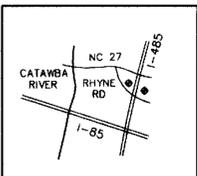


I, Nathan Odom, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Deed Book 151, Page 257); that the boundaries not surveyed are clearly indicated as drawn from information found in Book N/A, Page 1; that the ratio of precision as calculated is 1:10000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my hand and seal this 2 ND day of May A.D. 2005.

Signature \_\_\_\_\_  
Land Surveyor  
Registered Number L-2718



PK North end of center of Rhyne Road, SR 1609  
Said PK intersects N14°46'19"E 197.56'  
from N200.00' monument. Whole North Monument  
White has right-of-way. Monument on Rhyne Road  
and Rhyne 1431956.9916  
based on NAD 83.

PK North end of center of Rhyne Road, SR 1609  
Said PK intersects N14°46'19"E 197.56'  
from N200.00' Monument. Whole North Monument  
White has right-of-way. Monument on Rhyne Road  
and Rhyne 1431956.9916  
based on NAD 83.

LINE RUNS WITH CENTERLINE OF OLD RAILROAD

LINE	BEARING	DISTANCE
L1	S53°45'28"E	165.56'
L2	S53°30'16"E	361.71'
L3	S52°16'27"E	85.85'
L4	S50°30'29"E	64.03'
L5	S46°32'43"E	113.26'
L6	S43°24'32"E	46.81'
L7	S41°02'32"E	55.42'
L8	S38°42'50"E	56.55'
L9	S36°24'30"E	52.59'
L10	S34°40'28"E	41.38'
L11	S32°32'42"E	57.40'
L12	S30°19'42"E	39.42'
L13	S28°35'37"E	64.33'
L14	S26°23'48"E	71.33'
L15	S25°35'29"E	52.48'
L16	S25°01'52"E	75.94'

CURRENT ZONING

AREA 1 CC  
56.28 ACRES

AREA 2 B-2 (CD)  
14.63 ACRES

**PRELIMINARY PLAT**  
"Not for recordation, conveyances, or sales"  
REVISED JUNE 19, 2008 TO SHOW CURRENT ZONING.  
REVISED JUNE 13, 2008 TO SHOW ONLY LANDS WEST OF I-485.  
REVISED MARCH 20, 2008 TO SHOW 10.00 ACRE TRACT.

**LOCOMOTIVE LAND COMPANY LLC**  
DEED BOOK 151, PAGE 257  
PARCEL ID 05508105  
PAW CREEK TOWNSHIP MECKLENBURG COUNTY, NC  
FIELD: N. ODOM MAP: N. ODOM  
DATE: MAY 2, 2005 MAP#: 21329

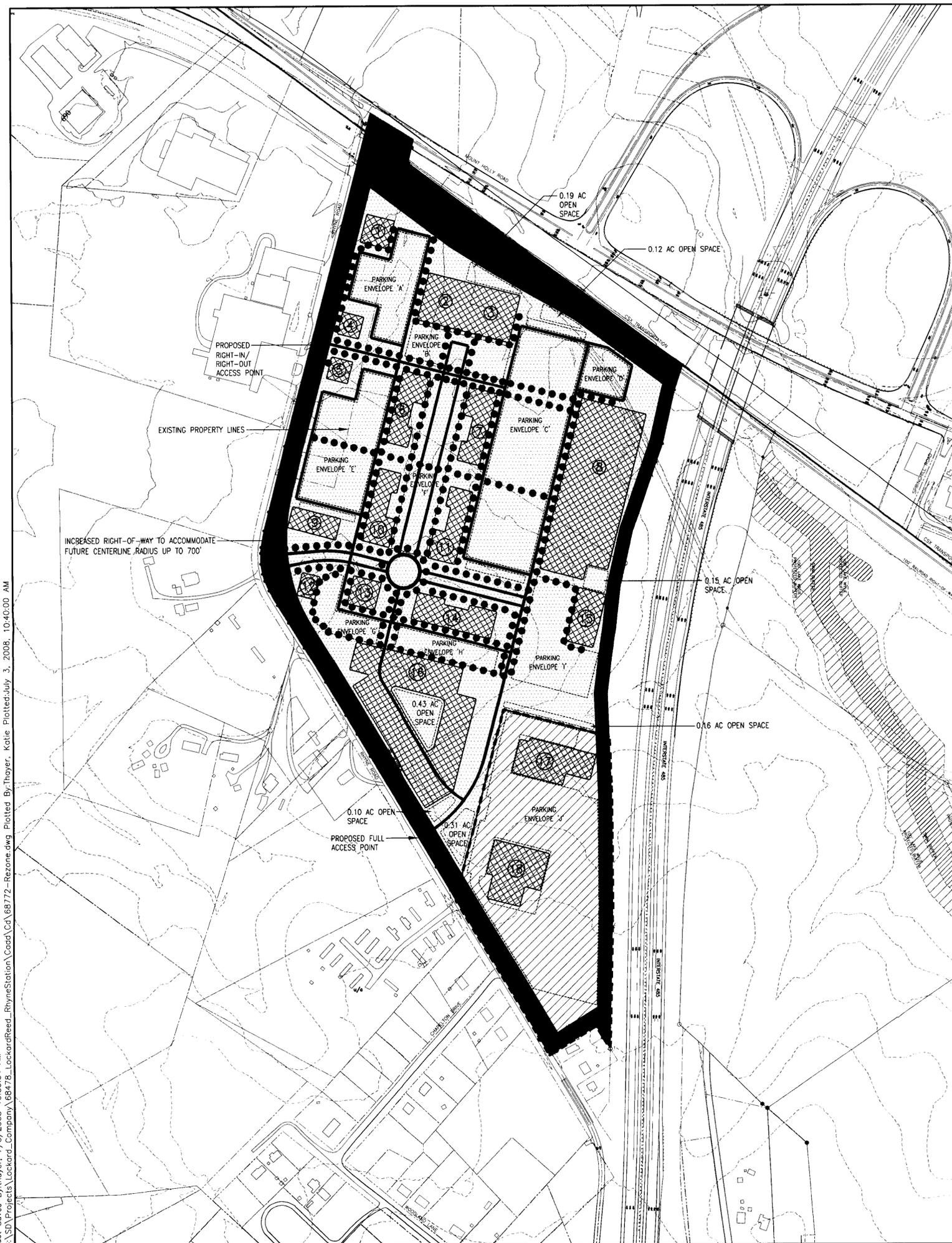


1 INCH = 200 FEET  
PROFESSIONAL SURVEYING SERVICES  
P.O. BOX 1157  
226 N. MAIN STREET  
RUTHERFORD, NJ 07070  
PHONE: (973) 287-7000

