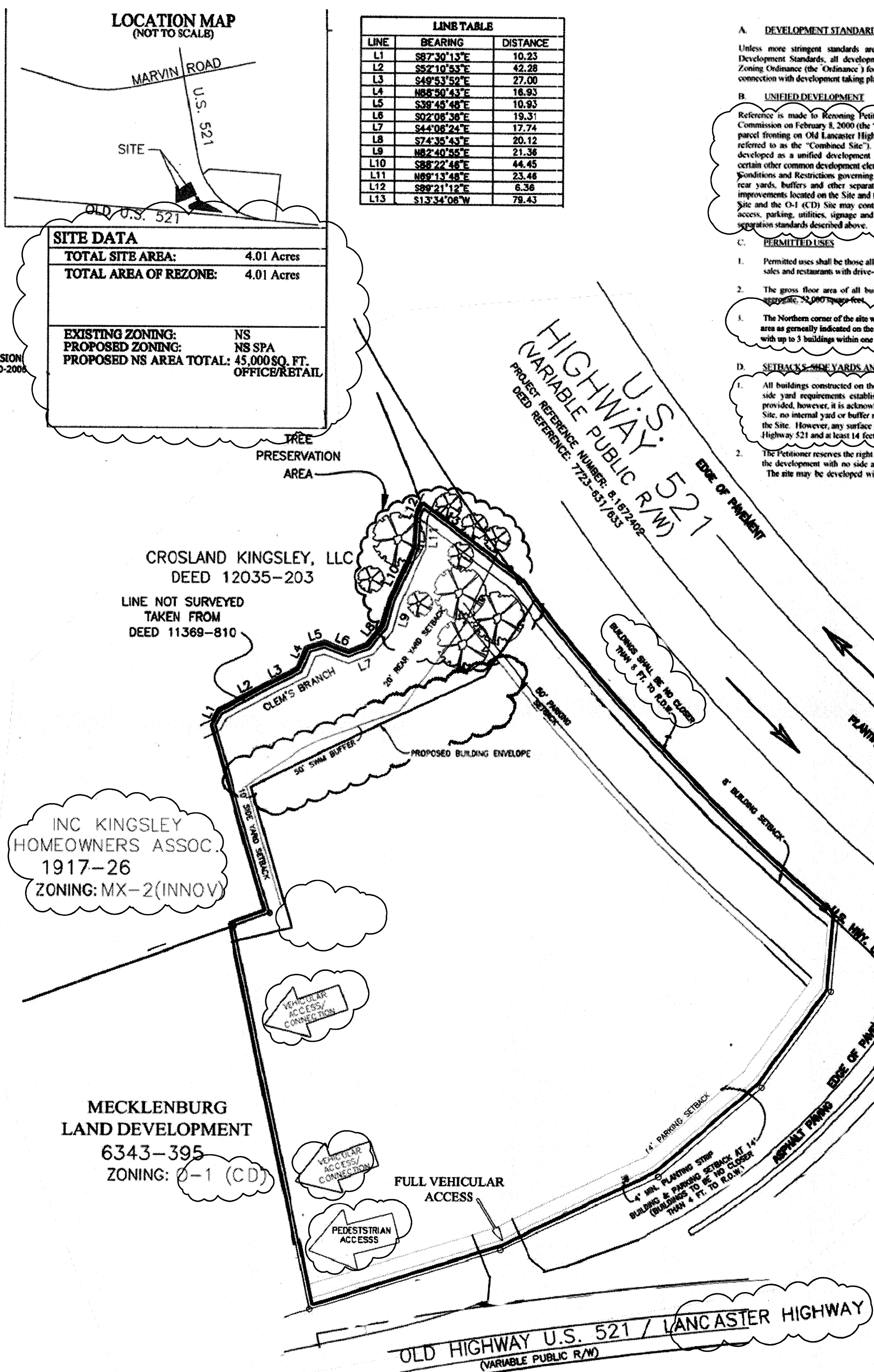




LINE TABLE		
LINE	BEARING	DISTANCE
L1	S87°30'13"E	10.23
L2	S52°10'53"E	42.28
L3	S49°53'52"E	27.00
L4	N88°50'43"E	16.93
L5	S39°45'48"E	10.93
L6	S02°06'36"E	19.31
L7	S44°06'24"E	17.74
L8	S74°35'43"E	20.12
L9	N82°40'55"E	21.36
L10	S88°22'46"E	44.45
L11	N88°13'48"E	23.46
L12	S89°21'12"E	6.36
L13	S13°34'06"W	79.43

SITE DATA	
TOTAL SITE AREA:	4.01 Acres
TOTAL AREA OF REZONE:	4.01 Acres
EXISTING ZONING:	NS
PROPOSED ZONING:	NS SPA
PROPOSED NS AREA TOTAL:	45,000 SQ. FT. OFFICE/RETAIL

A. DEVELOPMENT STANDARDS

Unless more stringent standards are established by this Technical Data Sheet or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the Ordinance) for the NS zoning district classification shall be followed in connection with development taking place on the Site.

B. UNIFIED DEVELOPMENT

Reference is made to Rezoning Petition 2000-04 C approved by the Mecklenburg County Commission on February 8, 2000 (the "O-1 (CD) Petition") regarding an approximately 4.5 acre parcel fronting on Old Lancaster Highway (the "O-1 (CD) Site", together with the Site being referred to as the "Combined Site"). The Site and the O-1 (CD) Site may be viewed and developed as a unified development with cross-reciprocal access and utility easements and certain other common development elements that may be set forth in a Declaration of Covenants, Conditions and Restrictions governing development on the Combined Site. As such, side and rear yards, buffers and other separation standards will not be required internally between improvements located on the Site and the NS Site. Additionally, as a unified development, the Site and the O-1 (CD) Site may contain certain other common development aspects such as access, parking, utilities, signage and the like in addition to the elimination of the internal separation standards described above.

C. PERMITTED USES

- Permitted uses shall be those allowed in the NS zoning classification. However, gasoline sales and restaurants with drive-through facilities will not be permitted on the Site.
- The gross floor area of all buildings constructed on the Site may not exceed, in the aggregate, 50,000 square feet.
- The Northern corner of the site will be reserved as a SWIM buffer and a tree preservation area as generally indicated on the Technical Data Sheet. The rest of the site may be developed with up to 3 buildings within one building envelope.

D. SETBACKS, SIDE YARDS AND REAR YARDS

- All buildings constructed on the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the NS zoning district. provided, however, it is acknowledged that as an unified development with the O-1 (CD) Site, no internal yard or buffer requirements shall apply along the common boundary on the Site. However, any surface parking shall maintain a setback of at least 50 feet along Highway 521 and at least 14 feet along Old Highway 521 and Lancaster Highway.
- The Petitioner reserves the right to subdivide the Site and create lots within the interior of the development with no side and/or rear yards as part of a unified development plan. The site may be developed with up to 3 buildings within one building envelope.

E. SCREENING AND LANDSCAPED 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 adjoining property will be screened from view by a solid enclosure with gates. No screening will be required between the NS and the O-1 (CD) as it is an unified development.
- The Site shall comply with the City of Charlotte Tree Ordinance. Roof-top mechanical equipment shall be screened from public view.
- Streetscape improvements shall conform to Section 11.507 of the Ordinance.

F. OPEN SPACE

- Petitioner shall provide a 50 foot SWIM buffer along Clem's Branch generally as depicted on the Technical Data Sheet.
- All trees located within the "TREE SAVE AREA" noted on the Technical Data Sheet will be preserved.

G. ARCHITECTURAL CONTROLS

- All buildings constructed on the Site will be constructed of brick, stucco, stone or synthetic stone materials in order to complement the proposed shopping center located across Highway 521. However, in no event shall stucco comprise more than 20 percent of the construction materials.
- All buildings which abut Old Highway 521 or Highway 521 will be designed and constructed so that each building has windows that face Old Highway 521 or Highway 521. The street elevations of the buildings will incorporate windows that will encompass a minimum of 30 percent of the facade and architectural fenestration (including cornices, accent lintels, shutters, window surrounds, etc) shall be incorporated so that windows and architectural fenestration combined will encompass a minimum of 50% of the street facing facades. In addition, there will be no spaces between windows exceeding 20 feet.
- For any single story building, the parapet height shall be 22 feet minimum from grade.
- All buildings on the Site shall not exceed three stories and 40 feet in height. Height exceptions, as outlined in 12.108 of the zoning ordinance, will be allowed.

H. PARKING

Off street parking spaces will satisfy the minimum standards established under the Ordinance for NS zoning and as an unified development with the O-1 (CD) Site, parking requirements may make reference to either or both of the Site and the O-1 (CD) Site.

I. HIGHWAY 521 STREETScape TREATMENT

The streetscape treatment shall comply with Section 11.507 of the Ordinance. No parking will be located within 50 feet of the right-of-way line of Highway 521. No buildings will be located within 8 feet of the right-of-way line of Highway 521. The eight foot planting strip may be located within the setback and/or the right-of-way. In order to avoid the need to fill within the right-of-way of Highway 521, the six-foot sidewalk will be located outside the right-of-way, between the building and the parking area and generally as indicated on the Schematic Site Plans. However, in the event the Petitioner chooses to fill within the right-of-way, the aforementioned sidewalk will be located within the building setback along Highway 521.

J. LANCASTER HIGHWAY STREETScape TREATMENT

The streetscape treatment shall comply with Section 11.507 of the Ordinance. No parking will be located within 14 feet of the right-of-way line of Lancaster Highway. No buildings will be located within four feet of the right-of-way line of Lancaster Highway. An eight foot planting strip and a six foot sidewalk will be installed within the setback and/or the Lancaster Highway right-of-way in accordance with the Ordinance.

L. SIDEWALKS

- Sidewalks shall be installed on the Site as required by the Zoning Ordinance and City Code and as outlined above.
- Sidewalks shall be provided within the parking lot to provide for pedestrian access between the various buildings on the Site as well as between the Site and the O-1 (CD) Site as generally depicted on the Technical Data Sheet. However, the sidewalk associated with each building will be not be required to be installed until such time as the relevant building has been completed.
- The sidewalk along HWY 521 and Old HWY 521 maybe located adjacent to the building. If connection required at the intersection of HWY 521 & Old HWY 521, steps will be allowed to accommodate the grade transition. The sidewalk along HWY 521 may terminate at the tree save area on the northern edge of development.

M. LIGHTING

- All freestanding lighting fixtures will be uniform in design.
- All freestanding lighting fixtures shall be designed such that direct illumination does not extend past any property line. Any freestanding lighting fixture located within 100 feet of a residential zoning district shall not exceed 20 feet in height, including its base. The height of other freestanding lighting fixtures, including the base, may not exceed 30 feet in height.
- Wall pack lighting will not be allowed.

N. SIGNS

Detached signage shall not exceed 15 feet in height and 100 square feet in size. Furthermore, as an unified development with the O-1 (CD) Site, signage benefiting uses on the O-1 (CD) Site may be allowed on the Site to provide visibility from new Highway 521.

O. ACCESS POINTS (DRIVEWAYS)

- The number of vehicular access points to the Site shall be limited to the number depicted on this Technical Data Sheet.
- The placement and configuration of each access point are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the City of Charlotte and/or the North Carolina Department of Transportation.
- The Petitioner reserves the right to seek abandonment of that portion of Old Highway 521 which runs north to south and forms the southwesterly boundary of the Site and the excess right-of-way associated with the portion of Old Highway 521 which runs east to west and bisects the Site. The right-of-way abandonment is subject to approval by the City of Charlotte and/or the North Carolina Department of Transportation.
- In the event of abandonment of the right-of-way associated with the portion of Old Highway 521 which runs north to south and forms the southwesterly boundary of the Site, the Petitioner shall not be required to install curb, gutter, sidewalk or street trees along the former right-of-way. However, this project edge will comply with the provisions of Section 12.303, Screening Requirements.
- Petitioner shall install or cause to be installed an eastbound left-turn lane on Lancaster Highway into the proposed westernmost driveway to the Site. The left-turn lane shall, be designed by a registered professional engineer with roadway design experience to CDOT standards.
- Pull Vehicular access to the site will be as depicted on the site plans.

P. FIRE PROTECTION

Adequate fire protection in the form of fire hydrants will be provided to the Fire Marshal's specifications.

Q. STORM WATER MANAGEMENT

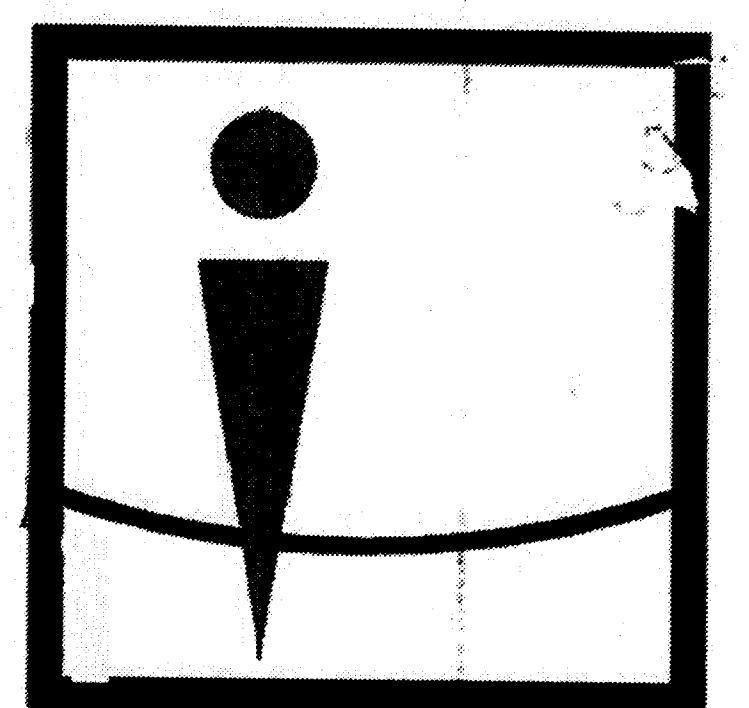
- Storm water runoff from the Site will be managed through proven techniques which satisfy the standards, if any, imposed by the City of Charlotte Engineering Department, at the time of this original filing and 11/26/01.
- Surface level storm water detention will not be located in setback areas.

R. AMENDMENTS TO REZONING PLAN

Future amendments to this Technical Data Sheet 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.

S. BINDING EFFECT OF THE REZONING APPLICATION

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and this Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns. Throughout these Development Standards, the terms Petitioner and Owner(s) shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.



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Mecklenburg Land Development, LLC

COMMERCIAL DEVELOPMENT
AT U.S. HIGHWAY 521
& OLD U.S. HIGHWAY 521
Petition No. 2008-093

Mecklenburg County, NC

FOR PUBLIC HEARING

date: 11/26/01
status: REZONING SUBMITTAL
revisions:
REVISED 1/15/02
REVISED 2/15/02
REVISED 3/14/02
REVISED 8/26/02
REVISED 12/16/02
REVISED 11/30/06
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REVISED 05/23/08
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APPROVAL
DATED: 1/2008
BY: DEBRA D. CAMPBELL
A1
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