

# DEVELOPMENT STANDARDS (contd.)

5. If at some future time the owner of Building/Parking Envelope A elects to demolish the building(s) within that area, the Planning Commission's Staff may approve an amendment to the Technical Data Sheet which would accommodate more buildings than the present Technical Data Sheet allows within such area and which would permit buildings within Parking Envelope F, through an Administrative Site Plan amendment approval process, subject, however, to the square footage limitations and use limitations set forth in Section II. A. above.

III. PEDESTRIAN FRIENDLY DESIGN, SIDEWALKS AND INTERNAL CONNECTIVITY 

In order to promote a high quality development on the Site that is pedestrian friendly, the Petitioner agrees that the Site will be developed in accordance with the following requirements:

## A. Building Orientation: 1. Building(s) located within Building/Parking Envelope A and Building/Parking Envelope B shall be oriented to Access Drive A in substantially the same manner as generally depicted on the Conceptual Schematic Site Plan.

2. Except as may be provided in Section III. D. below, buildings located within Building/Parking Envelope C shall have orientations to Access Drive A, Access Drive B, Vance Road and North Lake Boulevard (a/k/a Reames Road Extension) and to the parking facilities located on Building/Parking Envelope C, to the extent such buildings are located along such roads or drives, in substantially the same manner as generally depicted on the Conceptual Schematic Site Plan, provided, however, building(s) within Building/Parking Envelope C may be located along North Lake Boulevard (a/k/a Reames Road Extension) without parking between the building(s) and the street and in such event the setback along North Lake Boulevard (a/k/a Reames Road Extension) shall be 14 feet rather than 35 feet.

3. To the extent any buildings are constructed within Building/Parking Envelope D, (i) no parking will be allowed between any such buildings located thereon and North Lake Boulevard (a/k/a Reames Road Extension), (ii) no parking will be located between any such buildings located thereon and Access Drive B and (iii) no parking will be located between any such buildings located thereon and Access Drive C; provided, however, nothing contained herein shall limit the location of parking to the side or rear of any such building located along Access Drive B or Access Drive C nor the location of driveways for vehicular maneuvering in front of those portions of buildings located on Building/Parking Envelope D that face Access Drive B (it being understood that no such vehicular maneuvering shall be permitted in front of and between those portions of any buildings located on Building/Parking Envelope D that face North Lake Boulevard).

4. The access driveways and pedestrian connections leading into the internal parking areas from Access Drive A, Access Drive B, Access Drive C, Access Drive D and the sidewalk connections between buildings located within each Building/Parking Envelope, as generally depicted on the Technical Data Sheet and the Conceptual Schematic Site Plan, are only depictions of possible vehicular and pedestrian connections on the Site, and therefore the exact alignments and configurations thereof are subject to alteration during design and construction development phases and as may be provided in Section III. D. below. However, (i) no more than five (5) points of vehicular access leading from Access Drive A into the internal parking areas of Building/Parking Envelope A and Building/Parking Envelope B on an aggregate basis shall exist; (ii) no more than four (4) points of vehicular access leading from Access Drive A into Parking Envelope F (excluding the intersection of Access Drive A and Access Drive C) shall exist; (iii) no more than two (2) points of vehicular access leading from Access leading from Access Drive A into Parking Envelope F (excluding the intersection of Access Drive A and Access Drive C) shall exist; (iii) no more than two (2) points of vehicular access leading from Access Drive A into Parking Envelope C shall exist; (iii) (iv) no more than three (3) points of vehicular access leading from Access Drive B into the internal parking areas of Building/Parking Envelope C shall exist; (v) no more than one (1) point of vehicular access each leading from Access Drive B and Access Drive C into the internal parking areas for Building/Parking Envelope D shall exist and (vi) no more than one (1) point of vehicular access leading from Access Drive C into the internal parking areas for Building/Parking Envelope E shall exist.

 B. Building Façade Articulation.
Buildings located within Building/Parking Envelopes B, C, D and E that are constructed along Access Drive A, Access Drive B, Access Drive C, Vance Road or North Lake Boulevard (a/k/a Reames Road Extension) will have street-level windows facing such drives or roads and will avoid long expanses of solid walls through the introduction of articulated facades and other specifically designed architectural elements.

C. Sidewalks, Pedestrian Open Space and Streetscape Treatment . 1. Petitioner agrees to install a six (6) foot wide sidewalk and an eight (8) foot wide planting strip along the Site's frontage on Vance Road and North Lake Boulevard. Petitioner reserves the right to meander any of these sidewalks.

2. Petitioner will install internal sidewalks five (5) feet in width on the Site so as to provide pedestrian connections between portions of the various buildings located thereon and to the sidewalks to be installed by Petitioner along Vance Road and North Lake Boulevard (a/k/a Reames Road Extension). This sidewalk system shall include sidewalks located on both sides of Access Drives A and B and on one side of Access Drives C and D (subject to internal separations for vehicular access) and shall contain street/driveway cross-sections substantially similar to those set forth on Exhibit A

3. The internal parking area located within Building/Parking Envelope C shall include internal pedestrian connections to and from portions of the buildings located thereon and shall include an internal pedestrian promenade feature substantially similar in concept to the one generally depicted on the Conceptual Schematic Site Plan. The internal parking area located with Parking Envelope F and Building/Parking Envelope D shall include the internal pedestrian feature connecting such areas substantially similar in concept to the one generally depicted on the Conceptual Schematic Site Plan lo

4. The streetscape treatment along the Site's frontage on Vance Road and North Lake Boulevard (a/k/a Reames Road Extension) shall include the sidewalks described above and landscaping and pedestrian-scale lighting (such pedestrian-scale lighting shall include "caps" and shall not exceed 25 feet in height).

D. <u>Changes to Development Plan Due to Realignment of Vance Road and North Lake Boulevard.</u> As provided in Section IX of these Development Standards, the Petitioner commits to dedicate and convey or grant an easement with respect to (i) portions of the Site for additional right-of-way (where owned by the Petitioner and where not already existing) along the Site's frontage on realigned Vance Road to create a 75 foot street "cross-section" extending north from the centerline of realigned Vance Road and (ii) portions of the Site for additional right-of-way (where owned by the Petitioner and where not already existing) along the Site's frontage with proposed North lake Boulevard to create a 69 foot street "cross-section" extending west from the centerline of proposed North Lake Boulevard. It is acknowledged, however, that the final locations for the centerline of Vance Road and the centerline of proposed North Lake Boulevard have not yet been finally determined as part of the NCDOT/CDOT transportation improvement plans for Vance Road, Reames Road and North Lake Boulevard. In light of the Petitioner's transportation commitments described in Section IX, it is acknowledged that the final location of the centerlines for realigned Vance Road and proposed North Lake Boulevard could adversely affect the development planned for the Site as generally depicted in this Rezoning Plan, including for example, the location of parking facilities, driveways, sidewalks, landscape areas, pedestrian features and buildings. Accordingly, subject to the obligations of the Petitioner regarding the conveyance/easement grants described in Section IX, the Petitioner may take the following action in response to the final location of the enterlines and accompanying rights-of-ways for realigned Vance Road and proposed North Lake Boulevard:

1. The Petitioner may seek from the Charlotte Zoning Board of Adjustment or other applicable governmental authority variances from the 35 foot setbacks along realigned Vance Road and proposed North Lake Boulevard within the general areas of Building/Parking Envelopes C and D as generally depicted on the Technical Data Sheet; and

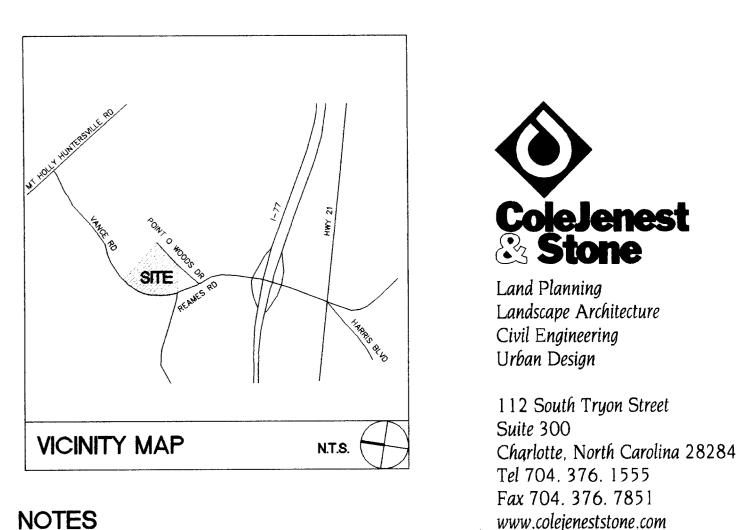
2. The Petitioner may seek and the Planning Commission's Staff may approve an Administrative Site Plan amendment to the Technical Data Sheet and this rezoning plan to permit changes to (i) the location and size of Building/Parking Envelopes C and D and Parking Envelope F, (ii) the location of site and building elements within Building/Parking Envelopes C and D and Parking Envelope F (e.g. sidewalks, driveways, parking facilities, pedestrian features, landscape areas, building improvements and the like) and (iii) the location of Access Drive B; provided, however, any such changes shall not materially change the overall design concept for the development to take place on the Site and the architectural features, design and materials provided for in this Rezoning Plan.

### IV. ARCHITECTURAL GUIDELINES

All buildings constructed on the Site will be architecturally compatible in appearance through the use of similar or complementary building materials, colors and design (giving due considerations to the use of each building). The proposed buildings located within Building/Parking Envelopes C and D will be generally in keeping with the concept and image illustrated in the Building/Parking Envelopes C and D Conceptual Streetscape Perspectives and Building/Parking Envelopes C and D Conceptual Elevations, conceptually depicted on Exhibit A, which accompanies this Technical Data Sheet. The proposed building(s) located within Building/Parking Envelope A will be generally in keeping with the concept and image illustrated in either (i) the Building/Parking Envelope A Conceptual Elevations conceptually depicted on Exhibit A, which accompanies this Technical Data Sheet, or (ii) the Building/Parking Envelopes C and D Conceptual Streetscape Perspectives conceptually depicted on Exhibit A, which accompanies this Technical Data Sheet.

### V. ACCESS POINTS AND CONNECTIVITY

A. Except as provided in Section V. D. below, the number and nature of permanent exterior vehicular access points to the Site to and from



www.colejeneststone.com 1. REFERENCE BOUNDARY SURVEY PREPARED BY ESP & ASSOCIATES, PA, 12245 NATIONS FORD ROAD, SUITE 401, PINEVILLE, NC, 28134; (704) 583-4949: DATED 12.26.00, LAST REVISED 06/26/02

2. TOPOGRAPHY OBTAINED FROM MECKLENBURG COUNTY MAPPING/GIS SERVICES. CDROM 2: 1993 - 1996.

PRIMARY ACCESS POINT

SECONDARY ACCESS POINT

EXISTING ZONING BOUNDARY

ADJACENT PROPERTY OWNER

43.47 ACRES

025-291-04 025-291-06

R3 & B1 (CD)

40' MAXIMUM

CHARLOTTE, NORTH CAROLINA 28216

150 UNITS MAXIMUM

025-291-02 025-291-03

025-291-05 025-291-07

EXISTING ZONING

LEGEND

R3

 $(\mathbf{A})$ 

AREA TO BE REZONED

TAX PARCEL #'S:

EXISTING ZONING:

BUILDING HEIGHT:

PROPOSED ZONING:

PROPOSED BUILDING AREA:

RESIDENTIAL UNITS:

SITE SUMMARY

# HARRIS

CHARLOTTE North Carolina 28284

LINCOLN

07-111

NORTHCREST



Charlotte North Carolina 28284

SHEET

Team Manager:

Project LA/CE:

) 09/02/02 REVISED BLDG. ENV., DEVE. STDS.

/2 10/03/02 REVISED BLDG. ENV., DEVE. STDS

3 10/18/02 REVISED BLDG. ENV., DEVE. STDS.

4\ 11/14/02 REVISED DEVELOPMENT STDS.

5 12/12/02 REVISED DEVELOPMENT STDS.

6 01/07/03 ADDED EASEMENT LABELS

Revised

# TECHNICAL DATA

ADJACENT PROPERTY OWNERS A. 025-281-02 REAMES INVESTORS LLC/ COLLETT & ASSOCIATES, INC 9407 POINT O' WOODS DRIVE

CC

COMMERCIAL BUILDING AREA: 325,000 SF MAXIMUM

### II. DEVELOPMENT PROGRAM

PLANTING REQUIREMENTS

85' PROJECT EDGE / MIN. 75' CLASS 'B' BUFFER

TYPICAL 100' SECTION OF 75' CLASS 'B' BUFFER WITH A FENCE.

CITY OF CHARLOTTE ZONING ORDINANCE

TO SATISFY THE ABOVE BUFFERING REQUIREMENTS.

IF THE BUFFER AREA DOES NOT CONTAIN SUFFICIENT VEGETATION TO PROVIDE A

NATURAL SCREEN, ACCORDING TO THE BUFFER REQUIREMENTS OF A CLASS 'B'

BUFFER AS PER TABLE 12.302 (B). ADDITIONAL VEGETATION WILL BE SUPPLEMENTED

THE MINIMUM BUFFER MAY BE REDUCED

SHRUBS ARE NOT REQUIRED WITH A FENCE.

25% WITH THE ADDITION OF A FENCE.

MIN. 25% EVERGREEN TREES

MIN. 40% LARGE MATURING TREES

MINIMUM OF 12 TREES PER 100'

BUFFER REQUIREMENTS:

100' PROPERTY LINE

A. Permitted Development within the Site 1. Unless more stringent standards are established by these Development Standards or the Technical Data Sheet, all development standards established under the Ordinance for the Commercial Center (CC) Zoning Districtlassification shall be satisfied in connection with development taking place within the Site.

2. The development program for the Site shall consist principally of reidential, retail, restaurant, office and public/institutional uses. Except as otherwise stated below, the Site may be devoted to any use (includinany accessory use) which is permitted by right or under prescribed conditions in a Commercial Center (CC) Zoning District under the Ordinance.

• No fast food restaurants with drive-through windows or gas statin/convenience stores will be allowed on the Site, except within Building/Parking Envelope E, as generally depicted on the Technical Data Sheet; and

• No individual tenant or owner may occupy any single building or sace on the Site for any retail use other than a theatre use which is greater in area than 35,000 square feet on a single floor of such building or space, exept within Building/Parking Envelope A.

• Theater uses on the Site shall be limited to Building/Parking Enviope A. Petitioner agrees to submit a development plan and conceptual building elevation for any such proposed theater use for approval by the Planing Staff administratively, such approval not to be unreasonably withheld or delayed to the extent that the conceptual building elevation for such water use is consistent in design and quality with the conceptual elevation generally depicted for the building(s) to be located within BuildingParking Envelope A pursuant to the provisions of Section IV of these Development Standards

3. The site plan for this development as generally depicted on the Technical Data Sheet reflects the following development scenario, namely: • a retail/office/restaurant/theatre/institutional component of up to180,000 square feet of floor area located within Building/Parking Envelope A as generally depicted on the Technical Data Sheet;

• additional retail, office and other permitted uses located within Builing/Parking Envelopes C, D and E as generally depicted on the Technical Data Sheet which, when added to the floor area located within Building/Prking Envelope A, total up to 325,000 square feet of floor area (it is understood that up to 40,000 square feet of floor area allocated to Building/Parkig Envelope A as described above may be allocated to Building/Parking Envelopes C, D and E as long as the total square footage of the floor area locate within Building/Parking Envelopes A, C, D and E does not exceed 325,000 square

• up to 150 residential dwelling units located within Building/Parkng Envelope B, it being understood that Building/Parking Envelope B is reserved for residential use together with permitted accessory uses; and • associated surface and/or structured parking facilities located whin Parking Envelope F and in the Building/Parking Envelopes depicted on the

Technical Data Sheet.

4. Detailed site planning has not been finalized. The developmendepicted on the Conceptual Schematic Site Plan is merely schematic in nature, and except as otherwise specified in these Development Standards is intended only to describe the possible arrangements of uses and building elements on the Site and the schematic depictions of the uses, strutures and building elements set forth on the Conceptual Schematic Site Plan should be reviewed in conjunction with the provisions of these Development Standards. Consequently, except as otherwise expressly specified on the Technical Data Sheet and in these Development Standards, the ultimate layout of the development proposed, the exact alignments of streets, thoroughfares and points of access, the numbers, configuration and placements of buildings, the configuration and placements of parking areas, and the heights and masses of buildings have not been finally determined, and depictions of such elements on the Conceptual Schematic Site Plan are not intended to be specific site development plans but rather preliminary graphic representations of the types and quality of development proposed. They may, therefore, be altered or modified during design development and construction document phases so long as the

maximum building envelope lines established on the Technical Data Sheet are not violated and the proposed alterations or modifications do not exceed the parameters of the accompanying Development Standards, the general depictions set forth on Exhibit A and Section 6.206 (2) of the

B. Greenway Dedication Component Petitioner agrees to dedicate and convey (by quitclaim deed and subject to a reversionary interest for that portion not u ed for greenway purposes in the future) to Mecklenburg County for greenway purposes that portion of the FLUM Encroachment line located within the area designated on the Technical Data Sheet as the "Greenway Area". The exact boundaries of the portion of the Greenway Area to be so dedicated are subject to change during the development phase. The portion of the Greenway Dedication Area so dedicated to Mecklenburg County shall be evidenced by recorded plat to be filed on or before the earlier of (i) December 31, 2012 or (ii) thirty (30) days after completion of the development located within Building/Parking Envelopes A and B as generally depicted on the Technical Data Sheet, said completion to be evidenced by receipt of certificates of occupancy regarding the building(s) to be located on Building/Parking Envelopes A and B. Prior to the conveyance of the applicable portion of the Greenway Area to Mecklenburg County, Petitioner shall have the right: to construct a pedestrian path through the Greenway Area; to maintain the Greenway Area; to install and locate utility lines through the Greenway Area and to reserve such easements over the Greenway Area that are necessary to maintain and repair such utility lines and to reserve such other easements as may be reasonably necessary in connection with the development of the Site. Petitioner shall install or cause to be installed a pedestrian greenway trail within the portion of the Greenway Area dedicated to Necklenburg County in accordance with Mecklenburg County specifications for such trails, such installation to occur on or before the earlier of (x) December 31, 2012 or (y) the date which is one (1) year after completion of development within Building/Parking Envelopes A and B as described above.

### C. The Transit Stop Component:

Petitioner agrees to cooperate with Charlotte Area Transit System ("CATS") to provide within the Site, at Petitioner's expense, for up to two (2) bus stops for bus service within the Site. Each such bus stop shall include, at Petitioner's expense, the installation of bus shelters in accordance with standard specifications of CATS or such enhanced specifications as may be mutually acceptable to CATS and Petitioner. The specific location of the bus stops and the route of the bus service will be subject to the reasonable approval of the Petitioner, provided that the Petitioner agrees to work in good faith with CATS prior to completion of the Site development to accommodate CATS' desires for quality bus service to and from the Site, including without imitation the installation of heavy duty asphalt paving or other similar measures to accommodate bus service in the driveways used by CATS in connection with such service. The bus stops associated with the bus service to the Site will be available for use by CATS prior to the final certificate of occupancy on the first building constructed within the Building/Parking Envelope which is located adjacent to the provosed bus stop.

D. Vacancy Mitigation Procedures for Building/Parking Envelope A: In the event the building to be constructed in Building/Parking Envelope A should at any time or times after its initial occupation, be vacated by any occupant, the owner thereof shall implement the following building vacancy mitigation procedures:

1. The exterior of the building, associated parking lot, outside lighting, landscaping and irrigation system shall continue to be operated, maintained, secured, repaired or replaced in the same manner as when the building was occupied.

2. All exterior business signs shall be removed and exterior building surfaces shall be repaired and repainted to provide a neat appearance within thirty (30) days after the property becomes vacant.

3. Trash and litter shall be removed on a regular basis at least once a week.

4. Should the building be vacated by any occupant for a period longer than 6 months for any reason other than fire or some other casualty, then the owner or occupant of the building shall thereafter implement with reasonable dispatch commercially reasonable efforts which are designed to cause the building to be reoccupied and devoted to uses permitted in the CC District, including retail or non-retail uses or any combination thereof in keeping with the character and quality of the overall site development. The owner/occupant of the building may not impose anti-competitive covenants or restrictions with respect to the future commercial use of the building by deed or contract, the intent being to insure that the building could be occupied and used by a business which was similar to the business being conducted by the former occupant that vacated the building.

Vance Road and North Lake Boulevard shall be limited to the number and shall be provided in the manner depicted on the Technical Data Sheet

- B. The placement and configuration of each such access point are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and are further subject to any adjustments required for approval by NCDOT or CDOT (as the case may require) and as permitted pursuant to the provisions of Section III. D. hereof..
- C. Internal access to buildings and parking areas located within Building/Parking Envelope B and Building/Parking Envelope C from Vance Road onto Access Drive A shall be from points farther than 150 feet from the northeasterly right of way margin of Vance Road. Internal access to buildings and parking areas located within Building/Parking Envelope C and Building/Parking Envelope D from North Lake Boulevard (a/k/a Reames Road Extension) onto Access Drive B shall be from points farther than 150 feet from the westerly right of way margin of North Lake Boulevard (a/k/a Reames Road Extension). Internal access to buildings and parking areas located within Building/Parking Envelope D and Building/Parking Envelope E from North Lake Boulevard (a/k/a Reames Road Extension) onto Access Drive C shall be from points farther than 150 feet from the westerly right of way margin of North Lake Boulevard (a/k/a Reames Road Extension).

D. Petitioner shall provide for pedestrian connectivity to Point O' Woods Drive in the approximate location generally depicted on the Technical Data Sheet. In addition, in the event those parcels that abut those portions of Point O' Woods Drive located along the boundary of the Site are developed for higher density residential uses the Petitioner agrees to provide vehicular connectivity to Point O' Woods Drive in a location and pursuant to a design acceptable to the Petitioner. Furthermore, in the event that development on the Site obtains a vehicular connection to parcels located across Point O'Woods Drive to the north so as to provide for a full movement intersection and access along North Lake Boulevard across from one of the primary driveway entrances to North Lake Mall, the Petitioner will provide for the elimination, at the Petitioner's expense, of the "left-over" movement from North Lake Boulevard at Access Drive. It is understood that the location and design of the above-described vehicular connection and full movement intersection/access shall be acceptable to the Petitioner in all material respects, and the Petitioner shall not be required to pursue or provide for such connection or full movement intersection/access, but if such connection and full movement intersection/access are obtained in a manner acceptable to the Petitioner, the

#### VI. BUFFER AREAS

A. Subject to other provisions of this Section VI and the provisions of Section XV. B. dealing with water quality matters, exterior Buffer Areas will be established in accordance with the specifications provided on the Technical Data Sheet. Additional Buffer Areas will be provided when required by the Ordinance. All Buffer areas will, at a minimum, conform to the standards of Section 12.302 of the Ordinance; subject, however, to the provisions of Section 12.304 of the Ordinance.

B. Subject to alterations necessary in light of severe topographical contours of the Site and the provisions of Section XV. B., utility installations may only cross Buffer Areas at interior angles measured at property lines which are not less than 75 degrees.

C. If in the future any adjoining zoning district should be changed to a zoning district which either does not require a buffer or only requires a reduced buffer, then the buffer provided at the applicable edge, as depicted on the Technical Data Sheets, may, in each such case, be adjusted in accordance with Table 12.302(a) and Table 12.302(b) of the Ordinance.

## VII. SIGNS AND GRAPHICS

### The following provisions shall apply to external signs erected on the Site:

A. A master signage and graphic system will be adopted and implemented throughout the Site.

B. All signs will be fixed and may not move, rotate or flash.

Petitioner will provide for the elimination of the "left-over" movement as described above.

C. Public information systems and graphics will be easily understood and complementary in scale and appearance. D. All signs and graphics will be designed and erected in compliance with the Ordinance; subject however, to Petitioner's reservation of the option to seek variances from the sign regulations, as provided in the Ordinance.

### VIII. PHASING OF SITE DEVELOPMENT

No certificates of occupancy, temporary or final, for the first building to be built on the Site may be issued prior to (i) completion of the roadway improvements to be undertaken by or on behalf of the Petitioner as listed in Section IX and (ii) completion of those roadway improvements that, pursuant to the requirements of Rezoning Petition #2002-110 that governs the development of NorthLake, are specified for completion prior to the opening of the first building to be built as part of the Mall Component of the NorthLake development.

#### IX. TRANSPORTATION COMMITMENTS

#### If this Rezoning Petition is approved, the Petitioner commits to make the following transportation commitments:

A. To dedicate and convey (by quitclaim deed and subject to a reversionary interest in any property not used for right-of-way purposes in the future) to NCDOT or CDOT (as the case may require) where owned by the Petitioner and where not already existing, that portion of such additional right of way along the Site's frontage on realigned Vance Road to create a 58 foot wide right of way between the Site and the realigned centerline of that road, the exact location of such dedicated area to be determined in a manner reasonably acceptable to the Petitioner. In addition, the Petitioner shall convey to NCDOT or CDOT (as the case may require) a perpetual, nonexclusive easement to an area 17 feet in width along the northern right-of-way margin of Vance Road as described above to permit the installation of such roadway and related infrastructure improvements as sidewalks, planting strips, landscaping areas, bike paths, utilities, curb and gutter and the like, the intent being that such 17 foot easement area may be available foot street "cross-section" extending from the centerline of the realigned Vance Road. Such easement instrument shall be in form mutually acceptable to the Petitioner and NCDOT/CDOT, as applicable.

B. To dedicate and convey (by quitclaim deed and subject to a reversionary interest in any property not used for right-of-way purposes in the future) to NCDOT or CDOT (as the case may require) that portion of the proposed right of way that falls within the Site of North Lake Boulevard (a/k/a Reames Road Extension) needed to provide for a 58 foot wide right-of-way between the Site and the centerline of that road (North Lake Boulevard being the minor thoroughfare which is proposed to run along the easterly margin of the Site from the intersection of Reames Road and Vance Road to Alexanderana Road), the exact location of such dedicated area to be determined in a manner reasonably acceptable to the Petitioner. In addition, the Petitioner shall convey to NCDOT or CDOT (as the case may require) a perpetual, non-exclusive easement to an area 11 feet in width along the easterly margin of the Site as described above to permit the installation of such roadway and related infrastructure improvements as sidewalks, planting strips, landscaping areas, bike paths, utilities, curb and gutter and the like, the intent being that such 11 foot easement area may be available to provide for a 69 foot street "cross-section" extending from the centerline of North Lake Boulevard. Such easement instrument shall be in a form mutually acceptable to the Petitioner and NCDOT/CDOT, as applicable.

C. The dedications and conveyances described in this Section IX shall occur on or before the issuance of the final certificate of occupancy for the first building located within the Site.

D. To cause to be constructed the following roadway improvements specified as the Petitioner's responsibility in the Petitioner's final traffic impact study (the "TIS"):

Vance Road/Access Drive A • Installation of a traffic signal and all related components upon meeting appropriate warrants and approval by CDOT and NCDOT (including the cost of the extension of interconnect cable to adjacent signalized intersections).

• Construct dual eastbound left-turn lanes on Vance Road with a combined 175 feet of storage length (or such length as reasonably determined by CDOT) with a 15:1 bay taper. • The setting of the curb and gutter along the site's frontage to permit the creation of a third westbound through lane. This will terminate and act as an

exclusive right-turn lane. • Construct the southbound approach to include dual left-turn lanes with a combined 150 feet of internal storage, a through lane, and an exclusive

right-turn lane with 185 feet of internal storage. The through lane will be marked out for the future fourth leg of the intersection.

Northlake Boulevard / Access Drive C (Directional Crossover; referred to as Access "B" in the TIS) • Construct the eastbound approach to include an exclusive right-turn lane on Access Drive C (referred to as Access "B" in the TIS) with 200 feet of internal storage. • Construct a northbound exclusive left-turn lane on Northlake Boulevard with 150 feet of storage length and a 15:1 bay taper.

• Construct a southbound exclusive right-turn lane on Northlake Boulevard with 150 feet of storage length and a 15:1 bay taper.

Northlake Boulevard / Access Drive B (Right-In/Right-Out; referred to as Access "C" in the TIS) • Construct a southbound exclusive right-turn lane on Northlake Boulevard with 160 feet of storage length and a 15:1 bay taper • Construct the eastbound approach to include an exclusive right-turn lane on Access Drive B (referred to as Access "C" in the TIS) with 100 feet of internal storage.

#### B. 025-291-01 GREENE, JUNE M. AND SYLVIA, AND SMITH, SYLVIA 8945 VANCE ROAD MONROE, NORTH CAROLINA 28110 C. 025-291-11 RICHARDSON, TIMOTHY S. AND DONNA **Project No.** 9500 POINT O'WOODS DRIVE CHARLOTTE, NC 28227 2234 D. 25-291-10 GIBSON, CHARLES E. AND KAREN 9424 POINT O'WOODS DRIVE CHARLOTTE, NC 28227 FDC-REAMES ROAD E. 25-291-09 Issued 9408 POINT O'WOODS DRIVE CHARLOTTE, NC 28227 07/26/02 METROLINA PROPERTIES LTD. PARTNERSHIP F. 25-291-18 CHARLOTTE, NC 28227 Issued For Construction FDC-REAMES ROAD G. 025-291-06 9408 POINT O'WOODS DRIVE 025-291-07 025-291-08 Managing Principal: BCJ CHARLOTTE, NC 28227

# DEVELOPMENT STANDARDS (contd.)

E. Te coordinate and cooperate with the petitioner/developer of the NorthLake development under Rezoning Petiton No. 2002-111 in connection with, and bear up to one-fourth (1/4) of the costs associated with, construction of an exclusive northbound right-turn lane on Mt. Holly-Huntersville Road and construction of an exclusive westbound right-turn lane on Vance Road.

It is inderstood that the above referenced commitments will include, as needed the participation by the Petitioner in up to one-fourth (1/4) of the costs associated with any right of way acquisitions specifically required to permit the above-referenced turn lanes. Furthermore, it is understood that the Petitioner's participation in the above-referenced righ-of-way improvements to the Mt. Holly-Huntersville Road/Vance Road intersection will be required only if the NCI/OT has not completed the Mt. Holly-Huntersville/Vance Road intersection improvements by December 31, 2004, as pirt of its roadway construction projects for the area.

# X. <u>SITBACKS, SIDE YARDS AND REAR YARDS</u> All Lildings constructed within the Site shall satisfy or exceed the setback, rear yard and side yard requirements established

under the Ordinance under the CC Zoning District. The Petition reserves the right to reduce the setback along Vance Road and Nornlake Boulevard from 35 feet to 14 feet in accordance with Section 11.405(7) of the Ordinance and as provided in Section III. D. o. these Development Standards.

ThisSite will be viewed as a unified development plan, and, as such, yards will not be required between various development components within the Site. Accordingly, Petitioner reserves the right to subdivide the Site and create lots within the interior of the Site with no side and/or rear yards as part of the unified development plan.

Furthermore, Petitioner reserves the right to seek from the Charlotte Zoning Board of Adjustment or other applicable governmental authority variances from the 35 foot setbacks along Vance Road and Northlake Boulevard within the general areas of Fulding/Parking Envelopes C and D depicted on the Technical Data Sheet as provided further in Section III. D. of these Dev:lopment Standards.

# XI. <u>CREENING AND LANDSCAPING AREAS</u> A. cept as otherwise set forth in Section XV. B. regarding water quality efforts, the Petitioner shall install or cause to be

XII.PARKING

reavirements

XIII LIGHTING FIXTURES

XIV. FIRE PROTECTION

XV.STORMWATER MANAGEMENT

inst lied within the setback areas established along Vance Road and North Lake Boulevard (a/k/a Reames Road Extension) ple 4, trees and other materials in accordance with the Ordinance and shall thereafter maintain or cause to be maintained all st: ....aterials (including replacement of all dead or dying plants). Internal areas of the Site shall be landscaped in accordance with the minimum requirements of the Ordinance.

B. La rdscaping areas will be planted and improved in sequences which are keyed to each phase of development taking place on the site and will meet or exceed the requirements of the Ordinance. C. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance. D. reening from the view of the public rights of way and Access Drives A, B and C shall be provided for all roof-mounted

## mec anical equipment.

dequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications.

applicable, the City of Charlotte's Urban Forestry Department with regard to the elimination of those landscape islands

A. (ff-street parking will meet the minimum standards established under the Ordinance. B. Applications for an air quality permits, if any, will be made in accordance with applicable standard governmental

#### Pet # 02-11 All reestanding lighting installed within the Site will be uniform in design. The maximum height of any freestanding lighting fixt:re, including its base, shall not exceed 30 feet in height. No wall "pak" type lighting will be allowed.

APPROVED BY CITY COUNCIL



identified on Exhibit B (thereby resulting in no net loss of parking spaces associated with the "cross-hatch" bio-retention area). 2. The Petitioner will install appropriate BMPs such as grass swales or stormwater wetlands within the buffer area shown on Exhbit B, subject to approval of applicable government authorities, including the Planning Commission's Staff and the Charlotte-Mecklenburg Zoning Administrator, as applicable, regarding the use of the identified buffer areas for such purposes. 3. The Petitioner will install appropriate BMPs such as grass swales or stormwater wetlands within portions of the FLUM encoachment areas shown on Exhibit B, subject to approval of applicable government authorities, such as FEMA, the Army Cop of Engineers, among others, regarding the use of this area for such purposes. 4. The Petitioner will use good faith efforts to identify other areas within the Site, including for example portions of the Site locited within the 35 foot setback along realigned Vance Road, for the installation of similar BMPs (provided that use of such ares does not result in the net loss of parking spaces for those identified on the Rezoning Plan).

## XVI. SURVEY INFORMATION

Boundary survey information for this Technical Data Sheet was taken from a survey prepared by ESP Associates, dated January ColeJenest & Stone, P.A. 2002 C

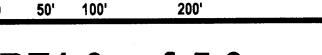
XVI. <u>AMENDMENTS TO REZONING PLAN</u> Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then owner or cwiers of the particular portion of the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

### XVII. BINDING EFFECT OF THE REZONING PETITION

If this Rezoning Petition is approved, the development program established under these Development Standards, the Technical Data Sheet and the attached accompanying Exhibits shall, unless amended or varied in a manner provided under the Ordinance, be sincing upon and inure to the benefit of the owners of the Site and their respective successors in interest and assigns.

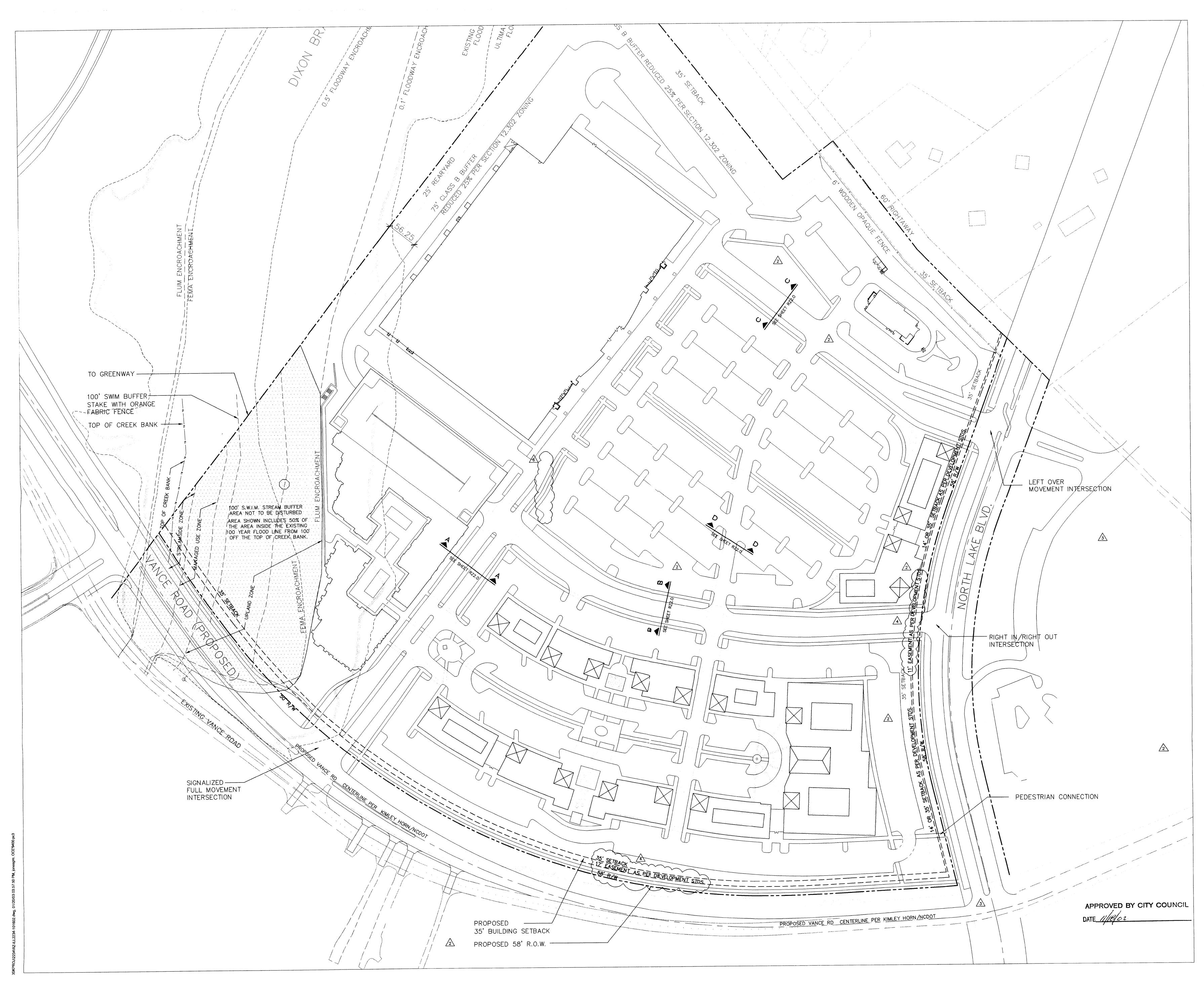
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A. Except as set forth in Section XV. B. below, stormwater shall be managed strictly in accordance with the requirements of the Cit of Charlotte and stormwater detention facilities shall not be located within the required zoning setbacks or buffers. B. I. an effort to address potential water quality impacts associated with development on the Site, representatives of Charlotte



Stom Water Services have requested that the Petitioner include certain water quality best management practices ("BMPs") as par of the development of the Site. The Petitioner has agreed to incorporate certain bioretention areas or other BMPs within oor ons of the Site in the following manner: 1. The Petitioner will install bioretention areas within the surface level parking and driveway areas shown on the Water Quality Exhibit attached hereto as Exhibit B. It is understood that the bioretention area identified by "cross-hatch" within the parking are on Exhibit B shall be installed to the extent that the Petitioner obtains approval of the Planning Commission's Staff and, as





ColeJenest

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Land Planning Landscape Architecture Civil Engineering Urban Design

112 South Tryon Street Suite 300 Charlotte, North Carolina 28284 Tel 704. 376. 1555 Fax 704. 376. 7851 www.colejeneststone.com

# LINCOLN HARRIS

Charlotte North Carolina

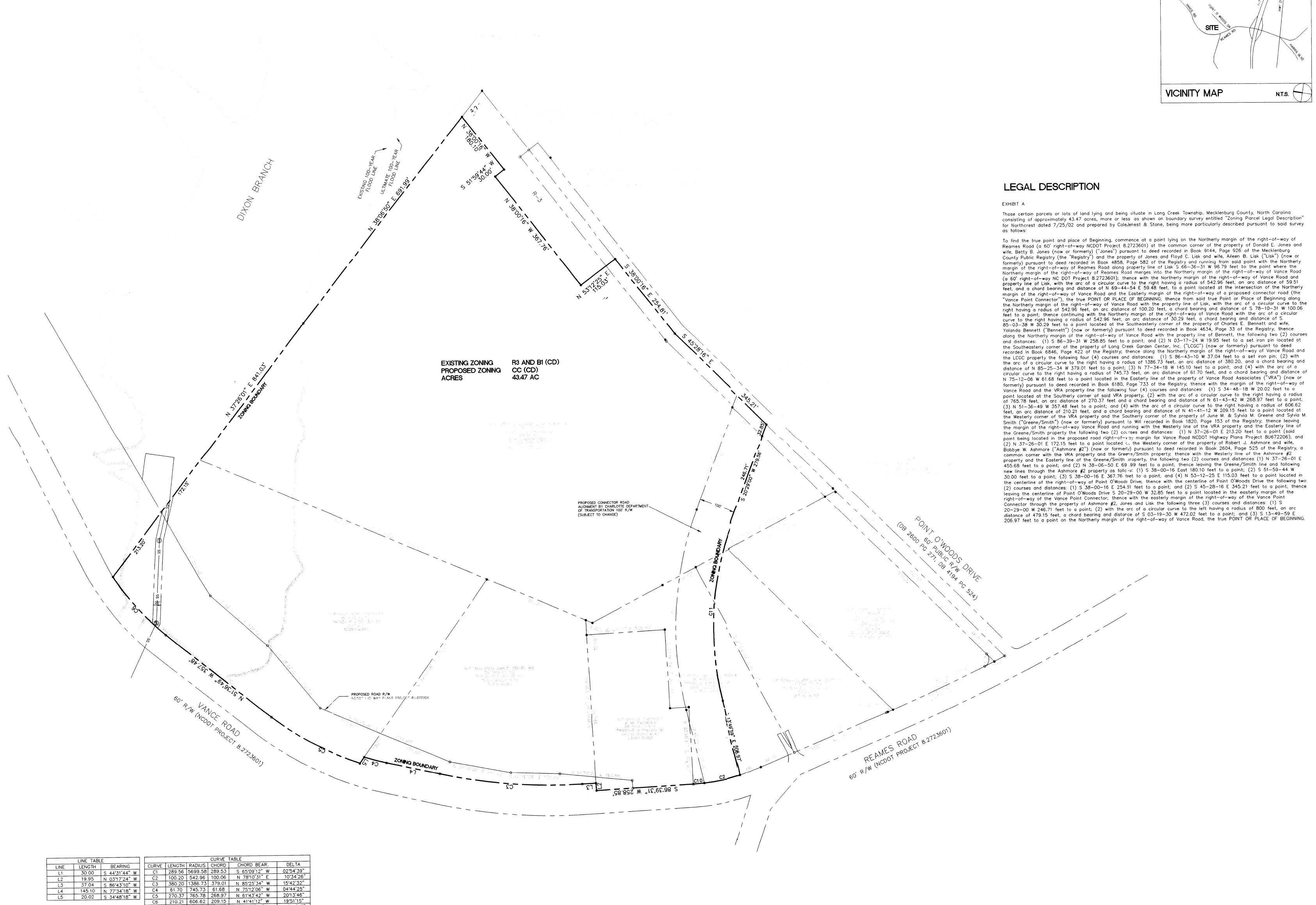
# NORTHCREST

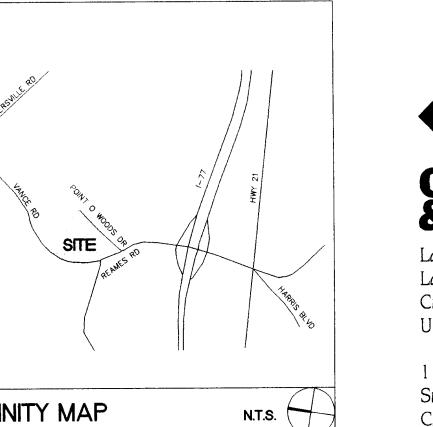
Charlotte North Carolina

# CONCEPTUAL SCHEMATIC SITE PLAN

| Project No.<br>2234  |  |
|--|--|
|  |  |
| 7/25/02  |  |
| leam Manager:  | : BCJ Date:  |
| Revised  |  |
| 09/02/02   |  |
| 10/03/02   |  |
| 11/14/02   |  |
| 01/07/03 ADDE  | D EASEMENT LABELS  |
| horoughfares and points<br>lacements of buildings,<br>nd the heights and mas<br>lepictions of such element<br>tended to be specific sit<br>epresentations of the typ<br>herefore, be altered or m<br>locument phases so long<br>in the Technical Data Sh<br>nodifications do not exc<br>Development Standards, | velopment proposed, the exact alignments of sis<br>s of access, the numbers, configuration and<br>the configuration and placements of parking a<br>sses of buildings have not been finally determinents<br>on this Conceptual Schematic Site Plan are<br>the development plans but rather preliminary g<br>pes and quality of development proposed. The<br>nodified during design development and const<br>g as the maximum building envelope lines estate<br>the parameters of the accompanying<br>, the general depictions set forth on Exhibit A to<br>on 6.206 (2) of the Ordinance. |
| SCALE: 1" = 60'  | "N   |
| 30 60  | 120  |
| <sup>30</sup> 60   |  |

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VICINITY MAP

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LINCOLN HARRIS CHARLOTTE CHARLOTTE North Carolina 28284

NORTHCREST

Charlotte North Carolina 28284

# **ZONING PARCEL** LEGAL DESCRIPTION

Those certain parcels or lots of land lying and being situate in Long Creek Township, Mecklenburg County, North Carolina consisting of approximately 43.47 acres, more or less as shown on boundary survey entitled "Zoning Parcel Legal Description" for Northcrest dated 7/25/02 and prepared by ColeJenest & Stone, being more particularly described pursuant to said survey

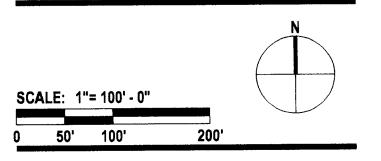
To find the true point and place of Beginning, commence at a point lying on the Northerly margin of the right-of-way of Reames Road (a 60' right-of-way NCDOT Project 8.2723601) at the common corner of the property of Donald E. Jones and wife, Betty B. Jones (now or formerly) ("Jones") pursuant to deed recorded in Book 9144, Page 926 of the Mecklenburg wire, Betty B. Jones (now or formerly) (Jones) pursuant to deed recorded in Book 9144, Fage 920 of the Meckenburg County Public Registry (the "Registry") and the property of Jones and Floyd C. Lisk and wife, Aileen B. Lisk ("Lisk") (now or formerly) pursuant to deed recorded in Book 4858, Page 582 of the Registry and running from said point with the Northerly margin of the right-of-way of Reames Road along property line of Lisk S 66-36-31 W 96.79 feet to the point where the Northerly margin of the right-of-way of Reames Road merges into the Northerly margin of the right-of-way of Vance Road Northerly margin of the right-of-way of Reames Road merges into the Northerly margin of the right-of-way of Vance Road (a 60' right-of-way NC DOT Project 8.2723601); thence with the Northerly margin of the right-of-way of Vance Road and property line of Lisk, with the arc of a circular curve to the right having a radius of 542.96 feet, an arc distance of 59.51 feet, and a chord bearing and distance of N 69-44-54 E 59.48 feet, to a point located at the intersection of the Northerly margin of the right-of-way of Vance Road and the Easterly margin of the right-of-way of a proposed connector road (the "Vance Point Connector"), the true POINT OR PLACE OF BEGINNING; thence from said true Point or Place of Beginning along the Northerly margin of the right-of-way of Vance Road with the property line of Lisk, with the arc of a circular curve to the right having a radius of 542.96 feet, an arc distance of 100.20 feet, a chord bearing and distance of S 78-10-31 W 100.06 feet to a point; thence continuing with the Northerly margin of the right-of-way of Vance Road with the arc of a circular curve to the right having a radius of 542.96 feet, an arc distance of 30.29 feet, a chord bearing and distance of S 85-03-38 W 30.29 feet to a point located at the Southeasterly corner of the property of Charles E. Bennett and wife, Yolanda Bennett ("Bennett") (now or formerly) pursuant to deed recorded in Book 4634, Page 33 of the Registry; thence curve to the right having a radius of 542.96 feet, an arc distance of 30.29 feet, a chord bearing and distance of S 85-03-38 W 30.29 feet to a point located at the Southeasterly corner of the property of Chortes E. Bennett and wife, Yalanda Bennett ("Bennett") (now or formerly) pursuant to deed recorded in Book 4634, Page 33 of the Registry; thence along the Northerly margin of the right-of-way of Vance Road with the property line of Bennett, the following two (2) courses and distances: (1) S 86-39-31 W 258.85 feet to a point; and (2) N 03-17-24 W 19.95 feet to a set iron pin located at the Southeasterly corner of the property of Long Creek Garden Center, Inc. ("LCGC") (now or formerly) pursuant to deed recorded in Book 6846, Page 422 of the Registry; thence along the Northerly margin of the right-of-way of Vance Road and the LCCC property the following four (4) courses and distances: (1) S 86-43-10 W 37.04 feet to a set iron pin; (2) with the arc of a circulor curve to the right having a radius of 1386.73 feet, an arc distance of 380.20, and a chord bearing and distance of N 85-25-34 W 379.01 feet to a point; (3) N 77-34-18 W 14510 feet to a point; and (4) with the arc of a circular curve to the right having a radius of 745.73 feet, an arc distance of 61.70 feet, and a chord bearing and distance of N 75-12-06 W 61.68 feet to a point located in the Easterly line of the property of Vance Road Associates ("VRA") (now or formerly) pursuant to deed recorded in Book 6180, Page '733 of the Registry, thence with the aright having a radius of 765.78 feet, an arc distance of 270.37 feet and a chord bearing and distances: (1) S 34-48-18 W 20.02 feet to a point located at the Southerly corner of said VRA property, (2) with the arc of a circular curve to the right having a radius of 765.78 feet, an arc distance of 210.21 feet, and a chord bearing and distances: (1) N 51-36-49 W 357.48 feet to a point; and (4) with the arc of a circular curve to the right having a radius of 16.57.86 feet, an arc distance of 210.21 feet, and

Project No. 2234 lssued 07/26/02

**Issued For Construction** Managing Principal: BCJ \_\_\_\_\_ Date: \_\_\_\_ \_\_\_\_\_ Date: \_\_\_\_\_ TAD Team Manager: Project LA/CE: GSJ \_\_\_\_\_ Date: \_\_\_\_\_

## Revised

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RZ4.0 of 5.0

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C1030.29'542.96'30.29'N85'03'38"E03'11'47"C11479.15'800.00'472.02'S03'19'30"W34'18'59"

