

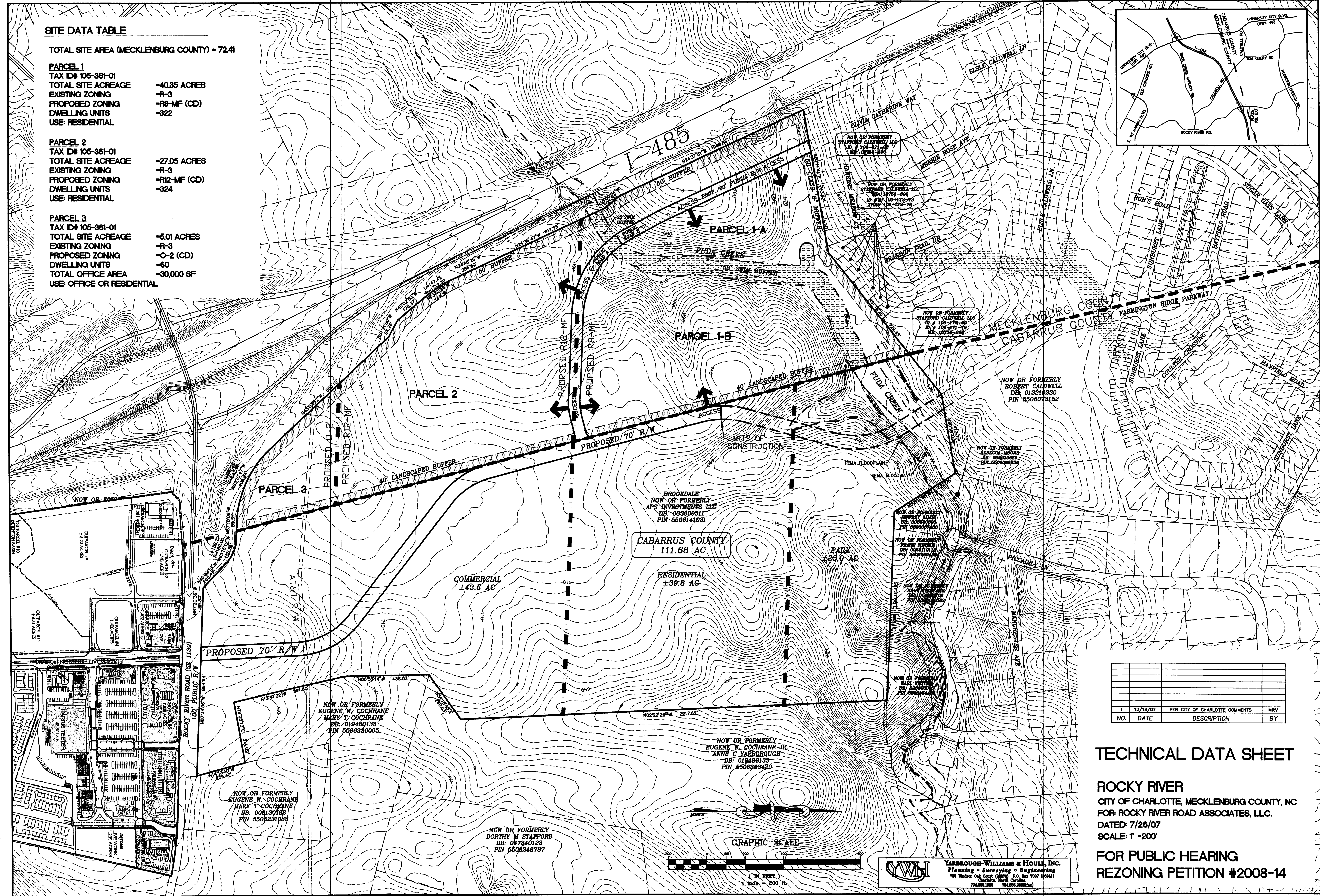
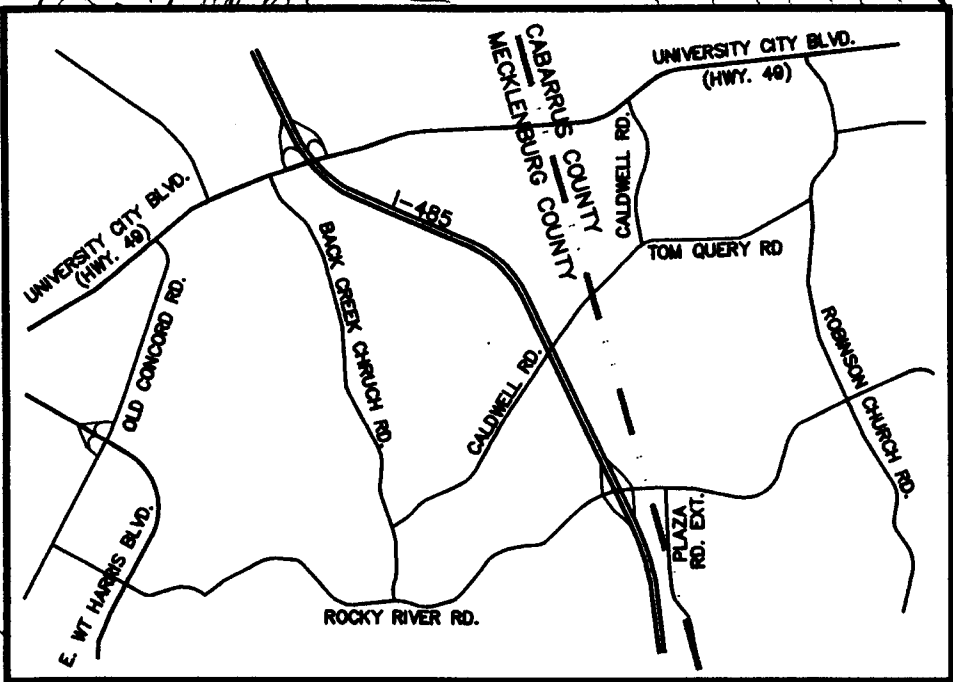
SITE DATA TABLE

