

SITE DATA

Total Site Area 116 Ac.
 Existing Zoning NS - LWPA, BD (CD) - LWPA
 Proposed Zoning NS - LWPA (Parcels A, B, D, D-1, E, F) *site plan amendment
 BD (CD) - LWPA (Parcel C)

	Residential	Retail	Office	Climate Controlled Storage
Area 1 - Residential (50 Ac.)				
Parcel E	625 units (687,500 s.f.)**			
Parcel F	140 units (175,000 s.f.)**			
**See RZ-1 for specific development allowed for Parcel E and Parcel F				
Area 2 - Multi-Use (70 Ac.)				
Parcel A		245,000 s.f.		
Parcel B		72,500 s.f.		
Parcel C			165,000 s.f.	
Parcel D, D-1		98,000 s.f.	165,000 s.f.	
Total	765 units (862,500 s.f.)	415,500 s.f.	165,000 s.f.	127,000 s.f.

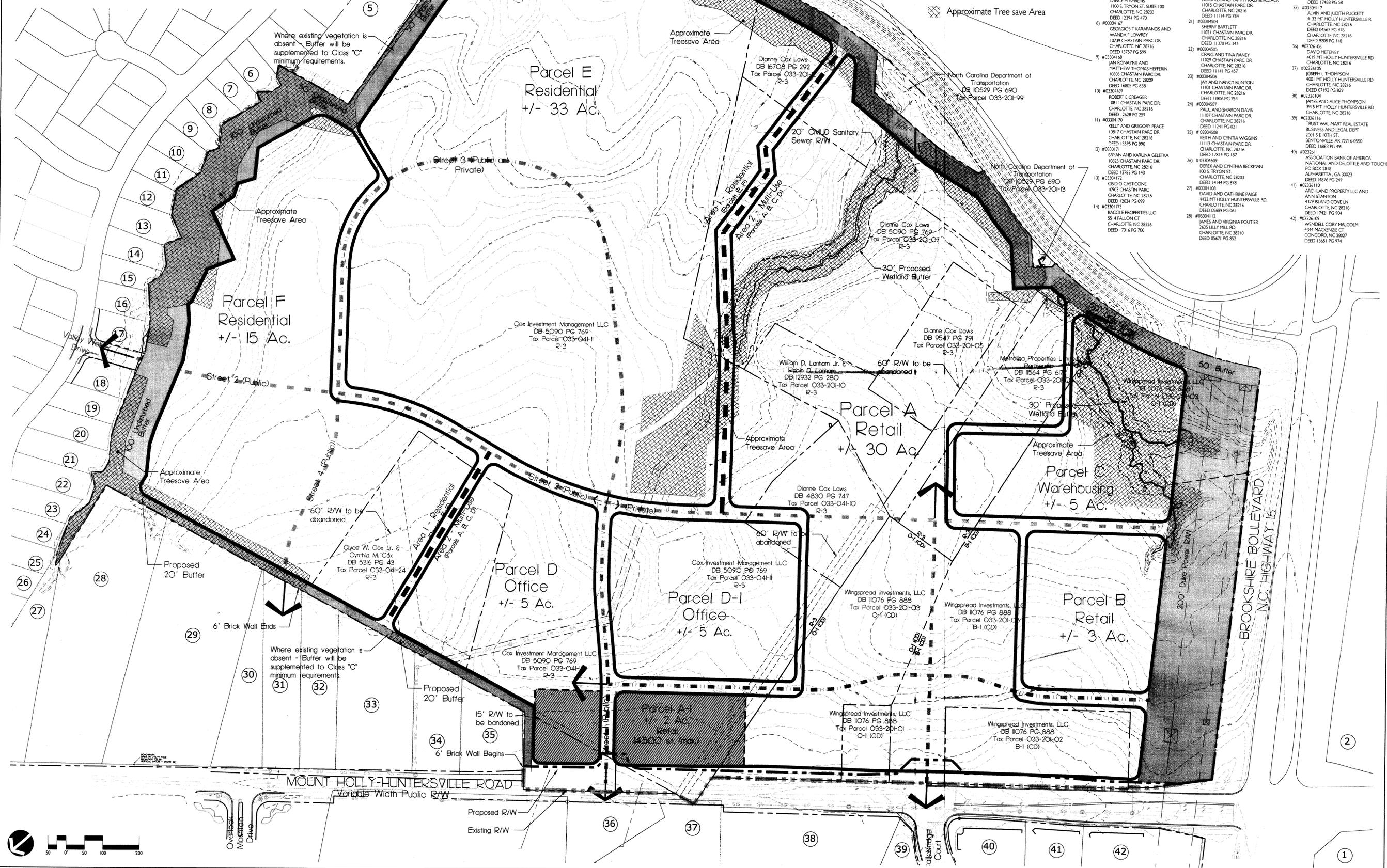
SITE DATA

Total Site Area 116 Ac.
 Area 1 - Residential 56 Ac.
 Area 2 - Multi-Use 60 Ac.
 Proposed Treesave Area 1 +/- 11.6 Ac. (10.0%)
 Area 1 6.11 Ac.
 Area 2 5.79 Ac.
 Proposed Open Space 29.75 Ac. (25%)

*Note:
 Tree save areas are approximate based on aerial topography information.

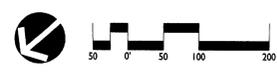
ADJACENT PROPERTY OWNERS

- #02327133 EMBLED INVESTMENTS, LLC 10917 CHASTAIN PARK SUITE 105 CHARLOTTE, NC 28207 DEED 17390 PG 83
- #03301225 JOE W. MCLEAN MOUNTAIN ISLAND LLC 190 MAIN ST. #900 COLUMBIA, SC 29201 DEED 11564 PG 061
- #488 WILLIAM DONNELL LAMM 9501 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 15914 PG 215
- #03304106 WILLIAM DONNELL LAMM 9501 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 15914 PG 215
- CHASTAIN HOMEOWNERS ASSOC. INC 3800 EXECUTIVE CENTER DR CHARLOTTE, NC 28212 DEED 11073 PG 339
- #03304165 KETH AND ELIZABETH DOWNING 10727 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 17442 PG 573
- # 03304166 JANCE H. AARENS 1100 S. TRYON ST. SUITE 100 CHARLOTTE, NC 28203 DEED 12394 PG 470
- #03304167 GEORGIOS T. KARAPANOS AND WANDA L. LOWREY 10739 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 13757 PG 599
- #03304168 JAN RONAYNE AND MATTHEW THOMAS HEFFERN 10805 CHASTAIN PARK DR CHARLOTTE, NC 28209 DEED 16805 PG 838
- #03304169 ROBERT E. CREAHER 10811 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 12628 PG 259
- #03304170 KELLY AND GREGORY PEACE 1087 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 13595 PG 890
- #033071 BRYAN AND KARLINA GELTKA 10825 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 17883 PG 143
- #03304171 CINDO CASTICONE 10903 CHASTAIN PARK CHARLOTTE, NC 28216 DEED 20204 PG 099
- #03304173 BACCLE PROPERTIES LLC 5514 FALCON CT CHARLOTTE, NC 28226 DEED 17016 PG 700
- #03304174 CHELY AND RONALD WASEK 4316 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 17175 PG 295
- #03304175 WILLIAM AND BETTY ALLEN 4220 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 05033 PG 424
- #03304176 WILLIAM AND BETTY ALLEN 4220 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 05033 PG 424
- #03304177 WILLIAM AND BETTY ALLEN 4220 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 05033 PG 424
- #03304501 AMANDA FERGUSON 1007 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 15716 PG 285
- #03304502 AMANDA FERGUSON 1007 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 15716 PG 285
- #03304503 DONALD AND TAMMY KAZMERZACK 11015 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 11114 PG 784
- #03304504 SHERRY BARTLETT 11021 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 11707 PG 342
- #03304505 CRAIG AND TRINA RANEY 11029 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 11141 PG 457
- #03304506 JAY AND NANCY BUNTON 11101 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 11804 PG 754
- #03304507 PAUL AND SHARON DAVIS 11107 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 11241 PG 021
- #03304508 KETH AND CYNTHIA WIGGINS 11113 CHASTAIN PARK DR CHARLOTTE, NC 28216 DEED 17814 PG 187
- #03304509 ASOCIACION BANK OF AMERICA NATIONAL AND DELOTTLE AND TOUCHÉ PO BOX 2818 ALPHARETTA, GA 30023 DEED 14876 PG 249
- #03304510 TRUST WALKMART REAL ESTATE BUSINESS AND LEGAL DEPT 2001 S.E. 10TH ST BENTONVILLE, AR 72716-0550 DEED 16883 PG 491
- #03304511 JAMES AND ALICE THOMPSON 3915 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 07193 PG 829
- #03304512 TRUST WALKMART REAL ESTATE BUSINESS AND LEGAL DEPT 2001 S.E. 10TH ST BENTONVILLE, AR 72716-0550 DEED 16883 PG 491
- #03304513 ANSILAND PROPERTY LLC AND ANN STANTON 4379 ISLAND COVE LN CHARLOTTE, NC 28216 DEED 17421 PG 904
- #03304514 JAMES AND VIRGINIA POUTIER 2625 LILLY MILL RD CHARLOTTE, NC 28210 DEED 05671 PG 852
- #03304113 HOLLY HUNTER CHURCH 4316 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 17175 PG 295
- #03304109 WILLIAM AND BETTY ALLEN 4220 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 05033 PG 424
- #03304123 WILLIAM AND BETTY ALLEN 4220 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 05033 PG 424
- #03304122 WILLIAM AND BETTY ALLEN 4220 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 05033 PG 424
- #03304119 ROBERT AND CARINA RIVERBARK 4200 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 1488 PG 58
- #03304117 ALVIN AND BUDITH RUCKETT 4132 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 05627 PG 476
- #03304106 DAVID METENEY 4019 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 07193 PG 829
- #03304104 JAMES AND ALICE THOMPSON 3915 MT HOLLY HUNTERSVILLE RD CHARLOTTE, NC 28216 DEED 07193 PG 829
- #03304101 TRUST WALKMART REAL ESTATE BUSINESS AND LEGAL DEPT 2001 S.E. 10TH ST BENTONVILLE, AR 72716-0550 DEED 16883 PG 491
- #03304509 ANSILAND PROPERTY LLC AND ANN STANTON 4379 ISLAND COVE LN CHARLOTTE, NC 28216 DEED 17421 PG 904
- #03304510 JAMES AND VIRGINIA POUTIER 2625 LILLY MILL RD CHARLOTTE, NC 28210 DEED 05671 PG 852



Mountain Island Promenade Rezoning Petition
 Charlotte, North Carolina
 Withrow Capital, Investments, LLC
TECHNICAL DATA SHEET

LandDesign
 273 N. College Street, Charlotte, NC 28202
 V: 704.333.0335 F: 704.333.2426
 www.LandDesign.com

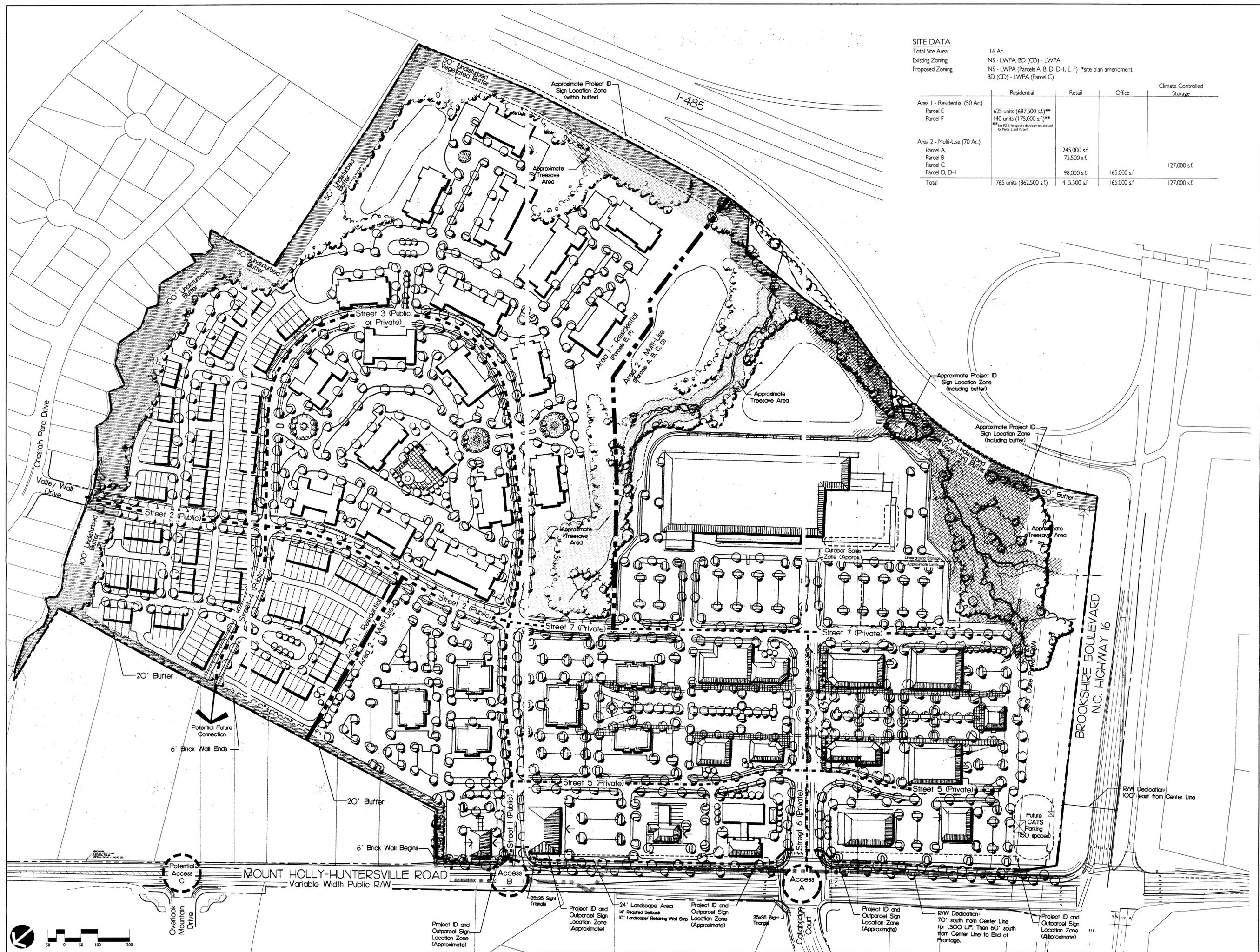


REVISIONS:
 DATE: 11.13.07
 DESIGNED BY: HRC
 DRAWN BY: HRC
 CHECKED BY: HRC
 SCALE: 1"=100'
 PROJECT #: 1107263
 SHEET #:
RZ-1

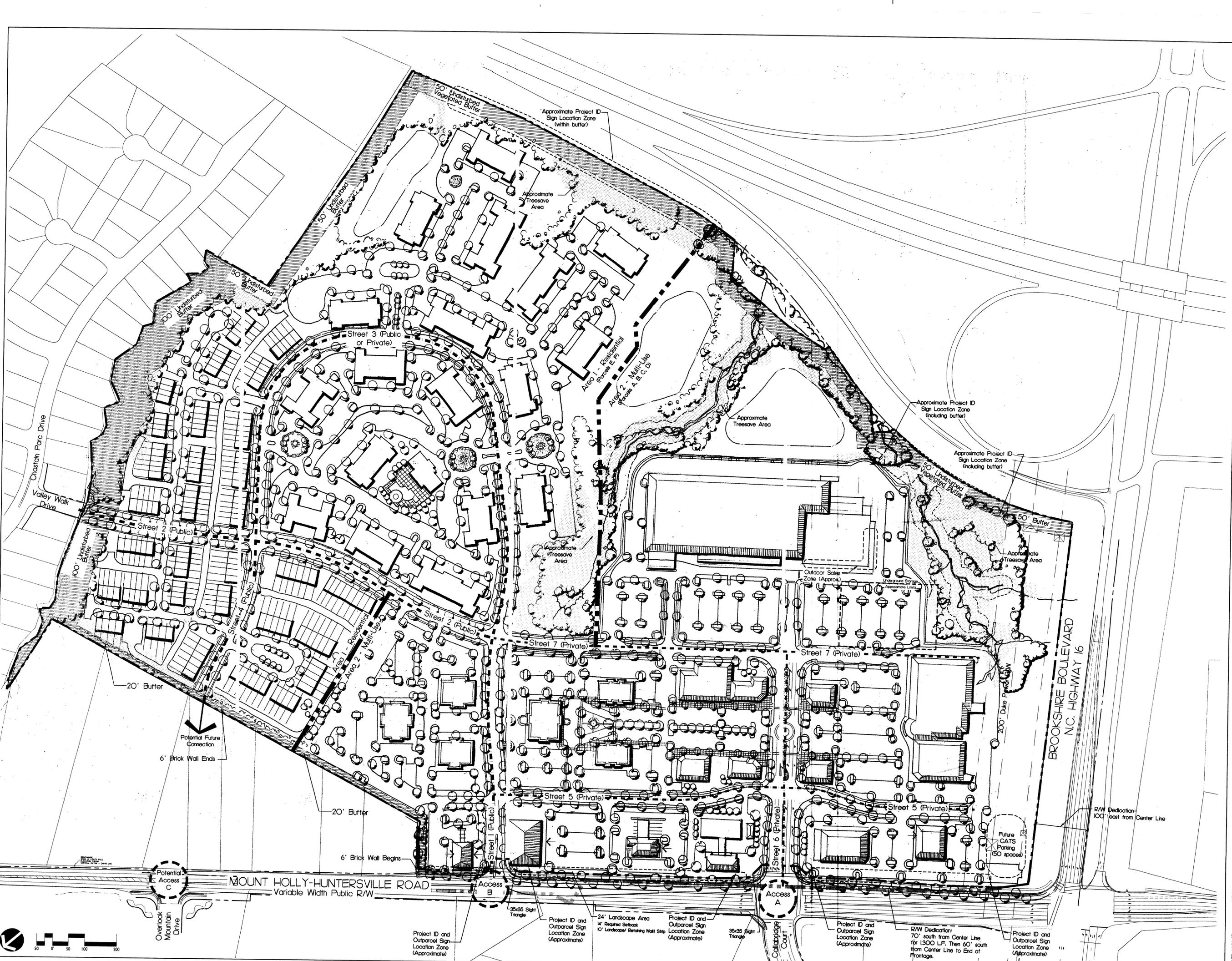
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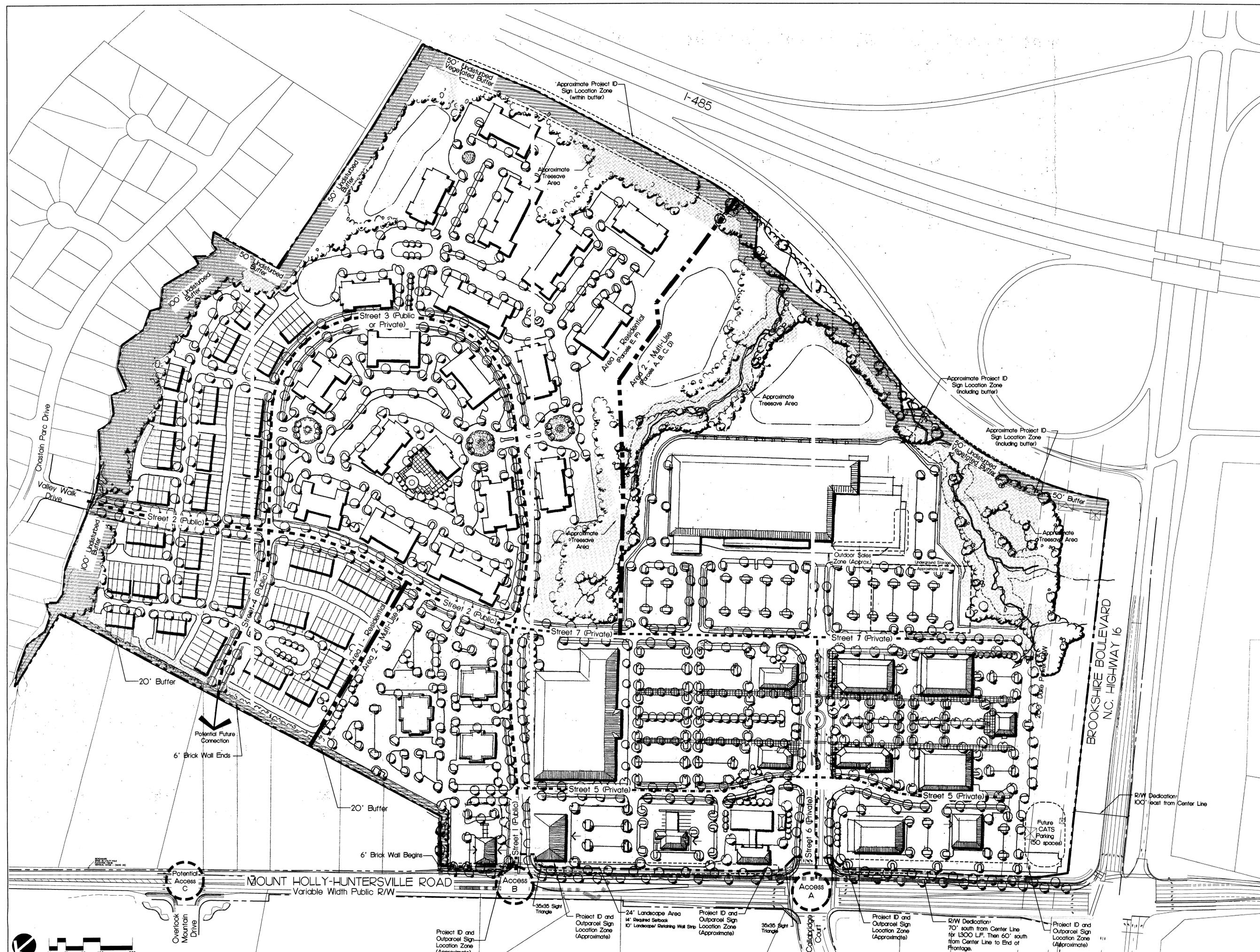
	Residential	Retail	Office	Climate Controlled Storage
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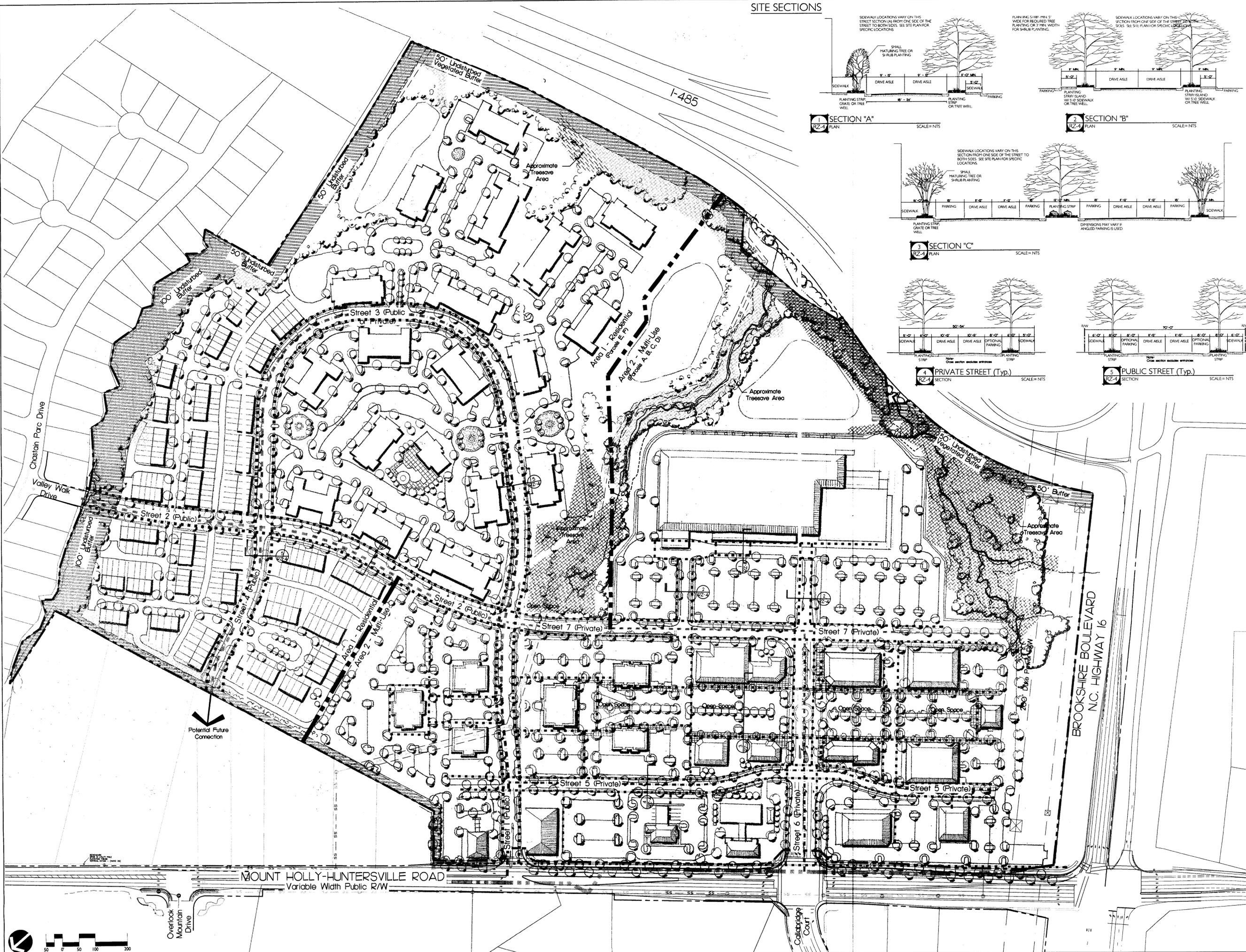


Mountain Island Promenade Rezoning Petition
 Charlotte, North Carolina
 Withrow Capital, Investments, LLC
 SCHEMATIC SITE PLAN A

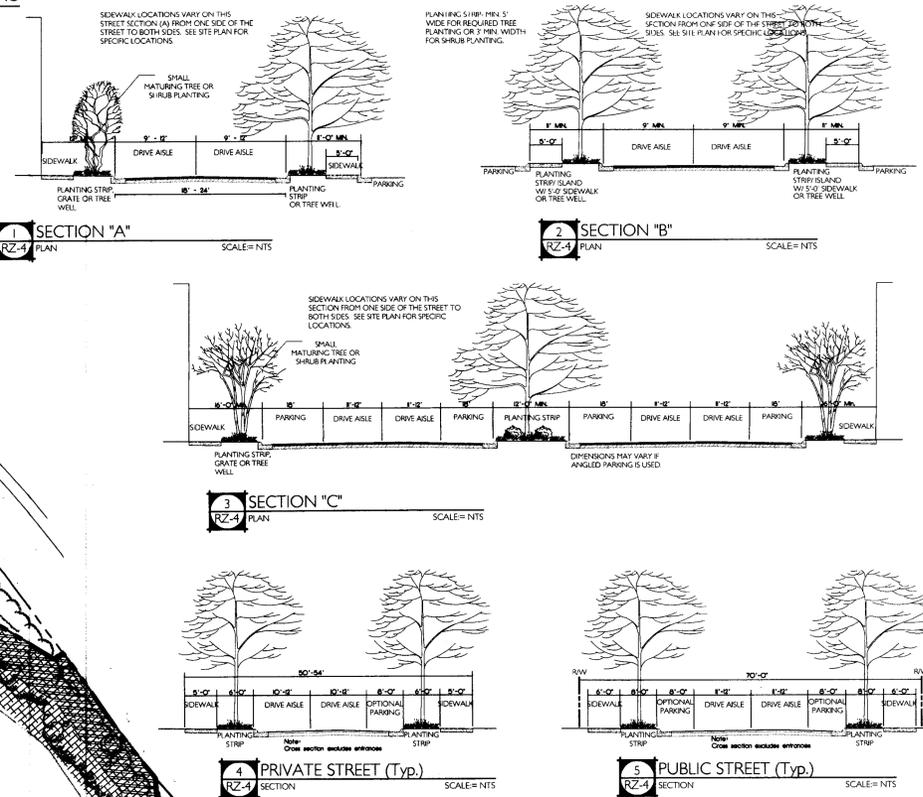


Mountain Island Promenade Rezoning Petition
 Charlotte, North Carolina
 Withrow Capital, Investments, LLC
 SCHEMATIC SITE PLAN B





SITE SECTIONS



Overlook Mountain Drive

MOUNT HOLLY-HUNTERSVILLE ROAD
Variable Width Public R/W

DEVELOPMENT STANDARDS
MOUNTAIN ISLAND PROMENADE
PETITION NO. 2008-___

General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by the Petitioners to accommodate development of a pedestrian-friendly multi-use development on an approximately 116.3-acre Site located on the southeasterly quadrant of the intersection between Brookshire Boulevard (NC Highway 16) and Mt. Holly - Huntersville Road (the "Site").

Unless the Technical Data Sheet (Sheet RZ-1), the Schematic Site Plan A (Sheet RZ-2a), the Schematic Site Plan B (Sheet RZ-2b), the Schematic Site Plan C (Sheet RZ-2c), the Schematic Site Plan D (Sheet RZ-2d), the Supplemental Sheets (Sheets RZ-3, and RZ-4), or these Development Standards (Sheet RZ-5) establish more stringent standards, the regulations established under the Charlotte Zoning Ordinance (the "Ordinance") for the NS zoning district classification shall govern all development taking place on Parcel A, Parcel B, Parcel D, Parcel D-1, Parcel E and Parcel F of the Site and the regulations established under the Ordinance for the RD zoning district classification shall govern all development taking place on Parcel C of the Site.

- Permitted Uses**
 - Subject to the provisions of Paragraph (a) of Section 2 below, Parcel A and Parcel B of the Site may be devoted to a home improvement center, retail sales, personal and recreational services, drug store, children care agency, automotive service station and associated car wash, outdoor seasonal sales, donation drop-off facility, equipment rental and leasing within an enclosed building, post office, financial institution, day care, studios, education center, schools, general and medical offices, restaurants and medical, dental and optical clinics which are permitted under the Ordinance by right or under prescribed conditions in the NS zoning district.
 - Subject to the provisions of Paragraph (c) of Section 2 below, Parcel C of the Site may be devoted to a substantially below ground, climate-controlled storage building, an above ground off-street building that is associated with the storage building, associated above ground off-street parking and above ground off-street parking for Parcel A, Parcel B and Parcel C.
 - Subject to the provisions of Paragraph (d) of Section 2 below, Parcel C of the Site may be devoted to those uses allowed in an office district zoning classification, including but not limited to, banks or other financial institutions, (with or without drive through lanes), general and medical offices, optical, dental and medical clinics and elementary and secondary schools, along with associated accessory uses. Additionally, subject to the provisions of Paragraph (e) of Section 2 below, Parcel D-1 of the Site may be devoted to retail, restaurant or commercial uses as permitted in the NS district zoning classification and/or those uses allowed in an office district zoning classification.
 - Subject to the provisions of Paragraph (f) of Section 2 below, Parcel E of the Site may be devoted to all types of attached for sale and/or for rent residential developments including but not limited to a nursing home, rest home, home for the aged and assisted living center along with associated accessory uses.
 - Parcel F of the Site may be devoted to all types of attached for sale residential developments along with associated accessory uses. Additionally, that portion of Parcel F lying west of Public Street 4 and adjacent to Parcel D may be used for an elementary and secondary school along with associated accessory uses.

- Maximum Building Areas and Development Limitations**
 - No more than 317,500 square feet of gross leasable floor area may be developed on Parcel A and Parcel B. Areas devoted to outdoor dining, gallery areas, outdoor covered walkways and courtyards, areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl space), service areas, mechanical and electrical rooms and outdoor sales areas are not included in this maximum square footage; provided, however, that any off-street parking access therewith that may be required by the Ordinance will be provided for these areas.

Additionally, no outside sales will be allowed on Parcel A except within the general areas depicted on Sheet RZ-2a, Sheet RZ-2b, Sheet RZ-2c or Sheet RZ-2d and outside sales conducted in connection with other uses on Parcel A and Parcel B, including outdoor dining, must comply with applicable regulations in the Ordinance.

- The uses permitted on Parcel A and Parcel B under Paragraph (a) of Section 1 above are subject to the following conditions:
 - A minimum of 5,000 square feet of floor area designated for or leased as office use under the Ordinance shall be constructed on the Site prior to the issuance of any certificate(s) of occupancy for more than 175,000 square feet for retail, restaurant or other commercial use.
 - No single user may occupy more than 26,300 square feet of space within Parcel A or Parcel B, subject to the following two exceptions:
 - One retail use may be established on Parcel A which occupies no more than 175,000 square feet.
 - A grocery store and/or junior anchor may be established on Parcel B provided no single building shall exceed 55,000 square feet.
 - No more than three establishments with drive-through window facilities, as defined in the Ordinance, and no more than one automotive service station may be developed on these Parcels.
 - The number of independent lot-parcels shall be limited to no more than two. All other lot-parcels must be inter-connected as defined by the General Development Policies.

- The substantially below ground climate-controlled storage facility permitted on Parcel C shall contain no more than 127,000 square feet, which is composed of an approximately 125,000 square foot below ground storage building and an approximately 2,000 square foot above ground off-street building.

- Parcel D of the Site may be developed with:
 - Elementary or secondary school uses along with associated accessory uses, and/or
 - Up to 84,000 square feet of office uses along with associated accessory uses.

- Parcel D-1 of the Site may be developed with:
 - Up to 98,000 square feet of retail uses which may be located within one or more buildings and may be devoted to one anchor tenant or to multiple smaller tenants along with associated accessory uses or
 - Up to 81,000 square feet of office uses along with associated accessory uses and up to 50,000 square feet of retail uses which may be located within one or more buildings and may be devoted to one tenant or multiple tenants.

The uses permitted on Parcel D-1 under Paragraph (c) of Section 1 above are subject to the following condition:

- No more than one establishment with drive-through window facilities, as defined in the Ordinance, and no automotive service station may be developed on this Parcel.

- Parcel E of the Site may be developed with:
 - up to 625 attached for sale and/or for rent residential units along with associated accessory uses; provided, however, that no more than 540 of such residential units may be constructed initially for rent, and/or
 - a nursing home, rest home, home for the aged and assisted living center with exchanging residential units and the rate of 22 independent living units for 18 residential units and for dependent living beds at the rate of 70 dependent living beds for 18 residential units, provided, however, that the independent living units and dependent living beds may be for rent or for sale, or a combination thereof, and any for rent independent living units or dependent living beds shall not be deemed to be attached for rent residential units within the meaning of the 540 unit for rent limitation provided above.

- Parcel F of the Site may be developed with either:
 - Up to 100 for sale attached residential units and/or single-family detached residential units which satisfy the existing regulations under the R-6 zoning district classification; or
 - Up to 125 for sale attached residential units and/or single-family detached residential units which satisfy the existing regulations under the R-6 zoning district classification and accessory uses and an elementary or secondary school containing up to 80,000 leasable square feet and accessory uses, on that portion of Parcel F that lies west of Public Street 4 and is adjacent to Parcel D.

- Setbacks, Side Yards and Rear Yards**
 - All buildings constructed on Parcels A, B, D, D-1, E and F of the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the NS zoning district, subject to the provisions of Section 3(c) below. However, a landscape strip of at least 24 feet in width, as measured from the back of the curb specified on the Technical Data Sheet, shall be provided along Mt. Holly-Huntersville Road. This landscape strip shall conform to the specifications outlined on Sheet RZ-3.

- All buildings constructed on Parcel C of the Site shall satisfy or exceed any required setback, rear yard and side yard requirements established under the Ordinance for the BD zoning district, subject to the provisions of Section 3(c) below.

- The Site may be considered a unified development plan and as such internal side and/or rear yards may be eliminated, subject to the normally required staff review and approval process.

- Design and Performance Standards**

Accompanying the Rezoning Petition are four optional alternative Schematic Site Plans (Sheets RZ-2a, RZ-2b, RZ-2c and RZ-2d) for the development of Parcel A, B, D and D-1 of the Site, all of which shall be approved without further authorization so long as the ultimate design is consistent with one of the four plans.

The Petitioners reserve the option to combine or not combine buildings depicted on each Schematic Site Plan. However, this option does not include the right to increase the number of buildings shown on any of the Schematic Site Plans.

The developments on Parcels A, B, C, D, D-1, E and F as depicted on the Schematic Site Plans (Sheets RZ-2a, RZ-2b, RZ-2c and RZ-2d) are schematic in nature and intended to describe the general arrangement of uses on the Site. Accordingly, minor alterations and modifications may be made to the configurations, placements, and uses of the buildings, lots and parcels, as well as the locations of streets serving the Parcels, subject to the provisions set forth below under Architectural and Design Controls, during the design, development, and construction phases within the maximum development area boundaries established on the Technical Data Sheet (Sheet RZ-1). Parking layouts may also be altered and modified to accommodate final building locations and parking spaces which are located inside or outside development areas as permitted by the Ordinance.

For purposes of the preceding paragraph any alterations or modifications which substantially alter the character of the development or significantly alter the Schematic Site Plans or their conditions as well as any changes which increase the intensity of development shall be deemed to be made in accordance with the provisions of Section 6.20(1) or (2) of the Ordinance, as applicable.

The Petitioners agree to submit detailed plans with respect to each phase of development proposed on the Site to the Staff of the Charlotte-Mecklenburg Planning Commission for review prior to the issuance of building permits for construction of the proposed phase of development so that the Staff may be assured that such development satisfies the conditions imposed under the Technical Data Sheet, these Development Standards and the other Sections and Exhibits accompanying the Rezoning Petition. Compliance with the provisions of this paragraph shall not be deemed to be an administrative site plan application or require administrative staff approval as envisioned by Section 6.20(7) of the Ordinance.

- Architectural and Design Controls**

Parcel A and Parcel B (Primarily Retail Uses)

 - Buildings located along Mt. Holly-Huntersville Road shall contain translucent glass windows along the elevations which face Mt. Holly-Huntersville Road. Expenses of solid walls exceeding 20 linear feet will be avoided through the introduction of articulated facades and other specially designed architectural elements, including the use of translucent glass windows placed so as not to inhibit the use of the building by the user. Buildings may contain gable roofs, partial gable roofs and/or parapet walls so as to screen the rooftop HVAC units. Other architectural treatments such as wall sections containing different but complementary building materials, colors, or textures may be used to enhance the architecture of the building.
 - Buildings located along NC Highway 16 (Brookshire Boulevard) may be multi-story and shall contain translucent windows along the elevations which face the highway. The anchor building or buildings shown on Schematic Site Plan C and Schematic Site Plan D (Sheets RZ-2b and RZ-2c) may have solid walls not exceeding 40 linear feet. The Highway 16 elevations of all other buildings except the home improvement center facility depicted on Sheets RZ-2a, RZ-2b, RZ-2c and RZ-2d may have solid walls not exceeding 20 linear feet. Expenses of solid walls beyond the stated maximums for these buildings will be avoided through the introduction of articulated facades and other specially designed architectural elements.
 - The rear elevation and the Highway 16 elevation of the home improvement center facility depicted on Site Plan A, Schematic Site Plan C and Schematic Site Plan D (Sheets RZ-2a, RZ-2b, RZ-2c and RZ-2d) shall consist of a finished architectural wall with a full parapet through the use of materials such as jumbo brick. Painted or colored concrete block will not be allowed. These walls should be broken every 60 feet through the use of pilasters or other architectural features.
 - The rear elevations of those interior buildings facing Private Streets 5 and 7, excluding the home improvement center facility, shall avoid expanses of solid walls exceeding 20 linear feet through the introduction of articulated facades and other specially designed architectural elements, including the use of translucent glass windows placed so as not to inhibit the use of the buildings by the user. Buildings may contain gable roofs, partial gable roofs and/or parapet walls so as to screen the rooftop HVAC units. Other architectural treatments such as wall sections containing different but complementary building materials, colors, or textures may be used to enhance the architecture of the building.
 - Public open spaces containing landscaping, benches, and pedestrian scaled lighting shall be provided on Parcel A and Parcel B in those locations depicted on the Schematic Site Plans. Additionally, outdoor dining and seating areas associated with restaurant tenants shall be provided.

- All retail buildings must be architecturally integrated to complement one another by using similar exterior materials. Exterior vertical wall surfaces, exclusive of windows and doors, shall be constructed with a minimum of 50 percent masonry materials (brick, stone, pre-cast or poured concrete or other masonry materials). No aluminum or vinyl siding or spandrel glass shall be used.

- All buildings must be sited with an emphasis on maintaining pedestrian interconnectivity.

- Parking areas should be located so they minimize the distance for pedestrian access between abutting buildings.

- Buildings shall not exceed 60 feet in height as measured in accordance with the Ordinance.

- All public building entrances, except those for fire exits and loading, will connect directly to a sidewalk along a public street or to a private street/drive or to an open space.

- All signage placed on Parcel A and Parcel B shall comply with the standards outlined in the Ordinance for the NS zoning district classification.

- All signage attached to buildings located along Mt. Holly-Huntersville Road and NC Highway 16 shall comply with the standards outlined in the Ordinance for the NS zoning classification.

- Detached identification signage for buildings located along Mt. Holly-Huntersville Road shall be limited to ground mounted monument type signs located within the ten (10) foot wide second planting strip identified below in Paragraph (c) of this Section 4. These signs may not exceed 40 feet in height and the actual signage area may not exceed thirty-two (32) square feet on each side.

- Wall signs will be permitted in accordance with the Ordinance, up to a maximum of one hundred (100) square feet for each wall or 5 percent of the area of each wall face whichever is less.

Parcel C (Substantially Below Ground Climate Controlled Storage Facility)

- The above ground off-street building component located within Parcel C shall be architecturally integrated with the buildings on Parcel A and Parcel B by using similar exterior materials, and shall not exceed twenty-five (25) feet in height as measured in accordance with the Ordinance. Above ground exterior vertical wall surfaces, exclusive of windows and doors, shall be constructed with a minimum of 50 percent masonry materials (brick, stone, pre-cast or poured concrete or other masonry materials). No aluminum or vinyl siding or spandrel glass shall be used.

- The off-street building entrance and all fire escape exits associated with the underground storage building will connect directly to a sidewalk along a public street or an internal street/drive or to an open space.

- The storage building component shall be accessed through the retail/office building. Portions of the storage building which are visible from adjoining streets shall not exceed twenty-five (25) feet in height and such portions, exclusive of fire door exits, windows and doors, shall be constructed with 50 percent masonry materials (brick, stone, pre-cast or poured concrete with architectural treatments or other masonry materials), so as to blend in architecturally with the buildings and/or retaining walls on Parcel A and Parcel B.

- All signage placed on Parcel C including wall signs shall comply with the standards outlined in the Ordinance for the BD zoning district classification, excepting that no free standing signs shall be allowed.

- Wall signs will be permitted in accordance with the Ordinance, up to a maximum of 100 square feet for each wall face or 5 percent of the area of each wall face whichever is less.

Parcel D and D-1 (Office/Retail)

- All buildings shall be architecturally integrated to complement one another, as well as those retail buildings constructed on Parcel A and Parcel B, by using similar exterior materials.

- Parking areas should be located so they minimize the distance for pedestrian access between abutting buildings.

- Buildings shall not exceed 60 feet in height as measured in accordance with the Ordinance.

- Above grade exterior vertical wall surfaces, exclusive of windows and doors shall be constructed with a minimum of 50 percent masonry materials (brick, stone, pre-cast concrete or other masonry materials). No aluminum or vinyl siding or spandrel glass shall be used on any building.

- All signage placed on Parcel D and D-1 shall comply with the standards outlined in the Ordinance for the NS zoning classification. In addition, the following standards shall apply:
 - Detached identification signage shall be limited to ground mounted monument type signs. Monument sign structure shall be limited to a maximum of four (4) feet in height and actual signage area may not exceed thirty-two (32) square feet on each side.
 - Wall signs will be permitted in accordance with the Ordinance, up to a maximum of one hundred square feet for each wall face or 5 percent of the area of each wall face, whichever is less.

- Shared parking will be permitted in accordance with Section 12.203 of the Ordinance.

- Prior to the issuance of a certificate of occupancy for any building constructed on Parcel D-1, the Owner of Parcel D-1 shall construct a brick wall having a height of at least 6 feet along the eastern property line that separates the one parcel from the adjacent single family residential lot facing Mt. Holly-Huntersville Road.

- Subject to the provisions of the next succeeding paragraph, prior to the issuance of a certificate of occupancy for any building constructed on Parcel D or D-1, Petitioners shall construct a brick wall having a height of at least 6 feet along the northern boundary line for Parcel D and the common rear property lines of certain of the single family residential lots fronting on Mt. Holly-Huntersville Road within the area generally depicted on the Technical Data Sheet.

In the event that all of the single family residential lots fronting on Mt. Holly-Huntersville Road and backing up to the northern boundary line for Parcel D and a portion of Parcel F, all of which are more particularly described in the preceding paragraph and in Subparagraph (iv) of this part of Paragraph (c) of this Section 4 which deals with Parcel E (Residential Attached For Sale), are re-zoned to a multi-family or office zoning district, then the Petitioners may eliminate the brick wall otherwise required by the provisions of the next preceding paragraph, provided the Petitioners are able to obtain the prior written consent to so eliminate the brick wall from all of the then owners of the single family residential lots so re-zoned.

Parcel E (Residential Attached For Sale and/or For Rent)

- Exterior vertical wall surfaces, exclusive of windows and doors shall be constructed with a minimum of 30 percent masonry materials (brick, stone, architectural block, or other masonry material). No aluminum or vinyl siding or spandrel glass shall be used on any building containing attached for rent residential units. No aluminum siding or spandrel glass and no vinyl siding other than architectural vinyl having a textured finish that has been approved in advance by the Staff of the Charlotte-Mecklenburg Planning Commission shall be used on any building containing attached for sale residential units.

- Buildings shall not exceed the greater of four stories or 60 feet in height as measured in accordance with the Ordinance.

- All signage placed on Parcel E shall comply with the standards outlined in the Ordinance for the NS zoning classification.

Parcel F (Residential Attached For Sale)

- Exterior vertical wall surfaces, exclusive of windows and doors shall be constructed with a minimum of 35 percent masonry materials (brick, stone, architectural block, or other masonry material). No aluminum siding or spandrel glass and no vinyl siding other than architectural vinyl having a textured finish that has been approved in advance by the Staff of the Charlotte-Mecklenburg Planning Commission shall be used on any building.

- Buildings shall not exceed the greater of three stories or 50 feet in height as measured in accordance with the Ordinance.

- All signage placed on Parcel F shall comply with the standards outlined in the Ordinance for the NS zoning classification.

- Subject to the provisions of the next succeeding paragraph, prior to the issuance of a certificate of occupancy for any building constructed on Parcel F, Petitioners shall construct a brick wall having a height of at least 6 feet in height along a portion of the northern boundary line for Parcel F and the common rear property lines of certain of the single family residential lots fronting on Mt. Holly-Huntersville Road within the area generally depicted on the Technical Data Sheet.

In the event that all of the single family residential lots fronting on Mt. Holly-Huntersville Road and backing up to the northern boundary line for Parcel D and a portion of Parcel F, all of which are more particularly described in the preceding paragraph and in Subparagraph (vii) of that part of Paragraph (c) of this Section 4 which deals with Parcel D (Office) are re-zoned to a multi-family or office zoning district, then the Petitioners may eliminate the brick wall otherwise required by the provisions of the next preceding paragraph, provided the Petitioners are able to obtain the prior written consent to so eliminate the brick wall from all of the then owners of the single family residential lots so re-zoned.

- Landscaping and Screening**
 - The Petitioners shall cause to be installed within the second planting strip along Mt. Holly-Huntersville Road, identified in Paragraph (c) (ii) of this Section 4, plants, trees and other materials in accordance with the Ordinance and Sheet RZ-3 which forms a part of the Technical Data Sheet, and shall thereafter maintain or cause to be maintained all such materials (including replacement of all dead or dying plants).
 - Internal areas of the Site shall be landscaped in accordance with the requirements of the City of Charlotte's Tree Ordinance.
 - All roof mechanical mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties.
 - All screening and landscaping shall meet or exceed the standards of the Ordinance.
 - Dumpster area will be enclosed on all three sides by an opaque wall with the fourth 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 may be substituted for a side.
 - The Petitioners reserve the right to selectively clear trees with calipers 3 inches or smaller, dead trees and undergrowth on the Site which fall within the Duke Power right-of-way running east of Brookshire Boulevard and within the right-of-way for Brookshire Boulevard and to remove limbs from the remaining trees up to a height of 8 feet above the adjacent ground level.
 - The Technical Data Sheet requires that Public Street 2 be connected to Valley Walk Drive in the Chastain Parc Subdivision. In order to provide an attractive entryway, the Petitioners agree to install a treescap on both sides of Valley Walk Drive between Chastain Parc Drive and the Site, provided appropriate consents are granted from the individual property owners of Lots number 17 and 18, as depicted on the Technical Data Sheet, within 30 days after Petitioners have made written offers to do so.

- Streetscape Treatment
 - The streetscape treatment along Mt. Holly-Huntersville Road will conform to the Ordinance and include tree walls with a 3 inch minimum caliper and supplemental shrubbery.
 - The first fourteen (14) feet of right-of-way extending from the back of the planted curb along Mt. Holly-Huntersville Road shall include an eight (8) foot planting strip, adjoining a six (6) foot wide sidewalk. A minimum ten (10) foot wide second planting strip shall be located along the Site side of the sidewalk.
 - All internal public streets shall have an eight (8) foot wide planting strip and a six (6) foot wide sidewalk.
 - All internal private streets shall have a six (6) foot wide planting strip and a five (5) foot wide sidewalk.

- Lighting
 - The maximum height of any freestanding lighting fixture, including its base, erected in the parking areas within Parcel A, Parcel B, Parcel C and Parcel D-1 of the Site, shall not exceed 30 feet. All freestanding parking lot lighting fixtures within Parcel A, Parcel B, Parcel C and Parcel D-1 will be uniform in design.
 - The maximum height of any freestanding lighting fixture, including its base, erected in the parking areas within Parcel D of the Site shall not exceed 20 feet. All freestanding parking lot lighting fixtures within Parcel D will be uniform in design.
 - The maximum height of any freestanding lighting fixture, including its base, erected in the parking areas within Parcel E of the Site shall not exceed 20 feet. All freestanding parking lot lighting fixtures within Parcel E will be uniform in design.
 - The maximum height of any freestanding lighting fixture, including its base, erected in the parking areas within Parcel F of the Site shall not exceed 20 feet. All freestanding parking lot lighting fixtures within Parcel F will be uniform in design.
 - All freestanding lighting fixtures over 15 feet in height shall be fully-shielded and downwardly directed.
 - Any lighting fixture attached to a building shall be capped and downwardly directed.
 - The height restrictions in (i) through (iv) of this Section 4(d) shall not apply to street lights erected on public rights-of-way or to decorative pole lights along sidewalks, open space and the private streets/drives or to wall mounted decorative scene lighting.

- Wall parking lighting shall be used only in service areas.

- Pedestrian scale lighting will be provided within the Site along Private Streets 5 and 6, Public Streets 1, 2 and 4, (Public/Private Street 3) and along Mt. Holly-Huntersville Road.

- Buffers
 - Buffer Areas will be provided as depicted on the Technical Data Sheet.
 - In the event that all of the single family residential lots fronting on Mt. Holly-Huntersville Road and backing up to the northern boundary line for Parcel D and a portion of Parcel F are re-zoned to a multi-family or office zoning district, then the Petitioners may eliminate the buffer area along a portion of the northern boundary of the Site abutting three residential lots depicted on the Technical Data Sheet.
 - Petitioners reserve the right to reduce the width of any other buffer (excluding any Undisturbed Vegetative Buffer) by 25 percent by installing a wall, fence or berm in accordance with Section 12.202 (8) of the Ordinance.
 - The Petitioners will establish a 100 foot undisturbed buffer along that portion of the Site which abuts the Chastain Parc Subdivision, as depicted on the Technical Data Sheet.

5. Environmental Standards

- Watershed Protection-Conservation Requirements**
 - All development occurring on the Site shall conform to the applicable requirements of the Lake Wylie Watershed District Protected Area.
 - All development will adhere to the provisions of the SWIM Buffer Ordinance.
 - The Petitioners agree to employ an enforcement officer to monitor compliance with erosion control, buffer and watershed protection requirements as well as the requirements specified below under Paragraphs (b), (c), and (d) of this Section 5. The enforcement officer shall be empowered to take the actions necessary to ensure the proper construction of problems as and when they are detected. The enforcement officer must attend the Charlotte-Mecklenburg Certified Site Inspector (CMSI) training program and must satisfactorily pass the certification test.
 - The Petitioners will require supervisors assigned to the Site by all grading contractors to attend the Charlotte-Mecklenburg Certified Site Inspector (CMSI) training program and all such supervisors must satisfactorily pass the certification test.
 - All domestic water and sewer services shall be provided by the Charlotte-Mecklenburg Utilities systems.

- Storm Water Management Initiatives**
 - In order to ensure effective mitigation of negative water quality impacts and adequate protection of water quality conditions the Petitioners agree to satisfy the following requirements:
 - The Petitioners shall tie in to the existing storm water systems and shall have the receiving drainage systems, including LMS, 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 Petitioners shall provide alternate methods of prevention and natural Resources Best Management Practices Manual, April 1999 Edition, or equivalent.
 - Rainoff generated from the Site (with the exception of rainoff generated from the project for the 1 year, 24-hour storm event shall be detained and released between 2-5 days.
 - The full post-development run-off volume generated from the project for the 1 year, 24-hour storm event shall be detained and released between 2-5 days.
 - Peak runoff rates shall be defined and released at pre-developed rates for the 2-year and 10-year design storm events.
 - Stormwater from water quality BMPs shall be released so as to maintain non-erosive velocities.

- Erosion Control Measures for controlling erosion shall include:
 - In the event frequency and intensity of rainfall events are overloading basins or other devices, polymers and other flocculating measures shall be employed to enhance settling capabilities to avoid the discharge of solids from the Site.
 - Double row high hazard silt fences shall be used in critical areas of the Site, including all intermittent and perennial streams, delineated wetlands, bases of slopes, approved stream crossings and other locations where the potential for off-site sedimentation is greatest.
 - In the absence of silt fencing, orange construction barrier fence shall be installed along undisturbed buffers to delineate and protect undisturbed buffers during construction.
 - Two stage sediment basins with outlet weirs shall be used to reduce the risk of basin failure.
 - During construction, the developer shall develop a weekly inspection program meeting NCRPS General Permit requirements for all sediment basins including written documentation of such inspections. This written documentation shall be maintained on-site and available upon request. Sedimentation in perennial or intermittent streams caused by construction activities shall be mitigated in an umbitious manner within two weeks of identification. Turbidity levels shall be monitored and recorded as part of the inspection program at appropriate runoff discharge points on the Site.

- Wetlands Protection
 - The Petitioners shall retain the services of a qualified environmental consultant to delineate all jurisdictional waters on the Site.
 - All development shall fully adhere to all rules and regulations for wetlands protection promulgated by USACE and NCDENR.

- Tree Save Areas/Open Space
 - The Petitioners agree to provide tree save areas totaling 10 percent of the Site and open space areas (including tree save areas) totaling 23 percent of the Site.

6. Vehicular Access, Rights-of-Way, and Road Improvements (collectively the "Roadway Improvements")

- Vehicular Access
 - Vehicular Access to Mt. Holly-Huntersville Road shall be a generally depicted on the Technical Data Sheet.
 - The placement and configurations of these Vehicular Access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation ("C-DOT") and/or the North Carolina Department of Transportation ("NC-DOT").

- Rights-of-Way The Petitioners agree to dedicate and convey (by quitclaim deed and subject to reservations for any necessary utility easements) portions of the Site prior to the issuance of any building permits for development taking place on the Site, rights-of-way as follows:
 - Brookshire Boulevard (NC 16) 100 feet east of the centerline to the existing Duke Energy right-of-way and NC Highway 16 right-of-way are contiguous.
 - Mt. Holly-Huntersville Road 70 feet south of the centerline for a distance of 1300 feet running from the eastern margin of the right-of-way for NC Highway 16 to Access A and reduced to 60 feet south of the centerline along the remaining portion of the Site. Any such additional right-of-way may be reduced if the entire amount committed is not necessary to accommodate the improvements depicted on the Technical Data Sheet (including a 5 foot wide bike lane, the construction costs of which the City has agreed to bear, with the final width of the additional right-of-way to be determined based on the final design for these roadway improvements approved by C-DOT and NC-DOT.

- Roadway Improvements
 - Minimum Roadway Improvements for Stage I Development For purposes of Section 6 (c) (1), Stage I Development shall be deemed to include:
 - 350,000 square feet of retail/commercial floor area
 - 127,000 square feet of climate controlled storagePrior to the issuance of a certificate of occupancy for any Stage I Development building constructed on the Site, the following Roadway Improvements shall be completed:
 - Mt. Holly-Huntersville Road and Brookshire Boulevard (NC 16)
 - Construct an additional northbound right turn lane on Brookshire Boulevard with 400 feet of storage and a 20:1 taper.
 - Extend the existing northbound right turn lane on Brookshire Boulevard 240 feet for a total of 400 feet of storage with a 20:1 taper.
 - Construct a second northbound left turn lane on Brookshire Boulevard with 275 feet of storage and a 15:1 taper.
 - Mt. Holly-Huntersville Road and Callbridge Court/Proposed Access "A"
 - Construct a concrete median at Proposed Access "A" that extends from the existing traffic signal to its terminus at Private Street 5 with four on-board lanes a through lane, an exclusive right turn lane with 100 feet of storage and dual left turn lanes with 250 feet of internal storage, and with three on-board lanes: a 200 foot left turn lane, a through lane and a combination through-right turn lane.

The section of Private Street 6 from Private Street 5 to Private Street 7 shall be constructed as depicted on the Schematic Site Plan A.

- The Access "A" driveway connection must be approved by C-DOT and NC-DOT and occur with the latest edition of the NC-DOT Policy on Street and Driveway Access to North Carolina Highways.

- Construct westbound dual left turn lanes, each with a minimum of 250 feet of stacking and a 15:1 taper.

- Re-configure the southbound approach on Callbridge Court to provide for dual left turn lanes and a single through lane.

- Re-configure the eastbound approach on Mt. Holly-Huntersville Road to provide for dual left turn lanes along Callbridge Court.

- Construct an eastbound right turn lane on Mt. Holly-Huntersville Road between NC 16 and Proposed Access "A" with 200 feet of storage and a 20:1 taper.

- Modify the existing traffic signal to accommodate a four way intersection.

Mt. Holly-Huntersville Road and Proposed Access "B"

- Construct Proposed Access "B" located approximately 900 feet east of Callbridge Court/Proposed Access "A", as depicted on the Schematic Site Plan.

- Construct Public Street 1 from Mt. Holly-Huntersville Road to its intersection with Private Street 7 and construct all of Private Street 7.

- Construct Public Street 2 from Private Street 7 to the eastern margin of the Site so that it connects into Valley Walk Drive.

- Construct a westbound left-turn lane on Mt. Holly-Huntersville Road with a minimum of 150 feet of storage and a 15:1 taper. This driveway connection must be approved by C-DOT and NC-DOT and occur with the latest edition of the NC-DOT Policy on Street and Driveway Access to North Carolina Highways.

- Construct two on-board lanes at Proposed Access "B" to allow for exclusive left and right turn movements with 150 feet of internal storage.

Mt. Holly-Huntersville Road and Bellhaven Boulevard/Rozelle's Ferry Road

- Construct an eastbound right turn lane on Mt. Holly-Huntersville Road with 300 feet of storage and a 20:1 taper and increase the storage of the eastbound left turn lane on Mt. Holly-Huntersville Road 35 feet for a total of 125 feet of storage.

- Increase the left turn storage of the northbound left turn lane on Bellhaven Boulevard 125 feet for a total of 323 feet of storage.

Mt. Holly-Huntersville Road

- Construct an additional westbound thru lane from Chastain Parc Drive through NC Highway 16 to terminate into existing lanes at Cooksok Drive. (Note: Portion of Mt. Holly-Huntersville Road from Callbridge Court to Cooksok Drive is a re-strip of the existing pavement.)

- Construct an additional eastbound thru lane from Cooksok Drive through NC Highway 16 to terminate into proposed right turn lane at Proposed Access "A". (Note: The developer of the Mountain Island Marketplace is committed to construct the portion from Cooksok Drive to the Shopping Center Drive.)

In connection with these improvements to Mt. Holly-Huntersville Road, a major thoroughfare, the Petitioners reserve the right to request the maximum reimbursement amount (currently \$175,000.00) permitted under C-DOT policy.

- Minimum Roadway Improvements for Stage II Development. For purposes of this Section 6 (c) (1), Stage II Development shall be deemed to include:
 - 10,000 square feet



DATE: 11-21-07
 DRAWN BY: MKC
 CHECKED BY: MKC
 SCALE: 1"=100'
 PROJECT #: 100763
 SHEET #

RZ-6

REVISIONS:

Mountain Island Promenade Rezoning Petition
 Charlotte, North Carolina
 Withrow Capital Investments, LLC
ROADWAY IMPROVEMENTS PLAN (for NC 16/ Mt. Holly Huntersville Rd)

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