

DEVELOPMENT STANDARDS

October 31, 2007

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. The development depicted on the Rezoning Plan is intended to reflect the arrangement of proposed uses on the Site, but the final configuration, placement and size of individual Site elements may be altered or modified within the limits prescribed by the Ordinance and the standards established by the Rezoning Plan and these Development Standards during design development and construction phases. Street layouts may be modified to accommodate final building locations.

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.

BUFFER

- The Petitioner shall establish a 24 foot Class C buffer along the Site's western and northern boundary lines as more particularly depicted on the Rezoning Plan. This buffer shall conform to the cross section depicted on the Rezoning Plan.
- The Petitioner reserves the right to grade and to install a wall and utility lines within the Class C buffer areas located along the Site's western and northern boundary lines, 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.
- No buildings, parking spaces or maneuvering areas may be located within the buffer areas.
- No above ground detention facilities or water quality facilities may be located within the buffer areas.

SETBACKS, SIDE YARDS AND REAR YARDS

- 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.

The Site shall observe a 30 foot setback along Ballantyne Commons Parkway.

COMMON OPEN SPACE/PRIVATE OPEN SPACE

- Common open space shall be provided in various locations as depicted on the Rezoning Plan.
- The common open space areas 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.
- Any dumpsters located within the Site that are visible from a public street or from an external adjacent parcel of land will be screened from view by a solid enclosure with gates.

TREE ORDINANCE

- The 30 foot setback along Ballantyne Commons Parkway shall be a tree save area except for that portion of the 30 foot setback that will be required to be cleared and graded in connection with the installation of the driveway from the Site to Ballantyne Commons Parkway.
- 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 COMMITMENTS

- Attached hereto are schematic architectural renderings of the front, side and rear elevations 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. Accordingly, the front side and rear elevations of any single family attached townhome building constructed on the Site must be substantially similar in appearance to the relevant attached schematic architectural renderings in terms of their architectural style, character and elements. Changes and alterations which do not materially change the overall conceptual architectural style and character are permitted based upon final design/construction drawings.
- 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. The attic may be finished. However, no rear elevation will have attic area viewing with windows, skylights or any other means of viewing out the rear elevation. Also, no attic area will directly view the adjoining neighborhood.

- 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 hard-plank and fiber cement board. Notwithstanding the foregoing, vinyl may be utilized on the soffits of the single family attached townhome buildings. Except as provided above, vinyl shall not be a permitted exterior building material.

- At least 25% of the front elevation (excluding doors, windows, roof tops 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.

- 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.

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

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

- Vinyl fences shall be permitted on the Site.

LIGHTING

- 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.

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

- All exterior light fixtures (except street lights along public or private streets) shall be capped and fully shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.

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

- Vehicular access to the Site is limited to that depicted on the Rezoning Plan.
- The placement and configuration of the access point is subject to any minor modifications required to accommodate final site and architectural plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
- 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.

DUMPSTER, COMPACTOR AND RECYCLING

This development shall meet all requirements as stated in Chapters 9 and 12 of the Charlotte City Code regarding solid waste dumpster, compactor and recycling areas.

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 the building commences.

STORM WATER MANAGEMENT

- If the Petitioner ties into an 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. If it is found that the proposed development will cause the public storm drainage system(s) to be taken out of standard, the Petitioner shall provide alternate methods to prevent this from occurring. If the receiving public drainage system(s) is already out of standard, the Petitioner's proposed development will be designed so as to not place the downstream public system(s) further out of standard.

- Water quality best management practices (BMPs) will be incorporated into the Site to achieve 85% Total Suspended Solid removal for the post-development runoff volume for the runoff generated from the first 1/4 inch of rainfall for that portion of the Site designated as Area A on the Storm Water Drainage Area Plan attached hereto. 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 (Design Standards Manual, when available). Use of Low Impact Development (LID) techniques is optional.

- The Petitioner shall control the 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 Petitioner shall control the peak to match the predevelopment runoff rate for the 10 year, 6 hour 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 year and 25 year, 6-hour storms.

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.