TOTAL SITE AREA (MECKLENBURG COUNTY) = 72.41

PARCEL 1
TAX ID# 105-361-01
TOTAL SITE ACREAGE -40.35 ACRES
EXISTING ZONING -R-3
PROPOSED ZONING -R8-MF (CD)
DWELLING UNITS -322
USE: RESIDENTIAL

PARCEL 2
TAX ID# 105-361-01
TOTAL SITE ACREAGE -27.05 ACRES
EXISTING ZONING -R-3
PROPOSED ZONING -R12-MF (CD)
DWELLING UNITS -324
USE: RESIDENTIAL

PARCEL 3
TAX ID# 105-361-01
TOTAL SITE ACREAGE -5.01 ACRES
EXISTING ZONING -R-3
PROPOSED ZONING -O-2 (CD)
DWELLING UNITS -60
TOTAL OFFICE AREA -30,000 SF
USE: OFFICE OR RESIDENTIAL

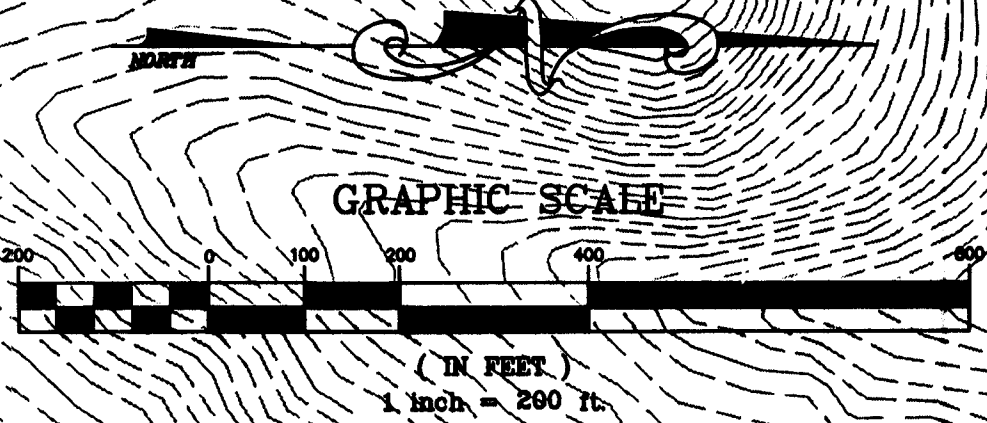


NO.	DATE	DESCRIPTION	MRV BY
1	12/18/07	PER CITY OF CHARLOTTE COMMENTS	MRV

TECHNICAL DATA SHEET

ROCKY RIVER
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
FOR: ROCKY RIVER ROAD ASSOCIATES, LLC.
DATED: 7/26/07
SCALE: 1" = 200'

FOR PUBLIC HEARING
REZONING PETITION #2008-14



YARBROUGH-WILLIAMS & HOUDE, INC.
Planning & Surveying & Engineering
750 Windsor Oak Court (2025) P.O. Box 1007 (28041)
Charlotte, North Carolina
704.554.1990 704.554.0505(fax)

