

**GENERAL PROVISIONS**

All development standards established under the Charlotte Zoning Ordinance (the "Ordinance") for the B-1 (SCD) Zoning District Classification shall be followed in connection with new development taking place on the site. The building configurations, placements, and sizes shown on this taking place on this illustrative site plan are schematic in nature and may be altered or modified during design development and construction document phases with maximum building envelope lines established in this rezoning plan. Parking layouts may also be modified to accommodate final building locations. The Petitioner reserves the right by way of an administrative site plan amendment to reconfigure the Building Envelope #1. In the event that the development contemplated to take place in Area #1 is decreased in size. In such case a new building envelope may be created in front of Envelope #2 an out parcel adjacent to the main entrance drive at Eastway Drive, within which a structure containing no more than 10,000 square feet may be constructed. Should this new envelope be created, the square edge of any building constructed within the envelope must be taken into account in calculating the maximum square feet of retail space allowed by this Rezoning Plan.

Proposed development 'A' is not a requirement for the Petitioner set forth by the Site Plan Amendment approval. Upon Site Plan Amendment approval the Petitioner may leave the existing conditions until the Petitioner wants to re-develop Development 'A'.

**PERMITTED USES**

- The site shall be devoted to "retail uses".
- The total gross floor area within the site which may be devoted to retail uses cannot exceed 293,847 square feet.
- "Retail uses" are intended to include any use (including any accessory use) which is permitted by right or under prescribed conditions in a B1 (SCD) District under the Ordinance.
- A 12' wide strip located immediately behind parcel #22 and running along the length of the common property line shall be reserved for the express purpose of providing a parking area for a single family detached dwelling.

**SET BACKS**

- Building setbacks shall be a minimum of 35' off all public streets and a minimum of 25' feet off all other property lines.
- Parking is permitted within the setbacks if allowed under the Ordinance, but not within any buffer areas established by this Rezoning Plan.

**BUFFER AREAS**

- All development within the site will be subject to the buffer areas established by and depicted on this Rezoning Plan.
- The buffer areas extending around the perimeter of the site are to remain as open space, except to the extent necessary to accommodate pedestrian pathways, access points, walks, berms, fences, grading, storm water retention ponds, signs and graphics (as permitted by the City of Charlotte Sign Ordinance), and drainage or utility construction. Grading may be performed and slopes and berms may be installed within buffer areas. All undisturbed buffer areas will be marked and protected during grading. The petitioner reserves the right to clear and grub the under growth in undisturbed areas as well as construct and realign the sanitary sewer and creek to the extent required for the proposed.
- No building, roadway or parking lot may be placed within any buffer areas.
- In all buffer areas, except retention pond areas, where existing trees and natural vegetations have been cleared to accommodate walls, berms, grading, signs, graphics, and the installation of utility construction, the cleared unimproved areas will be landscaped and grassed in accordance with the program specified on this Rezoning Plan.
- Developer will make every reasonable effort not to disturb the creek. If sewer relocation requires the creek to be disturbed. Developer will attempt to return the creek as close as possible to its original condition and location.

**MAXIMUM BUILDING HEIGHT**

- No structure constructed on this site shall exceed one story and its height may not exceed 40 feet above average grade. **Building height above finished elevation shall not exceed 40 feet.**

**OPTION TO REDEVELOP OUT PARCELS 1 AND 2**

- The Petitioner reserves the rights to redevelop out parcels 1 and 2 in a manner which will be compatible with the right of way commitments listed under "Right of Way Dedication". Future development shall conform to the following requirements:
  - Access into the Out Parcel Envelope shall be as described under "Access Points".
  - The total area of any new building or buildings constructed within the Out Parcel Envelope shall not exceed the total area of all existing buildings currently within the total Out Parcel Envelope.
  - No new building may take place outside the Out Parcel Envelope.

**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 any building commences.

Fire hydrants shall be installed so that a fire truck does not have to travel more than 500 feet to the most remotely accessible point of all buildings.

**ACCESS POINTS (DRIVEWAYS)**

- Two of the existing driveways into the shopping center site will be eliminated in the areas shown on the Rezoning Plan. These two driveways will be deleted before any certificate of occupancy is granted for new construction within Redevelopment Area 'A'.
- The number of vehicular access points to Eastway Drive, including the 3 accesses which currently serve the existing out parcels, will be 5, down from the present 7. As a part of any future redevelopment taking place within the Out Parcel Envelope (see "Option to Redevelop" below) the Petitioner agrees to close all but one of the accesses currently serving the Out Parcel Envelope and to align this access with and across from Medford Drive as may otherwise be directed by CDOT. This access will require left-in and left-out circulation. As an additional condition based on the access point to the Out Parcel Envelope being granted, the Petitioner further agrees to limit access to right-in and right-out only at the first entrance into the shopping center on Eastway Drive, South of the intersection of Eastway and Central. (access 3e)
- The configuration of driveways and access points within the site are subject to minor shifts in other modifications that may be required to accommodate final site engineering and construction plans and designs and are further subject to approval by the North Carolina Department of Transportation (NCDOT) and the Charlotte Department of Transportation (CDOT).
- Petitioner further agrees that when the existing leases covering Out Parcel 3, including extensions, expire that it will close both Central Avenue and Eastway Drive accesses to this out Parcel.

