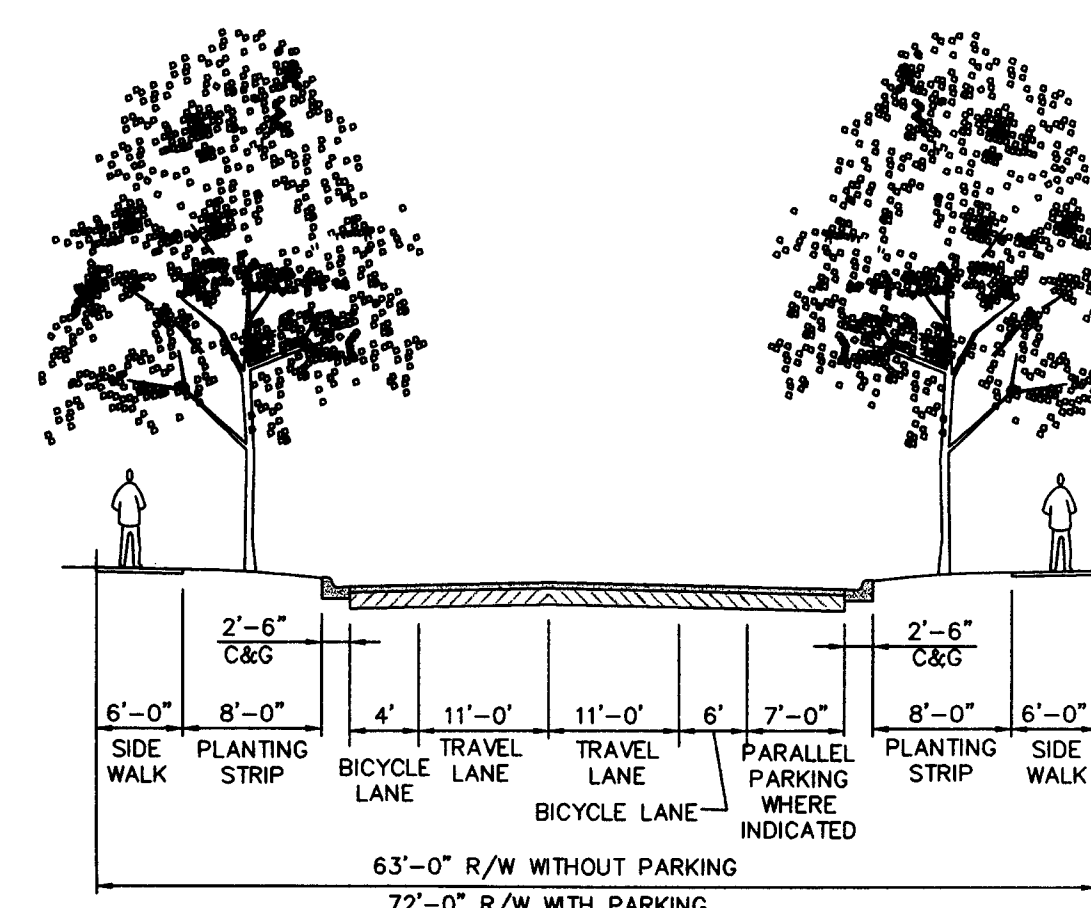