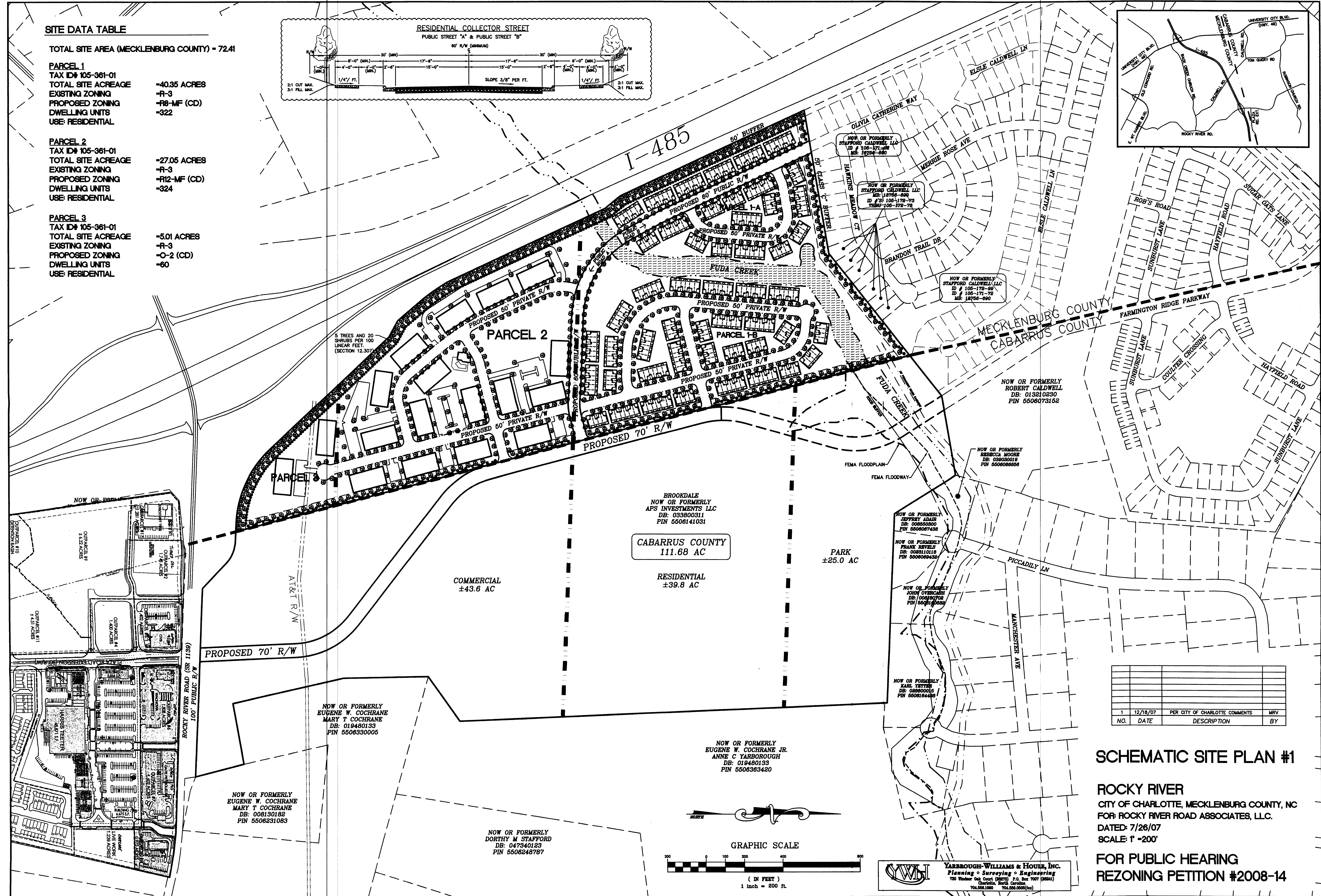
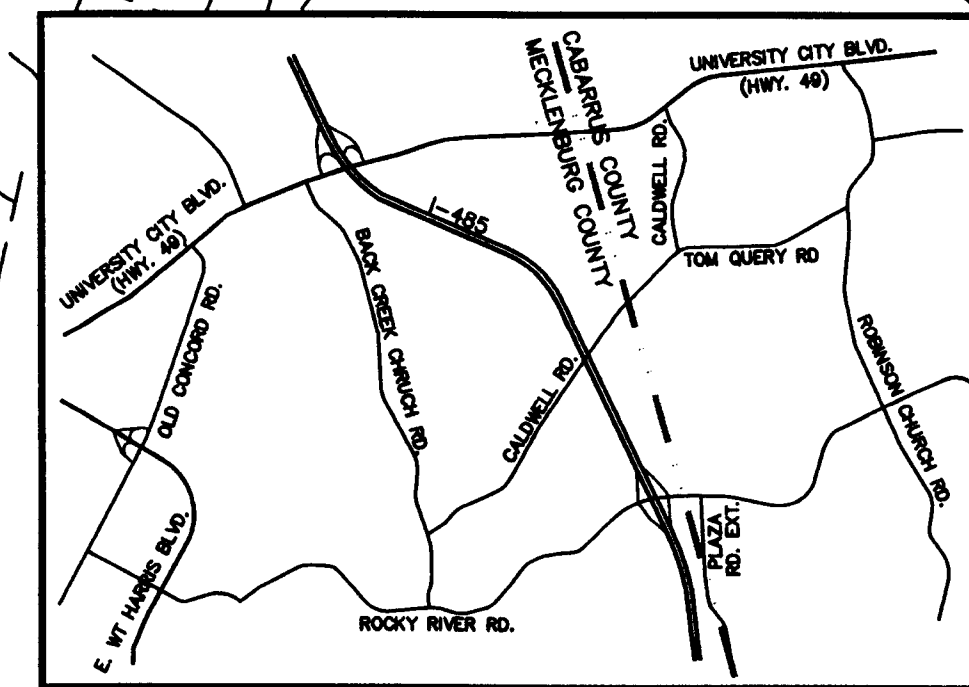
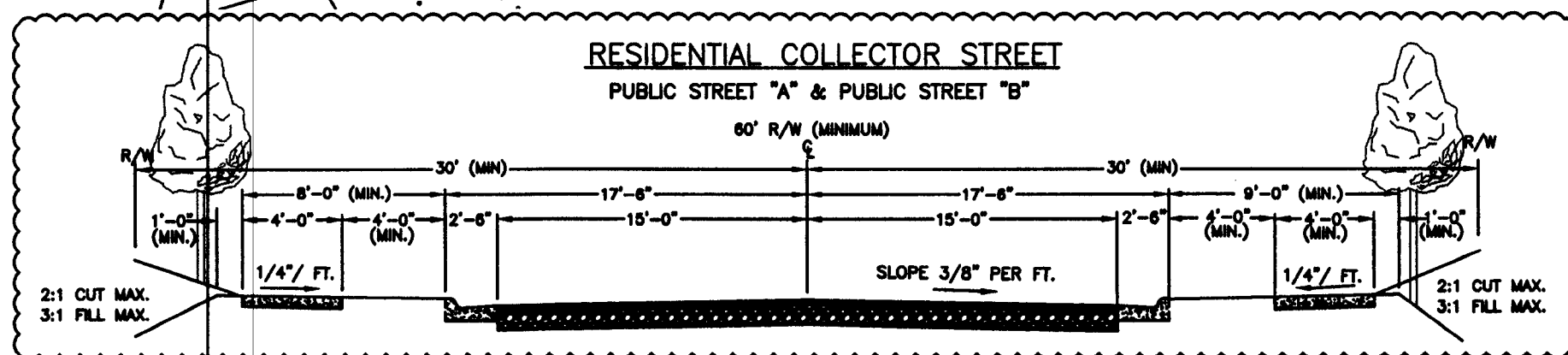
SITE DATA TABLE

