

**SITE DATA**

PROPERTY OWNER:  
 PENNY JC PROPERTIES INC  
 PO BOX 2405  
 DALLAS, TX 75221-2405

PENNY CO PENN-CHARLOTTE ASSOC  
 PO BOX 659000  
 DALLAS, TX 75265-9000

SITE ACREAGE: ± 14.20 ACRES  
 CURRENT ZONING: B-1SCD  
 PROPOSED ZONING: MUDD-O  
 PROPOSED ALLOWABLE BUILDING AREA: 275,000 SF

SETBACKS:  
 14' FRONT SETBACK (STREET FRONTAGE)  
 10' BUILDING SEPARATION (ADJACENT TO RESIDENTIAL ZONING)  
 MAXIMUM BUILDING HEIGHT: 60'

**ADJACENT PARCEL WITHIN 300 FT AND PROPERTY OWNERS**

PARCEL #	NAME/OWNERS	OWNERS ADDRESS
1	NEY J.B. COMPANY & BILL BENDER/ DULANSKI DEPT. STORE	4501 N BEACH ST FORT WORTH, TX 76137-3218
2	D.D. & J.J. GREY III & KATHY G. COWLEY BY WILL	1276 FARM CREEK RD WAXAHAM, NC 28173
3	HERMAN STEWART ROGERS & BERNIE ROGERS	7251 TRUE LIGHT CHURCH RD CHARLOTTE, NC 28227
4	BERTHA B. BROWN & JAMES O. BROWN ESTATE	3824 WYONA AVE CHARLOTTE, NC 28209
5	WAYNE C. HANCOCK & MADY MORAN	6802 OAKLAND AVE INDIAN TRAIL, NC 28139
6	LUTHERAN CHURCH MORNING STAR EVANGELICAL	12509 DREW RD MATTHEWS, NC 28105
7	HHS HOLDING CO & FIRST COUNTRY COOPERATION	4500 CAMERON VALLEY PKWY CHARLOTTE, NC 28211-5550
8	BETTY C. HILL	6320 WILORA LAKE RD CHARLOTTE, NC 28212
9	WILORA LAKE PARTNERS & HANNAFORD BROS. REAL ESTATE, L.L.C.	PO BOX 1000 FORSYTH, NC 28742
10	CHARLOTTE EASTLAND MALL L.L.C. & GLITCHER ESTLAND/A SCHMIDT	20 SOUTH 3RD ST COLUMBUS, OH 43215-4206
11	NEY J.B. & COMPANY & BILL BENDER/ DULANSKI DEPT. STORE	4501 N BEACH ST FORT WORTH, TX 76137-3218
12	CENTRAL AVENUE MEDICAL CENTER, L.L.C.	1928 RANDOLPH RD #217 CHARLOTTE, NC 28207
13	BRYAN W. PITTMAN AND (ET-AL)	600 ENNIS RD WAXAHAM, NC 28173
14	BRYAN W. PITTMAN AND (ET-AL)	600 ENNIS RD WAXAHAM, NC 28173
15	BRYAN W. PITTMAN AND (ET-AL)	600 ENNIS RD WAXAHAM, NC 28173
16	BRYAN W. PITTMAN AND (ET-AL)	600 ENNIS RD WAXAHAM, NC 28173
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20	BRYAN W. PITTMAN AND (ET-AL)	600 ENNIS RD WAXAHAM, NC 28173
21	BRYAN W. PITTMAN AND (ET-AL)	600 ENNIS RD WAXAHAM, NC 28173
22	HOLDINGS L.L.C. FIRST CHARTER REAL ESTATE & ACCOUNTING DEPT	7 CORPORATE REAL ESTATE DIV CHARLOTTE, NC 28268-0340

**REZONING PLAN FOR JC PENNY AT EASTLAND MALL**  
 CHARLOTTE, NORTH CAROLINA  
 JANUARY 27, 2003

**TECHNICAL DATA SHEET**

APPROVED BY CITY COUNCIL  
 DATE: 7/24/03

Prepared for:  
**GAMERON GROUP, L.L.C.**  
 SYRACUSE, NEW YORK

Prepared by:  
**LITTLE**  
 LANDMARK ARCHITECTURAL CONSULTING  
 Charlotte, North Carolina

ORIGINAL SUBMITTAL DATE: JANUARY 27, 2003

REVISIONS:

- REVISD AND RESUBMITTED MARCH 21, 2003
- REVISD AND RESUBMITTED APRIL 21, 2003
- REVISD AND RESUBMITTED JUNE 5, 2003
- REVISD AND RESUBMITTED JUNE 20, 2003

**FOR PUBLIC HEARING PETITION # 2003-038**

Any new lighting attached to a building shall be capped and downwardly directed.

Wall-mounted decorative light fixtures such as scones are permitted.

New buildings may not exceed 60 feet in height (above grade). Monuments or towers may not exceed 70 feet in height (above grade).

Access Drive A, as designated on the Diagrammatic Layout Plan and indicated section studies, and any parking area located within Parcel C, shall contain a paving treatment that is distinguishable from the parking lot.

Any parking located within Parcel A, Parcel C, or Parcel D, will be separated from any adjoining or adjacent Public Open Space with landscaped planting areas and will delineate pedestrian pathways from the parking areas to and from the Public Open Space or buildings by use of distinguishable paving materials.

The off-site stormwater treatment along the Primary Access Drive leading into the Site from Central Avenue shall conform to Section 9.8.500 (Section A) and include a planting strip of at least six feet in width and a minimum of 10' of depth on the western side of the driveway. Installation of the stormwater treatment along the Primary Access Drive is subject to the consent of the affected property owner(s). The Petitioner agrees to attempt to obtain the consent of the affected property owner(s) in advance of initiating the MUDD design review process outlined in Section 9.8.500.

Internal sidewalks of at least five feet in width shall be provided on the Site so as to provide pedestrian connections between the parking areas, the public open space, and the various buildings located within the Parcel and to the sidewalks to be installed on the Primary Access Drive as generally depicted on the Diagrammatic Layout Plan. This sidewalk system shall include sidewalks located on both sides of all Drive Aides (subject to internal separation for vehicle access to buildings and parking areas) and on the Primary Access Drive. The sidewalks shall conform to the applicable Street/Driveway Cross Section outlined on the Section Studies. In the event the basic configuration of the sidewalk system is modified, corresponding changes to the internal sidewalks system are permitted as long as the design intent of this provision is maintained. Installation of the sidewalk system is subject to the consent of the affected property owner(s). The Petitioner agrees to attempt to obtain the consent of the affected property owner(s) in advance of initiating the MUDD design review process outlined in Section 9.8.500. However, except as otherwise provided with respect to Primary Access Drive, all permissible developments may take place even if consents are not obtained.

The portion of the existing Eastland Mall over sign road within the Site will be retained. The stormwater treatment along that portion of the existing Eastland Mall sign road which abuts the Building Parking Envelope that is designated on the Diagrammatic Layout Plan will include pedestrian lighting, an eight foot planting strip and a six foot wide sidewalk on the side, as generally shown on Section Study 7.

Vehicle parking located between buildings and Access Drive A will be limited to parallel parking located on Access Drive A.

No more than two curb openings per block are permitted within the designated building and parking envelopes depicted on the Diagrammatic Layout Plan on either side of Access Drive A, Drive Aisle A-1, Drive Aisle B, or Drive Aisle C, or Drive Aisle D to the abutting parking lot.

Drive Aisle A, Drive Aisle B, Drive Aisle C, and Drive Aisle D shall each conform to the design as depicted in the associated section studies, subject to final design development approval through the MUDD review process.

The Petitioner shall submit a Master Development Plan which outlines the contemplated development scenario for the entire Site as part of the MUDD design review process for any new building to be developed on the Site. The Master Development Plan shall include a preliminary layout plan for the entire Site, including all buildings, parking areas, building parking envelopes and a preliminary grading plan. However, the review and/or renovation of the existing TBA and J.C. Penney buildings within the Site may occur prior to the submission of the Master Development Plan and MUDD design review process.

**Parking**

All new off-street parking and loading facilities will meet the standards established under the Ordinance.

All new one-bicycle racks shall be provided at each new building.

**Vehicle Access**

Vehicle access to and from the Site shall be provided in the manner generally depicted on the Technical Data Sheet. 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 the Charlotte Department of Transportation.

**Transportation and Connectivity**

Petitioner agrees to dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements and a reversionary interest in any property not used for right-of-way purposes in the future) any part of the Site required to provide a minimum of 50 feet of right-of-way from the centerline of Central Avenue, if such right-of-way does not already exist, prior to the issuance of any certificates of occupancy for a new building on the Site.

Pedestrian and vehicular connections to adjoining parcels will be provided generally as shown on the Technical Data Sheet and Diagrammatic Layout Plan.

The Petitioner agrees to provide a vehicular access drive from Drive Aisle A through Parcel D connecting to the existing sign road on the eastern boundary of the Site within the area generally depicted on the Diagrammatic Layout Plan. If the development taking place on the Site accommodates such a connection, if the Petitioner elects to construct a large building (over 40,000 square feet in size) within Parcel D, it will be required to provide this access drive. In such event, the Petitioner must install concrete Drive Aisle D to the standard as specified in Section 6.1 of the RZ-5.

**Public Open Space Component**

The Site shall contain a Public Open Space component consisting of a minimum of 20,000 square feet. The design concept will be similar to the open space located within the SocoCenter Shopping Center on Rea Road and, at a minimum, will include the following amenities:

- a courtyard/plaza area providing space for sidewalk vendors, outdoor festivals, farmers market and outdoor dining;
- a raised platform of a minimum size of 200 square feet with appropriate seating for outdoor dining and entertainment;
- a water feature;
- pedestrian amenities including landscaping, pedestrian-sealed lighting, and outdoor seating/west walls suitable for outdoor dining and entertainment viewing.

**Planting Development**

The existing landscape (TBA) facility and its ancillary parking and maneuvering area may remain on the Site in its current conditions. The existing TBA and J.C. Penney buildings may be reused and/or renovated prior to the installation of the Site infrastructure improvements outlined above.

Certificates of occupancy for no more than 30,000 square feet of new building area may be issued, at any time prior to the installation of the off-site infrastructure improvements along the Primary Access Drive and the on-site stormwater improvements along Drive Aisle A as long as the existing access island located in the center of the Primary Access Drive remains.

Certificates of occupancy for any additional new developments in excess of 30,000 square feet may not be issued unless and until the following occur:

- installation of the off-site infrastructure improvements to the Primary Access Drive;
- installation of the on-site infrastructure improvements to Drive Aisle A; and
- installation of the Public Open Space improvements.

The off-site infrastructure improvements outlined above are subject to the consent of the affected adjoining property owner(s). The Petitioner agrees to attempt to obtain the consent of the affected property owner(s) in advance of initiating the MUDD design review process outlined in Section 9.8.500.

Sidewalks and planting strips abutting the various Drive Aides shall be installed sequentially as development takes place on the Site.

**Storm Water Management**

Storm water runoff will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte and the Charlotte Metropolitan Storm Water Design Manual. Surface level storm water detention, if required to be provided, shall not be located in the setbacks. The Petitioner shall use the existing storm drainage system.

The following agencies must be contacted prior to construction regarding wetland and water quality permits if determined to be applicable during the design development phase of the project:

- Section 401 Permit: NCDENR-Raleigh Office
- Section 404 Permit: US Army Corps of Engineers

**Fire Protection**

Adequate fire protection in the form of fire hydrants and other fire protection devices and measures as required by code will be provided to the Charlotte Fire Marshal's specifications.

**Tree Ordinance**

The Site shall conform to the City of Charlotte Tree Ordinance. Any trees required by this ordinance which die must be replaced during the next planting season, November through March, in accordance with the Tree Ordinance. Any areas within the five-foot planting strips depicted on the sections accompanying the Technical Data Sheet which will be required to contain ordinance required tree planting, will be widened as appropriate for compliance with the Tree Ordinance.

**Amendments to Rezoning Plan**

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

In the event any Owner files for such an amendment, the Owner will notify the president of the Charlotte East Communities Inc. organization prior to the submission of the request.

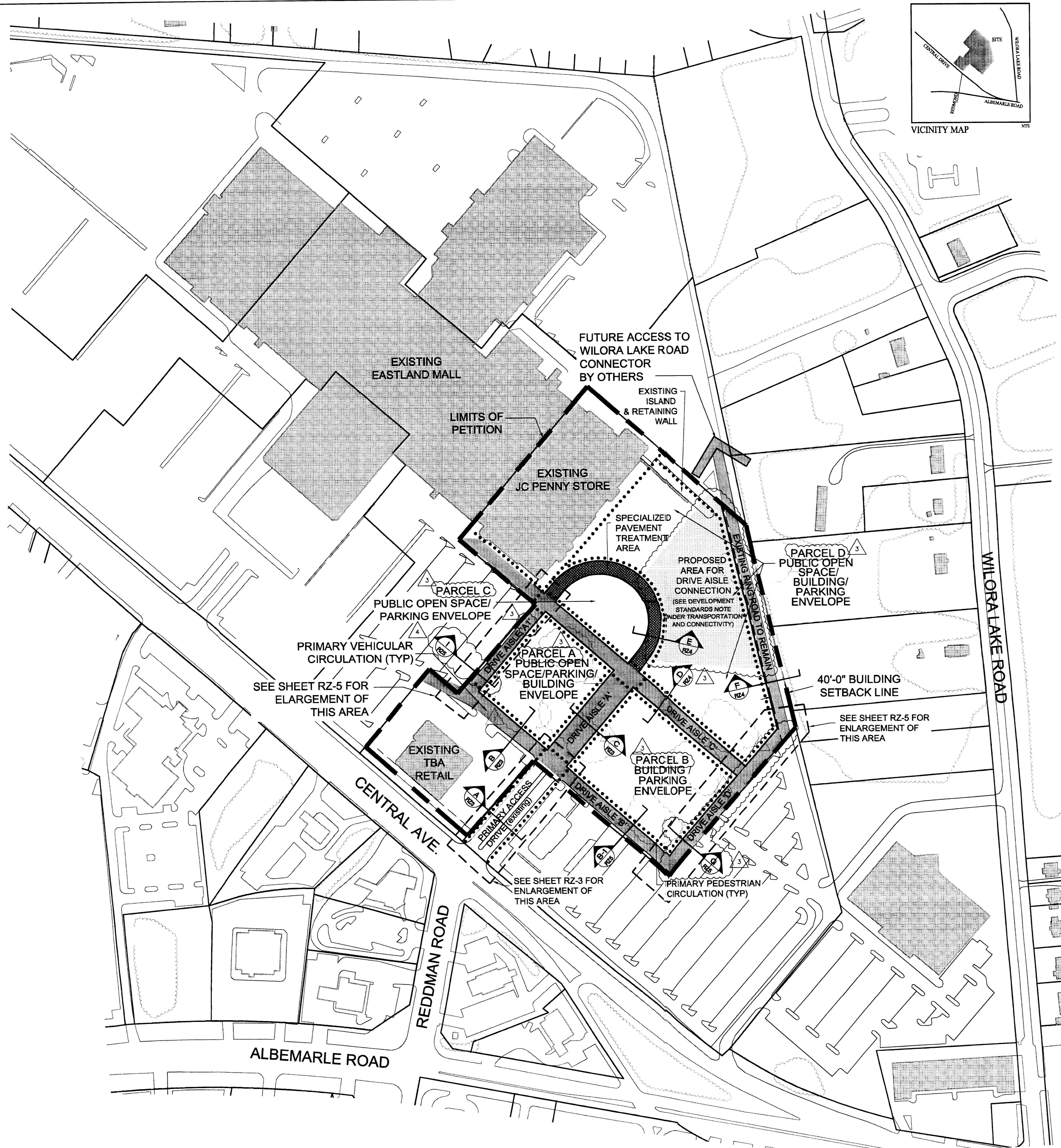
**Binding Effect of the Rezoning Documents and Definitions**

If the Rezoning Plan is approved, all conditions applicable to development of the Site imposed under this Technical Data Sheet, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

Throughout these Development Standards, the terms "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development of the Site.