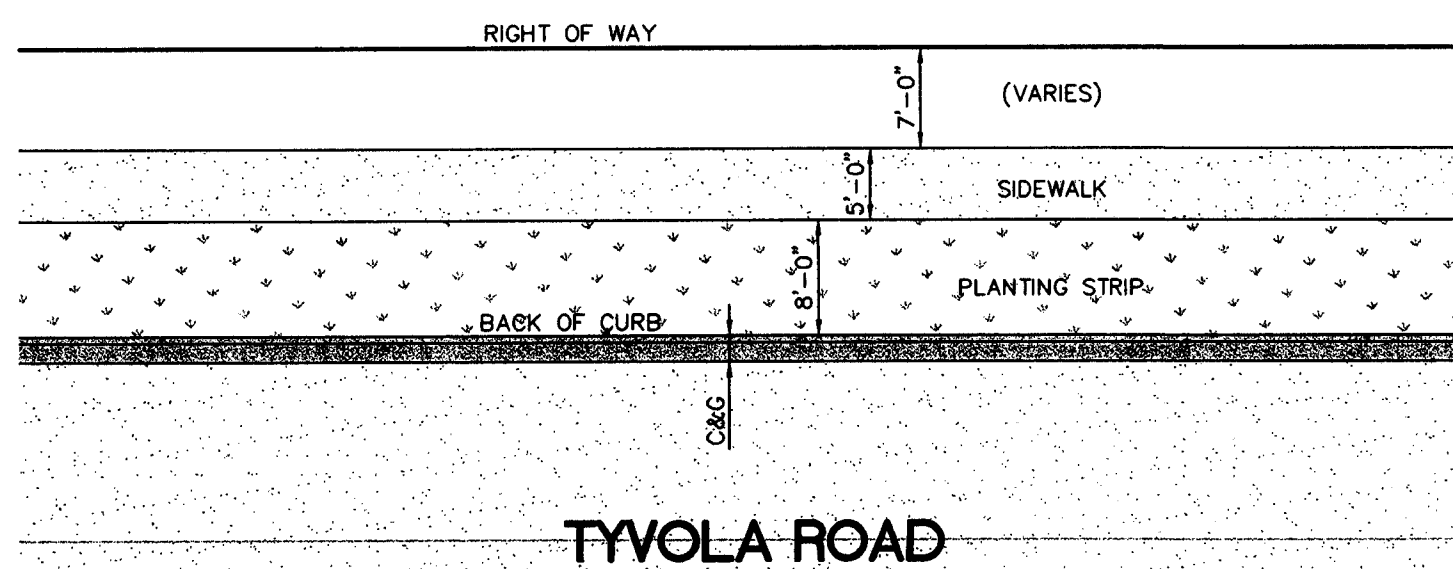
11/16/07