**PARKING**

- The parking areas depicted on this Rezoning Plan may vary, but in all events off-street parking will meet the minimum standards established under the City of Charlotte Zoning Ordinance.
- No parking shall be permitted within the designated buffer areas.

**RIGHT-OF-WAY DEDICATION**

- The Petitioner agrees dedicate to the City and/or State as applicable, area shown and identified on this rezoning plan as a right-of-way.
- CDOT has expresses and preference for additional right-of-way so as to provide it with 60 feet of right-of-way between the center line of Eastway Drive and the subject property. Tenants currently occupying existing out parcels 1, 2, and (U.S. Post Office Bank and the corner out parcel) have legal rights under their respective leases to use of the areas required to accommodate a portion of the requested right-of-way. The Petitioner however commits to dedicate the additional right-of-way necessary to comply with CDOT's request, as when existing leases, including renewals expire for our parcels 1 and 2 only. The Petitioner further commits to accommodate the expanded right-of-way identified above for out parcel 3.

**LANDSCAPING AND SCREENING**

- Buffering and/or screening shall conform with the standards and treatments specifies on this Rezoning Plan and, in all instances, shall meet or exceed the requirements of the Ordinance. New trees planted within each designated buffer area shall be a minimum of 2 inches caliper and 8 feet in height at planting. Shrubs planted within each designated buffer area shall be a minimum of 3 feet in height or 4 gallon plants at planting.
- Landscaping areas within the site will be planted and improved in sequences which are keyed to the development taking place in phases.
- All dumpsters and service areas will be screened from public street and from adjacent properties.
- All landscaping will comply with the City of Charlotte Tree Ordinance, and/or as required by the City Engineering Department.
- Developer agrees to provide an irrigation system servicing the berm, area behind the new development. In addition, Developer agrees to provide reasonable maintenance of this berm area.

**ARCHITECTURAL CONTROLS**

- The Petitioner intends to achieve compatibility of visual aesthetics and architectural design of buildings constructed within the site through the use of one or a combination of color, material, texture, architectural facades, rooflines, building mass, scale and similar criteria. It is the intent of the Petitioner to design all new buildings constructed on the site so that they will be compatible with the design intent of the recently renovated Eastway Crossing Shopping Center within the constraints of major tenant.
- The rear of the shopping center is to be planted with a finish material compatible with the appearance of the front and side elevations of the center.

**LIGHTING**

- A uniform lighting system will be employed throughout the site.
- All direct lighting will be designated in a manner which minimizes glare toward adjacent streets and properties.

**SIGNS**

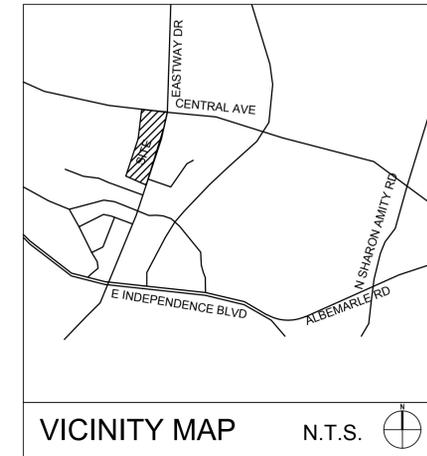
- No more than two project identification signs may be erected on site.
- All signs shall be in conformance with the City of Charlotte Sign Ordinance.

**STORM WATER MANAGEMENT**

- The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance in effect at the time of approval of this Petition.

**ADJACENT PROPERTY OWNERS**

PROPERTY	PARCEL	OWNER	ADDRESS
1	12909144	DOUGLAS FRANKSSON SHERIDAN AND PATRICIA FALKNER	1452 CAROLYN DR CHARLOTTE, NC 28205
2	12909143	GENE T LIVINGSTON	1458 CAROLYN DR CHARLOTTE, NC 28205
3	12909142	MABLE IVEY	1466 CAROLYN DR CHARLOTTE, NC 28205
4	12909141	JAMES LAMARR JR DRUMM AND EDWARD GRANT CURTIS JR	1476 CAROLYN DR CHARLOTTE, NC 28205
5	12909140	JOHN R JR ASBURY AND CAROL W	1482 CAROLYN DR CHARLOTTE, NC 28205
6	12909139	FALLINE J ASBURY	1490 CAROLYN DR CHARLOTTE, NC 28205
7	12909138	MARVIN P FRANCIS AND MARGIA C FRANCIS	3621 THACKERY LN CHARLOTTE, NC 28205
8	12909136	ROBBIE L GORDON AND JASON W BARBOSA	1510 CAROLYN DR CHARLOTTE, NC 28205
9	12909135	ROBERT ALLEN RIGGSBEE	1518 CAROLYN DR CHARLOTTE, NC 28205
10	12909127	LITTLE SAIGON LLC	2365 SPENCER WY STONE MOUNTAIN, GA 30087
11	12909158	CWT PROPERTIES LLC	6401 CARMEL RD #102 CHARLOTTE, NC 28226
12	12909163	FFF ASSOCIATES INC	1127 HIGH RIDGE RD PMB 137 STANFORD, CT 06905
13	12909162	% THOMAS B MORRIS-SR FIRST-CITIZENS BANK & TRUST CO	16 EAST ROWAN ST RALEIGH, NC 27609 5
14	12909120	THE SOUTH STREET GROUP LLC (O/SOLID ROCK PROPERTIES)	436 GARRISON SUITE A, GATONIA NC, 28054
15	12909117	ELROY CLARKSON JR COX	1545 PINECREST AVE, CHARLOTTE, NC
16	12909116	MUHAMMED HUTASUHT	807 EAST NEW ORLEANS AVE, TAMPA, FL 33603
17	12909115	HARRY R FLORKE	1533 PINECREST AVE, CHARLOTTE, NC 28205
18	12909114	WILLIAM J RUNYAN	1527 PINECREST AVE, CHARLOTTE, NC 28205
19	12909113	JOSEPH C SOLAN	1524 PINECREST AVE, CHARLOTTE, NC 28205
20	12909112	JOSE P XAVIER	1515 PINECREST AVE, CHARLOTTE, NC 28205
21	12909111	GEORGE W HATT	1509 PINECREST AVE, CHARLOTTE, NC 28205
22	12909110	LEE BEFORD	1501 PINECREST AVE, CHARLOTTE, NC 28205
23	12909109	MORICEAU PROPERTIES, LLC	3719 ASHFORD LEIGH CT, CHARLOTTE, NC 28289
24	12909145	MARGARET FISHER	1442 CAROLYN DR, CHARLOTTE, NC 28205



VICINITY MAP N.T.S.

PETITIONER: EASTWAY HOLDINGS, LLC  
 P.O. BOX 36799  
 CHARLOTTE, NORTH CAROLINA 28236  
 ACREAGE: 26.32 ±

TAX PARCEL #: 12909121/12909122

EXISTING ZONING: B1-SPD  
 PROPOSED ZONING: B1-SCD-SPA

EXISTING USES: COMMERCIAL / RETAIL  
 PROPOSED USE: COMMERCIAL / RETAIL

MAX. BUILDING HEIGHT: 40 FEET, AS DEFINED BY THE ORDINANCE

PARKING:

TOTAL REQUIRED:  
 1 PER 200 SF @ 264,552 SF = 1,323 SPACES

TOTAL PROVIDED: 1,360 SPACES  
 TOTAL RATIO: 1.03 SPACES / 1260SF  
 SEE SECTION 7 IN DEVELOPMENT NOTES FOR PARKING RATIO.

DEVELOPMENT SUMMARY:

EXISTING BUILDING SF TOTAL: 267,082 SF  
 EXISTING BUILDING SF TO BE REMOVED: -20,830 SF  
 PROPOSED NEW BUILDING SF TOTAL: +18,300 SF  
 TOTAL BUILDING SF: 264,552 SF



Shaping the Environment  
 Realizing the Possibilities

- Land Planning
- Landscaping Architecture
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- Urban Design

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**EASTWAY HOLDINGS, LLC**  
 PO BOX 36799  
 Charlotte, NC 28236  
 North Carolina 28284

**EASTWAY CROSSINGS**

Charlotte  
 North Carolina 28284

**SITE PLAN FOR ADMINISTRATIVE REVIEW**

PETITION # 2012-102

Project No.  
 4189

Issued

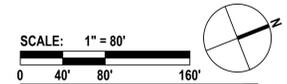
09/24/12

**Revised**

- 11/16/12 - Per City Comments
- 11/20/12 - Per City Comments



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**SPA1.0**

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