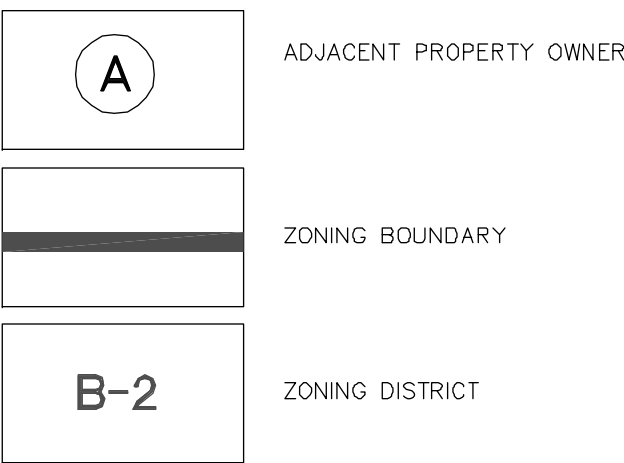


LEGEND



SITE SUMMARY

| | |
|--------------------------|--|
| SITE ACREAGE: | 3.20 +/- ACRES |
| TAX PARCEL NUMBERS: | 129-01-101 129-01-105 129-01-102 |
| EXISTING ZONING: | B-2 |
| PROPOSED ZONING: | B-2 PED-O |
| BUILDING SQUARE FOOTAGE: | 51,000 SF MAX |
| BUILDING HEIGHT: | 60' HT. MAX. |

KEY TO ADJACENT PROPERTY OWNERS

| | | |
|---------------|---------------------------------|---|
| A. 095-07-803 | JOHN COLE HATCHER | 7525 VALLEYBROOK RD., CHARLOTTE NC 28270-6550 |
| B. 095-07-803 | BOARD OF EDUCATION | 701 E 2ND ST., CHARLOTTE NC 28202 |
| C. 129-01-701 | JOHNNY & MAXINE ROLLINS | 6740 PLEASANT OAKS CR., CHARLOTTE, NC 28216 |
| D. 129-01-702 | CARL FLOYD & LILLIAN PETTY | 1320 NANDINA ST., CHARLOTTE, NC 28205 |
| E. 129-01-703 | GARAGE DOOR DOCTOR, LLC | 1316 NANDINA ST., CHARLOTTE NC 28205 |
| F. 129-01-704 | SILVER MIDWOOD, LLC | 4425 RANDOLPH ROAD #21, CHARLOTTE, NC 21211-2348 |
| G. 129-01-705 | CURRY FAMILY PARTNERSHIP, LLC | 1001 BERKLEY AV, CHARLOTTE, NC 28203 |
| H. 129-01-215 | HAK JAE LEE & IN SOON LEE | 944 EVAN LN, MATTHEWS, NC 28105 |
| I. 129-01-219 | EDIE LYNN LVELL | 2116 MCCLINTOCK RD UNIT #111, CHARLOTTE, NC 28205 |
| 129-01-220 | LEROY L FOSTER | 2116 MCCLINTOCK RD UNIT #112, CHARLOTTE, NC 28205 |
| 129-01-221 | KAREN L COX | 2116 MCCLINTOCK RD UNIT #113, CHARLOTTE, NC 28205 |
| 129-01-222 | THERESA W MADONIA | 2116 MCCLINTOCK RD UNIT #114, CHARLOTTE, NC 28205 |
| 129-01-223 | ALEJANDRO DEDEL & ANNA C DODEL | 2116 MCCLINTOCK RD UNIT #121, CHARLOTTE, NC 28205 |
| 129-01-224 | JODI C GRANGER | 2116 MCCLINTOCK RD UNIT #122, CHARLOTTE, NC 28205 |
| 129-01-225 | TDC-MORNINGSIDE, LLC | 1914 BRUNSWICK AV, UNIT #2A, CHARLOTTE, NC 28207 |
| 129-01-226 | WENDI L. CARABALLO | 2116 MCCLINTOCK RD UNIT #124, CHARLOTTE, NC 28205 |
| 129-01-227 | DAVID T THREADGILL | 2116 MCCLINTOCK RD UNIT #131, CHARLOTTE, NC 28205 |
| 129-01-228 | TYLER J. GANT | 2116 MCCLINTOCK RD UNIT #132, CHARLOTTE, NC 28205 |
| 129-01-229 | ZACHARY P. PITTMAN | 2116 MCCLINTOCK RD UNIT #133, CHARLOTTE, NC 28205 |
| 129-01-230 | TDC-MORNINGSIDE, LLC | 1914 BRUNSWICK AV, UNIT #2A, CHARLOTTE, NC 28207 |
| 129-01-231 | SARAH FONTAINE WEYMAN | 2116 MCCLINTOCK RD UNIT #211, CHARLOTTE, NC 28205 |
| 129-01-232 | JULIANNE J DREYER | 2116 MCCLINTOCK RD UNIT #212, CHARLOTTE, NC 28205 |
| 129-01-233 | JEFFREY S ADEN | 2116 MCCLINTOCK RD UNIT #213, CHARLOTTE, NC 28205 |
| 129-01-234 | TRACY L BISHA | 2116 MCCLINTOCK RD UNIT #214, CHARLOTTE, NC 28205 |
| 129-01-235 | JACOB AGAJANIAN | 215 OVERHILL DR, #100, MOORESVILLE, NC 28117 |
| 129-01-236 | R. BRENT CLEVENGER III | 2116 MCCLINTOCK RD UNIT #222, CHARLOTTE, NC 28205 |
| 129-01-237 | TDC-MORNINGSIDE, LLC | 1914 BRUNSWICK AV, UNIT #2A, CHARLOTTE, NC 28207 |
| 129-01-238 | PAUL B. JOHNSON | 2116 MCCLINTOCK RD UNIT #224, CHARLOTTE, NC 28205 |
| 129-01-239 | COLIN G. CLARK | 2116 MCCLINTOCK RD UNIT #231, CHARLOTTE, NC 28205 |
| 129-01-240 | MATTHEW & LYNN CORBIN | 2116 MCCLINTOCK RD UNIT #232, CHARLOTTE, NC 28205 |
| 129-01-241 | JASON MORAE STRESING | 2116 MCCLINTOCK RD UNIT #233, CHARLOTTE, NC 28205 |
| 129-01-242 | PEGGY B ROBARCHUK | 2116 MCCLINTOCK RD UNIT #234, CHARLOTTE, NC 28205 |
| J. 129-01-201 | JOEL OSTROW | 454 S ANDERSON RD., ROCK HILL, SC 29730 |
| K. 081-17-629 | BARWICK & ASSOCIATES, LLC | 704 EAST BLVD. UNIT #100, CHARLOTTE, NC 28203 |
| L. 081-17-630 | PERRY BROTHERS INVESTMENTS, LLC | 6121 DEVRON DRIVE, CHARLOTTE, NC 28211 |
| M. 081-17-631 | PERRY BROTHERS INVESTMENTS, LLC | 6121 DEVRON DRIVE, CHARLOTTE, NC 28211 |
| N. 081-17-632 | WACHOVIA BANK | PO BOX 36246, CHARLOTTE, NC 28232 |
| O. 081-17-633 | CORP. RE. CONS-1 #25 | PO BOX 36246, CHARLOTTE, NC 28232 |



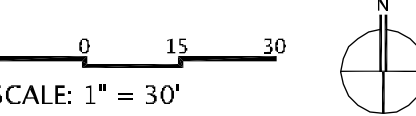
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HARRIS TEETER, INC.
701 CRESTDALE ROAD
MATTHEWS, NORTH CAROLINA 28105

REZONING PETITION
FOR PUBLIC HEARING
2011-046



PROJECT #: 219-004
DRAWN BY: BS
CHECKED BY: DM

TECHNICAL
DATA SHEET

APRIL 25, 2011

REVISIONS:
JUNE 20, 2011 PER CMPC
COMMENTS

RZ - 1.0

Site Data:

--Acreage: +/- 3.20

--Tax Parcel #: 129-011-01, 02 and 05

--Existing Zoning: B-2 PED

--Proposed Zoning: B-2 PED-O

--Existing Use: Grocery Store (retail sales).

--Proposed Uses: Uses allowed by right and under prescribed conditions in the B-2 PED zoning district.

--Proposed Maximum Square Footage: 51,000 square feet of gross floor as defined below in the Development Standards.

--Maximum Building Height: 60 feet as defined by the Ordinance.

--Parking: per the Zoning Ordinance (one space per 600 square feet).

1. General Provisions:

a. These Development Standards form a part of the rezoning plan associated with this B-2 PED-O petition to accommodate redevelopment on approximately 3.20 acres located on the southeast corner of the intersection of Central Avenue and The Plaza as more particularly shown on the rezoning plan (the "Site"). Development of the Site will be governed by the attached plans and these Development Standards (together with the plans referred to as the "Rezoning Plan") as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan (including these Development Standards) establish more stringent standards, the regulations established under the Ordinance for the General Business with Pedestrian Overlay District (B-2 PED) Zoning Classification shall govern development on the Site

b. The layout of the development; the exact alignments of points of access; the numbers, the size, configuration and placements of buildings and parking areas; and the depictions of such other site elements on the Rezoning Plan are graphic representations of the proposed development which may be subject to change during the design/development/construction phases. Consequently, except as otherwise expressly specified on the Rezoning Plan, these elements may be subject to alterations or modifications, during the design/development/construction phases, as long as the building and parking improvements are located within the Building/Parking/Service Envelope set forth on the Rezoning Plan and subject to compliance with the accompanying Development Standards and Section 6.207 of the Ordinance. For the purposes of Section 6.207 of the Ordinance, accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site; and it is understood that two (2) principal buildings may be located on the Site in connection with permitted uses. Parking layouts for surface parking may be modified to accommodate changes during the design/development/construction phases to the extent permitted by the Ordinance and subject to the requirements and conditions of the Development Standards.

c. To the extent of any conflict between the matters contained in other areas of the Rezoning Plan and the matters set forth in the Development Standards, the Development Standards shall govern.

2. Optional Provisions:

a. The Petitioner seeks the optional provision to allow surface parking and vehicular maneuvering between Nandina Street and the proposed building(s).

b. The Petitioner seeks the optional provision to allow surface parking located to the side of the building(s) along McClintock Road and Central Avenue to exceed 35% of the lot width along these streets.

c. The Petitioner seeks the optional provision to use a "green screen" to meet the screening requirements of the Ordinance for surface parking areas. The "green screen" will be used along Central Avenue, Nandina Street and McClintock Road.

d. The Petitioner seeks the optional provision to the use of eight (8) foot planting strips, instead of curb planters, along Nandina Street and McClintock Road.

The Petitioner seeks the optional provision to modify the proposed streetscape along The Plaza to allow a 10 foot planting strip to be adjacent to the on-street parking spaces and the 10 sidewalk to be adjacent to the building.

e. The Petitioner seeks the optional provision to allow certain architectural features (e.g. metal fins) to project up to five (5) feet into the required setbacks for The Plaza and Central Avenue and to allow the marquee proposed along the Central Avenue to project up to 13 feet from the building face as generally depicted on the Rezoning Plan.

f. The Petitioner seeks the optional provision to allow wall signs along Central Avenue to have a maximum sign face area equal to 10% of the building wall up to a maximum of 220 square feet.

3. Permitted Uses & Development Limitations:

a. The Site may be developed with uses (including, without limitation, accessory uses) allowed by right and under prescribed conditions in the B-2 PED zoning district.

b. The Site will be limited to a maximum of 51,000 square feet of gross floor area as defined below.

c. Outdoor vending machines will be allowed.

For purposes of the development limitations set forth in these Development Standards, the term "gross floor area" or "GFA" 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 any surface or structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl spaces), all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the building(s) or at street level.

4. Transportation:

a. Subject to approval of the City Department of Transportation ("CDOT") and to the availability of existing right-of-way, the Petitioner will construct a west bound left turn lane on Central Avenue into the Site's driveway on Central Avenue in the location and as generally depicted on the Rezoning Plan. Subject to the above-referenced approval and right-of-way availability, the proposed left turn lane will be installed prior to the issuance of a final certificate of occupancy for the proposed building.

b. The Petitioner will implement a 60 foot southbound left-turn lane on The Plaza to McClintock Road if at the time the Petitioner requests a building permit the City has not already constructed this left turn lane as part of it Streetscape project. This left turn lane must be completed prior to the issuance of a final certificate of occupancy for the building.

c. The existing handicap access ramp located adjacent to the Site at the intersection of McClintock Road and The Plaza will be re-oriented by the Petitioner if at the time the Petitioner requests a building permit the City has not already relocated this handicap access ramp.

d. The City is currently working on a Streetscape project that will make certain improvements to the intersection of The Plaza and McClintock Road. The Petitioner in an effort to avoid having to re-construct the improvements installed by the City at this intersection will work with the City Engineering Department to assure that what is

constructed at the intersection by the City, should the City project precede the redevelopment of the Site, conform to the Petitioners Plans. The Petitioner will work cooperatively with the City to determine its cost associated with these improvements should the City install them as part of its streetscape improvements.

e. Subject to approval of CDOT, the Petitioner will construct recessed parallel parking spaces along Central Avenue and The Plaza in the location and manner generally depicted on the Rezoning Plan.

f. Access to the Site will be via driveways from Central Avenue, Nandina Street and McClintock Road as generally depicted on the Rezoning Plan.

g. The Petitioner will install a speed table at or near the entrance to the store from the parking area as generally depicted on the Rezoning Plan.

h. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments reasonably required for approval by CDOT.

i. Along Central Avenue between Nandina and the driveway into the Site the Petitioner will dedicate to the City of Charlotte additional right-of-way equal to the area of the proposed eight (8) foot planting strip as generally depicted on the Technical Data Sheet. This additional right-of-way will be dedicated prior to the issuance of a final certificate of occupancy for the building.

j. The Petitioner will establish a sidewalk easements for any portion of sidewalk, along the Sites perimeter, not located within the right-of-way.

5. Architectural Standards:

a. The attached elevations associated with the building(s) to be located on the Site in connection with one of the permitted uses of the Site (in this instance as a grocery store) are included to reflect the architectural style and quality of the building that will be constructed in connection with such proposed use, it being understood that the actual building so constructed in connection with such proposed use may vary from this illustration as long the general architectural concept and intent shown is maintained. The proposed building materials will be a combination of brick, stone, simulated stone, pre-cast stone, stucco, synthetic stucco, metal and glass.

b. The proposed building(s) constructed on the Site will be designed and constructed so that a portion of the roof as generally depicted on the Rezoning Plan will contain certain so-called "Green Roof" features as described herein. Such "Green Roof" will be a modular green roof system with certain plant material that enhances the appearance of the building's roof. The proposed "Green Roof" is conceptually shown on the Rezoning Plan and may vary in final location provided that at least 10,000 square feet of the roof will include such "Green Roof" feature(s). Artificial turf may not be used to meet the requirements of a "green roof".

c. In addition to entrances interior to the Site, the proposed building(s) will have a pedestrian entrance into the building at the corner of Central Avenue and The Plaza. This entrance must be an operable entrance and must remain open during normal business hours, with the exception that the entrance may be closed for security purposes after 10:00 pm. Additional pedestrian entrances along Central Avenue and The Plaza may be provided but are not required. Pedestrian entrances located on the interior of the Site will be connected via internal sidewalks to the adjoining public streets as generally depicted on the Rezoning Plan. The exact location of these connections will be determined during the building permit process.

d. All sides of the building(s) to be constructed on the Site will be built using four-sided architecture.

e. The proposed building(s) to be developed on the Site will not exceed 60 feet in height as defined by the Ordinance.

f. The proposed building at the corner of The Plaza and Central Avenue will contain a partial second story element in such location as generally depicted on the Rezoning Plan.

g. Meter banks will be screened from public view at grade.

h. Roof top HVAC and related mechanical equipment will be screened from public view at grade.

i. Dumpster areas, recycling areas and loading docks on the Site will be enclosed by a solid wall with one side being a decorative gate. The wall used to enclose these areas will be architecturally compatible with the building materials and colors used on the building on the Site. If one or more sides of these areas adjoin a side or rear wall of a building then the side or rear wall may be substituted for a side

j. Above ground backflow preventers on the Site will be screened from public view at grade and will be located outside of the required setbacks.

6. Streetscape and Landscaping:

a. Except as otherwise described herein, the Petitioner will implement the "Streetscape Recommendations" of the Plaza-Central Pedscape Plan, provided that: (i) the proposed street trees along Nandina Road and McClintock Road will be planted in eight (8) foot planting strips instead of curbed planters (as specified in Optional Provisions above), and (ii) an eight (8) foot sidewalk will be provided along Nandina Street and McClintock Road.

b. Along Central Avenue, the Petitioner will provide a 16 foot sidewalk constructed of concrete pavers as specified by the City consistent with existing treatment along Central Avenue. Street trees will provided as required by the Tree Ordinance. The street trees will be planted in curbed planters and in planting areas between the proposed parallel parking spaces. Outdoor dining and merchandizing may be permitted along Central Avenue

c. Along The Plaza, the Petitioner will provide a 10 foot sidewalk adjacent to the building and a 10 foot plating strip adjacent to the proposed on street parking spaces (as specified in the optional provisions above). A portion of the sidewalk area may be used for outdoor dining and/or merchandising purposes at the Petitioner's discretion. Street trees will be planted to meet Tree Ordinance requirements.

d. The Petitioner commits to plant as part of the required streetscape requirements street trees of the following sizes; (i) where no overhead power line exist the Petitioner will install 3" - 3.5" inch caliper larger maturing trees, and (ii) where overhead power lines will prevent the installation of large maturing trees the Petitioner will install 2.5" - 3.0" caliper small maturing trees.

e. The Petitioner will provide outdoor seating and bike racks at the proposed entrance to the building at the intersection of Central Avenue and The Plaza. Some of the proposed bike racks will be located under the canopy of the building located at this entrance.

f. Four (4) of the proposed/required bike racks will be of a unique designs created by a local artist. In addition mosaics celebrating the history of Harris Teeter on Central Avenue and the history of the adjoining neighborhoods will be installed in the medallions located along the building facades.

7. Environmental Features:

a. The Petitioner has identified on the Rezoning Plan a number of existing trees that will be preserved. The Petitioner will work with the Urban Forestry staff during the design development phase to develop and enact measures to preserve these trees during the redevelopment of the Site. If after an inspection of the existing trees by the Urban Forestry Staff they determine that some of these existing trees identified on the Site Plan as trees to be saved are in poor condition or health the Urban Forestry Staff may request that the Petitioner remove and replace the existing trees with new street trees.

b. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

c. The Petitioner will provide the so-called "Green Roof" features on a portion of the proposed roof as described above.

d. The Site will comply with Chapter 21 - The Tree Ordinance.

e. The Petitioner will work with its' demolition and construction contractors to ensure that procedures are in place to recycle clean wood, metal, and concrete generated during demolition and construction activities.

8. Parking:

a. Parking spaces will be provided per the standards of the Ordinance (one space per 600 square feet)

b. The Petitioner will work with the Plaza Midwood Merchant's Association and or the Plaza Midwood Neighborhood Association to allow after hours use of Site's parking spaces.

9. Signage:

a. Wall and detached signs will meet the requirements of the Ordinance, except as modified by the Optional Provisions above.

10. Lighting:

a. All new lighting shall be full cut-off type lighting fixtures including lower decorative lighting that will be installed along the driveways, sidewalks, and parking areas.

b. Detached lighting on the Site will be limited to 20 feet in height.

c. No "wall pak" lighting will be allowed, however architectural lighting on building facades, such as sconces, will be permitted.

11. Other:

a. The Petitioner will install along Central Avenue a CATS passenger waiting pad. The location and design of the proposed pad will be coordinate with CATS and the CDOT during the PED review process.

12. Amendments to the Rezoning Plan:

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

13. Binding Effect of the Rezoning Application:

a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the 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.



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HARRIS TEETER
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MATTHEWS, NORTH CAROLINA 28105

REZONING PETITION
FOR PUBLIC HEARING
2011-046

PROJECT #: 219-004
DRAWN BY: BS
CHECKED BY: DM

SITE
DEVELOPMENT
STANDARDS

APRIL 25, 2011

REVISIONS:
JUNE 20, 2011 PER CMPC
COMMENTS

RZ - 2.0



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REZONING PETITION
FOR PUBLIC HEARING
2011-046

STREET IMPROVEMENTS

REVISIONS:
1. 6/20/11 – PER CMPC COMMENTS

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NORTH ELEVATION FACING CENTRAL AVENUE



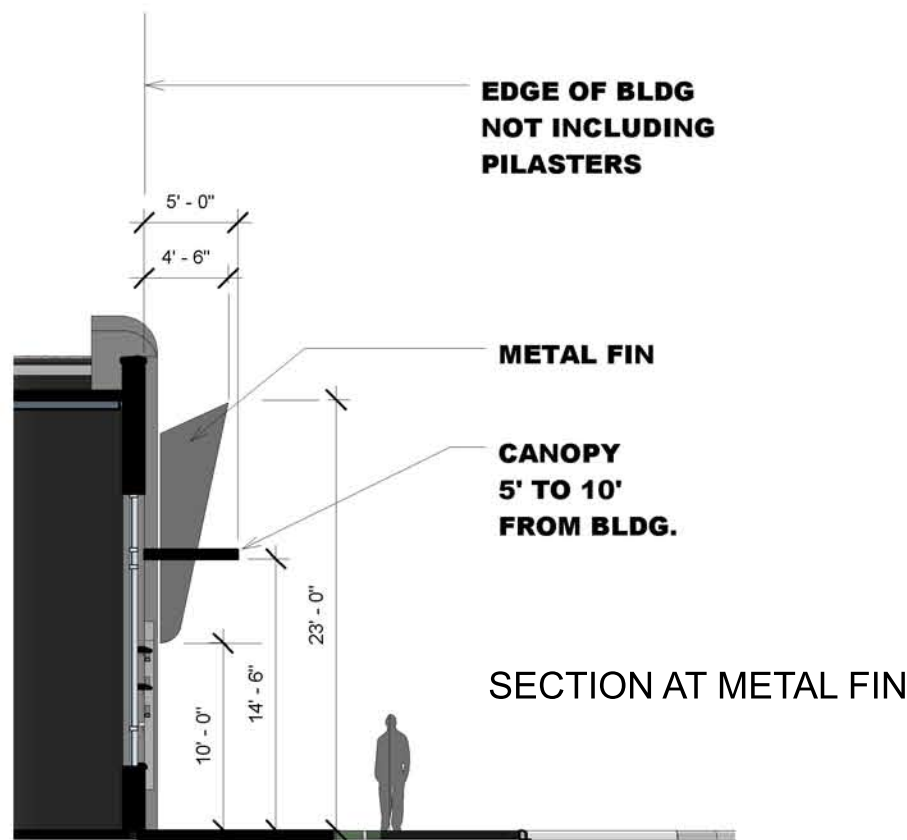
EAST ELEVATION FACING ENTRANCE PARKING FIELD



SOUTH ELEVATION FACING MCCLINTOCK RD



WEST ELEVATION FACING THE PLAZA



NORTH ELEVATION FACING CENTRAL AVE



RENDERING FACING THE PLAZA & CENTRAL AVE CORNER

Note: These elevations are provided to reflect the architectural style and quality of the buildings that may be constructed on the Site (the actual buildings constructed on the Site may vary from these illustrations as long as the general architectural concepts and intent illustrated is maintained). Project street trees have been removed from these illustrations to enable viewing of the building elevations.



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charlotte, nc 28208
p 704.343.0608 f 704.333.5093
www.drgrp.com

bhm
ARCHITECTS PA
1928 South Blvd, Suite 100
Charlotte, NC 28203
p 704.333.5931 f 704.333.5961
www.bhmarc.com

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BUILDING ELEVATIONS

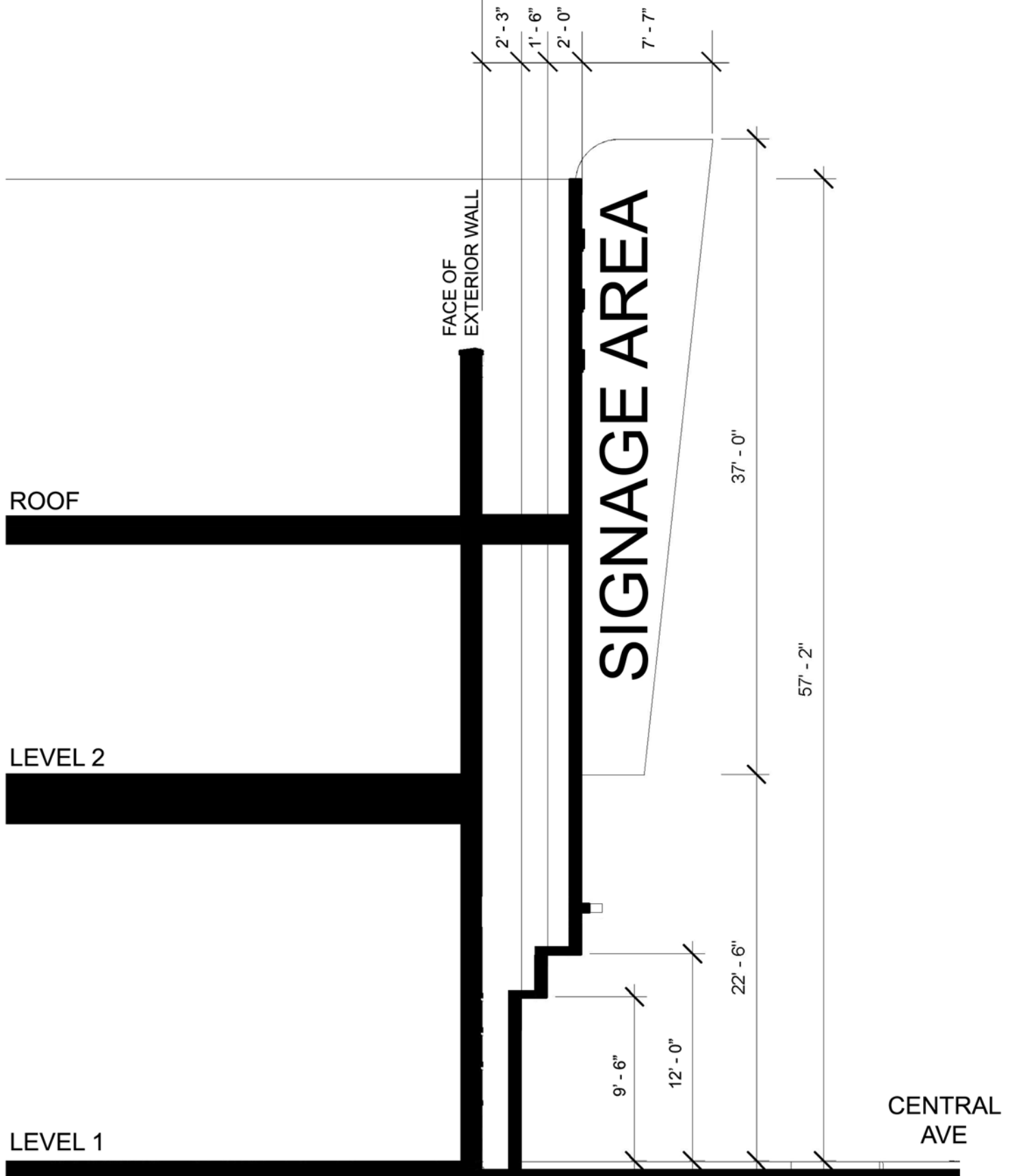
PROJECT #: 219-004

FOR PUBLIC HEARING
2011-XXX

DATE: APRIL 25, 2011

REVISIONS:

SHEET RZ- 4



MARQUEE DETAIL
NTS

DRG

HARRIS TEETER PLAZA/CENTRAL
20 JUNE 2011

BHM