NOT TO SCALE

RZ6.0

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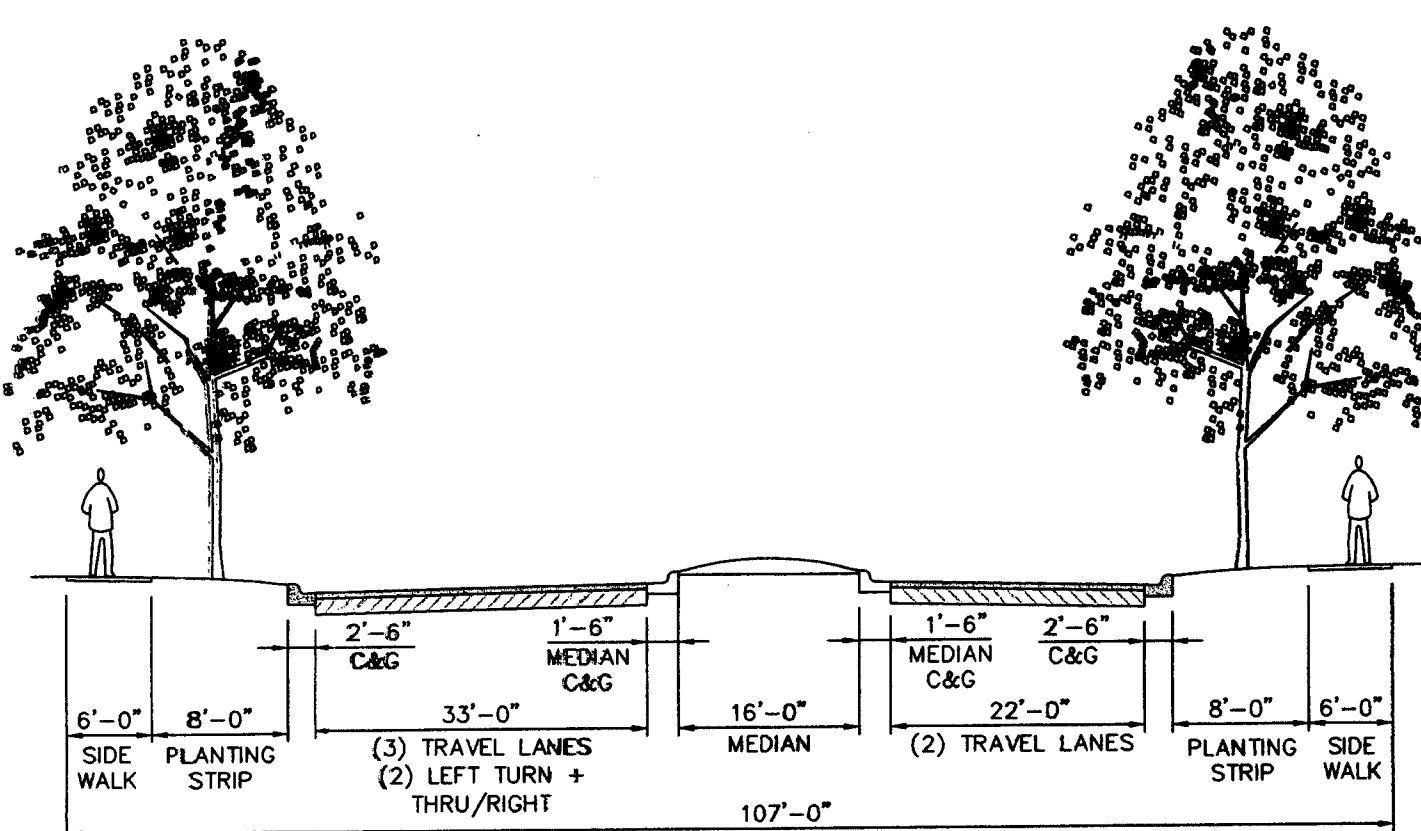


EXISTING CONDITIONS ON TYVOLA ROAD

(H)

PUBLIC STREET - AVENUE WITH BICYCLE LANE

(D)



PUBLIC STREET - DIVDED ENTRY ROAD FOR CITY PARK DRIVE AT TYVOLA ROAD

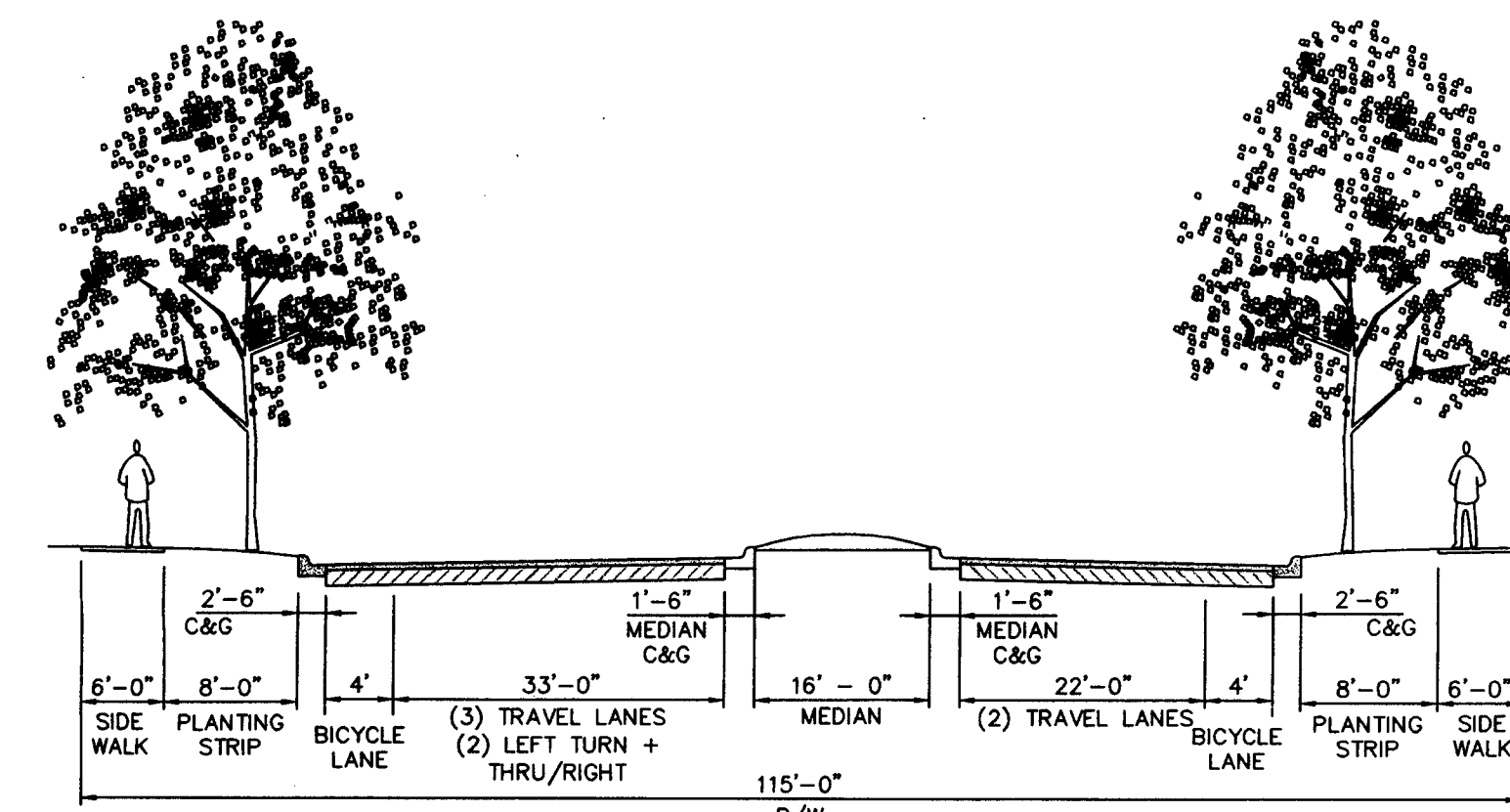
(K)

PUBLIC STREET (LOCAL) -
PARKING PERMISSIBLE ON TWO SIDES

(G1)

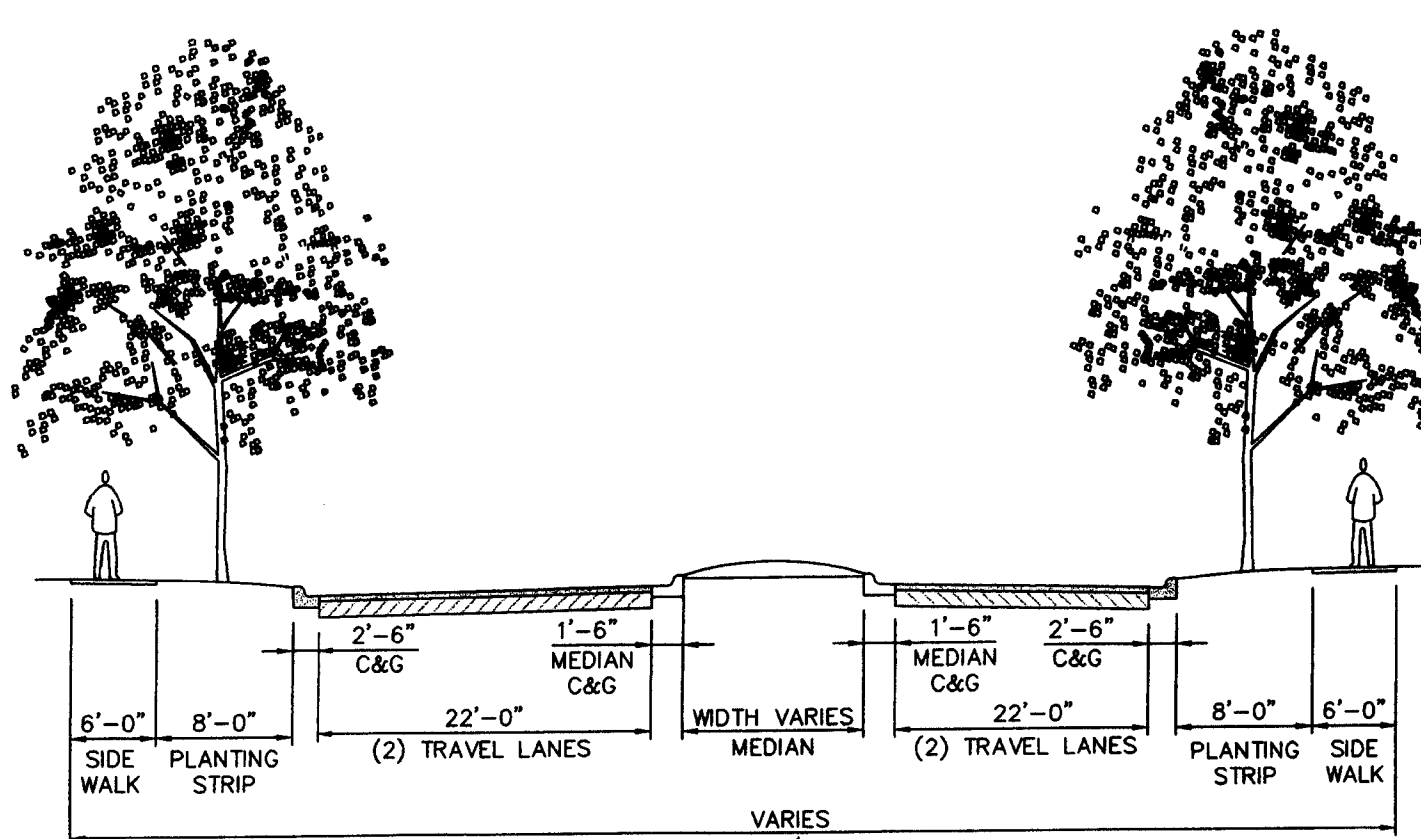
PRIVATE STREET (LOCAL) - PRIVATE PARKING TWO SIDES

(G2)



PUBLIC STREET - DIVDED ENTRY ROAD FOR NORTH-SOUTH CONNECTOR AT TYVOLA ROAD

(C)