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**RZ1.0 of 5.0**  
 LITTLE Project Number 1017298.00



REZONING PLAN  
 FOR  
**JC PENNY at EASTLAND MALL**  
 CHARLOTTE, NORTH CAROLINA  
 APRIL 17, 2003

**DIAGRAMMATIC LAYOUT PLAN**

Prepared for:  
**CAMERON GROUP, L.L.C.**  
 SYRACUSE, NEW YORK

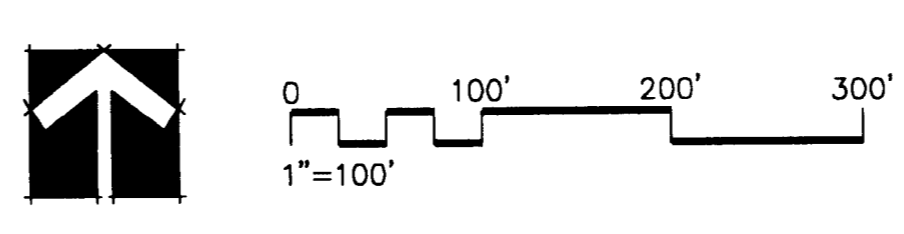
APPROVED BY CITY COUNCIL  
 DATE 7/21/03

Prepared by:  
**LITTLE**  
UNIVERSITY ARCHITECTURAL CONSULTING  
 Charlotte, North Carolina

- ORIGINAL SUBMITTAL DATE: APRIL 21, 2003
- 1 REVISOR'S MARK: REVISED AND RESUBMITTED :
- 2 REVISOR'S MARK: REVISED AND RESUBMITTED : JUNE 5, 2003
- 3 REVISOR'S MARK: REVISED AND RESUBMITTED : JUNE 20, 2003

NOTE:  
 THIS SHEET REPLACES THE PREVIOUSLY SUBMITTED RZ2.0  
 'SCHEMATIC SITE PLAN' WHICH WAS ORIGINALLY SUBMITTED ON  
 JANUARY 27, 2003, REVISED AND RESUBMITTED ON MARCH 21, 2003

FOR PUBLIC HEARING  
 PETITION # 2003-038



REZONING PLAN  
FOR  
JC PENNY at EASTLAND MALL  
CHARLOTTE, NORTH CAROLINA  
MARCH 21, 2003

SECTION STUDIES

Prepared for:  
CAMERON GROUP, L.L.C.  
SYRACUSE, NEW YORK

APPROVED BY CITY COUNCIL  
DATE 7/21/03

Prepared by:  
**LITTLE**  
LITTLE DIVERSIFIED ARCHITECTURAL CONSULTING  
Charlotte, North Carolina

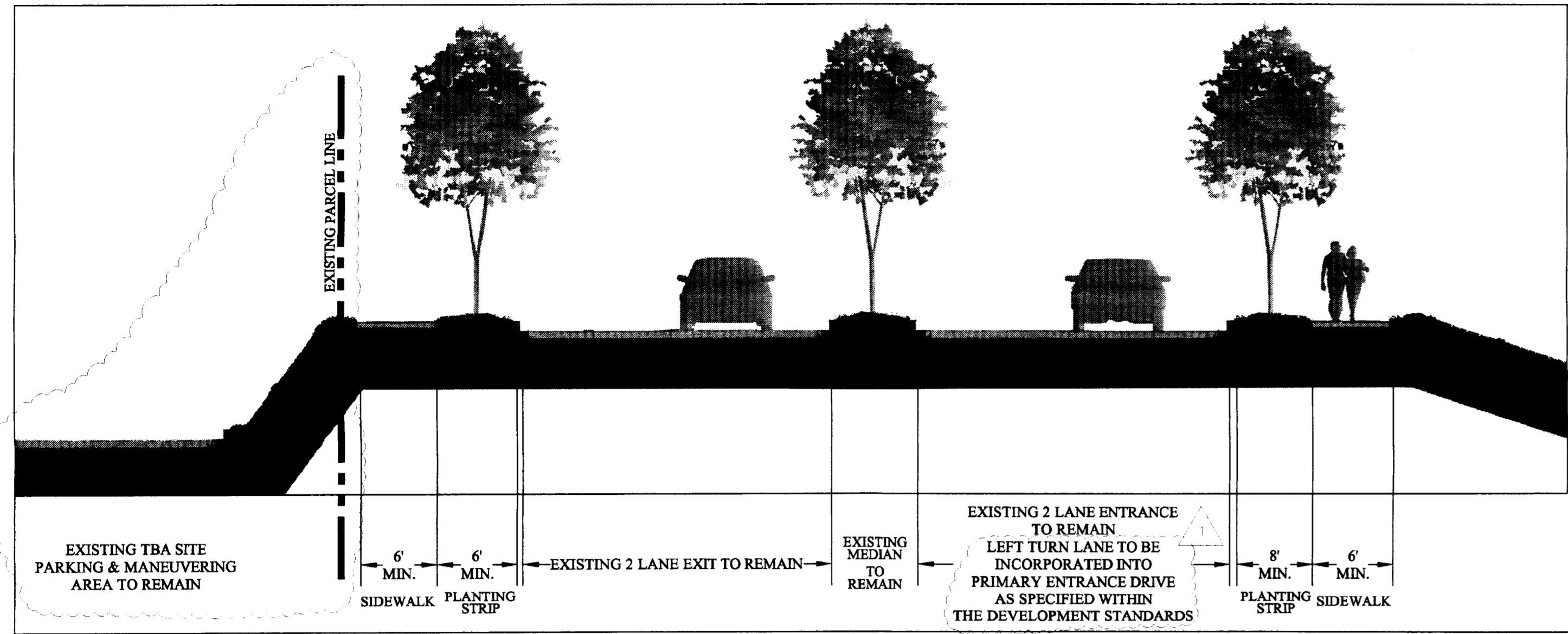
ORIGINAL SUBMITTAL DATE: MARCH 21, 2003

NOTE:  
THIS SHEET SUPERCEDES THE PREVIOUSLY SUBMITTED RZ3.0  
'SCHEMATIC SITE PLAN' WHICH WAS ORIGINALLY SUBMITTED ON  
MARCH, 21 2003.

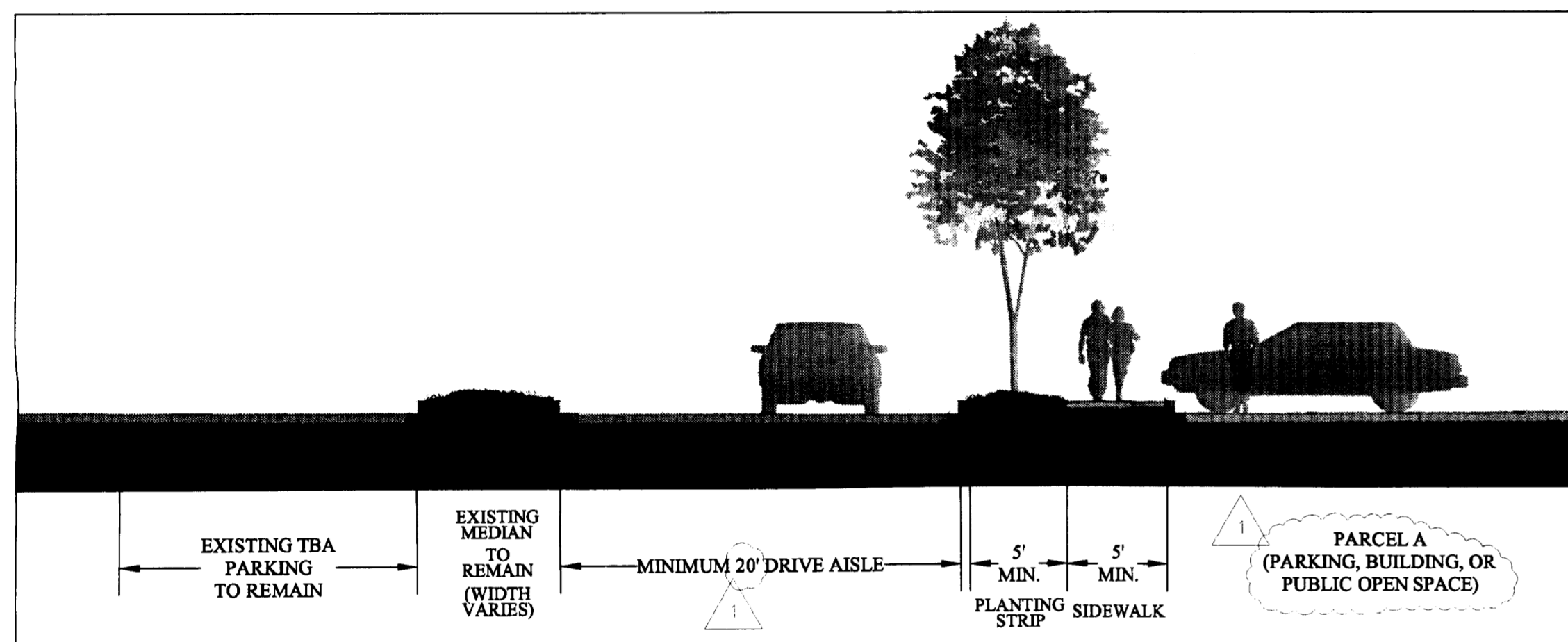
REVISOR: 1  
REVISED AND RESUBMITTED: JUNE 5, 2003

REVISOR: 2  
REVISED AND RESUBMITTED: JUNE 20, 2003

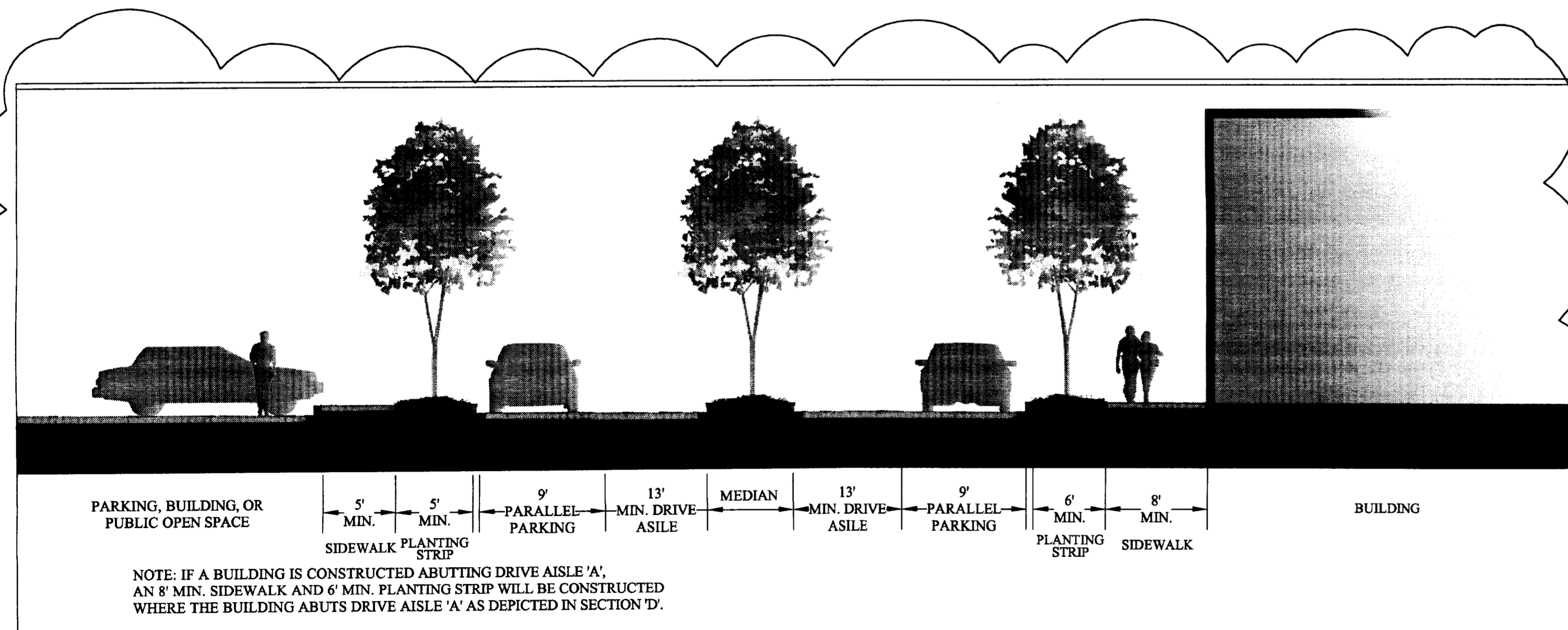
REVISOR: 3  
REVISED AND RESUBMITTED: JULY 8, 2003



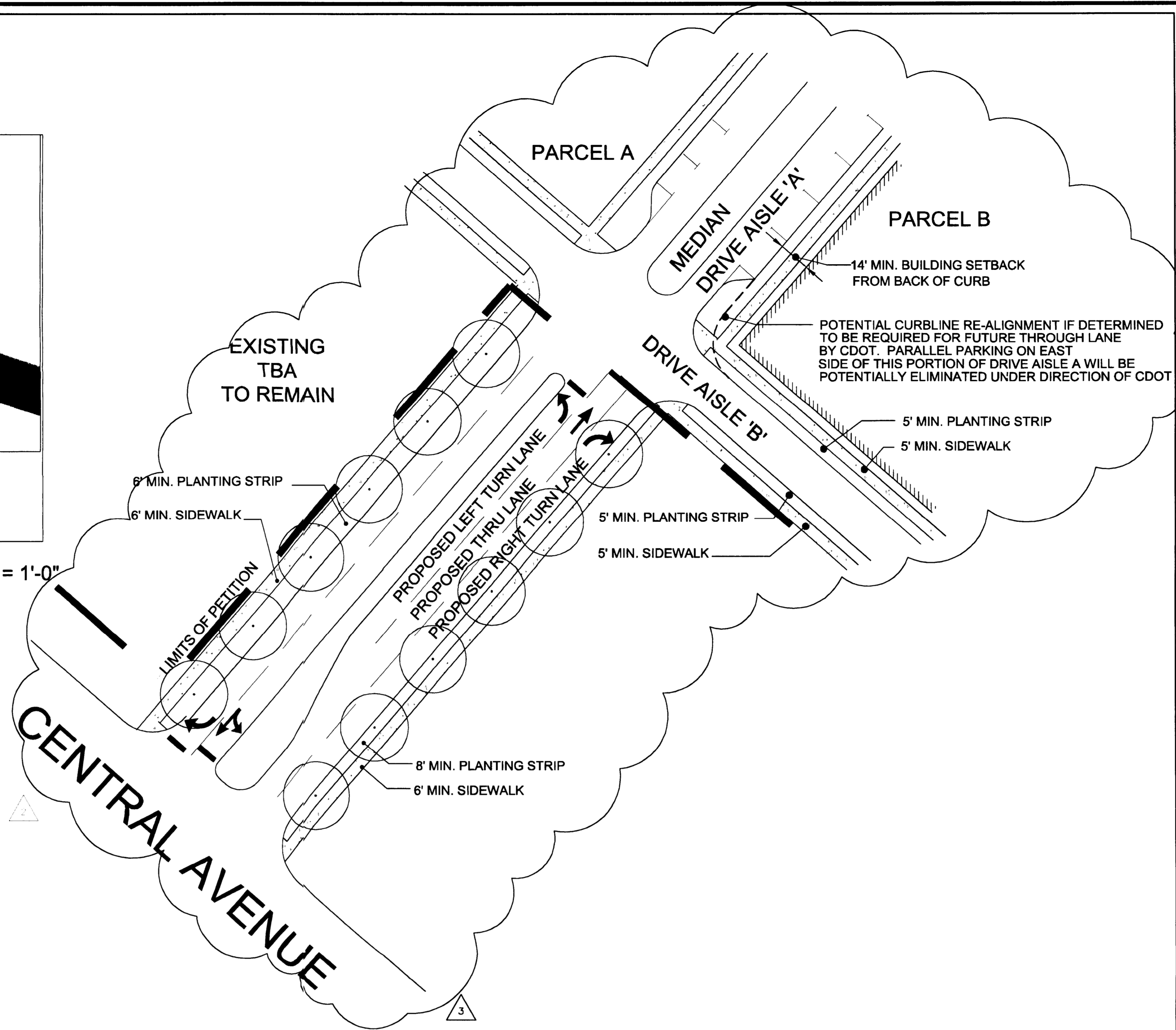
SECTION 'A' - PRIMARY ENTRANCE DRIVE SCALE: 1/8" = 1'-0"



SECTION 'B' at DRIVE AISLE B SCALE: 1/8" = 1'-0"



SECTION 'C' at DRIVE AISLE A SCALE: 1/8" = 1'-0"



PRIMARY ENTRANCE DRIVE  
SCHEMATIC LAYOUT

SCALE: 1" = 30'-0"

FOR PUBLIC HEARING  
PETITION # 2003038

The development depicted on the Schematic Site Plans is schematic in nature and intended to describe the general arrangement of uses on the Site. Accordingly, the configuration, placement, and size of the building footprints outlined on the Schematic Site Plans are schematic in nature, and subject to the provisions set forth above under Architectural Controls, may be altered or modified during design development and construction phases within the maximum development area boundaries established on the Technical Data Sheet. Street and parking layouts may also be modified to accommodate final building locations. Ancillary facilities and parking spaces may be located inside or outside development area boundaries to the extent permitted by the Ordinance.

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RZ3.0 of 5.0

LITTLE Project Number 101.7298.00

REZONING PLAN  
FOR  
JC PENNY at EASTLAND MALL  
CHARLOTTE, NORTH CAROLINA  
MARCH 21, 2003

SECTION STUDIES

Prepared for:  
CAMERON GROUP, L.L.C.  
SYRACUSE, NEW YORK

APPROVED BY CITY COUNCIL

DATE 7/21/03

Prepared by:

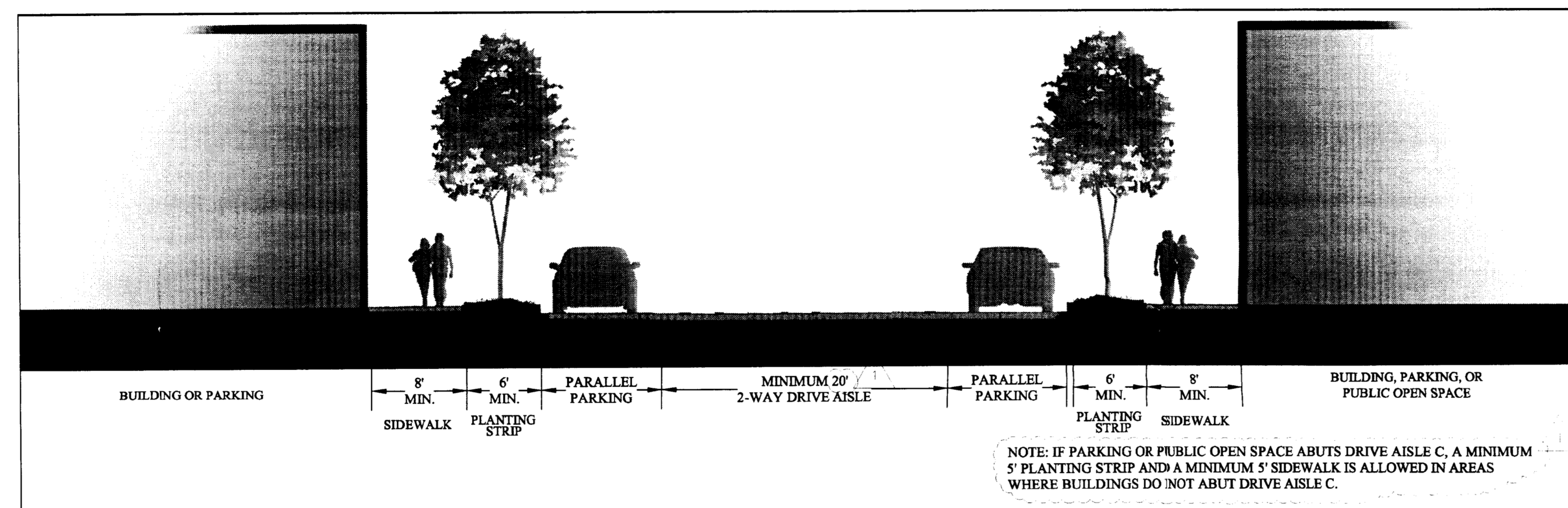


Charlotte, North Carolina

ORIGINAL SUBMITTAL DATE: MARCH 21, 2003  
REVISIONS:

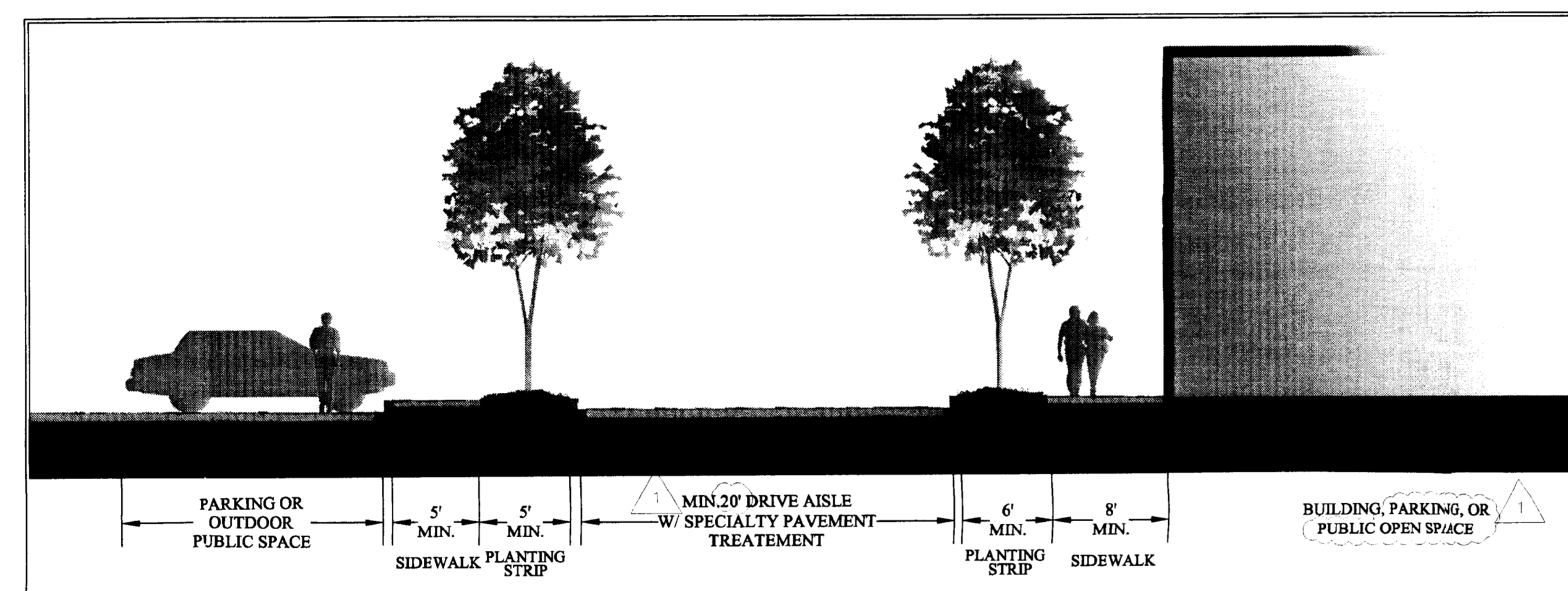
NOTE:  
THIS SHEET IS ADDED TO THE ORIGINAL PETITION PREVIOUSLY  
SUBMITTED ON JANUARY 27, 2003 AND REVISED AND  
RESUBMITTED ON MARCH 21, 2003.

