

TOWN CENTER PARCEL 'A'

TOTAL AREA: ±150.6 AC
 EXISTING ZONING: CC, BP, MX-1, R-3
 PROPOSED ZONING: CC,CC,SPA
 PROPOSED USES:
 -RESIDENTIAL ATTACHED: 910 UNITS
 -RETAIL: 250,000 SF
 -OFFICE: 300,000 SF

RESIDENTIAL PARCEL 'B'

TOTAL AREA: ±103.8 AC
 EXISTING ZONING: CC (TOWNCENTER), BP
 PROPOSED ZONING: MX-1
 PROPOSED USES:
 -SINGLE FAMILY LOTS: (±95.9AC): 250 UNITS
 -CHURCH OR TOWNHOMES (±7.9AC): 12 UNITS PER ACRE

BUSINESS PARK PARCEL 'C' SOUTH

TOTAL AREA: ±21.4 AC
 EXISTING ZONING: BP
 PROPOSED ZONING: BP-SPA
 PROPOSED USES: TOTAL BUSINESS PARK S.F.: 375,000
 -TO BE ALLOCATED BETWEEN PARCEL 'C' SOUTH AND EXISTING BUSINESS PARK PARCEL TO BE KNOWN AS BUSINESS PARK PARCEL 'C' NORTH
 -BUSINESS PARK USES EXCLUDE BULK WAREHOUSING FOR BUS. PARK SOUTH ONLY.

OFFICE PARK PARCEL 'D'

TOTAL AREA: ± 6.2 AC
 EXISTING ZONING: R-3, O-2 (CD)
 PROPOSED ZONING: O-2 (CD) SPA, O-2 (CD)
 PROPOSED USES: OFFICE = 50,000 S.F.
 OR
 150 ROOM HOTEL AND 20,000 S.F. OFFICE

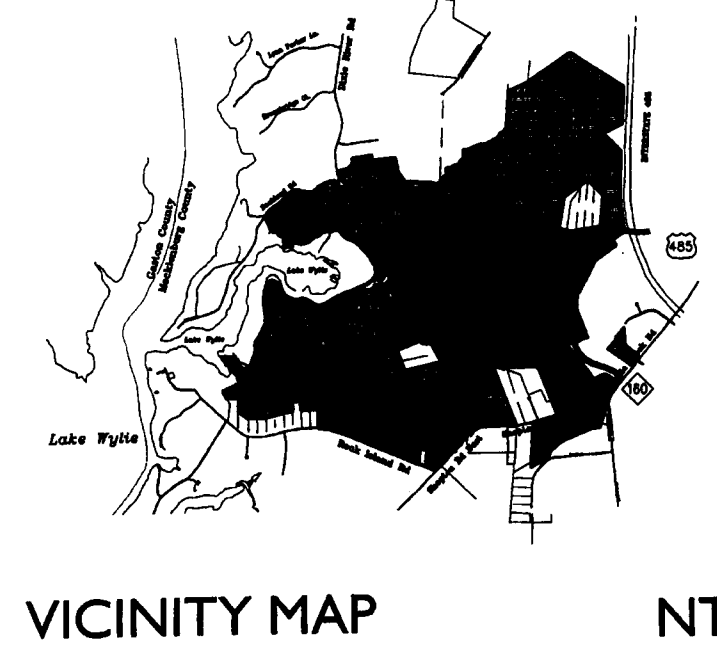
RESIDENTIAL PARCEL 'E'

TOTAL AREA: ±21.9 AC
 EXISTING ZONING: R-3
 PROPOSED ZONING: MX-1
 PROPOSED USES: ATTACHED HOUSING
 -TOWNHOMES: 120 UNITS

TOWN CENTER PARCEL 'F'

TOTAL AREA: ± 97 AC
 EXISTING ZONING: BP
 PROPOSED ZONING: CC
 PROPOSED USES:
 -REFER TO PARCEL 'A'

- ROAD LEGEND**
- PRIVATE ROAD ACCESS
 - PUBLIC ROAD
 - PUBLIC/PRIVATE ROAD CONNECTION TYPE TO BE DETERMINED THROUGH SUBDIVISION REVIEW PROCESS
 - RIGHT IN/RIGHT OUT ACCESS
 - FULL MOVEMENT ACCESS



Berewick Master Planned Community Development Notes

This petition proposes the development of a master planned community containing a mixture of residential, employment, retail, and open space uses organized around a newly created Town Center. This concept has been developed to further the objectives of the adopted Westside Strategic Plan and the Dixie-Berewick Plan. It incorporates the extension of the Dixie River Road and a realignment of portions of Dixie River Road through a portion of the site. It has been designed taking into account the difficult topography common to this part of the county and has incorporated open space elements to protect environmentally sensitive areas. It will provide for a variety of residential types and densities, with higher densities focused in the Town Center and lower densities transitioning to the existing community fabric. It creates an opportunity for the Berewick Community to develop a significant district well suited to serve the new residents of this development as well as the entire Dixie-Berewick community. It is acknowledged that the City of Charlotte is in the process of amending the adopted Throughfare Plan to alter the alignment of New Dixie River Rd, which also results in other minor realignments of other roads within the site. This site plan is being modified to recognize the alterations of these roads and the relocation of the Town Center that has been necessitated by these realignments.