PUBLIC STREET - DIVDED ENTRY ROAD FOR NORTH-SOUTH CONNECTOR AT BILLY GRAHAM PARKWAY

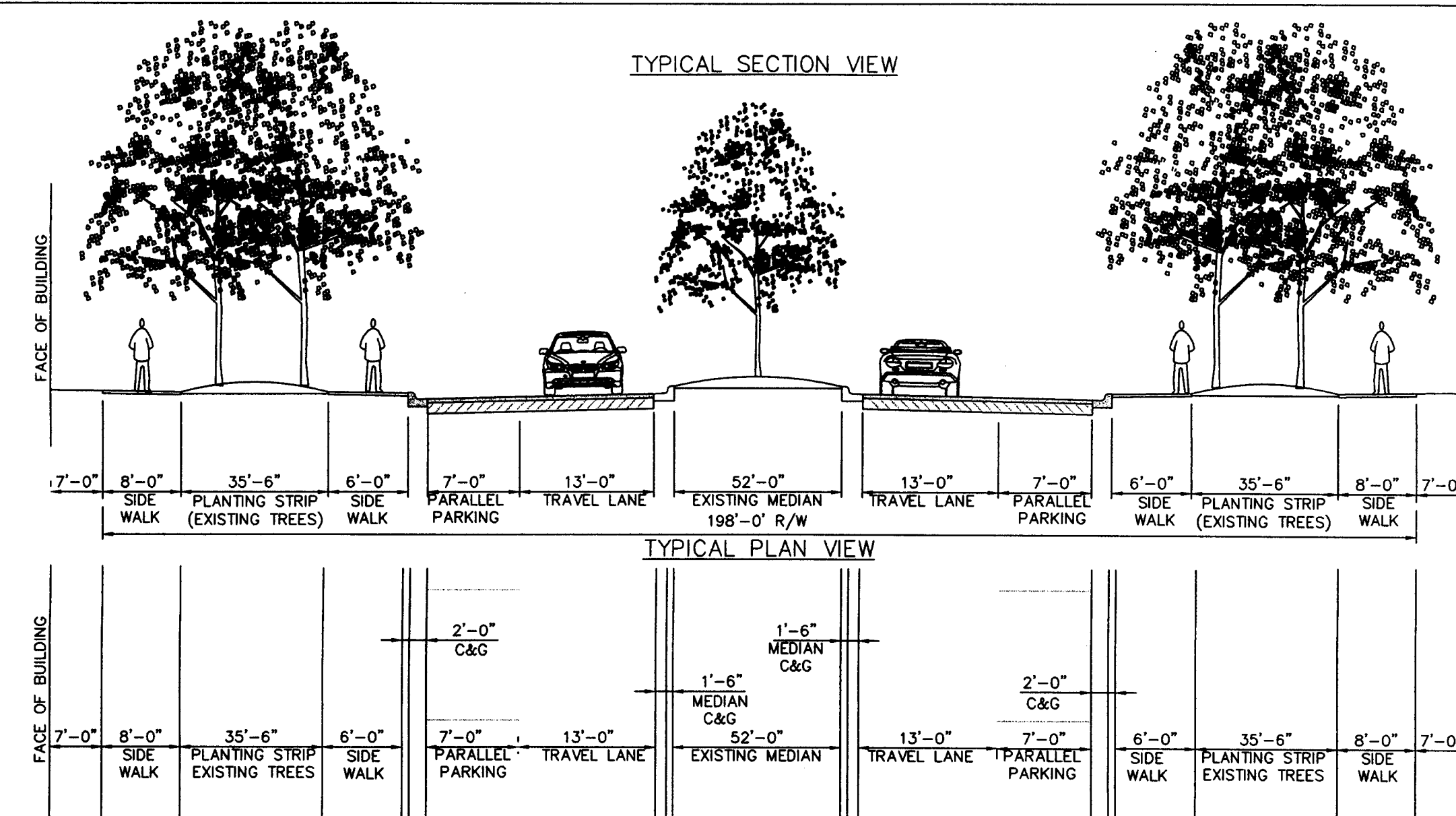
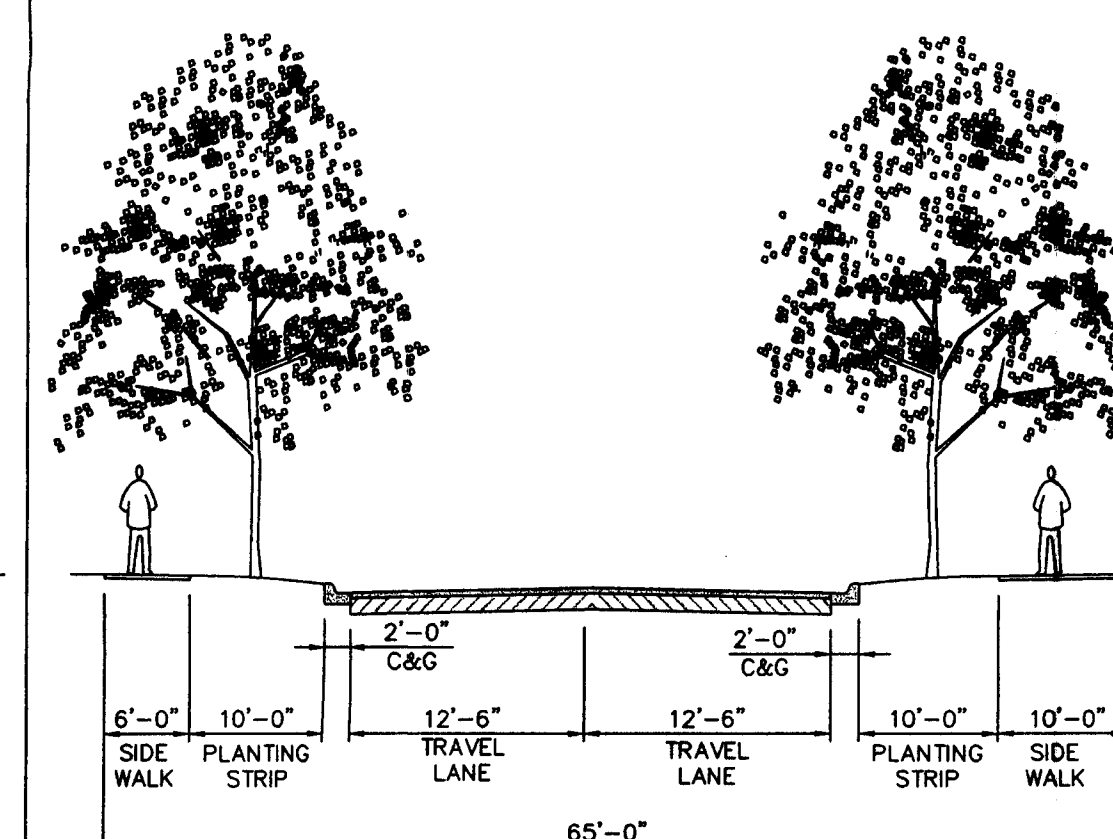
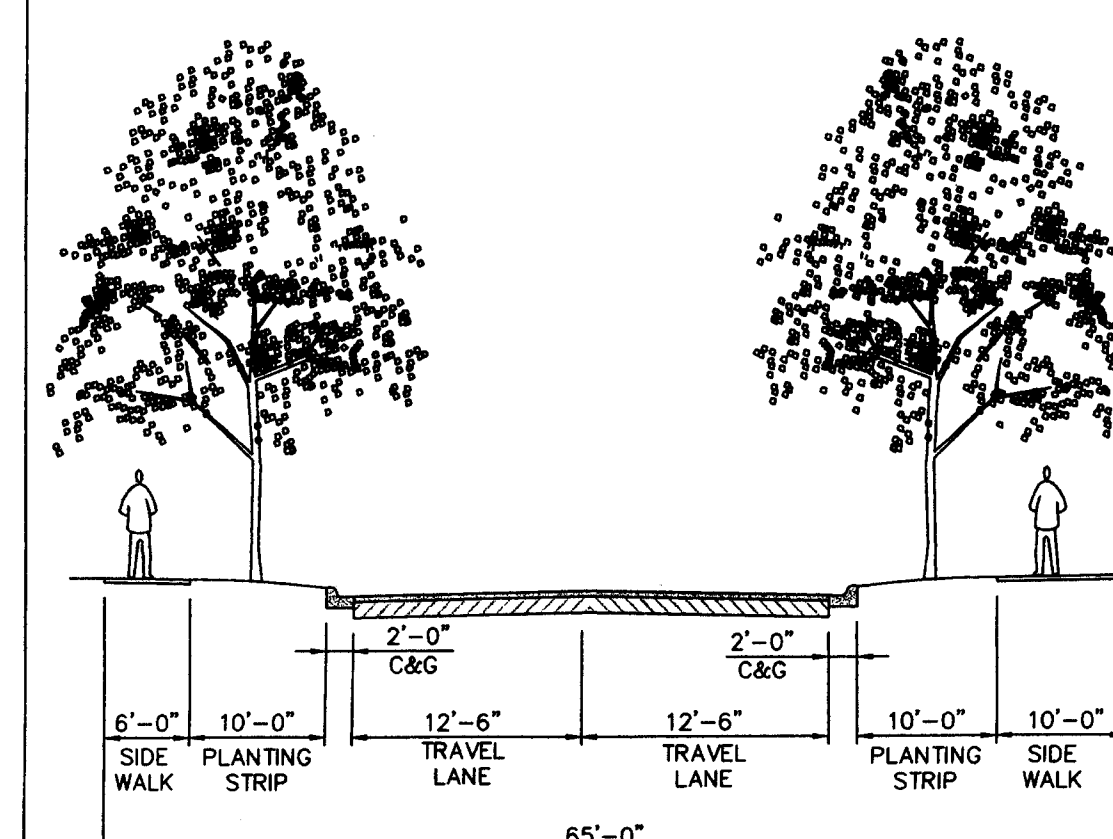
(J)

PUBLIC GREEN STREET -
PARKING PERMISSIBLE ON ONE SIDE

(F1)

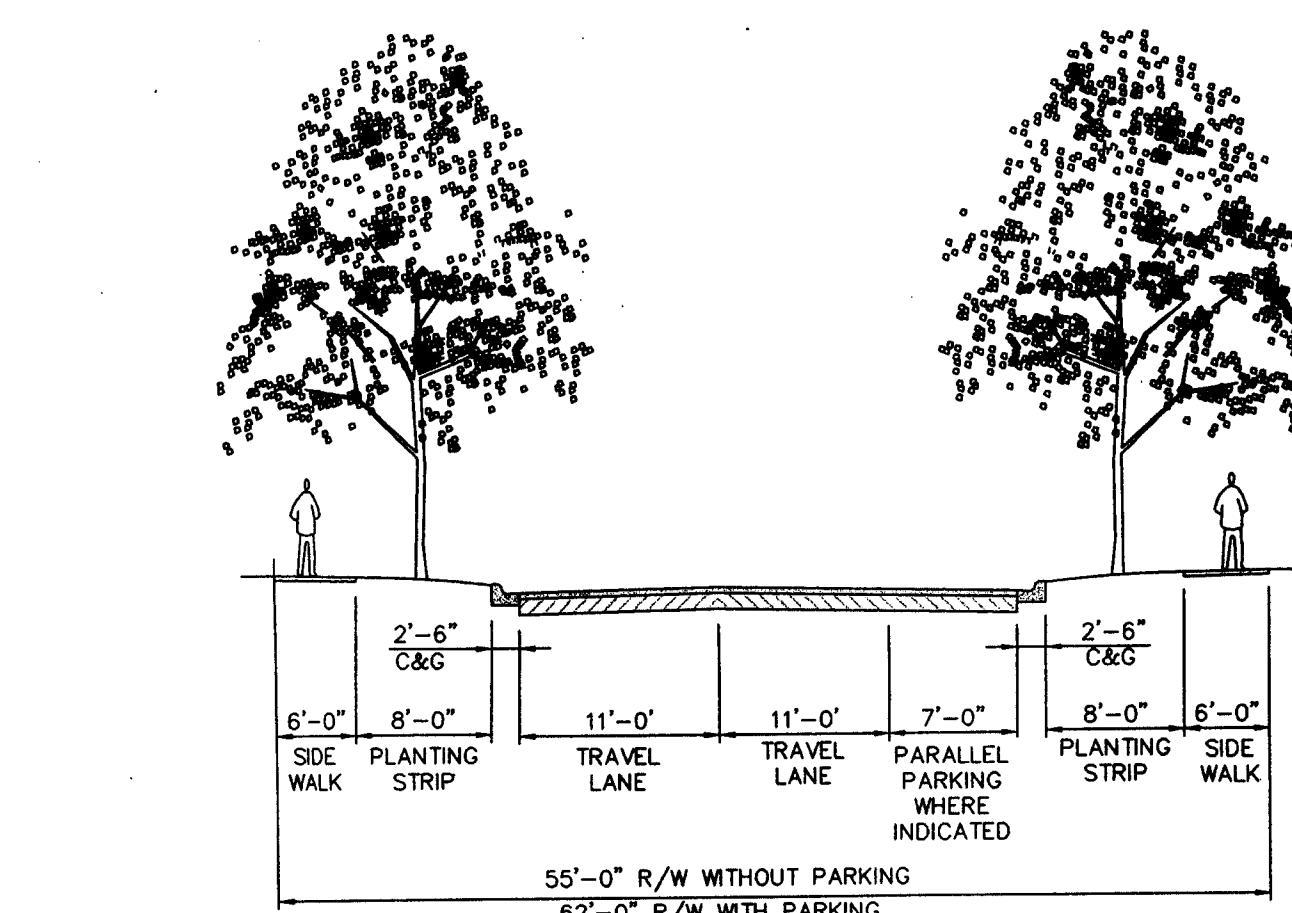
PRIVATE GREEN STREET - PRIVATE PARKING ONE SIDE

(F2)



CITY PARK DRIVE (MAIN STREET) - PRIVATE STREET WITH PARALLEL PARKING

(B)



PUBLIC STREET - AVENUE WITHOUT BICYCLE LANE

(I)

PUBLIC STREET (LOCAL STREET) - PARKING PERMISSIBLE ON ONE SIDE

(E)

CITY PARK DRIVE (MAIN STREET) - PRIVATE STREET WITH ANGLED PARKING

(A)

