

DEVELOPMENT DATA: TAX PARCEL: 22504505 EXISTING ZONING: MUDD-O PROPOSED ZONING: MUDD-O TOTAL SITE AREA: 0.859 ACRES LOT SETBACK: FRONT: 25' REAR: 0

SIDE: 0'

EXISTING TREE NOTE: NO EXISTING TREES ARE LOCATED ON SUBJECT PROPERTY.

RECEIVED By Michael Cataldo at 10:06 am, Jun 26, 2012

DEVELOPMENT STANDARDS (FROM PETITION #2002 -142)

GENERAL PROVISIONS
THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION FILED BY FIRST COLONY TO ACCOMMODATE DEVELOPMENT OF A MIXED USE, PEDESTRIAN—FRIENDLY COMMUNITY ON APPROXIMATELY 144.5 ACRE LOCATED ON MALLARD CREEK CHURCH ROAD (THE SITE). DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE 'ORDINANCE') UNLESS THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE DEVELOPMENT DISTRICT (MUDD), SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW, SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON TRACTS A AND B OF THIS SITE. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE-I (MX-1) DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON TRACT C OF THIS SITE. TRACT C SHALL UTILIZE THE INNOVATIVE PROVISIONS OF THE ORDINANCE AS OUTLINED ON THE TECHNICAL DATA SHEET AND THIS SITE. PLAN WILL CONSTITUTE THE APPROVED MX-1 (INNOVATIVE) SITE PLAN. NO SUBSEQUENT (INNOVATIVE) SITE PLAN APPROVAL WILL BE REQUIRED. THE TECHNICAL DATA SHEET IS ACCOMPANIED BY A SCHEMATIC SITE PLAN AND TWO ALTERNATE DEVELOPMENT SCHEMATIC SITE PLANS. WHICH TOGETHER DEPICT THREE SEPARATE POTENTIAL DEVELOPMENT SCENARIOS FOR TRACT A OF THE SITE.

A. TRACT A OF THE SITE MAY BE DEVOTED TO RETAIL. OFFICE, DAY CARE, BANK, HOTEL, COMMERCIAL AND RESTAURANT USES (INCLUDING ANY ACCESSORY USES) AS PERMITTED IN THE MUDD ZONING CLASSIFICATION AND SUBJECT TO THE MAXIMUM DEVELOPMENT PROVISIONS SET FORTH BELOW UNDER PARAGRAPH A OF SECTION 2 AND THE MUDD—OPTIONAL PROVISIONS SET FORTH BELOW UNDER PARAGRAPH C OF SECTION 3. HOWEVER, IN NO EVENT SHALL ANY RESTAURANTS WITH DRIVE THROUGH FACILITIES BE PERMITTED ON THE TRACT B OF THE SITE MAY BE DEVOTED TO TOWNHOMES FOR SALE TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH WHICH ARE PERMITTED UNDER THE ORDINANCE BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD DISTRICT.
TRACT C OF THE SITE MAY BE DEVOTED TO SINGLE FAMILY DETACHED HOMES TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH WHICH ARE PERMITTED UNDER THE ORDINANCE BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MX-1 2. MAXIMUM DEVELOPMENT

- TRACT A MAY BE DEVELOPED WITH UP TO 200,000 SQUARE FEET OF OFFICE USES AND UP TO 100,000 SQUARE FEET OF COMMERCIAL/RETAIL USES, SUBJECT TO THE FOLLOWING PROVISIONS
- -- AREAS DEVOTED TO OUTDOOR DINING. COURTYARDS AND PLAZAS ARE NOT INCLUDED IN THE SQUARE FOOTAGE NOTED ABOVE,
 -- ANY FLOOR AREA ASSOCIATED WITH A HOTEL, BANK, DAY CARE CENTER OR OTHER USES ALLOWED UNDER AN OFFICE ZONING CLASSIFICATION WILL BE COUNTED AS A PART OF THE OFFICE USES NOTED IN SECTION 2.A ABOVE, -- UP TO 40,000 SQUARE FEET OF THE 100,000 SQUARE FEET PERMITTED IN SECTION 2.A ABOVE FOR COMMERCIAL/RETAIL USES MAY BE CONVERTED TO ADDITIONAL OFFICE SQUARE FOOTAGE AT A CONVERSION RATE OF ONE SQUARE FOOT OF OFFICE SPACE FOR EVERY ONE SQUARE FOOT OF COMMERCIAL/RETAIL SPACE SUBJECT TO A MAXIMUM OF 240,000 SQUARE FEET OF OFFICE USES AND
- -- IN THE EVENT TRACT A IS DEVELOPED WITH A HOTEL USE (GENERALLY DEPICTED BY SCHEMATIC SITE PLAN ALTERNATE B), NO MORE THAN 75,000 SQUARE FEET OF PRINCIPAL COMMERCIAL/RETAIL USES WILL BE PERMITTED.

TRACT B MAY BE DEVELOPED WITH UP TO 63 TOWNHOMES. TRACT C MAY BE DEVELOPED WITH UP TO 395 SINGLE FAMILY DETACHED HOMES.

3 MUDD—OPTIONAL PROVISIONS
THIS PETITION PROPOSES UTILIZATION OF THE MUDD—O PROVISIONS TO ACCOMMODATE THE FOLLOWING VARIATIONS
A. THE MUDD—OPTIONAL SIGNAGE PLAN INCLUDES AN ENTRY MONUMENT SIGN ON MALLARD CREEK CHURCH ROAD AT THE TWO ENTRANCES TO THE DEVELOPMENT AS GENERALLY INDICATED ON THE TECHNICAL DATA SHEET, THE TWO MONUMENT SIGNS SHALL BLEND WITH THE ARCHITECTURE OF THE BUILDINGS AND NOT EXCEED 6 FEET IN HEIGHT AND 45 SQUARE FEET (PER SIDE OF EACH SIGN) IN SIZE. THE SIGNAGE PLAN ALSO INCLUDES BUILDING WALL SIGNAGE ON BUILDINGS DEVOTED TO OFFICE AND/OR COMMERCIAL/RETAIL USE(S) ONLY UP TO 10% OF BUILDING WALL AREA TO WHICH THE SIGN IS ATTACHED UP TO A MAXIMUM OF 150 SQUARE FEET PER TENANT. B. THE MUDD-OPTIONAL PLAN ALLOWS PARKING IN FRONT OF BUILDINGS GENERALLY IN THE MANNER INDICATED ON THE SCHEMATIC SITE PLANS.

C. THE MUDD-OPTIONAL PLAN INCLUDES LIMITED DRIVE-THRU FACILITY PROVISIONS. IN THE EVENT BANKS OR OTHER TYPES OF FINANCIAL INSTITUTIONS (AS WELL AS DRY CLEANING FACILITIES) ARE DEVELOPED ON THE SITE, THEY MAY INCLUDE ACCESSORY DRIVE THROUGH PACILITIES AS CONVENIENCE STORE FACILITY MAY INCLUDE CASOLINE PUMPS BUT SACTUMES MUST BE ORIENTED SO THAT THEY ARE NOT FACILITY OF THE CONTROLLED CONTROLLED CASOLINE PUMPS MUST BE ORIENTED SO THAT THEY ARE NOT FACILITY OF THE CONTROLLED CONTROLLED CASOLINE PUMPS MUST BE ORIENTED SO THAT THEY ARE NOT FACILITY OF THE CONTROLLED CONTROLLE

ONE FREE STANDING MONUMENT SIGN ALONG MALLARD CREEK CHURCH ROAD FRONTAGE THAT IS CONSISTENT WITH THE PREVIOUSLY APPROVED TECHNICAL STANDARDS WILL BE ALLOWED. 4 SETBACKS: SIDE YARDS AND REAR YARDS

A. ALL BUILDINGS CONSTRUCTED WITHIN TRACT A AND B OF THE SITE SHALL SATISFY OR EXCEED THE SETBACK, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD DISTRICT. BUILDINGS AND PARKING AREAS MAY BE LOCATED

WITHIN THE DEVELOPMENT AREA BOUNDARIES. B. ALL HOMES CONSTRUCTED WITHIN TRACT C OF THE SITE SHALL SATISFY OR EXCEED THE SETBACK, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE-1 (MX-I) DISTRICT. 5 TRACT A DESIGN AND PERFORMANCE STANDARDS
A. ARCHITECTURAL CONTROLS

- 1. SURFACE LEVEL PARKING SHALL NOT BE LOCATED BETWEEN THE BUILDINGS AND MALLARD CREEK CHURCH ROAD, EXCEPT AS PROVIDED FOR IN SECTION 3(B) ABOVE.
- 2. BUILDINGS CONSTRUCTED ALONG MALLARD CREEK CHURCH ROAD WILL CONTAIN WINDOWS WHICH FACE THIS STREET AND LARGE EXPANSES OF SOLID WALLS FOR THESE BUILDINGS WILL BE AVOIDED THROUGH THE INTRODUCTION OF ARTICULATED FACADES AND OTHER SPECIALLY DESIGNED ARCHITECTURAL ELEMENTS IN CONFORMANCE WITH SECTION 9,8506 OF THE ORDINANCE AND AS GENERALLY DEPICTED ON THE PERSPECTIVE ON SHEET 3. 3. DUMPSTER AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY ON OPAQUE WALL WITH ONE 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
- 4. THE DESIGN TREATMENT SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING AMENITIES AS GENERALLY INDICATED ON THE PERSPECTIVE ON SHEET 3: A. A COURTYARD/PLAZA AREA AND
- 5. IN THE EVENT TRACT A IS DEVELOPED IN THE MANNER DEPICTED BY THE SCHEMATIC SITE PLAN AND WITH LOADING AREAS OR SERVICE DOCKS LOCATED TO THE REAR OF BUILDINGS FACING TRACT C, A BRICK SCREEN WALL WILL BE PROVIDED ALONG THE LOADING AREA AND/OR SERVICE DOCK AREA, WHICHEVER IS APPLICABLE, OF TRACT A THE BRICK SCREEN WALL WILL BE A MINIMUM OF 10 FEET IN HEIGHT THE SCREEN WALL WILL NOT BE REQUIRED IN THE EVENT TRACT A IS DEVELOPED IN THE MANNER DEPICTED BY ALTERNATÉ DEVELOPMENT SCHEMATIC SITE PLAN A OR B. LANDSCAPING AND SCREENING
- 1. INTERNAL AREAS OF THE SITE SHALL BE LANDSCAPED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY CODE.
 2. ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHT-OF-WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE.
 3. ALL OTHER SCREENING AND LANDSCAPING SHALL CONFORM TO THE STANDARDS OF THE ORDINANCE,
- THE STREETSCAPE TREATMENT ALONG MALLARD CREEK CHURCH ROAD WILL CONFORM TO THE ORDINANCE AND INCLUDE LARGE MATURING TREES, SUPPLEMENTAL SHRUBBERY. SIDEWALKS OF AT LEAST SIX FEET IN WIDTH AND PLANTING STRIPS OF AT LEAST 8 FEET IN WIDTH. IN THE EVENT THERE IS SUFFACE LEVEL PARKING LOCATED IN BETWEEN BUILDING(S) AND ANY PORTION OF MALLARD CREEK CHURCH ROAD (SEE SCHEMATIC SITE PLANS). THE STREETSCAPE TREATMENT ALONG THOSE PORTIONS OF MALLARD CREEK CHURCH ROAD SHALL ALSO INCLUDE A TWO AND ONE—HALF TO THREE FEET IN HEIGHT SOLID MASONRY WALL IN ORDER TO SCREEN SUCH PARKING. 2. OUTDOOR DINING AND COURTYARD AREAS MAY BE LOCATED WITHIN THE ESTABLISHED, BUT OUTSIDE OF THE REQUIRED, SETBACK ALONG MALLARD CREEK CHURCH ROAD AS GENERALLY INDICATED ON THE PERSPECTIVE ON SHEET 3,
- ALL PARKING LOT LIGHTING SHALL BE DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY EXTERIOR PROJECT EDGE PROPERTY LINE. THE PARKING LOT LIGHTING WITHIN TRACT A SHALL NOT EXCEED 30 FEET IN HEIGHT.
- 3. THE LIGHTING UNDER THE CANOPY OF ANY CONVENIENCE STORE CONSTRUCTED ON TRACT A SHALL BE OF THE FLAT LENS TE (AS OPPOSED TO A DROPPED LENS) AND MAY NOT EXCEED A MAXIMUM OVERAGE OF 46 FOOT CANDLES UNDER THE CANOPY AT GRADE
- 4. ANY LIGHTING ATTACHED TO A REAR EXTERIOR BUILDING WALL FACING THE RESIDENTIAL COMPONENT IN TRACT C SHALL BE CAPPED AND DOWNWARDLY DIRECTED,
- OFF STREET PARKING AND LOADING WILL MEET THE STANDARDS ESTABLISHED UNDER THE ORDINANCE AT LEAST ONE BICYCLE RACK SHALL BE PROVIDED AT EACH BUILDING WITHIN TRACT A. ANY BUILDING(S) USED PRINCIPALLY FOR HOTEL OR OFFICE USES WILL NOT EXCEED 60 FEET IN HEIGHT. OTHER BUILDING(S) ON TRACT A WILL NOT EXCEED 40 FEET IN HEIGHT.
- <u>6 TRACT B DESIGN CONTROLS</u> A. BUILDINGS CONSTRUCTED ALONG MALLARD CREEK CHURCH ROAD WILL CONTAIN WINDOWS AND SHUTTERS WHICH FACE MALLARD CREEK CHURCH ROAD AND LARGE EXPANSES OF SOLID WALLS FOR THESE BUILDINGS WILL BE AVOIDED THROUGH THE INTRODUCTION OF ARTICULATED
- FACADES AND OTHER SPECIALLY DESIGNED ARCHITECTURAL ELEMENTS IN CONFORMANCE WITH SECTION 9 8505 OF THE ORDINANCE B. EACH OF THE TOWNHOMES WILL INCLUDE ATTACHED GARAGES.
- BUILDINGS WILL NOT EXCEED TWO STORIES OR 40 FEET IN HEIGHT.

FOLLOWING ROAD IMPORVEMENTS HAVE BEEN COMPLETED:

- TRACT C AMENITIES, LANDSCAPING AND DESIGN
 A. TRACT C WILL PROVIDE THE FOLLOWING RECREATIONAL AMENITIES:
 A COMMUNITY POOL,
- -- A CABANA, AND

B. A LANDSCAPE STRIP WILL BE PROVIDED ALONG A PORTION OF THE EASTERLY PROJECT EDGE OF TRACT C, AS GENERALLY INDICATED ON THE TECHNICAL DATA SHEET. THE PLANTINGS WITHIN THE LANDSCAPE STRIP WILL INCLUDE 20 THREE—GALLON SHRUBS AND 2 TWO—INCH SHADE TREES PER 100 LINEAR FEET AND WILL BE INSTALLED ON TRACT C WITHIN 10 FEET OF THE PROPERTY LINE, LOTS WITHIN TRACT C SHALL NOT BE TOSS THAN 50 FEET IN WIDTH AS MEASURED AT THE SETBACK LINE, LOTS WITHIN THE PORTION OF TRACT C AS DESIGNATED ON THE SCHEMATIC SITE PLAN SHALL NOT BE LESS THAN 60 FEET IN WIDTH. . THE STREETSCAPE TREATMENT ALONG TRACT C'S FRONTAGE ON GALLOWAY ROAD WILL BE IN ACCORDANCE WITH THE CROSS—SECTION CONTAINED ON SHEET
. A COMMON OPEN SPACE LANDSCAPE STRIP WILL BE PROVIDED ALONG GALLOWAY ROAD, THIS COMMON OPEN SPACE STRIP WILL BE A MINIMUM OF 20 FEET IN WIDTH AND MEASURED FROM THE RIGHT—OF—WAY LINE ALONG GALLOWAY ROAD.

A. VEHICULAR ACCESS

A. VEHICULAR ACCESS TO MALLARD CREEK CHURCH ROAD AND GALLOWAY ROAD SHALL BE AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET.

B. THE PLACEMENT AND CONFIGURATION OF THESE ACCESS POINTS ORE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND ARCHITECTURAL CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY

C. PETITIONER AGREES TO DEDICATE AND CONVEY (BY QUITCLAIM DEED AND SUBJECT TO A RESERVATION FOR ANY NECESSARY UTILITY EASEMENTS AND A REVERSIONARY INTEREST IN ANY PROPERTY NOT USED FOR RIGHT-OF-WAY PURPOSES IN THE FUTURE)
RIGHT-OF-WAY ALONG MALLARD CREEK CHURCH ROAD REQUIRED TO PROVIDE FOR A MINIMUM OF 50 FEET OF RIGHT-OF-WAY FROM THE CENTERLINE, IF SUCH RIGHT-OF-WAY DOES NOT EXIST ALREADY, PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY FOR D. EXCEPT AS OTHERWISE PROVIDED UNDER PARAGRAPH E BELOW. NO BUILDING/DRIVEWAY PERMIT MAY BE ISSUED FOR DEVELOPMENT TAKING PLACE WITHIN TRACT A OR TRACT B UNTIL AFTER THE DESIGN/CONSTRUCTION PLANS FOR THE FOLLOWING ROADWAY/INTERSECTION IMPROVEMENTS HOVE BEEN APPROVED BY COOT AND NOOT. EXCEPT AS OTHERWISE PROVIDED UNDER PARAGRAPH E, NO CERTIFICATE OF OCCUPANCY MAY BE ISSUED FOR DEVELOPMENT TAKING PLACE WITHIN TRACT A OR TRACT B UNTIL AFTER

- INTERSECTION OF MALLARD CREEK CHURCH ROAD AND SENATOR ROYALL PLACE:

 -- CONSTRUCTION OF A WESTBOUND RIGHT TURN LANE WITH 150 FEET OF STORAGE AND A 20: 1 BAY TAPER, AND - CONSTRUCTION OF THE SOUTHBOUND APPROACH TO INCLUDE DUAL LEFT TURN LANES WITH 150 FEET OF STORAGE IN EACH LANE AND A THROUGH-AND-RIGHT TURN COMBINATION LANE AT THE.
- INTERSECTION OF MALLARD CREEK CHURCH ROAD AND CLAUDE FREEMAN DRIVE:

 -- CONSTRUCTION OF A WESTBOUND RIGHT TURN LANE WITH I 50 FEET OF STORAGE AND A 20: 1 BOY TAPER, AND

 -- CONSTRUCTION OF A NORTHBOUND LEFT TURN LANE WITHIN THE EXISTING MEDIAN WITH 200 FEET OF STORAGE AND A 15: 1 BOY TAPER, -- CONSTRUCTION OF THE SOUTHBOUND APPROACH TO INCLUDE DUAL LEFT TURN LANES WITH 150 FEET OF STORAGE IN EACH LANE AND A THROUGH-AND-RIGHT TURN COMBINATION LANE.
- THE DEVELOPER WILL BE RESPONSIBLE FOR THE COSTS ASSOCIATED WITH THE DESIGN AND CONSTRUCTION OF THESE IMPROVEMENTS, AND OIL OTHER ASSOCIATED INTERSECTION AND ROADWAY MODIFICATIONS NECESSARY AS A RESULT OF THESE IMPROVEMENTS AS DETERMINED BY CDOT AND NCDOT, TO INCLUDE BUT NOT BE LIMITED TO: LANE REALIGNMENTS, MEDIAN MODIFICATIONS, TRAFFIC SIGNAL MODIFICATIONS, PAVEMENT MARKINGS, AND RIGHT—OF—WAY ACQUISITION DEDICATION. THE DESIGNS OF THE SOUTHBOUND APPROACHES TO THESE INTERSECTIONS ILLUSTRATED ON THE SITE PLAN ORE CONCEPTUAL AND PRECISE LOCATIONS OF LANES, MEDIAN DESIGN AND ASSOCIATED ELEMENTS WILL BE FINALIZED IN CONJUNCTION WITH THE INTERSECTION DESIGN PROCESS. NOTWITHSTANDING ANYTHING TO THE CONTRARY PROVDED UNDER PARAGRAPH D ABOVE, THE DEVELOPER OF TRACT A MAY APPLY FOR BUILDING/DRIVEWAY PERMITS FOR UP TO 25,000 S.F. OF SPACE TO BE DEVELOPED WITHIN PARCELS A-1, A-2, AND/OR PARCEL A-3 OF TRACT A AT ANY TIME AFTER THE DESIGN/CONSTRUCTION PLANS FOR THE FOLLOWING ROADWAY/INTERSECTION IMPROVEMENTS HAVE BEEN APPROVED BY CDOT AND NCDOT AND MAY APPLY FOR CERTIFICATES OF OCCUPNACY FOR SUCH DEVELOPMENT AFTER THE
- INTERSECTION OF MALLARD CREEK CHURCH ROAD AND SENATOR ROYALL PLACE:

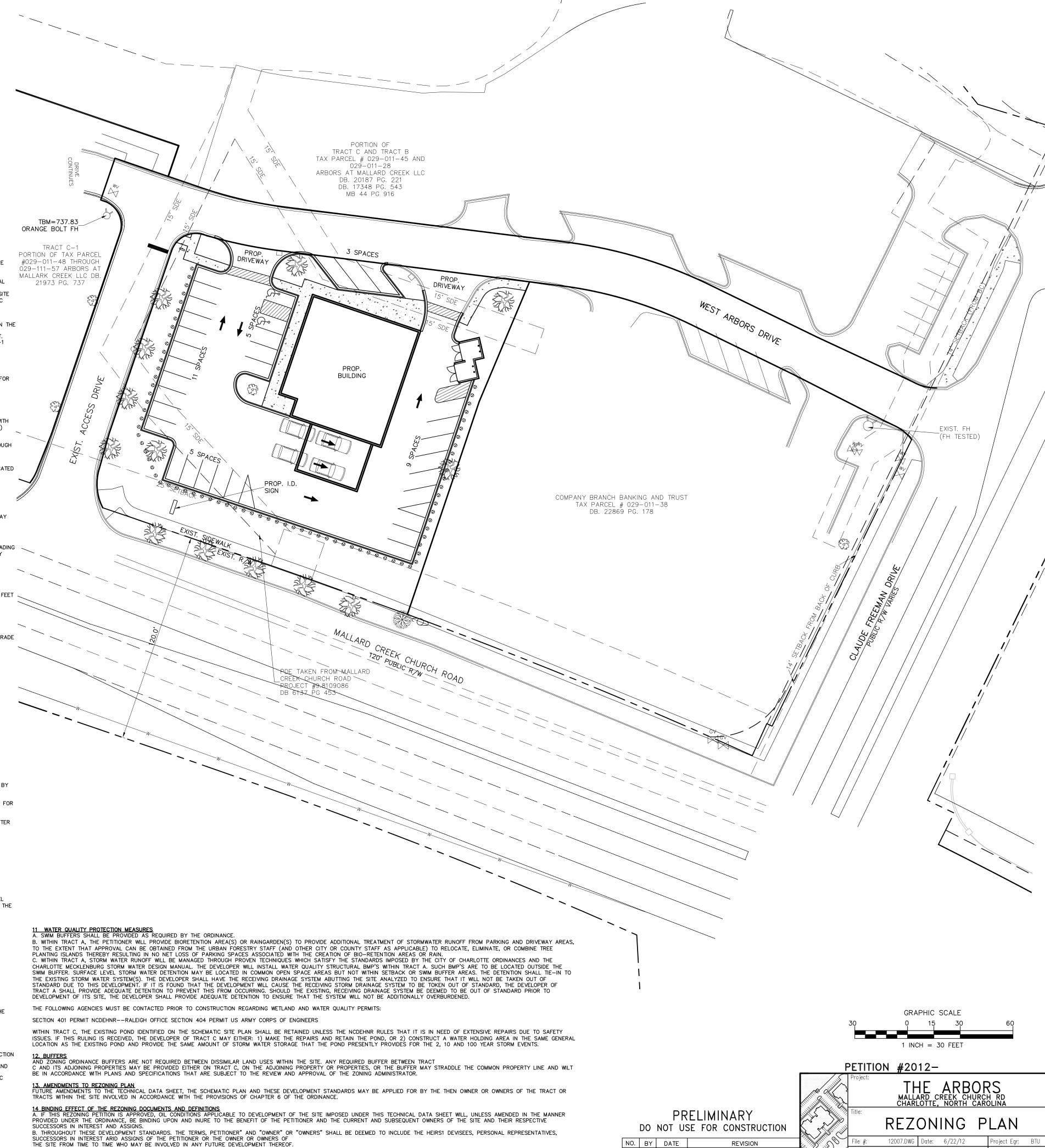
 -- CONSTRUCTION OF A WESTBOUND RIGHT TURN LONE WITH I 50 FEET OF STORAGE AND A 20: 1 BOY TAPER, AND -- CONSTRUCTION OF THE SOUTHBOUND APPROACH TO INCLUDE DUAL LEFT TURN LANES WITH 150 FEET OF STORAGE IN EACH LANE AND A THROUGH-AND-RIGHT TURN COMBINATION LANE.
- SCOPE OF INTERSECTION IMPROVEMENTS: THE DEVELOPER WILL BE RESPONSIBLE FOR THE COSTS ASSOCIATED WITH THE DESIGN AND CONSTRUCTION OF THESE IMPROVEMENTS, AND ALL OTHER ASSOCIATED INTERSECTION AND ROADWAY MODIFICATIONS NECESSARY AS A RESULT OF THESE IMPROVEMENTS AS DETERMINED BY CDOT AND NCDOT, TO INCLUDE BUT NOT BE LIMITED TO: TONE REALIGNMENTS, MEDIAN MODIFICATIONS, UTILITY RELOCATIONS, TRAFFIC SIGNAL MODIFICATIONS PAVEMENT MARKINGS, AND RIGHT—OF—WAY ACQUISITION DEDICATION. THE DESIGN OF THE SOUTHBOUND APPROACH TO THIS INTERSECTION ILLUSTRATED ON THE SITE PLAN ARE CONCEPTUAL AND PRECISE LOCATIONS OF LANES, MEDIAN DESIGN AND ASSOCIATED ELEMENTS WILL BE FINALIZED IN CONJUNCTION WITH THE INTERSECTION DESIGN PROCESS. NO FINAL PLOTS FOR RESIDENTIAL DEVELOPMENT TAKING PLACE WITHIN TRACT C MAY BE RECORDED UNTIL AFTER THE FOLLOWING ROAD IMPROVEMENTS HOVE EITHER BEEN COMPLETED OR BONDED IN THE MANNER ESTABLISHED UNDER THE SUBDIVISION PROCESS: INTERSECTION OF MALLARD CREEK CHURCH ROAD AND CLAUDE FREEMAN DRIVE:
- -- CONSTRUCTION OF A WESTBOUND RIGHT TURN LANE WITH 150 FEET OF STORAGE AND A 20: 1 BAY TAPER AND
 -- CONSTRUCTION OF A NORTHBOUND LEFT TURN LONE WITHIN THE EXISTING MEDIAN WITH 200 FEET OF STORAGE AND A 15: 1 BAY TAPER, AND -- CONSTRUCTION OF THE SOUTHBOUND APPROACH TO INCLUDE DUAL LEFT TURN LANES WITH 150 FEET OF STORAGE IN EACH LANE AND A THROUGH-AND-RIGHT TURN COMBINATION LONE,

DESIGN/CONSTRUCTION PLANS FOR THESE PROPOSED ROOD IMPROVEMENTS MUST BE SUBMITTED AS A PART OF THE PRELIMINARY PLANS FOR DEVELOPMENT TAKING PLACE WITHIN TRACT C.

- INTERSECTION OF MALLARD CREEK ROAD AND GALLOWAY ROAD: CONSTRUCTION OF A NORTHBOUND RIGHT TURN LANE WITH 1 50 FEET OF STORAGE AND A 20: 1 BAY TAPER. IF OFF-SITE RIGHT-OF-WAY IS REQUIRED TO ACCOMMODATE THIS IMPROVEMENT, THE DEVELOPER OF TRACT C WILL MAKE A GOOD FAITH EFFORT (WHICH SHALL INCLUDE THE USE OF AN INDEPENDENT APPRAISER TO ASSESS PROPERTY VALUES) TO SECURE THE NECESSARY OFF-SITE RIGHT-OF-WAYS. IF THE DEVELOPER OF TRACT C SUCCESSFULLY ACQUIRES THE NECESSARY OFF-SITE RIGHT-OF-WAYS. THE DEVELOPER OF TRACT C WILL CAUSE THE IMPROVEMENT TO BE COMPLETED.

 IF RIGHT-OF-WAY NOT OWNED BY THE DEVELOPER OF TRACT C IS REQUIRED TO COMPLETE THIS WORK AND THE DEVELOPER OF TRACT C FALLS IN ITS GOOD FAITH ATTEMPT TO ACQUIRE THE RIGHT-OF-WAY, THE DEVELOPER MAY REQUEST THE CITY TO CONDEMN THE PROPERTY AND AGREE TO PAY FOR ALL COSTS AND EXPENSES ASSOCIATED THEREWITH.
- BUILDING PERMITS FOR RESIDENTIAL DEVELOPMENT COVERED BY THE PARTICULAR PLOT INVOLVED MAY BE APPLIED FOR AFTER THE FINAL PLAT HAS BEEN RECORDED. SCOPE OF INTERSECTION IMPROVEMENTS: THE DEVELOPER WILL BE RESPONSIBLE FOR THE COSTS ASSOCIATED WITH THE DESIGN AND CONSTRUCTION OF THESE IMPROVEMENTS, AND ALL OTHER ASSOCIATED INTERSECTION AND ROADWAY MODIFICATIONS NECESSARY AS A RESULT OF THESE IMPROVEMENTS AS DETERMINED BY COOT AND NCDOT. TO INCLUDE BUT NOT BE LIMITED TO: LONE REALIGNMENTS, MEDIAN MODIFICATIONS, UTILITY RELOCATION, TRAFFIC SIGNAL MODIFICATIONS, PAVEMENT MARKINGS, AND RIGHT-OF-WAY ACQUISITION/DEDICATION. THE DESIGN OF THE SOUTHBOUND APPROACH TO THE MALLARD CREEK CHURCH ROAD/CLAUDE FREEMAN DRIVE INTERSECTION ILLUSTRATED ON THE SITE PLAN IS CONCEPTUAL AND PRECISE LOCATIONS OF LANES, MEDIAN DESIGN AND ASSOCIATED ELEMENTS WILL BE FINALIZED IN CONJUNCTION WITH THE INTERSECTION DESIGN PROCESS. THE DEVELOPER OF TRACT C SHALL PROVIDE STANDARD COLLECTOR STREET IMPROVEMENTS ALONG THAT PORTION OF THE SOUTHERN HALF OF THE RIGHT-OF-WAY FOR GALLOWAY ROAD ABUTTING TRACT C IN ACCORDANCE WITH THE CHARLOTTE MECKLENBURG LAND H. THE DEVELOPER OF TRACT C SHALL CONTRIBUTE \$50,000.00 TOWARD THE COSTS OF INSTALLATION OF A TRAFFIC SIGNAL AT THE INTERSECTION OF GALLOWAY ROAD AND MALLARD CREEK ROAD TO COOT OR NCDOT, WHICHEVER MAY BE APPLICABLE, IF.THE TRAFFIC SIGNAL IS INSTALLED WITHIN FIVE YEARS OF THE DATE OF APPROVAL OF THIS REZONING PETITION. SUCH CONTRIBUTION SHALL BE MADE WITHIN 60 DAYS OF A WRITTEN REQUEST TO THE DEVELOPER OF TRACT C BY THE APPROPRIATE AGENCY. I. THE TRAFFIC CIRCLE INDICATED ON THE SCHEMATIC SITE PLAN SHALL CONFORM TO THE STANDARDS FOR AN URBAN COMPACT OR MINI——ROUNDABOUT AS DEFINED IN THE FEDERAL HIGHWAY ADMINISTRATION'S MANUAL ENTITLED ROUNDABOUTS: AN INFORMATIONAL GUIDE. IN THE EVENT THE DEVELOPER OF TRACT C DETERMINES THAT THE DESIGN OF THE TRAFFIC CIRCLE CANNOT COMPLY WITH THESE STANDARDS, THE TRAFFIC CIRCLE MAY BE ELIMINATED.

 J. AT LEAST ONE OF THE ACCESS POINTS TO MALLARD CREEK CHURCH ROOD WILL BE CONSTRUCTED DURING THE INITIAL CONSTRUCTION PHASE OF
- TRACT C AND CONNECTED TO TRACT C. IN ADDITION, SIGNAGE AT EACH OF TRACT C'S GALLOWAY ROAD ENTRANCES STATING THAT NO CONSTRUCTION TRAFFIC IS PERMITTED TO ACCESS THE SITE FROM GALLOWAY ROAD MUST BE POSTED AT THE TIME ACCESS TO MALLARD CREEK CHURCH ROAD BECOMES AVAILABLE. TEMPORARY ACCESS WILL NOT BE PERMITTED AT EITHER OF THE SIGNALIZED INTERSECTION LOCATIONS ON
- MALLARD CREEK CHURCH ROAD WITHOUT NECESSARY TRAFFIC SIGNAL MODIFICATIONS. . THE DEVELOPER OF TRACT C WILL CONTRIBUTE TO THE CITY FUNDS FOR THE COST OF INSTALLING TWO SPEED HUMPS ON GALLOWAY ROAD SHOULD THE CITY DETERMINE THROUGH THE PROCESSING OF A SPEED HUMP REQUEST AND THE STANDARD EVALUATION
- PROCEDURES THAT SUCH SPEED HUMPS SHOULD BE INSTALLED, AND SUCH DETERMINATION IS MADE WITHIN FIVE YEARS OF THE DATE OF APPROVAL OF THIS REZONING PETITION.
- PEDESTRIAN AND VEHICULAR CONNECTIONS TO ADJOINING PARCELS WILL BE PROVIDED GENERALLY AS SHOWN ON THE TECHNICAL DATA SHEET. THE ESTABLISHMENT OF THE PEDESTRIAN CONNECTIONS TO ADJOINING OFFICE PARK(S) TO THE WEST AND TO THE ADJOINING CHURCH TO THE EAST IS CONTINGENT UPON THE APPROVAL OF THE OWNERS OF THOSE RESPECTIVE ADJOINING PROPERTIES TO WHICH THE CONNECTIONS WOULD BE MADE. THE PRESENCE OF WETLANDS MAY NECESSITATE A CUL—DE—SAC ON THE MOST EASTERLY NORTH/SOUTH STREET WITHIN TRACT C (SEE TECHNICAL DATA SHEET). THE DEVELOPER OF TRACT C WILL NOT INSTALL CUL—DE—SACS IN THIS LOCATION IF THE PERMIT ISSUED FOR TRACT C'S WETLAND IMPACTS WOULD TOTAL MORE THAN 0.09 ACRE AND 1 49 INEAL FEET OF STREAM IMPACTS IF THIS CONNECTION WERE MADE.
- ADEQUATE FIRE PROTECTION IN THE FORM OF FIRE HYDRANTS WILL BE PROVIDED TO THE CHARLOTTE FIRE MARSHAL'S SPECIFICATIONS. PLANS FOR EACH BUILDING WILL BE SUBMITTED TO THE FIRE MARSHAL'S OFFICE FOR APPROVAL BEFORE THE CONSTRUCTION OF THAT



8720 RED OAK BOULEVARD, SUITE 420 CHARLOTTE, N.C. 28217 PHONE (704) 527-3440 FAX (704) 527-8335

THE DEVELOPMENT DEPICTED ON THE SCHEMATIC SITE PLANS IS SCHEMATIC IN NATURE AND INTENDED TO DESCRIBE THE GENERAL ARRANGEMENT OF USES ON THE SITE. ACCORDINGLY, THE CONFIGURATION, PLACEMENT, AND SIZE OF THE BUILDING FOOTPRINTS OUTLINED ON

MODIFIED TO ACCOMMODATE FINAL BUILDING LOCATIONS AND PARKING SPACES MAY BE LOCATED INSIDE OR OUTSIDE DEVELOPMENT AREA BOUNDARIES TO THE EXTENT PERMITTED BY THE

HE SCHEMATIC SITE PLANS ARE SCHEMATIC IN NATURE, AND SUBJECT TO THE PROVISIONS SET FORTH ABOVE UNDER ARCHITECTURAL CONTROLS, MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES WITHIN THE MAXIMUM DEVELOPMENT AREA BOUNDARIES ESTABLISHED ON THE TECHNICAL DATA SHEET, STREET AND PARKING LAYOUTS MAY ALSO BE