

DEVELOPMENT DATA DEVELOPMENT STANDARDS

PARCEL A
 Existing Zoning: R-1 (CD)
 Proposed Zoning: Site Plan Amendment
 Gross Acreage: 11.47 Acres

PARCEL B
 Existing Zoning: R-12 MF
 Proposed Zoning: R-1 (CD)
 Gross Acreage: 17.5 Acres

Client: Tyvola Crossing Associates Limited Partnership

GENERAL PROVISIONS
 All development standards established under the Charlotte Zoning Ordinance (the "Ordinance") for the R-1 Zoning District Classification shall be followed in a consistent and uniform manner on Parcel "A" and Parcel "B". The following standards, provisions, and conditions in this Rezone Plan are intended to be applied in conjunction with the Ordinance and shall be applied to all development on Parcel "A" and Parcel "B" within the boundaries of the rezoned area.

PERMITS
 1. Parcel "A" and "B" may not be subdivided.
 2. The final plat for Parcel "A" and Parcel "B" shall be subject to the review and approval of the City of Charlotte.
 3. Retail uses are intended to be located on the industrial site within the rezoned area. The use of other uses is prohibited.

NOTES
 1. Standard setbacks shall be a minimum of 25' for all structures.
 2. Maximum height shall be 35 feet for all structures.

DEVELOPMENT STANDARDS

- BUFFER ZONES**
- All development within the site will be subject to the buffer zones imposed by and depicted on the Schematic Site Plan.
 - The buffer areas extending around the perimeter of the site are to remain as open space, except to the extent necessary to accommodate pedestrian pathways, access points, walls, berms, fences, grading, storm water retention ponds (within the areas designated), signs and graphics (as permitted by the City of Charlotte Sign Ordinance), drainage or utility construction. Grading may be performed if slopes and berms may be installed within all buffer areas except the 25' "undisturbed area" strip established in the rear buffer area along the easterly margin of the site.
 - No buildings or parking lots may be placed within any buffer area. Except as otherwise provided in paragraph 3 below, existing tree cover and natural features within the 25' "undisturbed area" strip established in the rear buffer area will be preserved, subject to the right of the owner to use such areas for pedestrian pathways, storm water retention ponds (within the areas designated), drainage, sanitary sewers, water lines, telephone lines, power lines, gas lines, and other utility purposes. Any existing trees within the 25' "undisturbed area" which die as a result of grading outside such strip will be replaced with large maturing trees satisfying the standard established under paragraph #1 of "Landscaping & Screening" below.
 - Signs and graphics shall not be allowed in any buffer areas which are adjacent to single family lots.
 - In all buffer areas except retention pond areas where existing trees and natural vegetation have been cleared to accommodate walls, berms, fences, grading, signs, graphics, and the installation of utility construction, the cleared, unimproved areas will be landscaped with trees and shrubs, and where existing vegetation is not sufficient to provide adequate screening, the owner shall be required to erect earth berms at least 6' in height or to provide heavy landscaping consisting of trees and shrubs to screen views.
 - Any grading, earth berms, or vegetation planned in the buffer areas along the northern portion of the site within the Duke Power right-of-way shall be subject to receipt of approval from Duke Power Company.

LANDSCAPING & SCREENING

- Buffering and/or screening shall conform with the standards and treatments specified on this Rezone Plan and, in all instances, shall meet or exceed the requirements of the Ordinance. Trees in the buffer area shall be a minimum of 2" in caliper and 8' in height at planting. Species may include a mixture of deciduous and evergreen trees such as: Carya Florida (Flowering Dogwood), Pyrus Calleryana Bradford (Bradford pear), Ilex Opaca (American Holly), Taxus Canadensis (Eastern Red Cedar), Pinus Strobus (White Pine), Quercus Palustris (Pin Oak). Shrubs in the buffer areas shall be a minimum of 3' in height or 4 gallon plants at planting. Species may include a mixture of the following plants: Myrica Cerifera (Wax Myrtle), Elaeagnus Pungens (Silverberry), Photinia Fraseri (Fraser Photinia), Ligustrum Japonicum (Japanese Privet), Ligustrum Lucidum (Glossy Privet), and Ilex Cornuta (Dwarf Bradford Holly).
- Landscaping areas within the site will be planted and improved in sequences which are keyed to the development taking place on each parcel.
- All landscape and screening areas will be heavily watered to insure survival of new plantings.
- All trees required by the Charlotte Tree Ordinance to be preserved will be protected during the grading and construction phases through the use of stakes, barricades, or other protective devices.
- All landscaping will comply with the City of Charlotte Tree Ordinance.
- Existing tree sizes and details regarding replacement and planting, i.e. tree species selection, will be reviewed by the tree ordinance staff during grading permit review process.

PARKING

- The parking areas depicted on the Rezone Plan may vary but in all events, all street parking will meet the minimum standard established under the City of Charlotte Zoning Ordinance and the Tree Ordinance.
- No parking shall be permitted within the designated buffer area.

LIGHTING

- A uniform lighting system will be employed throughout the site.
- All direct lighting with Parcel "A" and "B" will be directed in a manner which minimizes glare towards adjacent streets and properties.

SIGNS

- All permanent signs erected on the project shall comply with the City of Charlotte Sign Ordinance.
- Subject to the provisions of paragraphs 2 and 4 under buffers above, within the buffer zones, permanent project identification signs and directional signs may only be located within the vicinities of the access points leading to Tyvola Road Extension and N.C. Highway 49, and only two such project identification signs may be located on the site. All such signs must comply with the City of Charlotte Sign Ordinance.
- All detached signs must be fixed and may not move, rotate, or flash, and no sign may be mounted on the roof of any structure.
- A master directional and informational signage and graphic system will be adopted and implemented throughout the site.
- All free standing building and tenant identification signs or graphics installed within building areas will be complementary in scale and appearance to the structure which they identify, and each sign affixed to a structure will be compatible with its architectural design.

MINIMUM BUILDING HEIGHT

- The structures to be constructed on parcels "A" and "B" may not exceed one story, and their height may not exceed 40'.

CROSS POINTS (DRIVEWAYS)

- The number of vehicular access points to N.C. Highway 49 shall be limited to two (2) and the number to Tyvola Road Extension shall be limited to one (1) based on the Rezone Plan. However, the configurations of driveways and access points within the site are subject to any minor modifications required to accommodate final civil and architectural construction plans and are further subject to approval by the North Carolina Department of Transportation and the Charlotte Department of Transportation.

FIRE PROTECTION

- Adequate fire protection in the form of fire hydrants will be provided in accordance with the Marshall's specifications. Plans for each building will be submitted to the Fire Marshall's office for approval before the construction of any building commences.
- Fire hydrants shall be installed so that a fire truck does not have to travel more than 300 feet to the most remote accessible point of all buildings.

ARCHITECTURAL CONTROLS

- The Petitioner intends to achieve compatibility of visual aesthetics and architectural design of buildings constructed within the site through the use of one or a combination of color, material, texture, architectural facades, rooflines, building mass, scale, and similar criteria, provided, however, that the Petitioner shall have the right to utilize variant colors, materials, textures, architectural facades, rooflines, building masses, and scales as long as compatibility in aesthetics and design is achieved.
- Outcrops will be consistent with the overall center in their use of color, material, texture, architectural facades, rooflines, building mass, scale, etc.

STORM WATER MANAGEMENT

- Storm water will be managed by the use of retention pond and/or other means allowable under the Ordinance, all in accordance with plan approved by the Charlotte Engineering Department.

NAME AND ADDRESS OF ALL ADJOINING PROPERTY OWNERS ARE SET FORTH IN ATTACHED "A" THROUGH "I" IN THE ORDER WHICH CORRESPONDS WITH THE PARCEL NUMBERS DEPICTED AROUND THE PERIMETER OF THIS REZONING PLAN.

PETITIONER: TYVOLA CROSSING ASSOCIATES LIMITED PARTNERSHIP
 224 WEST SECOND STREET
 CHARLOTTE, NC 28230
 (704) 373-7158

APPROVED BY CITY:
 DATE: July 17, 1989

ARCHITECTS: LITTLE & ASSOCIATES ARCHITECTS, INC.
 5815 WESTPARK DRIVE
 CHARLOTTE, NC 28217

TYVOLA CROSSING PLAZA
 TYVOLA ROAD EXTENSION & HIGHWAY 49
 CHARLOTTE, NORTH CAROLINA

REZONING PLAN PETITION NO. 89-

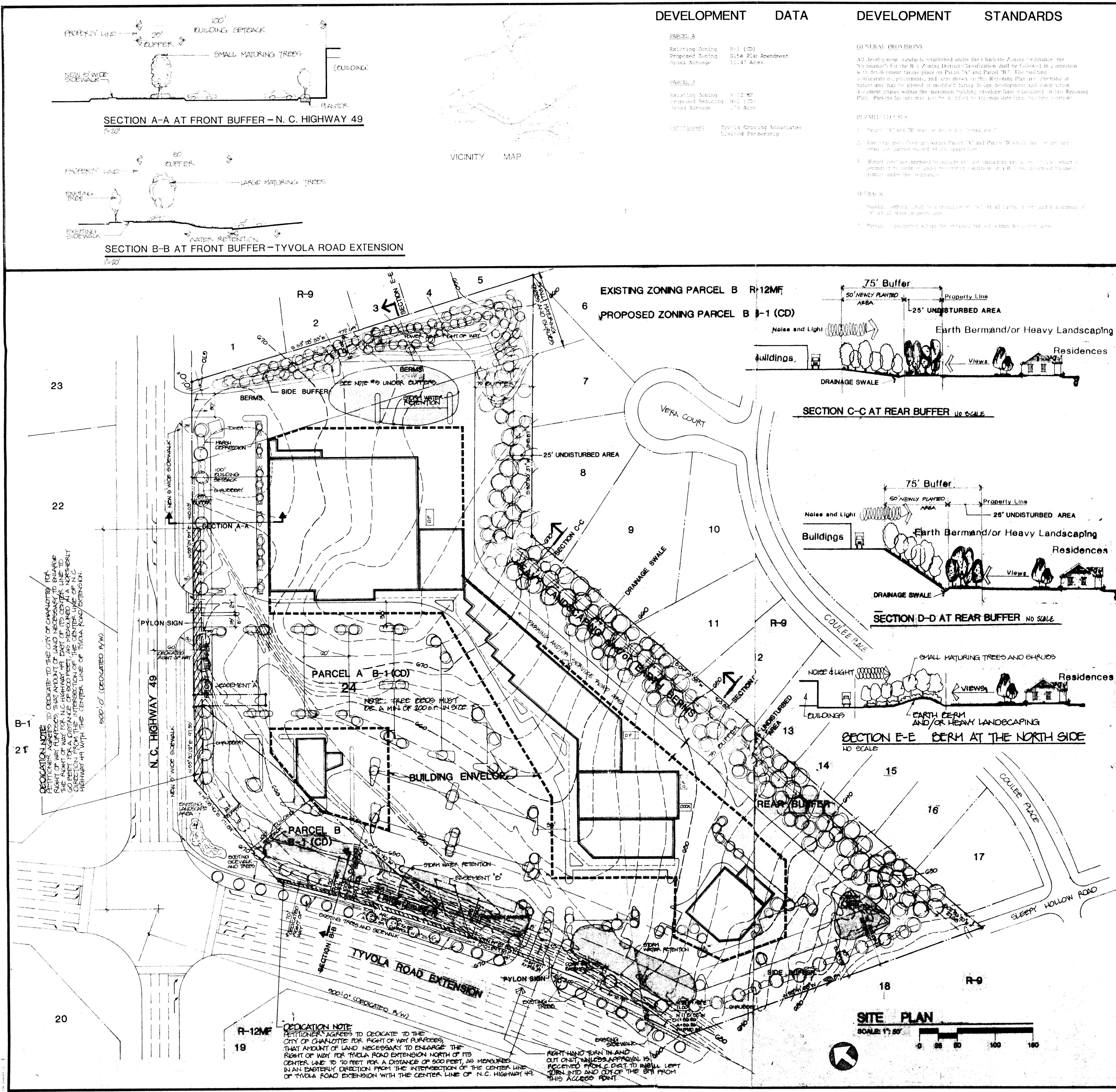
Partner in Charge
 VICTOR
 Project Architect Job Captain

Drawn By
 DAVID GOODMAN
 Date Drawn
 3-10-1989

Revisions	No.	Date
	1	MAY 24 1989
	2	MAY 25 1989
	3	
	4	
	5	
	6	
	7	
	8	
	9	
	10	

Project Number
 1997 x 1

Sheet
 RZ-1



DEDICATION NOTE:
 PETITIONER AGREES TO DEDICATE TO THE CITY OF CHARLOTTE FOR PUBLIC USE THAT AMOUNT OF LAND NECESSARY TO BALANCE THE RIGHT OF WAY FOR N.C. HIGHWAY 49 EAST OF ITS CENTER LINE TO THE RIGHT OF WAY FOR A DISTANCE OF 500 FEET AS MEASURED IN A NORTHERLY DIRECTION FROM THE INTERSECTION OF THE CENTER LINE OF N.C. HIGHWAY 49 WITH THE CENTER LINE OF TYVOLA ROAD EXTENSION.

DEDICATION NOTE:
 PETITIONER AGREES TO DEDICATE TO THE CITY OF CHARLOTTE FOR RIGHT OF WAY PURPOSES THAT AMOUNT OF LAND NECESSARY TO ENLARGE THE RIGHT OF WAY FOR TYVOLA ROAD EXTENSION NORTH OF ITS CENTER LINE TO 70 FEET FOR A DISTANCE OF 500 FEET AS MEASURED IN AN EASTERLY DIRECTION FROM THE INTERSECTION OF THE CENTER LINE OF TYVOLA ROAD EXTENSION WITH THE CENTER LINE OF N.C. HIGHWAY 49.

RIGHT HAND TURN IN AND OUT ONLY APPROVAL IS RECEIVED FROM C.D.T. TO RIGHT LEFT TURN INTO AND OUT OF THE BAY FROM THIS ACCESS POINT.