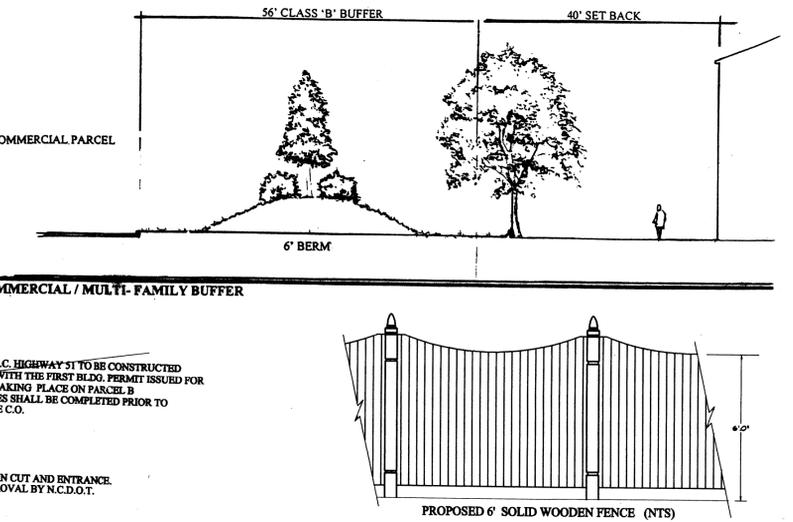
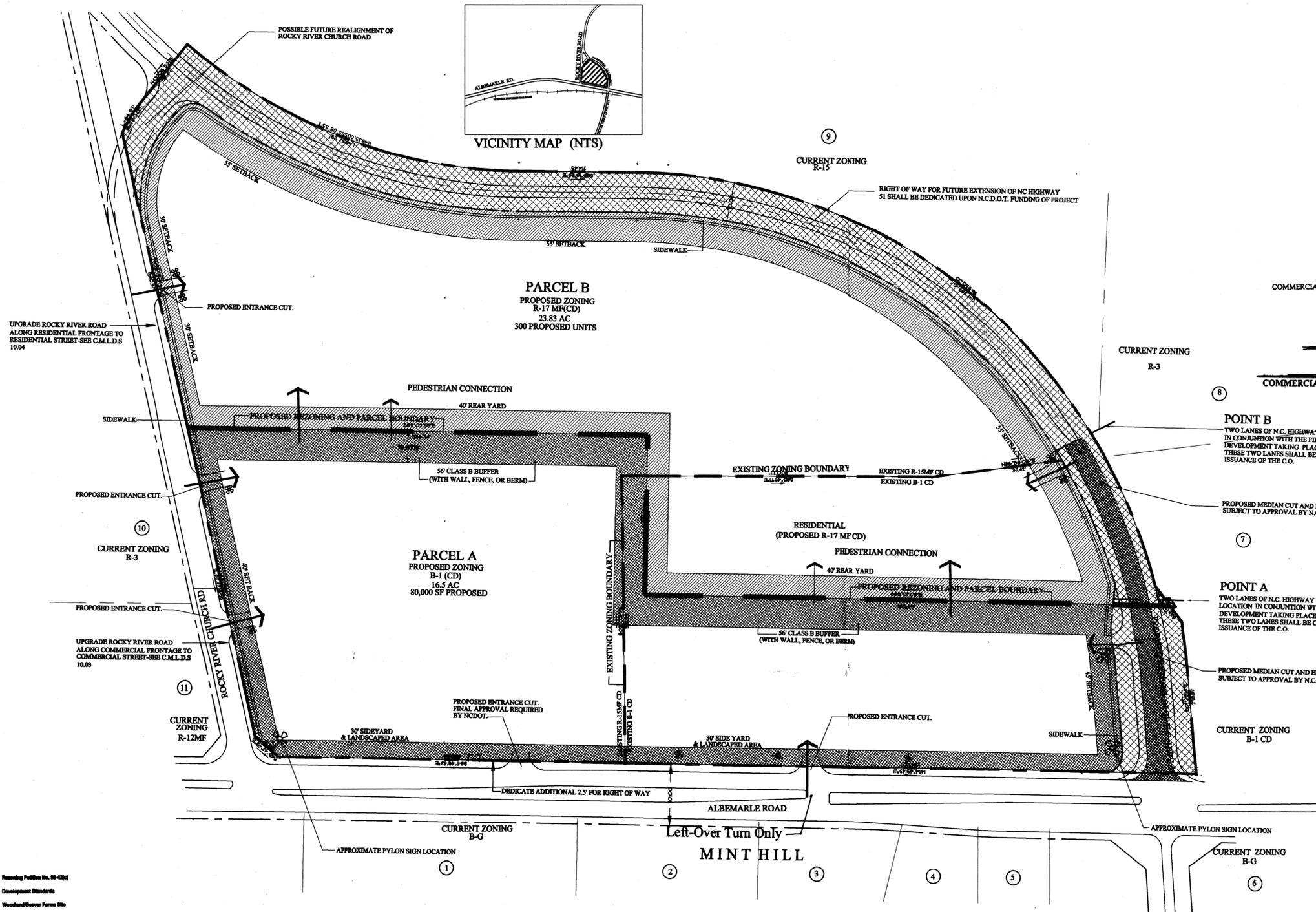
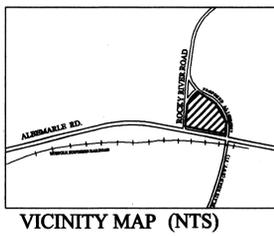


ERWIN CAPITAL/BEAVER FARMS TECHNICAL DATA SHEET

ERWIN CAPITAL INC., PETITIONER
CROSLAND GROUP INC., PETITIONER

SITE PLAN AMENDMENT

REZONING PETITION NO. 98-42 (C)
FOR PUBLIC HEARING

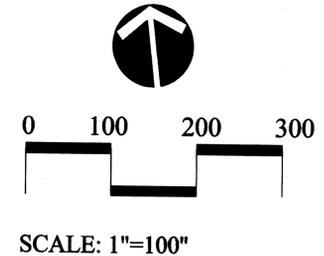


SITE DATA

TOTAL SITE AREA: 40.1 ACRES RIGHT OF WAY: +/- 4.6 ACRES NET OF RIGHT OF WAY: +/- 35.5 ACRES	CURRENT ZONING: B-1 CD (+/- 10.5 AC) - 100,000 SF OF BLDG. AREA PERMITTED R-15 MF (+/- 24.8 AC) - 305 DU PERMITTED
PARCEL A TOTAL SITE AREA: +/- 16.3 AC CURRENT ZONING: R-15MF(CD) +/- 9.8 AC B-1(CD) +/- 6.5 AC	PARCEL B TOTAL SITE AREA: +/- 23.8 AC CURRENT ZONING: R-15MF(CD) +/- 19.6 AC B-1(CD) +/- 4.2 AC
PROPOSED ZONING: B-1(CD) +/- 9.8 AC B-1(CD) SITE PLAN AMENDMENT: +/- 6.5 AC RETAIL AND OFFICE USES: UP TO 80,000 SF	PROPOSED ZONING: R-17 MF (CD) +/- 23.8 AC UP TO 300 RESIDENTIAL UNITS

LEGEND

- SIGNAGE
- 70' RIGHT OF WAY TO BE DEDICATED
- TWO LANE ROAD DEDICATED



Resolving Petition No. 98-42(C)
Development Standards
Woodland/Beaver Farms Site
Revised - September 24, 1998

General Provisions

Unless more stringent standards are established by the Technical Data Sheet or these Development Standards, all development standards established under the Mecklenburg County Zoning Ordinance (the "Ordinance") for the B-1 zoning district classification shall be followed in connection with development taking place on Parcel A of the Site and for the R-17MF zoning district classification shall be followed in connection with development taking place on Parcel B of the Site.

The configurations, placements and sizes of the buildings outlined on the Schematic Site Plan accompanying this Rezoning Petition are schematic in nature and subject only to the provisions set forth below under Architectural Controls, may be altered or modified during design development and construction document phases within the maximum building envelope lines established on this Technical Data Sheet. Parking layouts may also be modified to accommodate the building footprints.

Permit Lines

Parcel A
Parcel A may be developed to general retail uses and general office uses except that only one fast-food/through-type restaurant and only one convenience/grocery store may be developed on this Parcel.
The gross floor area of all buildings constructed within Parcel A may not exceed, in the aggregate, 80,000 square feet.

Parcel B
Up to 300 attached or detached dwelling units may be constructed on Parcel B, together with any incidental or accessory structures permitted under the Ordinance in the R-17MF District.

Setbacks

1. Buffer areas established on this Technical Data Sheet shall conform to the standards of Section 12.302 of the Ordinance, subject, however, to the provisions of Section 12.304 Permit.
2. Buffer areas shall remain an open space and, subject to the provisions of Paragraphs (3) and (4) below, will be left undisturbed.
3. The Petitioner reserves the right to clear, grade and fill within the 50 foot wide buffer established along the northern margin of Parcel A.
4. Petitioner reserves the right to install utilities within buffer areas. However, utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees.
5. No buildings, parking spaces, maneuvering areas or storage vehicle detection facilities may be located within buffer areas.
6. Where existing trees and natural vegetation have been cleared to accommodate pedestrian sidewalks or pathways or the installation of utilities, the cleared, unimproved areas will be landscaped with trees and shrubs.

Setbacks, Side Yards and Rear Yards

1. All buildings constructed within Parcel A shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the B-1 Zoning District.
2. All buildings constructed within Parcel B shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the R-17MF Zoning District.
3. Building setbacks of N.C. Highway No. 51, Albemarle Road and Rocky River Church Road will be established in the manner depicted on the Technical Data Sheet.
4. No storm water detention basins may be located within any setback area.

Screening and Landscaping Areas

1. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.
2. All roof mounted mechanical equipment will be screened from view.
3. Any dumpsters visible from a public street or from adjoining property will be screened with a solid enclosure with gates.

Architectural Controls

1. All buildings constructed on Parcel A will be architecturally compatible in appearance and quality through the use of similar building materials, accent features and colors.
2. If the Developer is able to afford a major branded service station establishment to the Site, the canopy of the facility may incorporate the corporate standard design, materials and colors. While the building for this facility must satisfy the standards established under Paragraph 1 above, the elevations of the building may nevertheless incorporate accent features which include the company's logo and colors.
3. No building on Parcel A may contain over two stories (above ground), or may be more than 30' in height (above ground).
4. No building on Parcel B may contain over three stories (above ground), or may be more than 40' in height (above ground).
5. The front elevation of the main shopping center will be designed such that it is substantially similar in quality and appearance to the character depicted on Exhibit "V" accompanying the Technical Data Sheet. At least 80% of all exterior opaque vertical surfaces of the front elevation and the northern elevation of the main shopping center and 80% of all building elevations constructed on outparcels will be constructed of brick.
6. The southern and rear elevations of the main shopping center will be constructed of concrete block and painted to match the color of the front and northern elevations.

Paints

Off street parking spaces will satisfy the minimum standards established under the Ordinance.

Lighting

1. All freestanding lighting fixtures installed within each Parcel will be uniform in design.
2. The maximum height of any freestanding lighting fixture, including its base, shall not exceed 30 feet in height within Parcel A or 20 feet in height within Parcel B.
3. All free standing light fixtures and wall pack light fixtures installed within Parcel A or Parcel B except street lights which may be erected along N.C. Highway No. 51, Albemarle Road or Rocky River Church Road shall be designed such that direct illumination does not exceed just past property lines. Consideration will be given to the impact of lighting both within and without the perimeter of the Site. Where for consistency all fixtures, including wall pack, shall be uniform in design, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards N.C. Highway No. 51, Albemarle Road and Rocky River Church Road and adjacent properties.
4. All wall packs will be shielded.

Signs

1. All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.
2. The main shopping center may have two pylon signs. These signs will be located in the ground areas depicted on this Technical Data Sheet and may not exceed 30 feet in height or 128 square feet of face area per sign.
3. The two pylon signs depicted on the Technical Data Sheet will be substantially similar in appearance to Exhibit "V" which accompanies the Technical Data Sheet.

Access Points (Driveways)

1. The number of vehicular access points to the Site shall be limited to the number depicted on this Technical Data Sheet.
2. The placement and configuration of each access point are subject to any other modifications required to accommodate that site and architectural construction plans and designs and to any adjustments required for approval by the County Engineering Department and the North Carolina Department of Transportation.
3. The parking lots for each of the establishments placed on the Site must be configured in such fashion as to allow internal vehicular traffic to move from one Parcel to the other Parcel.

Roadway Improvements

1. The Owner of Parcel A consents to construct an extension of N.C. Highway No. 51 as a two lane commercial road from Albemarle Road to Point A as depicted on the Technical Data Sheet contemporaneously with the first improvements made to Parcel A.
2. The Owner of Parcel B consents to extend N.C. Highway No. 51 as a two lane commercial road from Point A as depicted on the Technical Data Sheet to Point B as depicted on the Technical Data Sheet contemporaneously with the first improvements made to Parcel B.
3. No certificate of occupancy may be issued with respect to any buildings constructed on Parcel A until the proposed extension of N.C. Highway 51 has been completed to Point A, as depicted on the Technical Data Sheet.
4. No certificate of occupancy may be issued with respect to any buildings constructed on Parcel B until the proposed extension of N.C. Highway 51 has been completed to Point B, as depicted on the Technical Data Sheet.
5. The Owner of Parcel A consents to upgrade the existing half of the paved portion of Rocky River Church Road which runs along Parcel A to a commercial access as defined in Section 10.03 of the Charlotte/Mecklenburg Land Development Standards Manual and complete the same prior to the issuance of the first certificate of occupancy for development taking place on Parcel A.
6. The Owner of Parcel B consents to upgrade the existing half of the paved portion of Rocky River Church Road which runs along Parcel B to a typical residential collector street as defined in Section 10.04 of the Charlotte/Mecklenburg Land Development Standards Manual and complete the same prior to the issuance of the first certificate of occupancy for development taking place on Parcel B.
7. Petitioner will install a 7' wide sidewalk and an 8' planting strip along Albemarle Road, N.C. Highway No. 51 Extension, and Rocky River Church Road as development occurs on each parcel.
8. The petitioner will also install a 7' wide sidewalk which connects the commercial area to the street sidewalk system in the location as generally depicted on the Schematic Site Plan.
9. The petitioner agrees to reserve an appropriate area on Parcel A within which the Public Transportation Authority may construct a bus shelter if when public transportation is brought to the site, and to grant an appropriate easement to the Public Transportation Authority for its construction and operation, subject only to such reasonable conditions and restrictions which are designed to insure architectural compatibility with other buildings and the safety of the patron of the commercial area.

Dedication of Right-of-Way

1. The Petitioner consents to dedicate to Mecklenburg County prior to the issuance of any certificate of occupancy for Parcel A by way of a recorded plan, those portions of Parcel A and Parcel B necessary to accommodate a 70 foot wide right-of-way for the extension of N.C. Highway No. 51 from Albemarle Road to a westerly to westerly-southerly direction to Rocky River Church Road and that portion of Parcel B necessary to accommodate a 70' wide right of way for the connector road which would connect Rocky River Church Road to the proposed extension of N.C. Highway 51; all as generally depicted on the Technical Data Sheet prior to issuance of a certificate of occupancy for Parcel A.

Dedication of Right-of-Way (cont'd)

2. The Petitioner reserves the right to clear, grade and utilize the right-of-way (as depicted on the Technical Data Sheet) for staging and grading purposes. To the extent each area is so utilized, the cleared area will be seeded and stabilized with grass under the requirements set forth in an approved erosion control plan developed at the time of design plan submission. No permanent improvements or structures will be placed within the right-of-way area other than storm drainage or utility coverings that may be required to service Parcel A and/or Parcel B.
3. All of each right-of-way which falls within Parcel A will be dedicated prior to the issuance of the first certificate of occupancy for development taking place on Parcel A.
4. All of each right-of-way which falls within Parcel B will be dedicated prior to the issuance of the first certificate of occupancy for development taking place on Parcel B.

Fire Protection

Adequate protection in the form of hydrants will be provided to the Mecklenburg County Fire Marshal's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

Storm Water Management/Storm

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

The Petitioner agrees to install gravelly sewer lines to serve this project of a size that will meet the sewer collection needs of future expansion development to the east and that the sewer collection lines will not have to be installed if and when C.M.D.D. provides sewer service to this basin. In determining the appropriate size of the gravelly sewer lines the emphasis and C.M.D.D. shall take into consideration the size and capacity of the existing gravelly sewer lines downstream which this project shall flow into.

The Petitioner agrees to have the dept of water and sediment measurements taken in the downstream pond prior to any grading. This work will be performed by a registered land surveyor and is intended to generate an accurate datum in the event of future claims that the grading of future claims that the grading of this Site has caused subsidence in the pond. These measurements will be made available to the County Engineering Staff. Similar measurements may be required by the County Engineering Staff after construction is complete.

Aspirations 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 Site in accordance with the provisions of Chapter 8 of the Ordinance.

Binding Effect of the Rezoning Application

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Technical Data Sheet will, unless amended by the rezoning provided under the Ordinance, be binding upon and enforceable by the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

APPROVED BY COUNTY COMMISSIONER
DATE: 11-17-98

98-42C

Land Design

DATE: JUNE 3, 1998
PROJECT NO: 19021
REVISIONS:
August 19, 1998: Combined outparcels and revised multi-family layout.
September 17, 1998: Revised Notes
9-24-98 Resubmitted for Review
10-21-98 REVISED STORM WATER NOTE

1701 East Boulevard, Charlotte, NC 28203 704/333-0325
1414 Prince Street, Alexandria, VA 22314 703/549-7784

Land Design Inc.
Landscape Architecture Land Planning Urban Design

SHEET NO: _____ OF: _____
FILE NAME: 19021/98021906.DWG

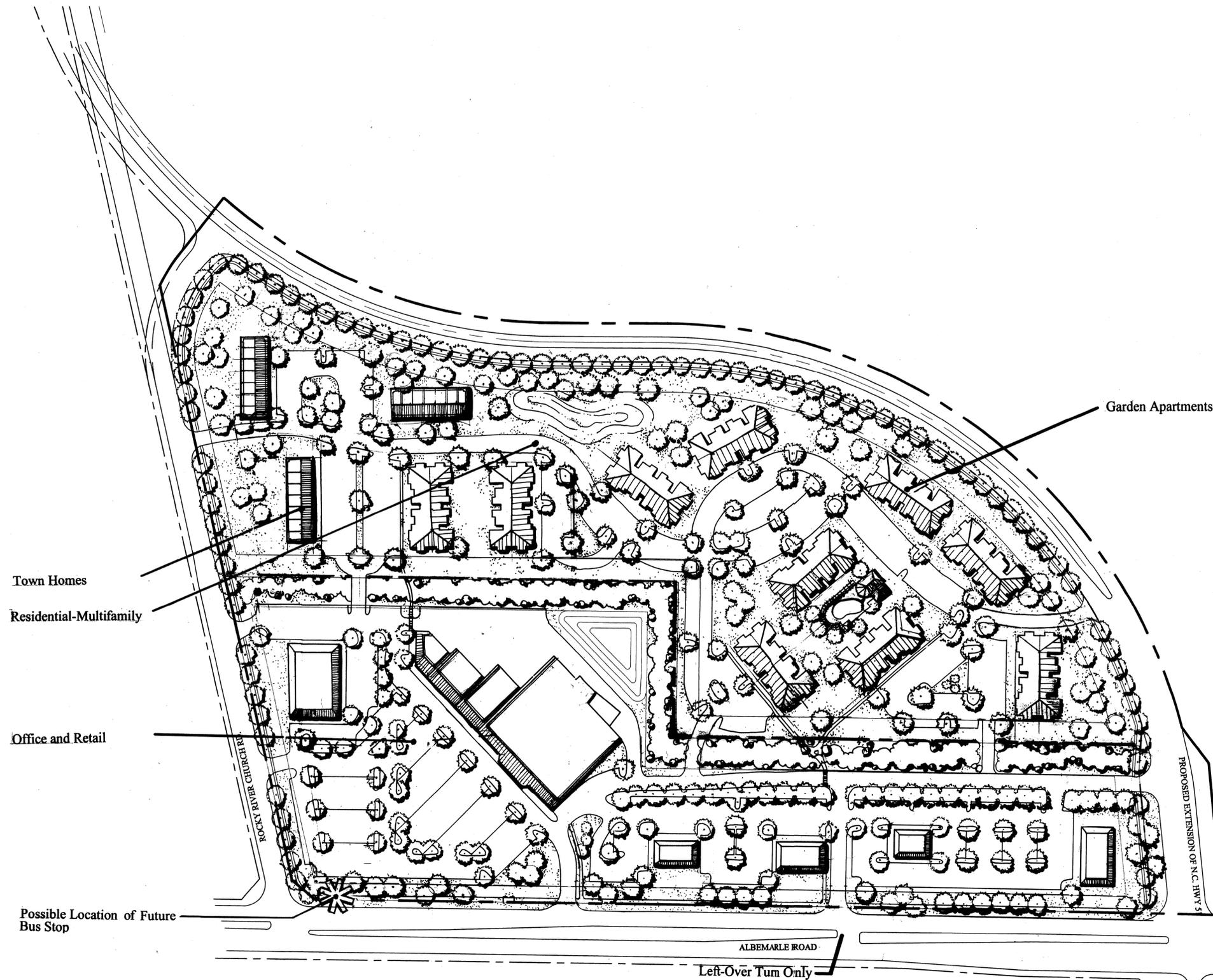
ERWIN CAPITAL/BEAVER FARMS

SKETCH PLAN

ERWIN CAPITAL INC., PETITIONER
CROSLAND GROUP INC., PETITIONER

SITE PLAN AMENDMENT

REZONING PETITION NO. 98-42 (C)
FOR PUBLIC HEARING



Land Design

DATE: **JUNE 3, 1998**
PROJECT NO: **19021**
REVISIONS:
August 19, 1998: Combined outparcels and revised multi-family layout.

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© 1414 Prince Street, Alexandria, VA 22314 703/549-7784

Land Design Inc.
Landscape Architecture Land Planning
Urban Design



SCALE: 1"=100'

SHEET NO: **2** OF: **2**
FILE NAME: **19021/19021004.DWG**

ERWIN CAPITAL INC., PETITIONER
CROSLAND GROUP INC., PETITIONER

REZONING PETITION NO. 98-42 (C)
FOR PUBLIC HEARING

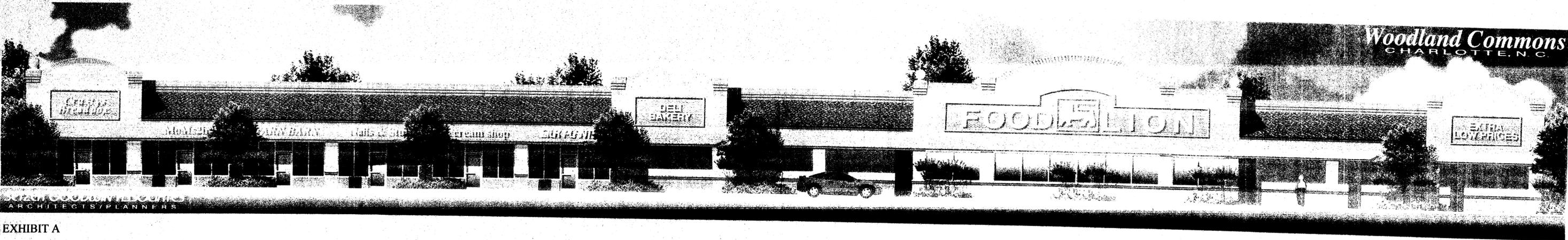
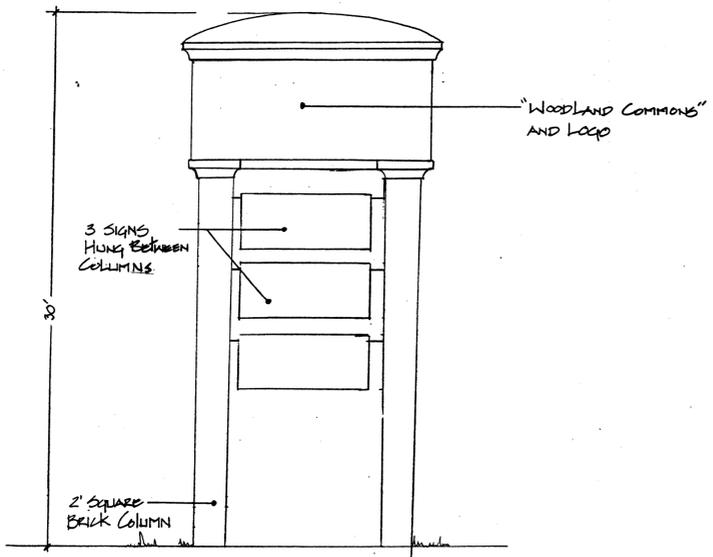


EXHIBIT A



BRICK Pylon Sign
N.T.S.

EXHIBIT B

Faul Design

DATE: 9.30.98
PROJECT NO:
REVISIONS:

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© 225 Hillsborough Street, Raleigh, NC 919/8

Land Design
Landscape Architecture Land Plan
Urban Design Civil Engineer

SHEET NO: OF: