

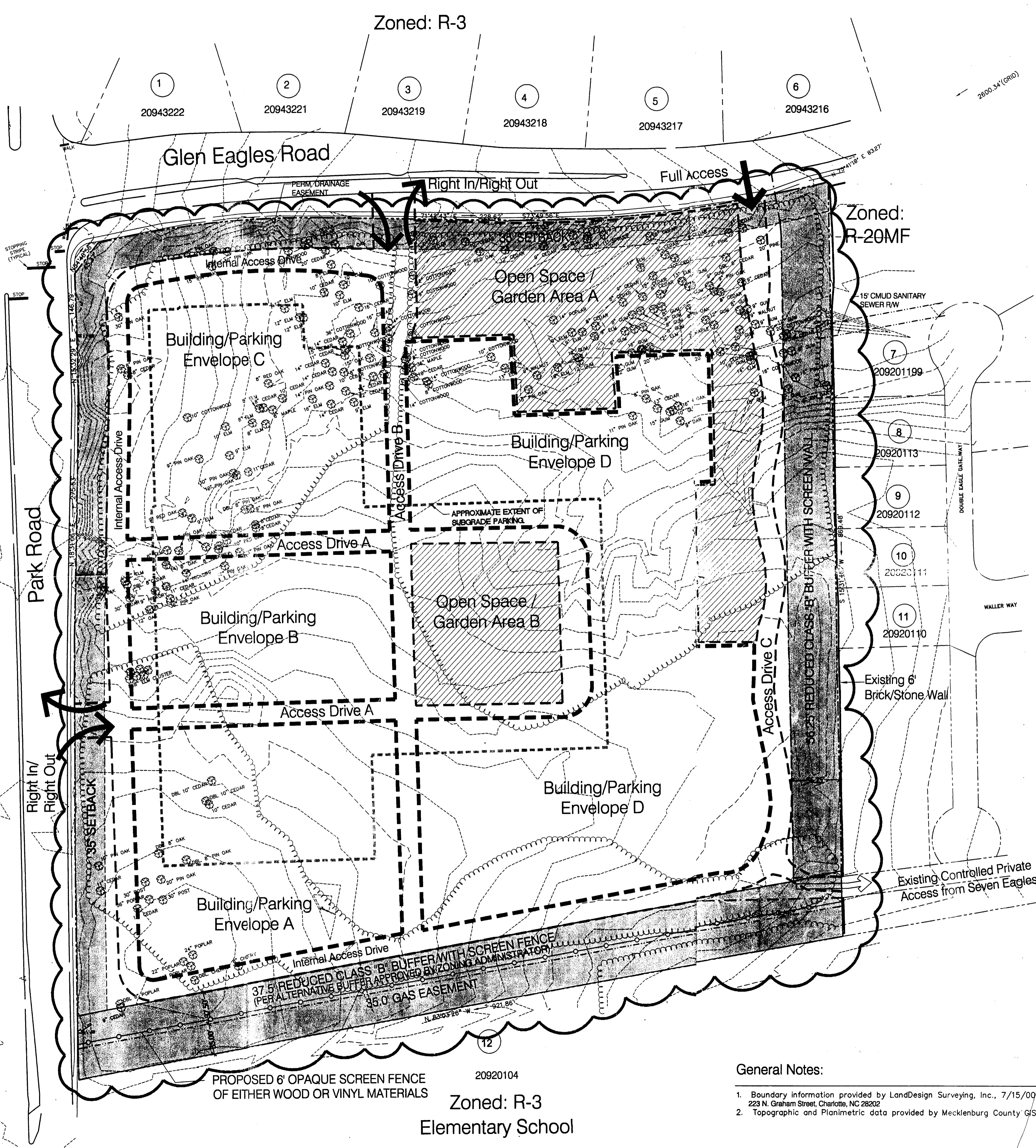
Zoned: R-3

Development Summary

Existing Zoning CC
 Proposed Zoning CC - Administrative Site Plan Amendment
 Total Site Area 18.756 acres



343 North Graham Street
 Charlotte, NC 28202
 Phone: 704.336.0365
 Phone: 704.376.7777
 Fax: 704.336.3446
 Fax: 704.376.8855



14
 20715301
 Zoned: CC

13
 20715305

Zoned:
 R-20MF

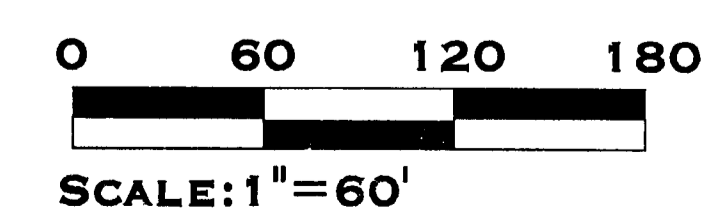
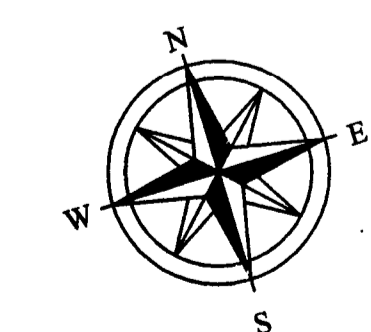
20920104
 Zoned: R-3
 Elementary School

General Notes:

1. Boundary information provided by LandDesign Surveying, Inc., 7/15/00, 223 N. Graham Street, Charlotte, NC 28202
2. Topographic and Planimetric data provided by Mecklenburg County GIS Department

ATTACHED TO ADMINISTRATIVE APPROVAL
 DATED: July 3, 2003
 BY: MARTIN R. CRAMTON, JR.

2001-48



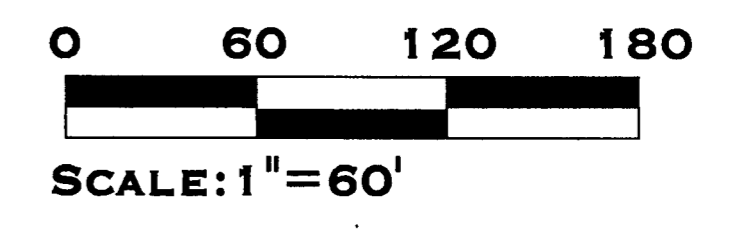
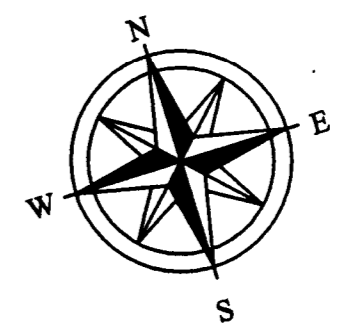
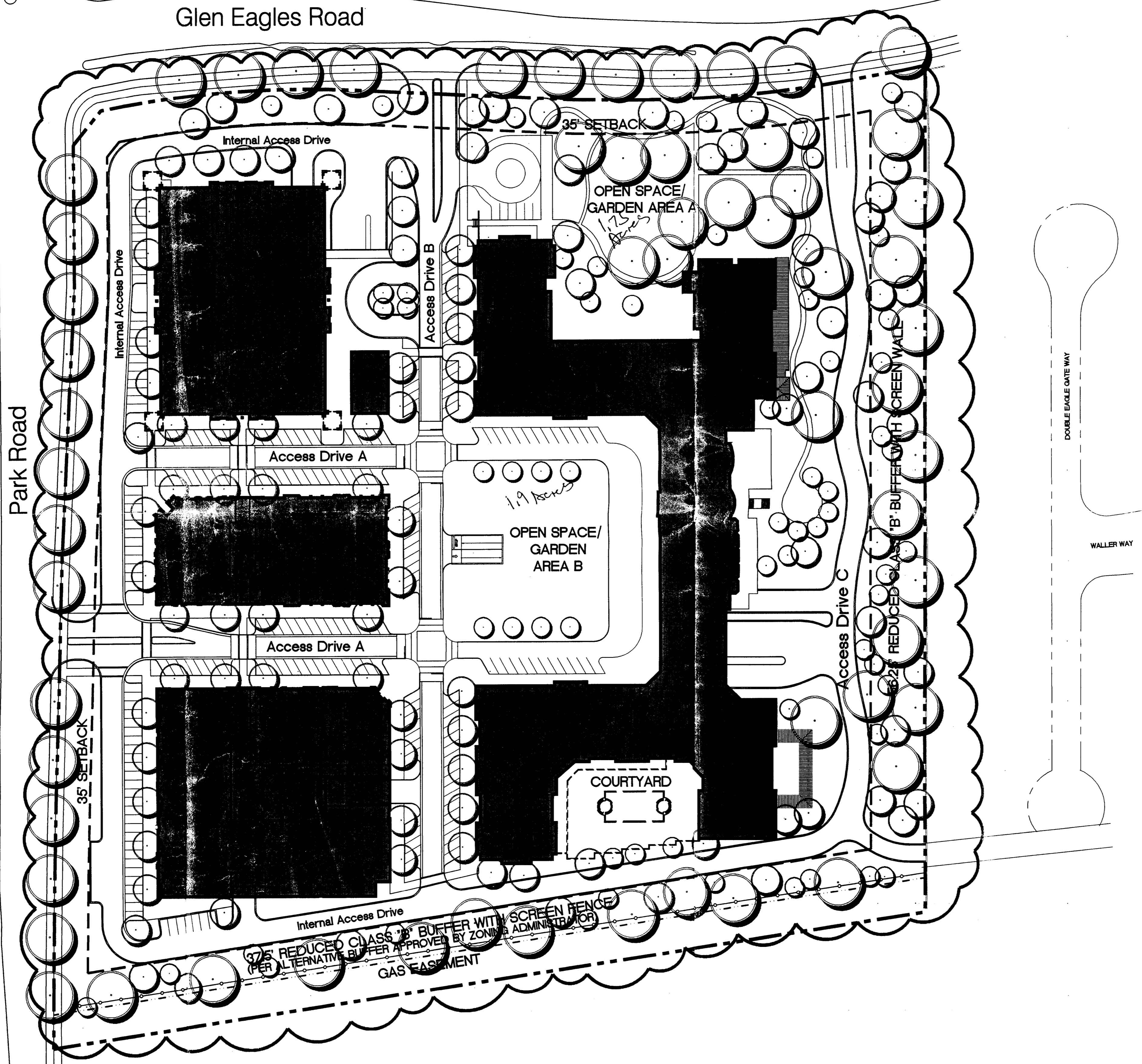
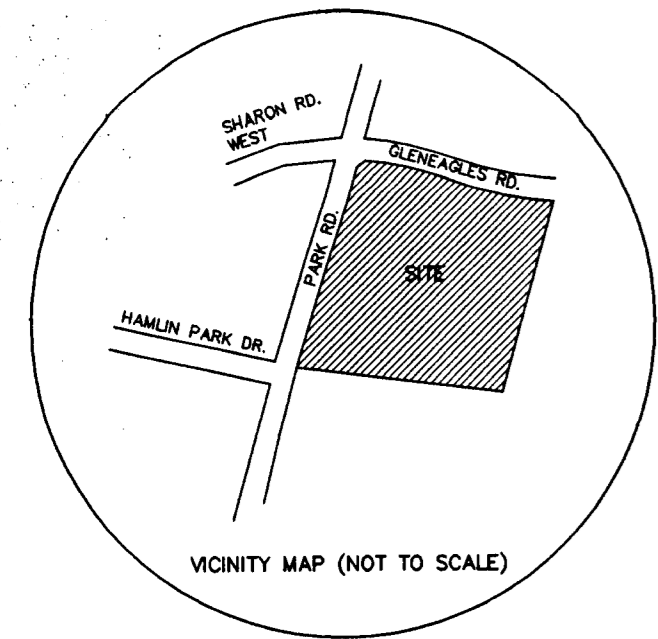
SCALE: 1" = 60'

The Village at Seven Eagles
 Mixed-Use Development
 Technical Data Sheet
 Administrative Site Plan Amendment (Original Petition #2001-048)
 Harris Land Company, Charlotte, NC

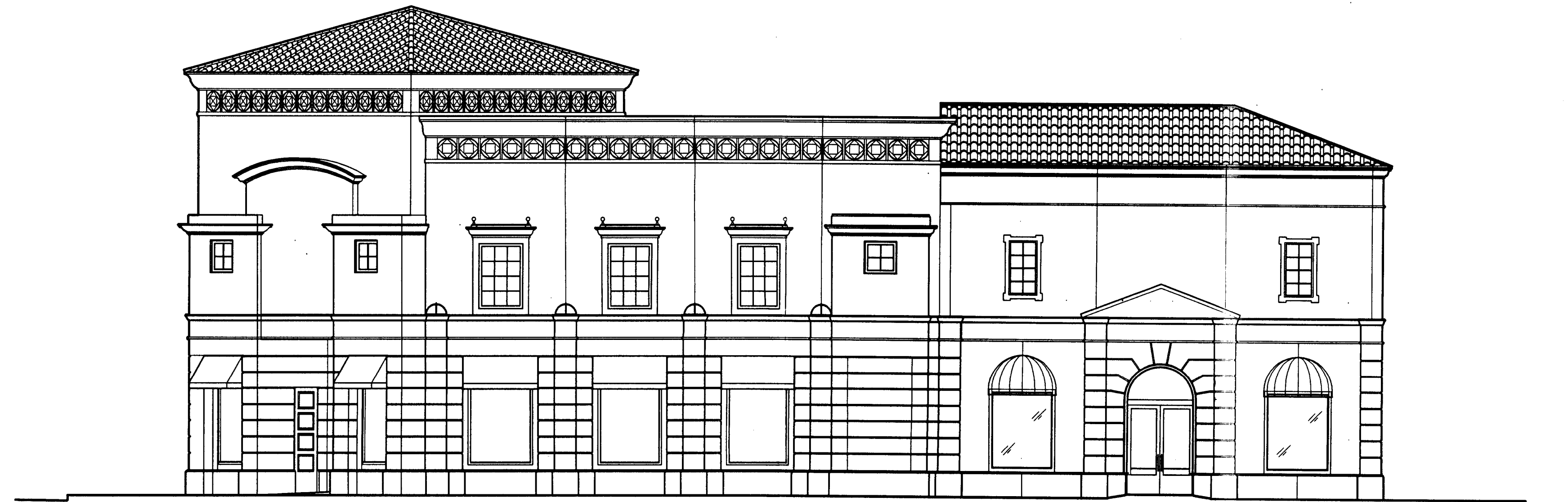
- Revisions:
1. 5-28-01
 2. 5-14-01
 3. 5-24-01 Revising Petition 01-048 approved by City Council
 4. 07-01-03 Administrative Site Plan Amendment

Date: 01/22/01
 Designed By: JHP
 Drawn By: BH
 Scale: 1" = 60'-0"
 Project Number: 2000.61
 Sheet Number:

S-1.0

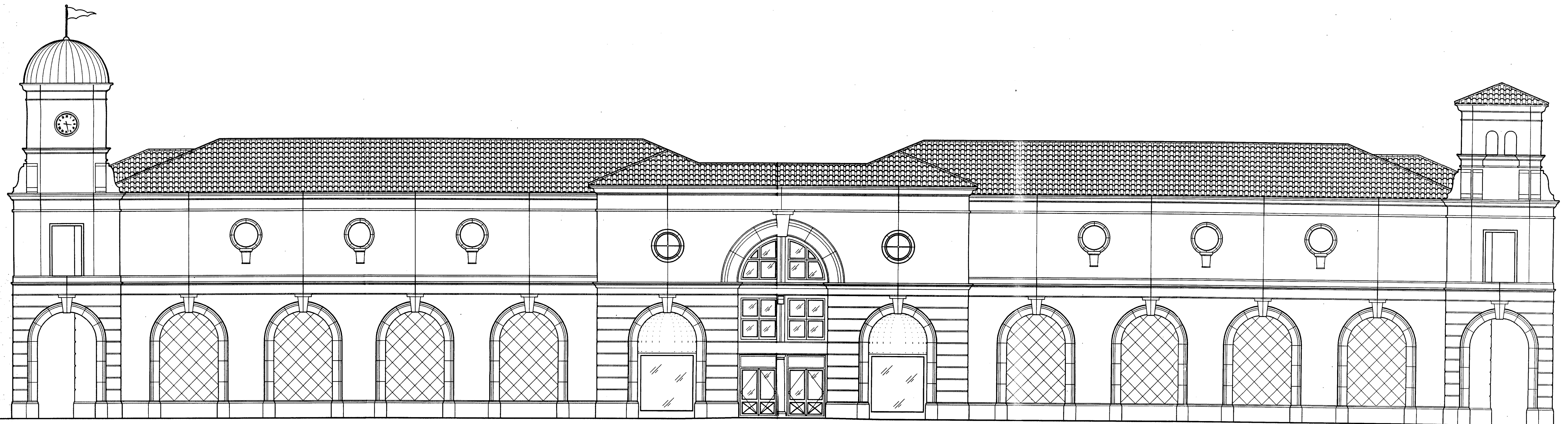


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BUILDING PARKING ENVELOPE B CONCEPTUAL ELEVATION:
VIEW FROM PARK ROAD

SCALE: 1/8" = 1'-0"



BUILDING PARKING ENVELOPE C CONCEPTUAL ELEVATION:
VIEW FROM PARK ROAD

SCALE: 1/8" = 1'-0"

NOTE AS TO CONCEPTUAL ELEVATIONS

THE ABOVE ELEVATIONS ARE CONCEPTUAL IN NATURE AND REFLECT THE GENERAL IMAGE AND ARCHITECTURAL SCHEME CONTEMPLATED FOR THE BUILDING ELEVATIONS SHOWN. IT IS UNDERSTOOD THAT ALTERATIONS IN VARIOUS ARCHITECTURAL FEATURES AND ELEMENTS MAY TAKE PLACE DURING THE DEVELOPMENT AND CONSTRUCTION PHASES AND OVER THE LIFE OF THE PROJECT AS LONG AS THE GENERAL CONCEPT AND IMAGE DESCRIBED ABOVE IS MAINTAINED.

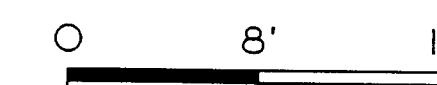


EXHIBIT A: BUILDING
PARKING CONCEPTUAL
ELEVATIONS

A. General Provisions

These Development Standards form a part of the Technical Data Sheet for the "Village at Seven Eagles Mixed-Use Development" submitted by Harris Land Company, its successors and assigns, (this "Technical Data Sheet"). Development of the property identified on this Technical Data Sheet (the "Property" or the "Site") and the individual components to be located thereon will be governed by the conditions of this Technical Data Sheet and those plans and drawings expressly incorporated herein by reference (collectively the "Zoning Plan") and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless more stringent standards are established by this Technical Data Sheet, the development standards established under the Ordinance for the Commercial Center (CC) District classification shall be followed in connection with development taking place on the Site.

The development depicted on the Schematic Site Plan attached as Sheet S3.0 is merely schematic in nature and is intended only to describe the possible arrangement of uses on the Site. Accordingly, the configuration, placement and size of the building footprints outlined on the Schematic Site Plan are schematic in nature and, subject only to the provisions set forth below under Architectural Controls and Restrictive Covenants, may be altered or modified during design, development and construction phases within the maximum Building/Parking Envelope lines established on this Technical Data Sheet. Parking layouts may also be modified to accommodate final building locations and off-street parking spaces may be located inside and outside building envelopes to the extent permitted by the Ordinance. All such changes are subject to approval per Section 6.206(2) of the Ordinance.

B. Permitted Uses

The Site may be developed for any uses (including accessory uses) which are permitted by right or under prescribed conditions under the Ordinance for the Commercial Center (CC) District, except that fast food restaurants, restaurants with drive-through window services, gas stations, convenience stores and automobile service facilities shall not be permitted.

C. Building Limitations

1. In addition to other permitted development described in this Section C and together with the substitution rights otherwise permitted in this Section C, up to 120,000 square feet of retail/restaurant floor area may be constructed within the Building Parking Envelopes together with associated surface and structured parking spaces. Outdoor dining facilities, retail display areas and architectural embellishment structures such as decorative towers and other architectural embellishments shall be excluded from the above-referenced floor area limitation.

2. In addition to other permitted development described in this Section C and together with the substitution rights otherwise permitted in this Section C, up to 120,000 square feet of office floor area may be constructed within the Building Parking Envelopes together with associated surface and structured parking spaces. Furthermore, subject to compliance with other provisions of these Development Standards, additional constructed within the Building Parking Envelopes together with associated surface and structured parking spaces. In connection with the substitution right described in the immediately preceding sentence, it is understood that beginning on January 1st of the maximum amount of 85,000 square feet of floor area shall be substituted. It is understood that the use of up to 12,000 square feet of floor area within Building Parking Envelope D for sales of plants, trees and garden products, and the sale of food and beverages and related services, is not permitted. It is understood that the use of up to 12,000 square feet of floor area within Building Parking Envelope D for sales of plants, trees and garden products, and the sale of food and beverages and related services, is not permitted. Furthermore, it is understood that any excess office floor area or retail/restaurant floor area not otherwise related merchandise shall be excluded from the use restriction set forth in the preceding sentence. Furthermore, it is understood that any excess office floor area or retail/restaurant floor area not otherwise constructed within the other Building Parking Envelopes on the Site may be located within Building Parking Envelope D in addition to the above-described permitted development. Outdoor dining facilities, retail display areas and architectural embellishment structures such as decorative towers shall be excluded from the above-referenced floor area limitation.

3. In addition to other permitted development described in this Section C and together with the substitution rights otherwise permitted in this Section C, a hotel facility, together with any incidental or accessory uses permitted under the Ordinance which the Petitioner may elect to provide for such facility as more particularly described in this Section C, may be constructed within Building Parking Envelope D. The hotel facility that may be constructed within Building Parking Envelope D may include up to 200 hotel rooms, hotel dining areas/lounges/cafe facilities operated by the hotel operator and the accompanying hotel spa facility offering health club services, beauty and physical therapy services and advanced diagnostic and health maintenance services; together with incidental or accessory retail/restaurant uses of up to 45,000 square feet of floor area provided, however, such retail/restaurant uses shall be devoted principally to the sale of clothing and related fashion/apparel accessories, gifts, the sale of toiletries/personal items, and personal services/pharmaceutical products, and the sale of food and beverages and related services. It is understood that the use of up to 12,000 square feet of floor area within Building Parking Envelope D for sales of plants, trees and garden products, and the sale of food and beverages and related services, is not permitted. Furthermore, it is understood that any excess office floor area or retail/restaurant floor area not otherwise related merchandise shall be excluded from the use restriction set forth in the preceding sentence. Furthermore, it is understood that any excess office floor area or retail/restaurant floor area not otherwise constructed within the other Building Parking Envelopes on the Site may be located within Building Parking Envelope D in addition to the above-described permitted development. Outdoor dining facilities, retail display areas and architectural embellishment structures such as decorative towers shall be excluded from the above-referenced floor area limitation.

4. Should fewer than 200 rooms be developed on the Site, then additional office space may be developed on the Site at the rate of 200 square feet of office space for each hotel room eliminated, up to a maximum of 20,000 additional square feet of office space. Additionally, hotel rooms may be converted into residential dwelling units that may be located in any of the Building Envelopes on the Site at the rate of one hotel room per residential dwelling unit up to a maximum of 200 residential dwelling units.

5. No individual tenant shall occupy more than 45,000 square feet per floor of a single building or space for retail use, and except with respect to development located within Building/Parking Envelopes B and C no individual tenant shall occupy more than 20,000 square feet per floor of a single building or space for retail use.

D. Buffers

1. Buffer areas established on this Technical Data Sheet shall conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 thereof regarding alternative buffer treatments.

2. The Class B buffer along the easterly property line shall be reduced to 56.25 feet as per Section 12.302(8) of the Ordinance in the form of the existing stuccoed concrete wall along the easterly property line. The Class B buffer along the southerly property line shall be reduced to 37.5 feet as per Section 12.302(8) of the Ordinance, and as per the alternative buffer treatment provisions of Section 12.304, in the form of a six foot high opaque fence and other landscaping treatments along the southerly property line (including, without limitation, the alternative buffer treatment granted by the Zoning Administrator as generally depicted on the Schematic Site Plan).

3. Buffer areas shall remain as open space, except to the extent necessary to accommodate access points, walls, fences, drainage pipes or channels, utility lines and facilities, pedestrian pathways and bicycle pathways. Utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees.

4. No buildings, parking spaces, maneuvering areas or storm water detention facilities may be located within buffer areas. However, to the extent allowed by the Ordinance or other Code provisions and as approved by the staff, bio-retention areas and/or rain gardens may be located in required buffers.

5. In all buffer areas where existing trees and natural vegetation have been cleared to accommodate walls, fences, pedestrian sidewalks or pathways or the installation of utility lines or facilities, the cleared, unimproved areas will be landscaped with trees and shrubs as required by Section 12.302 of the Ordinance, subject to the provisions of Section 12.304 thereof regarding alternative buffer treatments granted by the Zoning Administrator.

E. Setbacks, Side Yards and Rear Yards

All buildings constructed within the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the ordinance for the CC Zoning District. Petitioner has received approval from the Urban Forestry Department of the City Engineering and Property Management Division regarding the right to remove trees of 8 inch caliper or greater within the setbacks to allow grading in these areas, subject to the screening and landscaping requirements of Section F. below.

F. Screening and Landscaping Areas

1. Except with respect to any lesser standard permitted by the City Urban Forestry Department, the Owner shall install or cause to be installed within the setback areas established along Park Road and Glen Eagles Road plants, trees and other materials in accordance with the Ordinance and shall thereafter maintain or cause to be maintained all such materials (including replacement of all dead or dying plants), provided that such trees to be installed shall be at least 3 inches or greater in caliper. Except with respect to any lesser standard permitted by the City Urban Forestry Department, internal areas of the Site shall be landscaped in accordance with the requirements of the City Code and the requirements of Section F.3. below, except that the minimum growing area for internal trees to be installed along Access Drive A and Access Drive B may be reduced by means of urban tree planting facilities (such as tree grates) in a manner acceptable to the City Urban Forestry Department.

2. Landscape areas will be planted and improved in sequences which are keyed to each phase of development taking place on the Site and will meet or exceed the requirements of the Ordinance.

3. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.

4. All roof mounted mechanical equipment will be screened from view at grade level.

G. Parking/Drive-Through Facilities

1. Off street parking will meet the minimum standards established under the Ordinance.

2. All permitted drive-through facilities located on the Site shall be subject to stacking requirements of the Ordinance.

H. Lighting

1. Petitioner agrees to install pedestrian scale lighting along internal streets. The maximum height of any freestanding lighting fixture, including its base, shall not exceed 30 feet.

2. All direct lighting within the Site (except streetlights which may be erected along Park Road and Glen Eagles Road) shall be designed such that direct illumination does not extend past any exterior property line. Consideration will be given to the impact of lighting both within and without the perimeter of the Site. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards Park Road, Glen Eagles Road and adjacent properties.

3. No wall pack light fixtures will be allowed on any structures placed on the Site.

I. Signs

1. A master signage and graphics system will be implemented throughout the Site.

2. All signs placed on the Site will be erected in accordance with the requirements of the Ordinance. Furthermore, detached signs (other than driveway and parking identification signs) shall be ground mounted or monument type. Each detached sign shall not exceed 25 feet in height and 150 square feet in size of the character/letter area. Detached identification signs shall be composed of high-end masonry materials complementary to the buildings within the Site.

J. Access Points (Driveways)

1. The number of access points to Park Road shall be limited to one (1) right-in/right-out access and to Glen Eagles Road to one (1) right-in/right-out access and one (1) full access, as generally depicted on this Technical Data Sheet.

2. The placement and configuration of these access points are subject to minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and the North Carolina Department of Transportation. Without limiting the generality of the foregoing, it is acknowledged that the intersection of Access Drive C and Glen Eagles Road may be relocated in a westerly direction toward Park Road from its location shown on the Technical Data Sheet, and Access Drive C may meander through Open Space/Garden Area B in lieu of its current linear orientation on the Site.

3. The existing controlled private access from the Seven Eagles neighborhood as generally depicted on this Technical Data Sheet will use the gate and electronic card access equipment that currently exists to provide controlled private vehicular and pedestrian access from the Seven Eagles neighborhood to the Site using the existing width of such access.

K. Fire Protection

1. 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 building commences.

L. Open Space/Garden Areas

1. The Open Space/Garden Area A (as identified on this Technical Data Sheet) shall be located generally as depicted on this Technical Data Sheet and shall contain a minimum of 1.75 acres, which together with the Open Space/Garden Area B (as identified on this Technical Data Sheet) shall consist of a minimum of 1.9 acres.

2. The Petitioner reserves the right to utilize the Open Space/Garden Area A to accommodate pedestrian walkways, bicycle pathways, sidewalks, grading, slopes, walls, fences, signs and graphics, lighting, drainage, utilities and parking and pick-up/drop-off facilities associated with the uses described in this Section as generally depicted on the Schematic Site Plan. The Petitioner also reserves the right to utilize the Open Space/Garden Area A for limited office uses as further described in this Section, retail sales of garden and landscape materials, park recreational uses, musical and entertainment performances, public and private ceremonies such as weddings and wedding receptions, and restaurant uses ancillary to and supportive of the permitted uses contained in Building Parking Envelope D and the Open Space/Garden Area A described in this Section, provided, however, (i) gross floor area for any buildings located within the Open Space/Garden Area A shall not exceed 8,000 square feet as set forth below and (ii) any such retail sales, park and recreational uses, performances, ceremonies and restaurant uses shall not occur between the hours of 11:30 p.m. and 7:00 a.m. E.S.T. The Petitioner also reserves the right to construct within the Open Space/Garden Area A floor area of up to 8,000 square feet to provide space for uses that are ancillary to and supportive of the above-referenced permitted uses of the Open Space/Garden Area A, such as offices for landscape architects, office or retail space for garden supply representatives and a small catering kitchen. The 8,000 square feet of floor area described in this development standard shall be subject to the square footage limitations set forth in Sections C. 1, 2 or 3 above.

M. Architectural Controls and Restrictive Covenants

1. All buildings constructed on the Site shall be architecturally compatible in appearance through the use of similar, as well as complementary building materials, colors and design (giving due considerations to the use of each building). The Petitioner agrees to record restrictive covenants governing the use and development of the Site prior to the issuance of any building permit for improvements to the Site. The restrictive covenants will be enforced by a Property Owners Association and will provide for the establishment of:

- a. A Property Owners Association;
b. Use restrictions on the property no less restrictive and in keeping with the use restrictions set forth in these Development Standards;
c. Common area maintenance; and
d. An Architectural Design Review Committee.

2. The Architectural Design Review Committee shall have responsibility for adopting and implementing guidelines for all development taking place within the Site. The Architectural Design Review Committee shall consist of representatives of the Petitioner and/or developer of the Site (together with any other members deemed appropriate by the Petitioner/Developer) and shall be formed prior to the issuance of any building permit for improvements to the Site. Each application for a building permit must be accompanied by a letter which states that the plans for the relevant building have been approved by the Architectural Design Review Committee. In addition to the foregoing, all development will be subject to the following provisions:

a. Dumpster areas will be enclosed on all four sides by a 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 be substituted for a side.

b. If a hotel is constructed on the Site, its design shall incorporate interior corridors and exterior corridors shall be prohibited.

3. The height of all buildings constructed on the Site shall comply with the limitations set forth in Section 11.405(6) of the Ordinance, provided further, that (i) all buildings (excluding limited architectural embellishment structures such as decorative towers) constructed within Building/Parking Envelope D as generally depicted on the Technical Data Sheet shall not exceed four (4) stories in height measured by using the existing average grade elevation of the Site along Park Road and, further, any portions of such building located within 118.25 feet of the easterly boundary of the Site adjoining Seven Eagles shall not exceed two (2) stories in height, and (ii) all buildings (excluding limited architectural embellishment structures such as decorative towers) constructed within Building/Parking Envelope A, Building/Parking Envelope B and Building/Parking Envelope C shall not exceed four (4) stories in height measured by using the existing average grade elevation of the Site along Park Road. Height increases allowed in the CC District will be calculated from the boundary lines of the Site.

4. Buildings constructed on the Site along Park Road and Glenegales Road will have articulated windows that face these streets and shall avoid long expanses of solid walls through the introduction of articulated facades and other specifically designed architectural elements. Furthermore, the proposed buildings located within Building Parking Envelopes B and C as generally depicted on the Technical Data Sheet will be generally in keeping with the concept and image illustrated in the Building Parking Envelopes B and C Conceptual Elevations, conceptually depicted on Exhibit A, which accompanies this Technical Data Sheet.

5. Buildings located along Access Drive A as generally depicted on this Technical Data Sheet shall have frontage on this internal access road with no parking between Access Drive A and such buildings, except for on-street parallel and diagonal parking.

6. Buildings constructed in Building/Parking Envelope A and Building/Parking Envelope C, and where possible (subject to engineering and design considerations) buildings constructed in Building Envelopes B and D, will have door(s) and windows facing Access Drive B.

7. The streetwall of all above grade internal parking decks shall be treated in such a manner as to partially screen street level and higher floors must be recessed at least 20 feet from the setback of the first and second floors as illustrated in Figure 12.212(c) of the Ordinance.

8. All below grade decks shall comply with Section 12.213 of the Ordinance.

N. Storm Water Management

1. Storm water runoff from the Site will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte.

2. No surface level storm water detention shall be allowed within the setback along Park Road and Glen Eagles Road. However, to the extent allowed by the Ordinance or other Code provisions and as approved by the Staff, bio-retention areas and/or rain gardens may be located in required buffers.

3. All disturbance to existing trees within the reduced Class B buffer along the easterly property line as a result of the construction of the Access Drive C shall be mitigated as per the City of Charlotte Tree Ordinance. However, disturbance to existing trees within the reduced buffers along the easterly and southerly property lines as a result of installation of bio-retention areas/rain gardens is not required to be mitigated.

O. Transportation Commitments

The Petitioner, its successors and assigns, agrees to undertake or cause to be undertaken the following roadway improvements in connection with development of the Site in accordance with this Petition:

1. Park Road/Access Drive A:

Construct entrance and exit lanes onto Access Drive A to provide right-in and right-out accessibility to Park Road.

2. Glen Eagles Road/Access Drive B (referred to as Access Drive C in the Traffic Impact Study prepared by Kubilins Transportation Group Inc dated March 2001):

Construct entrance and exit lanes on Access Drive B to provide right-in and right-out accessibility to Glen Eagles Road.

3. Glen Eagles Road/Access Drive C (referred to as Access Drive B in the Traffic Impact Study):

Construct exit lanes on Access Drive C to include a right-turn lane with 100 feet of storage and a thru lane that terminates as a "left turn only" lane.

4. Park Road/Glen Eagles Road/Sharon Road West:

Construct an additional westbound left turn lane on Glen Eagles Road with 440 feet of total combined storage and a 15:1 bay taper. It is anticipated that this lane can be developed within the existing median.

5. Other:

Provide for a minimum of 150 feet of internal channelization (measured from the right of way) at the entrances to the Site from Park Road and Glen Eagles Road so as to prevent left-turn movements into internal driveways on the Site.

Petitioner agrees to cooperate with the Charlotte Department of Transportation in connection with the timing of construction of the above described roadway improvements to be undertaken by the Petitioner, which shall be based upon the traffic impact associated with the proposed development as reflected in the Traffic Impact Study and other traffic related information provided by Petitioner in connection with any site plan amendment.

P. Sidewalks and Internal Streets

1. Petitioner shall install an 8 foot wide sidewalk with a minimum 8 foot wide planting strip along the Site's frontage on Park Road and Glen Eagles Road, and the sidewalk may meander.

2. As more conceptually depicted on the Schematic Site Plan, the Petitioner shall install internal sidewalks on the Site that will provide pedestrian connections between the various buildings located thereon and to the sidewalks installed along Park Road and Glen Eagles Road.

3. Except (i) where necessary to accommodate significant design and architectural elements associated with Open Space/Garden Area B as generally depicted on the Technical Data Sheet and with driveways and courtyard and motor court/valet parking areas that may be located on the Site or (ii) with respect to any lesser standard permitted by the City Urban Forestry Department, internal streets located on that portion of the Site not located above underground parking structure(s) shall be designed to have street trees at an average separation of 40 feet on-center, and sidewalks a minimum of 8 feet in width provided that any deviation from the minimum 8 feet sidewalk width shall relate to pedestrian walk areas of an appropriate width included as part of the above described significant design features. Angled and/or parallel parking may be provided along Access Drive A and Access Drive B, while angled and/or parallel and/or 90 degree parking may be provided on other internal access drives located on the Site.

Q. Development Per 2001 Zoning Plan

1. If at any time following approval of the Administrative Site Plan Amendment giving rise to this Zoning Plan, the Petitioner, its successors and assigns, should encounter any obstacle or delay which, in its sole judgment, would prevent fulfillment of the development scheme contemplated in this Zoning Plan, then the right is expressly reserved for the Petitioner, its successors and assigns, to develop the Site in accordance with the provisions of the Technical Data Sheet, Development Standards and accompanying drawings and plans associated with Rezoning Petition No. 01-048 (i.e. the 2001 Zoning Plan) without regard to the Administrative Site Plan Amendment giving rise to this Zoning Plan.

R. Amendments to Rezoning Plan

1. Future amendments to this Technical Data Sheet, as amended, 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

1. All conditions applicable to development of the Site imposed under this Technical Data Sheet 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 successors in interest or assigns.

LandDesign logo and contact information: 243 North Graham Street, Charlotte, NC 28204. Phone: 704-333-6396, 704-967-7777. Fax: 704-333-3046, 704-967-8835.

The Village at Seven Eagles Mixed-Use Development Development Standards Administrative Site Plan Amendment (Original Petition #2001-048) Harris Land Company, Charlotte, NC

Revisions: 1. 3-23-01, 2. 5-14-01, 3. 5-21-01, 4. 07-01-03. Date: 01/24/04. Designed By: RJP, Drawn By: BJD, Scale: 1" = 60'-0". Project Number: 1000616, Sheet Number: S-2.0