

LAND DEVELOPMENT DESIGN SERVICES

Development Data

Total Site Area:	91.28 Ac.
Gross Commercial Area:	17.22 Ac.
Gross Residential Area:	74.06 Ac.
Existing Zoning:	R-17MF and R-3
Proposed Zoning:	NS and MX-2

Innovative Standards

Minimum Lot Size:	4,000 SF
Minimum Front Setback:	10'
Minimum Side Yard:	Zero lot line
Minimum Rear Yard:	20'
Minimum Lot Width:	40'
Minimum Private Open Space:	400 SF (Townhomes)
Minimum Building Separation:	6' Single Family Detached 16' Townhomes

Residential (proposed MX-2 Zoning)

Common Open Space:	8.9 Ac. (12%)
Total Residential Area:	74.06 Ac.
Total Number of Units:	418
Maximum Density:	5.64 d.u./ac.
Tree Save:	6.0 Ac.

Parcel "A"	Single Family Detached	50' x 110' SFD
Number of Units:	150 units	
Site Area:	35.0 Ac.	

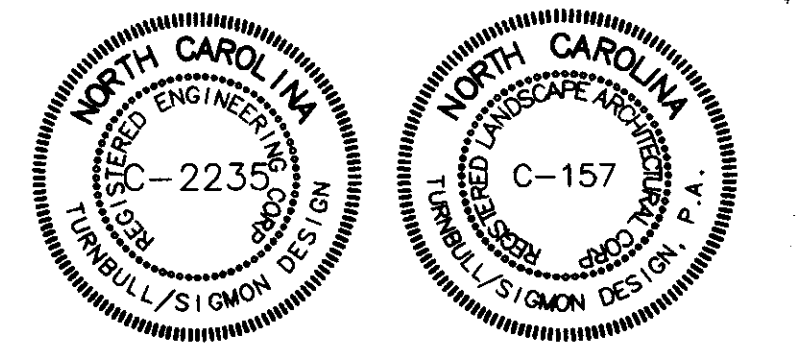
Parcel "B"	Single Family Detached	40' x 110' SFD
Number of Units:	168 lots	
Site Area:	25.4 Ac.	

Parcel "C"	Single Family Attached	Townhome for sale
Number of Units:	60 units	
Site Area:	3.9 Ac.	

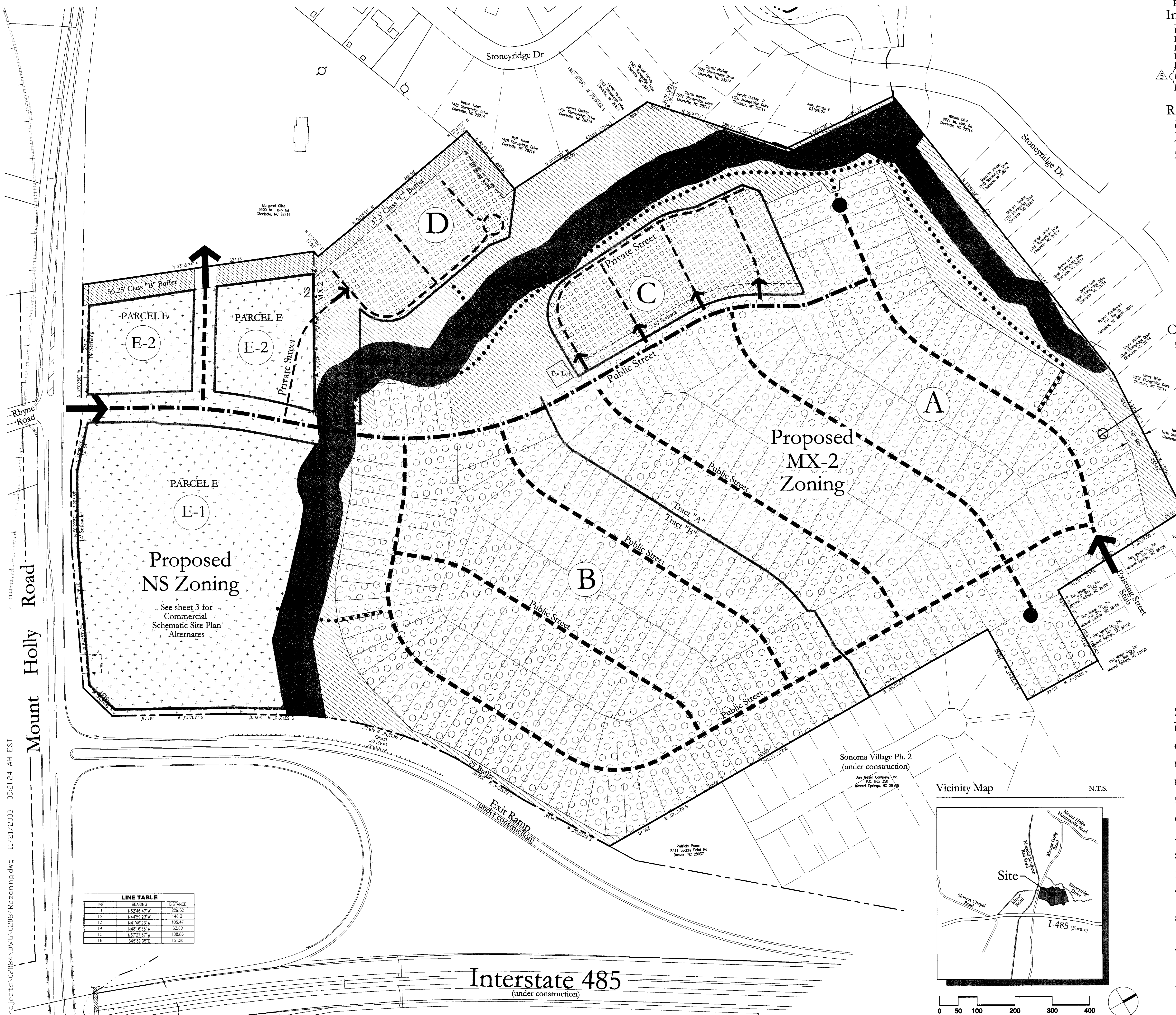
Parcel "D"	Single Family Attached	Townhome for sale
Number of Units:	40 units	
Site Area:	4.2 Ac.	

Commercial (proposed NS Zoning)

Parcel "E"	Use: Commercial/Office	17.22 Ac.
Site Area:	130,000 sf	
Maximum Total S.F.:	110,000 sf	
Maximum Retail:	30,000 sf	
Maximum Office:		

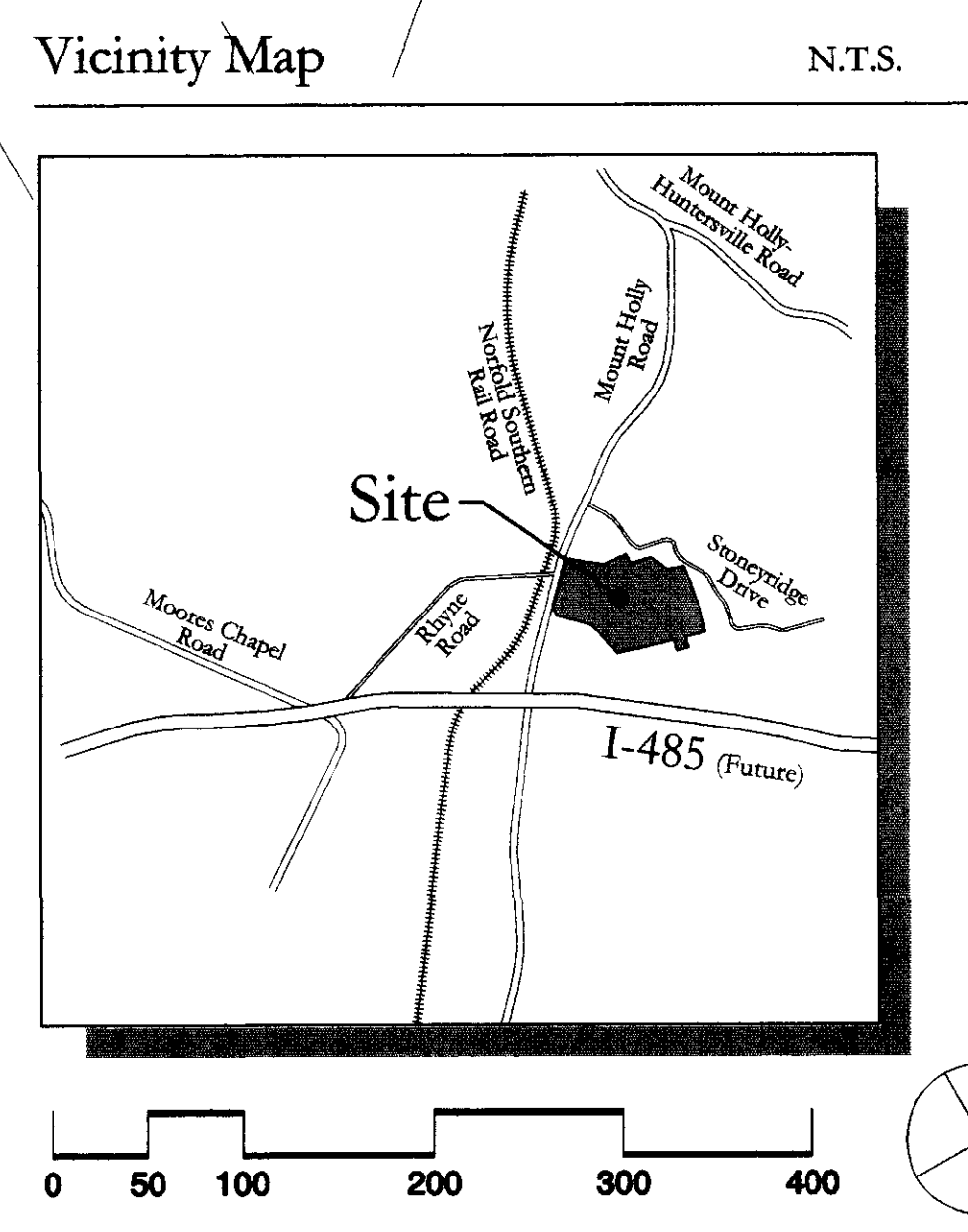


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LINE TABLE

LINE	BEARING	DISTANCE
L1	N62°40'47"W	229.62
L2	N45°22'23"W	148.31
L3	N41°46'23"W	105.47
L4	N48°2'35"W	63.60
L5	N67°23'57"W	108.86
L6	S45°29'05"E	151.28



Symbol Legend

- Public Street: [Dashed line symbol]
- Collector Street: [Dashed line symbol]
- Private Street: [Dashed line symbol]
- Development Area Boundary: [Thick solid line symbol]
- Proposed Zoning Line: [Z-z symbol]
- Common Open Space: [Hatched area symbol]
- Access Point: [Arrow symbol]
- S.W.I.M Buffer: [Thick solid line symbol]
- Required Buffer: [Hatched area symbol]
- Trail: [Dotted line symbol]
- Single Family Detached: [Circle pattern symbol]
- Townhomes: [Square pattern symbol]
- Commercial/Office: [Cross-hatch pattern symbol]



Cline Property
CHARLOTTE, NORTH CAROLINA

APPROVED BY CITY COUNCIL
DATE: 11/16/03

For Public Hearing

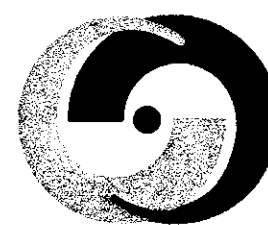
REZONING
Technical Data Sheet
Petition # 2003-06-01-01-01

NOV 24 2003

PROJECT NUMBER: 02-084
DRAWN BY: TCS
DESIGNED BY: SRT
ISSUE DATE: 06-16-03

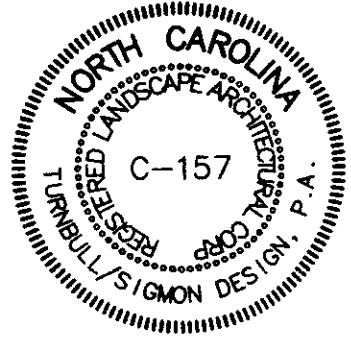
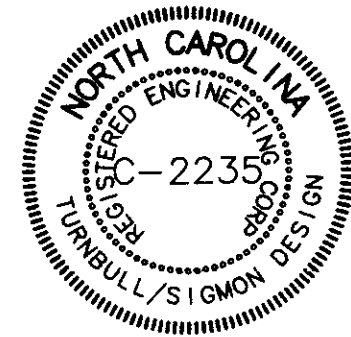
5. 11/21/03 TCS Revise per Client/City comments
4. 11/17/03 TCS Revise per Client/City comments
3. 10/24/03 TCS Revise per Client/City comments
2. 9/19/03 TCS Revise per Client comments
1. 8/19/03 TCS Revise per CMPC comments
NO. DATE: BY: REVISIONS:

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LAND DEVELOPMENT DESIGN SERVICES



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LEGAL DESCRIPTION

Residential Tracts
74.0284 Acres

That certain tract or parcel of land situated, lying and being in Paw Creek Township, Mecklenburg County, North Carolina and being more particularly described as follows:

To find the true point and place of BEGINNING, commence at a new iron rod (North Carolina Grid Coordinates: Northing 566,912.379 feet, Easting 1,412,161.539 feet) in the northeasterly margin of Mount Holly Road (a.k.a. N.C. Highway No. 27-variable width right-of-way as shown on N.C.D.O.T. State Highway Project Plans R-2248BB), said point being the southerly most corner of the Margaret Cline property as described in Deed Book 12-13, Page 507 of the Mecklenburg County Public Registry, and furthermore said point being located from North Carolina Geodetic Survey monument "Rhyne" (Grid Coordinates: Northing 566,540.363 feet, Easting 1,412,513.989 feet) North 43-27-10 West 512.54 feet (Ground) to said point of commencement and run thence with the southeasterly line of the Margaret Cline property North 23-55-24 East 624.13 feet to an existing iron rod, said point being the true point and place of BEGINNING, and run thence with the easterly line of Margaret Cline property with two (2) courses and distances as follows: 1) North 81-01-04 East 17.95 feet to an existing iron rod; 2) North 08-15-54 West 486.58 feet to an existing iron rod, said point being a corner in the southerly line of Lot 12, Pine Island Country Club as shown in Map Book 12, Page 369 of said Registry; thence with the southerly and easterly line of lots 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30, Pine Island Country Club as shown on the aforementioned map and on Map Book 12, Page 367 of said Registry with seven (7) courses and distances as follows: 1) North 07-33-17 West 30.00 feet to a new iron rod; 2) North 82-33-32 East 200.00 feet to a new iron rod; 3) North 01-05-03 West 421.64 feet to an existing iron rod; 4) North 50-47-17 East 388.71 feet to an existing iron rod; 5) North 06-11-08 East 317.37 feet to an existing iron rod; 6) North 83-49-52 East 943.47 feet to a new iron rod; 7) South 84-44-51 E 409.86 feet to an existing iron rod, said point being a common corner of Lots 30 and 31, Pine Island Country Club and the "Common Open Space" parcel, Sonoma Valley as shown in Map Book 39, Page 143 of said Registry; thence with the westerly lines of Sonoma Valley with three (3) courses and distances as follows: 1) South 00-25-53 East 394.87 feet to an existing iron rod; 2) South 87-12-41 East 215.87 feet to an existing iron pipe; 3) South 03-18-59 West 215.44 feet to an existing iron pipe in the northerly line of the Dan Moser Company property as described in Deed Book 11706, Page 266 of said Registry, said point being the southwest corner of a second Common Open Space parcel shown on the aforementioned map of Sonoma Village; thence with the Dan Moser Company property and continuing with the Patricia Power property as described in Deed Book 10394, Page 938 of said Registry with three (3) courses and distances as follows: 1) North 87-22-49 West 215.98 feet to an existing iron pipe; 2) South 02-10-58 West passing an existing iron pin at the southwest corner of the Dan Moser property at 814.62 feet, a total distance of 862.17 feet to a new iron rod; 3) South 02-17-49 West 296.40 feet to a new iron rod in the northerly margin of Interstate Highway No. 485 (variable width right-of-way); thence with the northerly margin of Interstate Highway No. 485 with three (3) courses and distances as follows: 1) South 60-29-00 West 258.34 feet to a point; 2) South 63-52-24 West 205.10 feet to a point; 3) with the arc of a circular curve to the left having a radius of 1049.87 feet, an arc length of 421.07 feet (chord: South 48-32-18 West 418.25 feet) to a point; thence with eight (8) new courses and distances as follows: 1) North 62-46-47 West 229.62 feet to a point in a channel; 2) North 44-59-23 West 148.31 feet to a point in a channel; 3) North 41-46-23 West 105.47 feet to a point in a channel; 4) North 48-16-55 West 63.60 feet to a point in a channel; 5) North 67-27-57 West 108.86 feet to a point in the channel; 6) North 45-39-05 West 151.28 feet to a point in a channel; 7) South 43-34-31 West 43.91 feet to a point; 8) North 58-23-57 West 438.14 feet to a to the point and place of BEGINNING; containing 74.0284 acres of land as shown on a survey prepared by R. B. Pharr & Associates, P.A. dated July 28, 2003, last revised August 15, 2003 (Map File W-2958A) .

LEGAL DESCRIPTION

Commercial Tracts A & B Combined
17.2273 Acres

That certain tract or parcel of land situated, lying and being in Paw Creek Township, Mecklenburg County, North Carolina and being more particularly described as follows:

BEGINNING at a new iron rod (North Carolina Grid Coordinates: Northing 566,912.379 feet, Easting 1,412,161.539 feet) in the northeasterly margin of Mount Holly Road (a.k.a. N.C. Highway No. 27-variable width right-of-way as shown on N.C.D.O.T. State Highway Project Plans R-2248BB), said point being the southerly most corner of the Margaret Cline property as described in Deed Book 12-13, Page 507 of the Mecklenburg County Public Registry, and furthermore said point being located from North Carolina Geodetic Survey monument "Rhyne" (Grid Coordinates: Northing 566,540.363 feet, Easting 1,412,513.989 feet) North 43-27-10 West 512.54 feet (Ground) to the BEGINNING, and run thence with the southeasterly line of the Margaret Cline property North 23-55-24 East 624.13 feet to an existing iron rod; thence with eight (8) new lines as follows: 1) South 58-23-57 East 438.14 feet to a point; 2) North 43-34-31 East 43.91 feet to a point in a channel; 3) South 45-39-05 East 151.28 feet to a point in a channel; 4) South 67-27-57 East 108.86 feet to a point in the channel; 5) South 48-16-55 East 63.60 feet to a point in a channel; 6) South 41-46-23 East 105.47 feet to a point in a channel; 7) South 44-59-23 East 148.31 feet to a point in a channel; 8) South 62-46-47 East 229.62 to a point in the northerly margin of Interstate Highway No. 485 (variable width right-of-way); thence with the northerly margin of Interstate Highway No. 485 with three (3) courses and distances as follows: 1) South 33-12-12 West 205.10 feet to an existing right-of-way disc; 2) South 31-13-18 West 314.16 feet to an existing right-of-way disc; 3) South 76-04-28 West 106.99 feet to a point in the northeasterly margin of Mount Holly Road; thence with the northeasterly margin of Mount Holly Road with four (4) courses and distances as follows: 1) North 62-45-07 West 378.13 feet to a point; 2) North 58-22-37 West 203.69 feet to an existing right-of-way disc; 3) North 45-29-30 West 125.54 feet to an existing iron rod; 4) North 57-00-56 West 374.21 feet to the point and place of BEGINNING; containing 17.2273 acres of land as shown on a survey prepared by R. B. Pharr & Associates, P.A. dated July 28, 2003, last revised August 21, 2003 (Map File W-2958A) .

Development Standards

General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Crosland, Inc. to accommodate development of a mixed use, pedestrian-friendly village type center on an approximately 91.2 ± acre site located on Mount Holly Road at Interstate 485 (the "Site"). Development of the Site will be governed by the Technical Data Sheet, these Development Standards and the applicable provisions of the Zoning Ordinance of the City of Charlotte (the "Ordinance"). Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MX-2 zoning classification shall govern all development taking place on Parcel A, Parcel B, Parcel C and Parcel D of the Site, subject, however, to the "Innovative" provisions outlined on the Technical Data Sheet for Parcel A and Parcel B. Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the NS zoning classification shall govern all development taking place on Parcel E.

The Technical Data Sheet is accompanied by 8 separate illustrative schemes for Parcel E which are referred to herein as Retail Master Plan Concepts Scheme 1 through Scheme 8 on Sheet 3A and 3B. These illustrative schemes depict several separate potential development scenarios for Parcel E of the Site and the Schematic Site Plan on Sheet 4 depicts the potential development scheme for Parcels C and D and together these are referred to collectively as the Schematic Site Plan.

The development depicted on the Schematic Site Plan 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 as well as the locations of the public or private streets outlined on the Schematic Site Plan are schematic in nature, and subject to the provisions set forth below under Design and Performance Standards, may be altered or modified during design development and construction phases within the maximum development area boundaries established on the Technical Data Sheet. Subject to the Design and Performance Standards outlined below, the street and parking layouts may also be modified to accommodate final building locations and ancillary facilities and parking spaces may be located inside or outside development area boundaries to the extent permitted by the Ordinance.

1. Permitted Uses

(a) Parcel A of the Site may be devoted to single family detached homes together with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in the MX-2 Zoning District.

(b) Parcel B of the Site may be devoted to single family detached homes together with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in the MX-2 Zoning District.

(c) Parcel C of the Site may be devoted to townhomes for sale together with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in the MX-2 Zoning District.

(d) Parcel D of the Site may be devoted to townhomes for sale together with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in the MX-2 Zoning District.

(e) Parcel E of the Site may be devoted to commercial, retail, office and restaurant uses together with any incidental or accessory uses associated therewith which are permitted under the Ordinance by right or under prescribed conditions in the NS Zoning District.

2. Maximum Building Areas and Development Limitations

(a) Parcel A of the Site may be developed with up to 150 single family detached homes and related accessory uses.

(b) Parcel B of the Site may be developed with up to 168 single family detached homes and related accessory uses.

(c) Parcel C of the Site may be developed with up to 60 townhomes for sales and related accessory uses.

(d) Parcel D of the Site may be developed with up to 40 townhomes for sales and related accessory uses.

(e) Parcel E may be developed with up to 130,000 square feet of floor area subject to the following provisions:

· No more than 110,000 square feet may be devoted to retail or restaurant uses,

· No more than 30,000 square feet may be devoted to office uses,

· Any floor area associated with a bank, day care center, professional office or medical office or other uses that are typically permitted in an office zoning classification will be counted as a part of the office uses permitted in this section,

· Parcel E may include freestanding buildings with either single tenants or "co-branded" uses as generally depicted on the Schematic Site Plan. Up to three of these buildings may include drive-through facilities. (Any gasoline pump station associated with a convenience store/gasoline sales facility shall not be considered a drive-through facility.) The locations of the buildings containing the drive-through facilities and the placement of the drive-through facilities in relation to these buildings can be altered from that depicted on the Schematic Site Plan subject to the Design and Performance Standards outlined below. However, no more than one of the three buildings with drive-through facilities may be an "independent" building and no more than one "independent" building, with or without a drive-through facility, may be permitted on the Parcel E. For the purposes of this provision, an "independent" building shall mean a building that is disconnected from the adjacent development by drive through lanes, parking areas, alleys and/or driveways without well-defined pedestrian cross-walk(s). The remaining buildings with drive-through facilities shall be "interconnected" as defined by having a pedestrian connection to the abutting street and/or the closest building within Parcel E without having to cross drive through lanes or driveways except by way of well defined pedestrian cross-walk(s) and shall otherwise be designed in substantially the same manner as depicted on the Schematic Site Plan. In addition, in order to promote greater pedestrian interconnectness among certain uses on Parcel E, certain site amenities such as outdoor seating areas, courtyards and/or larger sidewalk areas with landscape planters will be installed for those restaurant uses located on Parcel E that customarily provide outdoor dining opportunities.

· While areas devoted to outdoor dining, courtyards and plazas are not included in the square footage noted above, any off street parking required by the Ordinance will be provided for these areas.

3. Setbacks, Side Yards and Rear Yards

All buildings constructed on each Parcel of the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the zoning district to which they are assigned, subject to the Innovative provisions outlined on the Technical Data Sheet for Parcel A and Parcel B. It is understood that the Site may be developed with "Zero Lot Line" standards whereby buildings and structures may be located on the lot line provided that the building separation standards provided for on this Technical Data Sheet are satisfied. Buildings and parking areas may be located within the development area boundaries.

4. Design and Performance Standards

(a) Architectural and Design Controls for Parcel E:

(i) All buildings and parking areas shall observe a setback of at least 14 feet from the right-of-way line along Mount Holly Road and the Interstate 485 right-of-way. Buildings and parking areas located along Rhyme Road Extension and the internal public street which runs perpendicular to Rhyme Road Extension on Parcel E-2 shall observe a setback of 14 feet from the back of the curb and conform to the provisions of Section 11.905 of the Ordinance. No parking shall be permitted between the Rhyme Road Extension right-of-way line and the buildings fronting on Rhyme Road Extension. Parking may be located to the side and/or rear of such buildings as generally depicted on the Schematic Site Plan. However, no more than 100 linear feet of parking area that is located to the side of such a building may be located along the frontage of Rhyme Road Extension.

(ii) On-street parking is permitted subject to the approval of CDOT.

(iii) Dumpster areas will be enclosed on all four sides by an opaque wall with one side being a hinged opaque gate. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall of that building may be substituted for a side.

(iv) Any outdoor dining and courtyard areas may be located within the established, but outside of the required, setback along Mount Holly Road.

(v) All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.

(vi) All freestanding lighting fixtures will be uniform in design.

(vii) The maximum height of any freestanding lighting fixture, including its base, may not exceed 30 feet within Parcel E.

(viii) All parking lot lighting shall be capped and designed such that direct illumination does not extend past any exterior property line and shall not exceed 35 foot-candles at any location within Parcel E.

(ix) Any lighting attached to a building shall be capped and downwardly directed.

(x) Wall-mounted decorative light fixtures such as sconces are permitted.

(xi) No wall pak type lighting shall be permitted.

(xii) Buildings abutting Rhyme Road Extension within Parcel E will feature four-sided architecture that will avoid large expanses of blank, unarticulated walls through the introduction of articulated facades, reveals, blending of colors and/or other specifically designed architectural elements. The first floor of these buildings shall contain windows or doors visible from the street and located no further apart than 50 linear feet. These windows may be either functional or non-functional.

(xiii) All sides of all buildings within Parcel E not referenced in Section 4 (xii) above will avoid large expanses of blank, unarticulated walls through the introduction of articulated facades, reveals, blending of colors and/or other specifically designed architectural elements.

(b) Parking

Off-street parking and loading areas will satisfy the standards established under the Ordinance.

(c) Landscaping and Screening

All screening, landscaping and tree save areas shall conform to the standards of the Zoning Ordinance and Tree Ordinance.

