

GENERAL PROVISIONS

Unless more stringent standards are established by the Rezoning Plan or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the UR-2 zoning district shall be followed in connection with development taking place on the Site.

PERMITTED USES

The Site may be devoted to a maximum of 27 for sale single family attached townhome dwelling units and to any incidental or accessory use in connection therewith which is permitted by right or under prescribed conditions in the UR-2 zoning district.

BUFFERS

- 1. A six foot masonry wall will be constructed along the Site's westerly and northerly edges approximately two feet from the respective property lines.

FIRE PROTECTION

Adequate fire protection in the form of fire hydrants will be provided to the City of Charlotte Fire Code's specifications. Plans for each townhome building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

STORM WATER MANAGEMENT

- 1. The Petitioner will tie into the existing public storm water system(s). The Petitioner shall have the receiving public drainage system(s) analyzed to ensure that it will not be taken out of standard due to the proposed development.

Section 401 Permit NCDEHNR 919733 - 1786

Section 404 Permit US Army Corps of Engineers 704-271 4854

EASEMENT

A reciprocal easement will be established allowing for 1) extension of walks or fences located on abutting properties to the north and west onto the Site in order to allow such walls or fences to connect to the wall within the buffer along the northerly and westerly edges of the Site by the owners of said abutting properties to the north and west and 2) access by the petitioner/developer onto these abutting properties for the purpose of maintenance of the wall.

BINDING EFFECT OF THE REZONING PETITION

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and this Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

AMENDMENTS TO REZONING PLAN

Future amendments to this Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

provided, however, that utility lines and facilities may only cross the buffer areas at interior angles measured at the property line which are not less than 75 degrees.

- 5. No buildings, parking spaces or maneuvering areas may be located within the buffer areas.

SETBACKS, SIDE YARDS AND REAR YARDS

- 1. All principal structures constructed on the Site shall satisfy or exceed the setback, side yard and rear yard requirements under the Ordinance for the UR-2 zoning district as depicted on the Rezoning Plan.

COMMON OPEN SPACE

Common open space on the Site shall be maintained by a homeowners association.

SCREENING AND LANDSCAPE AREAS

Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.

TREE ORDINANCE

Development of the Site will comply with the applicable provisions of the City of Charlotte Tree Ordinance as of the date of the approval of this Rezoning Petition.

PARKING

Vehicular and bicycle parking will satisfy the minimum standards established under the Ordinance.

ARCHITECTURAL AND DESIGN COMMITMENTS

- 1. Attached hereto are schematic architectural renderings of the front elevation of the single family attached townhome buildings proposed to be constructed on the Site that are intended to depict the general conceptual architectural style, character and elements of these buildings.

overall conceptual architectural style and character are permitted based upon final design/construction drawings.

- 2. The maximum height of the single family attached townhome buildings proposed to be constructed on the Site shall be 40 feet. Units shall include no more than two habitable floors plus attic space under a dormer on the front elevations.

- 3. The permitted exterior building materials for the single family attached townhome buildings to be constructed on the Site shall be a combination of brick, stone and similar masonry products, stucco, wood and wood products, shake and hardi-plank and fiber cement board.

- 4. At least 25% of the front elevation (excluding doors, windows, rooftops and trim areas) of each single family attached townhome building constructed on the Site shall have brick, stone or a combination of brick and stone.

- 5. The side elevation of each townhome dwelling unit located on an end of a single family attached townhome building to be constructed on the Site shall be substantially similar to the front elevation of such townhome dwelling unit in terms of the exterior building materials.

- 6. No more than three (3) consecutive individual townhome units located in the same building may have the same front building elevation in terms of primary exterior building materials.

- 7. Flat panel garage doors may not be utilized on the garages.

- 8. Vinyl fences shall be permitted on the Site.

- 9. Trash collection will be provided through roll out containers rather than through dumpsters.

LIGHTING

- 1. Decorative, pedestrian scale, freestanding lighting fixtures will be installed throughout the Site. The decorative, pedestrian scale, freestanding lighting fixtures will be uniform in design, and the final spacing of such lighting fixtures shall be determined by the Petitioner.

- 2. The maximum height of the decorative, pedestrian scale, freestanding lighting fixture installed on the Site, including its base, shall not exceed 15 feet.

- 3. All exterior detached light fixtures (except street lights along public or private streets) shall be capped, full cut off fixtures.

SIGNS

All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.

ACCESS POINTS, SIDEWALKS/RIGHT OF WAY DEDICATION

- 1. Vehicular access to the Site is limited to that depicted on the Rezoning Plan.

- 2. The placement and configuration of the access point is 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 and/or the North Carolina Department of Transportation.

- 3. Prior to the issuance of a building permit for any building to be constructed on the Site, the Petitioner shall dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) those portions of the Site immediately adjacent to Ballantyne Commons Parkway as required to provide right of way measuring 50 feet from the existing centerline of Ballantyne Commons Parkway if such right of way does not currently exist.

- 4. The Petitioner will install a left turn lane on Ballantyne Commons Parkway into the driveway into the Site in accordance with NCDOT minimum standards with a minimum of 150 feet of storage.

- 5. The Petitioner will construct new curb along the Site's immediate frontage along the northerly side of Ballantyne Commons Parkway. The new curb will be located 36 feet from centerline to face of curb.

- 6. The Petitioner will provide an 8-foot planting strip and a 6-foot sidewalk along the Site's immediate frontage on the northerly side of Ballantyne Commons Parkway as measured from the back of the new curb.

- 7. The Petitioner will provide a 5 foot sidewalk along one side of the access driveway located to the east of the Site.

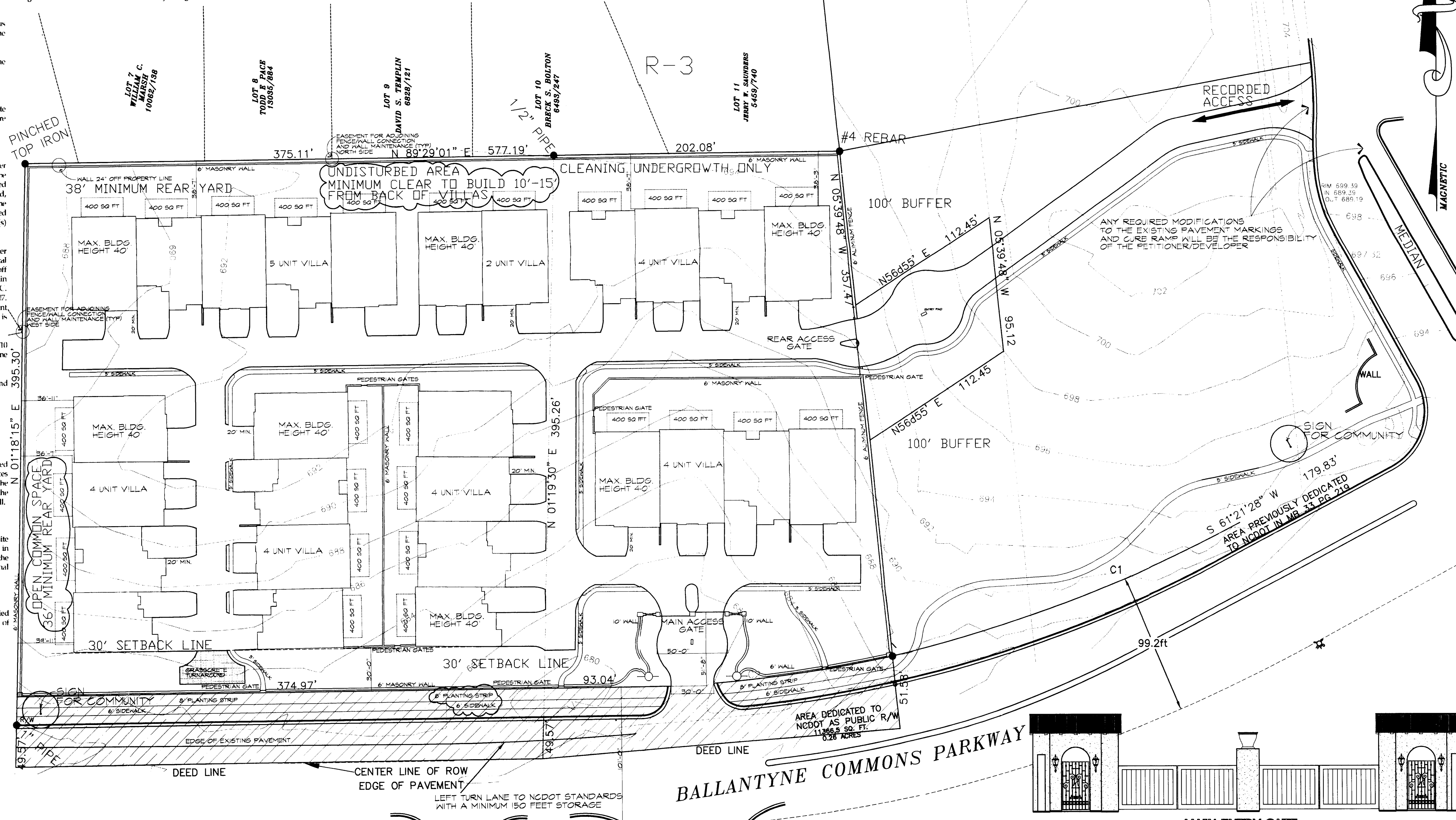
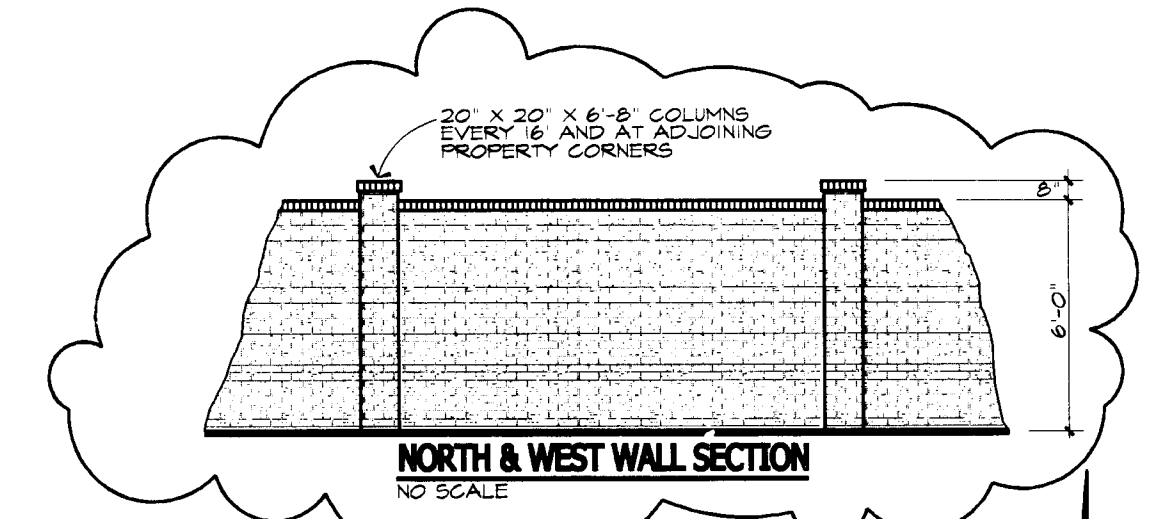
- 8. The gate located on the driveway into the Site on Ballantyne Commons Parkway will be located a minimum of 30 feet from the current right-of-way line.

SITE DATA TABLE with fields for SITE ACREAGE, TAX PARCELS, EXISTING ZONING, PROPOSED ZONING, PROPOSED USE, and PROPOSED NUMBER OF TOWNHOMES FOR SALE.

LIGHTWAY PROPERTIES, LLC logo and contact information: 5516 BALLANTYNE COMMONS PKWY, Charlotte, NC 28277, 704.340.0502

COPYRIGHT LAW notice regarding reproduction of the plan.

APPROVED BY CITY COUNCIL MAR 17 2008



APPROVED BY CITY COUNCIL MAR 17 2008

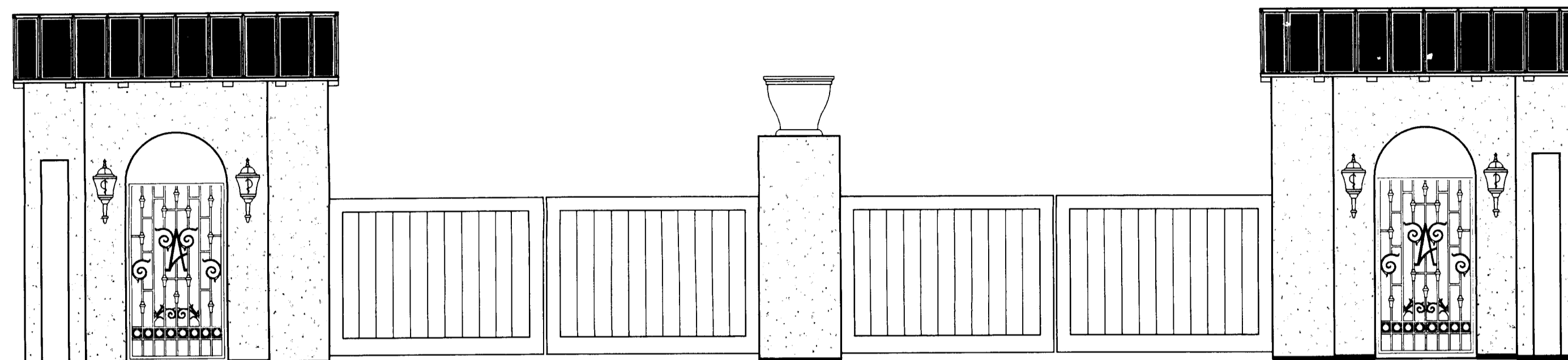
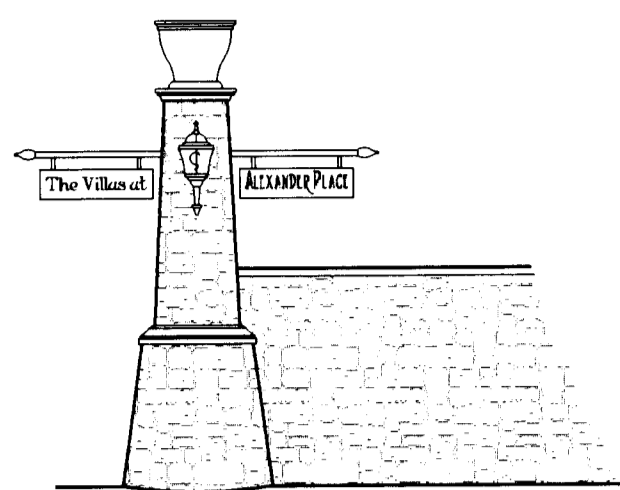


SITE PLAN SCALE: 1" = 40'

THE VILLAS AT ALEXANDER PLACE NOVEMBER 2, 2007 REVISED DECEMBER 5, 2007 REVISED JANUARY 15, 2008 REVISED FEBRUARY 12, 2008 REVISED FEBRUARY 19, 2008

S-1

FOR PUBLIC HEARING PETITION NO.: 2008-027



MAIN ENTRY GATE



FRONT VIEW
UNIT A

FRONT VIEW
UNIT B

FRONT VIEW
UNIT C

FRONT VIEW
UNIT A (R)

VIEW FROM BALLANTYNE COMMONS PARKWAY

THE VILLAS AT
ALEXANDER PLACE
DECEMBER 18, 2007
REVISED 1/14/08

A, B, & C
ELEVATIONS
SCALE: 3/16" = 1'-0"