TOTAL SITE AREA (MECKLENBURG COUNTY) = 72.41

PARCEL 1	
TAX ID# 105-361-01	
SITE TOTAL ACREAGE	-40.35 ACRES
EXISTING ZONING	-R-3
PROPOSED ZONING	-R8-MF (CD)
DWELLING UNITS	-322
USE: RESIDENTIAL	

PARCEL 2
TAX ID# 105-361-01
TOTAL SITE ACREAGE -27.05 ACRES
EXISTING ZONING -R-3
PROPOSED ZONING -R12-MF (CD)
DWELLING UNITS -324
USE: RESIDENTIAL

PARCEL 3
TAX ID# 105-361-01
TOTAL SITE ACREAGE -5.01 ACRES
EXISTING ZONING -R-3
PROPOSED ZONING -O-2 (CD)
DWELLING UNITS -60
USE: RESIDENTIAL



SCHEMATIC SITE PLAN #1

ROCKY RIVER
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
FOR: ROCKY RIVER ROAD ASSOCIATES, LLC.
DATED: 7/26/07
SCALE: 1" = 200'

FOR PUBLIC HEARING
REZONING PETITION #2008-14

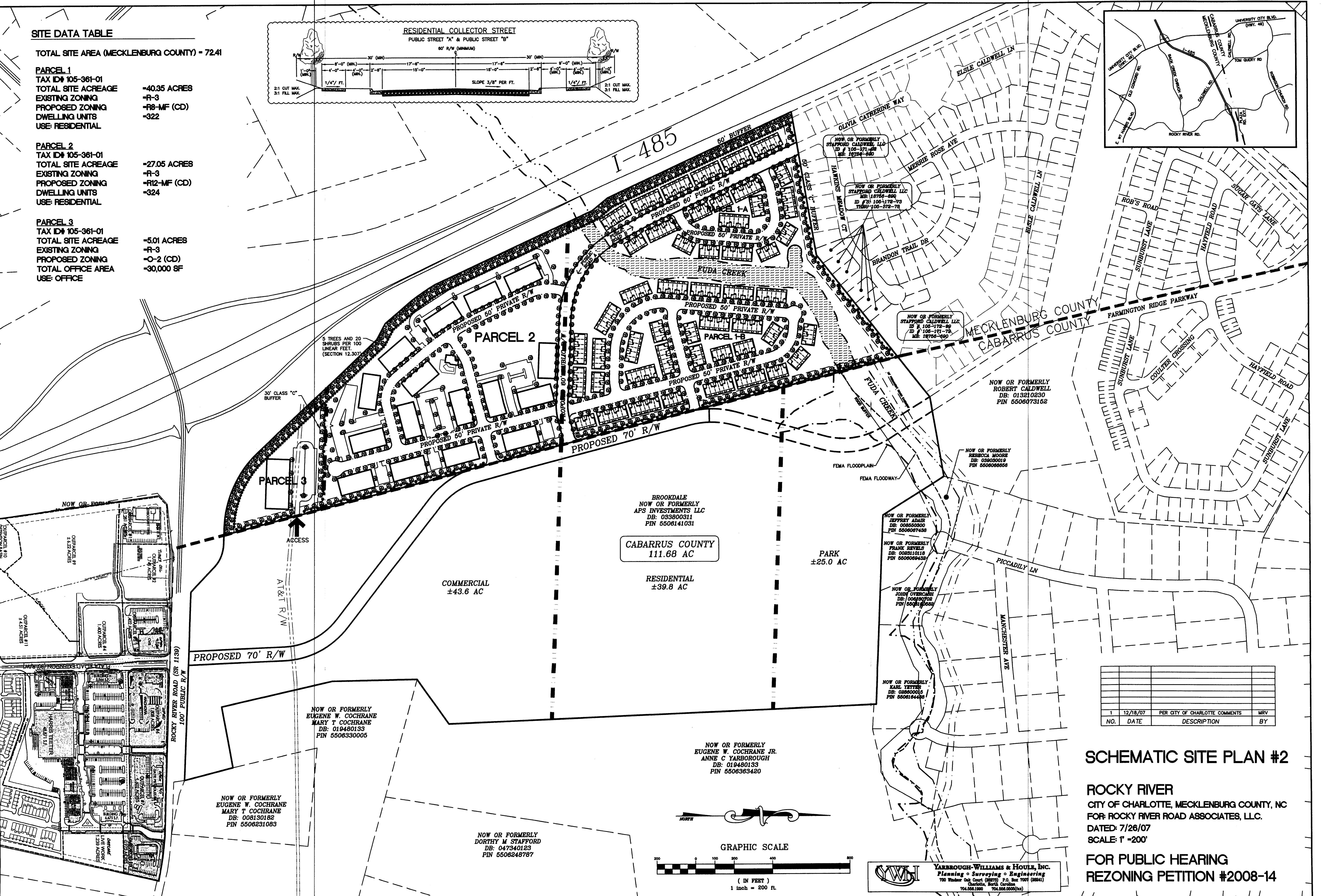
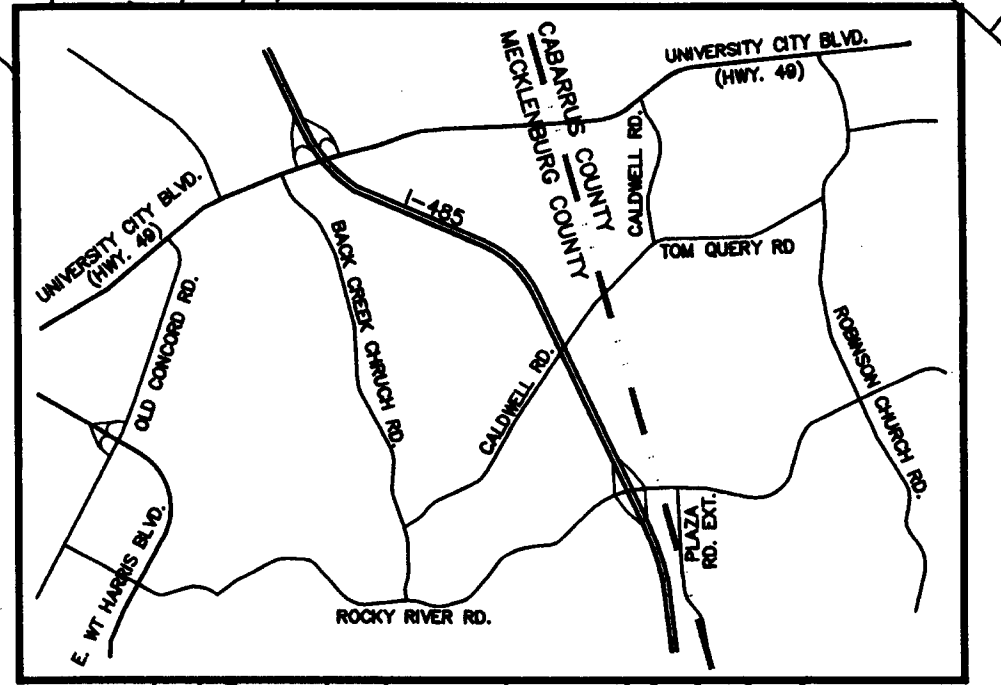
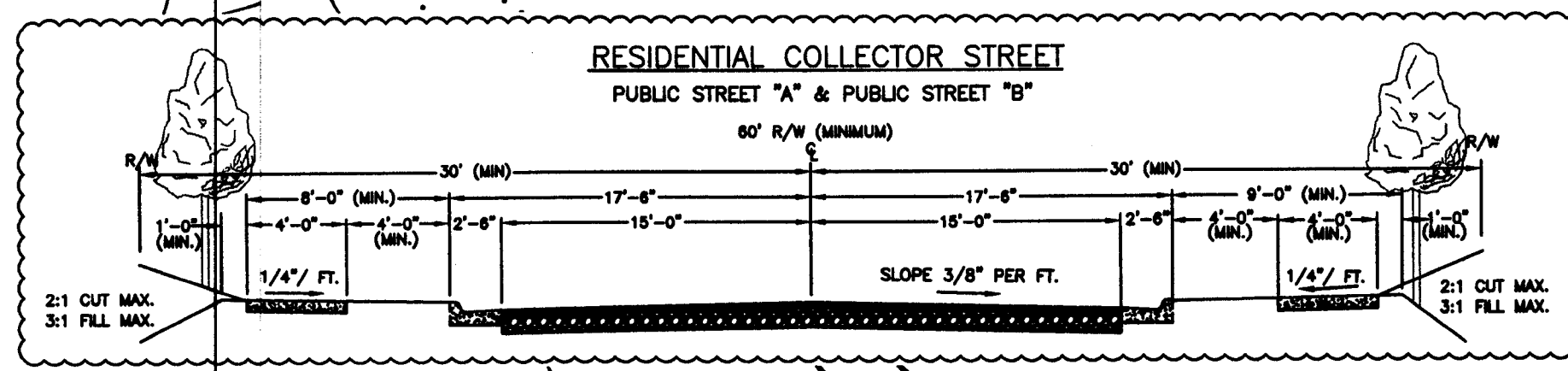
SITE DATA TABLE

TOTAL SITE AREA (MECKLENBURG COUNTY) = 72.41

PARCEL 1
TAX ID# 105-361-01
TOTAL SITE ACREAGE -40.35 ACRES
EXISTING ZONING -R-3
PROPOSED ZONING -R8-MF (CD)
DWELLING UNITS -322
USE: RESIDENTIAL

PARCEL 2
TAX ID# 105-361-01
TOTAL SITE ACREAGE -27.05 ACRES
EXISTING ZONING -R-3
PROPOSED ZONING -R12-MF (CD)
DWELLING UNITS -324
USE: RESIDENTIAL

PARCEL 3
TAX ID# 105-361-01
TOTAL SITE ACREAGE -5.01 ACRES
EXISTING ZONING -R-3
PROPOSED ZONING -O-2 (CD)
TOTAL OFFICE AREA -30,000 SF
USE: OFFICE



NO.	DATE	DESCRIPTION	BY
1	12/18/07	PER CITY OF CHARLOTTE COMMENTS	MRV

SCHEMATIC SITE PLAN #2

ROCKY RIVER
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
FOR: ROCKY RIVER ROAD ASSOCIATES, LLC.
DATED: 7/26/07
SCALE: 1" = 200'

FOR PUBLIC HEARING
REZONING PETITION #2008-14

DEVELOPMENT STANDARDS

1. 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 O-2, R-12MF and R-8MF zoning districts shall be followed in connection with development taking place on this approximately 72.41 acre site located on the northeasterly quadrant of the interchange at Interstate 485 and Rocky River Road (the "Site"), which Site is more particularly depicted on the Technical Data Sheet.

The Technical Data Sheet is accompanied by two conceptual site plans for development within the Site, referred to in these Development Standards as the "Schematic Site Plans." Detailed site planning and building design for the Site has not been finalized. The development depicted on the Schematic Site Plans is schematic in nature, and except as otherwise specified in these Development Standards, is intended only to describe the possible arrangements of uses and building elements and the schematic depictions of the uses, structures and building elements set forth on the Schematic Site Plans should be reviewed in conjunction with the provisions of these Development Standards. Consequently, except as otherwise expressly specified on the Technical Data Sheet and in these Development Standards, the ultimate layout of the development proposed, the exact alignments of streets, points of access, the numbers, the size, configuration and placements of buildings, the size, configuration and placements of parking areas, and the heights and masses of buildings have not been finally determined, and depictions of such elements on the Schematic Site Plans and schematic building elevations are not intended to be specific site development plans but rather preliminary graphic representations of the types and quality of development proposed. They may, therefore, be altered or modified during design development and construction document phases within the maximum building/parking envelope lines established on the Technical Data Sheet and subject to the accompanying Development Standards and Section 6.206 (2) of the Ordinance. The dimensions and specific locations of building/parking envelopes and parking envelopes generally depicted on the Technical Data Sheet may be subject to minor variations that do not materially change the design intent generally depicted on the Schematic Site Plans. As described in Section 3.1 below, the Site shall be viewed as a unified development plan in accordance with the provisions set forth therein.

2. PERMITTED USES AND BUILDING AREA RESTRICTIONS

2.1 This proposal is intended to accommodate the development of office and residential uses which will be interconnected with open space, pedestrian and vehicular linkages.

2.2 Parcel One as generally depicted on the Technical Data Sheet may be devoted to the following uses:

- (a) Up to 322 for sale residential units, and
- (b) Associated parking spaces and accessory uses as permitted under the Ordinance.

2.3 Parcel Two as generally depicted on the Technical Data Sheet may be devoted to the following uses:

- (a) Up to 324 multi family residential units, and
- (b) Associated parking spaces and accessory uses as permitted under the Ordinance.

2.4 Parcel Three as generally depicted on the Technical Data Sheet may be devoted to the following uses:

- (a) Up to 30,000 square feet of gross floor area of office uses or up to 60 multi family residential units, and
 - (b) Associated parking spaces and accessory uses as permitted under the Ordinance.
- For purposes of the development limitations set forth in this Paragraph 2.4, the term "gross floor area" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building, and any accessory buildings or structures on the site, measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude mezzanine space, any surface parking facilities or related access areas and areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl spaces), and provided, further, that areas devoted to outdoor dining shall not be included in the calculation of gross floor area.

In the event a financial institution(s) is located on Parcel Three, it may include drive-in service lanes/ windows as an accessory use in accordance with the requirements of Section 12.413 of the Ordinance.

3. SETBACK, SIDE YARDS AND REAR YARDS

3.1 All buildings and parking areas constructed on the Site will satisfy or exceed the setback, side yard and rear yard requirements established under the Ordinance for the zoning district in which they as more particularly depicted on the Technical Data Sheet, provided, however, that all buildings and parking areas shall be placed a minimum of 50 feet back from the right-of-way associated with I-485. The development depicted on the Technical Data Sheet shall be viewed as a unified development plan. Therefore, interior yards will not be required between buildings located on the Site. The Petitioner reserve the right to subdivide the Site and to create separate lots within the interior of the development with no public street frontage or side and/or rear yards as part of a unified development plan.

3.2 The 50 foot landscape strip along I-485 shall conform to Section 12.307 of the Ordinance.

3.3 The setback areas extending around the perimeter of the Site are to remain as open space and, except to the extent necessary to accommodate pedestrian pathways, walls, berms, fences, grading, signs, graphics or utility construction and, where indicated, vehicular access, will be restricted from future development. No buildings or parking lots or storm water detention basin (actual water surface area) may be placed within any setback as required by the Ordinance.

4. SCREENING AND LANDSCAPING

4.1 Screening will conform to the applicable standards of Section 12.303 of the Ordinance.

4.2 Landscaping shall meet or exceed the requirements of the Ordinance and the City of Charlotte Tree Ordinance.

4.3 Dumpster areas will be enclosed by a brick wall with one side being a decorative wooden 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.

4.4 A minimum of 10 % of the Site shall be preserved as tree save areas.

4.5 The two access points into the Site from Plaza Road Extension will include a tiered landscape treatment including large maturing trees, small ornamental trees, low-lying shrubs, and ground covers.

5. PARKING

5.1 Off street parking will meet or exceed the minimum standards established under the Ordinance and will not be allowed within the required setbacks.

5.2 Bicycle parking shall be provided in accordance with the Ordinance.

5.3 Garages shall comply with Section 12.206(3) of the Ordinance.

6. LIGHTING

6.1 Freestanding lighting fixtures shall not exceed 25 feet in height and shall be fully capped and shielded.

6.2 Pedestrian scale lighting will be installed within the Site. Such lighting will be uniform in design, fully shielded, made of aluminum and coated in order to provide a wrought iron type appearance. The locations of the lighting fixtures shall be as determined by the Petitioner.

6.2 No cobra style lighting fixtures may be used on the Site.

6.4 No wall "pak" type lighting will be allowed facing public streets. Any wall "pak" type lighting will be downwardly directed. Decorative wall lighting is permitted.

7. SIGNS

7.1 All signs placed on the Site will be erected in accordance with the requirements of the Ordinance and all detached signs shall not exceed 10 feet in height.

7.2 No pylon type detached signs shall be permitted. Detached signage may be located within building setbacks and other locations throughout the Site in accordance with the Ordinance.

8. SIDEWALK

Interior sidewalks shall be installed in accordance with the Ordinance. Sidewalks may be installed in phases along with the development of parcels at the time such parcels are developed.

9. STORM WATER MANAGEMENT

9.1 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, shall not be located in the setback required by the ordinance.

9.2 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 its Site, the Petitioner agrees to provide adequate detention to ensure that the system will not be additionally overburdened.

9.3 Storm water and peak control will be as follows:

- (a) For projects with defined watersheds greater than 24% built-upon area, control the entire volume for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours.
- (b) For residential projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency. "Residential" shall be defined as "A development containing dwelling units with open yards on at least two sides where land is sold with each dwelling unit."
- (c) For commercial projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-yr, 6-hr storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, control the peak for the 10-yr and 25-yr, 6-hour storms. For commercial projects with less than or equal to 24% BUA, but greater than one acre of disturbed area, control the peak to match the predevelopment runoff rates for the 2 and 10-yr, 6-hr storm.

9.3. The Petitioner will construct water quality best management practices (BMP's) for the entire post development runoff volume for the runoff generated from the first 1-inch of rainfall. BMP's will be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources Best Management Practices Manual, April 1999, that have been designed to achieve 85% Total Suspended Solids (TSS) removal. Use of Low Impact Development techniques is optional.

10. VEHICULAR ACCESS AND ROADWAYS; TRANSPORTATION COMMITMENTS

10.1 Vehicular access to the Site shall be as generally depicted on the Technical Data Sheet.

10.2 The placements and configurations of these access points are subject to any 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.

10.3 Development of the Site will be phased based upon the construction of the following roadway improvements:

(a) That portion of Plaza Road Extension extending from Rocky River Road to Proposed Public Street A will be constructed to a two lane cross section (along with any necessary turn lanes on Plaza Road Extension at Proposed Public Street A) prior to the issuance of certificates of occupancy (or final plats, as applicable) for development located on Parcel 1-A, Parcel 2 or Parcel 3 of the Site. That portion of Plaza Road Extension extending from Proposed Public Street A to the private street entrance into Parcel 1-B (as noted on Technical Data Sheet) will be constructed to a two lane cross section (along with any necessary turn lanes at the private street entrance into Parcel 1-B) prior to the approval of final plats for development located on Parcel 1-B of the Site. The cross section will include a 6 foot planting strip and 5 foot sidewalk along the westerly side of Plaza Road Extension.

(b) Public Street A will be constructed to residential collector street standards prior to the issuance of certificates of occupancy for uses permitted within Parcel 1-B, Parcel 2 or Parcel 3, and

(c) Public Street B will be constructed to residential collector street standards prior to the issuance of final plats for uses permitted within Parcel 1-A. However, in no event shall Public Street B be extended over Fuda Creek and connected to Olivia Catherine Way unless and until Plaza Road Extension has been constructed and connected to Farmington Ridge Parkway.

(d) In the event Parcel 3 is developed for office purposes, its vehicular access will be provided through the adjacent property to the east rather than through Parcel 2.

10.4 Notwithstanding the foregoing, the designs of the public streets described above may be adjusted or narrowed during the subdivision process to a lesser standard acceptable to the Petitioner and CDOT as may be set forth in the City of Charlotte Urban Street Design Guidelines.

10.5 If this Rezoning Petition is approved, the Petitioner commits to dedicate and convey (by quitclaim deed) to CDOT the rights-of-way associated with Public Street A and Public Street B within sixty (60) days of completion of the improvements associated with such streets.

11. ARCHITECTURAL TREATMENT

11.1 The following architectural treatments shall apply to buildings located on the Site:

(a) Buildings on the Site will feature four-sided architecture.

(b) The portions of the building exteriors located below the roof line (excluding areas devoted to windows, doors, garage doors, architectural accents and signage) shall be composed of a combination of brick, stone and similar masonry products, and hardi-plank/fiber cement board. Notwithstanding the foregoing, vinyl and/or wood may be utilized on the soffits and trim areas of the buildings and on any railings. Except as provided above, vinyl shall not be a permitted exterior building material.

(c) Dormers, pitched roofs, architectural fenestrations and accents shall be incorporated into the building design.

(d) Doors and/or windows shall be located at least every 20 feet on every side of the building in order to avoid blank walls.

11.2 The following additional architectural treatments shall apply to residential buildings located within Parcel Two and Parcel Three:

(a) No open, unconditioned breezeways will be allowed.

(b) A minimum of 25 % of the units will have access to a garage that may be either connected to a principal building or located within a detached building and a minimum of 15 % of the units will have access to a garage that is connected to a principal building.

12. AMENDMENTS TO REZONING PLAN

Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then owner or owners of the applicable parcel or parcels affected by such amendment in accordance with Section 6 of the Ordinance.

13. BINDING EFFECT

13.1 If this Rezoning Petition is approved, the development program established under these Development Standards and the Technical Data Sheet shall, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the owners (from time to time) and their respective heirs, devisees, personal representatives, successors in interest and assigns.

13.2 Throughout this Rezoning Petition, the terms "Petitioner", "Owner" or "Owners," shall, with respect to each parcel within the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.



1	12/18/07	PER CITY OF CHARLOTTE COMMENTS	MRV
NO.	DATE	DESCRIPTION	BY

DEVELOPMENT STANDARDS

ROCKY RIVER
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NC
FOR: ROCKY RIVER ROAD ASSOCIATES, LLC.
DATED: 7/26/07

FOR PUBLIC HEARING
REZONING PETITION #2008-14