

Howard A. Hilton
and Wife, Irmgard S.
7205 The Plaza
Charlotte, NC 28215
097-031-06

James N. Johnson
c/o FCW Properties
#1850 First Citizens Plaza
Charlotte, NC 28202
107-081-08
Atress W. Canup, Sr. and
Wife, Lois
7132 The Plaza
Charlotte, NC 28215
107-081-09

Andy Koutsokalis &
James D. Kanos
3629 Sulstone Lane
Charlotte, NC 28210
105-091-14
Circle K Properties,
P.O. Box 52085
Phoenix, AZ 85072
105-091-15

North Carolina Concepts
Limited Partnership
5601 Exec. Center Drive
Suite #100
Charlotte, NC 28215
079-031-15

Howard C. Gaines Jr.
6021 The Plaza #C
Charlotte, NC 28215
079-031-14

Debra J. Oliver
2236 St. Johns Church Rd.
Charlotte, NC 28215
097-031-13

Johnnie Myrtle Johnson, Estate
2236 St. Johns Church Rd.
Charlotte, NC 28215
097-031-12

Ebrahim S. Mowlavi
8704 Idlewild Road
Charlotte, NC 28227
097-031-11

Magnum & Denton
Limited Partnership
908 S. Tryon Street
Charlotte, NC 28202
097-031-10

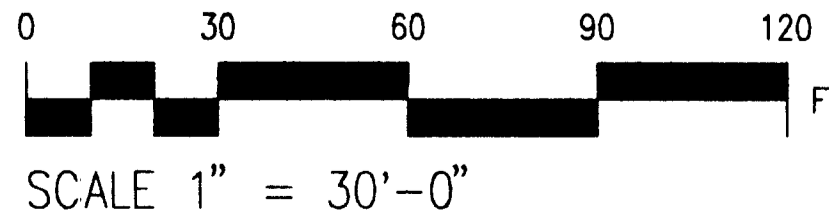
PARCEL A
Louis Helms
and Wife, Anita B.
6910 Hwy 49 North
Mount Pleasant, NC 28124
097-031-08
EXISTING ZONING: B-1

Allen Hardy Fish
5314 Farm Pond Lane
Charlotte, NC 28212
097-031-23

PARCEL B
Hickory Grove Properties
c/o John Polites Realty
1850 E. 3rd Street, Suite 225
Charlotte, NC 28204
097-031-07
EXISTING ZONING: R-4

APPROVED BY CITY COUNCIL
DATE OCTOBER 21, 1996

REZONING PLAN

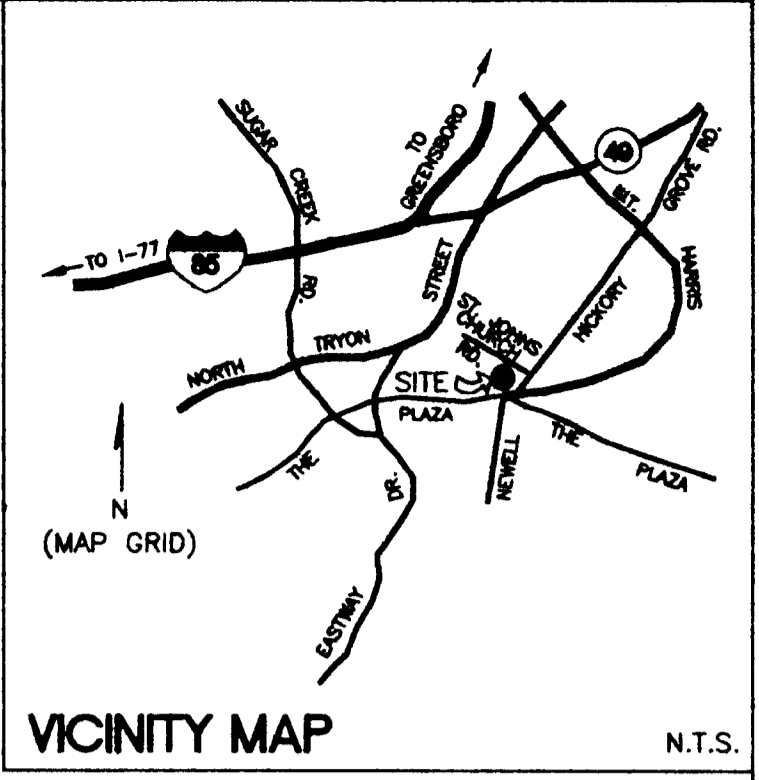


PETITIONER: CHILDRESS KLEIN PROPERTIES
301 S. COLLEGE STREET
SUITE 2800
CHARLOTTE, NC 28202
PHONE: 704-342-9000

ARCHITECTS: LITTLE & ASSOCIATES ARCHITECTS, INC.
5815 WESTPARK DRIVE
CHARLOTTE, NC 28217
PHONE: 704-525-6350

DEVELOPMENT DATA:
EXISTING ZONING: R-4 and B-1
PROPOSED ZONING: B-1(CD)
GROSS ACREAGE: ±2.49 ACRES

Maximum Retail Building Area: 13,500 s.f.



NOTE:
In the event that Parcel A is not developed per the proposed B-1(CD) plan, then Parcel A can be developed under the allowable zoning uses under B-1. In the event that Parcel B is not developed under the proposed B-1(CD) plan, then Parcel B can be developed under the allowable zoning uses under R-4.

General Provision

All development standards established under the Mecklenburg County Zoning Ordinance (the "Ordinance") for the B-1 (CD) Zoning District Classification shall be followed in connection with development taking place on the property. Subject only to the provisions set forth below. The configuration, placement and size of the retail building as shown on this Rezoning Plan are schematic in nature and may be altered or modified during design development and construction document phases within the maximum building envelope lines established on this Rezoning Plan. Parking layouts may also be modified to accommodate final building locations.

Permitted Uses

The property may be devoted to any use (including any accessory use) which is permitted under the Ordinance by right or under prescribed conditions in a B-1 Zoning District.

Setbacks

1. Building setbacks shall be a minimum of 30 feet off of the rights-of-way for all existing or future public roads and 38 feet off of all other property lines.
2. Parking will not be permitted in any setback area or buffer zone.

Buffers

1. Buffers established on this Rezoning Plan shall conform to the standards of Section 12.302 of the Ordinance, subject, however, to the provisions of Sections 12.304 thereof.
2. Buffers shall remain open space except to the extent necessary to accommodate pedestrian sidewalks or pathways, access points, walls, berms, fences, grading, and drainage or utility construction.
3. Grading may be performed, slopes and berms may be installed within buffers. The maximum slope within a buffer is 3:1.
4. Where existing trees and natural vegetation have been cleared to accommodate walls, berms, fences, grading and the installation of utility construction, the cleared, unimproved areas will be landscaped with trees and shrubs.
5. Storm water detention areas may not be installed within the buffers and setbacks.
6. Parking will not be permitted within the buffers.
7. Buffers will not be reduced in width from that shown on the plan.
8. The 38' buffer will not be reduced in width by the installation of a fence, wall or berm.
9. Leyland cypress, or similar fast-growing evergreens, will be planted, in the area depicted on the site plan, eight to ten feet high, fifteen feet on center to provide an additional screen between the adjacent property and the drive through window. This planting will be done in addition to the Class B buffer.

Landscaping

1. Landscaping areas will be planted and improved in sequences which are keyed to each phase of development taking place on the site.
2. All landscaping will meet or exceed the requirements of the City of Charlotte Zoning regulations and the City Tree Ordinance.

Parking

1. Each of the parking areas depicted on this Rezoning Plan may vary in size and location, but in all events, off street parking will meet the minimum standards established under the Mecklenburg County Ordinance.
2. Parking areas may be constructed inside and outside the building envelopes.

Lighting

1. A uniform lighting system will be employed throughout the Site.
2. All direct lighting within the Site shall be designed such that direct illumination does not extend past any 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 minimize glare towards adjacent streets and properties.
3. Parking lot lighting shall be limited to a height of 30'-0" from grade.
4. No lights will be mounted on the building facing the residentially used or zoned property. However, detached lights shielded and directed inwardly would be allowed.

Signs

1. All signs placed on the property will be erected in accordance with the requirements of the City Sign regulations.

Access Points (Driveways)

1. The number of vehicular access points to the retail building site shall be limited to two; namely, one on Harris Blvd., and one on The Plaza.
2. The placement and configurations of each access point are subject to any minor modifications required to accommodate final Site and architectural construction plans and designs and to approval by the North Carolina Department of Transportation and the Mecklenburg County Engineering Department.
3. Access points will be limited to right in, right out movement only.

Fire Protection

1. Adequate fire protection in the form of fire hydrants will be provided to the Fire Marshal's specifications. Plans for fire hydrants will be submitted to the Fire Marshal's office for approval before the construction of that building commences.
2. Fire hydrants will be located within 750 feet of any building constructed on the site.

Right-of-way Dedication

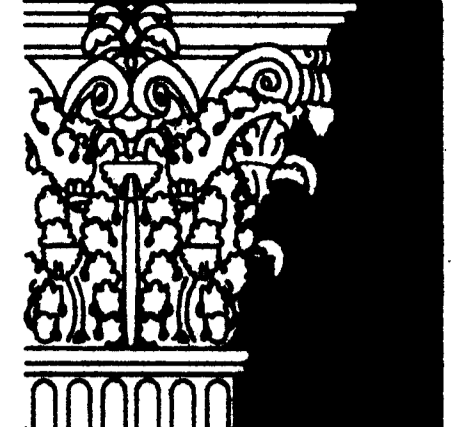
1. An area 50 feet from the centerline of The Plaza, and 100 feet from the centerline of Harris Blvd. shall be dedicated for future use prior to issuance of the first occupancy permit.

Architectural Controls

1. All dumpster areas will be screened in accordance with the requirements of the Ordinance. Each dumpster area will be enclosed on all four sides by a wooden fence, block or brick wall with one side being a hinged gate. If one or more sides of the dumpster area adjoin a rear wall of a building, the rear wall may be substituted for the fence along each such side.
2. The rear elevation of the retail building will be constructed of concrete block painted to match the color of the predominant material used in the construction of the front and side elevations.

Storm water Management

1. Storm water runoff from the Site will be managed through a variety of proven techniques which satisfy the standards imposed by the County Engineering Department.



Little &
Associates
Architects

5815 Westpark Drive
Charlotte, NC 28217
704-525-6350
704-523-7889 Fax

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CHILDRESS KLEIN PROPERTIES
5800 ONE FIRST UNION CENTER
CHARLOTTE, NORTH CAROLINA

Project Title
**PROPOSED RETAIL BUILDING
THE PLAZA AND HARRIS BLVD., CHARLOTTE, NC**

Project Number
**REZONING PLAN
PETITION NUMBER: 96-64**

V. P. in Charge
GOPPOLD
Project Architect/Job Captain
GOPPOLD
Drawn By
J.K.E.
Date Drawn
8 AUGUST 96
CADD Dwg. Name
DNV3/03446501/4465RZ01
Revisions
No. **1** Date **12 AUG 96**
No. **2** Date **15 AUG 96**
No. **3** Date **21 AUG 96**
Issue Date

Project Number
03-4465-01
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FOR PUBLIC HEARING