SITE DATA TABLE

REVSD. 12/5/07

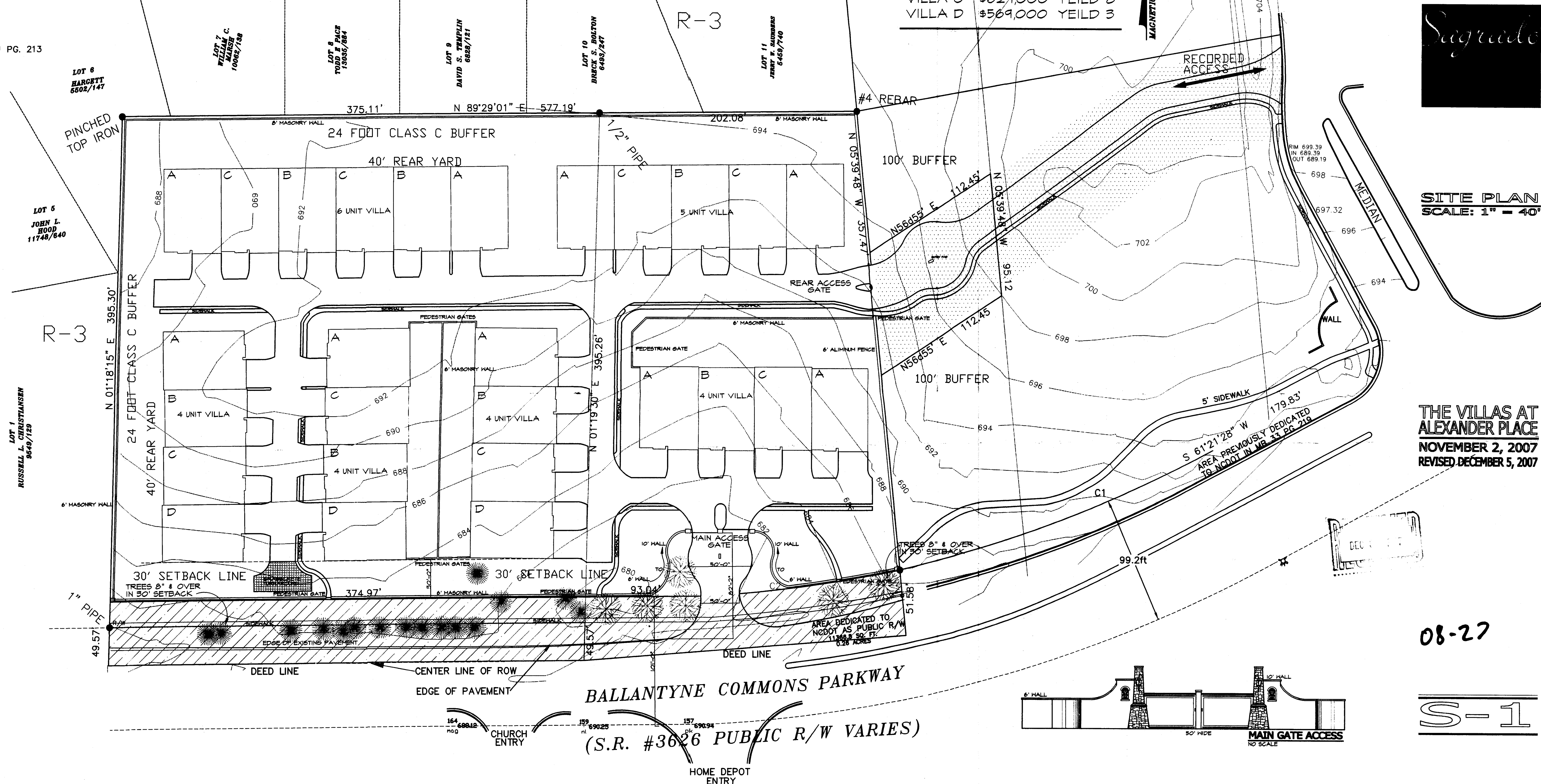
SITE ACREAGE: 6.05 ACRES
TAX PARCELS: 225.112.07, 225.112.26 & 225.112.08
EXISTING ZONING: R-5
PROPOSED ZONING: UR-2 (CD)
PROPOSED USE: TOWNHOMES FOR SALE
PROPOSED NUMBER OF TOWNHOMES FOR SALE: 27

PO BOX 78972
Charlotte, NC 28271
704.846.7891

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MB. 21 PG. 213

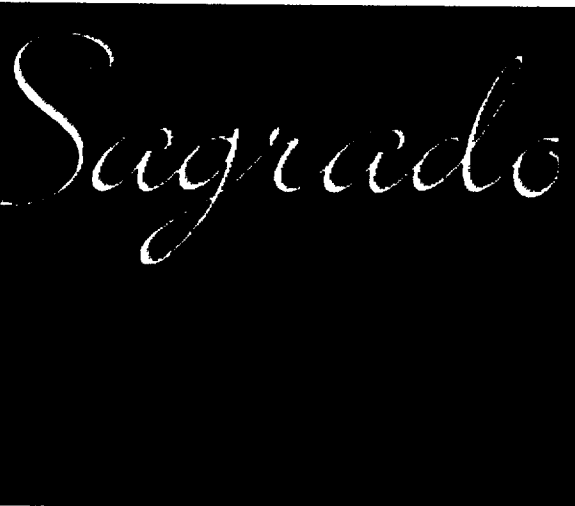


SITE PLAN
SCALE: 1" = 40'

THE VILLAS AT
ALEXANDER PLACE
NOVEMBER 2, 2007
REVISED DECEMBER 5, 2007

08-27

S-1



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704.846.7891

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FRONT VIEW
UNIT A

FRONT VIEW
UNIT B

FRONT VIEW
UNIT C

FRONT VIEW
UNIT A (R)

THE VILLAS AT
ALEXANDER PLACE
DECEMBER 18, 2007

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