(d) Streetscape Treatment for Parcel E

(i) Within Parcel E, the streetscape treatment along Rhyme Road Extension, Mount Holly Road and any internal public street(s) shall include large maturing trees, supplemental shrubbery, sidewalks which are at least 6 feet in width and planting strips which are at least 8 feet in width all as generally depicted on Cross Section 3 on Sheet 4. Any required or non-required sidewalk and/or planting strips may be located inside or outside of public right-of-way. In the event a required sidewalk is located on private property, an easement in favor of the applicable governmental entity shall be established for such sidewalk. The sidewalk to be installed along the Site's frontage on Mount Holly Road can serve simultaneously to meet the requirements of both the NS provisions of the Ordinance and Chapter 19 of the City Code.

(ii) In the event Parcel E-1 is developed in accordance with Retail Master Plan Concept Scheme 2, a screen wall of 2 ½ feet in height shall be installed along those portions of the Mount Holly Road frontage in which the parking area abuts the street. Should Parcel E-1 be developed in accordance with Retail Master Plan Concept Scheme 1, this screen wall will not be required.

5. Development Standards for Northeasterly Corner of Parcel A (See Technical Data Sheet)

(a) The first two (2) lots closest to the Sonoma Village development within the area located in the most northeasterly corner of Parcel A as outlined on the Technical Data Sheet will be a minimum of 50 feet in width and the next six (6) lots in a westerly direction will be a minimum of 60 feet in width, as generally depicted on the Technical Data Sheet.

(b) Trees shall be installed along the rear of the lots in the above-referenced northeasterly portion of Parcel A in accordance with the planting program generally depicted on the Schematic Site Plan. These trees shall be installed after the completion of the grading of the above-referenced area and prior to the construction of any homes within the area. An alternate tree-planting program may be installed subject to the approval of the developer and all of the property owners which abut the above referenced area.

(c) The common open space strip immediately abutting the above-referenced area shall be a minimum of 50 feet in width as generally depicted on the Technical Data Sheet. No grading will be permitted within this portion of the common open space strip. No utilities or man-made structures or devices will be permitted in this portion of the common open space strip. Existing trees located within this portion of the common open space strip shall be preserved. However, the developer of the lots in the above-referenced area may remove debris and/or dead trees from this area. The developer of the lots in the above-referenced area or the respective Homeowner's Association shall maintain this portion of the common open space strip so that its condition is preserved in a manner consistent with this Section 5(c).

(d) The pedestrian trail indicated on the Technical Data Sheet shall not extend into the area referenced in Section 5(c) above. However, access to the pedestrian trail will be permitted along the westerly lot line of the 8th lot (i.e., the last 60 foot wide lot) in the area referenced in Section 5(a) above in order to permit a connection to the planned pedestrian path that will extend in a westerly direction from this access point.

6. Storm Water Management

(a) Storm water runoff from the Site will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte Ordinances and the Charlotte Mecklenburg Storm Water Design Manual. Surface level storm water detention, if required to be provided, may be located in the common open space but shall not be located in the setback or buffer areas.

(b) The detention shall tie-in to the existing abutting storm water system(s). During the permitting stage of the development, the Petitioner shall have the receiving drainage system, located directly downstream from the Site at the next receiving channel and pipe abutting the Site, analyzed to insure that it will not be taken out of standard due to the development contemplated by this rezoning petition. If it is found that the development contemplated by this rezoning petition will cause such receiving storm drainage system to be taken out of standard, the Petitioner shall provide adequate detention on Site or otherwise take such reasonable steps as may be needed to prevent this from occurring. Should the existing receiving drainage system be deemed to be out of standard prior to the development of this Site, the Petitioner agrees to provide adequate detention to insure that such drainage system will not be additionally over burdened; it is expressly understood, however, that in no event shall the Petitioner be required to correct any current problems with the existing receiving drainage system.

(c) The following agencies must be contacted prior to construction regarding wetland and water quality permits:

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

7. Water Quality Protection Measures

(a) SWIM buffers shall be provided as required by the Ordinance.

(b) The Petitioner shall accommodate low impact design features consisting of swales and curb cuts along the BMP area within Parcel E-1 or along the BMP area in the northwesterly corner of Parcel E-2 as generally indicated on the Technical Data Sheet.

8. Vehicular Access and Road Improvements

(a) Vehicular access to Rhyme Road Extension and Mount Holly Road shall be as generally depicted on the Technical Data Sheet.

(b) The placements and configurations 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.

(c) The Petitioner agrees to dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) prior to the issuance of any certificate of occupancy for Parcel E those portions of the Site required to provide right-of-way measuring 50 feet from the centerline of Mount Holly Road, if such right-of-way does not presently exist.

(d) Petitioner shall ensure that construction equipment access to the Site shall not take place by way of the Sonoma Village development access in the northeasterly corner of the Site.

(e) Development taking place on the Site shall be in accordance with the following phasing schedule and construction requirements:

1. Phase I.

During Phase I development, (i) all single-family detached lots and homes permitted within Parcels A and B and all single-family attached lots and homes permitted within Parcel C may be developed, constructed and occupied and (ii) up to 30,000 square feet of commercial space may be developed, constructed, and occupied within Parcel E, subject to compliance with the following provisions of this Section 8(e)1:

A. The developer of Parcel E shall be responsible for the design of the Mount Holly Road/Rhyme Road/Rhyme Road Extension (i.e. the proposed entrance road to Site) intersection to include: (i) dual southbound left-turn lanes, (ii) a through lane, and (iii) a right-turn lane on Rhyme Road Extension with such lanes being compatible with the alignment of Rhyme Road across Mount Holly Road from Site and the proposed northbound left-turn lane and the combination through/right-turn lane on Rhyme Road across from the Site. The designs for these improvements shall be submitted to CDOT as part of the subdivision approval process for the development taking place on the Site. All designs and construction plans for such roadway improvements, including pavement marking and traffic control plans, must meet applicable standards of the North Carolina Department of Transportation ("NCDOT") and the Charlotte Department of Transportation ("CDOT") and shall be subject to the reasonable approval of CDOT and NCDOT to ensure such compliance.

B. Prior to issuance of any final certificates of occupancy for any Phase I development, the developer of Parcel E shall construct the extension of Rhyme Road on the northerly side of Mount Holly Road through the Site in the location generally depicted on the Technical Data Sheet to collector street standards to include one lane inbound (northbound), a southbound approach left-turn lane of 300 feet of storage and a combination through/right-turn lane.

C. The following additional improvements shall be completed either by the developer of Parcel E or by NCDOT:

(i) an eastbound left-turn lane on Mount Holly Road with 150 feet of storage, a 15:1 bay taper and 45:1 through lane tapers;

(ii) a westbound left-turn lane on Mount Holly Road per NCDOT approved plans; and

(iii) a westbound right-turn lane on Mount Holly Road per NCDOT approved plans.

a condition of acceptance for maintenance of the residential subdivision streets to be located within the Site and Rhyme Road Extension by the applicable governmental authorities and shall take place prior to the issuance of any final certificates of occupancy for development taking place on Parcel E.

2. Phase II.

A. Phase II development relates to all of the development permitted in Phase I together with all single-family attached lots and homes to be located within Parcel D and an additional 35,000 square feet of commercial space to be developed, constructed and occupied within Parcel E, subject to compliance with the provisions of this Section 8(e)2.

B. Prior to the issuance of any building permit for the Phase II development, the Petitioner, its successors and assigns, shall submit to CDOT a letter from NCDOT (the "NCDOT Letter") setting forth in reasonable detail the commitment of NCDOT to include construction of the following roadway improvements (the "Developer Road Improvements") as part of the NCDOT 1485/Mount Holly Road project or other applicable project(s) funded and established by the NCDOT:

· Construction of the additional 2 lanes needed to create the ultimate 5 lane street section for Rhyme Road Extension for access to the Site from NC 27;

· Construction of the widening of the northbound approach of Rhyme Road to provide an exclusive left-turn lane and align with the proposed Rhyme Road Extension;

· Relocation of all four Railroad signal pedestals on Rhyme Road to accommodate widening for the left-turn lane; and

· Revision of the traffic signal at the intersection of NC 27 and Rhyme Road to provide traffic signal control for the Site.

The letter from NCDOT shall set forth the commitment of NCDOT to include the Developer Road Improvements as part of a revised roadway contract and NCDOT's acceptance of an amount of financial contribution to be made by the Petitioner, its successors and assigns, to the cost of the roadway improvements

C. Prior to the issuance of any building permit for the Phase II development, the Petitioner, its successors and assigns, shall provide a financial contribution in the amount acceptable to NCDOT as set forth in the NCDOT Letter toward the Developer Road Improvements. Such contribution may be in the form of cash, a letter of credit or other security instrument reasonably acceptable to NCDOT and the Petitioner, its successors and assigns.

D. It is understood that the Petitioner, its successors and assigns, may proceed with development, construction and occupancy of any portion or all of the Phase II development upon submittal of the letter described in subsection 2.B. above and upon delivery of the contribution described in subsection 2.C. above.

3. Phase III.

Phase III of the development relates to the development, construction and occupancy of any portion or all of the remaining floor area permitted within Parcel E beyond such amounts permitted in Phases I and II. Final certificates of occupancy for any portion of the Phase III development shall not be issued prior to completion of the Developer Road Improvements described in Section 8(e)2.B. above.

9. Connectivity

(a) Pedestrian and vehicular connections throughout the Site and to abutting properties will be provided in the manner generally depicted on the Schematic Site Plan.

(b) A pedestrian trail of at least six feet in width shall be installed within and/or along the SWIM buffer as generally depicted on the Technical Data Sheet. The Petitioner retains the right to shift the location of the trail based on final engineering and design plans.

(c) At least one pedestrian connection to the public sidewalk along Mount Holly Road shall be installed within Parcel E-2 and at least two pedestrian connections to the sidewalk along Mount Holly Road shall be installed within Parcel E-1.

(d) Any required or non-required sidewalk and/or planting strips throughout the Site may be located inside or outside of public right-of-way. In the event a required sidewalk is located on private property, an easement in favor of the applicable governmental entity shall be established for such sidewalk.

10. Buffers

(a) The 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 thereof. Buffers may be reduced or eliminated in the event that an adjacent parcel is rezoned to a zoning district which would not require a buffer or would require a lesser buffer under the Ordinance.

(b) The width of required buffers may be reduced through the installation of a fence or berm in accordance with Section 12.302. Any berm installed on the Site in order to reduce the width of a required buffer will be constructed to a minimum height of four feet in accordance with Section 12.302(8). However, the Petitioner commits to making good faith reasonable efforts to increase the height of the buffer to six feet where practical depending on design, topography and site constraints.

(c) Storm water detention may not be located within buffer areas or in the setback.

(d) The Petitioner reserves the right to install pedestrian sidewalks or pathways, and utility lines and facilities within the buffer areas and common open space. Utility installations may only cross buffer areas required by the Zoning Ordinance at interior angles measured at property lines which are not less than 75 degrees.

(e) No buildings, parking spaces or maneuvering areas may be located within the required buffer areas.

11. Bicycle Parking in Parcel E

Bicycle parking spaces (bike racks) shall be provided at the front of buildings in Parcel E in locations to be determined by the Petitioner such that the number of bicycle parking spaces provided is at least five percent of the total number of automobile parking spaces required.

12. Common Open Space

The common open space located on the Site and as generally depicted on the Technical Data Sheet will include a pedestrian trail of at least six feet in width within and/or along the SWIM buffer and a tot lot and picnic tables.

13. Fire Protection

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte 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.

14. Signs

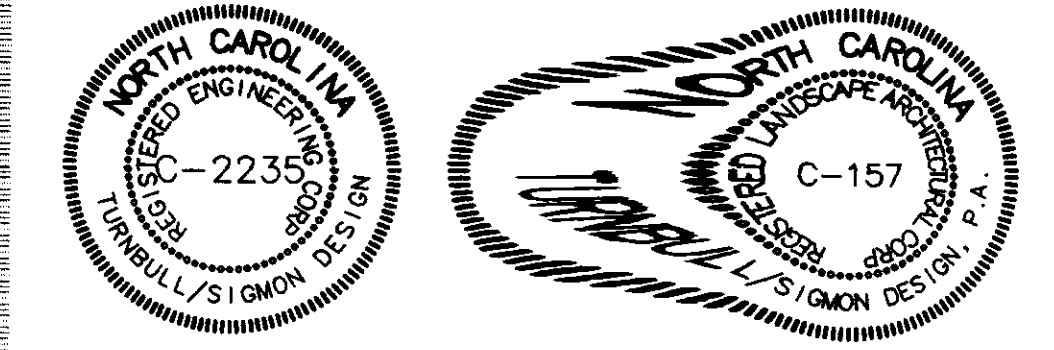
(a) The number, location and area of all signs placed on the Site will be erected in accordance with the requirements of the Ordinance.

(b). Any detached permanent identification signage shall be limited to no more than 20 feet in height and shall be monument in style.

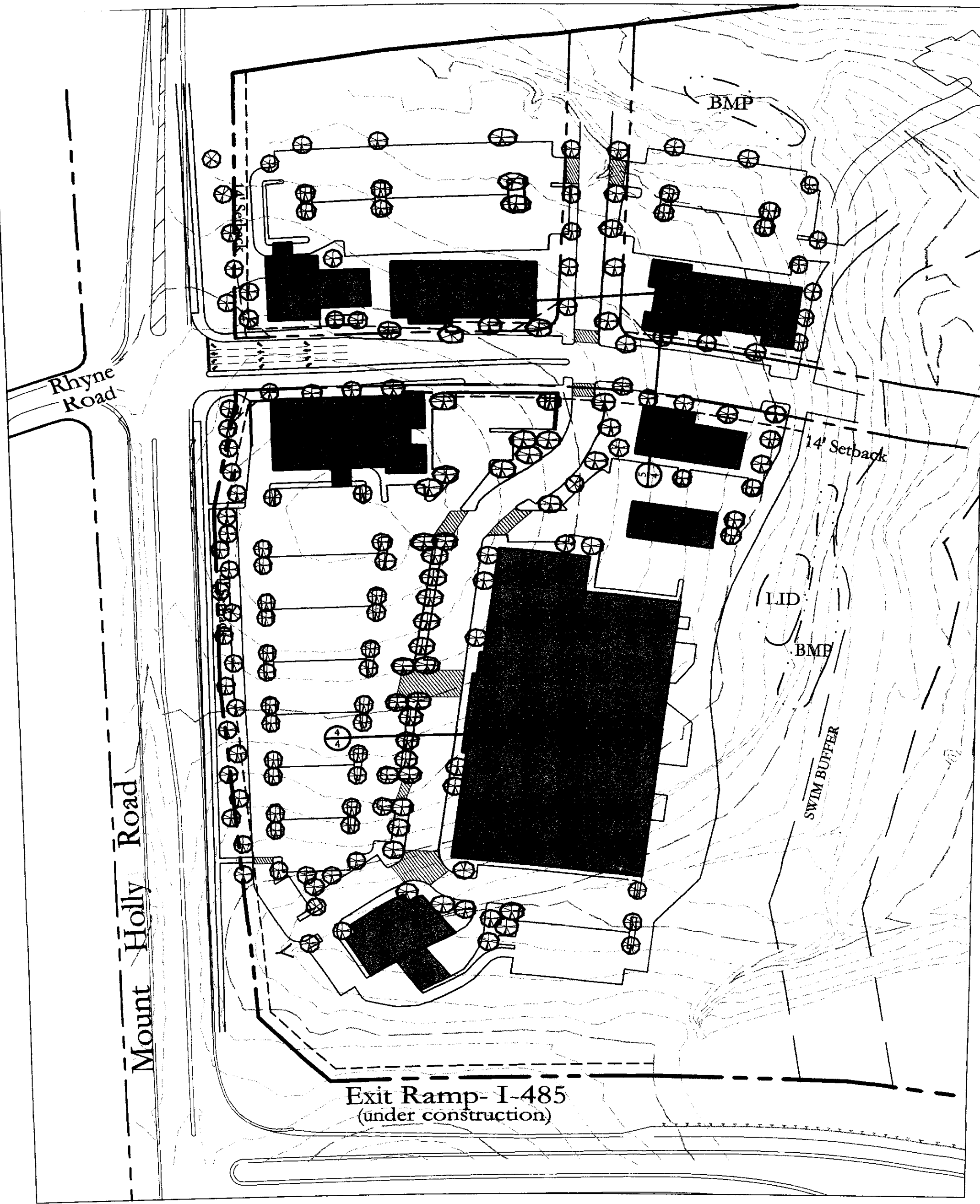
(c) A uniform signage and graphic system will be employed throughout the Site.

Turnbull Sigmon Design
 1001 Morehead Square Dr.
 Suite 300
 Charlotte, NC 28209
 Phone: 704.529.6500
 Fax: 704.522.0882

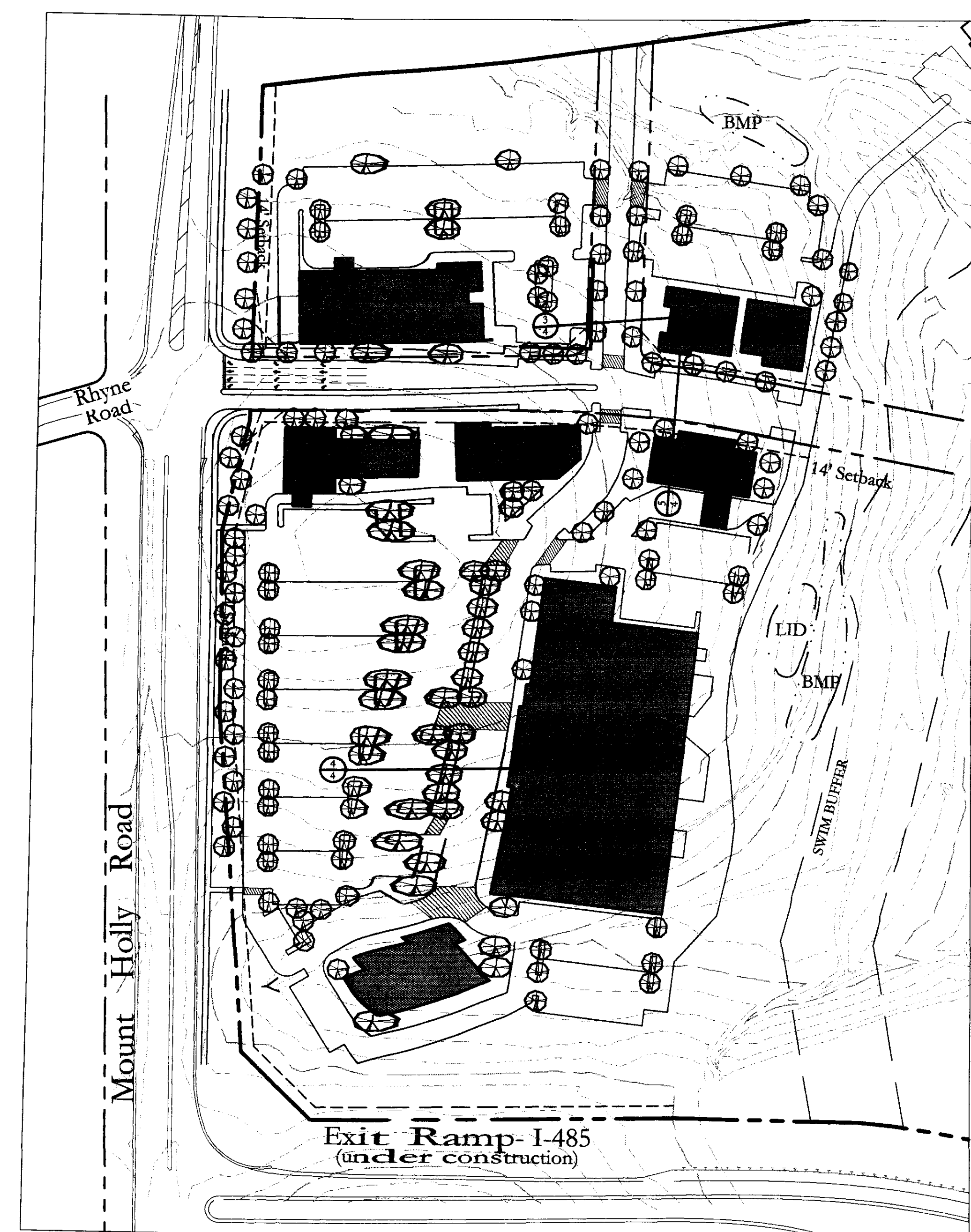
LAND DEVELOPMENT DESIGN SERVICES



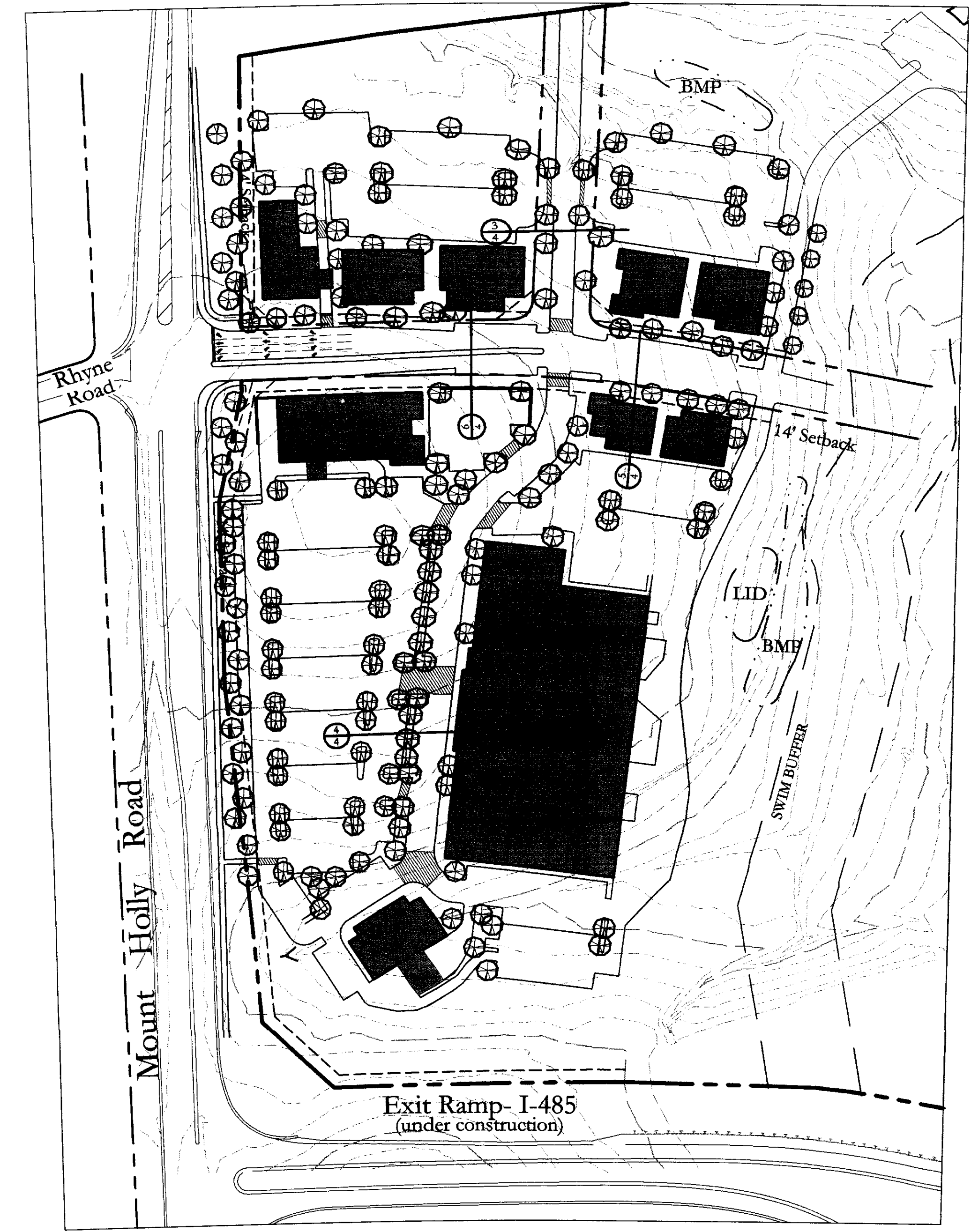
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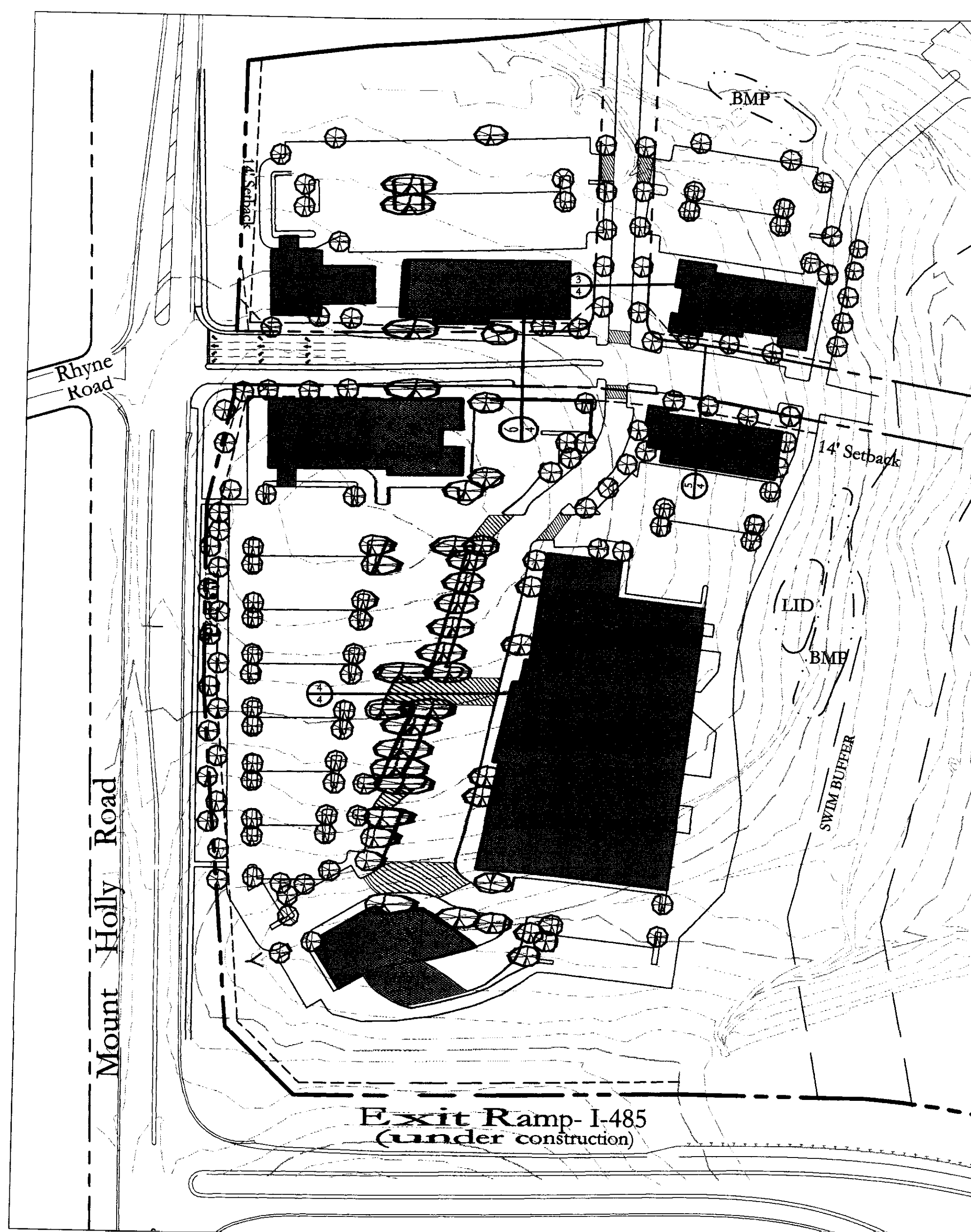
Scheme "1D"



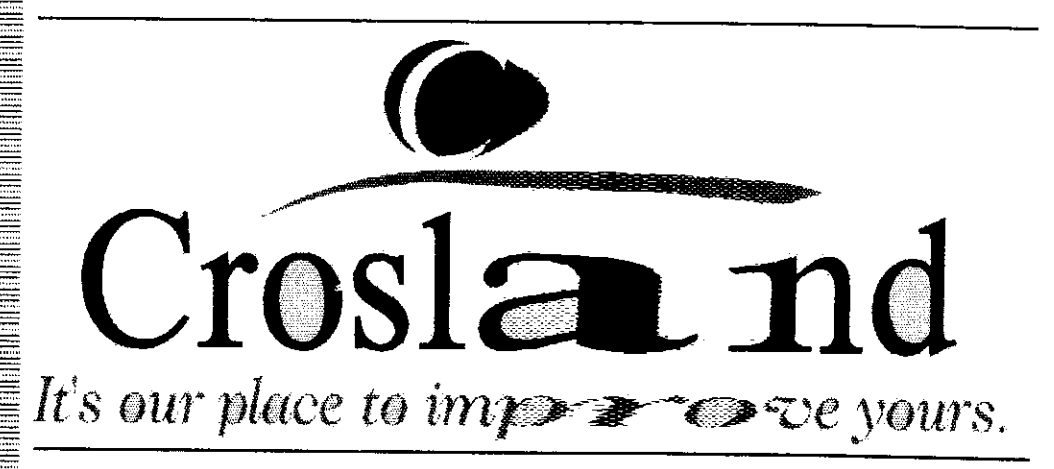
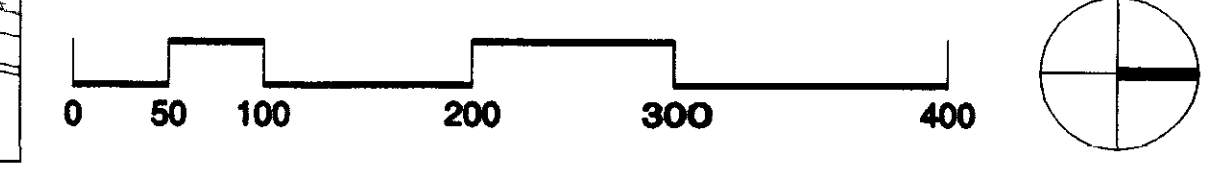
Scheme "1C"



Scheme "1B"



Scheme "1A"



Cline Property
 CHARLOTTE, NORTH CAROLINA

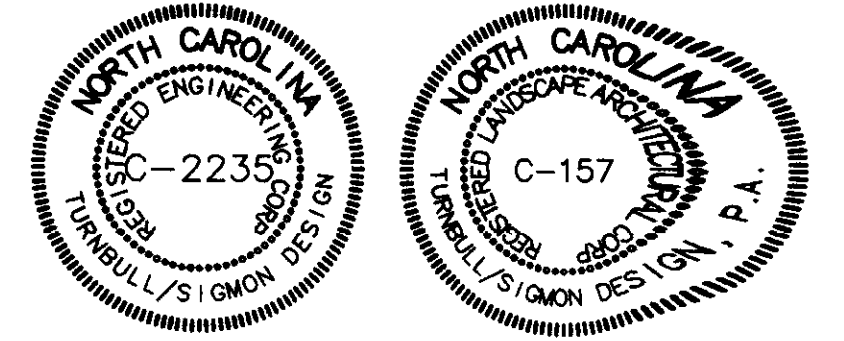
APPROVED BY CITY COUNCIL
 DATE: 11/16/03

For Public Hearing

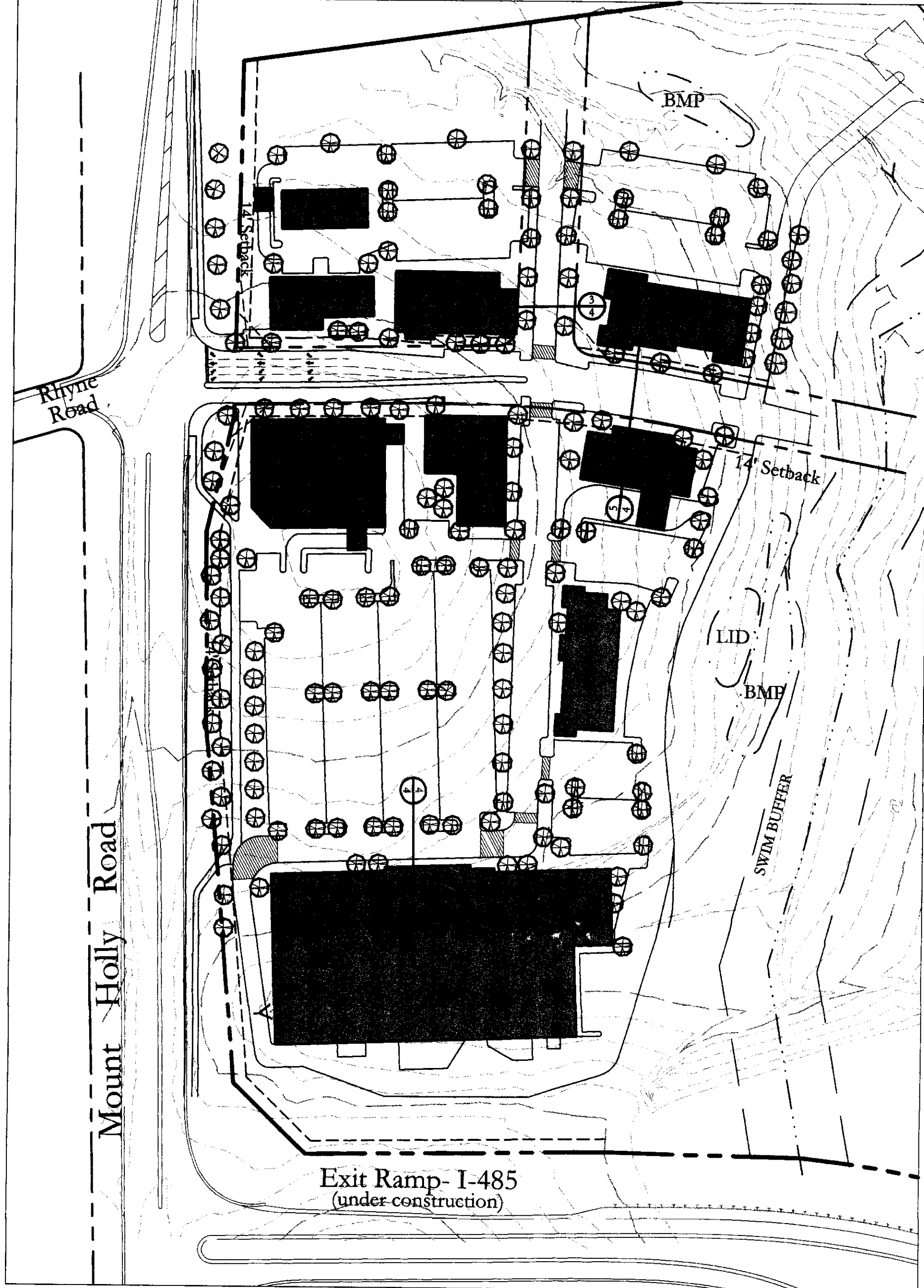
REZONING
Schematic Site Plan
Commercial Schemes
 Petition # 2003-088

PROJECT NUMBER: 02-084
 DRAWN BY: TCS, SFC
 DESIGNED BY: SRT
 ISSUE DATE: 06-16-03

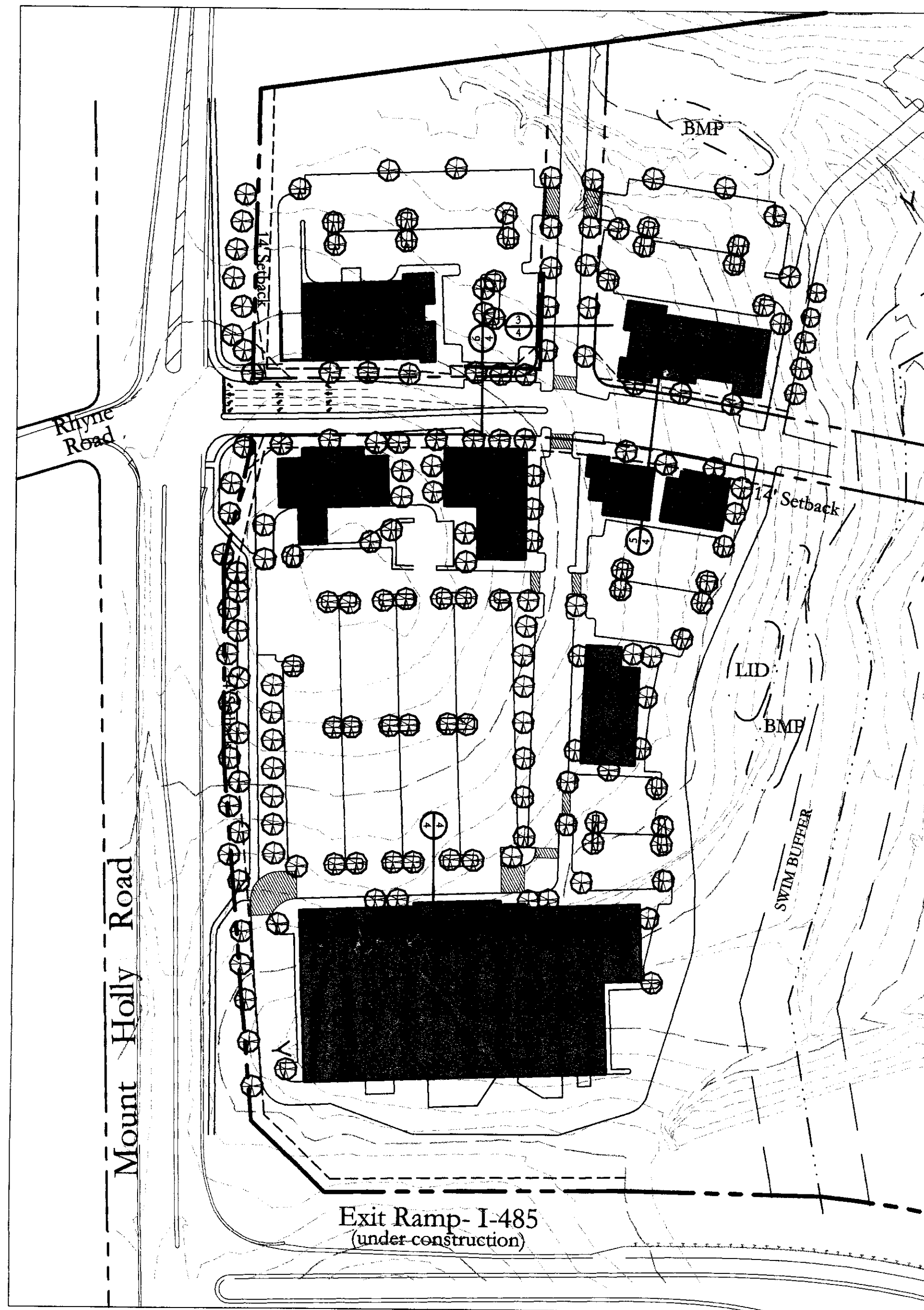
3. 10/24/03 TCS Revise per Client comments
 2. 9/19/03 TCS Revise per Client comments
 1. 8/19/03 TCS Revise per CMPC comments
 NO. DATE: BY: REVISIONS:



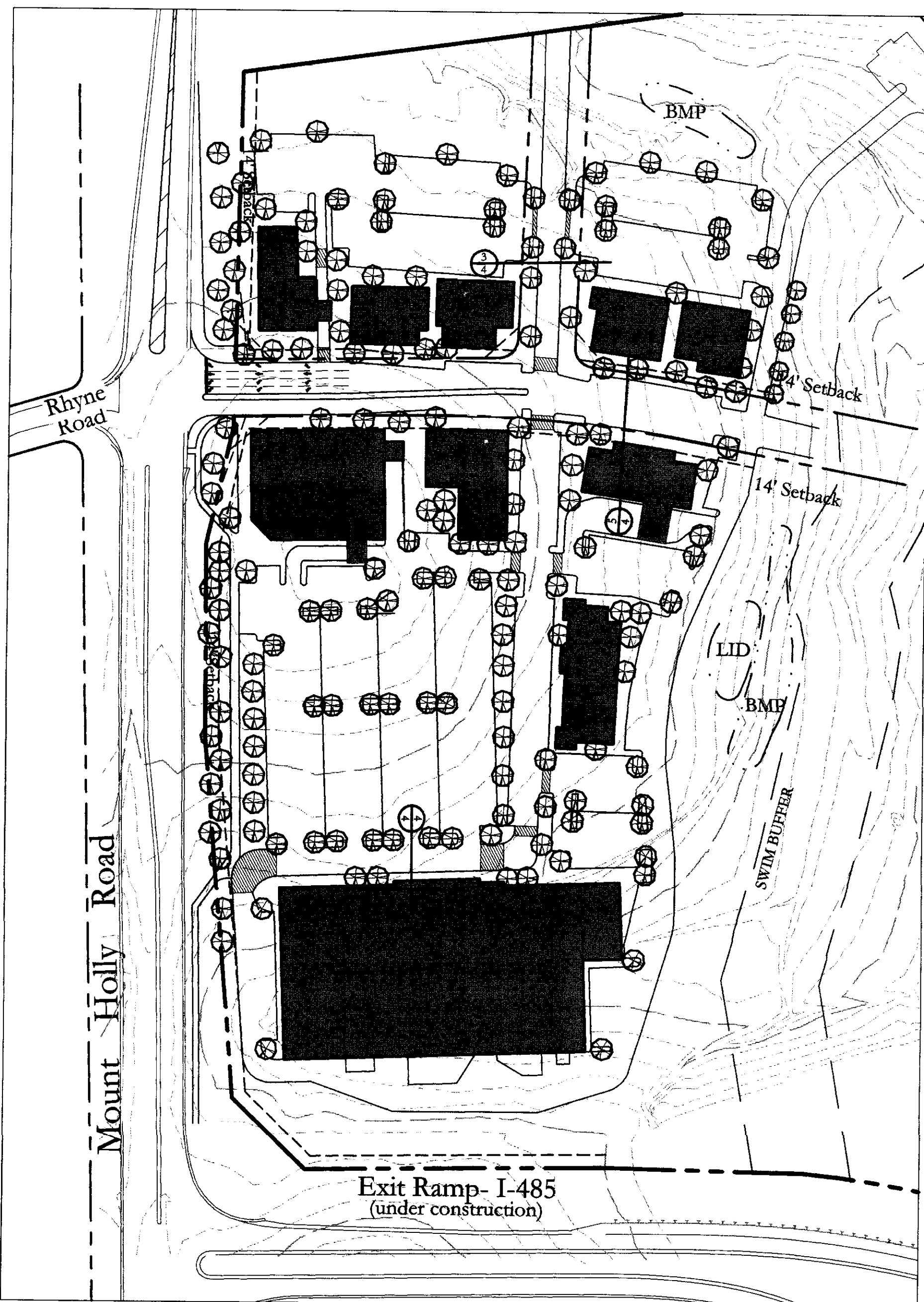
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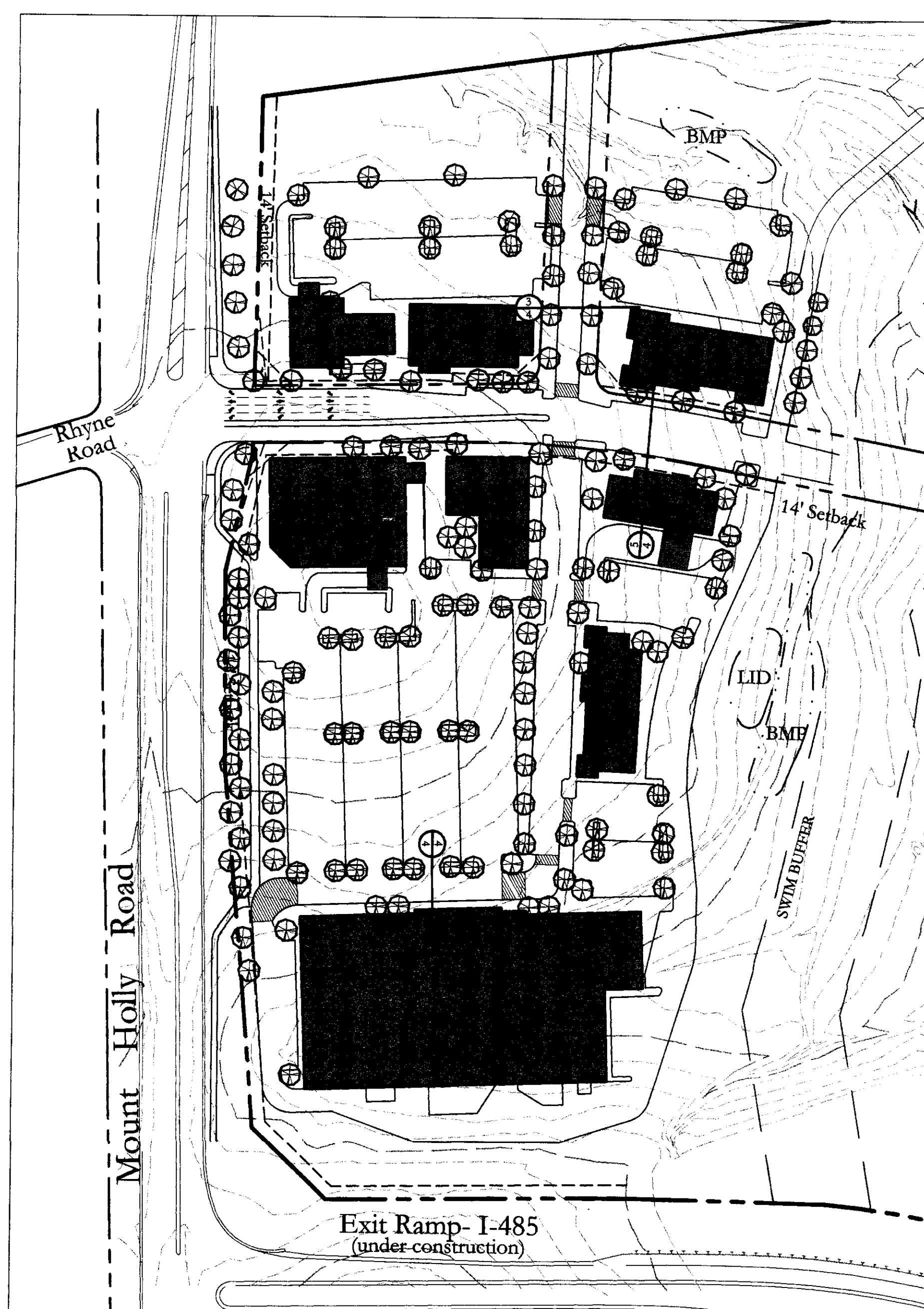
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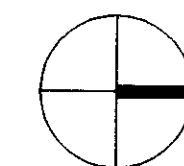
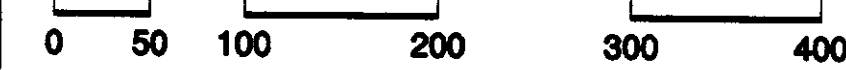
Scheme "2C"



Scheme "2B"



Scheme "2A"



Cline Property

CHARLOTTE, NORTH CAROLINA

APPROVED BY CITY COUNCIL

DATE 11/16/03

For Public Hearing

REZONING Schematic Site Plan Commercial Schemes

Petition # 2003-088

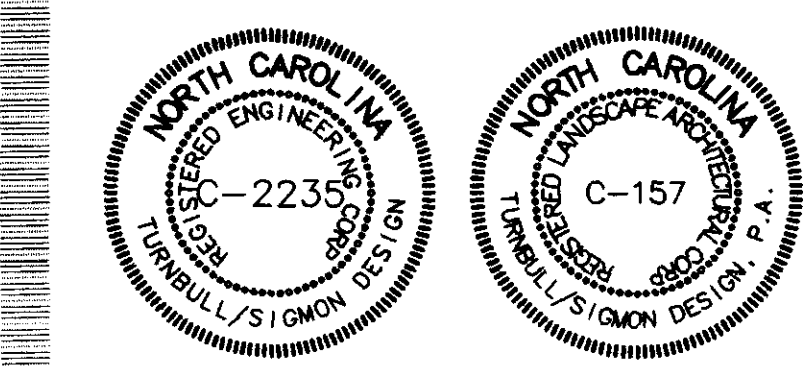
PROJECT NUMBER: 02-084

DRAWN BY: TCS, SFC

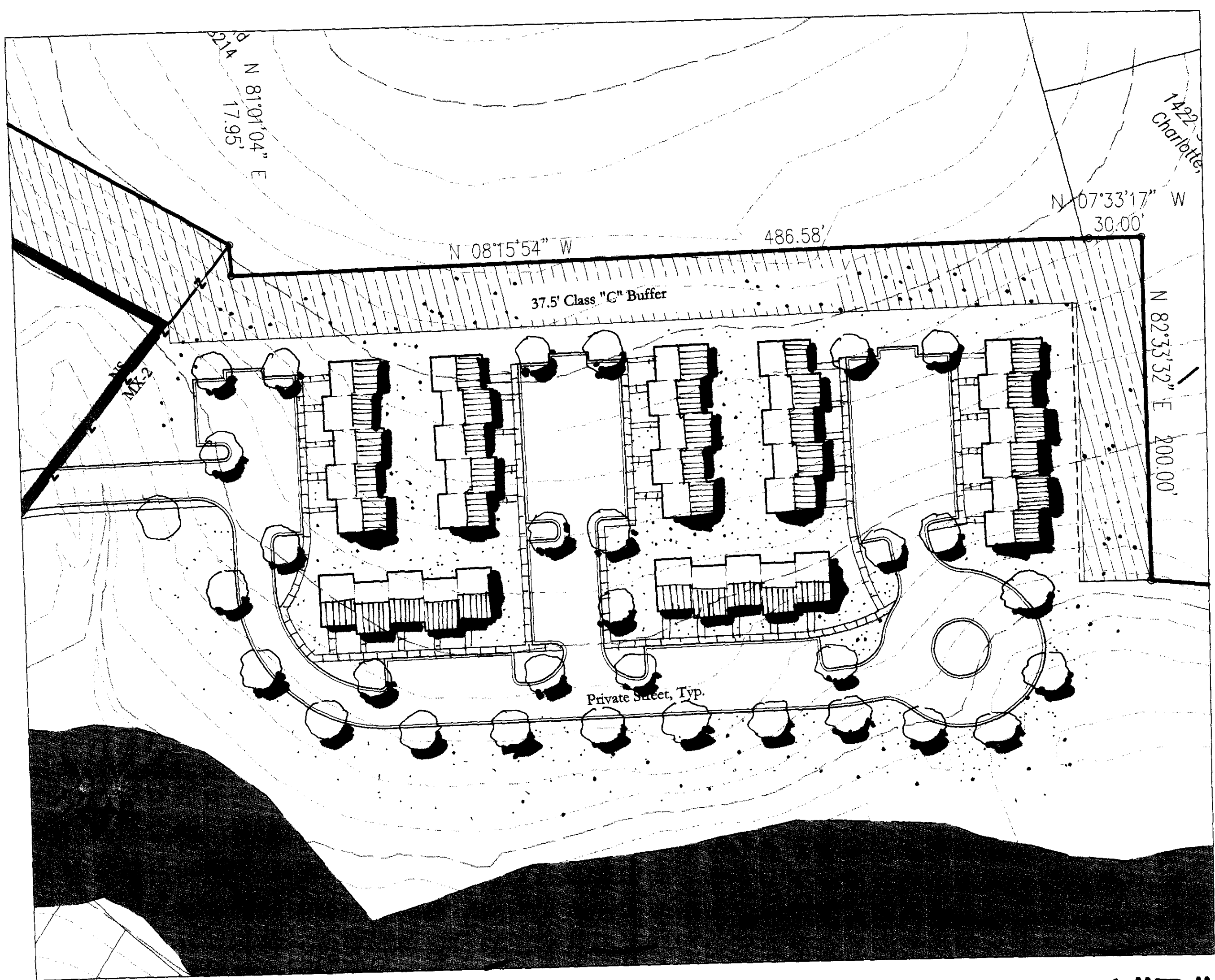
DESIGNED BY: SRT

ISSUE DATE: 06-16-03

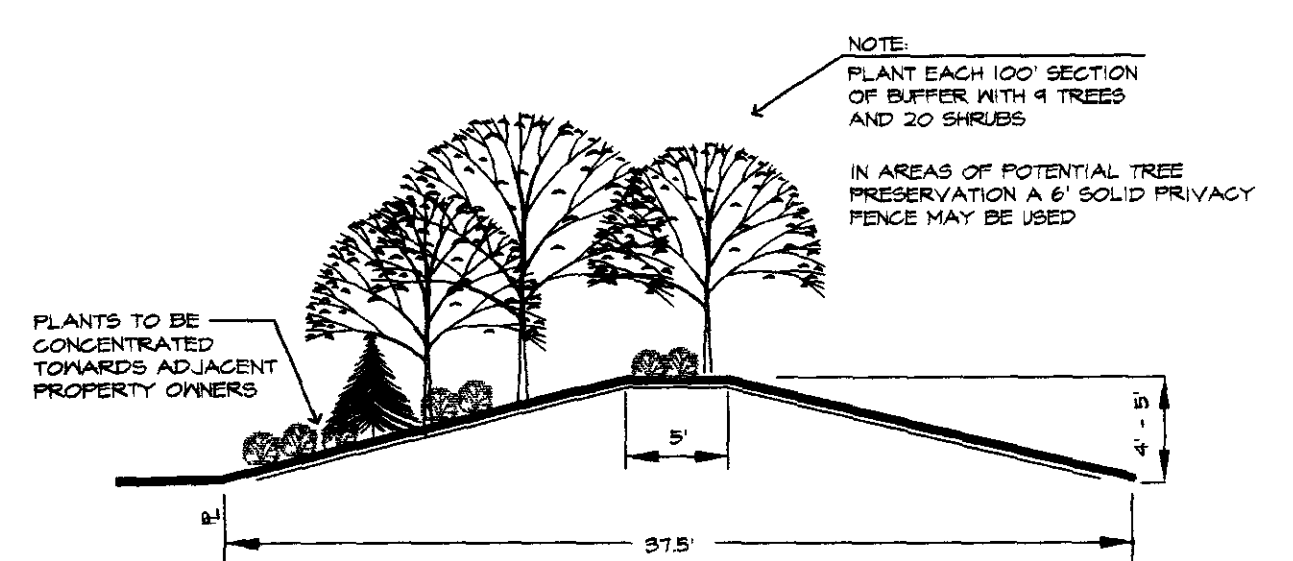
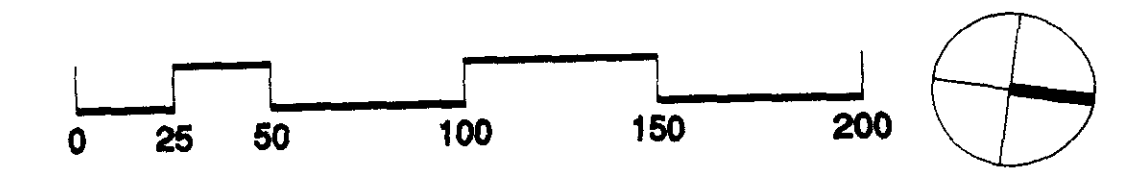
3. 10/24/03 TCS Revise per Client comments
 2. 9/19/03 TCS Revise per Client comments
 1. 8/19/03 TCS Revise per CMPC comments
 NO. DATE: BY: REVISIONS:



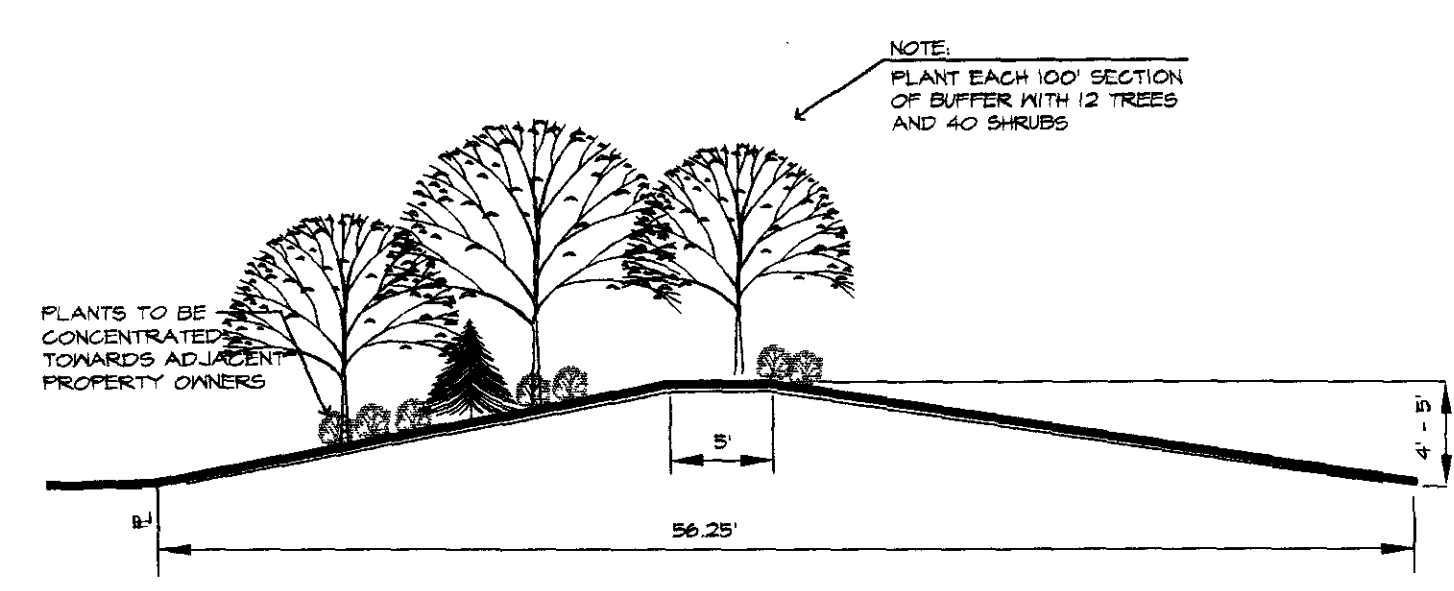
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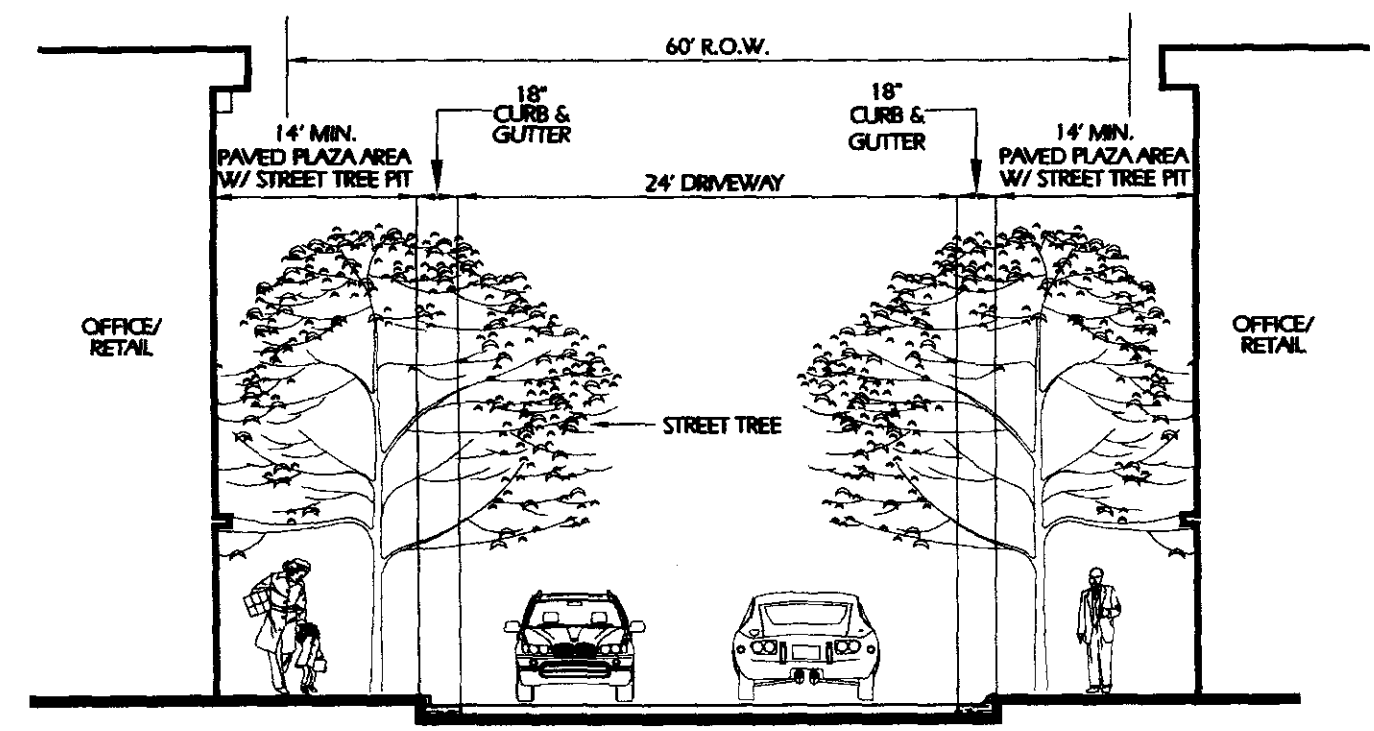
Schematic: Single Family Attached: Parcel "D"



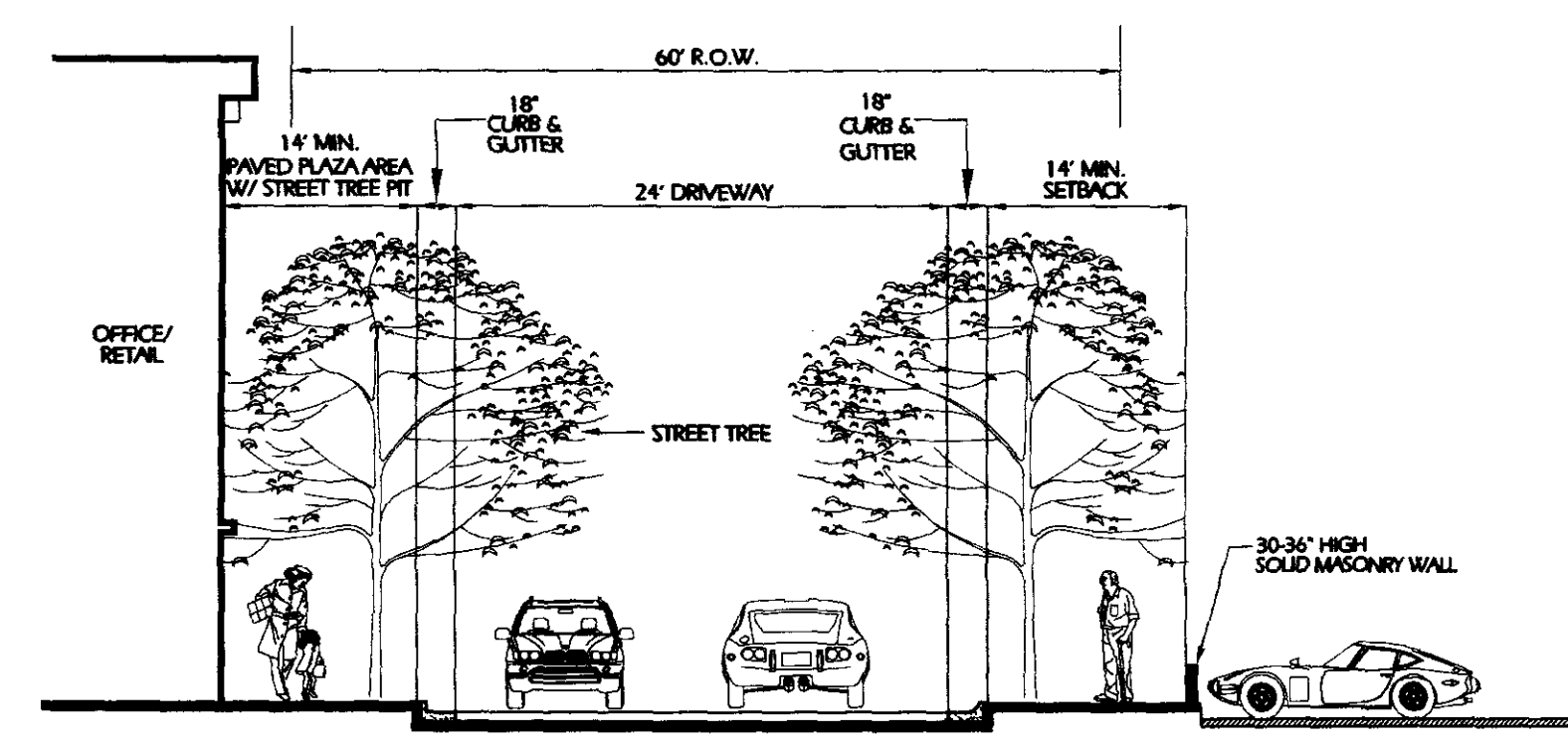
1 37.5' CLASS 'C' BUFFER
4 NOT TO SCALE



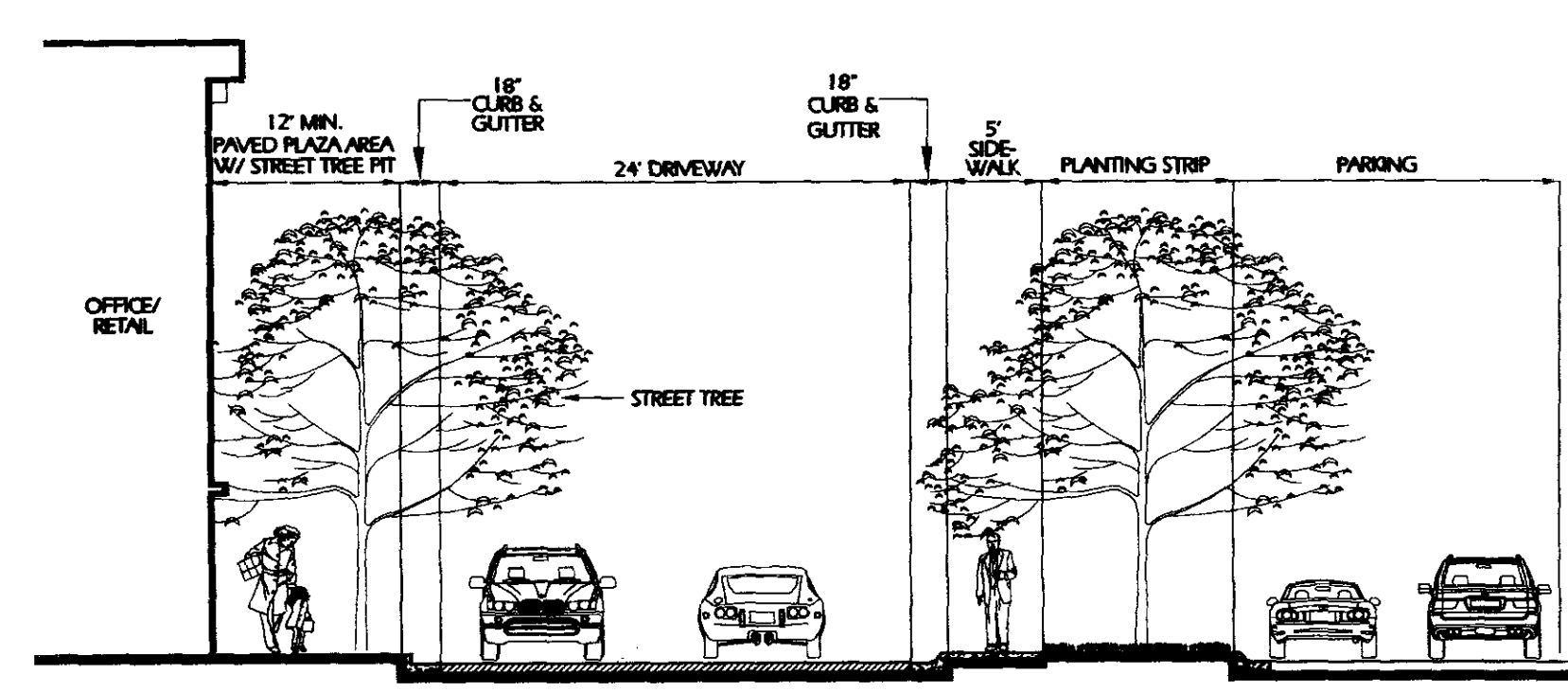
2 56.25' CLASS 'B' BUFFER
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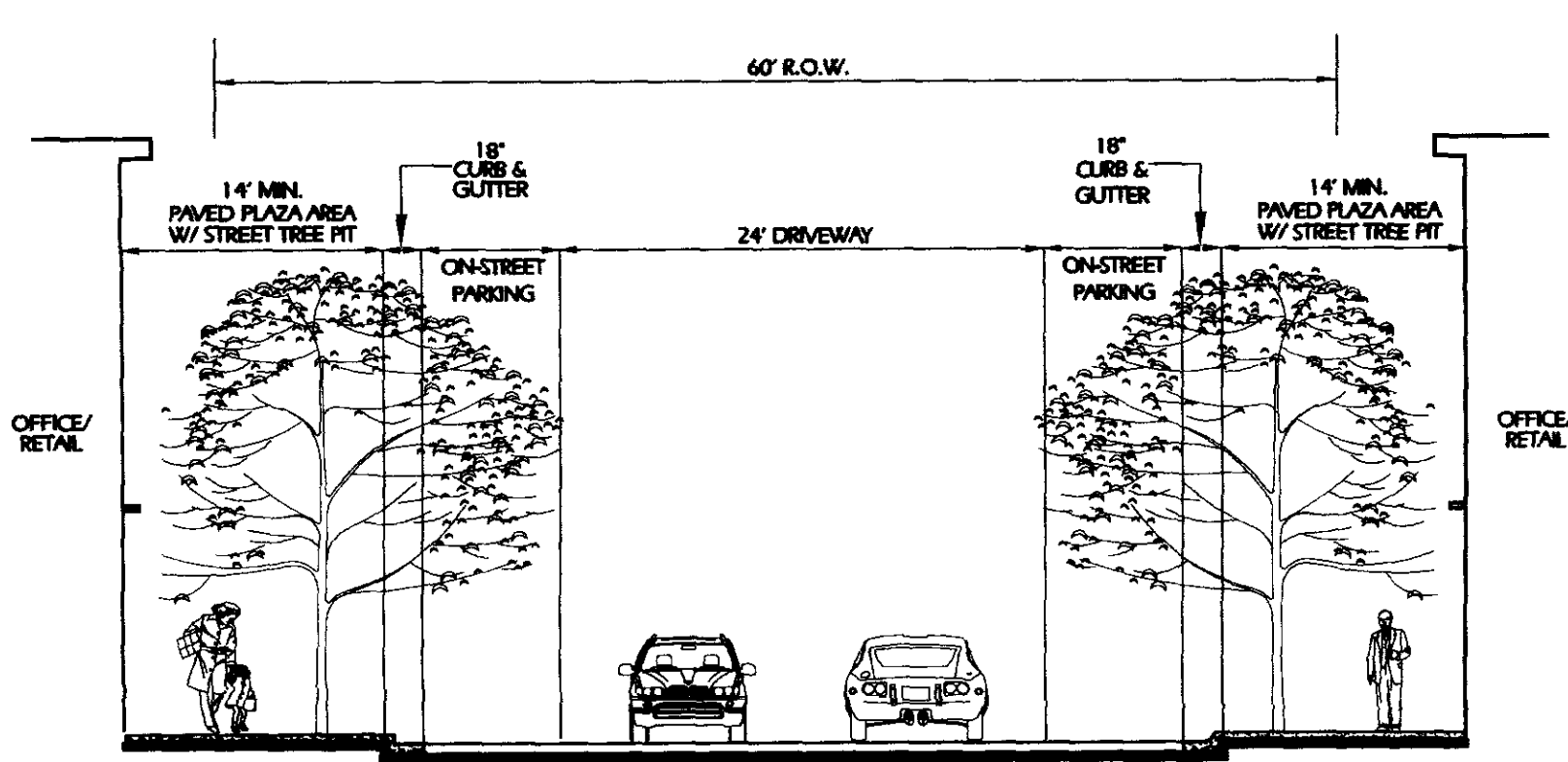
3 Public Street Cross Section Through Commercial/Office
4 NOT TO SCALE



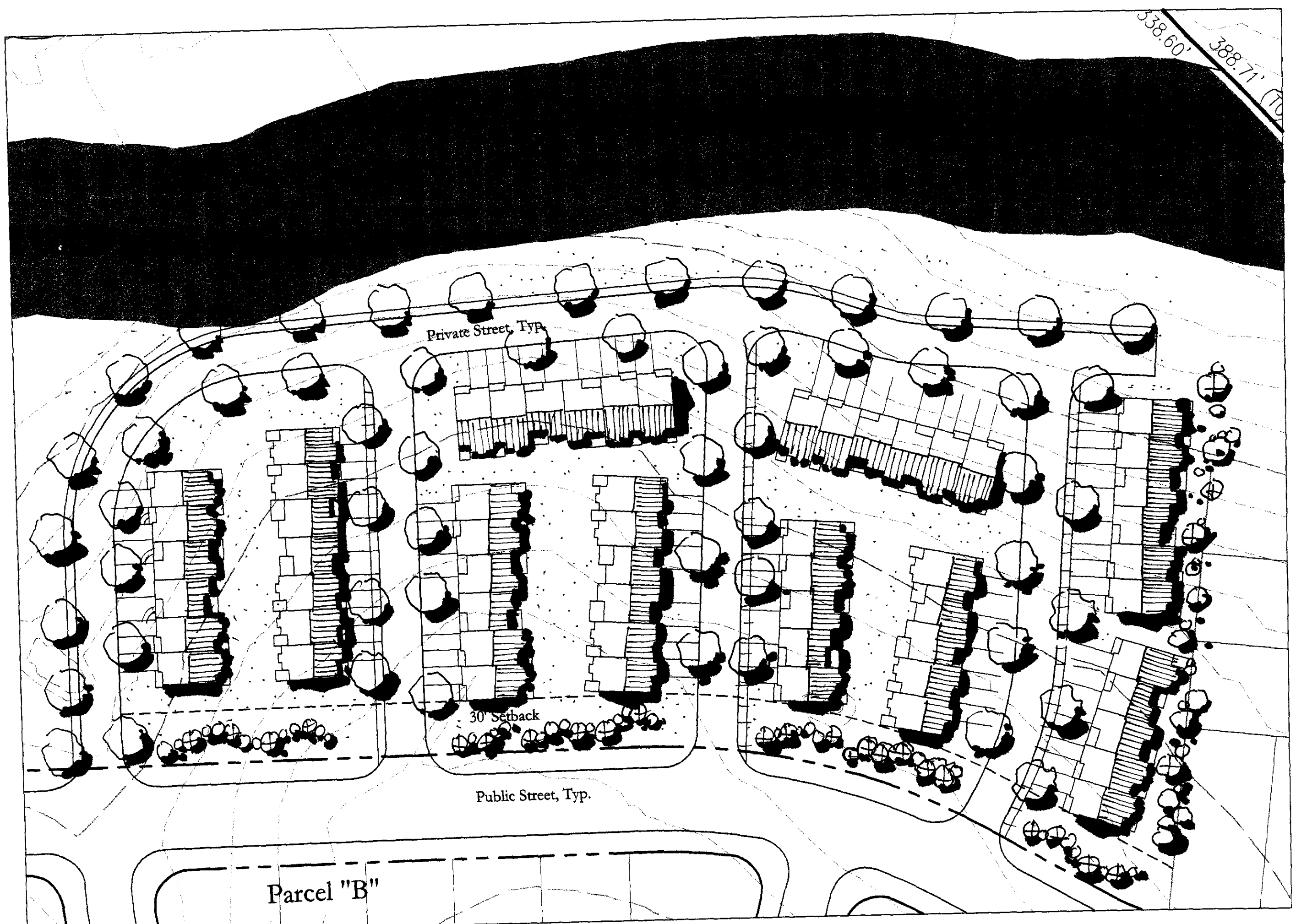
6 Public Street Cross Section Through Commercial/Office
4 NOT TO SCALE



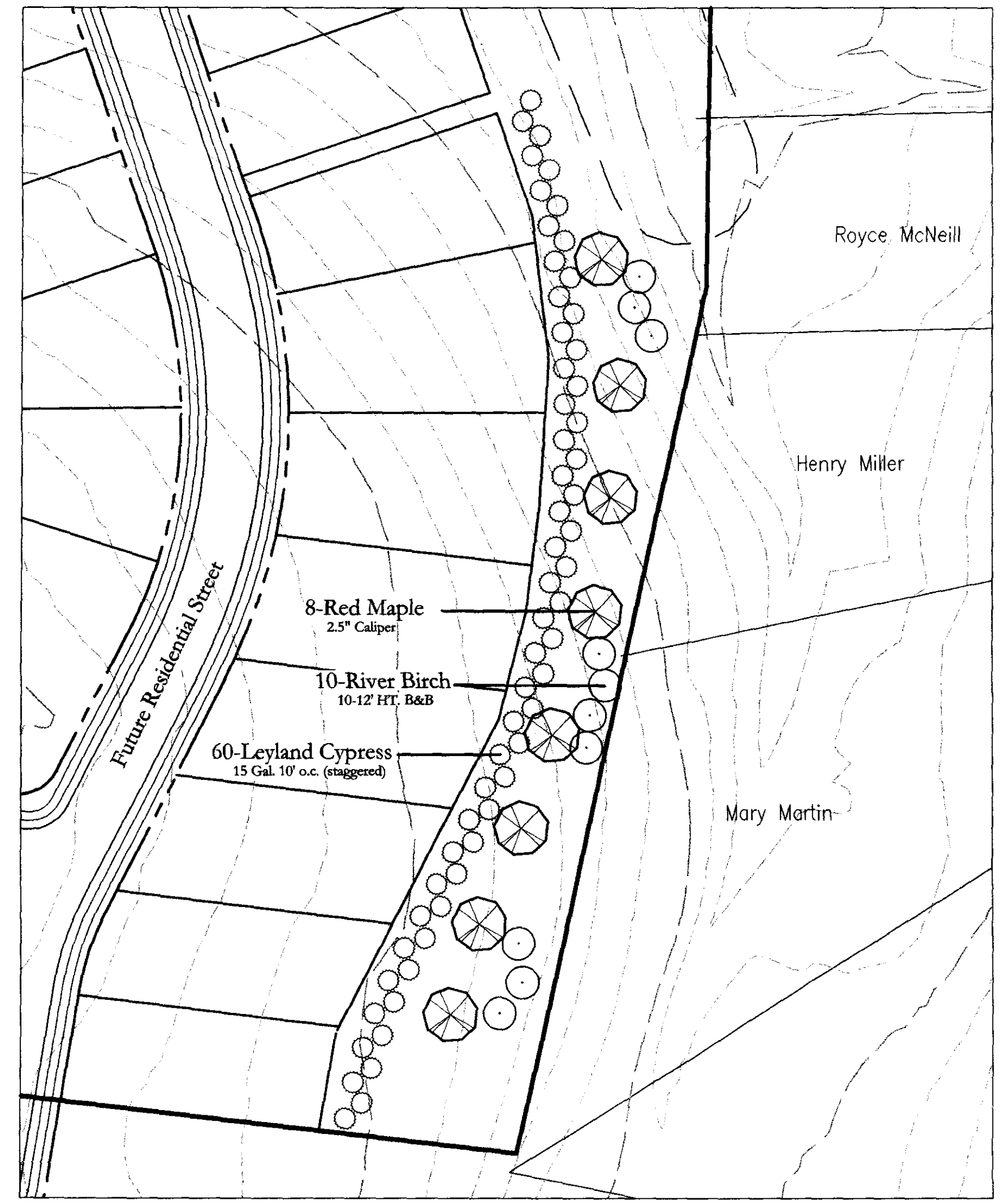
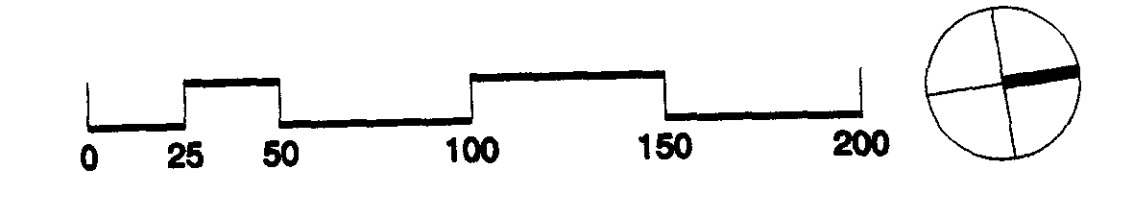
4 Streetscape Section Through Commercial/Office
4 NOT TO SCALE



5 Commercial Collector Street Cross Section
4 NOT TO SCALE



Schematic: Single Family Attached: Parcel "C"



7 Landscape Treatment-Northeast Corner Parcel "A"
4 NOT TO SCALE See sheet 2, section 5 for additional information



Cline Property

CHARLOTTE, NORTH CAROLINA

APPROVED BY CITY COUNCIL

DATE: 11/16/03

For Public Hearing

REZONING Schematic Site Plan Residential
Petition # 2003-088

PROJECT NUMBER: 02-084

DRAWN BY: TCS, SFC

DESIGNED BY: SRT

ISSUE DATE: 06-16-03

2. 9/19/03 TCS Revise per Client comments
1. 8/19/03 TCS Revise per CMPC comments
NO. DATE: BY: REVISIONS: