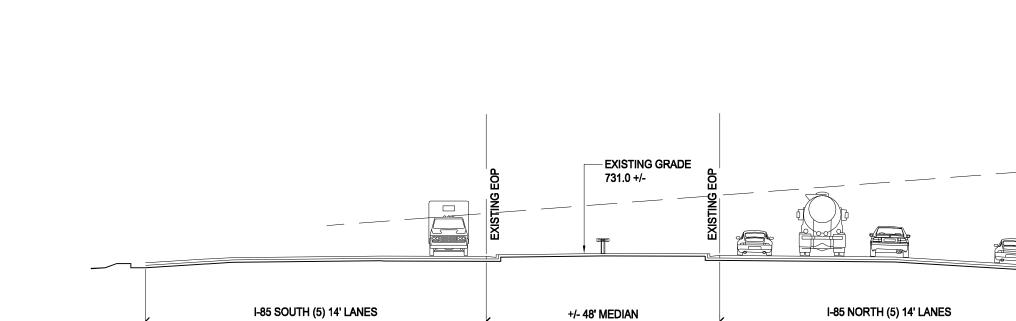


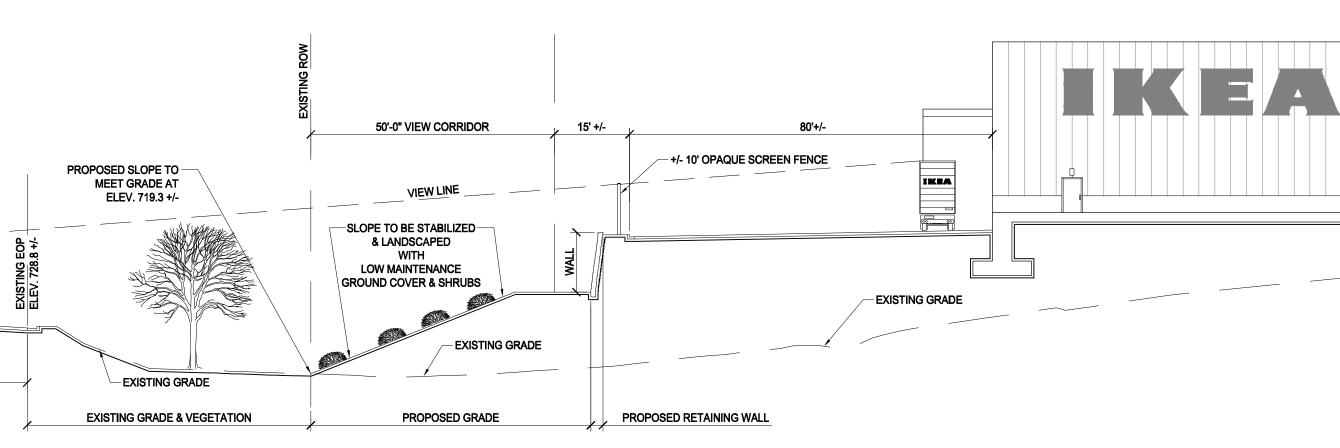




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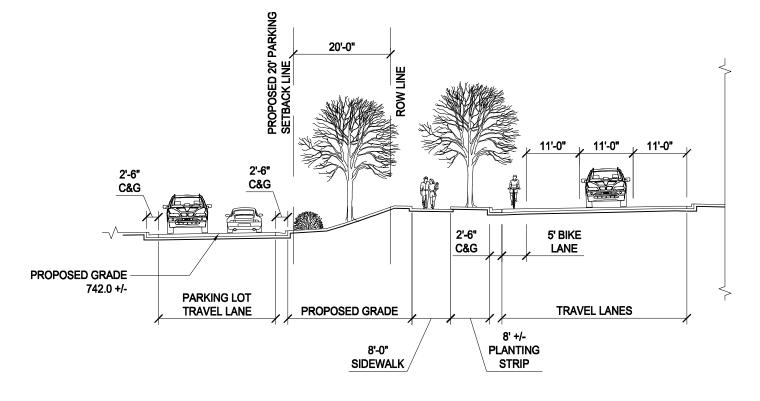
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	03/16/07
OVER	REVISED PER STAFF COMMENTS
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	CITY BLVD - NORTH CHARLOTTE, NORTH CAROLINA MECKLENBURG COUNTY, 28201 (NEC) I-85 AND CITY BLVD.
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	PLANTING PLAN RZ-3





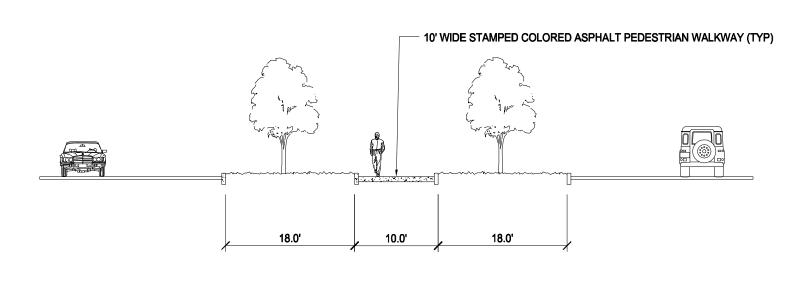
SECTION A-A HORIZONTAL SCALE: 1" = 20'

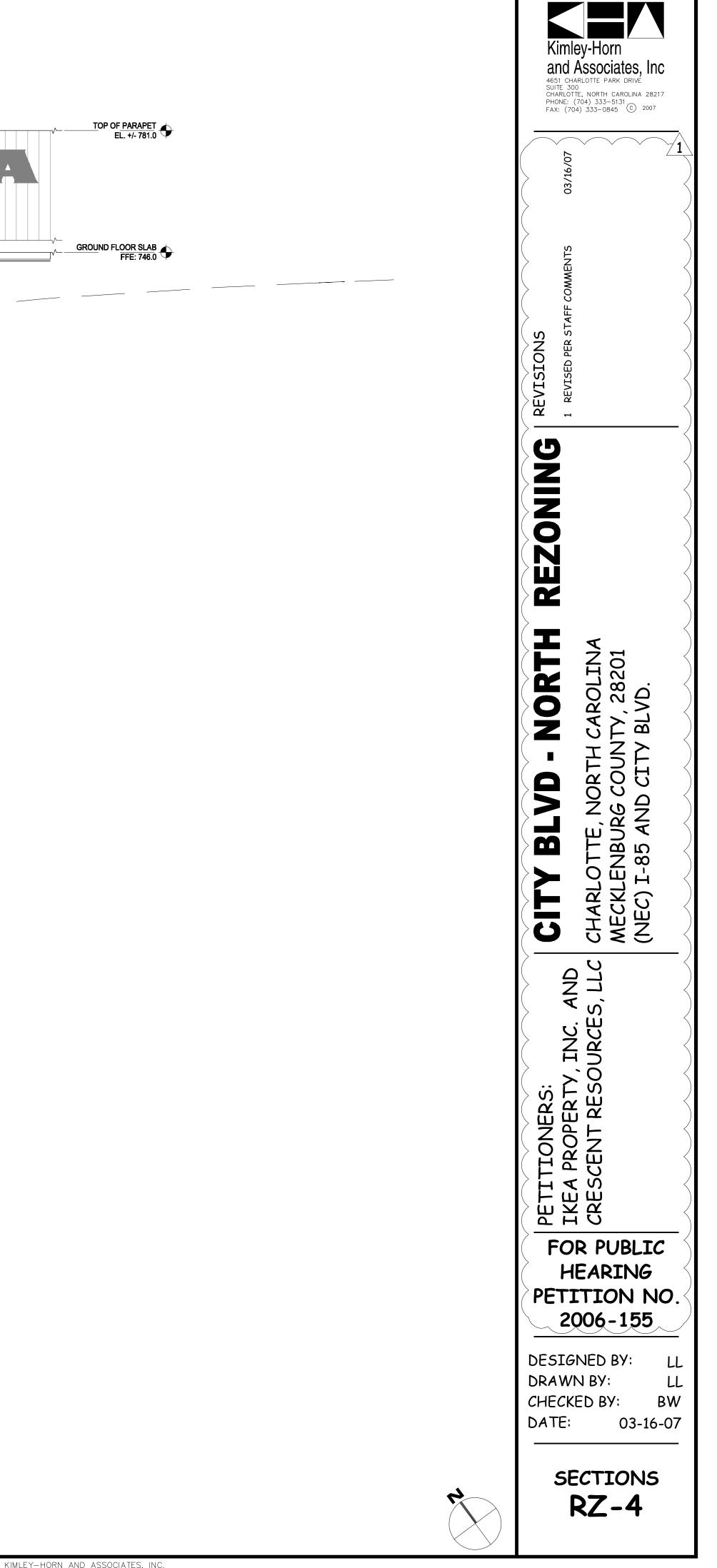
VERTICAL SCALE: 1" = 20'



SECTION B-B

HORIZONTAL SCALE: 1" = 20' VERTICAL SCALE: 1" = 20'





DEVELOPMENT STANDARDS

CITY BOULEVARD - NORTH REZONING MUDD OPTIONAL SITE PLAN NOTES

- DEVELOPMENT OF THE SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS OF THE CHARLOTTE ZONING ORDINANCE. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF PROPOSED BUILDINGS AND USES ON THE SITE, BUT THE EXACT CONFIGURATION, PLACEMENT, AND SIZE OF INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ORDINANCE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES.
- THE PROPOSED USE OF THE PROPERTY WILL BE FOR THE DEVELOPMENT OF THE SITE TO ACCOMMODATE A RETAIL DEVELOPMENT ALONG WITH ASSOCIATED PARKING, OPEN SPACE, AND SERVICE AREAS AS GENERALLY DEPICTED ON THE SITE PLAN.
- ALL DUMPSTERS WILL BE SCREENED WITH SCREEN STRUCTURES.
- THE PROPOSED DEVELOPMENT WILL COMPLY WITH ALL APPLICABLE ORDINANCE REQUIREMENTS EXCEPT AS NOTED IN SECTION 10 BELOW.
- MAINTAINED TREE SAVE, UNDISTURBED TREE SAVE AND VIEW CORRIDOR AREAS ARE GENERALLY DEPICTED AND/OR DIMENSIONED ON THE TECHNICAL DATA SHEET.

MAINTAINED TREE SAVE AREA

WITHIN THE MAINTAINED TREE SAVE AREAS, TREES 8 INCHES CALIPER DBH AND GREATER WILL BE PRESERVED. THE PETITIONER RESERVES THE RIGHT TO REMOVE WEEDS AND VINES AND TREES THAT MEASURE LESS THAN EIGHT INCHES CALIPER DBH. DEAD TREES AND MATERIALS MAY BE REMOVED.

VIEW CORRIDORS

WITHIN THE VIEW CORRIDORS DEPICTED ON THE SITE PLAN, ALL EXISTING TREES AND SHRUBBERY MAY BE REMOVED AND GRADING MAY OCCUR. THEREAFTER, THE VIEW CORRIDOR WILL BE STABILIZED, RE-VEGETATED, WELL-MAINTAINED AND LANDSCAPED AS PART OF THE OVERALL SITE LANDSCAPING PLAN.

UNDISTURBED TREE SAVE AREA

THE AREA THAT IS DESIGNATED AS AN UNDISTURBED TREE SAVE AREA SHALL REMAIN UNDISTURBED.

- 6. PARKING WILL BE PROVIDED WHICH MEETS OR EXCEEDS THE REQUIREMENTS OF THE ORDINANCE EXCEPT AS NOTED IN SECTION 10 BELOW.
- DETACHED SITE LIGHTING WILL BE LIMITED TO 35 FEET IN HEIGHT. WALL MOUNTED LIGHTING WILL BE FULLY SHIELDED. ARCHITECTURAL LIGHTING LOCATED ON THE SITE MAY BE DIRECTED TOWARD BUILDING FACADES. OTHER DETACHED SITE LIGHTING WILL BE FULLY SHIELDED.
- MINOR CHANGES IN THE LOCATION OF DETACHED LIGHTING AND SIGNAGE FROM THAT DEPICTED ON THE SITE PLAN AND/OR SIGN PACKAGE WILL BE PERMITTED.
- 9. NO PERMANENT OUTDOOR SALES OR STORAGE IS PERMITTED.
- 10. DUE TO THE NATURE AND LOCATION OF THE SITE AND THE UNIQUE CHARACTERISTICS OF THE POTENTIAL USES FOR THE SITE, THE PETITIONER PROPOSES THE FOLLOWING OPTIONAL PROVISIONS TO THE NORMAL MUDD DISTRICT STANDARDS AS FOLLOWS:
 - STREET WALLS: THE BUILDING LOCATED WITHIN DEVELOPMENT AREA A MAY DEVIATE FROM THE STREET WALLS PROVISION OF THE ORDINANCE GENERALLY AS SHOWN ON THE ATTACHED BUILDING ELEVATIONS LOCATED ON SHEET RZ-6.
 - SIGNS, BANNERS, FLAGS, AND PENNANTS: THE ENCLOSED SIGN PACKAGE SHALL SUBSTITUTE FOR THE NORMAL REQUIREMENTS AND SAID PLAN WILL BE PART OF THE OVERALL SITE PLAN FOR THE SITE. BUILDING ENTRANCES: THE BUILDING LOCATED WITHIN DEVELOPMENT AREA A MAY DEVIATE FROM THE BUILDING ENTRANCE PROVISION OF THE ORDINANCE GENERALLY
 - AS SHOWN ON THE ATTACHED BUILDING ELEVATIONS LOCATED ON SHEET RZ-6.
 - URBAN OPEN SPACES: THE URBAN OPEN SPACE PROVISION OF THE ORDINANCE SHALL BE WAIVED FOR THE SITE.
 - PARKING AND MANEUVERING MAY BE LOCATED BETWEEN BUILDINGS AND PUBLIC STREETS AS GENERALLY DEPICTED ON THE SITE PLAN. • SCREENING: ALTERNATE SCREENING METHODS ARE PERMITTED ON THE SITE AS GENERALLY INDICATED ON SHEET RZ-3.
- 11. BUILDINGS LOCATED ON THE SITE WILL NOT EXCEED 50 FEET IN HEIGHT AS MEASURED FROM FINISHED FLOOR ELEVATION TO PARAPET.
- 12. IN THE EVENT THE BUILDING TO BE CONSTRUCTED ON DEVELOPMENT AREA A SHOULD AT ANY TIME OR TIMES AFTER ITS INITIAL OCCUPATION BE PERMANENTLY VACATED BY ANY OCCUPANT, THE OWNER OR OWNERS OR FORMER OCCUPANT THEREOF (AS APPROPRIATE) SHALL IMPLEMENT THE FOLLOWING BUILDING VACANCY MITIGATION PROCEDURES:
 - (A) THE EXTERIOR OF THE BUILDING, ASSOCIATED PARKING LOT, OUTSIDE LIGHTING, LANDSCAPING AND IRRIGATION SYSTEM SHALL CONTINUE TO BE OPERATED, MAINTAINED, SECURED, REPAIRED OR REPLACED IN THE SAME MANNER AS WHEN THE BUILDING WAS OCCUPIED.
 - (B) ALL EXTERIOR BUSINESS SIGNS SHALL BE REMOVED AND EXTERIOR BUILDING SURFACES SHALL BE REPAIRED AND REPAINTED TO PROVIDE A NEAT APPEARANCE WITHIN 45 DAYS AFTER THE BUILDING HAS BEEN PERMANENTLY VACATED BY ANY OCCUPANT FOR A PERIOD LONGER THAN 6 MONTHS FOR ANY REASON OTHER THAN FIRE OR SOME OTHER CASUALTY OR A FORCE MAJEURE EVENT, OR ALTERATIONS, REMODELING, ADDITIONS AND/OR SIMILAR CONSTRUCTION ACTIVITIES.
 - (C) TRASH AND LITTER SHALL BE REMOVED ON A REGULAR BASIS AT LEAST ONCE A WEEK.
 - (D) SHOULD THE BUILDING BE PERMANENTLY VACATED BY ANY OCCUPANT FOR A PERIOD LONGER THAN 6 MONTHS FOR ANY REASON OTHER THAN FIRE OR SOME OTHER CASUALTY OR A FORCE MAJEURE EVENT, OR ALTERATIONS, REMODELING, ADDITIONS AND/OR SIMILAR CONSTRUCTION ACTIVITIES, THEN THE OWNER OR OWNERS OR OCCUPANT OF THE BUILDING (AS APPROPRIATE) SHALL THEREAFTER IMPLEMENT WITH REASONABLE DISPATCH COMMERCIALLY REASONABLE EFFORTS (INCLUDING LISTING THE PROPERTY WITH A COMMERCIAL BROKERAGE FIRM) WHICH ARE DESIGNED TO CAUSE THE BUILDING TO BE REOCCUPIED AND DEVOTED TO ANY USE OR USES PERMITTED IN THE MUDD DISTRICT (OR ANY OTHER PERMISSIBLE USE AUTHORIZED BY A SUBSEQUENTLY APPROVED REZONING PETITION). IN OFFERING THE BUILDING FOR SALE OR LEASE, THE OWNER/OCCUPANT OF THE BUILDING MAY NOT IMPOSE ANTI-COMPETITIVE COVENANTS OR RESTRICTIONS BY DEED OR CONTRACT THAT WOULD PREVENT A BUSINESS WHICH IS SIMILAR TO THE BUSINESS CONDUCTED BY THE FORMER OCCUPANT OF THE BUILDING FROM OCCUPYING AND CONDUCTING ITS BUSINESS WITHIN THE BUILDING, IF IT PURCHASED OR LEASED THE BUILDING, THE INTENT BEING TO ENSURE THAT SUCH COMPETITORS ARE NOT DISCOURAGED FROM PURCHASING OR SEEKING TO LEASE THE BUILDING BY THE IMPOSITION OF RESTRICTIONS WHICH WOULD PREVENT THEM FROM OCCUPYING AND CONDUCTING THEIR COMPETITIVE-BUSINESS WITHIN THE BUILDING.
 - (E) IF AT SOME FUTURE TIME THE OWNER OF THE BUILDING TO BE CONSTRUCTED ON DEVELOPMENT AREA A, ELECTS TO DEMOLISH THIS BUILDING, THE ZONING COMMITTEE OF THE PLANNING COMMISSION MAY APPROVE AN AMENDMENT TO THE APPROVED REZONING PLAN FOR THIS SITE WHICH WOULD ACCOMMODATE MORE BUILDINGS THAN THE ONE BUILDING WHICH THE TECHNICAL DATA SHEET (SHEET RZ-1) CURRENTLY ALLOWS WITHIN THAT BUILDING AREA THROUGH AN ADMINISTRATIVE SITE PLAN AMENDMENT; SUBJECT, HOWEVER, TO THE SATISFACTION OF ALL APPLICABLE REGULATIONS UNDER THE MUDD ZONING DISTRICT IN EFFECT AT THE TIME SUCH APPROVAL IS SOUGHT.
- 13. ACCESS TO THE SITE WILL BE PROVIDED BY DRIVEWAY CONNECTIONS TO THE FUTURE CITY BLVD. AND TO A FUTURE CONNECTOR ROAD AS GENERALLY DEPICTED ON THE SITE PLAN.
- THE FOLLOWING ROAD IMPROVEMENTS WILL BE CONSTRUCTED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY DEVELOPMENT ON THE SITE. THE NOTED ROAD IMPROVEMENTS ARE SUBJECT TO THE REVIEW AND APPROVAL OF THE FINAL TRAFFIC IMPACT ANALYSIS:

CITY BOULEVARD AT I-85 NORTHBOUND RAMP

- ADDITION OF FREE FLOW OPERATION ON THE WESTBOUND RIGHT-TURN MOVEMENT ON CITY BOULEVARD WITH THE ADDITION OF AN EXCLUSIVE ACCEPTANCE LANE ON THE RAMP DEPARTURE.
- RESTRIPING OF THE NORTHBOUND APPROACH TO PROVIDE THE SHARED LEFT-THROUGH LANE WITH A MINIMUM STORAGE LENGTH OF 100 FEET.
- CITY BOULEVARD AT PROPOSED CONNECTOR ROAD
- CONSTRUCTION OF DUAL EASTBOUND LEFT-TURN LANES ON CITY BOULEVARD WITH 250 FEET OF STORAGE FOR EACH LANE.
- CONSTRUCTION OF AN EXCLUSIVE LEFT-TURN LANE AND AN EXCLUSIVE RIGHT-TURN LANE ON THE SOUTHBOUND APPROACH OF THE PROPOSED CONNECTOR ROAD. INSTALLATION OF A TRAFFIC SIGNAL SUBJECT TO THE APPROVAL OF NCDOT AND/OR CDOT.

PROPOSED CONNECTOR ROAD AND SITE ACCESS POINTS

- CONSTRUCTION OF THE PROPOSED CONNECTOR ROAD AS A FOUR-LANE MEDIAN DIVIDED ROADWAY FROM CITY BOULEVARD EXTENSION TO ACCESS 2.
- CONSTRUCTION OF THE PROPOSED CONNECTOR ROAD AS A TWO-LANE MEDIAN DIVIDED ROADWAY FROM ACCESS 2 TO JUST NORTH OF ACCESS 3.
- ALTHOUGH NOT INCLUDED AS A PART OF THE TRAFFIC IMPACT ANALYSIS, THE PETITIONER SHALL ALSO CONSTRUCT A DIRECTIONAL CROSS-OVER ON PROPOSED CONNECTOR ROAD AT ACCESS 3.
- 15. THE FOLLOWING ROAD IMPROVEMENT WILL BE CONSTRUCTED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR DEVELOPMENT IN EXCESS OF 10,000 SQUARE FEET ON THAT PORTION OF TAX PARCEL 047-221-33 LOCATED BETWEEN THE SITE AND CITY BOULEVARD:
- CONSTRUCTION OF A VEHICULAR CONNECTION EXTENDING FROM DEVELOPMENT AREA A TO CITY BOULEVARD.
- 16. 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.

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.

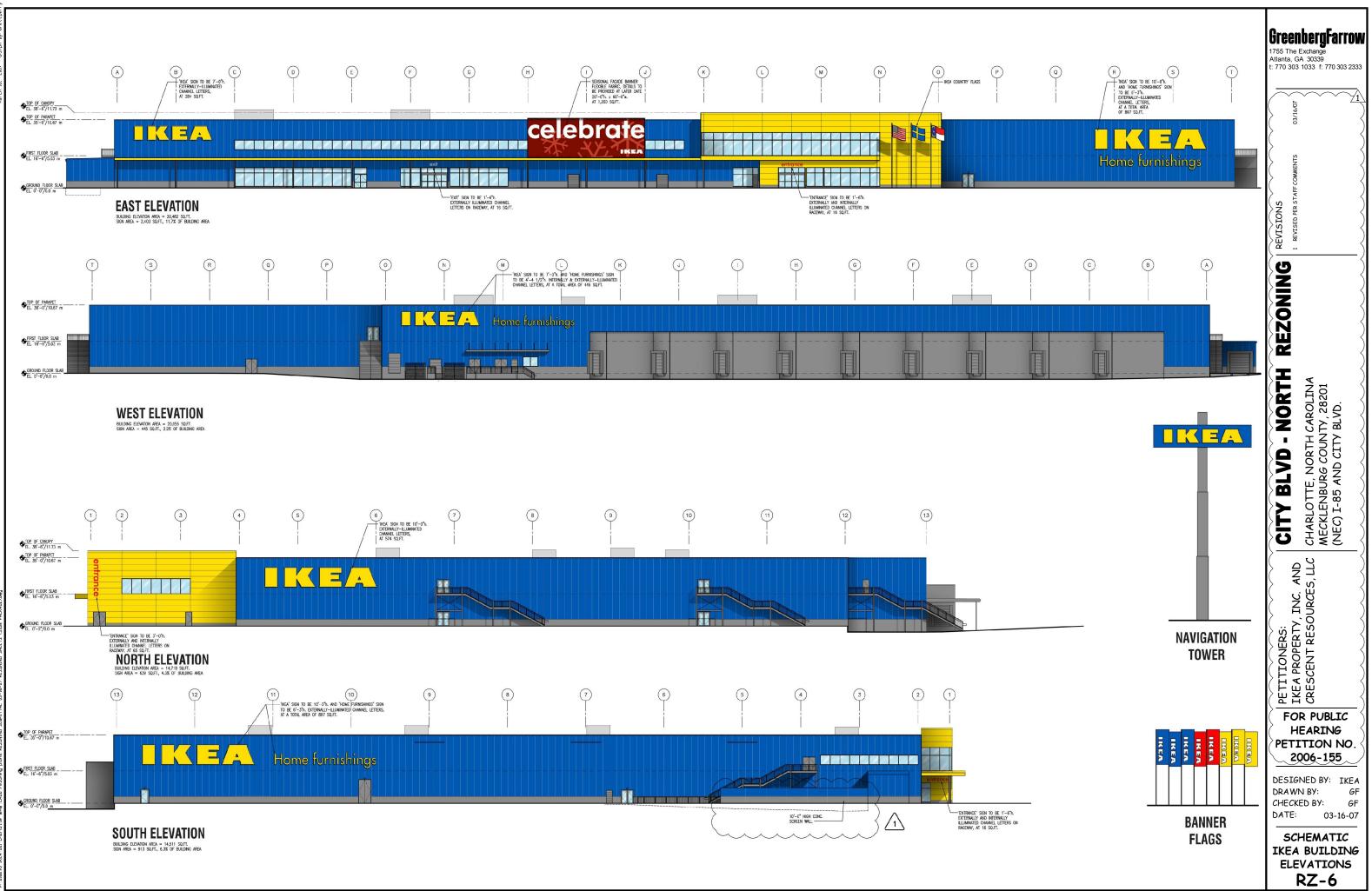
WITH REGARD TO WATER QUALITY, THE PETITIONER WILL CONSTRUCT WATER QUALITY BEST MANAGEMENT PRACTICES (BMPS) FOR THE ENTIRE POST-DEVELOPMENT RUNOFF VOLUME FOR THE RUNOFF GENERATED FROM THE FIRST 1-INCH OF RAINFALL. BMPS MUST BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE N.C. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (NCDENR) BEST MANAGEMENT PRACTICES MANUAL, APRIL 1999, THAT HAVE BEEN DESIGNED TO ACHIEVE 85% TOTAL SUSPENDED SOLID (TSS) REMOVAL. USE OF LOW IMPACT DEVELOPMENT (LID) TECHNIQUES IS OPTIONAL.

STORM WATER QUALITY AND QUANTITY BASINS WILL NOT BE LOCATED IN THE TREE SAVE AREAS.

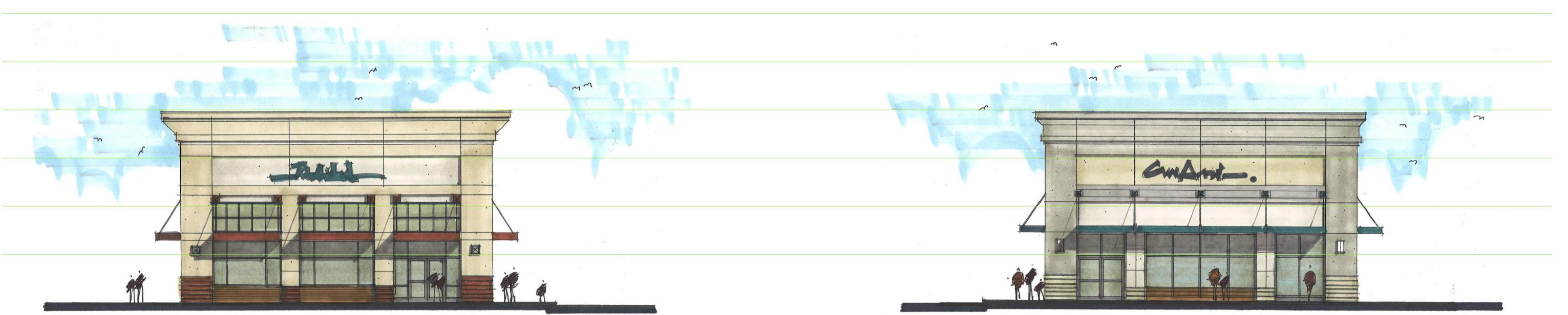
- 17. THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, SUCH AS THOSE THAT REGULATE STREETS, SIDEWALKS, TREES, AND SITE DEVELOPMENT, MAY APPLY TO THE DEVELOPMENT OF THIS SITE. THESE ARE NOT ZONING REGULATIONS, ARE NOT ADMINISTERED BY THE ZONING ADMINISTRATOR, AND ARE NOT SEPARATE ZONING CONDITIONS IMPOSED BY THIS SITE PLAN. UNLESS SPECIFICALLY NOTED IN THE CONDITIONS FOR THIS SITE PLAN, THESE OTHER STANDARD DEVELOPMENT REQUIREMENTS WILL BE APPLIED TO THE DEVELOPMENT OF THIS SITE AS DEFINED BY THOSE OTHER CITY ORDINANCES.
- 18 THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER", "OWNERS", "PETITIONER" OR "PETITIONERS," SHALL, WITH RESPECT TO 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.

• CONSTRUCTION OF DUAL NORTHBOUND LEFT-TURN LANES ON PROPOSED CONNECTOR ROAD AT ACCESS 2 WITH A MINIMUM OF 200 FEET OF STORAGE FOR EACH LANE.

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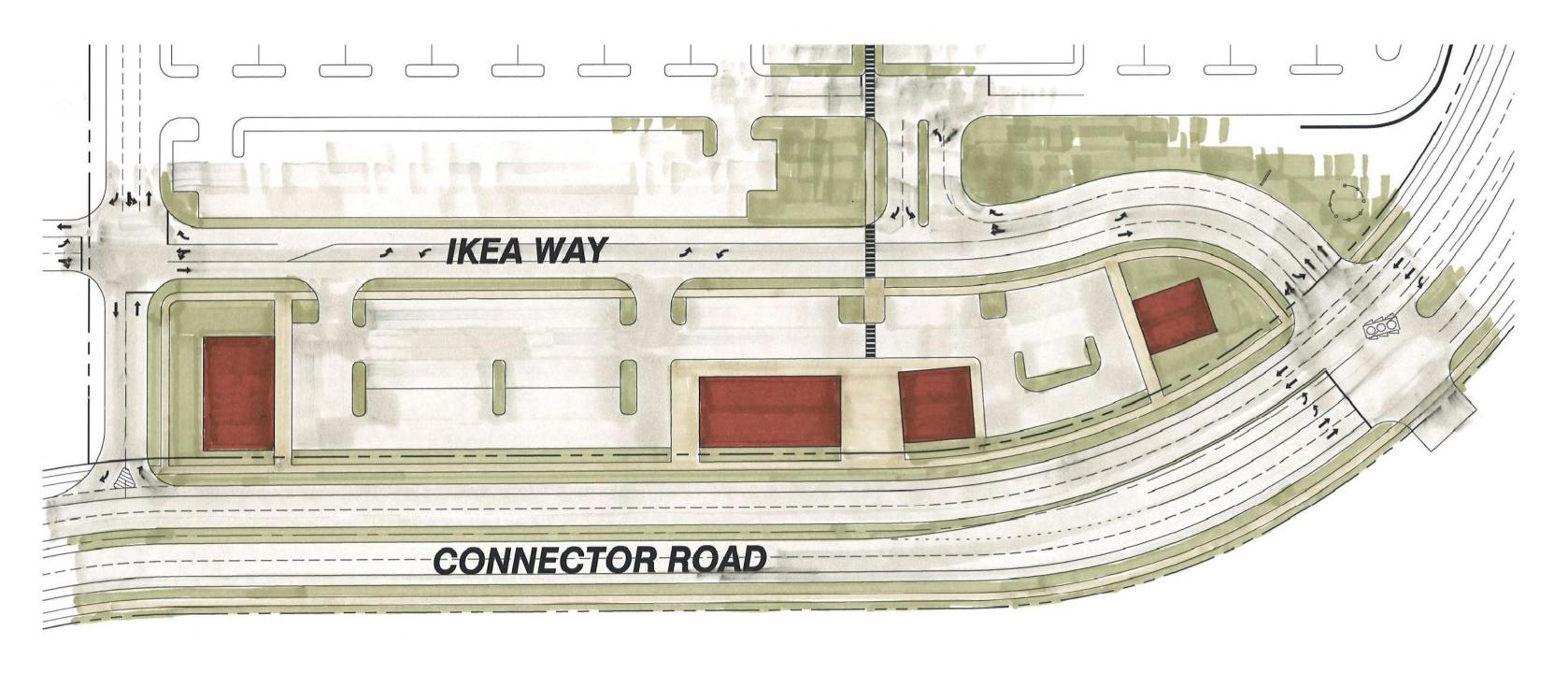


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CONNECTOR ROAD/EAST ELEVATION





CONNECTOR ROAD/EAST ELEVATION

CONNECTOR ROAD/EAST ELEVATION

