

REVISIONS	BY
PER STAFF COMMENTS 05-16-07	D.L.M.
PER STAFF COMMENTS 07-13-07	D.L.M.

PREPARED BY
POWER ENGINEERING COMPANY, INC.
 ENGINEERS - PLANNERS - SURVEYORS
 COLUMBIA, SC CHARLOTTE, NC

**MOUNTAIN ISLAND MARKETPLACE
 REZONING PLAN**

SHEET 1 OF 2
 CHARLOTTE, NORTH CAROLINA

DEVELOPMENT DATA:
 EXISTING ZONING: CC COMMERCIAL CENTER DISTRICT
 MAXIMUM SQUARE FOOTAGE ALLOWED: 375,000 SF
 (RETAIL NOT TO EXCEED 275,000 SF)

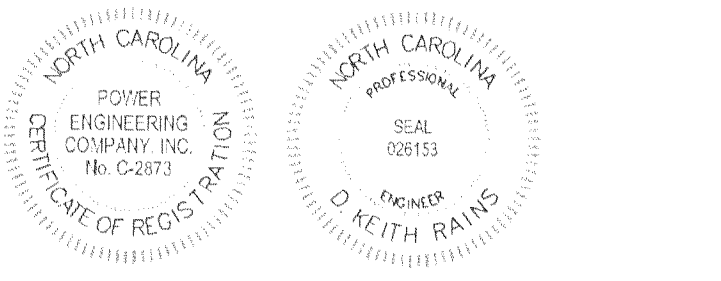
RETAIL SUMMARY:
 EXISTING RETAIL: 73,124 SF
 PROPOSED RETAIL: 88,878 SF
 FUTURE RETAIL: 163,000 SF TOTAL RETAIL (EXISTING AND FUTURE)
 *112,000 SF OF RETAIL SQUARE FOOTAGE AVAILABLE.

EXISTING OFFICE: 40,000 SF
 FUTURE OFFICE: 13,000 SF

*THE AMOUNT OF REMAINING ALLOWABLE OFFICE SQUARE FOOTAGE WILL BE DEPENDENT UPON THE AMOUNT OF FUTURE RETAIL WHICH HAS A MAXIMUM RETAIL CAP OF 275,000 SF.

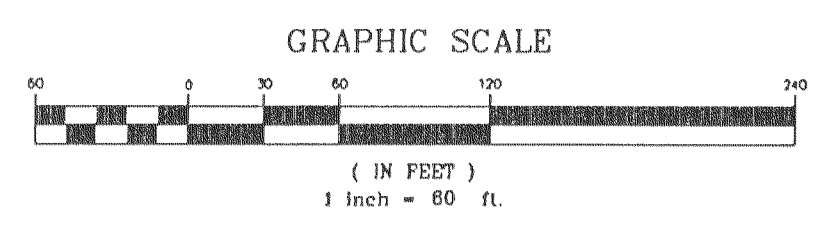
APPROVED BY
CITY COUNCIL
 JUL 16 2007

FOR PUBLIC HEARING
 PETITION NO. 2007-064



OWNER: MOUNTAIN ISLAND (ISA), LLC
 1901 MAIN STREET SUITE 900
 COLUMBIA, SC 29201
 PHONE: (803) 779-4120
 FAX: (803) 765-0881

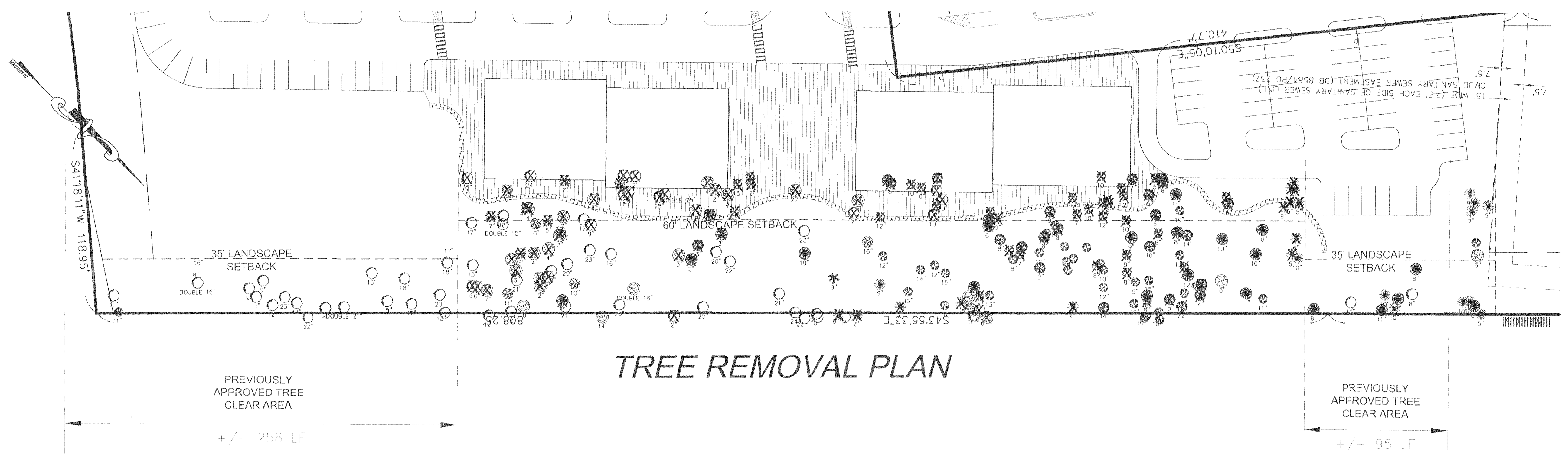
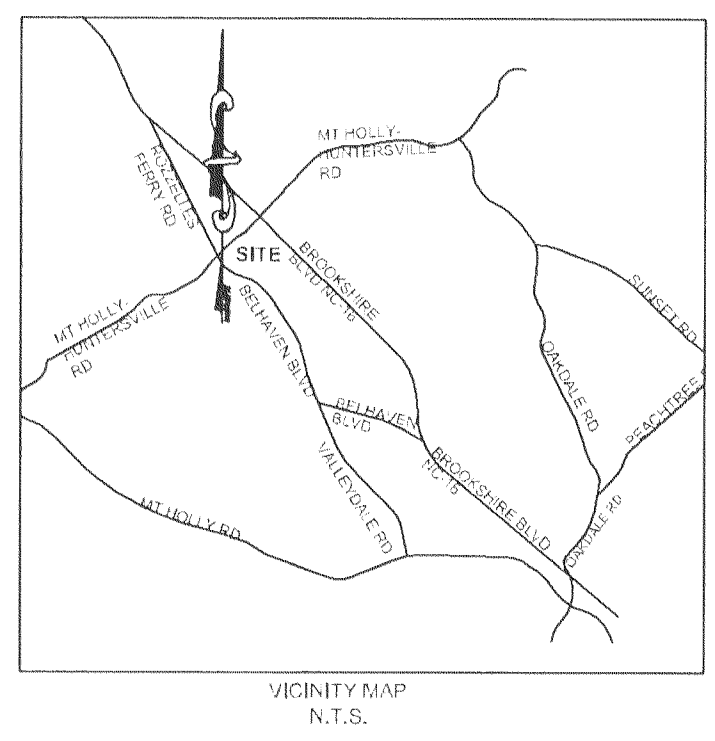
ENGINEER: POWER ENGINEERING CO., INC.
 13370-A SOUTH RIDGE DRIVE
 CHARLOTTE, NC 28273
 PHONE: (704) 525-7275
 FAX: (704) 525-2515



NC HIGHWAY 16 - BROOKSHIRE BOULEVARD

FUTURE RETAIL SHOPS
 AND/OR RESTAURANTS FOR A
 MAXIMUM OF 27,000 SF.

REVISIONS	BY
PER STAFF COMMENTS 05-16-07	D.L.M.
PER STAFF COMMENTS 07-13-07	D.L.M.
REVISED NOTES 1-29-09	D.L.M.



TREE REMOVAL PLAN

TREES MARKED WITH AN 'X' ARE TO BE REMOVED

- Development of the site will be controlled by the standard depicted on the site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed buildings and uses on the site, but the exact configuration, placement, and size of the individual site elements may be altered or modified within the limits prescribed by the ordinance during the design development and construction phases.
- The petitioner intends to develop this site (the "site") as part of a community mixed-use center. Special attention will be given to ensure that the project is developed as a high quality center offering a wide range of personal and professional services in an architecturally harmonious environment. The amenities will be integrated with each other aesthetically and will be complementary to the existing community. Particular attention will be given to the detailed site planning, building design and configuration, signage and landscaping. The individual buildings will be of a high standard of design and construction and will utilize quality durable materials.
- Signage shall be consistent throughout the development and in compliance with the ordinance requirements.
- Parking will equal or exceed the requirements established under the ordinance. No parking will be permitted within designated buffer or setback areas. Any uses that include drive-through service will be designed to meet standards for circulation and stacking.
- Screening will be provided in accordance with ordinance requirements. All dumpster enclosures and service areas will be screened from public streets and adjacent properties in accordance with the section 12.303 of the ordinance. All dumpsters will be screened with solid enclosures and gates.
- Access to the site will be provided by driveways from Mt. Holly-Huntersville Rd. and Coulouk Drive. The Petitioner will dedicate and/or convey right-of-way sufficient to create 50' of right-of-way measured from the centerline of Mt. Holly-Huntersville Rd. along the Petitioner's property line and will dedicate up to 70' of right-of-way where such land is available on the Petitioner's site as generally depicted on the site plan. Such dedication and/or conveyance to occur prior to the issuance of a Certificate of Occupancy for the first building on the site included in this rezoning petition. Any such dedication and/or conveyance will take the form of an instrument such as a quitclaim deed, non-warranty deed with appropriate reversion clause, or other instrument that conveys the property or right of way so dedicated and/or conveyed to the owner of the property, without cost, should the purpose for which the dedication and/or conveyance no longer exist and the responsible governmental authority abandons its use or need for the property.
- Sidewalk connections from building entrances to public street sidewalks will be provided.
- Access points and driveways to Mount Holly-Huntersville Road are limited to those that are existing and shown on this site plan.
- Pedestrian connectivity will comply with the provisions of the zoning ordinance for all new development on the site. Internal 5-foot wide sidewalks and crosswalks shall be constructed in order to provide pedestrian connectivity between all existing and future development areas. Two pedestrian sidewalk and crosswalk connections will be provided in order to provide access between the existing and proposed retail buildings as generally depicted on the site plan.
- No overhead utilities utility lines will be permitted within the development. The owners from time to time will have the right to approve all underground utility locations and all above ground equipment locations. Large above ground equipment will be screened from public streets.
- Adequate fire protection in the form of fire hydrants will be provided to meet the specifications of the Charlotte Fire Department. Detailed plans will be submitted to the Fire Department office for approval prior to construction commencement date of all future development.
- Storm Water on the site will be managed as follows: During construction, the development will comply with all applicable mandatory minimum requirements for sedimentation and erosion controls as specified by stormwater services. In the Development of the site, the petitioner will follow and adhere to the mandatory minimum statewide

watershed protection requirements adopted by the environmental management commission on February 13, 1992 pursuant to the state water supply watershed protection act for class WS-IV water in that portion of a watershed which lies outside the critical area of the watershed. All temporary and permanent storm water detention and BMP facilities will not store surface storm water in any required setback or buffer unless that area is topographically best suited for such use and the facilities so located are designed and maintained as part of the overall site landscaping. Grading/retaining for such facilities may extend into the 40-foot required setback along F-85 and NC 16.

13. With regard to the new development on the site occurring after the approval of this Petition, the Petitioner shall tie in to the existing storm water system(s). The Petitioner shall have the receiving drainage system(s) declared as the two existing discharge points currently found on the site and immediately down stream of the site boundary, analyzed to ensure that it will not be taken out of standard due to the development. If it is found that 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. For projects with defined watersheds greater than 2.05 building area, control the entire volume for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours. For residential projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms; perform a downstream analysis to determine whether peak control is needed for the 10 and 25 year, 6-hour storms. With regard to water quality, the Petitioner will construct water quality best management practices (BMPs) for the entire post-development runoff volume for the runoff generated from the first 1-inch of rainfall. BMPs must be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources (N.C. DENR) Best Management Practices Manual, April 1999, that have been designed to achieve 85% Total Suspended Solids (TSS) removal. Use of Low Impact Development (LID) techniques is optional.

14. Building materials used for the elevations of the future building fronting NC 16 will consist of Brick, CMU, Stone and/or Stucco and will architecturally complement the existing center. The material selection for the rear and interior side of the future shops may be CMU painted to match the color of the material used in the construction of the front and side elevations. Roof top mechanical units will be screened from adjoining and abutting residential properties. With regard to the new buildings proposed to be developed along NC 16, the architectural facades will be designed to complement one another. The architectural style of these buildings will be compatible with the existing center. The location of these new buildings will be within the building envelope area as shown on this site plan. Any drive thru windows associated with these buildings will be designed and located to maximize stacking. The Charlotte-Mecklenburg Planning Department will review the building elevations of the proposed building fronting on NC 16 prior to the issuance of the building permits. These buildings will have 4-sided exterior architecture, each side having a detailed finished architectural facade. The building elevations that are included on this application are intended to reflect the general mass, scale, configuration, and character of the buildings on the frontage of the site and to demonstrate the nature of the 4-sided architecture as requested by the Planning Department. The Petitioner may make revisions to the design details, materials, and architectural style of these buildings so long as the general mass, scale, configuration, and character of the buildings on the frontage of the site is maintained.

15. A standard lighting system will be implemented. The design of the fixtures will be compatible with the overall architectural design of the project. All lighting fixtures shall be developed such that direct illumination does not extend past any property line. All new outdoor lighting shall be full cut-off type lighting fixtures with the exception of lower, decorative lighting that may be installed along interior driveways, sidewalks, and parking areas. Site lighting will be limited to 35 feet in height and will be shielded or capped. No "wall pack" lighting will be installed as part of any new building development but architectural lighting on building facades will be permitted.

16. The area along NC 16 will be treated as a minimal tree protection area as dimensioned and generally depicted on the site plan. Within the maintained tree protection area, trees will be preserved as indicated on these plans. The Petitioner may limit up existing trees over 8 inches in caliper to a single eight vertical feet above the parking lot elevations of the existing and proposed elevations of the adjacent existing and prior to any "limb up" activity. The Petitioner may remove any vines, underbrush and small trees not depicted on this plan within the landscape setback area and may enter the setback area for the purpose of controlling the resurgence of vines, underbrush, small trees and shrubs. As part of the site plan, the Petitioner has attached specific tree removal and remediation plans for the area of the site along NC 16.

17. The total gross floor area of the development for the property included in this rezoning petition is not proposed to be expanded from that which was originally approved for the site and will be limited to 375,000 square feet, with retail development not to exceed 275,000. The amount of retail floor area for the site will be limited to a total of 200,000 sq. ft. if the Petitioner is permitted to install a directional cross-over (left-over) from Mt. Holly-Huntersville Rd. into the site generally at the location of the existing full access driveway between Coulouk Drive and NC 16. The maximum number of buildings or building pads is as depicted on the site plan. However, the Petitioner reserves the right to reduce the total number of buildings on the site so long as the total approved floor areas are not exceeded subject to the floor area conversion provisions below.

18. The Petitioner reserves the right to convert office floor area to retail floor area at a rate of 3 sq. ft. of office area for 1 sq. ft. of retail floor area. Conversely, the Petitioner may convert retail floor area to office floor area at the reciprocal rate. Further, office floor area may be converted to hotel rooms at the rate of 300 sq. ft. of office floor area for each one hotel room.

19. Parcels included in this petition may be developed to any use (including any accessory use) which is permitted by right or under prescribed conditions in a CC Zoning District under the ordinance with the following exceptions:

- Automotive Service Stations
- Boarding Houses
- Bus and Train Terminals
- Elementary and Secondary Schools
- Farms
- Group Homes, Adult Care Centers, Nursing Homes and Orphanages
- Restaurants with Drive-in Service (this rezoning application does not apply to the outparcels) This exception shall not apply to coffee shops or small restaurants with a gross leasable area less than 2,500SF.
- Car Washes
- Cemeteries
- Jails and Prisons
- Kennels and Stables
- Marinas
- Petty Sheds
- Helipads
- Petroleum Storage
- Landfills, Waste Disposal Facilities Requiring Special Use Permits, Wastewater treatment facilities
- Quarries

20. Throughout this rezoning petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners" shall with respect to the site be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the Owner or Owners of the site who may be involved in its development from time to time.

21. The Petitioner acknowledges that the other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, signs, and site development may apply to the development of the site. These are not zoning regulations, are not administered by the zoning administrator, and are not separate zoning conditions imposed by this plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site by those other city ordinances.

Revised per staff comments 5/19/07
Revised per Zoning Committee Approval 7/10/07

TRANSPORTATION IMPROVEMENTS
TRANSPORTATION IMPROVEMENTS WILL BE INSTALLED ACCORDING TO THE FOLLOWING CONDITIONS.

UP TO 90KSF OF ADDITIONAL RETAIL CAN BE CONSTRUCTED WITHOUT IMPROVEMENTS, BUT WITH THE DEDICATION OF REQUESTED R/W ALONG MOUNT HOLLY-HUNTERSVILLE RD. PROPERTY FRONTAGE FROM PARCELS OWNED/CONTROLLED BY THE PETITIONER.

FOR ANY RETAIL DEVELOPMENT EXCEEDING A TOTAL OF 163,124SF THE FOLLOWING IMPROVEMENTS ARE REQUIRED TO BE COMPLETED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

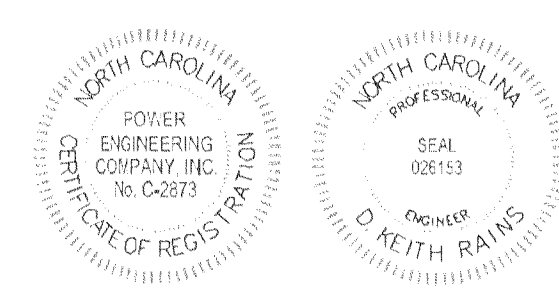
- CONSTRUCTION OF A RAISED CONCRETE MEDIAN ON MOUNT HOLLY-HUNTERSVILLE RD. BETWEEN BROOKSHIRE AND COULOUK, LIMITING THE EXISTING DRIVEWAY TO R/RO MOVEMENTS ONLY. IF A "LEFT-OVER" CAN BE APPROVED BY CDOT/NC DOT AT THAT TIME, THEN IT CAN BE CONSTRUCTED WITH THE MEDIAN.
- CONSTRUCTION OF CURB/GUTTER AND SIDEWALK ALONG MOUNT HOLLY-HUNTERSVILLE RD. FRONTAGE.

FOR ANY RETAIL DEVELOPMENT EXCEEDING A TOTAL OF 200,000 SF OF RETAIL, THE FOLLOWING IMPROVEMENTS ARE REQUIRED TO BE COMPLETED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

- DEDICATION OF R/W, THE DESIGN FOR AND CONSTRUCTION OF DUAL WESTBOUND LEFT-TURN LANES FROM MOUNT HOLLY-HUNTERSVILLE RD. ROAD TO COULOUK.

PETITIONER ALSO AGREED TO FUND THE COST OF A TRAFFIC SIGNAL INTERCONNECT AT ANY TIME THAT IT MAY BE WARRANTED AND APPROVED FOR INSTALLATION BY CDOT/NC DOT.

FOR PUBLIC HEARING
PETITION NO. 2007-064



OWNER: MOUNTAIN ISLAND (E&A), LLC
1901 MAIN STREET, SUITE 900
COLUMBIA, SC 29201
PHONE: (803) 779-4420
FAX: (803) 795-0881

ENGINEER: POWER ENGINEERING CO., INC.
13318-A SOUTH RIDGE DRIVE
CHARLOTTE, NC 28273
PHONE: (704) 525-7275
FAX: (704) 525-2515

MOUNTAIN ISLAND MARKETPLACE
REZONING PLAN
SHEET 2 OF 2
CHARLOTTE, NORTH CAROLINA

DRAWN	D.L.M.
CHECKED	D.K.R.
DATE	1/15/07
SCALE	1" = 30'
JOB NO.	6117
SHEET	RZ-2