REVISED AND RESUBMITTED: JUNE 5, 2003



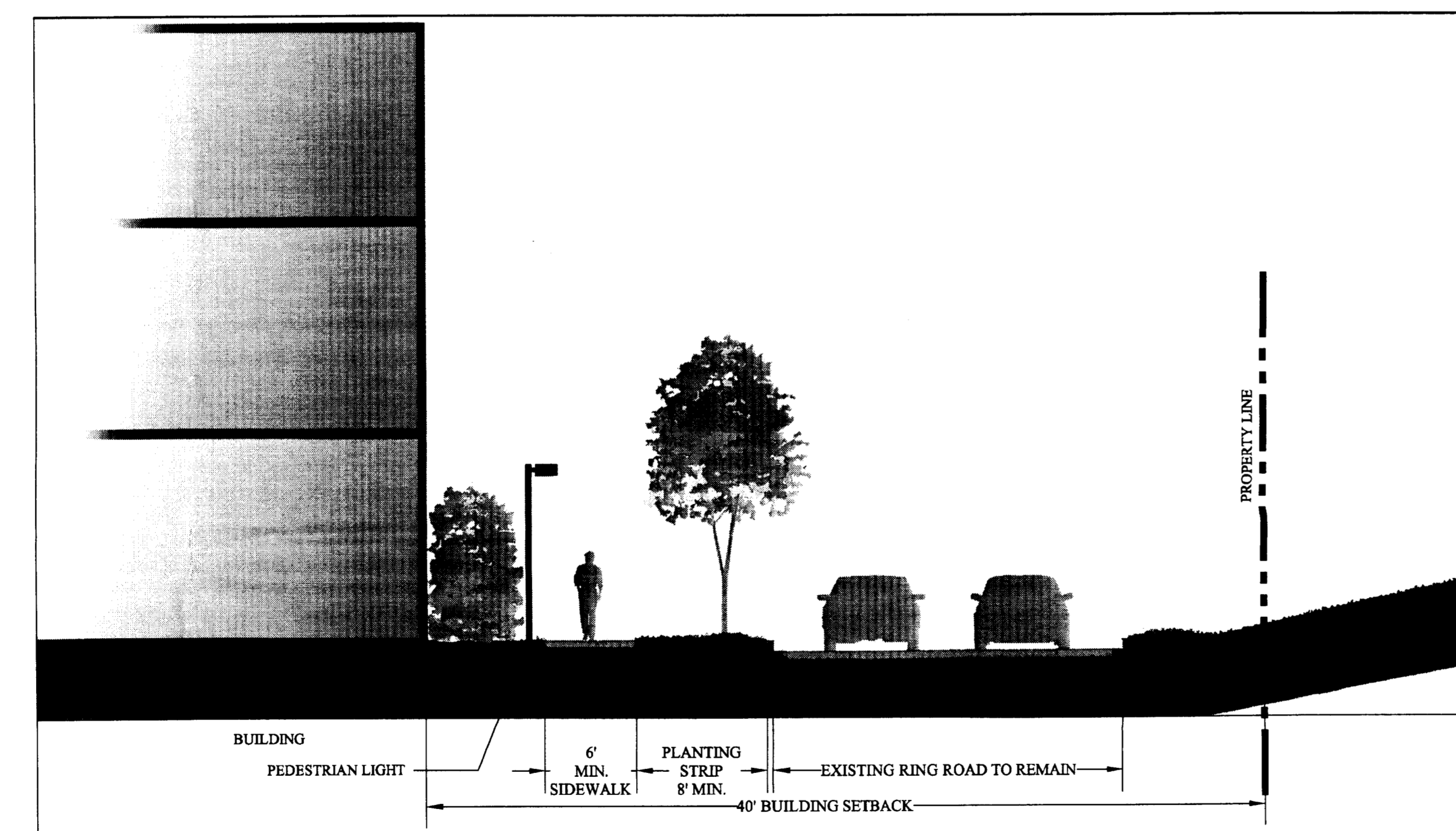
SECTION 'D' at DRIVE AISLE C

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



SECTION 'E' at RADIUS LOOP OF DRIVE AISLE A

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



SECTION 'F' at REAR DRIVE AISLE

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

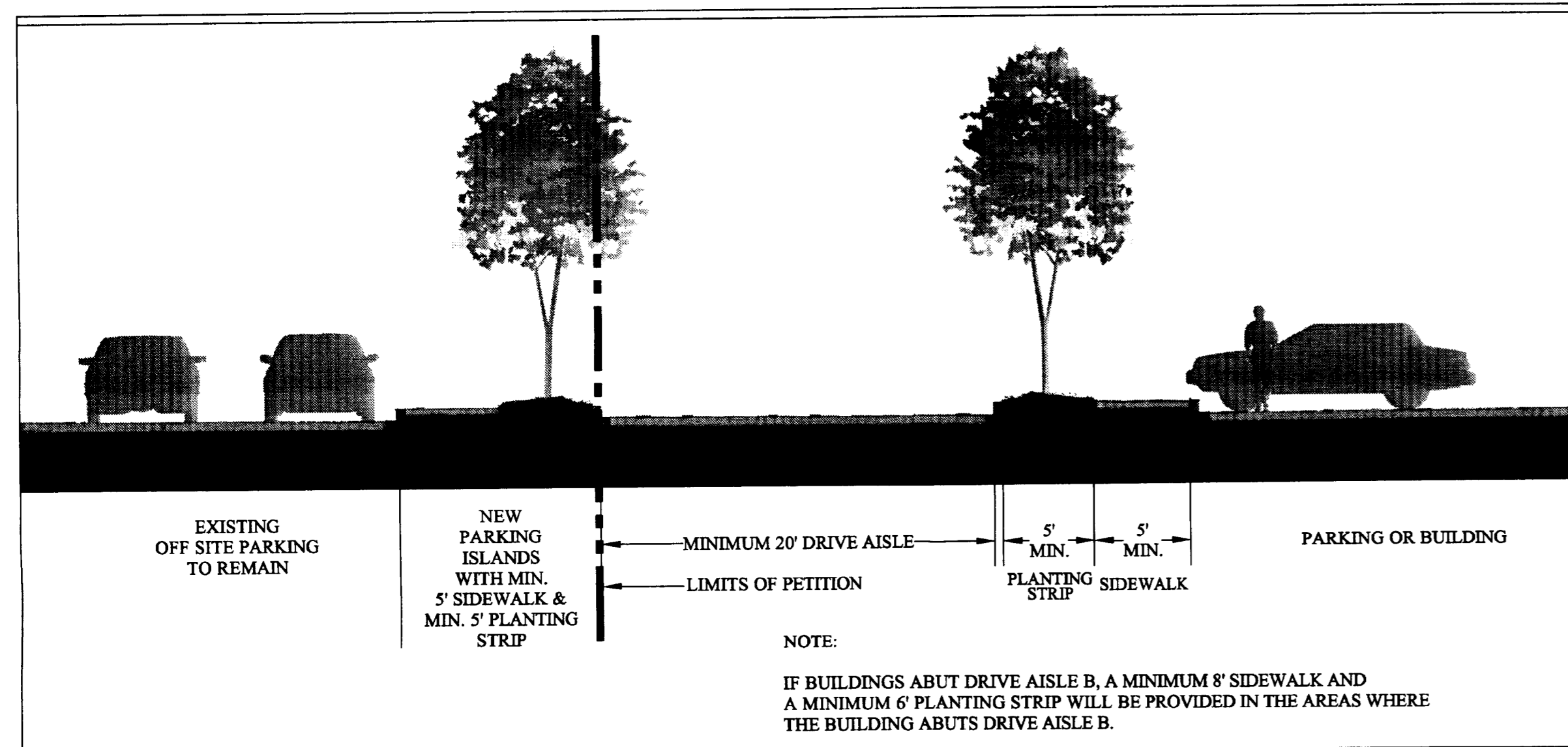
FOR PUBLIC HEARING  
PETITION # 2003038

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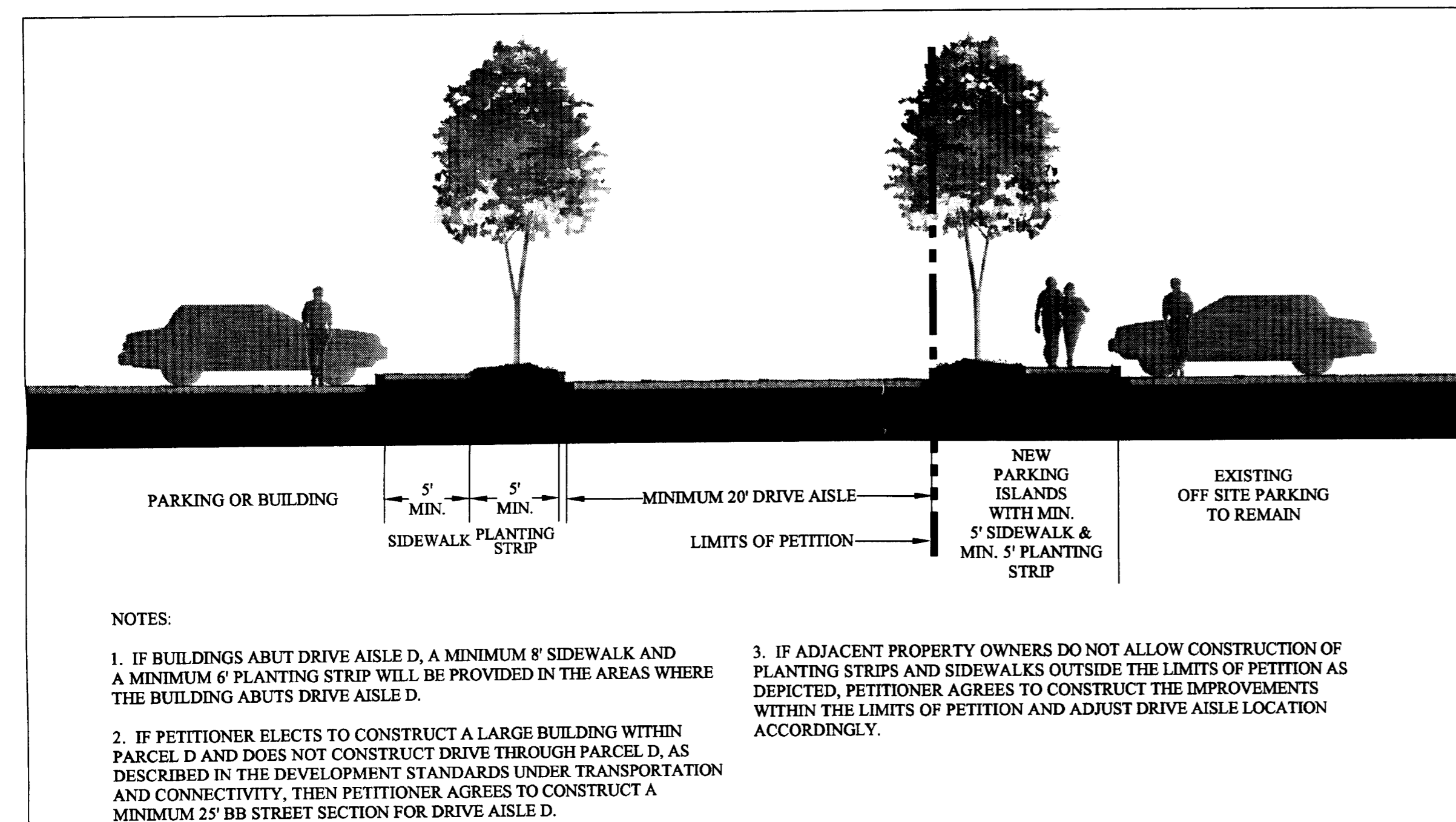
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RZ4.0 of 5.0

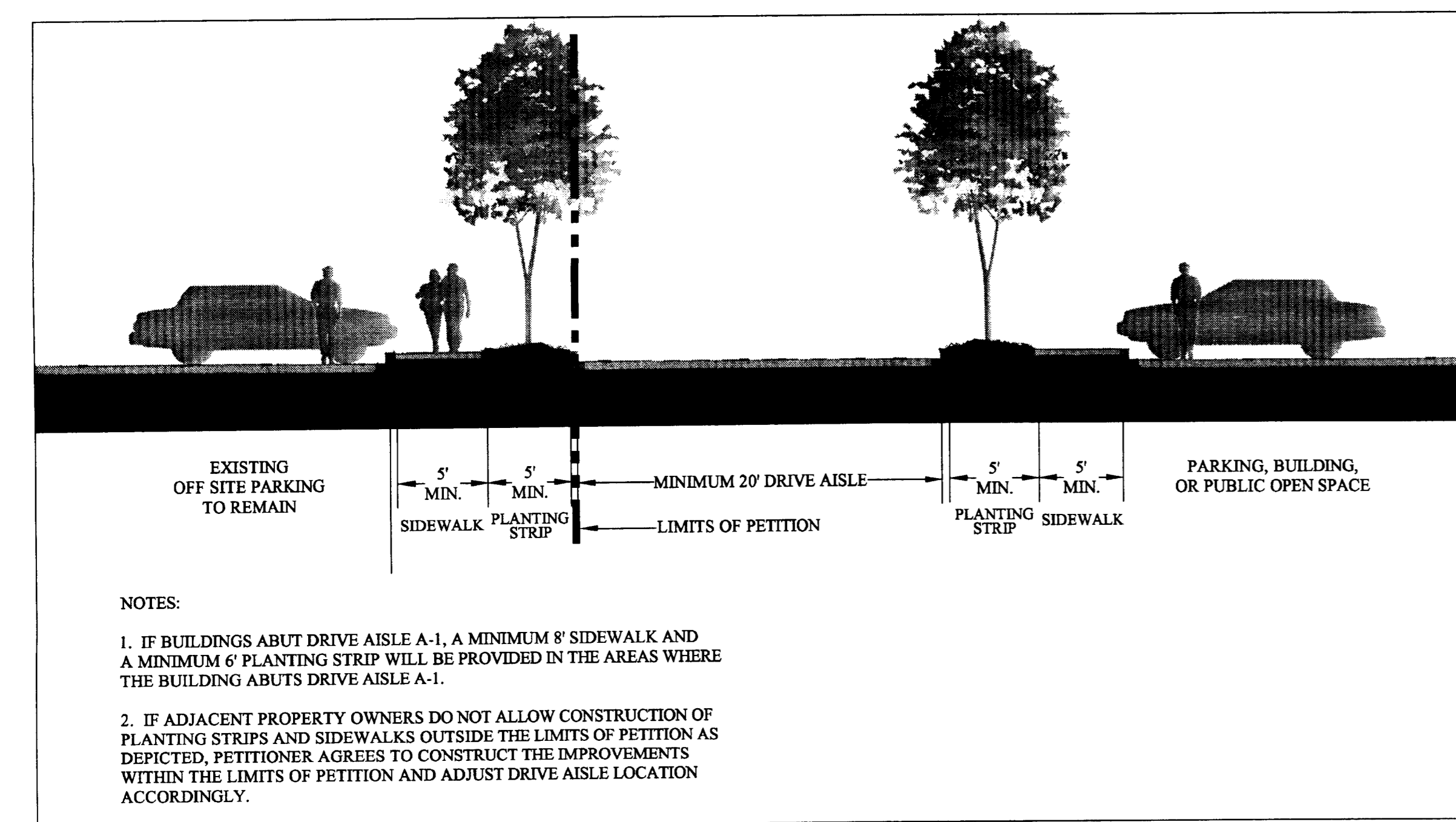
LITTLE Project Number 101.7298.00



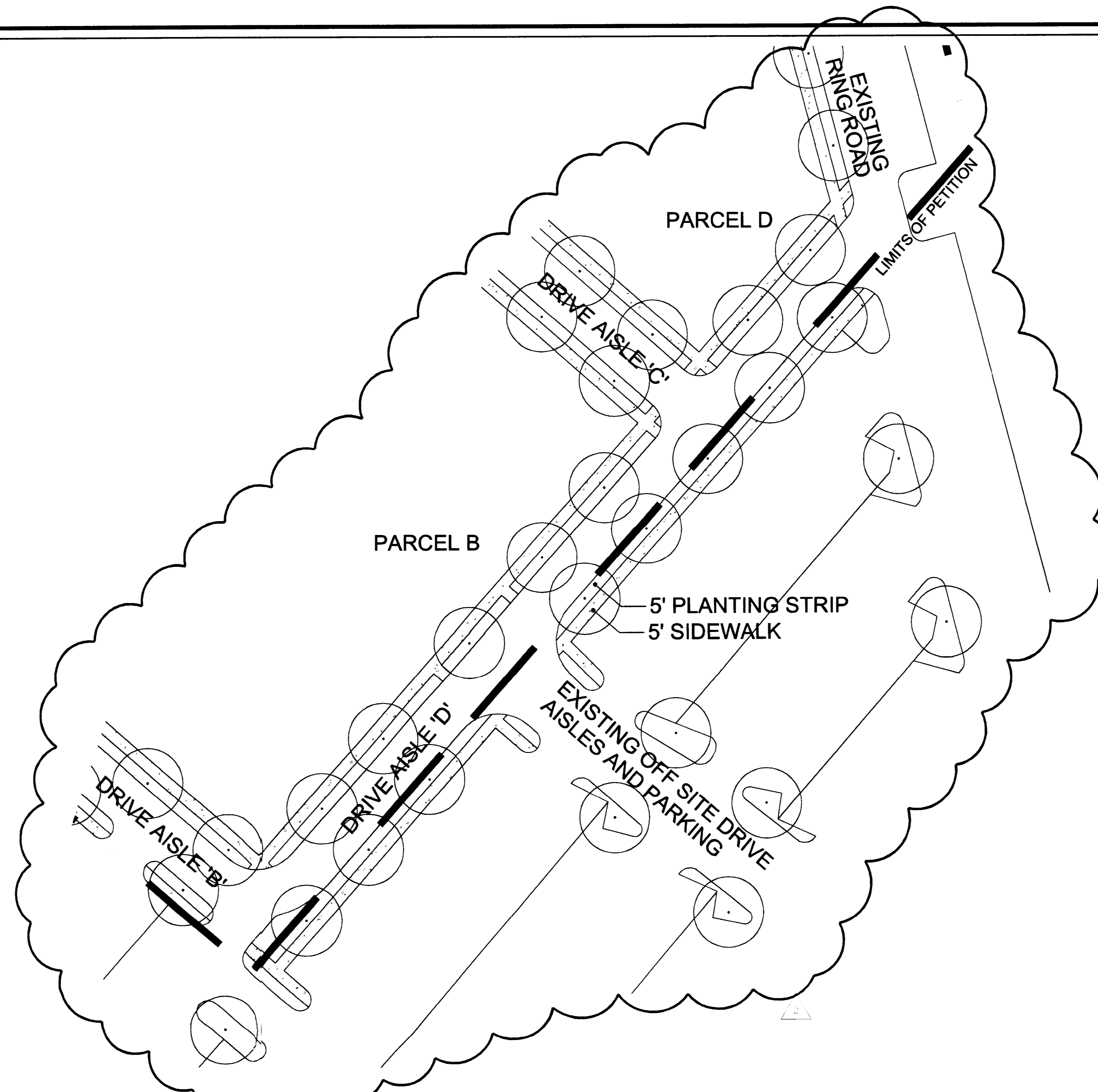
SECTION 'B-1' at DRIVE AISLE B SCALE: 1/8" = 1'-0"



SECTION 'G' at DRIVE AISLE D SCALE: 1/8" = 1'-0"

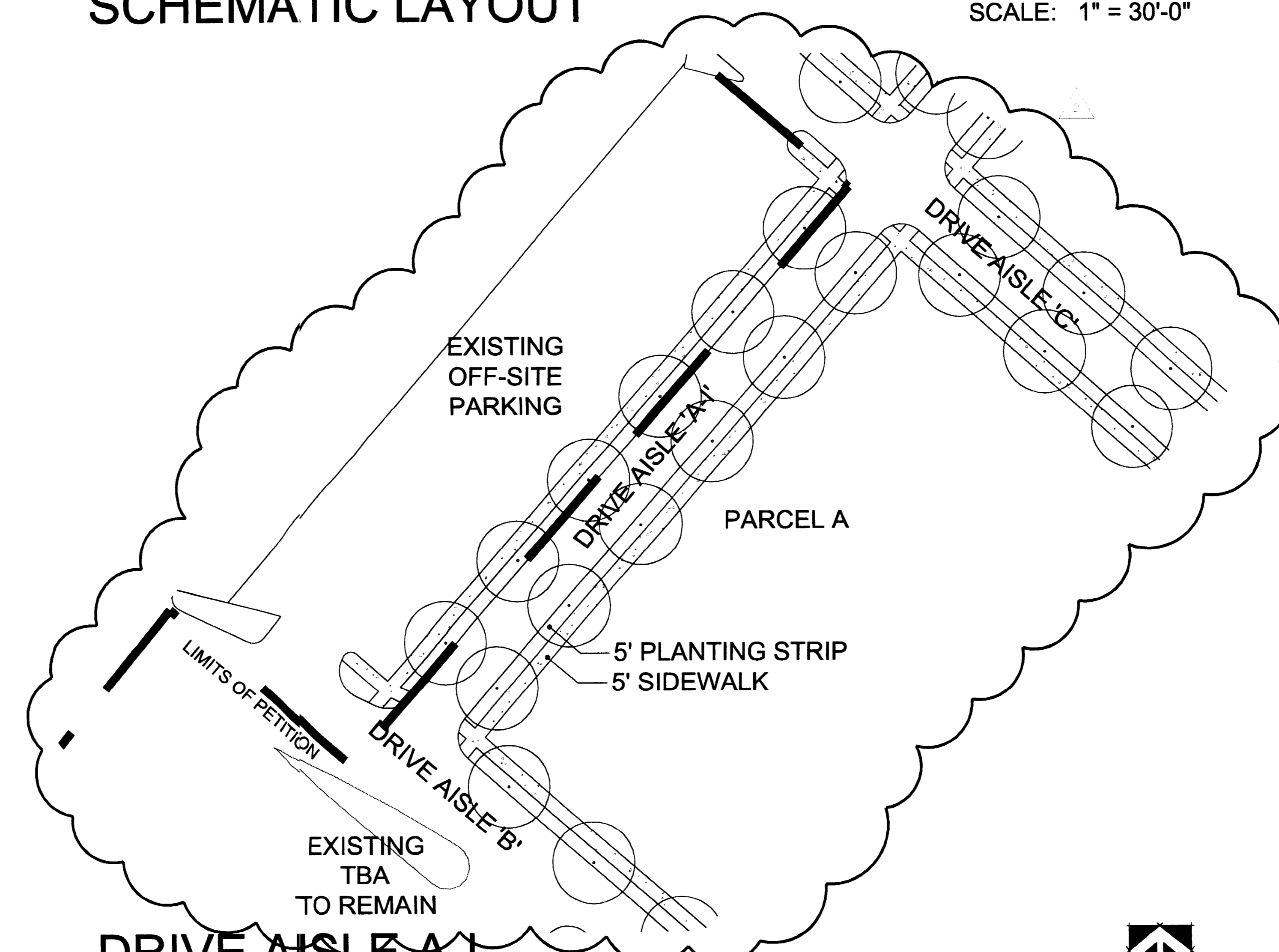


SECTION '1' at DRIVE AISLE A-1 SCALE: 1/8" = 1'-0"



DRIVE AISLE D SCHEMATIC LAYOUT

SCALE: 1" = 30'-0"



DRIVE AISLE A-1 SCHEMATIC LAYOUT

SCALE: 1" = 30'-0"

REZONING PLAN FOR JC PENNY at EASTLAND MALL CHARLOTTE, NORTH CAROLINA MARCH 21, 2003

SECTION STUDIES

Prepared for: CAMERON GROUP, L.L.C. SYRACUSE, NEW YORK

APPROVED BY CITY COUNCIL DATE 7/24/03

Prepared by:



Charlotte, North Carolina

ORIGINAL SUBMITTAL DATE: MARCH 21, 2003

NOTE: THIS SHEET IS IN ADDITION TO THE ORIGINAL PETITION DOCUMENTS SUBMITTED ON JANUARY 27, 2003 AND REVISED AND RESUBMITTED ON MARCH 21, 2003.

REVISED AND RESUBMITTED: JUNE 5, 2003

REVISED AND RESUBMITTED: JUNE 20, 2003

FOR PUBLIC HEARING PETITION # 2003038

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