

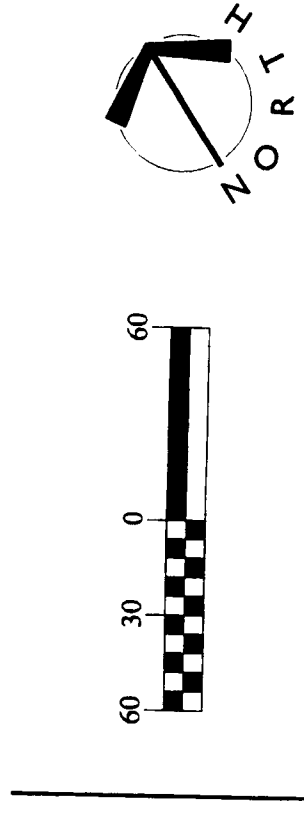
SITE DATA

SITE AREA:
EXISTING ZONING:
PROPOSED ZONING:
PROPOSED USES:

22.05 ACRES
BI-S CD LWP
CC LWP
RETAIL/COMMERCIAL
(SEE DEVELOPMENT PLAN)

06-127

RECEIVED
JUN 26 2006
BY:



WESTLAKE CENTER
CHARLOTTE, NC
PRIME SOURCE PROPERTIES
TECHNICAL DATA SHEET

REVISIONS:

DATE: 6-22-2006
DRAWN BY: MCS
SCALE: 1" = 60'
PROJECT #: 1006100

DEVELOPMENT STANDARDS

General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by the Petitioner to accommodate development of a pedestrian-friendly, multi-use development on a Site located on the northwesterly quadrant of the intersection between NC Highway 16 and Bellhaven Boulevard (the "Site").

Unless the Technical Data Sheet, these Development Standards, the Schematic Site Plans (Sheets RZ-2 and RZ-3) or the Supplemental Sheets establish more stringent standards, the regulations established under the Charlotte Zoning Ordinance (the "Ordinance") for the CC zoning district classification shall govern all development taking place on the Site.

Detailed site planning has not been finalized and the two attached Schematic Site Plans (Sheets RZ-2 and RZ-3) depict two separate potential development scenarios. The configuration, placement, and size of the building footprints as well as the locations of the streets are schematic in nature, and subject to the provisions set forth below under Section 4 - Design and Performance Standards, may be altered or modified during design development and construction phases within the maximum development area boundaries established on the Technical Data Sheet. Subject to the Design and Performance Standards outlined below, the street and parking layouts may also be modified to accommodate final building locations and ancillary facilities and parking spaces may be located inside or outside development area boundaries to the extent permitted by the Ordinance.

1. Permitted Uses

The Site may be developed with commercial uses and associated accessory uses as permitted in the CC district.

2. Maximum Building Areas and Development Limitations

- (a) No more than 150,000 square feet of floor area may be developed on the Site. Areas devoted to outdoor dining and courtyards are not included in this maximum square footage.
- (b) No single user may occupy more than 60,000 square feet of space.
- (c) No more than two establishments with drive-through window facilities may be developed on the Site.

3. Setbacks, Side Yards and Rear Yards

- (a) All buildings constructed on the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the CC zoning district. The Petitioner reserves the right to reduce the setbacks to 14 feet in accordance with Section 11.405(7) of the Ordinance.
- (b) All buildings constructed on Parcel C of the Site shall satisfy or exceed any required setback, rear yard and side yard requirements established under the Ordinance for the BD zoning district, subject to the provisions of Section 3(c) below.
- (c) The Site may be considered a unified development plan and as such internal side and/or rear yards may be eliminated, subject to the normally required staff review and approval process.

4. Design and Performance Standards

- (a) Architectural and Design Controls
 - (i) Expanses of solid walls exceeding 20 linear feet will be avoided through the introduction of articulated facades and other specially designed architectural elements.
 - (ii) All building entrances, except those for fire exits and loading, will connect directly to a sidewalk along a public street or to a private street/drive or to an open space.
 - (iii) A courtyard/plaza area will be provided along Highway 16.
- (b) Landscaping and Screening
 - (i) The Site shall conform to the Tree Ordinance.
 - (ii) A landscaped, open space area will be provided in the portion of the Site located immediately at the intersection of Highway 16 and Bellhaven Boulevard as generally depicted on the Site Plan.
 - (iii) All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties.
 - (iv) All screening and landscaping shall meet or exceed the standards of the Ordinance.
 - (v) Dumpster areas will be enclosed on all three sides by an opaque wall with the fourth side being a hinged opaque 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.

(c) Lighting

- (i) The maximum height of any freestanding lighting fixture, including its base, erected in the parking areas within the Site, shall not exceed 25 feet. All freestanding parking lot lighting fixtures will be uniform in design, capped and fully shielded.
- (ii) Any lighting fixture attached to a building shall be capped and downwardly directed.
- (iii) No wall pack lighting will be allowed.

(d) Buffers

Buffers will be provided as required by the provisions of Section 12-302 of the Ordinance. The Petitioner reserves the right to reduce the width of any buffer by 25 percent by installing a wall, fence or berm in accordance with Section 12.302 (8) of the Ordinance. In the event that an adjacent parcel is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, then the Petitioner may reduce or eliminate, as the case may be, the buffers set out on the Rezoning Site Plan accordingly.

5. Environmental Standards

(a) Watershed Protection-General Requirements

- (i) All development occurring on the Site shall conform to the applicable requirements of the Lake Wylie Watershed District Protected Area.
- (ii) All development will adhere to the provisions of the SWIM Buffer Ordinance.

(b) Storm Water Management Initiatives

In order to ensure effective mitigation of negative water quality impacts and adequate protection of water quality conditions the Petitioners agree to satisfy the following requirements:

Storm Water Quality Control

The Petitioner shall tie-in to the existing storm water system(s). The Petitioner shall have the receiving drainage system analyzed to ensure that it will not be taken out of standard due to the development. If it is found that development will cause the storm drainage system(s) to be taken out of standard, the Petitioner shall provide alternate methods to prevent this from occurring.

Storm Water Quality Treatment

The Petitioner will construct water quality best management practices (BMPs) to achieve 85 percent Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the runoff generated from the first 1 inch of rainfall. BMPs must be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources (NCDENR) Best Management Practices Manual, April 1999, Section 4.0 Use of Low Impact Development (LID) techniques is optional.

Volume and Peak Control

The Petitioner shall 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.

The peak runoff will match the predevelopment runoff rates for the 2 and 10 year, design storm events.

(c) Tree Save Areas/Open Space

The Petitioner will provide tree save areas totaling 10 percent of the Site and open space areas (including tree save areas) totaling 15 percent of the Site.

6. Vehicular Access and Rights-of-Way

(a) Vehicular Access

- (i) Vehicular Access shall be as generally depicted on the Technical Data Sheet.
- (ii) The placements and configurations of these Vehicular Access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation ("C-DOT") and/or the North Carolina Department of Transportation ("NC-DOT").

(b) Rights-of-Way

The Petitioners agree to dedicate and convey (by quitclaim deed and subject to reservations for any necessary utility easement) prior to the issuance of any certificate of occupancy those portions of the Site required to provide right-of-way as follows if such right-of-way does not presently exist:

Brookshire Boulevard (NC 16)

100 feet west of the centerline

Bellhaven Boulevard

60 feet north of the centerline for 500 feet from the western margin of the right-of-way of NC Highway 16 then tapering down to 50 feet from the centerline at a 35:1 taper.

Plank Road

30 feet south of the centerline

7. Connectivity

Pedestrian and vehicular connections throughout the Site will be provided in the manner generally depicted on the Schematic Site Plans. Where internal sidewalks are located between buildings and parking bays, either a sidewalk at least seven feet in width or wheelstops shall be provided.

8. Landscape Areas

No buildings, parking spaces, maneuvering areas or stormwater detention may be located within the buffer areas depicted on the Technical Data Sheet. Existing vegetation within these landscape areas will remain undisturbed.

Utility installations may only cross such undisturbed vegetated landscape areas depicted on the Technical Data Sheet at interior angles measured at property lines which are not less than 75 degrees.

9. Bicycle Parking

Bicycle parking spaces (bike racks) shall be provided in accordance with the Ordinance.

10. Fire Protection

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshals specifications. Plans for each building will be submitted to the Fire Marshals office for approval before the construction of that building commences.

11. Signs

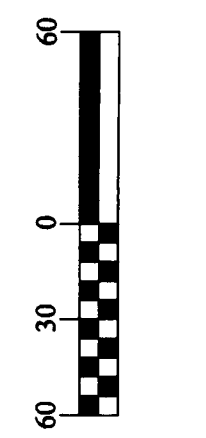
All signs placed on the Site will be erected in accordance with the requirements of the Ordinance for the CC district.

12. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet, the Schematic Site Plans, other sheets accompanying the Petition and these Development Standards may be applied for by the then Owner or Owners of the Parcel or Parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

13. Binding Effect of the Rezoning Documents and Definitions

- (a) If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioners and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- (b) Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioners or the Owner or Owners of the Site from time to time who may be involved in any future development thereof.
- (c) Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



REVISIONS: