

CONDITIONAL NOTES:

- THE SITE PLAN CONSISTS OF THE CONDITIONAL NOTES AND THE ILLUSTRATIVE PLAN. THE CONDITIONAL NOTES CONTAINS ALL DEVELOPMENT NOTES AND CONDITIONS REGARDING SUCH THINGS AS VEHICULAR ACCESS POINTS, BUFFERS, SETBACK/YARD DIMENSIONS, GENERALIZED BUILDING/PARKING/CIRCULATION AREAS, DEVELOPMENT INTENSITY, ETC. THE ILLUSTRATIVE PLAN DEPICTS A DEVELOPMENT SCENARIO BASED UPON THE CONDITIONS IMPOSED BY THE CONDITIONAL NOTES. HOWEVER, OTHER DEVELOPMENT SCENARIOS ARE PERMITTED AS A MATTER OF RIGHT, WHICH ALLOWS ALTERNATIVES TO THE ARRANGEMENT OF BUILDING/PARKING/CIRCULATION AREAS, BUILDING FOOTPRINTS AND SHAPES, ETC. SUCH CHANGES SHALL STILL REFLECT THE "NEIGHBORHOOD SERVICES" STYLE LAYOUT OF THE SITE AS GENERALLY DEPICTED ON THE PLAN.
- THE PROPOSED DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CITY OF CHARLOTTE REGULATIONS PERTAINING TO OFF-STREET PARKING, SIGNAGE, BUFFERS/LANDSCAPING, SCREENING, DRAINAGE, TREE ORDINANCE, ETC.
- THE NUMBER OF VEHICULAR ACCESS TO THE SITE SHALL BE LIMITED TO THE POINTS OF INGRESS/EGRESS AS SHOWN ON THE SITE PLAN. HOWEVER, THE LOCATIONS MAY VARY SOMEWHAT FROM THAT DEPICTED. THE LOCATION AND DESIGN SHALL COMPLY WITH ALL APPLICABLE STANDARDS AND REQUIREMENTS OF THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.
- MAXIMUM BUILDING HEIGHTS FOR THE RETAIL BUILDINGS SHALL BE 24 FEET FOR THE BODY OF THE BUILDING, CERTAIN ARCHITECTURAL ELEMENTS INCLUDING CLERESTORIES, TOWERS, SLOPED ROOF SECTIONS OR OTHER DESIGN ELEMENTS MAY EXTEND BEYOND THE 24 FEET LIMIT. OFFICE USE MAY EXTEND TO 32 FEET FOR BODY OF BUILDING.
- STORM WATER DETENTION MAY BE LOCATED ABOVE GROUND ON SITE. DETENTION SHALL NOT BE PERMITTED BETWEEN THE BUILDING AND THE INTERNAL STREET OR BETWEEN THE BUILDING AND ARDREY KELL OR MARVIN RD.
- MAXIMUM HEIGHT OF BUILDING LIGHTING SHALL BE 30 FEET. LIGHTING SHALL BE DESIGNED IN A MANNER TO SHIELD/DIRECT LIGHTING GLARE AWAY FROM RESIDENTIAL AREAS.
- SCREENING SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 12.303 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.
- ALL DUMPSITES SHALL BE LOCATED WITHIN A SOLID BRICK ENCLOSURE WITH GATES.
- COMMERCIAL BUILDINGS ON THE SITE WILL BE CONSTRUCTED WITH BRICK AND/OR OTHER MASONRY FINISHING MATERIALS. 70% OF THE WALL AREA WILL BE CONSTRUCTED OUT OF MASONRY. OTHER MATERIALS TO INCLUDE STUCCO AND/OR HARDI PLANK SIDING.
- THE PETITIONER/DEVELOPER SHALL INSTALL A 6 FOOT SIDEWALK AND AN 8 FOOT PLANTING STRIP ALONG ALL PUBLIC STREETS.
- PROPOSED USES FOR THE SITE SHALL INCLUDE THOSE ALLOWED IN THE NS DISTRICT EXCEPT FOR THE FOLLOWING:
USES SPECIFICALLY PROHIBITED ARE THE FOLLOWING:
AUTOMOTIVE SERVICE STATIONS, OFF STREET PARKING AS A PRINCIPAL USE, PEST CONTROL/DISINFECTING SERVICES, LABORATORIES, EQUIPMENT RENTAL, AUCTION SALES, OUTDOOR COMMERCIAL AMUSEMENT, FAST FOOD WITH DRIVE THRU, ARMORIES, GASOLINE SALES BAR OR ESTABLISHMENT WHERE LIQUOR SALES IS THE MAJOR SOURCE OF INCOME. ESTABLISHMENTS WHERE FOOD DELIVERY IS THE MAIN PART OF THE BUSINESS. THERE WILL BE A MAXIMUM OF TWO (2) USES WITH DRIVE THRU ON THE SITE. NO SINGLE RETAIL TENANT TO BE GREATER THAN 15,000 SF.
- THE PETITIONER/DEVELOPER SHALL INSTALL A FIRE HYDRANT WITHIN 750 FEET OF THE MOST REMOTE BUILDING AS A FIRE TRUCK TRAVELS IF SUCH HYDRANT DOES NOT EXIST. FURTHERMORE, IF REQUIRED BY FIRE DEPARTMENT REGULATIONS, 4-HOUR FIRE WALLS AND/OR SPRINKLER SYSTEMS SHALL BE INSTALLED IN EACH BUILDING TO OFFSET ANY POTENTIAL MARGINAL WATER SUPPLY IN THE AREA.
- THE PETITIONER AGREES TO PROVIDE A LOCATION FOR A CATS BUS STOP ON THE PROPERTY AS DIRECTED BY PLANNING. THE PETITIONER REQUESTS THE LOCATION BE LOCATED ON ARDREY KELL BETWEEN ACCESS B AND HWY 521, AS CLOSE TO HWY 521 AS POSSIBLE.
- THE PETITIONER SHALL TIE-IN TO EXISTING STORM WATER SYSTEM(S). THE PETITIONER SHALL HAVE THE RECEIVING DRAINAGE SYSTEM(S) ANALYZED TO ENSURE THAT IT WILL NOT BE TAKEN OUT OF STANDARD DUE TO THE DEVELOPMENT. IF IT IS FOUND THAT THE DEVELOPMENT WILL CAUSE THE STORM DRAINAGE SYSTEM(S) TO BE TAKEN OUT OF STANDARD, THE PETITIONER SHALL PROVIDE ALTERNATE METHODS TO PREVENT THIS FROM OCCURRING.
- THE PETITIONER SHALL CONTROL AND TREAT THE DIFFERENCE IN STORM WATER RUNOFF VOLUME LEAVING THE PROJECT SITE BETWEEN THE PRE AND POST DEVELOPMENT RUNOFF CONDITIONS FOR 1-YEAR 24-HOUR STORM. RUNOFF DRAIN DOWN TIME SHALL BE A MINIMUM OF 24-HOURS, BUT NOT MORE THAN 120-HOURS. PEAK STORM WATER RELEASE RATES SHOULD MATCH PRE-DEVELOPMENT RATES FOR 2-YEAR AND 10-YEAR 6-HOUR STORM EVENTS.
- THE USE OF STRUCTURAL STORM WATER TREATMENT SYSTEMS (WET PONDS, EXTENDED DETENTION WETLANDS, BIO-RETENTION, ETC.) SHALL BE INCORPORATED INTO THE SITE AND DESIGNED TO HAVE AN 85% AVERAGE ANNUAL REMOVAL FOR TOTAL SUSPENDED SOLIDS GENERATED FROM THE DEVELOPMENT ACCORDING TO SPECIFICATIONS IN THE NC DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEST MANAGEMENT PRACTICES MANUAL, APRIL 1999.
- THE PETITIONER/DEVELOPER WILL WORK WITH THE MECKLENBURG COUNTY PARKS AND REC DEPARTMENT TO IMPLEMENT A QUALITY CONNECTION TO A FUTURE 300-ACRE PARK SOUTH OF ARDREY KELL ROAD.
- THE PETITIONER/DEVELOPER WILL INSTALL ATTRACTIVE "FULLY SHIELDED" PEDESTRIAN SCALE LIGHTING THROUGHOUT ALL NEW AND EXISTING STREETS AS REQUIRED.
- PLANTING STRIPS ALONG PUBLIC STREETS WILL HAVE APPROPRIATE STREET TREES AS REQUIRED AT 40' ON CENTER.
- THE PETITIONER/DEVELOPER WILL MAKE THE STREETS LOOK LIKE PUBLIC STREETS WITH SIDEWALKS ON BOTH SIDES AND ADEQUATE PLANTING STRIPS COMPLETE WITH APPROPRIATE SIZED TREES AND SPACINGS.
- THE SQUARE FOOTAGE OF THE STIPPLED AREA AT THE CORNER OF ARDREY KELL AND MARVIN WILL NOT COUNT AGAINST THE ALLOWED BUILDING SQUARE FOOTAGE BUT WILL COUNT TOWARD PARKING REQUIREMENTS.
- SEE PLAN FOR EXISTING RIGHT-OF-WAYS. RIGHT-OF-WAYS ARE TO BE "DEDICATED AND CONVEYED" AS NEEDED TO PROVIDE THE REQUIRED DISTANCE FROM THE CENTERLINE OF THE STREET.
- THE PETITIONER/DEVELOPER SHALL INSTALL TURN LANES AND MEDIAN ON ARDREY KELL AS DIRECTED BY CDOT AND AGREES TO INSTALL THE TURN LANES AS RECOMMENDED BY KIMBLEY HORN AND ASSOCIATES.
- THE HOURS OF OPERATION FOR THE RETAIL BUSINESS SHALL NOT BE LATER THAN 12:00 AM WITH THE EXCEPTION OF A DRUGSTORE THAT WILL BE ALLOWED 24 HOUR OPERATIONS AND THERE WILL NO DELIVERIES OR GARBAGE PICK UP BETWEEN THE HOURS OF 10 PM AND 7 AM.
- THE PRIVACY FENCE WILL BE INSTALLED AND COMPLETED PRIOR TO THE CLOSING OF THE FIRST TOWNHOME.
- THE NOISE LEVEL AS GENERATED FROM THE COMMERCIAL PART OF THE DEVELOPMENT SHALL NOT EXCEED 60 DB AS MEASURED AT THE RIGHT OF WAYS ALONG ARDREY KELL AND MARVIN ROADS.
- THE PETITIONER/DEVELOPER AGREES TO COMPLETE THE SECTION OF SIDEWALK ALONG ARDREY KELL COMING UP TO THE INTERSECTION OF MARVIN ROAD, PROVIDING IT IS ALLOWED BY ALL GOVERNING BODIES AND PROPERTY OWNERS.
- THE PETITIONER / DEVELOPER AGREES TO INSTALL A STREET LIGHT AT THE INTERSECTION OF ARDREY KELL AND MARVIN, PROVIDING IT IS ACCEPTABLE TO ALL GOVERNING AUTHORITIES INVOLVED.
- THE PETITIONER / DEVELOPER AGREES TO INSTALL A LANDSCAPE PLAN THAT IS GREATER THAN WHICH IS REQUIRED BY LOCAL MUNICIPALITIES.

STREET CONNECTIONS

THE PETITIONER PROPOSES FOUR SEPARATE PUBLIC STREET CONNECTIONS. THEY ARE INDICATED BY LETTERS A, B, C AND D FOR CLARITY AND ARE AS DESCRIBED BELOW:

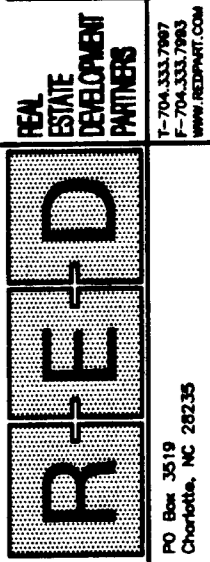
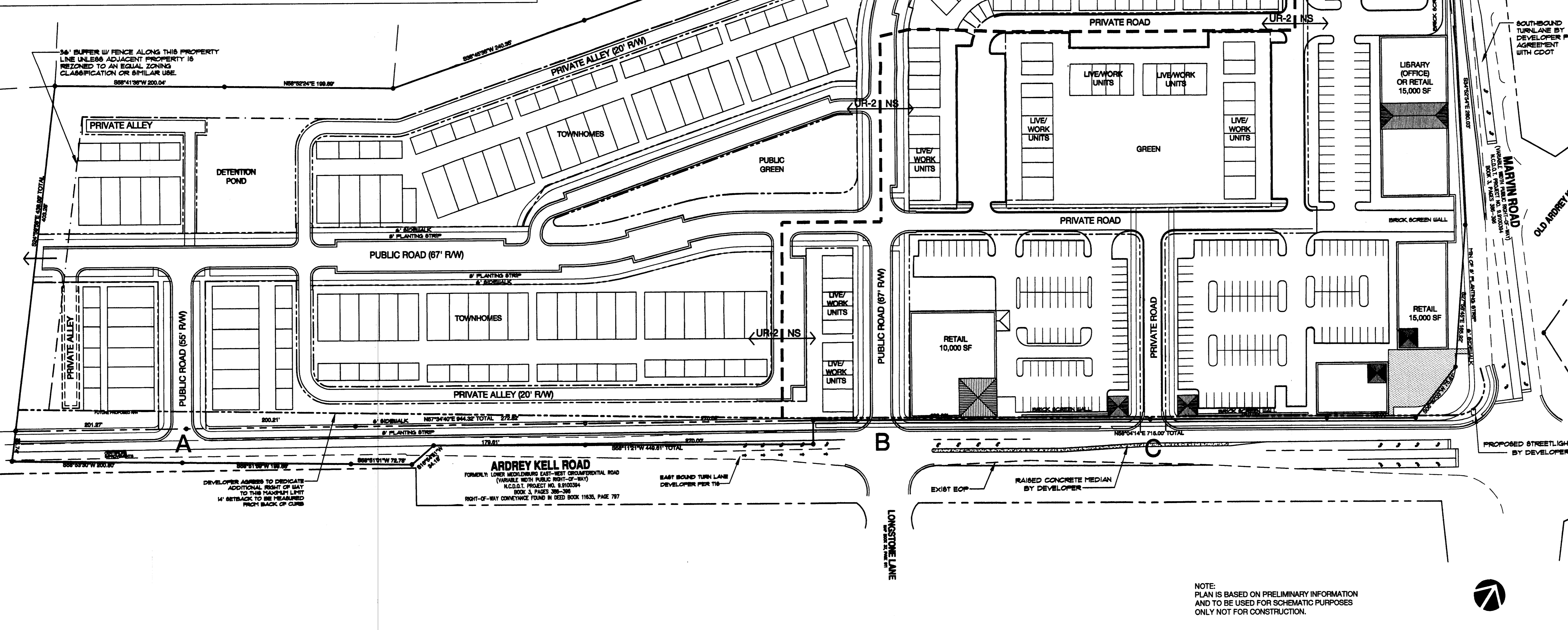
- A THE PETITIONER PROPOSES TO CONSTRUCT A PUBLIC STREET TO CONNECT TO ARDREY KELL ROAD AND PROVIDE FULL ACCESS
- B THE PETITIONER PROPOSES TO CONSTRUCT A PUBLIC STREET TO CONNECT TO ARDREY KELL ROAD AND PROVIDE FULL ACCESS
- C THE PETITIONER PROPOSES TO CONSTRUCT A DRIVEWAY TO CONNECT TO ARDREY KELL ROAD AND INSTALL A FINISHED CONCRETE MEDIAN IN ARDREY KELL TO RESTRICT MOVEMENTS TO RIGHT IN, RIGHT OUT.
- D THE PETITIONER PROPOSES TO CONSTRUCT A PUBLIC STREET TO CONNECT TO MARVIN ROAD AND ALLOW FOR FULL ACCESS MOVEMENTS

SITE DATA / ZONING INFO.

CURRENT ZONING CLASSIFICATION: R3 - RESIDENTIAL
 PROPOSED ZONING CLASSIFICATION: NS - NEIGHBORHOOD SERVICES (NS = 8.32 ACRES) / UR-2 URBAN RESIDENTIAL (UR-2 = 18.07 ACRES)
 TOTAL ACRES: 26.39 AC
 SETBACKS: FRONT - 14' FROM BC / 24.38 AC, REAR - 10' FROM R/W, SIDE - 10'
 BUILDING AREAS: 45,000 SF MAXIMUM OF COMMERCIAL/OFFICE USES UP TO 35,000 SF OF RETAIL. THE BALANCE TO BE OFFICE
 42 LIVE / WORK TOWNHOMES (THE COMMERCIAL COMPONENT ASSOCIATED WITH THESE IS NOT INCLUDED IN THE ABOVE SQUARE FOOTAGE CALCULATIONS)
 120 RESIDENTIAL TOWNHOMES
 OFF STREET PARKING/LOADING REQUIREMENTS: RETAIL 1 SPACE PER 250 SF MINIMUM, RESIDENTIAL 1.5 SPACE PER UNIT MINIMUM



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Ardrey Kell & Marvin
 Site Plan
 Rezoning Petition 2005-065
 City of Charlotte

NO. DATE BY: REVISIONS:
 APPROVED BY CITY COUNCIL
 DATE: 11/19/05

Project No: 05-001
 Date: November 2005
 Designed by: UDP
 Drawn by: UDP
 Scale: 1"=60'
 Sheet No:

NOTE:
 PLAN IS BASED ON PRELIMINARY INFORMATION
 AND TO BE USED FOR SCHEMATIC PURPOSES
 ONLY NOT FOR CONSTRUCTION.