

**SITE SOLUTIONS**  
 2 3 2 0  
 W. Morehead Street  
 Charlotte, NC 28208  
 Landscape Architecture  
 Site Planning  
 Civil Engineering  
 www.sitesolutionspa.com  
 Telephone: 704-521-6880  
 Facsimile: 704-521-6885  
 Date:

**SITE DATA**

TAX PARCEL NUMBER: 229-124-01  
 EXISTING ZONING: B-1 (CD) NEIGHBORHOOD BUSINESS  
 PROPOSED ZONING: B-1 (CD) SITE PLAN AMENDMENT  
 TOTAL SITE AREA = 11.97 ACRES  
 MAXIMUM FLOOR AREA = 95,000 S.F.

**PETITIONERS:**

**BL PATCH & ASSOCIATES, INC.**  
 2408-B PLANTATION CENTER DRIVE  
 MATTHEWS, NC 28105  
 704-848-5139 PHONE  
 704-848-5142 FAX  
 CONTACT: BRANSEN L. PATCH

**RALEY MILLER PROPERTIES**  
 10700 SIKES PLACE, STE. 200  
 CHARLOTTE, NC 28277  
 704-321-1000 PHONE  
 704-321-1001 FAX  
 CONTACT: DAVID S. MILLER

**DESIGNER:**

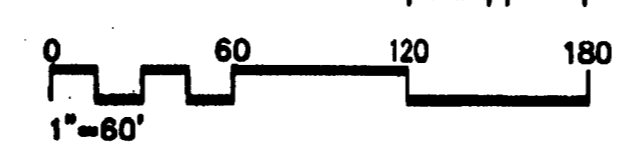
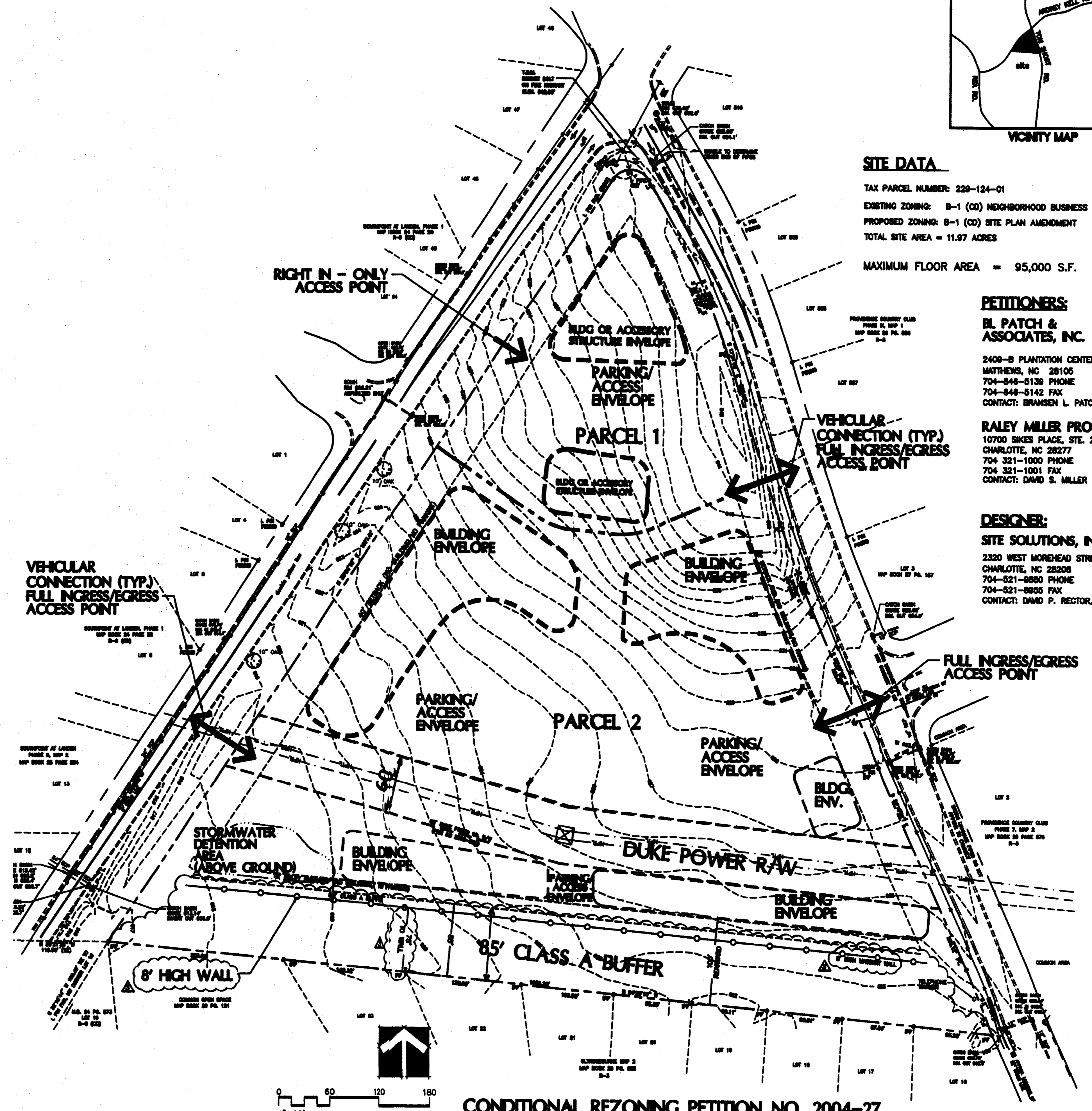
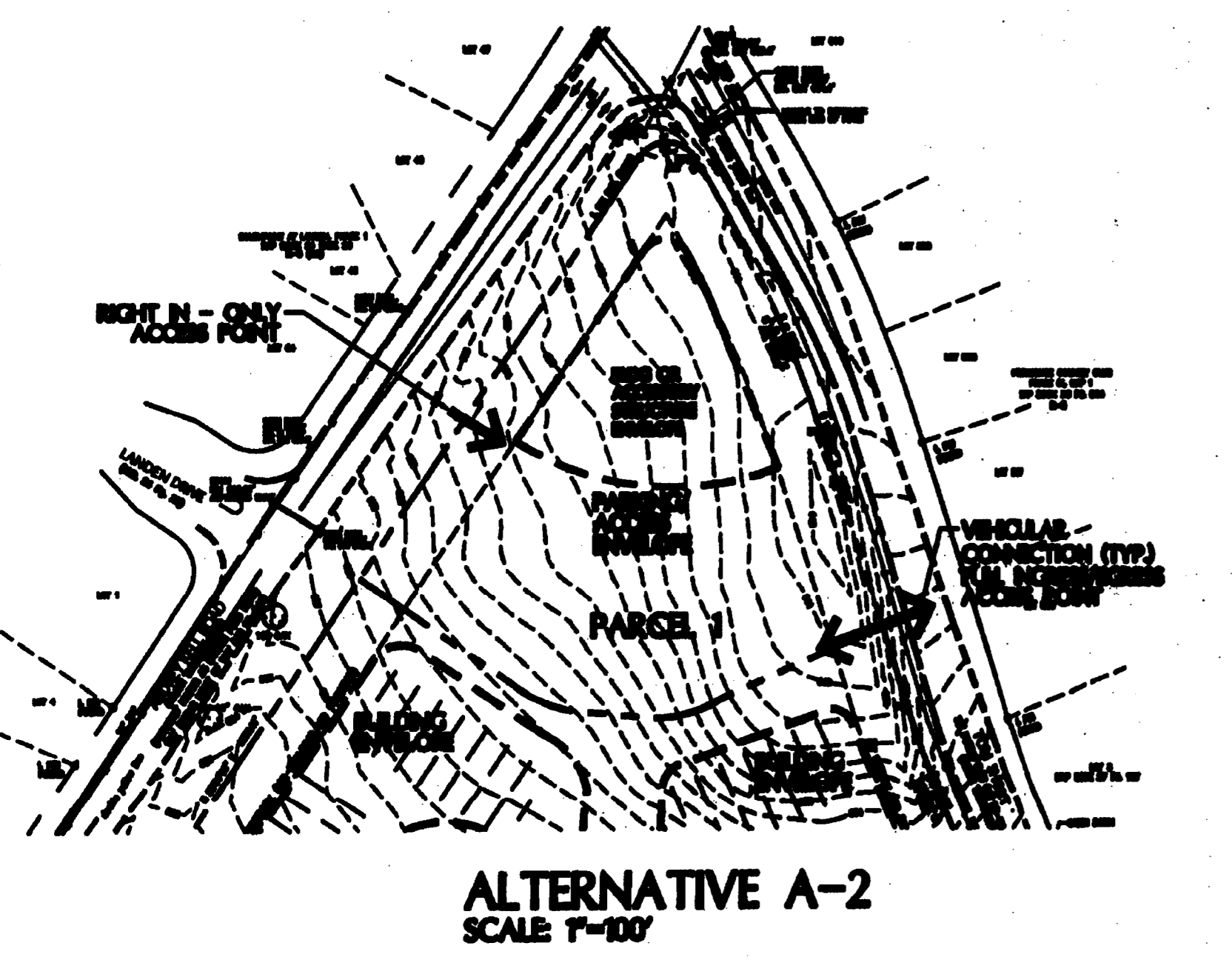
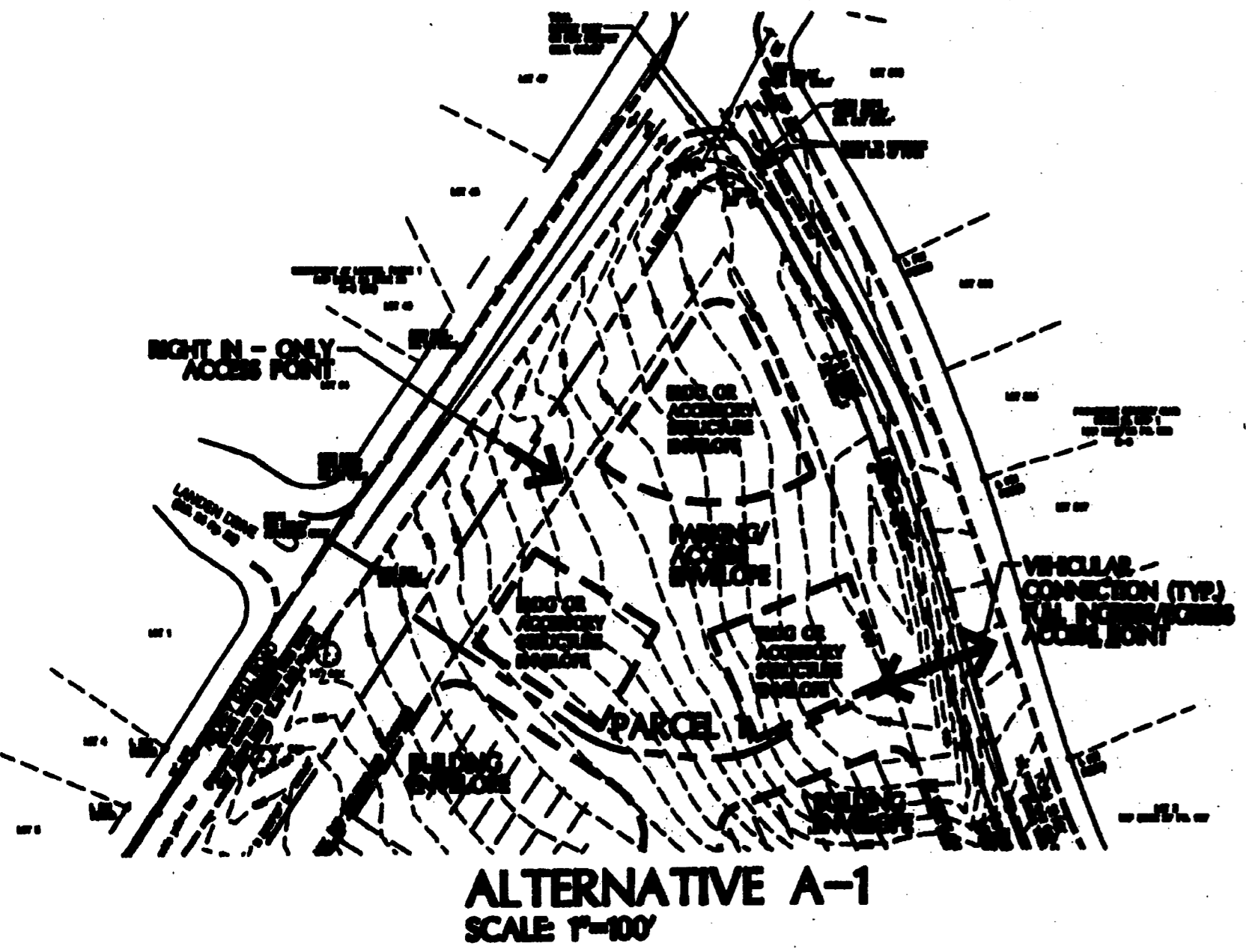
**SITE SOLUTIONS, INC.**  
 2320 WEST MOREHEAD STREET  
 CHARLOTTE, NC 28208  
 704-521-6880 PHONE  
 704-521-6885 FAX  
 CONTACT: DAVID P. RECTOR, PE