1. 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 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. This proposal is intended to enable the development of a master planned community composed of retail and service uses, employment and office uses, multifamily housing, single family attached, and single family detached housing interconnected with open space, pedestrian, and vehicular linkages.
2. The site may be developed for any use allowed in the MX-1, BP, O-2 (CD), and CC districts as allowed by the ordinance in accordance with the standards of those districts and the restrictions of that district and the density of the area within the MX-1 portion of the site will be limited by the standards of that district and the density of the area within the MX-1 portion of the site. The Petitioner will construct a mixed-use development in general conformity with the schematic plan that will include portions of the New Dixie River Rd. to be constructed within the site. Further, the Petitioner will provide pedestrian connections within the site to other site elements and uses and to public sidewalks, balancing the need for vehicular as well as pedestrian access. The Petitioner may place retail uses within office buildings on the site as well as within retail centers in order to further the mixed-use nature of the site. Retail floor areas located within office buildings will not be counted toward the total retail floor area located elsewhere on the site. Any such retail space will be limited to 75% of the first floor area of the building and may only be located in multistory buildings of at least 30,000 square feet of total floor area.
3. Residential densities may vary in different portions of the site in keeping with the various dwelling types. However, within the CC area of the site the residential density shall be controlled by the standards of that district and the density of the area within the MX-1 portion of the site will be limited by the standards of that district and the density of the area within the MX-1 portion of the site. The Petitioner will provide pedestrian connections within the site to other site elements and uses and to public sidewalks, balancing the need for vehicular as well as pedestrian access. The Petitioner may place retail uses within office buildings on the site as well as within retail centers in order to further the mixed-use nature of the site. Retail floor areas located within office buildings will not be counted toward the total retail floor area located elsewhere on the site. Any such retail space will be limited to 75% of the first floor area of the building and may only be located in multistory buildings of at least 30,000 square feet of total floor area.
4. Buffer areas and project edges will be developed in accordance with the requirements of Sect. 12.302 and Sect. 9.805(7)(e) respectively. Required buffers and project edges on the site may be eliminated or reduced if the adjoining parcels are rezoned such that buffers or project edges are no longer required.
5. Stormwater facilities have been designed and implemented as further described below.
6. Any detached lighting on the site will be limited to 30 feet in height and be fully shielded. No wall packs will be installed on buildings within the site on any walls that are adjacent to residentially zoned land or public street rights-of-way but architectural lighting on the buildings will be permitted. Where wall pack type lighting is used, it must utilize light fixtures that direct the light downward into the site. Pedestrian lighting, as established throughout the Berewick community, will be installed as part of the development of areas included within this Petition except for the Business Park areas.
7. Signage will be permitted in accordance with applicable Zoning standards. Signage for the site will be designed as part of a master signage package to ensure a uniform appearance and compatibility throughout the site. No freestanding pole signs will be permitted. Signs for office uses within the Town Center will meet office district sign standards and out parcels will utilize ground mounted (monument) type signs. Ground mounted signs may be utilized to identify the project and tenants within the project.
8. Parking will be provided which will meet or exceed the standards of the Zoning ordinance. Parking areas to serve uses on the site will be sited generally toward the center of development sites so that buildings may orient to either internal or external streets.
9. The Petitioner will dedicate 100' of right-of-way for the new alignments of New Dixie River Rd. and the 70' of right of way for the extension of New Shopton Rd. West that falls on the site as the site develops or in conjunction with a public/private venture for the construction of any or all of these roads. The Petitioner will dedicate 50' of right-of-way measured from the center line of the new alignments of New Dixie River Rd. and 35' of right of way from the centerline of the extension of New Shopton Rd. West that falls on the edge of the site as the site develops or in conjunction with a public/private venture for the construction of any or all of these roads. If the MUPMO or in conjunction with a public/private venture for the construction of any or all of these roads, then the Petitioner may reduce the New Shopton Rd. West right-of-way to 60'. The Petitioner will also dedicate additional right-of-way for any portions of any existing public streets that may remain within or adjacent to the site as normally prescribed by and administered under the Charlotte Subdivision Ordinance. The Petitioner reserves the right to seek the abandonment of existing public streets that may fall within the site if those streets are not needed for the development of the site. The Petitioner also reserves the right to construct on-street parking along both public and private streets that may include parallel or angled spaces (angled spaces on private streets only).

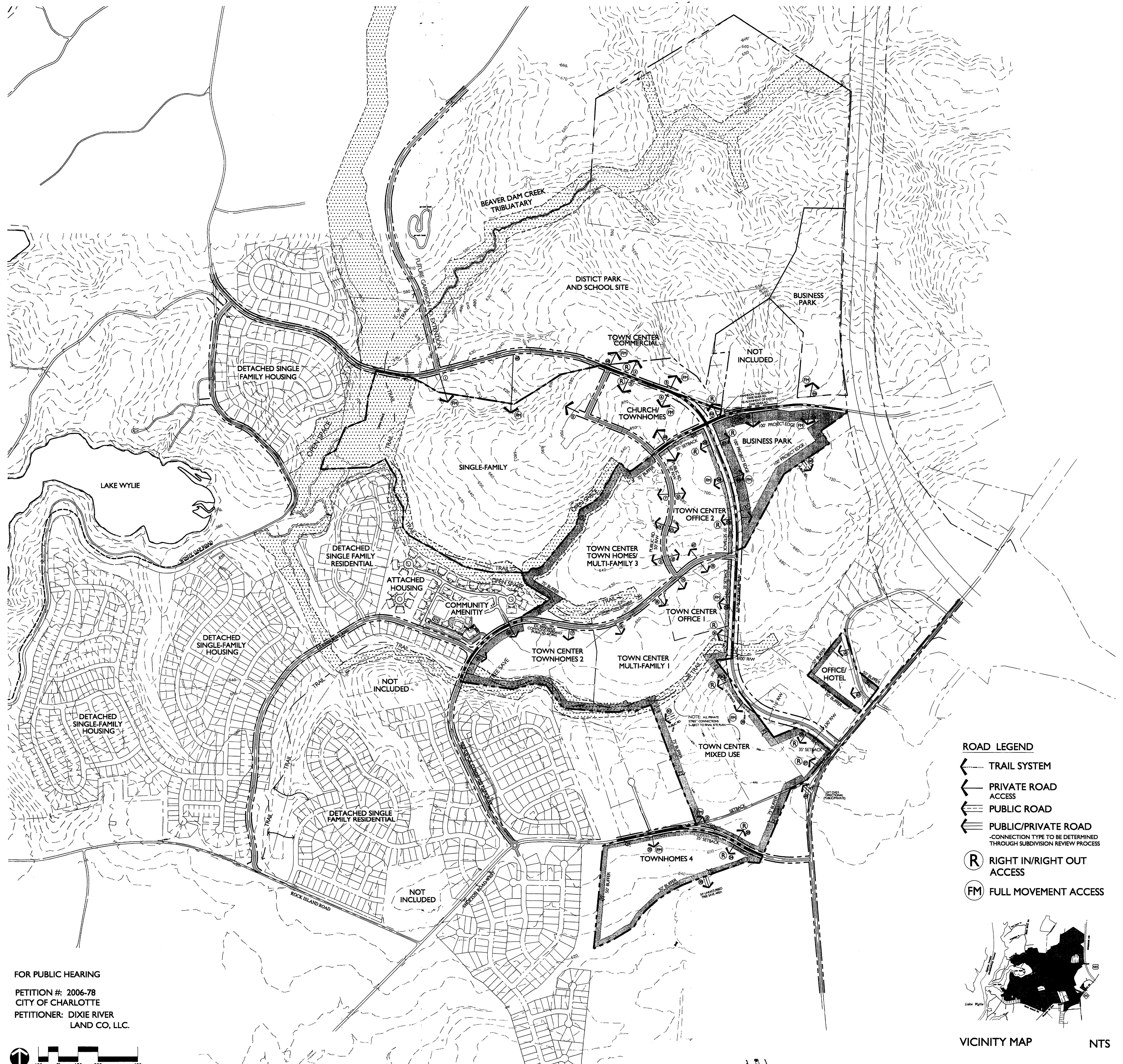
10. Screening will conform to the applicable standards of Sect. 12.303 of the Zoning ordinance.
11. Within the CC (Town Center Mixed Use) portion of the site, the Petitioner reserves the right to increase the authorized number of residential units by converting retail and/or office area to residential units at the rate of one residential unit for each 200 square feet of retail and/or 300 square feet of office area so converted, provided that the total number of residential units that may be added shall not exceed 200 units. Further, the Petitioner reserves the right to include up to 300 hotel rooms within the Town Center area and to substitute public street connection from the mixed use portion of the Town Center to the large lot subdivision to the west to provide for future access should that property ever be redeveloped. Further, a public street connection will be provided from the MX-1 tract south of Shopton Rd. West to properties to the south. The exact location and timing of that future connection will be determined as part of the development review and/or subdivision process.
12. Access points shown on the Technical Data Sheet in operation, type, number, or location are subject to further review and approval by CDOT and/or NCDOT.
13. The Petitioner reserves the right to transfer up to 250 residential units from the MX-1 portions of the previously approved Berewick Master Plan to the CC portion of the site included in this Petition provided that the total number of units originally approved for the Berewick Master Plan, plus the units included in the portion of this Petition that creates new MX-1 (Parcel E on Technical Data Sheet dated May 18, 2006) zoned properties that were not part of the previously approved Berewick Master Plan, are not exceeded and further provided that the densities of development resulting from any such transfer do not exceed that which is allowed in the CC district standards.
14. All dumpsters on the site will be screened with a solid enclosure with gates.
15. Within the MX-1 portion of the site, the Petitioner will construct a street network with appropriate collector and other streets, all of which will be reviewed as part of the normal subdivision process. The Petitioner may utilize reverse frontage and if so, will establish a common open space area (as presently contemplated in the text proposed for Section 12.309) of at least 30' to be used for landscaping and/or streetscape improvements and all lot lines for adjoining lots and the appropriate setbacks or yards will be measured from the inside edge of this common area.
16. A pedestrian and bicycle network to connect the various elements within the site will be developed as the various site elements are constructed. Linkages will be established to connect buildings and uses on the site to this pedestrian network.
17. Within the Town Center area the total amount of retail floor area will not exceed 250,000 sq. ft. and the retail floor area for a single tenant structure will not exceed 85,000 square feet. The site will also be permitted to construct up to 300,000 sq. ft. of office floor area subject to the ability of the Petitioner to transfer an additional 30,000 sq. ft. of floor area from the O-2 (CD) parcel into the Town Center as noted below. In addition, the Petitioner will limit the number of out parcels that may accommodate "auto oriented" uses such as gas stations and restaurants with drive in windows to a total of five. Of these five sites, three may be independent uses. Further, the Petitioner may add an additional 25,000 sq. ft. of retail floor area (over and above the 250,000 sq. ft.) within the Town Center on the second floor of other structures used for retail use. Building heights will be limited to 75' measured to the bottom of the highest habitable floor. Individual site development plans will be reviewed by the Planning Staff for compliance with the conditions of this plan. The various independent freestanding uses on the site will be oriented to streets that are both external and internal to the site. These freestanding uses on the site will be oriented to streets that are both external and internal to the site. These freestanding uses on the site will be oriented to streets that are both external and internal to the site. These freestanding uses on the site will be oriented to streets that are both external and internal to the site. These freestanding uses on the site will be oriented to streets that are both external and internal to the site.
18. The area indicated on the site plan for a church may alternately be used for attached housing at a gross density not to exceed 12 units per acre.
19. The O-2 (CD) can accommodate up to 50,000 sq. ft. of office development or a hotel as previously approved. Up to 30,000 sq. ft. of that office area may be transferred to the Town Center at the Petitioner's discretion.
20. Parcel 'F' may be used for any use allowed under the CC zoning but no drive through uses will be allowed and further provided that the building areas for any such uses will be deducted from the floor areas for the respective types of uses in the Town Center. The Petitioner will be responsible for allocating that building area within Parcel 'F' and for maintaining records of that allocation.
21. Within the MX-1 portion of the site, open space areas depicted on the site plan represent the approximate location and extent to the areas it sets aside to meet the open space requirement of the district. The exact location and extent of the open space areas will be determined through the detailed design and subsequent public review of development plans. The open space areas will be developed with a combination of active and passive recreation areas, trails, pathways, and other amenities consistent with the purpose and provisions of this Petition. Further, the area devoted to open space will not be reduced through the Innovative Review process.
22. Within the Business Park portion of the site, front loaded buildings will not be permitted and the arrangement of the uses on these sites will locate office uses or the office portion of mixed-use buildings will be oriented to the street. The area of the site designated as BP that lies south of Dixie River Rd. will be restricted from use for bulk warehouse uses. The total development that will be permitted within both the BP area included within this Petition (labeled as Business Park South on the site plan) and the BP area north of Dixie River Rd. (labeled as Business Park North on the site plan) will be limited to a total of 375,000 sq. ft. of building area and the Petitioner will be responsible for allocating that building area within these BP areas and for maintaining records of that allocation.

23. The Petitioner will comply with the Lower Lake Wylie Watershed regulations. In accordance with watershed regulations, the Petitioner reserves the right to utilize either or both of the low density density and/or the high density watershed development standards. Further, the Petitioner reserves the right to utilize individual site or larger area-wide storm water detention and management facilities, ponds, and related facilities. In addition to compliance with the Lower Lake Wylie Watershed regulations, compliance with the Berewick Master Stormwater Management Concept Plan dated 11/12/2003 is included by reference. Additionally, the Petitioner accepts the responsibility for revising the current Drainage Area Delimitation/Impervious Area Tracking Map and Impervious Area Projections to account for the changes in the Berewick Project limits and land use. The Petitioner also acknowledges its responsibility to comply with the current USACE 404 Permits and NCDENR 401 certifications which prohibits any more than 5% of the actual impervious developed within the Berewick Project limits as defined with Petition Nos. 2001-030 (City) and 2001-006(C) (County), along with the revised Berewick Project Limits as amended by this Petition. The various regulatory authorities will have jurisdiction over their respective areas of control.
24. Reasonable efforts shall be made to limit the size of development areas, excluding road, utility, and stormwater control construction areas, to be exposed at any one time and also to limit the exposure to the shortest feasible time. Specific grading plans include at cutfill analysis, the construction sequencing and construction phasing to justify the time and amount of exposure. The plans shall specifically identify techniques to be used to prevent potential sedimentation loss associated with larger disturbed areas.
25. The Petitioner has cooperated with Charlotte Mecklenburg Stormwater Services and Mecklenburg County Department of Environmental Protection in regard to erosion control and stormwater water quality modeling providing assistance with an inventory of existing conditions of Brown's Cove (sediment level) and Beaver Dam Creek cooperating with MCDPEP by providing a duplicate water quality monitoring station to that provided by MCDPEP, both to be maintained and monitored by MCDPEP, and cooperated with MCDPEP in erosion control watershed protection education efforts of contractors, builders, and homeowners.
26. The Petitioner agrees to add walking trails along the Multifamily Town Center Parcel to encourage pedestrian activity between the Multifamily and the mixed use Town Center.
27. The Petitioner agrees to work with CDOT to develop a cross section that includes a minimum of 8 ft planting strip from the back of the curb to the sidewalk and a 6' sidewalk on New Dixie River Rd. Further, the Petitioner agrees to work with CATS to explore the possibility of accommodating a transit park and ride facility and a layover for two shuttle buses within the site as it develops.
28. The Petitioner will submit individual site layouts to the Planning Department staff for review for compliance with this plan and the general development policies.
29. 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.
30. Throughout this Rezoning Petition, the terms "Owner," "Owner's," "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.
31. Within the MX-1 portion of the site, the Petitioner, in accordance with the provisions of Section 11.208, "Innovative Development Standards", may propose modifications to the following standards:
 - Street right-of-way widths.
 - Street type and construction standards.
 - Minimum lot size.
 - Setbacks and yards.
 - Off street parking, and
 - Lot width.
 The Petitioner acknowledges that the Innovative process is a separate process that may be pursued after the rezoning has been approved.
32. Outparcels as shown on the Concept Plan that accompanies this petition are shown to give approximate building locations for planning purposes only.
33. Phase I Road Improvements. Upon zoning approval, petitioner may construct up to 700 multifamily units in Parcels A, B, E and F, 320 single-family units in Parcels A, B, E and F, and 175,000 square feet in Business Park Parcel C North and Business Park Parcel C South. The following improvements will be considered by CDOT for all access points:
 - A. Full Movement Access Points may require a left turn lane design with minimum 150 feet of storage, transition tapers, and bay tapers as determined by CDOT or NCDOT.
 - B. Developer will submit preliminary roadway and intersection design plans of the Dixie River/New Dixie River realigned intersection, including the section of New Dixie River Road between the intersection and the City's project just north of the creek to the City for review/approval prior to the issuance of any building permit or subdivision approval for any residential development.
 - C. Developer will dedicate the necessary right-of-way for future throughfare alignments and will design all Access Points with the consideration of future throughfare alignments to avoid building a road improvement that would later be demolished.

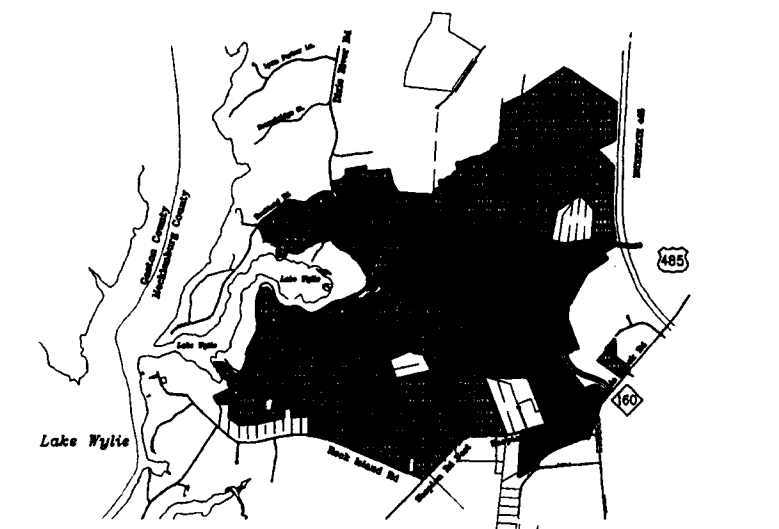
34. Phase 2 Road Improvements. After the road improvements above and identified as A and B in this Note 34, are completed and accepted by NCDOT and/or the City of Charlotte, the Petitioner may be granted full approval for additional dwelling units in excess of those listed in Note 33, but not more than 700 single-family units and 1000 multifamily units in Parcels A, B, E, and F, consistent with the provisions of this rezoning and the subdivision ordinance, and may receive Certificates of Occupancy for 85,000 square feet of Retail and Office in Parcel A (Road improvement designs will be reviewed and approved through the subdivision design process).
 - A. Completion of 150-foot eastbound right turn lane on Dixie River Road at Steele Creek Road.
 - B. Completion of realigned intersection of the New Dixie River Road/Dixie River Road/Site Road intersection as shown in Figure 7b of the July 13, 2006 Kublin's Transportation Group Technical Memorandum recommended intersection improvements, and traffic signalization when warranted.
 35. Phase 3 Road Improvements. After the road improvements above and as identified in A in this Note 35, are completed and accepted by NCDOT and the City of Charlotte, Certificates of Occupancy may be issued for up to 145,000 square feet of Retail and Office in Parcel A, and an additional 100,000 square feet in Business Park Parcel C.
 - A. Completion of the City's Shopton Road West realignment with signalization when warranted.
 36. Phase 4 Road Improvements. After completion of the improvements identified above and below as A through C in this Note 36, all the remaining Retail and 80,000 square feet of Office in Parcel A may receive Certificates of Occupancy.
 - A. Completion of New Dixie River Road, from Steele Creek Road up to the first access point, in the Parcel A Town Center with signalization when warranted.
 - B. Completion of 150-foot right turn lane for southbound traffic on Steele Creek Road at New Dixie River Road.
 - C. New and modified signalization, as warranted, for all full movement public road and private driveway intersections.
 37. Phase 5 Road Improvements. The plats for the balance of residential units, and the Certificates of Occupancy for the balance of the Retail and Office within Parcel A will not be released until the road improvements above and identified as A through D below are completed and accepted by NCDOT and/or the City of Charlotte.
 - A. An additional left turn lane with 300 feet of storage for both New Dixie River Road and Shopton Road West, with an additional through lane on Steele Creek Road between the two intersections.
 - B. New Dixie River Road completed from Berewick Commons Parkway to Steele Creek Road.
 - C. Analyze, and contribute if necessary, to new or modifications to signalization for all new and modified full movement public road and private driveway intersections.
 - D. Dedicate right-of-way on property controlled by the Petitioner as necessary to complete road improvements.
 38. Phase 6 Road Improvements. The road improvements above and below must be completed before the balance of the remaining entitlements may be developed in all parcels:
 - A. Complete New Dixie River Road from the Dixie River Road / New Dixie River Road intersection south to Berewick Commons Parkway.
- March 27, 2006, initial submission. 1e
 May 18, 2006, revisions per staff comments. 2
 May 22, 2006, revisions per staff comments. 3
 May 22, 2006, revisions per staff comments. 3a
 May 22, 2006, revisions per staff comments. 3b
 May 23, 2006, revisions per staff comments. 3c
 May 23, 2006, revisions per staff comments. 3d
 June 14, 2006, revisions per staff comments. 4
 June 15, 2006, revisions per staff comments. 4a
 July 11, 2006, revisions per staff comments. 5
 July 13, 2006, revisions per staff comments. 5a
 July 14, 2006, revisions per staff comments. 5b
 July 20, 2006, revisions per staff comments. 6
 July 20, 2006, revisions per staff comments. 6a
 July 26, 2006, revisions per staff comments. 7
 July 28, 2006, revisions per staff comments. 8

APPROVED BY CITY COUNCIL
 JUL 17 2006

FOR PUBLIC HEARING
 PETITION #: 2006-78
 CITY OF CHARLOTTE
 PETITIONER: DIXIE RIVER LAND CO, LLC.

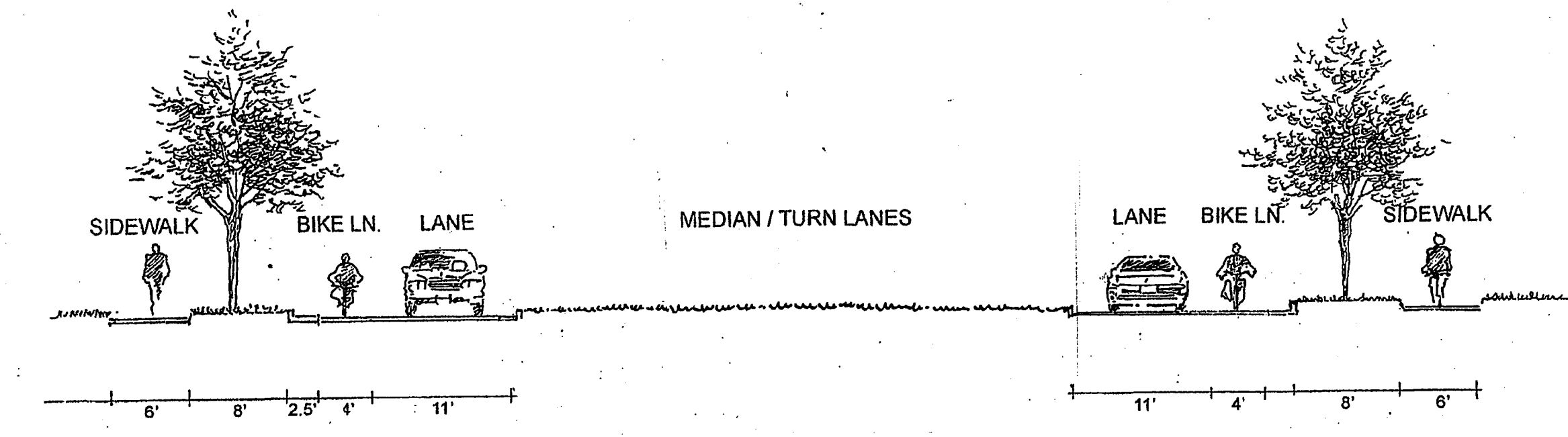


- ROAD LEGEND**
- ← TRAIL SYSTEM
 - ← PRIVATE ROAD ACCESS
 - ← PUBLIC ROAD
 - ← PUBLIC/PRIVATE ROAD
- CONNECTION TYPE TO BE DETERMINED THROUGH SUBDIVISION REVIEW PROCESS
 - (R) RIGHT IN/RIGHT OUT ACCESS
 - (FM) FULL MOVEMENT ACCESS

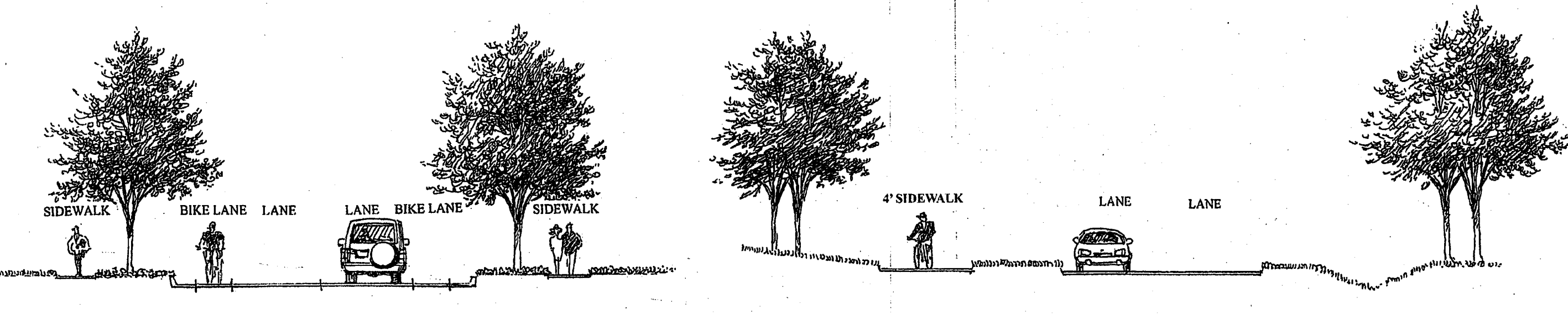


VICINITY MAP NTS

FOR PUBLIC HEARING
 PETITION # 2006-78
 CITY OF CHARLOTTE
 PETITIONER: DIXIE RIVER
 LAND CO, LLC.

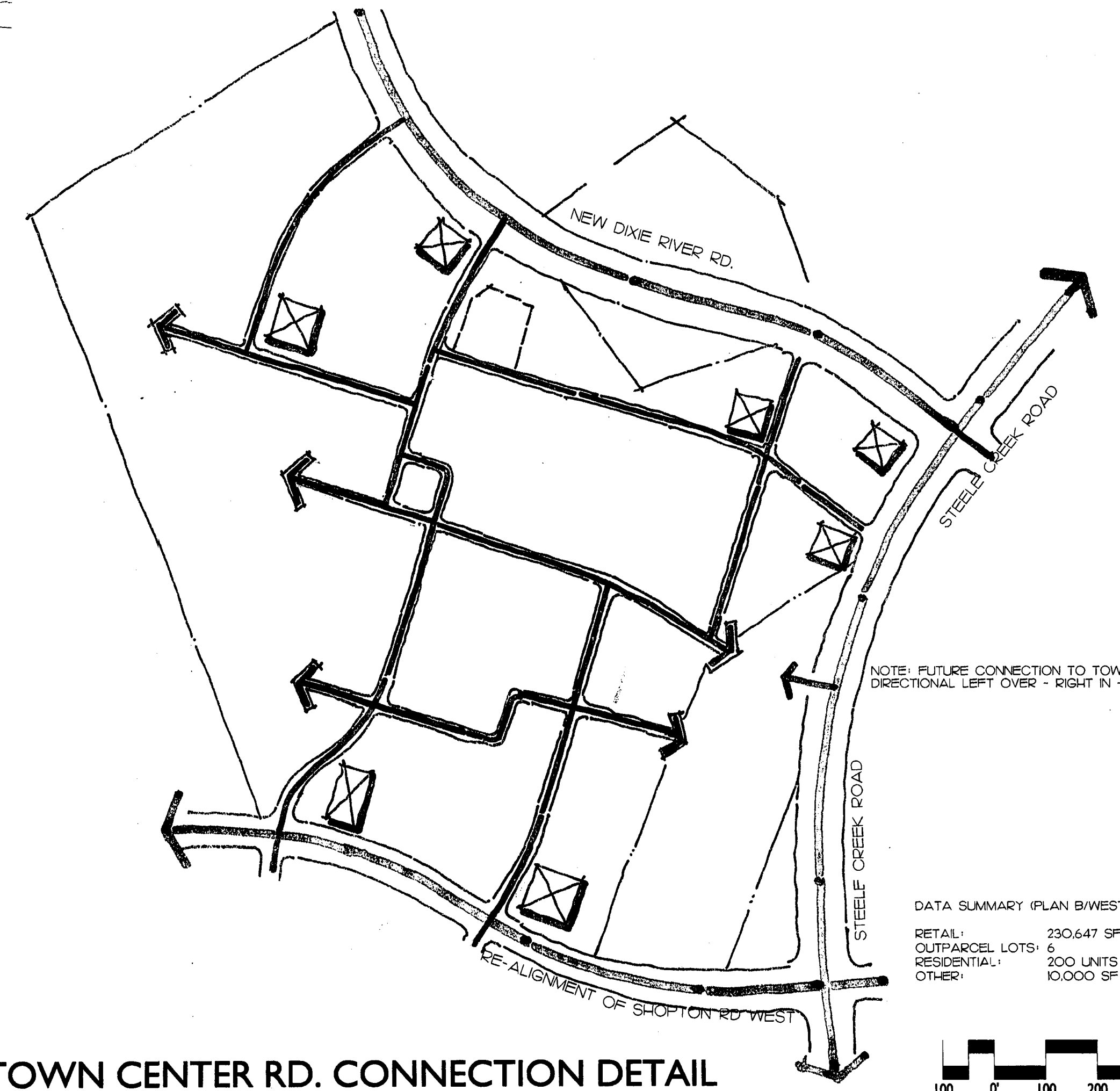


NEW DIXIE RIVER ROAD
 (THRU TOWN CENTER/MIXED USE AREA)
 Note: Reserve 100' R/W for Future Rd. Improvements



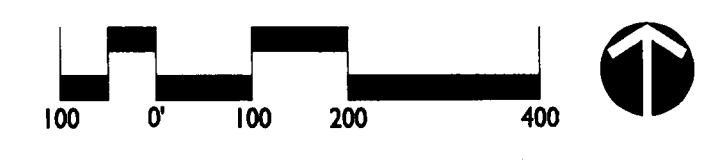
Berewick Commons Parkway
 (thru Residential Area)
 60' R/W

EXISTING DIXIE RIVER RD. #4 (PROPOSED IMPROVEMENTS)
 (Reserve 100' R/W for future improvements)



TOWN CENTER RD. CONNECTION DETAIL

DATA SUMMARY (PLAN B/WEST OF STEBLE CREEK)
 RETAIL: 230,647 SF (WITHOUT OUTPARCEL BUILDINGS)
 OUTPARCEL LOTS: 6
 RESIDENTIAL: 200 UNITS (AVE. 1,200 SF PER UNIT)
 OTHER: 10,000 SF (DAYCARE FACILITY)

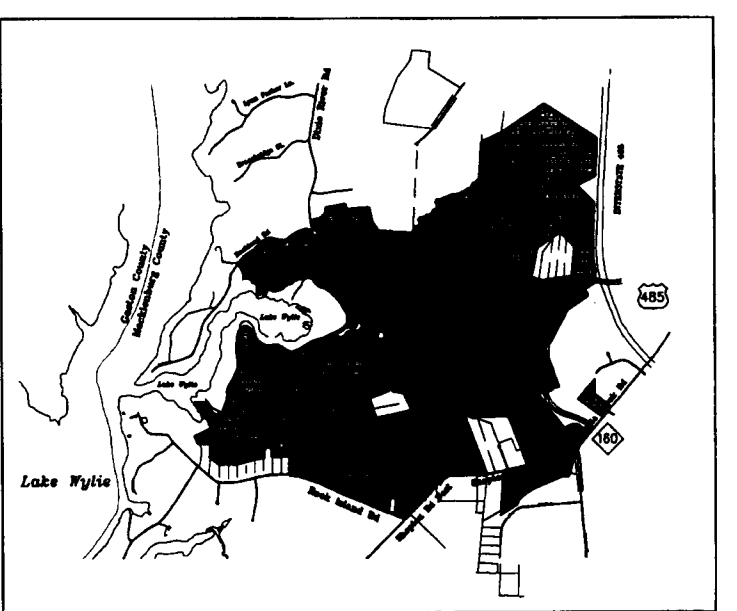
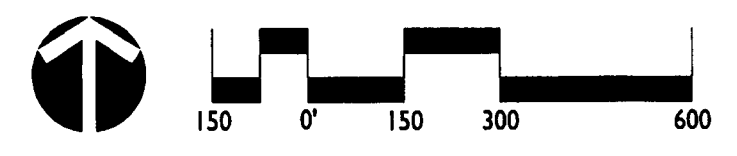


MARCH 27, 2006 LDI# 1005062



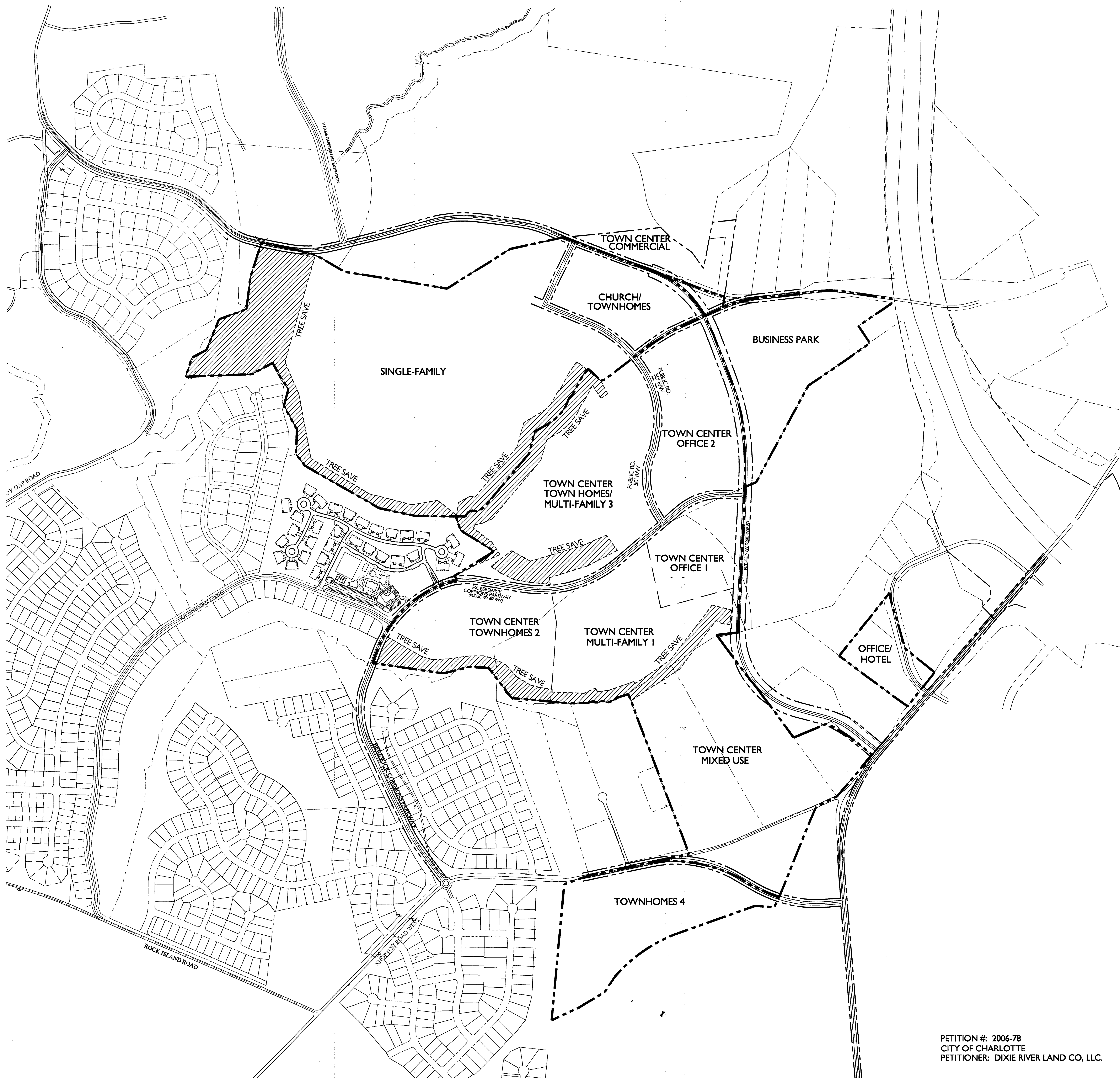
 ORIGINAL ZONING BOUNDARY
 PROPOSED ZONING BOUNDARY

ZONING TABLATURE



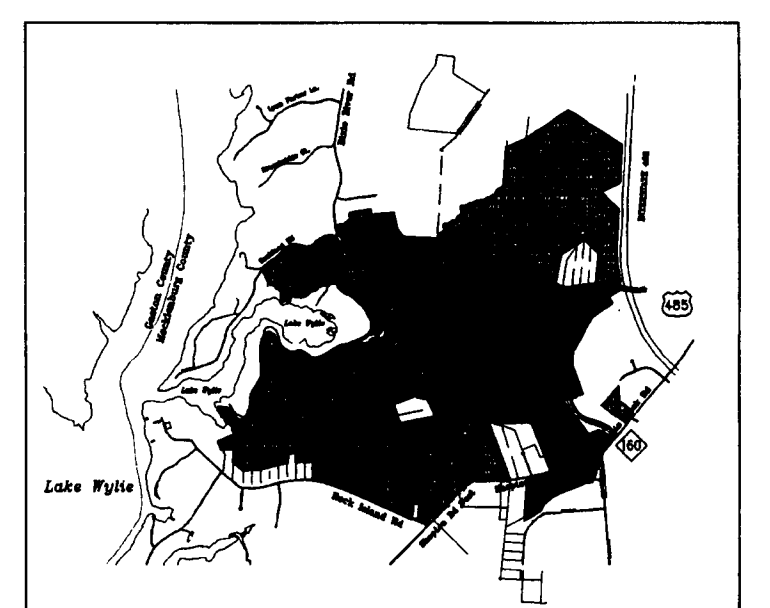
VICINITY MAP NTS

MARCH 27, 2006 LDI# 1005062



PETITION #: 2006-78
 CITY OF CHARLOTTE
 PETITIONER: DIXIE RIVER LAND CO, LLC.

LEGEND
 TREE SAVE AREA
 AREA = ±32.58 ACRES
 PUBLIC ROAD



VICINITY MAP NTS

MARCH 27, 2006 LD# 1005062