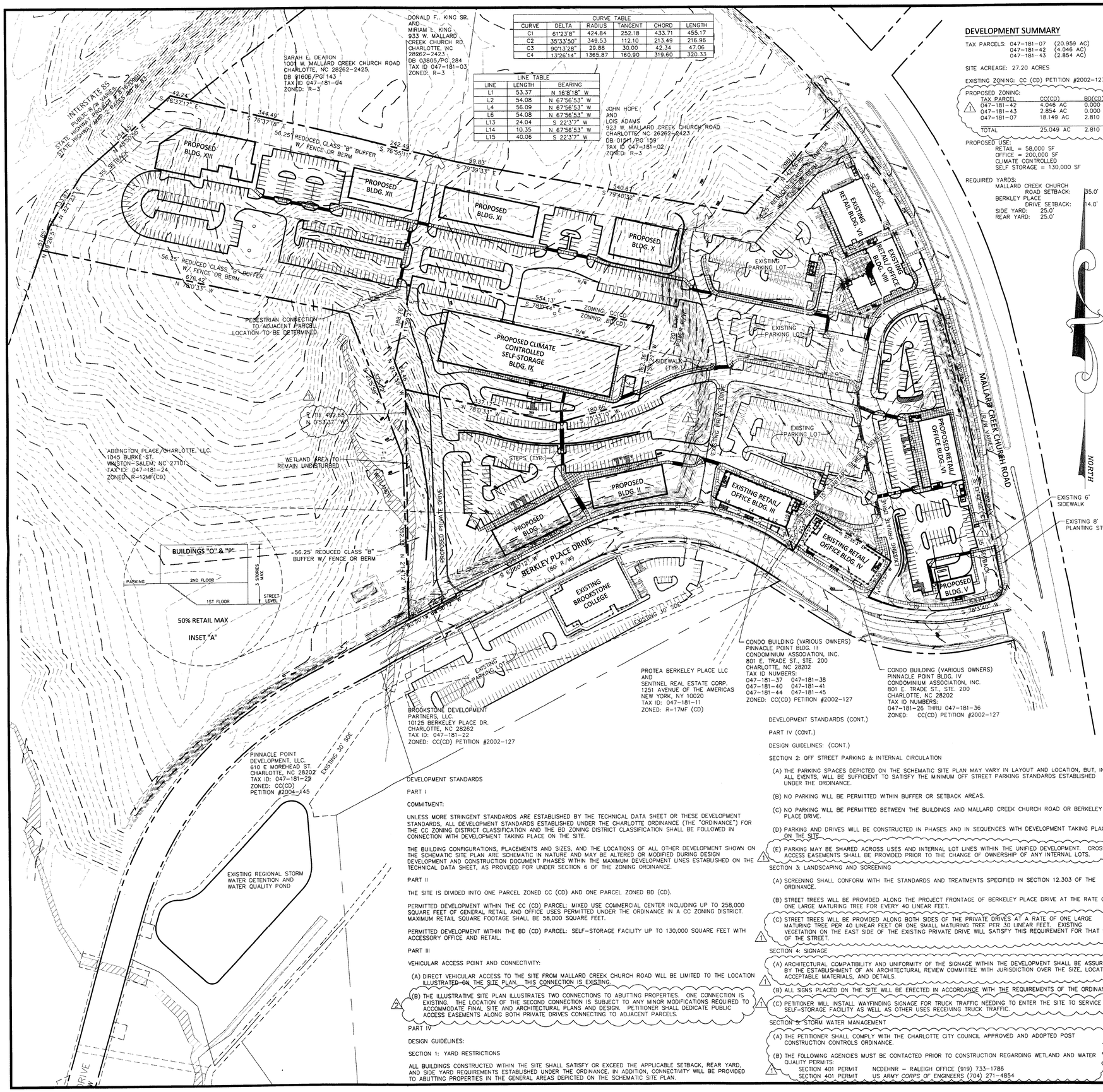

CURVE TABLE					
CURVE	DELTA	RADIUS	TANGENT	CHORD	LENGTH
C1	61°23'8"	424.84	252.18	433.71	455.17
C2	35°33'50"	349.53	112.10	213.49	216.96
C3	90°13'28"	29.88	30.00	42.34	47.06
C4	13°26'14"	1365.87	160.90	319.60	320.33

LINE TABLE		
LINE	LENGTH	BEARING
L1	53.37	N 16°8'18" W
L2	54.08	N 67°56'53" W
L4	56.09	N 67°56'53" W
L6	54.08	N 67°56'53" W
L13	24.04	S 22°3'7" W
L14	10.35	N 67°56'53" W
L15	40.06	S 22°3'7" W

DEVELOPMENT SUMMARY

TAX PARCELS: 047-181-07 (20.959 AC)
047-181-42 (4.046 AC)
047-181-43 (2.854 AC)

SITE ACREAGE: 27.20 ACRES

EXISTING ZONING: CC (CD) PETITION #2002-127

PROPOSED ZONING:

TAX PARCEL	CC(CD)	BD(CD)
047-181-42	4.046 AC	0.000 AC
047-181-43	2.854 AC	0.000 AC
047-181-07	18.149 AC	2.810 AC
TOTAL	25.049 AC	2.810 AC

PROPOSED USE:
RETAIL = 58,000 SF
OFFICE = 200,000 SF
CLIMATE CONTROLLED
SELF STORAGE = 130,000 SF

REQUIRED YARDS:

MALLARD CREEK CHURCH ROAD SETBACK:	35.0'
BERKLEY PLACE DRIVE SETBACK:	14.0'
SIDE YARD:	25.0'
REAR YARD:	25.0'

DEVELOPMENT STANDARDS

PART I

COMMITMENT:

UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS, ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CHARLOTTE ORDINANCE (THE "ORDINANCE") FOR THE CC ZONING DISTRICT CLASSIFICATION AND THE BD ZONING DISTRICT CLASSIFICATION SHALL BE FOLLOWED IN CONNECTION WITH DEVELOPMENT TAKING PLACE ON THE SITE.

THE BUILDING CONFIGURATIONS, PLACEMENTS AND SIZES, AND THE LOCATIONS OF ALL OTHER DEVELOPMENT SHOWN ON THE SCHEMATIC SITE PLAN ARE SCHEMATIC IN NATURE AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES WITHIN THE MAXIMUM DEVELOPMENT LINES ESTABLISHED ON THE TECHNICAL DATA SHEET, AS PROVIDED FOR UNDER SECTION 6 OF THE ZONING ORDINANCE.

PART II

THE SITE IS DIVIDED INTO ONE PARCEL ZONED CC (CD) AND ONE PARCEL ZONED BD (CD).

PERMITTED DEVELOPMENT WITHIN THE CC (CD) PARCEL: MIXED USE COMMERCIAL CENTER INCLUDING UP TO 258,000 SQUARE FEET OF GENERAL RETAIL AND OFFICE USES PERMITTED UNDER THE ORDINANCE IN A CC ZONING DISTRICT. MAXIMUM RETAIL SQUARE FOOTAGE SHALL BE 58,000 SQUARE FEET.

PERMITTED DEVELOPMENT WITHIN THE BD (CD) PARCEL: SELF-STORAGE FACILITY UP TO 130,000 SQUARE FEET WITH ACCESSORY OFFICE AND RETAIL.

PART III

VEHICULAR ACCESS POINT AND CONNECTIVITY:

(A) DIRECT VEHICULAR ACCESS TO THE SITE FROM MALLARD CREEK CHURCH ROAD WILL BE LIMITED TO THE LOCATION ILLUSTRATED ON THE SITE PLAN. THIS CONNECTION IS EXISTING.

(B) THE ILLUSTRATIVE SITE PLAN ILLUSTRATES TWO CONNECTIONS TO ABUTTING PROPERTIES. ONE CONNECTION IS EXISTING. THE LOCATION OF THE SECOND CONNECTION IS SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND ARCHITECTURAL PLANS AND DESIGN. PETITIONER SHALL DEDICATE PUBLIC ACCESS EASEMENTS ALONG BOTH PRIVATE DRIVES CONNECTING TO ADJACENT PARCELS.

PART IV

DESIGN GUIDELINES:

SECTION 1: YARD RESTRICTIONS

ALL BUILDINGS CONSTRUCTED WITHIN THE SITE SHALL SATISFY OR EXCEED THE APPLICABLE SETBACK, REAR YARD, AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE. IN ADDITION, CONNECTIVITY WILL BE PROVIDED TO ABUTTING PROPERTIES IN THE GENERAL AREAS DEPICTED ON THE SCHEMATIC SITE PLAN.

DEVELOPMENT STANDARDS (CONT.)

PART IV (CONT.)

DESIGN GUIDELINES: (CONT.)

SECTION 2: OFF STREET PARKING & INTERNAL CIRCULATION

(A) THE PARKING SPACES DEPICTED ON THE SCHEMATIC SITE PLAN MAY VARY IN LAYOUT AND LOCATION, BUT, IN ALL EVENTS, WILL BE SUFFICIENT TO SATISFY THE MINIMUM OFF STREET PARKING STANDARDS ESTABLISHED UNDER THE ORDINANCE.

(B) NO PARKING WILL BE PERMITTED WITHIN BUFFER OR SETBACK AREAS.

(C) NO PARKING WILL BE PERMITTED BETWEEN THE BUILDINGS AND MALLARD CREEK CHURCH ROAD OR BERKELEY PLACE DRIVE.

(D) PARKING AND DRIVES WILL BE CONSTRUCTED IN PHASES AND IN SEQUENCES WITH DEVELOPMENT TAKING PLACE ON THE SITE.

(E) PARKING MAY BE SHARED ACROSS USES AND INTERNAL LOT LINES WITHIN THE UNIFIED DEVELOPMENT. CROSS ACCESS EASEMENTS SHALL BE PROVIDED PRIOR TO THE CHANGE OF OWNERSHIP OF ANY INTERNAL LOTS.

SECTION 3: LANDSCAPING AND SCREENING

(A) SCREENING SHALL CONFORM WITH THE STANDARDS AND TREATMENTS SPECIFIED IN SECTION 12.303 OF THE ORDINANCE.

(B) STREET TREES WILL BE PROVIDED ALONG THE PROJECT FRONTAGE OF BERKELEY PLACE DRIVE AT THE RATE OF ONE LARGE MATURING TREE FOR EVERY 40 LINEAR FEET.

(C) STREET TREES WILL BE PROVIDED ALONG BOTH SIDES OF THE PRIVATE DRIVES AT A RATE OF ONE LARGE MATURING TREE PER 40 LINEAR FEET OR ONE SMALL MATURING TREE PER 30 LINEAR FEET. EXISTING VEGETATION ON THE EAST SIDE OF THE EXISTING PRIVATE DRIVE WILL SATISFY THIS REQUIREMENT FOR THAT SIDE OF THE STREET.

SECTION 4: SIGNAGE

(A) ARCHITECTURAL COMPATIBILITY AND UNIFORMITY OF THE SIGNAGE WITHIN THE DEVELOPMENT SHALL BE ASSURED BY THE ESTABLISHMENT OF AN ARCHITECTURAL REVIEW COMMITTEE WITH JURISDICTION OVER THE SIZE, LOCATION, ACCEPTABLE MATERIALS, AND DETAILS.

(B) ALL SIGNS PLACED ON THE SITE WILL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

(C) PETITIONER WILL INSTALL WAYFINDING SIGNAGE FOR TRUCK TRAFFIC NEEDING TO ENTER THE SITE TO SERVICE THE SELF-STORAGE FACILITY AS WELL AS OTHER USES RECEIVING TRUCK TRAFFIC.

SECTION 5: STORM WATER MANAGEMENT

(A) THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

(B) THE FOLLOWING AGENCIES MUST BE CONTACTED PRIOR TO CONSTRUCTION REGARDING WETLAND AND WATER QUALITY PERMITS:
SECTION 401 PERMIT NCDEHNR – RALEIGH OFFICE (919) 733-1786
SECTION 401 PERMIT US ARMY CORPS OF ENGINEERS (704) 271-4854

DEVELOPMENT STANDARDS (CONT.)

PART IV (CONT.)

DESIGN GUIDELINES: (CONT.)

SECTION 6: BUFFER AREAS

(A) THE BUFFER AREAS ESTABLISHED ON THE SCHEMATIC SITE PLAN SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE; SUBJECT, HOWEVER, TO THE PROVISIONS OF SECTION 12.304 THEREOF.

(B) THE PETITIONER RESERVES THE RIGHT TO CLEAR, GRADE, AND FILL THROUGHOUT THE ENTIRE WIDTH OF THE BUFFER ADJACENT TO TAX PARCEL 047-181-24. CLEARING WILL BE LIMITED TO AREAS NECESSARY FOR ADEQUATE SLOPE GRADING, AND AREAS DELINEATED AS WETLANDS WILL REMAIN UNDISTURBED.

(C) WHERE THERE ARE EXISTING TREES WITHIN BUFFER AREAS ALONG TAX PARCELS 047-181-02 THRU 04, THE PETITIONER RESERVES THE RIGHT TO CLEAR, GRADE, AND FILL WITHIN THE FIRST 30.0' ON THE INTERIOR SIDE OF THE BUFFER AREA AND, WHERE A BUFFER AREA CONTAINS A SPARSE AMOUNT OF VEGETATION, THE PETITIONER RESERVES THE RIGHT TO GRADE AND CREATE BERMS WITHIN THAT AREA.

(D) THE PETITIONER RESERVES THE RIGHT, WITHIN ALL PORTIONS OF BUFFER AREA, TO INSTALL UTILITIES AND PEDESTRIAN PATHS. HOWEVER, UTILITY INSTALLATIONS MAY ONLY CROSS BUFFER AREAS AT INTERIOR ANGLES MEASURED AT THE PROPERTY LINE WHICH ARE NOT LESS THAN 75 DEGREES.

(E) NO BUILDINGS, PARKING SPACE, OR MANEUVERING AREAS MAY BE PLACED WITHIN THE BUFFER AREAS.

(F) WHERE EXISTING TREES AND NATURAL VEGETATION WITHIN THE BUFFER AREAS HAVE BEEN CLEARED TO ACCOMMODATE GRADING, PEDESTRIAN SIDEWALK OR PATHS, CONNECTIVE DRIVES OR THE INSTALLATION OF UTILITIES, ANY CLEARED, UNIMPROVED PORTION OF THE BUFFER AREA SHALL BE LANDSCAPED WITH TREES AND SHRUBS IN A MANNER WHICH COMPLIES WITH SECTION 12.302 OF THE ORDINANCE.

(G) IN THE EVENT THE ZONING FOR OR THE USES ON ANY ADJACENT PROPERTY SHOULD CHANGE AT SOME POINT IN THE FUTURE SO THAT THE BUFFER REQUIREMENTS UNDER THE ORDINANCE CHANGE OR ARE ELIMINATED, THEN THE BUFFER REQUIREMENTS MAY BE CHANGED ACCORDINGLY.

(H) THE PETITIONER RESERVES THE RIGHT TO REDUCE THE WIDTH OF THE BUFFERS AS ILLUSTRATED ON THE PLAN. BUFFER WIDTH REDUCTION SHALL MEET THE REQUIREMENTS OF SECTION 12.302 OF THE ORDINANCE EXCEPT THAT BERMS SHALL BE A MINIMUM HEIGHT OF SIX FEET.

SECTION 7: SIDEWALKS

(A) A 6.0' SIDEWALK WITH AN 8.0' PLANTING STRIP WILL BE PROVIDED ALONG BERKELEY PLACE DRIVE.

(B) A PEDESTRIAN CONNECTION SHALL BE PROVIDED FROM THE WESTERNMOST PARKING AREA TO THE ADJOINING MULTI-FAMILY PARCEL TO THE WEST. THE LOCATION OF THIS CONNECTION WILL BE COORDINATED WITH THE ADJOINING DEVELOPER. FURTHERMORE, THE PRECISE LOCATION OF THIS CONNECTION WILL BE DETERMINED BY THE LOCATION OF AN EXISTING WETLAND AREA TO REMAIN WHICH STRADDLES THE TWO DEVELOPMENTS AND IS SUBJECT TO THE PREVIOUSLY PERMITTED RESTRICTIONS AND CONDITIONS. SUCH RESTRICTIONS MAY ALTER THE LOCATION OF THE PEDESTRIAN CONNECTION ACCORDINGLY.

SECTION 8: LIGHTING

(A) ALL FREESTANDING LIGHTING FIXTURES INSTALLED WILL BE UNIFORM IN DESIGN.

(B) EXCEPT FOR PUBLIC STREET LIGHTS, THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE, INCLUDING ITS BASE, SHALL NOT EXCEED 30.0' IN HEIGHT. LIGHTING FIXTURES ALONG THE COMMERCIAL COLLECTOR STREET SHALL BE A MAXIMUM OF 20.0' IN HEIGHT. MAXIMUM LIGHTING ILLUMINATION LEVELS BE EIGHT FOOTCANDLES (8.0 fc) FOR THE 30.0' HEIGHT FIXTURES AND SIX FOOTCANDLES (6.0 fc) FOR THE 20.0' HEIGHT FIXTURES.

(C) ALL DIRECT LIGHT INSTALLED 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 SOURCE LIGHT, THE INTENT BEING TO ELIMINATE GLARE TOWARDS MALLARD CREEK CHURCH ROAD AND ADJACENT PROPERTIES. STREET LIGHTS AND PEDESTRIAN SCALE LIGHTS SHALL BE CAPPED TO PREVENT UPWARD LIGHTING OF THE NIGHT SKY.

SECTION 9: FIRE PROTECTION

ADEQUATE FIRE PROTECTION IN THE FORM OF FIRE HYDRANTS WILL BE PROVIDED ACCORDING TO THE CITY OF CHARLOTTE FIRE MARSHAL'S SPECIFICATIONS.

SECTION 10: DESIGN STANDARDS

(A) THE SITE WILL COMPLY WITH SECTION 11.405 (7) OF THE CHARLOTTE ZONING ORDINANCE REGARDING REDUCTION OF THE SETBACK TO 14.0'.

(B) DUMPSTER AREAS, WHERE PROVIDED, WILL BE SCREENED IN ACCORDANCE WITH THE ORDINANCE. EACH DUMPSTER AREA WILL BE ENCLOSED ON ALL FOUR SIDES BY A WALL WITH ONE SIDE BEING A HINGED GATE. ARCHITECTURAL DESIGN OF THE DUMPSTER ENCLOSURES WILL BE COMPATIBLE WITH BUILDINGS WITHIN THE DEVELOPMENT.

(C) ARCHITECTURAL COMPATIBILITY OF BUILDINGS WITHIN THE DEVELOPMENT SHALL BE ASSURED BY THE ESTABLISHMENT OF AN ARCHITECTURAL REVIEW COMMITTEE WITH JURISDICTION OVER THE ACCEPTABLE MATERIALS AND DETAILS.

(D) EXCEPT AS NOTED ELSEWHERE IN THESE DEVELOPMENT STANDARDS, BUILDINGS THAT INCLUDE A RETAIL COMPONENT WILL BE A MINIMUM OF TWO STORIES WITH RETAIL LIMITED TO THE GROUND FLOOR.

(E) THE MAXIMUM RETAIL TENANT SIZE SHALL BE 25,000 SQUARE FEET. THE BUILDINGS SHOWN ON THE SCHEMATIC SITE PLAN REPRESENT THE MAXIMUM NUMBER OF BUILDINGS ALLOWED. SOME BUILDINGS MAY BE COMBINED TO CREATE FEWER BUILDINGS, BUT IN NO EVENT SHALL THE MAXIMUM TENANT SIZE BE INCREASED AS INDICATED.

(F) DUE TO EXISTING TOPOGRAPHIC/GRADING CONDITIONS, BUILDINGS 'I' AND 'II' SHOWN ON THE ILLUSTRATIVE SITE PLAN MAY BE DESIGNED WITH A LOWER LEVEL FRONTING BERKLEY PLACE DRIVE. A SECOND FLOOR LEVEL WITH THE PARKING LOT IN THE REAR, AND AN OPTIONAL THIRD FLOOR. IN THIS EVENT, RETAIL USES MAY OCCUPY BOTH THE LOWER LEVEL AND SECOND FLOORS, BUT MAY NOT EXCEED 30% OF THE TOTAL BUILDING SQUARE FOOTAGE. SEE INSERT 'A' ON THE SCHEMATIC SITE PLAN.

(G) DRIVE-THRU WINDOWS SHALL BE LIMITED TO FINANCIAL INSTITUTIONS, PHARMACY USES LIMITED TO 4000 SF AND ACCESSORY TO MEDICAL OFFICE, AND DRY CLEANER USES LIMITED TO 2500 SF.

(H) BUILDINGS 'VII' AND 'VIII' ARE DESIGNED TO APPEAR AS ONE BUILDING INCLUDING A COMBINATION OF A ONE STORY PORTION CONTAINING A RESTAURANT/CAFETERIA AND MULTI-STORY RETAIL SHOPS AND OFFICE. THE BUILDINGS ARE CONFIGURED AS FOLLOWS:
-RESTAURANT/CAFETERIA ONE STORY: 11,600 SF
-RETAIL SHOPS/FIRST FLOOR & LOWER LEVEL: 15,400 SF
-OFFICE/SECOND FLOOR: 11,600 SF

(I) PRIOR TO PERMIT APPROVAL OF EACH PHASE OF WORK, DEVELOPER SHALL SUBMIT A BUILDING SUMMARY TO THE PLANNING COMMISSION. SUBMITTAL WILL INCLUDE A SUMMARY OF EXISTING AND PROPOSED BUILDING AREA. SUMMARY WILL SEPARATE BUILDING AREA BY USE (RETAIL, OFFICE, STORAGE, ETC.).

SECTION 11: AIR QUALITY

DEVELOPMENT OF THIS SITE MAY REQUIRE SUBMISSION OF AN ASBESTOS NOTIFICATION OF DEMOLITION AND RENOVATION TO MCAQ DUE TO POSSIBLE DEMOLITION OR RENOVATION OF AN EXISTING STRUCTURE. A LETTER OF NOTIFICATION AND THE REQUIRED FORMS WILL BE MAILED DIRECTLY TO THE PETITIONER BY MCAQ.

SECTION 12: SOLID WASTE

MECKLENBURG SOLID WASTE REQUESTS THE PETITIONER SUBMIT A SOLID WASTE MANAGEMENT PLAN PRIOR TO LAND CLEARING AND/OR CONSTRUCTION ACTIVITIES TO INCLUDE, AT A MINIMUM, THE PROCEDURES THAT WILL BE USED TO RECYCLE ALL CLEAN WOOD, METAL, AND CONCRETE GENERATED DURING DEMOLITION AND CONSTRUCTION ACTIVITIES. ADDITIONALLY, THE PLAN SHOULD SPECIFY THAT ALL LAND CLEARING AND INERT DEBRIS SHALL BE TAKEN TO A PROPERLY PERMITTED FACILITY. THE PLAN SHALL ALSO STATE THAT MONTHLY REPORTING OF ALL TONNAGE DISPOSED AND RECYCLED WILL BE MADE TO THE MECKLENBURG COUNTY SOLID WASTE PROGRAM. THE REPORT SHALL INCLUDE THE IDENTIFICATION AND LOCATION OF ALL FACILITIES RECEIVING DISPOSED OR RECYCLED MATERIALS.

PART V

AMENDMENTS TO REZONING PLAN

FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET AND THE PROPOSED ILLUSTRATIVE ZONING PLAN MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL OR PARCELS INVOLVED IN ACCORDANCE WITH CHAPTER 6 OF THE ORDINANCE.

PART VI

BINDING EFFECT OF THE REZONING APPLICATION

(A) IF THE PETITIONER'S REZONING PETITION IS APPROVED, THE DEVELOPMENT PROGRAM ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND OTHER SUPPORTIVE DOCUMENTS SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INSURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE, AND THEIR RESPECTIVE HEIRS, DEVISES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS.

(B) THROUGHOUT THESES DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER," AND "OWNERS" SHALL BE DEEMED TO INCLUDE HEIRS, DEVISES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER AND THE CURRENT AND SUBSEQUENT OWNERS OF THE SITE WHO, FROM TIME TO TIME, MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT OF THE SITE.

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100 ft.

APPROVED BY CITY COUNCIL
JUL 18 2008

ORSBORN ENGINEERING GROUP
610 EAST MOREHEAD STREET, SUITE 210
CHARLOTTE, NC 28202
P) 704-749-1432 - F) 704-749-1433

JUN 18 2008

ILLUSTRATIVE SITE PLAN
FOR
PINNACLE POINT
PETITION 2008-87
CHARLOTTE, NORTH CAROLINA

PINNACLE POINT DEVELOPMENT, LLC.
610 EAST MOREHEAD ST.
CHARLOTTE, NC 28202

REVISIONS	
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13	06/23/08 STAFF COMMENT
14	05/15/08 STAFF COMMENTS & COMMUNITY MEETING
DATE	

JOB #	08009
DATE:	03/03/08
SCALE:	1" = 100'
DRAWN BY:	JAW
APPROVED BY:	JCO

C2.1