01-54

The Fountains at  
 Tom Short Road  
 BL Patch & Associates, Inc.  
 Charlotte, North Carolina

Project No.	2004-27
Drawn By	J.W.P.
Prepared By	J.W.P.
Checked By	J.W.P.
Date	12/10/04
Scale	AS SHOWN
Sheet No.	1 of 2
Project Name	COND. REZONING PETITION NO. 2004-27
Sheet Title	Technical Data Sheet - Alternatives (Parcel 1)

RZ-1



General Provisions

1. These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by B.L. Patch and Associates, Inc. and Raley Miller Properties to accommodate development of a village type retail/office project to be known tentatively as The Fountains at Tom Short Road on an 11.97 acre site located south of the intersection formed by Ardrey Kell Road and Tom Short Road (the "Site").

2. Development Alternatives A-1 and A-2 for Parcel 1 are schematic representations of development alternatives for Parcel 1, and the approval of this Rezoning Petition by the City of Charlotte City Council will constitute the approval of these Development Alternatives.

3. Subject to the provisions of these Development Standards, the configurations, placements and sizes of the buildings depicted on the Schematic Site Plan, as well as the configurations, sizes and locations of the parking areas, are schematic in nature and may be altered or modified during design development and construction document phases within the building and parking envelopes established on the Technical Data Sheet.

4. Landscape areas, landscape areas, sidewalks and parking areas may be located within the building or accessory structure envelopes and building envelopes depicted on the Technical Data Sheet.

Permitted Uses

1. The Site may be devoted only to the following principal and accessory uses that are permitted by right or under prescribed conditions in the B-1 zoning district.

Uses Permitted By Right

- (1) Bakeries, retail, including manufacturing of goods for sale on premises.
(2) Barber and beauty shops.
(3) Clinics, medical, dental and optical.
(4) Clinics, veterinary.
(5) Cultural facilities.
(6) Dry cleaning and laundry establishments, up to 4,500 square feet on a lot.
(7) Dwellings, detached, duplex, triplex or quadruplex at a maximum density of 4 dwelling units per acre.
(8) Elementary and secondary schools.
(9) Fences and fence material, retail sales within an enclosed building.
(10) Financial institutions up to 10,000 square feet.
(11) Florist, retail.
(12) Government buildings up to 20,000 square feet.
(13) Health institutions.
(14) Highway and railroad rights of way.
(15) Indoor recreation.
(16) Investors, retail.
(17) Laboratories, dental, medical and optical.
(18) Neighborhood food and beverage service.
(19) Nurseries and greenhouse retail and wholesale.
(20) Subject to the square footage limitations set out below under "Maximum Floor Area", Offices, with no single space occupied by a single office use being larger than 10,000 square feet in size.
(21) Outdoor seasonal sales.
(22) Parks, greenways and arboreta.
(23) Post offices.
(24) Printing and publishing, up to 5,000 square feet.
(25) Religious institutions.
(26) Repair or servicing of any article, within an enclosed building, the sale of which is permitted in the district.
(27) Restaurants. Notwithstanding the foregoing, the number of full service, sit-down restaurants containing 2,400 square feet or more of space will be limited to 2. However, this limitation will not apply to restaurants less than 2,400 square feet in size.
(28) Subject to the square footage limitations set out below under "Maximum Floor Area", retail establishments, shopping centers and business, personal and recreation services, except for uses permitted only in the B-2 district.
(29) Studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths, and designers of ornamental precious jewelry.
(30) Subdivision sales offices.
(31) Universities, colleges and junior colleges.
(32) A maximum of one vocational school within an enclosed building.

Uses Permitted Under Prescribed Conditions

The following uses shall be permitted on the Site if they meet the standards established in Section 9.803 of the Ordinance and all other requirements of the Ordinance.

- (1) Cemeteries.
(2) Child-care centers.
(3) Dwellings, mixed use.
(4) Bars and lounges, provided that they are associated with and part of a full service, sit-down restaurant.
(5) Nursing homes, rest homes and homes for the aged provided that any such use may be located only in a 1 story structure.
(6) Open space recreational uses.
(7) Outdoor recreation.
(8) Temporary buildings and the storage of materials.
(9) Small scale bakeries, retail, including the manufacture of goods, and wholesale, including manufacture of goods.

Accessory Uses

The following shall be permitted on the Site as accessory uses and structures, subject to the applicable criteria set out in Chapter 12 of the Ordinance.

- (1) Accessory uses and structures clearly incidental and related to the permitted principal use or structure on the lot.
(2) Drive-in windows as an accessory to the principal use.
(3) Dumpsters, trash handling areas and service entrances.
(4) Fences and walls.
(5) Outdoor lighting.
(6) Outdoor storage of any materials, stocks or equipment.
(7) Vending machines for cigarettes, candy, soft drinks and coin-operated laundries located within an enclosed building as an accessory to the uses in the principal building.
2. Notwithstanding anything contained herein to the contrary, the following uses are prohibited on that portion of the Site designated as Parcel 1 on the Technical Data Sheet: restaurants with drive-in window services, convenience stores (with or without gasoline sales), car washes, automobile service stations, gas stations, mental health institutions and alcohol and drug rehabilitation clinics.
3. Notwithstanding anything contained herein to the contrary, the following uses are prohibited on that portion of the Site designated as Parcel 2 on the Technical Data Sheet: restaurants with drive-in window services, convenience stores (with or without gasoline sales), car washes, automobile service stations, gas stations, mental health institutions and alcohol and drug rehabilitation clinics.
4. For purposes of this rezoning request and the development and use of the Site, any uses permitted by right in both the O-1 zoning district and the B-1 zoning district, other than general office, office/clinic (medical, dental, optical and veterinary) and financial institutions, shall be considered retail uses.
5. The division of the Site into Parcels 1 and 2 on the Technical Data Sheet is solely for the purpose of this rezoning and it does not necessarily represent a future property line in the event that the Site is subsequently subdivided.
6. No piped or live music will be permitted outside of any buildings after 10:00 p.m.
7. Restroom courtyards or play yards that are accessory to any of the south boundary uses will be allowed if they are outside of the street setbacks and outside of the 85 foot Class A buffer.

Maximum Floor Area

- 1. The gross heated floor area of all buildings constructed on the Site shall not exceed, in the aggregate, 95,000 square feet.
2. Each building designated with a single asterisk on the Schematic Site Plan shall be limited in size to 5,000 square feet of gross heated floor area and shall be limited in height to 1 story.
3. Each building designated with two asterisks on the Schematic Site Plan shall be limited in height to 1 story.
4. Each building designated with three asterisks on the Schematic Site Plan shall be limited in height to 2 stories.
5. The maximum size of any single space occupied by a single office use shall be 10,000 square feet of gross heated floor area.
6. Outdoor porches and patios and outdoor seating and dining areas will not be considered to be a part of and counted towards the maximum gross heated floor area.

Setbacks, Side Yards and Rear Yards

1. All buildings constructed on the Site shall satisfy or exceed the setback and side yard requirements established under the Ordinance for the B-1 zoning district, and such setback and side yard requirements are more particularly depicted on the Technical Data Sheet.

2. A 100 foot rear yard shall be established along the Site's southern boundary line as depicted on the Technical Data Sheet. Buildings and parking areas shall not be allowed within the 100 foot rear yard.

Architectural Controls

- 1. Buildings constructed on the Site along Tom Short Road or Ardrey Kell Road will contain windows that face these streets and large expanses of solid walls for these buildings will be avoided through the introduction of architectural features such as storefront windows, access doors, articulated facades and other specially designed architectural elements.
2. The building elevations set out on Sheets RZ-3 and RZ-3.1 are intended to portray the basic character and quality of the relevant buildings to be constructed on the Site.
3. All buildings constructed on the Site shall be architecturally compatible through the use of architectural design features, similar materials, color and landscaping.
4. The elevations of the buildings located along the southern boundary line of the Site adjacent to the 100 foot rear yard shall be as depicted on Sheet RZ-3.1.
5. Dumpster areas will be enclosed on all four sides, with three sides being a brick wall and one side being a hinged metal gate.
6. Dumpsters shall not be located immediately adjacent to the 100 foot rear yard located along the Site's southern boundary line or immediately adjacent to Tom Short Road or Ardrey Kell Road.
7. All rooftop mechanical equipment shall be screened to its full height and shall not be visible from ground elevations along Tom Short Road or Ardrey Kell Road and ground elevations on adjacent residential uses.

Streetscape Treatments

Subject to the approval of NCDOT and CDOT, Petitioners shall install an 8 foot wide planting strip and a six foot wide sidewalk along the Site's frontage on Ardrey Kell Road and Tom Short Road within the existing rights of way.

Screening/Landscaping Areas/Buffer

- 1. Internal areas of the Site shall be landscaped in accordance with the requirements of the Ordinance.
2. The 85 foot Class A buffer established on the Technical Data Sheet shall conform to the standards for such buffers as set out in Section 12.302 of the Ordinance.
3. Petitioners shall install an eight foot high masonry wall within the 85 foot Class A buffer a minimum of 75 feet from the Site's southern boundary line as more particularly depicted on the Technical Data Sheet.
4. All screening and landscaping shall conform to the standards of the Ordinance.
5. The Site shall comply with the requirements of the City of Charlotte Tree Ordinance.
6. Landscaped areas, landscaped areas, sidewalks and site improvements will be installed in sequences which are keyed to each phase of development taking place on the Site.
7. All trees planted within the Duke Power right-of-way are subject to the prior approval of Duke Power Company.
8. Petitioners shall install a berm and landscaping within the 40 foot setback along Tom Short Road and the 40 foot setback along Ardrey Kell Road in accordance with the detail and cross section set out on Sheet RZ-3.
9. For those property owners who give their consent, Petitioners commit to plant a single row of Nellie Stevens hollies (or similar evergreens) at a minimum installation height of 6 feet and a maximum spacing of 8 feet on center.

Off Street Parking

Off street parking will be provided at a ratio of 1 parking space per 250 square feet of space for each phase of development.

Lighting

- 1. All freestanding light fixtures installed within the Site shall be uniform in design.
2. The maximum height of any freestanding lighting fixture erected on the Site (other than streetlights on public rights-of-way), including its base, shall be 20 feet.
3. Any wall pack style lighting fixtures installed on the Site shall be capped and downwardly directed so that illumination does not extend past any property line of the Site.
4. All direct lighting within the Site (except streetlights which may be erected along Tom Short Road and Ardrey Kell Road) shall be designed such that direct illumination does not extend past any exterior property line.
5. Notwithstanding the terms of paragraph 4 above, the illumination from the decorative light fixtures to be installed on the building walls fronting Tom Short Road and Ardrey Kell Road and depicted on the attached elevations may extend past exterior property lines given the proximity of these buildings to Tom Short Road and Ardrey Kell Road.
6. The 20 foot light poles may not be installed within any interior landscaped islands within the parking areas, however, decorative lighting may be installed adjacent to sidewalks within any landscaped islands in the parking areas of the project.

Signs

- 1. All signage, including wall signage, installed on the Site shall conform to the requirements of Chapter 13 of the Ordinance.
2. Two project identification signs may be installed on the Site in accordance with the terms of the Ordinance, with a project identification sign being located at each of the two primary access points into the Site, and each project identification sign may include name identification signs.
3. In addition to the project identification signs referred to in paragraph 2 above, that portion of the Site designated as Parcel 1 may have one tenant identification ground-mounted or monument type sign of no more than 6 feet in height with a maximum sign face area of 25 square feet per side.
4. Any building mounted sign located immediately adjacent to and fronting either Tom Short Road or Ardrey Kell Road shall be indirectly lit with overhead or ground mounted lights rather than through internal illumination.

Access Points (Driveways)

- 1. The number of vehicular access points to the Site shall be limited to the number depicted on the Technical Data Sheet.
2. The placement and configuration of these access points are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by CDOT and/or NCDOT, if applicable.

Sidewalks

Sidewalks shall be provided as set forth above and as generally depicted on the Schematic Site Plan. Internal sidewalks shall have a minimum width of 5 feet.

Fire Protection

Fire protection in the form of fire hydrants will be provided on the Site, and a fire hydrant will be located within 750 feet of each building constructed on the Site.

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. Storm water detention shall not be located within any setback, except that the storm management flow restricting plate or structure may be located within the setback.
3. Storm water detention shall not be located within the 85 foot Class A buffer, however, storm water detention may be located within that portion of the 100 foot rear yard not located within the 85 foot Class A buffer.
4. The storm water detention facility will not be an amenity of the project.
5. Petitioners shall tie-in to the existing storm water system.

Petitioners shall have the receiving storm drainage system analyzed to ensure that it will not be taken out of standard. If it is found that the development will cause the receiving storm drainage system to be taken out of standard, Petitioners shall provide adequate detention to prevent this from occurring.

Transportation Commitments

- 1. As generally depicted on the Technical Data Sheet, the southern-most driveway accessing the Site from Ardrey Kell Road shall be located in such a way as to accommodate dedicated left turn lanes for both Landon Drive and the southern-most project entrance off of Ardrey Kell Road.
2. Subject to the approval of CDOT or NCDOT, whichever is applicable, Petitioners shall construct at their expense prior to the issuance of the first certificate of occupancy for a building constructed on the Site a continuous common center left turn lane on Tom Short Road into the southern-most driveway accessing the Site from Ardrey Kell Road.
3. Subject to the approval of CDOT or NCDOT, whichever is applicable, Petitioners shall construct at their expense prior to the issuance of the first certificate of occupancy for a building constructed on the Site a continuous common center left turn lane on Tom Short Road to provide left turn lanes into the Site's access driveways on Tom Short Road and a left turn lane into Warwick Links Drive.
4. The northern-most driveway accessing the Site from Ardrey Kell Road shall be limited to right in movements only.
5. Subject to the approval of CDOT or NCDOT, whichever is applicable, Petitioners shall construct at their expense prior to the issuance of the first certificate of occupancy for a building constructed on the Site a left turn lane on northbound Ardrey Kell Road into Landon Drive.
6. Bicycle racks shall be placed in various locations throughout the Site to accommodate one bicycle for every 20 off street parking spaces located on the Site.

Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

Binding Effect of the Rezoning Documents and Definitions

- 1. If this Rezoning Petition is approved, 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 Petitioners and the current and subsequent owners of the Site and their respective successors in interest and assigns.
2. Throughout these Development Standards, the term "Petitioners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioners or the owner or owners of the Site from time to time who may be involved in any future development thereof.

CONDITIONAL REZONING PETITION NO. 2004-27

Section for PETITIONERS and DESIGNER, listing B.L. Patch & Associates, Inc., Raley Miller Properties, and Site Solutions, Inc. with their respective addresses and contact information.

Graphic header for SITE SOLUTIONS, including logo, address (2320 West Morehead Street, Charlotte, NC 28208), and contact information (phone: 704-521-8800, fax: 704-521-8866).

Section for The Fountains at Tom Short Road, BL Patch & Associates, Inc., Charlotte, North Carolina.

Section for Project No. 2004-27, dated 05/11/04, with a note about the information being preliminary and subject to change.

Section for Project Name: The Fountains at Tom Short Road, and Project Address: 11.97 Acre Site South of Tom Short Road and Ardrey Kell Road.

Table with 4 columns: Description, Quantity, Unit, and Amount. Rows include 02 Petition Submittal, 04 Per Other Comments, and 04 Revised Plans.

Section for Project No. 2004-27, dated 05/11/04, with a note about the information being preliminary and subject to change.

Section for Project Name: The Fountains at Tom Short Road, and Project Address: 11.97 Acre Site South of Tom Short Road and Ardrey Kell Road.

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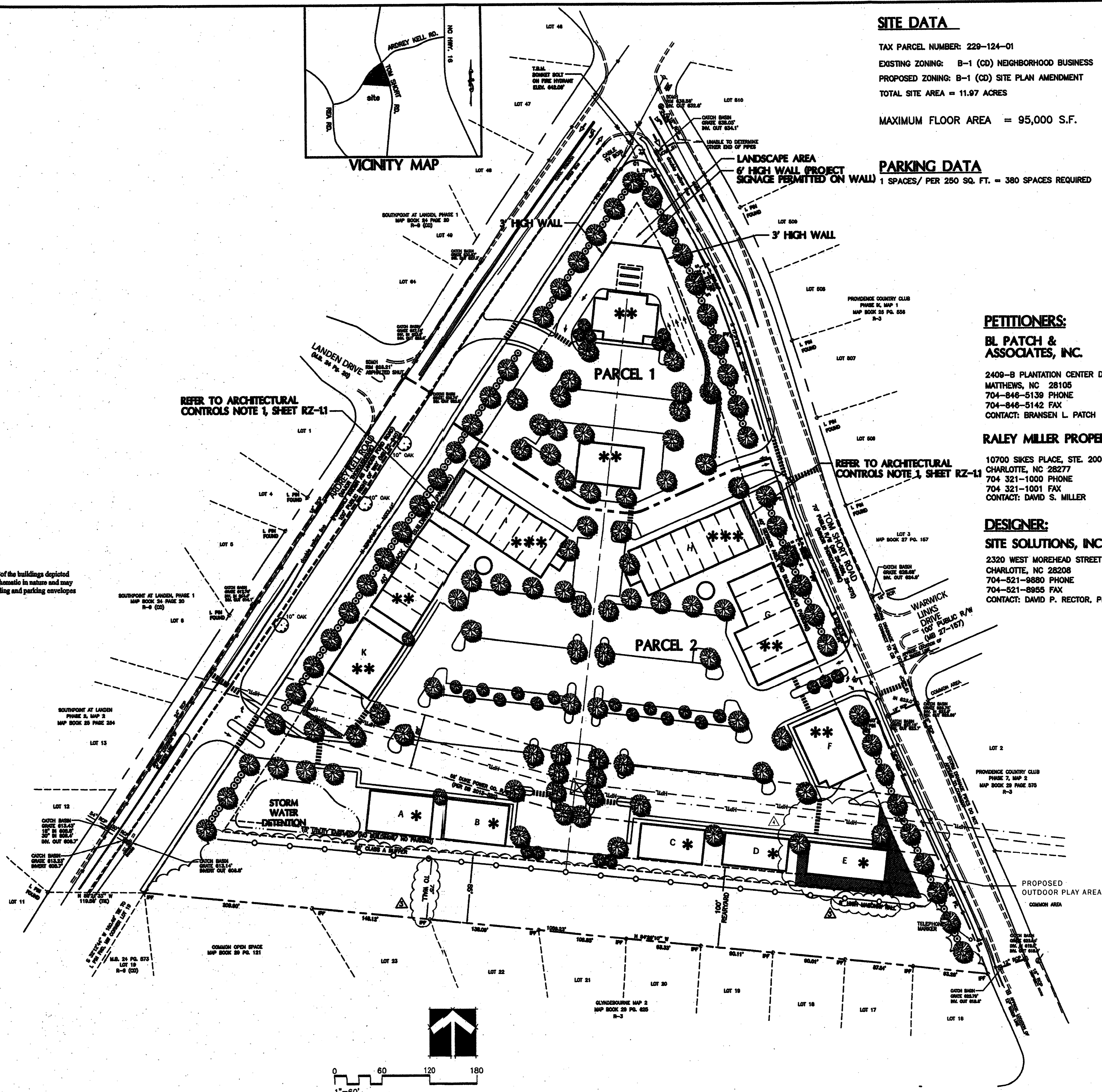
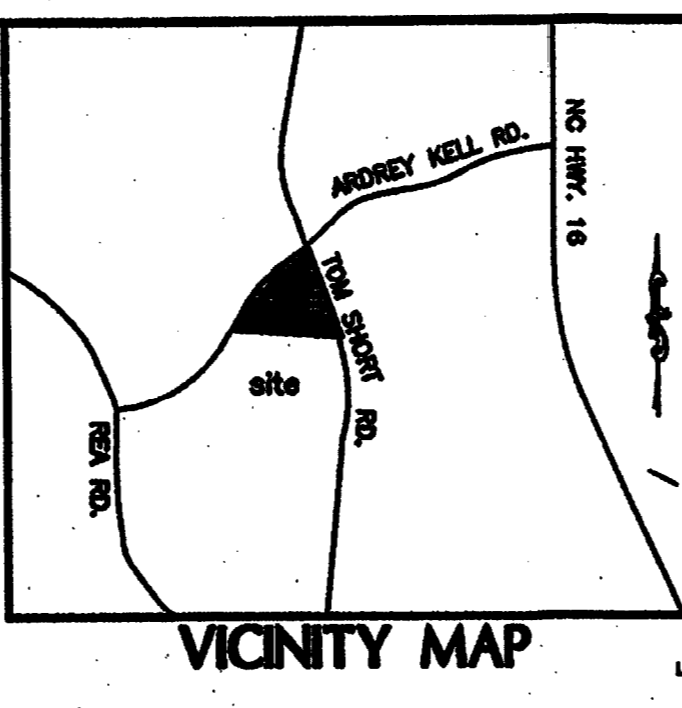
Section for Project Name: The Fountains at Tom Short Road, and Project Address: 11.97 Acre Site South of Tom Short Road and Ardrey Kell Road.

**SITE DATA**

TAX PARCEL NUMBER: 229-124-01  
 EXISTING ZONING: B-1 (CD) NEIGHBORHOOD BUSINESS  
 PROPOSED ZONING: B-1 (CD) SITE PLAN AMENDMENT  
 TOTAL SITE AREA = 11.97 ACRES  
 MAXIMUM FLOOR AREA = 95,000 S.F.

**PARKING DATA**

1 SPACES/ PER 250 SQ. FT. = 380 SPACES REQUIRED



**PETITIONERS:**

**BL PATCH & ASSOCIATES, INC.**  
 2409-B PLANTATION CENTER DRIVE  
 MATTHEWS, NC 28105  
 704-848-5139 PHONE  
 704-848-5142 FAX  
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 CONTACT: DAVID S. MILLER

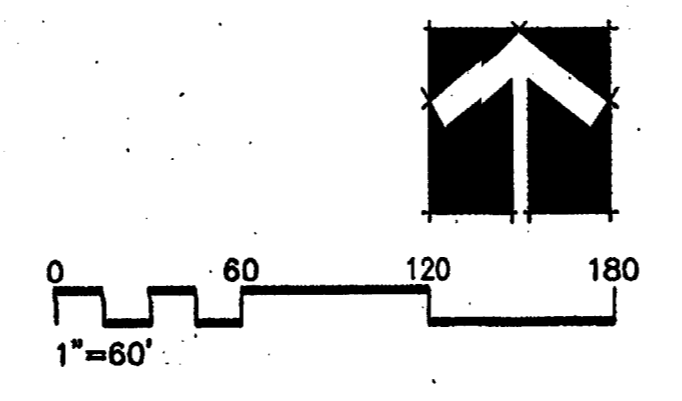
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 2320 WEST MOREHEAD STREET  
 CHARLOTTE, NC 28208  
 704-521-8880 PHONE  
 704-521-8855 FAX  
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REFER TO ARCHITECTURAL CONTROLS NOTE 1, SHEET RZ-11

REFER TO ARCHITECTURAL CONTROLS NOTE 1, SHEET RZ-11

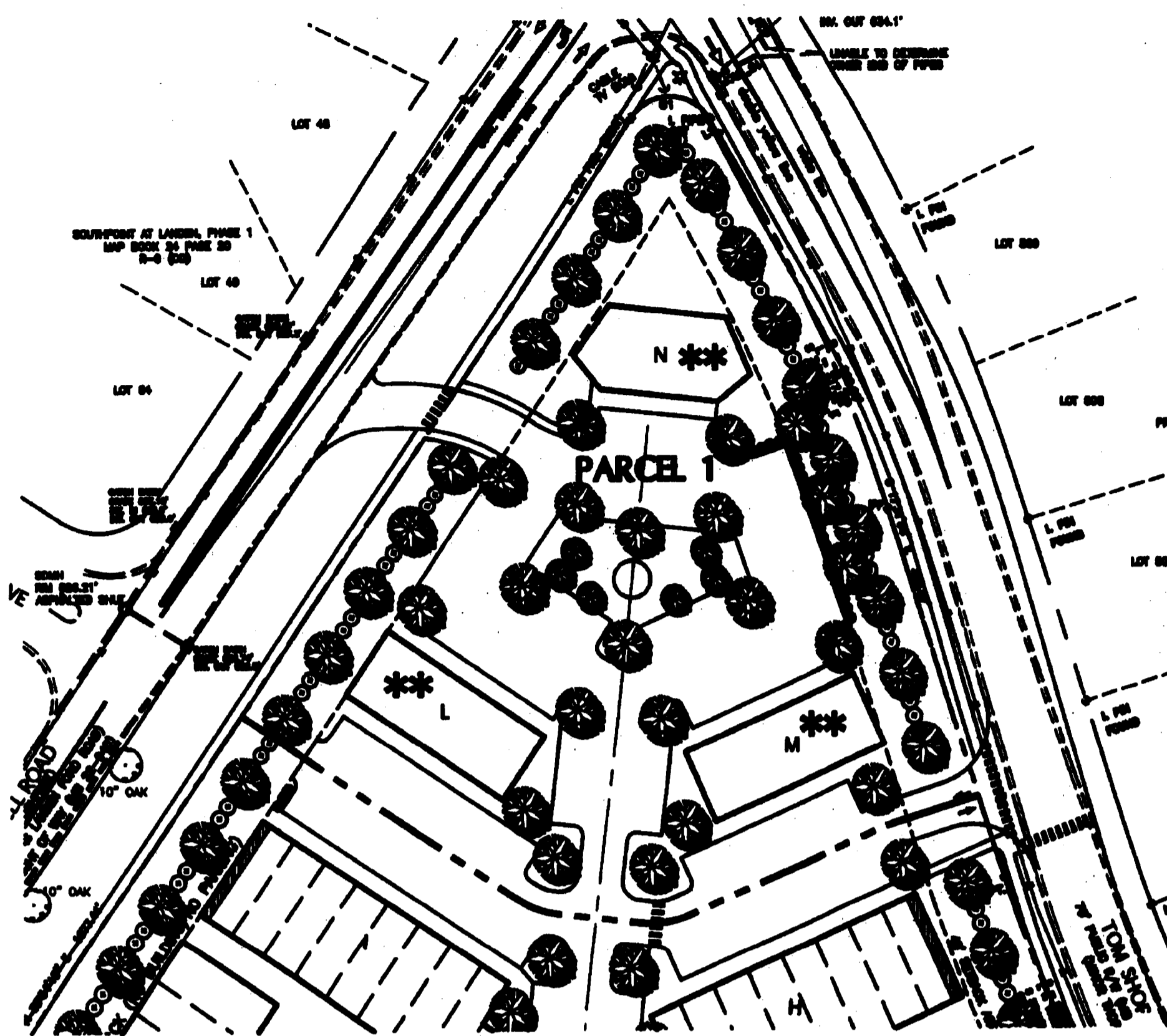
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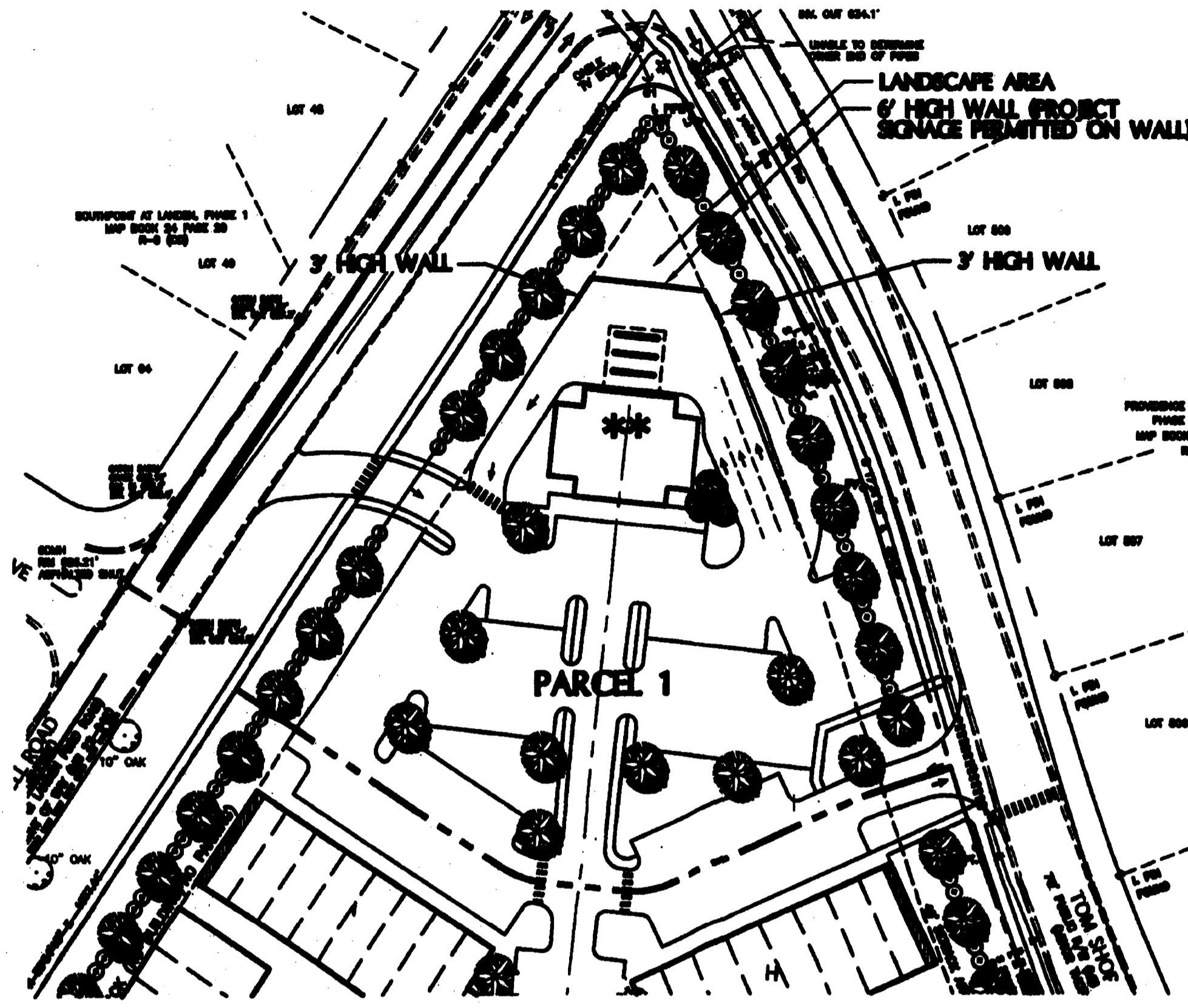
**The Fountains at Tom Short Road**  
 BL Patch & Associates, Inc.  
 Charlotte, North Carolina

Project No:	249
Drawn By:	F. Wei
Designed By:	D. Borer
Checked By:	D. Borer
Date:	4.15.04
Revisions:	
#2 Petition Submitted	4.15.04
#3 Rev. per CDP	7.29.04
#4 Revision	1.14.04

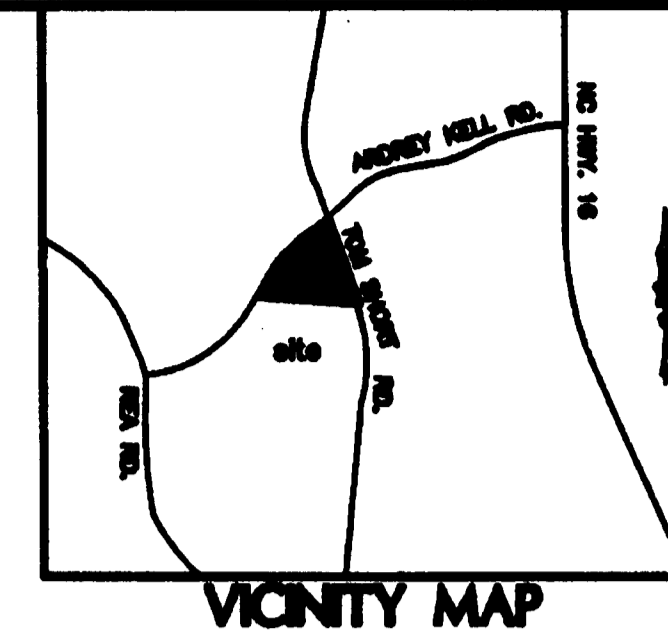
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**Schematic Site Plan**  
 Sheet No:  
**RZ-2**



**PARCEL 1 - DEVELOPMENT ALTERNATIVE (A-1)**



**PARCEL 1 - DEVELOPMENT ALTERNATIVE (A-2)**



**SITE DATA**

TAX PARCEL NUMBER: 228-124-01  
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**DESIGNER:**

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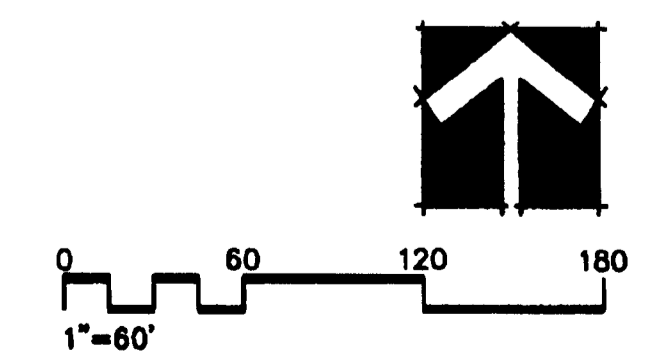
Landscape Architecture  
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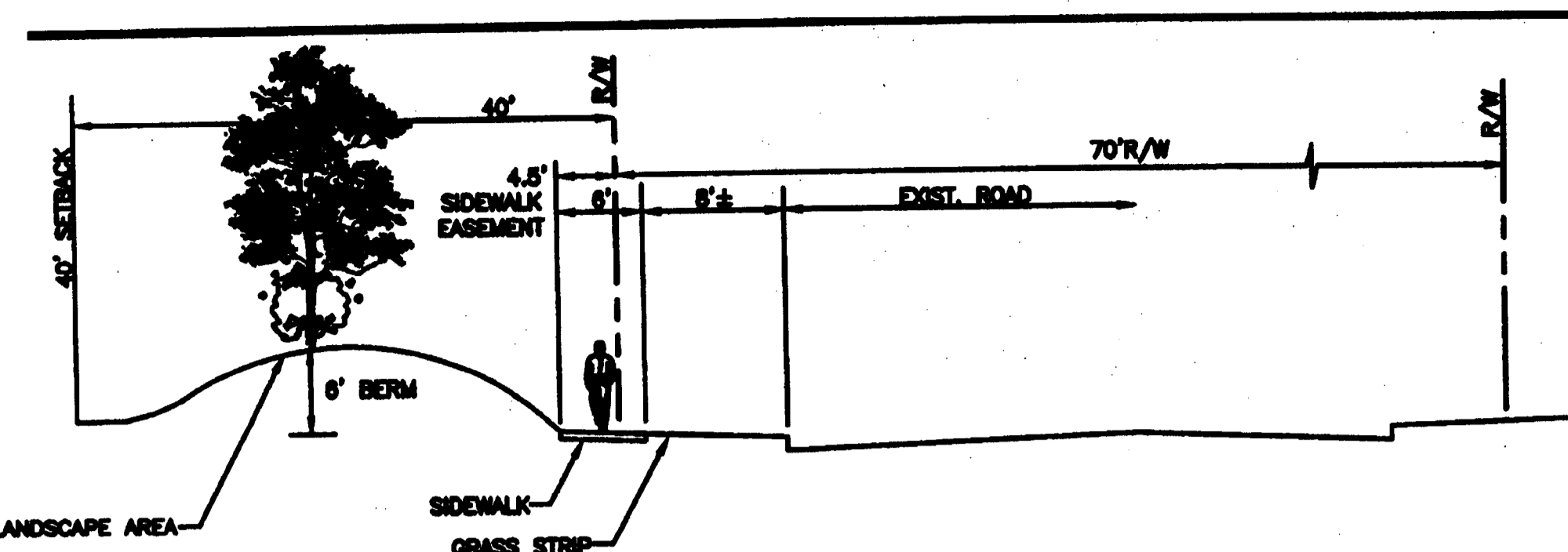
**The Fountains at  
 Tom Short Road**  
 BL Patch & Associates, Inc.  
 Charlotte, North Carolina

Project No.	208
Drawn By	A.W.P.
Reviewed By	A.W.P.
Checked By	A.W.P.
Date	4.24.04
Scale	1/2" = 1'-0"
Sheet No.	4.1/4.1

Alternative  
 Schematic  
 Site Plan

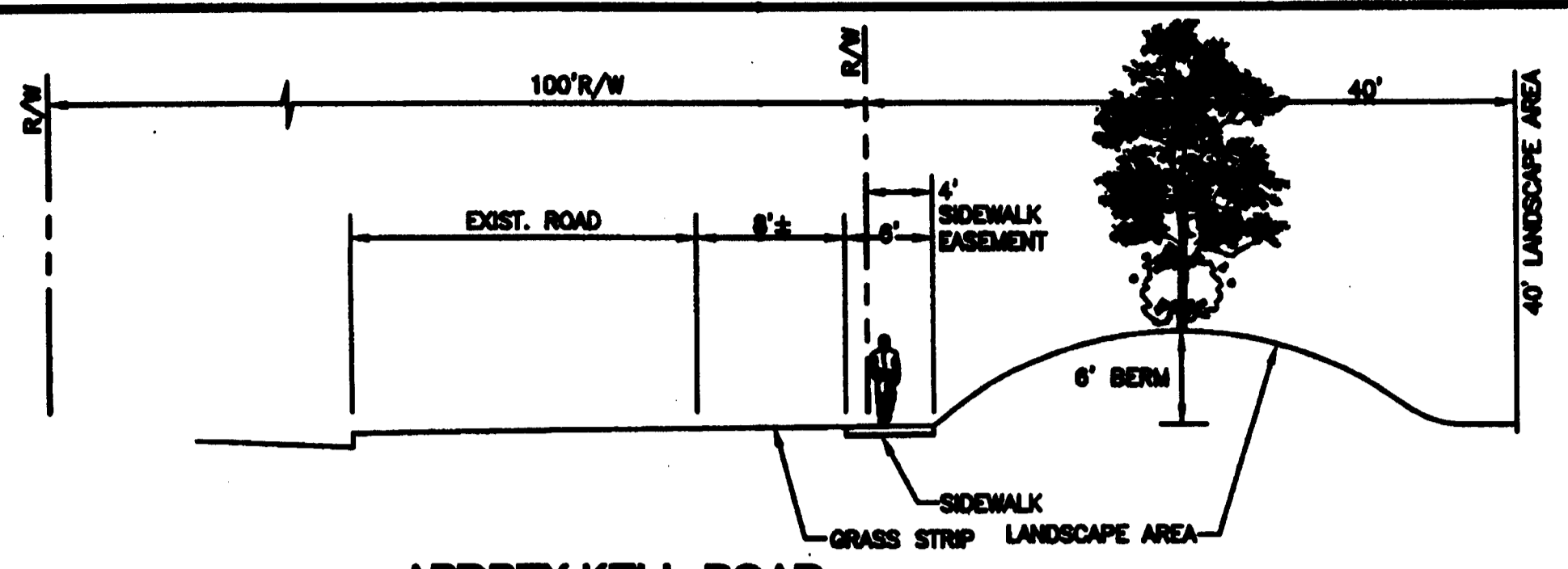
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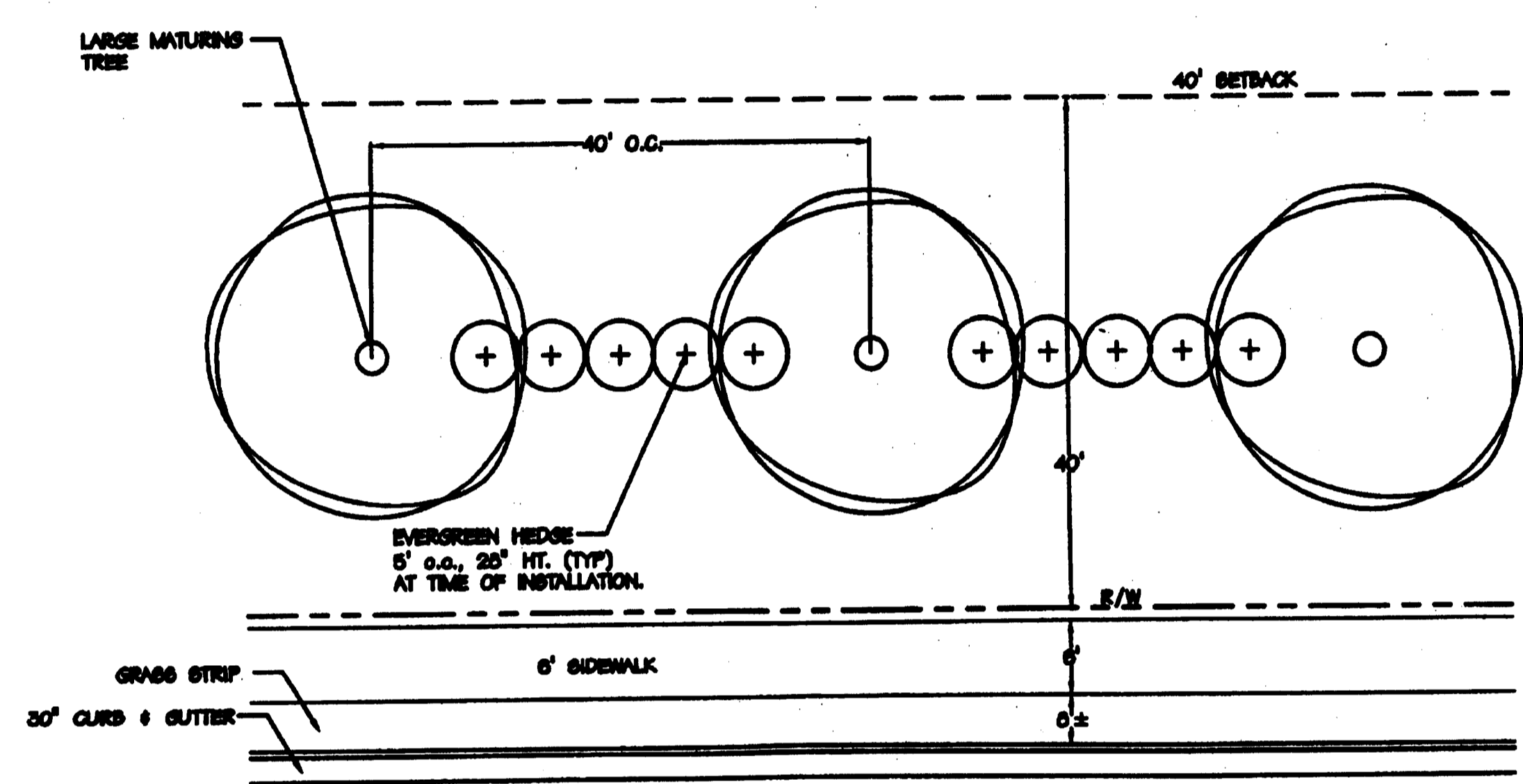
**TOM SHORT ROAD**  
CROSS SECTION

SCALE: 1"=10'  
NOTE: REFER TO "STREETSCAPE TREATMENT" UNDER THE DEVELOPMENT STANDARDS (TECHNICAL DATA SHT. RZ-1) REGARDING SIDEWALK LOCATION.



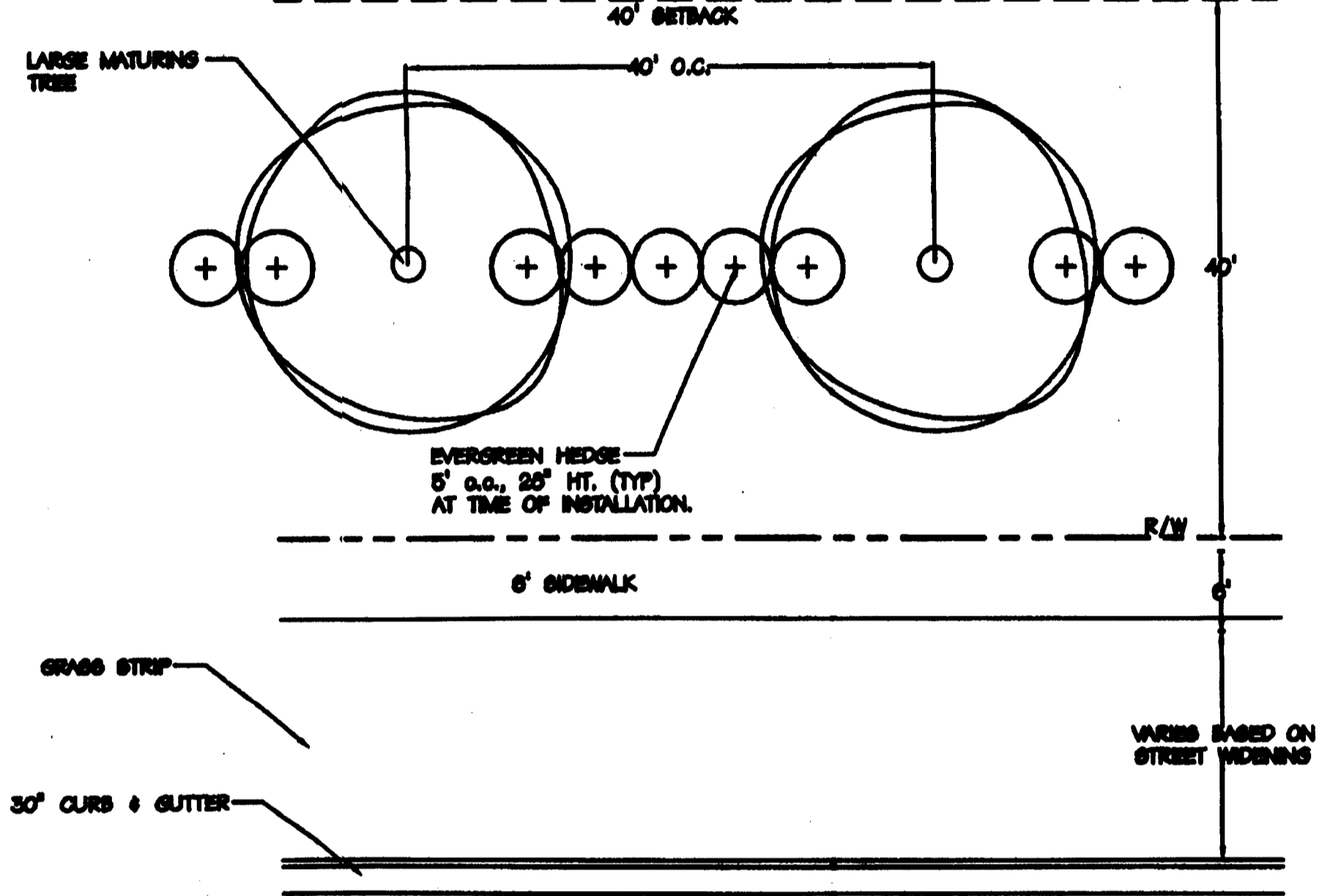
**ARDREY KELL ROAD**  
CROSS SECTION

SCALE: 1"=10'  
NOTE: REFER TO "STREETSCAPE TREATMENT" UNDER THE DEVELOPMENT STANDARDS (TECHNICAL DATA SHT. RZ-1) REGARDING SIDEWALK LOCATION.



**TYPICAL SETBACK PLANTING DETAIL**  
**TOM SHORT ROAD**

SCALE: 1"=10'  
NOTE: REFER TO "STREETSCAPE TREATMENT" UNDER THE DEVELOPMENT STANDARDS (TECHNICAL DATA SHT. RZ-1) REGARDING SIDEWALK LOCATION.



**TYPICAL SETBACK PLANTING DETAIL**  
**ARDREY KELL ROAD**

SCALE: 1"=10'



**TYPICAL 1-STORY INTERIOR ELEVATION 'ADJACENT TO THE 100' REAR YARD'**  
NOT TO SCALE

**SITE SOLUTIONS**  
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The Fountains at  
**Tom Short Road**  
BL Patch & Associates, Inc.  
Charlotte, North Carolina

Project No.	200
Drawn By	P. Bl.
Designed By	P. Bl.
Checked By	P. Bl.
Date	4.18.04
Revised:	
By: Position: Date:	4.18.04

Sheet Title: **Building Elevations and Roadway Sections**  
Sheet No.: **RZ-3**



**SITE SOLUTIONS**

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W. Morehead Street  
Charlotte, NC 28208

Landscape Architecture  
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Civil Engineering

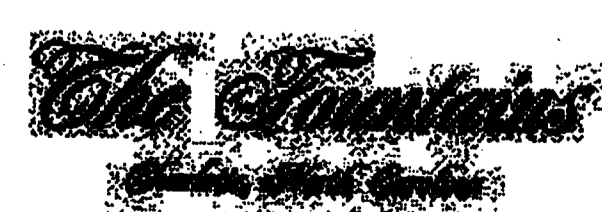
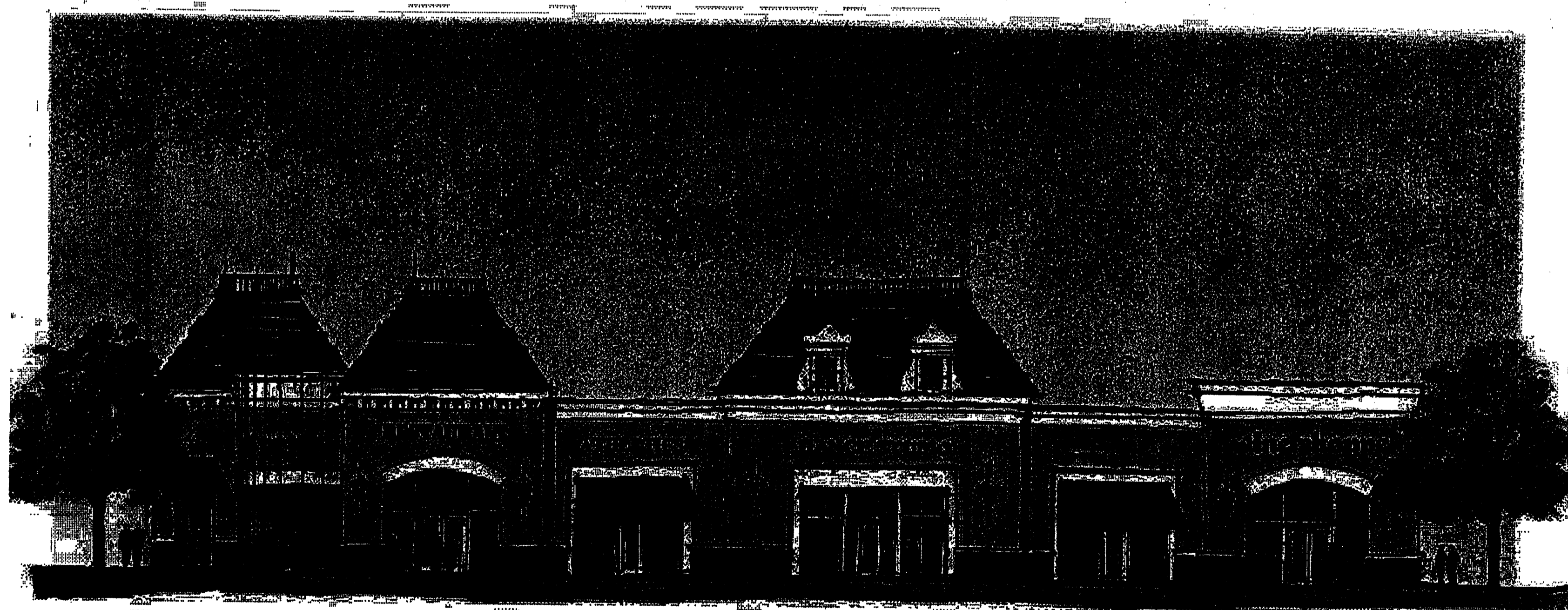
www.sitesolutionspa.com

Telephone-704-521-8880  
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Scale:



2-STORY OFFICE/RETAIL BUILDING ELEVATION  
LOOKING FROM THE INTERSECTION OF TOM SHORT & ARDREY KELL ROADS  
NOT TO SCALE



TYPICAL 1-STORY OFFICE/RETAIL BUILDING ELEVATION  
ALONG TOM SHORT & ARDREY KELL ROADS (STREET FRONT ELEVATION ONLY)  
NOT TO SCALE

SHOP NAMES ARE FOR ILLUSTRATION PURPOSES ONLY

The Fountains at  
Tom Short Road  
BL Patch & Associates, Inc.  
Charlotte, North Carolina

Project No: 249

Drawn By: P. Wei

Designed By: D. Bacter

Checked By: D. Bacter

Date: 4.18.04

Revisions:

#2 Petition Submittal 4.18.04

Sheet Title:

Building Elevations and Roadway Sections

Sheet No:

RZ-3.1

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