PROPERTY CORNER LEGEND

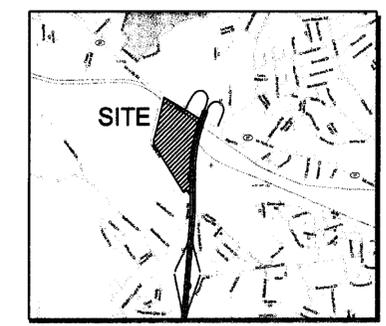
- EXISTING IRON PIN (EIP)
- NEW IRON PIN (NIP)
- PGM
- △ NAIL OR RAILROAD SPIKE
- ⊠ CONCRETE MONUMENT
- ⊞ RIGHT OF WAY MONUMENT
- STONE





**LEGEND**

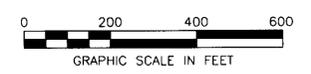
- PROPOSED ROAD
- - - PROPOSED DEVELOPMENT AREAS
- PROPERTY LINES
- PROPOSED PEDESTRIAN CIRCULATION
- ▨ PROPOSED ZONING - CC-SPA
- ▩ PROPOSED ZONING - B-2(CD)-SPA
- SETBACK
- ▧ BUILDING ENVELOPE
- ▭ PARKING ENVELOPE



**SITE AREA SUMMARY:**

① ENVELOPE AREA #1: INTENDED USE:	10,000 SF RETAIL OR RESTAURANT
② ENVELOPE AREA #2: INTENDED USE:	30,000 SF RETAIL
③ ENVELOPE AREA #3: INTENDED USE:	30,000 SF RETAIL
④ ENVELOPE AREA #4: INTENDED USE:	5,800 SF RETAIL OR RESTAURANT
⑤ ENVELOPE AREA #5: INTENDED USE:	5,800 SF RETAIL OR RESTAURANT
⑥ ENVELOPE AREA #6: INTENDED USE:	21,500 SF RETAIL OR RESTAURANT
⑦ ENVELOPE AREA #7: INTENDED USE:	21,500 SF RETAIL OR RESTAURANT
⑧ ENVELOPE AREA #8: INTENDED USE:	133,000 SF RETAIL
⑨ ENVELOPE AREA #9: INTENDED USE:	13,500 SF RETAIL
⑩ ENVELOPE AREA #10: INTENDED USE:	21,500 SF RETAIL OR RESTAURANT
⑪ ENVELOPE AREA #11: INTENDED USE:	21,500 SF RETAIL OR RESTAURANT
⑫ ENVELOPE AREA #12: INTENDED USE:	5000 SF RETAIL
⑬ ENVELOPE AREA #13: INTENDED USE:	10,000 SF RETAIL OR RESTAURANT
⑭ ENVELOPE AREA #14: INTENDED USE:	28,000 SF OFFICE/FITNESS
⑮ ENVELOPE AREA #15: INTENDED USE:	17,200 SF HOTEL
⑯ ENVELOPE AREA #16: INTENDED USE:	3.42 AC RESIDENTIAL
⑰ ENVELOPE AREA #17: INTENDED USE:	33,645 SF CAR DEALERSHIP
⑱ ENVELOPE AREA #18: INTENDED USE:	36,355 SF CAR DEALERSHIP

**NOTE:**  
THE SQUARE FOOTAGE BREAK DOWN FOR THE BUILDING ENVELOPES IS INTENDED TO BE FLEXIBLE TO COMBINATIONS OR DIVISIONS PROVIDED THAT THE OVERALL DEVELOPMENT AREA IS MAINTAINED. DUE TO THE POSSIBILITY OF DIVISION, THE MAXIMUM NUMBER OF BUILDING ENVELOPES IS TWENTY-FIVE.



<b>REVISION</b>		<b>DATE</b>		<b>No.</b>	
<b>PROJECT No:</b>	68272	<b>DATE</b>	7/3/08	<b>DES.</b>	WOOLPERT
		<b>DR.</b>	WOOLPERT	<b>CKD.</b>	
WOOLPERT, INC. 8731 Red Oak Blvd, Suite 101 Charlotte, North Carolina 28217-3958 704.525.6284 FAX: 704.525.8529					
<b>WOOLPERT</b>					
<b>RHYNE STATION</b> MIXED-USE DEVELOPMENT REZONING CHARLOTTE, NORTH CAROLINA					
<b>SCHEMATIC SITE PLAN</b>					
SHEET NO.					
<b>TDS-2</b>					

G:\SDA\Projects\Lockard\_Company\68478\_LockardFeed\_RhyneStation\Cadd\Cd\68272-Reszone.dwg Plotted By: Inyer, Katie Plotted July 3, 2008, 10:40:00 AM

**DEVELOPMENT GUIDELINES**  
**MT. HOLLY DEVELOPERS LLC PROPERTY AT MT. HOLLY ROAD AND RHYNE ROAD**

**LEGAL DESCRIPTION**

TRACT 1 - PROPOSED CC-SPA BEING A PARCEL OF LAND LOCATED IN NORTH CAROLINA, MECKLENBURG COUNTY, PAW CREEK TOWNSHIP, SITUATED BETWEEN RHYNE ROAD (SR 1609), MT. HOLLY ROAD (NC HWY 27) AND I-485, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF RHYNE ROAD (SR 1609) AND MT. HOLLY ROAD (NC HWY. 27); SAID POINT LIES NORTH 46 DEGREES 17 MINUTES 16 SECONDS WEST 169.76 FEET FROM NORTH CAROLINA GEODETIC SURVEY MONUMENT "RHYNE", NCGS MONUMENT "RHYNE" HAS COORDINATES (IN FEET) OF NORTHING: 566540.363 AND EASTING: 1412513.989 BASED ON THE NORTH AMERICAN DATUM (NAD) 1983/86 ADJUSTMENT.

RUNNING THENCE FROM SAID POINT OF BEGINNING TO THE CENTERLINE OF MT. HOLLY ROAD, SOUTH 58 DEGREES 50 MINUTES 09 SECONDS EAST 190.45 FEET TO A POINT; THENCE LEAVING THE CENTERLINE, SOUTH 13 DEGREES 01 MINUTES 23 SECONDS WEST 30.83 FEET TO AN EXISTING IRON; THENCE SOUTH 13 DEGREES 01 MINUTES 20 SECONDS WEST 57.44 FEET TO AN EXISTING IRON; THENCE SOUTH 53 DEGREES 38 MINUTES 47 SECONDS EAST 1270.51 FEET TO A POINT IN THE WESTERN MARGIN OF THE I-485 RIGHT OF WAY CORRIDOR; THENCE WITH THE WESTERN MARGIN OF THE I-485 RIGHT OF WAY THE FOLLOWING SIX (6) COURSES AND DISTANCES:

- (1) SOUTH 17 DEGREES 51 MINUTES 48 SECONDS WEST 99.01 FEET TO A POINT;
- (2) SOUTH 12 DEGREES 43 MINUTES 22 SECONDS WEST 204.18 FEET TO A POINT;
- (3) SOUTH 12 DEGREES 24 MINUTES 58 SECONDS WEST 340.84 FEET TO A RIGHT OF WAY MONUMENT; (4) SOUTH 12 DEGREES 44 MINUTES 52 SECONDS WEST 204.01 FEET TO A RIGHT OF WAY MONUMENT; (5) SOUTH 07 DEGREES 01 MINUTES 30 SECONDS WEST 407.83 FEET TO A RIGHT OF WAY MONUMENT; (6) SOUTH 02 DEGREES 12 MINUTES 23 SECONDS EAST 159.64 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY, NORTH 75 DEGREES 41 MINUTES 16 SECONDS WEST 408.96 FEET TO A POINT; THENCE SOUTH 14 DEGREES 18 MINUTES 44 SECONDS WEST 728.28 FEET TO A POINT IN THE CENTERLINE OF RHYNE ROAD (SR 1609); THENCE WITH THE CENTERLINE OF RHYNE ROAD THE FOLLOWING TWENTY-THREE (23) COURSES AND DISTANCES:
- (1) NORTH 30 DEGREES 59 MINUTES 41 SECONDS WEST 141.52 FEET TO A POINT;
- (2) NORTH 31 DEGREES 12 MINUTES 19 SECONDS WEST 240.80 FEET TO A POINT;
- (3) NORTH 31 DEGREES 17 MINUTES 49 SECONDS WEST 239.87 FEET TO A POINT;
- (4) NORTH 31 DEGREES 03 MINUTES 15 SECONDS WEST 95.51 FEET TO A POINT;
- (5) NORTH 31 DEGREES 15 MINUTES 15 SECONDS WEST 80.83 FEET TO A POINT;
- (6) NORTH 31 DEGREES 14 MINUTES 39 SECONDS WEST 144.47 FEET TO A POINT;
- (7) NORTH 31 DEGREES 15 MINUTES 15 SECONDS WEST 152.55 FEET TO A POINT;
- (8) NORTH 31 DEGREES 36 MINUTES 05 SECONDS WEST 178.36 FEET TO A POINT;
- (9) NORTH 31 DEGREES 16 MINUTES 24 SECONDS WEST 105.51 FEET TO A POINT;
- (10) NORTH 29 DEGREES 59 MINUTES 03 SECONDS WEST 62.91 FEET TO A POINT;
- (11) NORTH 24 DEGREES 11 MINUTES 21 SECONDS WEST 38.73 FEET TO A POINT;
- (12) NORTH 17 DEGREES 36 MINUTES 19 SECONDS WEST 26.99 FEET TO A POINT;
- (13) NORTH 09 DEGREES 36 MINUTES 56 SECONDS WEST 37.76 FEET TO A POINT;
- (14) NORTH 01 DEGREES 00 MINUTES 03 SECONDS WEST 39.85 FEET TO A POINT;
- (15) NORTH 03 DEGREES 52 MINUTES 35 SECONDS EAST 20.82 FEET TO A POINT;
- (16) NORTH 10 DEGREES 42 MINUTES 41 SECONDS EAST 61.19 FEET TO A POINT;
- (17) NORTH 13 DEGREES 51 MINUTES 49 SECONDS EAST 71.96 FEET TO A POINT;
- (18) NORTH 14 DEGREES 30 MINUTES 26 SECONDS EAST 150.14 FEET TO A POINT;
- (19) NORTH 13 DEGREES 23 MINUTES 15 SECONDS EAST 100.05 FEET TO A POINT;
- (20) NORTH 14 DEGREES 46 MINUTES 43 SECONDS EAST 170.57 FEET TO A POINT;
- (21) NORTH 14 DEGREES 46 MINUTES 19 SECONDS EAST 197.56 FEET TO A POINT; AND
- (22) NORTH 14 DEGREES 46 MINUTES 05 SECONDS EAST 909.81 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 58.23 ACRES MORE OR LESS.

TRACT 2 - PROPOSED B-2(CD)-SPA BEING A PARCEL OF LAND LOCATED IN NORTH CAROLINA, MECKLENBURG COUNTY, PAW CREEK TOWNSHIP, SITUATED BETWEEN RHYNE ROAD (SR 1609) AND I-485, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF RHYNE ROAD (SR 1609) APPROXIMATELY 3,170 FEET ALONG THE CENTERLINE OF RHYNE ROAD SOUTH OF THE INTERSECTION OF RHYNE ROAD AND MT. HOLLY ROAD (NC HWY. 27); SAID POINT LIES SOUTH 03 DEGREES 55 MINUTES 57 SECONDS EAST 2,808.66 FEET FROM NORTH CAROLINA GEODETIC SURVEY MONUMENT "RHYNE", NCGS MONUMENT "RHYNE" HAS COORDINATES (IN FEET) OF NORTHING: 566540.363 AND EASTING: 1412513.989 BASED ON THE NORTH AMERICAN DATUM (NAD) 1983/86 ADJUSTMENT.

THENCE LEAVING SAID CENTERLINE OF RHYNE ROAD, NORTH 14 DEGREES 18 MINUTES 44 SECONDS WEST 728.28 FEET TO A POINT; THENCE SOUTH 75 DEGREES 41 MINUTES 16 SECONDS EAST 408.96 FEET TO A POINT IN THE WESTERN RIGHT OF WAY OF I-485; THENCE, WITH THE WESTERN RIGHT OF WAY OF I-485 THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) SOUTH 02 DEGREES 12 MINUTES 23 SECONDS EAST 229.28 FEET TO A RIGHT OF WAY MONUMENT; (2) SOUTH 00 DEGREES 28 MINUTES 12 SECONDS EAST 398.90 FEET TO A RIGHT OF WAY MONUMENT; (3) SOUTH 01 DEGREES 12 MINUTES 51 SECONDS WEST 295.41 FEET TO AN EXISTING IRON; AND (4) SOUTH 01 DEGREES 12 MINUTES 47 SECONDS WEST 238.36 FEET TO A POINT; THENCE LEAVING THE WESTERN RIGHT OF WAY OF I-485 AND FOLLOWING WITH THE LINE OF ELIZABETH HARRIS AS REFERENCED IN DEED BOOK 6299, PAGE 0247, NORTH 32 DEGREES 23 MINUTES 37 SECONDS WEST 48.78 FEET TO AN EXISTING IRON; THENCE, WITH THREE (3) LINES COMMON WITH MARTHA MOZELLA SHARPE AS REFERENCED IN DEED BOOK 3813, PAGE 933: (1) NORTH 31 DEGREES 03 MINUTES 41 SECONDS WEST 49.85 FEET TO AN EXISTING IRON; (2) SOUTH 58 DEGREES 06 MINUTES 01 SECONDS WEST 175.40 FEET TO AN EXISTING IRON; AND (3) SOUTH 58 DEGREES 06 MINUTES 01 SECONDS WEST 29.98 FEET TO A POINT IN THE CENTER OF RHYNE ROAD (SR 1609); THENCE WITH THE CENTER OF RHYNE ROAD, SR 1609, THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) NORTH 31 DEGREES 05 MINUTES 57 SECONDS WEST 208.88 FEET TO A POINT; (2) NORTH 31 DEGREES 30 MINUTES 15 SECONDS WEST 323.42 FEET TO A POINT; (3) NORTH 30 DEGREES 59 MINUTES 41 SECONDS WEST 146.24 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 12.67 ACRES MORE OR LESS.

**GENERAL PROVISIONS**

THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET FOR THE "RHYNE STATION MIXED USE DEVELOPMENT" SUBMITTED BY MT. HOLLY DEVELOPERS LLC (THIS "TECHNICAL DATA SHEET") OR DEVELOPMENT OF THE PROPERTY IDENTIFIED ON THIS TECHNICAL DATA SHEET (THE "PROPERTY" OR THE "SITE") AND THE INDIVIDUAL COMPONENTS TO BE LOCATED THEREON WILL BE GOVERNED BY THE CONDITIONS OF THIS TECHNICAL DATA SHEET AND THOSE PLANS AND DRAWINGS EXPRESSLY INCORPORATED HEREIN BY REFERENCE AND THE APPLICABLE PROVISIONS OF THE MECKLENBURG COUNTY ZONING ORDINANCE (THE "ORDINANCE"). UNLESS MORE STRINGENT STANDARDS ARE ESTABLISHED BY THIS TECHNICAL DATA SHEET, THE DEVELOPMENT STANDARDS ESTABLISHED UNDER THE ORDINANCE FOR THE COMMERCIAL CENTER (CC) DISTRICT, BUSINESS (B-2(CD)) DISTRICT CLASSIFICATIONS SHALL BE FOLLOWED IN CONNECTION WITH DEVELOPMENT TAKING PLACE ON THE SITE.

THE DEVELOPMENT DEPICTED ON THE ILLUSTRATIVE SITE PLAN ATTACHED AS SHEET TDS-4 IS SCHEMATIC IN NATURE AND IS INTENDED ONLY TO DESCRIBE THE POSSIBLE ARRANGEMENT OF USES ON THE SITE AND ILLUSTRATE DESIGN PRINCIPALS. ACCORDINGLY, THE CONFIGURATION, PLACEMENT AND SIZE OF THE BUILDING FOOTPRINTS OUTLINED ON THE ILLUSTRATIVE SITE PLAN ARE SCHEMATIC AND, SUBJECT ONLY TO THE PROVISIONS SET FORTH BELOW UNDER ARCHITECTURAL CONTROLS AND RESTRICTIVE COVENANTS, MAY BE ALTERED OR MODIFIED DURING DESIGN, DEVELOPMENT AND CONSTRUCTION PHASES WITHIN THE MAXIMUM BUILDING/PARKING ENVELOPE LINES ESTABLISHED ON THE SCHEMATIC SITE PLAN SHEET (TDS-2). PARKING LAYOUTS MAY ALSO BE MODIFIED TO ACCOMMODATE FINAL BUILDING LOCATIONS AND OFF-STREET PARKING SPACES THAT MAY BE LOCATED INSIDE AND OUTSIDE BUILDING ENVELOPES TO THE EXTENT PERMITTED BY THE ORDINANCE. ALL SUCH CHANGES ARE SUBJECT TO APPROVAL PER SECTION 6.206(2) OF THE ORDINANCE.

**PERMITTED USES**

THE SITE MAY BE DEVELOPED FOR ANY USES (INCLUDING ACCESSORY USES) WHICH ARE PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS UNDER THE ORDINANCE FOR THE 1) COMMERCIAL CENTER (CC) DISTRICT - WITH THE EXCLUSION OF GAS STATIONS AND CONVENIENCE STORES; 2) BUSINESS (B-2(CD)) DISTRICT - LIMITED TO CAR DEALERSHIPS AND GENERAL RETAIL AND AUTOMOBILE SERVICE FACILITIES SHALL NOT BE PERMITTED WITHIN THE COMMERCIAL CENTER (CC) DISTRICT.

THE MAXIMUM SQUARE FOOTAGE OCCUPIED BY ONE SINGLE TENANT IS LIMITED TO AND SHALL NOT EXCEED 140,000 SQUARE FEET. IF ONE LARGE SINGLE TENANT BUILDING IS NOT CONSTRUCTED, A SERIES OF SMALLER BUILDINGS MAY BE CONSTRUCTED IN THE SAME AREA ON THE SITE PLAN AND THE CUMULATIVE TOTAL SQUARE FOOTAGE OF THE SMALLER BUILDINGS SHALL ALSO NOT EXCEED A TOTAL OF 140,000 SQUARE FEET.

**BUILDING LIMITATIONS**

- 1. NO MORE THAN 321,900 SQUARE FEET OF RETAIL/RESTAURANT SPACE MAY BE CONSTRUCTED WITHIN THE AGGREGATE OF THE DEPICTED BUILDING ENVELOPES.
- 2. NO MORE THAN 28,000 SQUARE FEET OF OFFICE SPACE MAY BE CONSTRUCTED WITHIN THE AGGREGATE OF THE DEPICTED BUILDING ENVELOPES.
- 3. NO MORE THAN 70,000 SQUARE FEET OF AUTOMOBILE SALES "CAR DEALERSHIP" SPACE MAY BE CONSTRUCTED WITHIN THE AGGREGATE OF THE DEPICTED BUILDING ENVELOPES.
- 4. IF A HOTEL/MOTEL IS CONSTRUCTED ON THE SITE, THEN IT MAY CONTAIN NO MORE THAN 100 ROOMS, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES PERMITTED UNDER THE ORDINANCE WHICH THE PETITIONER MAY ELECT TO PROVIDE FOR SUCH FACILITY.
- 5. FOR THE COMMERCIAL CENTER (CC) ZONING THE MAXIMUM DENSITY PER ACRE FOR RESIDENTIAL USES SHALL BE LIMITED TO 8.00 DUA AND THE MAXIMUM NUMBER OF RESIDENTIAL UNITS SHALL BE LIMITED TO 80 UNITS.
- 6. SHOULD FEWER THAN 100 ROOMS BE DEVELOPED ON THE SITE, THEN ADDITIONAL OFFICE SPACE MAY BE DEVELOPED ON THE SITE AT THE RATE OF 200 SQUARE FEET OF OFFICE SPACE FOR EACH HOTEL ROOM ELIMINATED, UP TO A MAXIMUM OF 20,000 ADDITIONAL SQUARE FEET OF OFFICE SPACE. ADDITIONALLY, HOTEL ROOMS MAY BE CONVERTED INTO RESIDENTIAL DWELLING UNITS AT THE RATE OF ONE HOTEL ROOM PER RESIDENTIAL DWELLING UNIT UP TO A MAXIMUM OF 100 RESIDENTIAL DWELLING UNITS.
- 7. PETITIONER AGREES TO ACCOMMODATE AND PROVIDE LEASEABLE SPACE AT DEVELOPERS COST FOR THE ADDITION OF A CHARLOTTE-MECKLENBURG POLICE SUBSTATION WITHIN THE COMMERCIAL CENTER (CC) ZONING AREA FOR A TWO YEAR PERIOD FOLLOWING THE COMMENCEMENT OF CONSTRUCTION.

**BUFFERS**

- 1. BUFFER AREAS ESTABLISHED ON THIS TECHNICAL DATA SHEET (TDS.1) SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ORDINANCE, SUBJECT, HOWEVER, TO THE PROVISIONS OF SECTION 12.304 THEREOF.
- 2. BUFFER AREAS SHALL REMAIN AS OPEN SPACE, EXCEPT TO THE EXTENT NECESSARY TO ACCOMMODATE ACCESS POINTS, WALLS, FENCES, DRAINAGE PIPES OR CHANNELS, UTILITY LINES AND FACILITIES, PEDESTRIAN PATHWAYS AND BICYCLE PATHWAYS. UTILITY INSTALLATIONS MAY ONLY CROSS BUFFER AREAS AT INTERIOR ANGLES MEASURED AT PROPERTY LINES WHICH ARE NOT LESS THAN 75 DEGREES.
- 3. NO BUILDINGS, PARKING SPACES, MANEUVERING AREAS OR STORM WATER DETENTION FACILITIES MAY BE LOCATED WITHIN BUFFER AREAS, HOWEVER, WATER QUALITY/LOW IMPACT DEVELOPMENT (LID) FACILITIES, SUCH AS RAIN GARDENS, MAY BE WITHIN THE BUFFERS.
- 4. IN ALL BUFFER AREAS WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED TO ACCOMMODATE WALLS, FENCES, PEDESTRIAN SIDEWALKS OR PATHWAYS OR THE INSTALLATION OF UTILITY LINES OR FACILITIES, THE CLEARED, UNIMPROVED AREAS WILL BE LANDSCAPED WITH TREES AND SHRUBS AS REQUIRED BY SECTION 12.302 OF THE ORDINANCE.
- 5. A 75 FOOT CLASS "B" BUFFER SHALL BE MAINTAINED ALONG THE SOUTHERN PROPERTY LINE FOR THE COMMERCIAL CENTER (CC) ZONING. THESE BUFFERS MAY BE REDUCED BY 25 % PER SECTION 12.302 (8) OF THE ORDINANCE.

**SETBACKS, SIDE YARDS AND REAR YARDS**

- 1. ALL BUILDINGS CONSTRUCTED WITHIN THE SITE SHALL SATISFY OR EXCEED THE SETBACK, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR THE CC and B-2 ZONING DISTRICTS.
- 2. INTERNAL PRIVATE ROADS SHALL BE DESIGNED WITH A MINIMUM BUILDING AND PARKING SETBACK OF FOURTEEN (14) FEET AS MEASURED FROM THE BACK-OF-CURB.

**SCREENING AND LANDSCAPING AREAS**

- 1. THE OWNER SHALL INSTALL OR CAUSE TO BE INSTALLED WITHIN THE SETBACK AREAS ESTABLISHED ALONG INTERSTATE 485 AND RHYNE ROAD PLANTS, TREES AND OTHER MATERIALS IN ACCORDANCE WITH THE ORDINANCE AND SHALL THEREAFTER MAINTAIN OR CAUSE TO BE MAINTAINED ALL SUCH MATERIALS (INCLUDING REPLACEMENT OF ALL DEAD OR DYING PLANTS). ADDITIONALLY, THE OWNER SHALL MAINTAIN THE SETBACK AREA AS A TREE PRESERVATION AREA AND SHALL SUPPLEMENT EXISTING VEGETATION TO ENHANCE THE APPEARANCE INTERNAL AREAS OF THE SITE SHALL BE LANDSCAPED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY CODE.
- 2. DEFINED AREAS OF LANDSCAPE CLEARING AS DEPICTED IN TDS.2 SHALL BE ALLOWED ALONG THE WESTERN 80' LANDSCAPE BUFFER OF INTERSTATE 485 TO ALLOW BETTER VEHICULAR VISIBILITY INTO THE SITE. THE OWNER SHALL INSTALL OR CAUSE TO BE INSTALLED WITHIN THE CLEARED SETBACK AREA ESTABLISHED ALONG INTERSTATE 485 PLANTS, TREES AND OTHER MATERIALS IN ACCORDANCE WITH THE ORDINANCE AND SHALL THEREAFTER MAINTAIN OR CAUSE TO BE MAINTAINED ALL SUCH MATERIALS (INCLUDING REPLACEMENT OF ALL DEAD OR DYING PLANTS).
- 3. LANDSCAPE AREAS WILL BE PLANTED ON THE SITE TO MEET OR EXCEED THE REQUIREMENTS OF THE ORDINANCE.
- 4. SCREENING SHALL CONFORM WITH THE STANDARDS AND TREATMENTS SPECIFIED IN SECTION 12.303 OF THE ORDINANCE. REQUIRED LANDSCAPING OF TREES AND SHRUBS LOCATED WITHIN THE BUFFER AREA SHALL CONFORM TO SECTION 12.302 (9) OF THE ORDINANCE AND CHAPTER 21 (CITY OF CHARLOTTE TREE ORDINANCE) OF THE CITY CODE.
- 5. LIMITED AMOUNT OF CLEARING SHALL BE ALLOWED WITHIN THE BUFFER/SETBACK AREAS TO PROMOTE THE GROWTH OF EXISTING VEGETATION AND/OR ENHANCE THE AESTHETIC APPEAL OF THE SITE. THE FOLLOWING WOULD BE ALLOWED IN A BUFFER/SETBACK AREA:
  - A. HAND PRUNING ONLY. NO HEAVY EQUIPMENT OR VEHICLES ALLOWED IN THE BUFFER (I.E. BUILDERS).
  - B. PLANT MATERIAL, WHICH MAY BE REMOVED, SHALL BE CUT FLUSH WITH THE GROUND. NO DISTURBANCE OF THE SOIL WILL BE ALLOWED.
  - C. NO LIMB REMOVAL WITH THE EXCEPTION OF DEAD OR DISEASED LIMBS.
  - D. WEEDS AND VINES MAY BE REMOVED.
  - E. TREES THAT MEASURE LESS THAN 2" CALIPER AT THE BASE THAT AREA CLEARLY WITHIN THE DRIP LINE OF A TREE THAT IS 2" OR GREATER MAY BE REMOVED. DRIP LINE IS DEFINED AS AN IMAGINARY LINE ON THE GROUND THAT WOULD FORM THE PERIMETER OF THE TREES CANOPY.
  - F. DEAD TREES AND MATERIAL MAY BE REMOVED. DISEASED TREES MAY BE REMOVED AT THE DISCRETION OF AN URBAN FORESTER.
  - G. MULCH MAY BE APPLIED TO THE WOODLAND BUFFER. KEEP MULCH 2-3" AWAY FROM THE BARK OF TREES.
- 6. ANY FENCE OR WALL CONSTRUCTED ALONG OR ADJACENT TO ANY SIDEWALK OR STREET RIGHT-OF-WAY REQUIRES A CERTIFICATE ISSUED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION.
- 7. ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW.

- 8. PETITIONER SHALL EXERCISE GOOD FAITH EFFORTS TO PRESERVE ALL TREES 8 INCHES IN CALIPER OR GREATER. TREES 8 INCHES IN CALIPER OR GREATER SHALL BE PRESERVED WITHIN THE SETBACKS ALONG THE ROADWAYS EXCEPT TO THE EXTENT THAT SUCH PRESERVATION CONFLICTS WITH THE INSTALLATION OR REPLACEMENT OF UTILITIES, DRIVEWAY ACCESS AND OTHER SIMILAR SITE ELEMENTS.
- 9. ALL BUFFERS AND SETBACKS SHALL BE MAINTAINED BY THE OWNER AS TREE PRESERVATION AREAS THAT MAY BE SUPPLEMENTED TO ENHANCE THE APPEARANCE OF THE PROJECT. LIKEWISE, BUFFERS AND SETBACKS TO BE MAINTAINED BY THE PROPERTY OWNER MAY BE MODIFIED AS ALLOWED IN SECTION 12.305 OF THE ORDINANCE AND CHAPTER 21 (CITY OF CHARLOTTE TREE ORDINANCE) OF THE CITY CODE.

**PARKING/DRIVE-THROUGH FACILITIES**

- 1. OFF STREET PARKING WILL MEET THE MINIMUM STANDARDS ESTABLISHED UNDER THE ORDINANCE.
- 2. ALL PERMITTED DRIVE-THROUGH FACILITIES LOCATED ON THE SITE SHALL BE SUBJECT TO STACKING REQUIREMENTS OF THE ORDINANCE.
- 3. BIKE RACKS WILL BE PROVIDED PER SECTION 12.202A OF THE ORDINANCE.

**LIGHTING**

- 1. PETITIONER AGREES TO INSTALL PEDESTRIAN SCALE LIGHTING ALONG INTERNAL STREETS. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE, INCLUDING ITS BASE, SHALL NOT EXCEED 30 FEET.
- 2. ALL DIRECT LIGHTING WITHIN THE SITE (EXCEPT STREETLIGHTS WHICH MAY BE ERECTED ALONG RHYNE ROAD) SHALL BE FULL CUT OFF FIXTURES AND DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY EXTERIOR PROPERTY LINE. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND OUTSIDE OF THE PERIMETER OF THE SITE. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUTOFF ANGLES, COLOR, ENERGY EFFICIENCY AND SHIELDING OF SOURCES OF LIGHT, THE INTENT BEING TO ELIMINATE GLARE TOWARDS RHYNE ROAD, MT. HOLLY ROAD, INTERSTATE 485 AND ADJACENT PROPERTIES.
- 3. NO WALL PACK LIGHT FIXTURES WILL BE ALLOWED ON ANY STRUCTURES PLACED ON THE SITE.

**SIGNS**

- 1. ALL SIGNS PLACED ON THE SITE SHALL BE GROUND MOUNTED AND WILL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF CHAPTER 13 OF THE ORDINANCE.
- 2. POLE MOUNTED SIGNS WILL NOT BE ALLOWED, NOR WILL FLASHING SIGNS OF ANY NATURE. THE MAXIMUM HEIGHT OF GROUND MOUNTED/MONUMENT SIGNS WILL BE 7 FEET ABOVE THE AVERAGE GRADE AT EDGE OF RIGHT-OF-WAY. MAXIMUM SIZE OF SIGNAGE WILL BE 48 SQUARE FEET. EACH FACE NO PERMANENT BUSINESS IDENTIFICATION SIGNS OR ADVERTISEMENTS WILL BE ALLOWED WITHIN THE BUILDING SETBACK. EXCEPT AT DRIVEWAY ENTRANCES WHICH MUST BE WITHIN THE LANDSCAPE SETBACK AREA, ANY SAID SIGNS MUST BE WITHIN 6 FEET OF THE DRIVEWAY CURBING. TEMPORARY PROJECT IDENTIFICATION SIGNS MUST BE LOCATED OUTSIDE OF THE REQUIRED SETBACK STATED ABOVE.
- 3. TEMPORARY CONSTRUCTION SIGNAGE CAN NOT BE LOCATED WITHIN THE REQUIRED SETBACK, AND NO SET BEHIND THE SIGN, AND 80 DAYS FOLLOWING THE RECEIPT OF THE CERTIFICATE OF OCCUPANCY FOR THE STRUCTURE ADDRESSED BY THE SIGNAGE.
- 4. BUILDING IDENTIFICATION SIGNS WITHIN INTERIOR PARKING LOTS WILL BE ALLOWED AT THE WALKWAY LEADING TO THE BUILDING AT THE POINT THE WALKWAY EXITS THE PARKING LOT. SUCH SIGNAGE IS LIMITED TO 6 SQUARE FEET, EACH FACE AND MUST BE INTERNALLY ILLUMINATED.
- 5. SIGNAGE LOCATED WITHIN THE PROPOSED COMMERCIAL CENTER (CC) AND BUSINESS (B-2(CD)) DISTRICT SHALL CONFORM TO SECTION 13.109 (4) OF THE ORDINANCE.

**ACCESS POINTS (DRIVEWAYS)**

- 1. THE NUMBER OF ACCESS POINTS TO RHYNE ROAD SHALL BE LIMITED TO ONE (1) RIGHT-IN/RIGHT-OUT ACCESS AND TWO (2) FULL ACCESS.
- 2. THE PLACEMENT AND CONFIGURATION OF THESE ACCESS POINTS ARE SUBJECT TO 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 AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- 3. ALL PROPOSED COMMERCIAL DRIVEWAY CONNECTIONS TO A FUTURE PUBLIC STREET SHALL REQUIRE A DRIVEWAY PERMIT TO BE SUBMITTED TO THE CHARLOTTE DEPARTMENT OF TRANSPORTATION FOR FINAL REVIEW AND APPROVAL.
- 4. ALL PROPOSED TREES, BERMS, WALLS, FENCES, AND/OR IDENTIFICATION SIGNS MUST NOT INTERFERE WITH SIGHT DISTANCE AT THE ENTRANCE(S).

**OPEN SPACE**

- 1. THE COMMON OPEN SPACE LOCATED ALONG RHYNE ROAD "AREA 2" (AS GENERALLY DEPICTED ON TDS.2) SHALL CONTAIN A MINIMUM OF 0.40 ACRES. THE COMMON OPEN SPACE LOCATED WITHIN THE TOWN HOME "AREA 5" PORTION OF THE EASTERN PORTION OF THE PROJECT (AS GENERALLY DEPICTED ON TDS.2) SHALL CONTAIN A MINIMUM OF 6.35 ACRES AND SHALL MEET THE STANDARDS SET FORTH IN SECTION 10, PART 8 OF THE CHARLOTTE-MECKLENBURG ZONING ORDINANCE FOR THE "CATAWBA RIVER/LAKE WYLIE WATERSHED DISTRICT". THE OPEN SPACE LOCATED AT THE INTERSECTION OF PUBLIC ROAD 'D' AND PRIVATE ROAD 'H' (AS GENERALLY DEPICTED ON TDS.2) SHALL CONTAIN A MINIMUM OF 0.40 ACRES. THE PETITIONER MAY INCREASE, BUT NOT REDUCE, THE SIZE OF THE OPEN SPACE AREAS.
- 2. THE PETITIONER RESERVES THE RIGHT TO UTILIZE THE OPEN SPACE TO ACCOMMODATE PEDESTRIAN WALKWAYS, BICYCLE PATHWAYS, SIDEWALKS, GRADING, SLOPES, WALLS, FENCES, SIGNS AND GRAPHICS, LIGHTING, DRAINAGE AND UTILITIES. THE PETITIONER ALSO RESERVES THE RIGHT TO UTILIZE THE OPEN SPACE FOR RETAIL SALES, RECREATIONAL USES, MUSICAL AND ENTERTAINMENT PERFORMANCES, AND RESTAURANT USES ANCILLARY TO AND PROVIDED, HOWEVER, ANY SUCH RETAIL SALES, RECREATIONAL USES, PERFORMANCES, AND RESTAURANT USES SHALL NOT OCCUR BETWEEN THE HOURS OF 11:00 P.M. AND 8:00 A.M. E.S.T.
- 3. COMMON OPEN SPACE OCCUPIED OR USED FOR GRADING, SLOPES, WALLS, FENCES, SIGNS, DRAINAGE AND UTILITIES SHALL NOT BE COUNTED TOWARD THE 10 % USEABLE COMMON OPEN SPACE.
- 4. IN COMMON OPEN SPACE AREAS LOCATED OUTSIDE OF THE "CATAWBA RIVER/LAKE WYLIE WATERSHED DISTRICT" THE PETITIONER RESERVES THE RIGHT FOR IMPROVEMENTS TO INCLUDE SIDEWALKS, PLAYGROUND (TOT LOT), PEDESTRIAN LIGHTING, BENCHES, TABLES AND CHAIRS, FOUNTAINS, ADDITIONAL HARDSCAPE MATERIALS, TRASH RECEPTACLES AND ANY OTHER SITE AMENITY ALLOWED BY THE ORDINANCE. IN COMMON OPEN SPACE AREAS LOCATED WITHIN THE "CATAWBA RIVER/LAKE WYLIE WATERSHED DISTRICT" IMPROVEMENTS BY THE PETITIONER ARE RESTRICTED UNDER CHAPTER 10, PART 6 OF THE ORDINANCE.

**ARCHITECTURAL CONTROLS AND RESTRICTIVE COVENANTS**

- 1. ALL BUILDINGS CONSTRUCTED ON THE SITE SHALL BE ARCHITECTURALLY COMPATIBLE IN APPEARANCE THROUGH THE USE OF SIMILAR, AS WELL AS COMPLEMENTARY BUILDING MATERIALS, COLORS AND DESIGN (GIVING DUE CONSIDERATIONS TO THE USE OF EACH BUILDING).
- 2. THE FIRST FLOOR OF ALL BUILDINGS SHALL BE DESIGNED TO ENCOURAGE AND COMPLEMENT PEDESTRIAN SCALE INTEREST AND ACTIVITY.
- 3. IF DRIVE-THROUGH WINDOWS AND SERVICES ARE INCLUDED WITHIN THE DEVELOPMENT, THEY MUST NOT COMPROMISE PEDESTRIAN CIRCULATION.
- 4. BUILDINGS LOCATED WITHIN THE DEVELOPMENT SHALL BE DESIGNED TO RELATE TO THE OVERALL PEDESTRIAN ENVIRONMENT. BUILDINGS SHALL BE DESIGNED TO INCLUDE TRANSPARENT OPENINGS, ORNAMENTATION AND ARCHITECTURAL CHARACTER AND SHALL RAISE THE STANDARD LEVEL OF THE DESIGN TO CREATE A PLACE OF INTEREST.
- 5. BUILDINGS LOCATED WITH THE DEVELOPMENT SHALL BE ORIENTED TOWARD THE STREET AND SHALL CREATE ENTRANCES WITH PEDESTRIAN INTEREST. DEVELOPMENT LOCATED ALONG RHYNE ROAD SHALL BE ORIENTED TO ADDRESS THE STREET IN A PEDESTRIAN NATURE. THE FACADES OF THE PROPOSED DEVELOPMENT ALONG RHYNE ROAD SHALL BE DESIGNED IN A WAY THAT IS COMPLEMENTARY TO THE EXISTING RESIDENTIAL CONTEXT OF THE STREET.
- 6. BUILDING ELEVATIONS FOR THE TOWN HOMES AS WELL AS DEVELOPMENT WITHIN THE COMMERCIAL CENTER (CC) AND BUSINESS DISTRICT SHALL BE SUBMITTED FOR REVIEW AND APPROVAL TO THE CHARLOTTE-MECKLENBURG PLANNING DEPARTMENT DURING THE SITE PLAN APPROVAL PHASE PRIOR TO ISSUANCE OF BUILDING PERMITS. PRIOR TO ISSUANCE OF BUILDING PERMITS, THE CHARLOTTE-MECKLENBURG PLANNING DEPARTMENT SHALL HAVE THE OPPORTUNITY TO REVIEW THE PROPOSED PLANS AGAINST THE APPROVED CONDITIONAL PLANS TO ASSURE COMPLIANCE WITH DESIGN PRINCIPALS ILLUSTRATED ON THE PLANS.
- 7. THE SCALE AND ORIENTATION OF THE TOWN HOMES, MULTI-FAMILY (CONDOMINIUMS / APARTMENTS) AND OFFICE SHOULD COMPLEMENT THE SCALE OF THE SURROUNDING RESIDENTIAL BUILDINGS. RESIDENTIAL AND OFFICE BUILDINGS WILL BE REQUIRED TO INCORPORATE BALCONIES, BAY WINDOWS, PORCHES AND OTHER ARCHITECTURAL ENHANCEMENTS. FRONT DOORS SHOULD ORIENT TOWARD THE STREET, FACADES SHOULD BE VARIED WITH FREQUENT BUILDING ENTRIES AND WINDOWS.
- 8. TRASH AND/OR DUMPSTER/COMPACTOR AND RECYCLING AREAS SHALL COMPLY WITH SECTION 12.403 OF THE ORDINANCE. RECYCLING AND DUMPSTER AREAS SHALL BE TRASH OR DUMPSTER PADS WILL BE SCREENED FROM VIEW USING MATERIALS SIMILAR TO THOSE USED ON THE RESPECTIVE BUILDING, WHERE JOINT COLLECTION POINTS ARE DEVELOPED, PADS SHALL BE SCREENED WITH BRICK ENCLOSURES. ALL ENCLOSURES WILL HAVE GATES THAT TOTALLY CONCEAL THE INTERIOR OF THE ENCLOSURE. MULTI-FAMILY (CONDOMINIUMS / APARTMENTS) COMPLEXES MUST MEET ALL REQUIREMENTS AS STATED IN CHAPTERS 9 AND 12 OF THE CHARLOTTE CITY CODE REGARDING SOLID WASTE DUMPSTER, COMPACTOR AND RECYCLING AREAS.

**STORM WATER MANAGEMENT**

STORM WATER RUNOFF FROM THE SITE WILL BE MANAGED THROUGH PROVEN TECHNIQUES WHICH SATISFY THE STANDARDS IMPOSED BY MECKLENBURG COUNTY.

THE PETITIONER SHALL ABIDE BY THE S.W.I.M. STREAM BUFFER REGULATIONS WHERE APPLICABLE.

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 THE ONE-YEAR 24-HOUR STORM. RUNOFF DRAW 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 THE TWO-YEAR AND TEN-YEAR SIX-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 86% AVERAGE ANNUAL REMOVAL FOR TOTAL SUSPENDED SOLIDS GENERATED FROM THE DEVELOPMENT ACCORDING TO THE SPECIFICATIONS IN THE N.C. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES BEST MANAGEMENT PRACTICES MANUAL, APRIL 1999.

**FIRE PROTECTION**

FIRE HYDRANTS WILL BE PROVIDED WITHIN THE LANDSCAPE SETBACK AREAS AS REQUIRED BY THE FIRE MARSHALL. FOR BUILDINGS ACCESSED THROUGH SCREENED PARKING LOTS, HYDRANTS MUST BE INSTALLED ADJACENT TO THE PARKING LOT AND EASILY ACCESSIBLE BY FIRE FIGHTING EQUIPMENT. HYDRANT LOCATIONS MUST BE APPROVED BY THE FIRE MARSHALL. AN ACCESS AGREEMENT SHALL BE ON FILE FOR ANY BUILDING SO PROTECTED.

**TRANSPORTATION COMMITMENTS**

- 1. PETITIONER SHALL IMPROVE RHYNE ROAD TO INCLUDE LEFT-TURN LANES INTO THE PROPOSED DEVELOPMENT. THE ENGINEERING DESIGN AND CONSTRUCTION OF THE LEFT-TURN LANE IS THE RESPONSIBILITY OF THE OWNER AND SHALL BE PERFORMED BY A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF NORTH CAROLINA WHO HAS ROADWAY-DESIGN EXPERIENCE.
- 2. THE PETITIONER, ITS SUCCESSORS AND ASSIGNS, AGREES TO UNDERTAKE OR CAUSED TO BE UNDERTAKEN THE FOLLOWING ROADWAY IMPROVEMENTS IN CONNECTION WITH DEVELOPMENT OF THE SITE IN ACCORDANCE WITH THIS PETITION:
  - A. RHYNE ROAD CONSTRUCT LEFT-TURN LANE(S) ON RHYNE ROAD WITH A MINIMUM 150 FEET OF STORAGE, A 15:1 BAY TAPER AND 45:1 THROUGH LANE TAPER
  - B. OTHER PROVIDE FOR A MINIMUM OF 150 FEET OF INTERNAL CHANNELIZATION (MEASURED FROM THE RIGHT-OF-WAY) AT THE ENTRANCES TO THE SITE FROM RHYNE ROAD, IF THE ENTRANCE IS CONSIDERED THE MAIN ENTRANCE INTO THE DEVELOPMENT, THIS REQUIREMENT MAY BE INCREASED TO 300 FEET OR GREATER DEPENDENT ON THE FINDINGS OF THE TRAFFIC IMPACT STUDY/RELATED DESIGN AND OPERATIONAL CONSIDERATIONS.
- 3. PETITIONER TO COORDINATE ACCESS POINT FOR THE MAIN ENTRANCE ONTO RHYNE ROAD WITH THE FUTURE ALIGNMENT OF THE COLLECTOR ROAD WEST OF RHYNE ROAD THAT WAS DEVELOPED BY THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION.
- 4. PETITIONER SHALL PRESERVE AND DEDICATE RIGHT-OF-WAY ALONG RHYNE ROAD TO ACCOMMODATE A FUTURE 750 FOOT CENTERLINE RADIUS, PENDING THE RECOMMENDATION AND APPROVAL OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
- 5. PETITIONER, ITS SUCCESSORS AND ASSIGNS, AGREES TO COOPERATE WITH THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION IN CONNECTION WITH THE TIMING OF CONSTRUCTION OF ROADWAY IMPROVEMENTS TO BE UNDERTAKEN BY THE PETITIONER, WHICH SHALL BE BASED UPON THE TRAFFIC IMPACT ASSOCIATED WITH THE PROPOSED DEVELOPMENT AS REFLECTED IN THE PETITIONER'S TRAFFIC IMPACT STUDY.

**SIDEWALKS AND INTERNAL STREETS**

- 1. PETITIONER SHALL INSTALL AN 8 FOOT WIDE SIDEWALK WITH A MINIMUM 8 FOOT WIDE PLANTING STRIP PARALLEL TO THE SITE'S FRONTAGE ON RHYNE ROAD AND PUBLIC AND PRIVATE ROADS LOCATED WITHIN THE COMMERCIAL CENTER (CC) AND BUSINESS DISTRICT (B-2(CD)). THE SIDEWALK MAY MEANDER IN ORDER TO PERMIT THE PETITIONER TO EXERCISE GOOD FAITH EFFORTS TO SAVE EXISTING 8 INCH OR LARGER CALIPER TREES WITHIN THE APPLICABLE BUILDING SETBACK AREA.
- 2. AS CONCEPTUALLY DEPICTED ON THE SCHEMATIC SITE PLAN, THE PETITIONER SHALL INSTALL INTERNAL SIDEWALKS ON THE SITE THAT WILL PROVIDE PEDESTRIAN CONNECTIONS BETWEEN THE VARIOUS BUILDINGS LOCATED THEREON AND TO THE SIDEWALKS INSTALLED ALONG RHYNE ROAD.
- 3. PETITIONER SHALL CONTACT CSX TRANSPORTATION AND OBTAIN RIGHT-OF-ENTRY ACCESS TO THE CSX PROPERTY LOCATED ALONG THE NORTHERN PROPERTY LINE ONCE ACCESS HAS BEEN GRANTED, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT WIDE SIDEWALK ADJACENT TO THE RAIL LINE THAT SHALL CREATE A PEDESTRIAN CONNECTION TO THE EASTERN AND WESTERN PORTIONS OF THE SITE. THE MATERIAL USED FOR THE SIDEWALK SHALL BE CONCRETE WITH THE EXCEPTION OF SIDEWALK LOCATED IN THE "CATAWBA RIVER/LAKE WYLIE WATERSHED DISTRICT" OF WHICH SHALL BE CONSTRUCTED OF A NON-IMPERVIOUS MATERIAL AS SPECIFIED BY SECTION 10.608 OF THE ORDINANCE.
- 4. EXCEPT WHERE NECESSARY TO ACCOMMODATE SIGNIFICANT DESIGN AND ARCHITECTURAL ELEMENTS LOCATED ON THE SITE, INTERNAL PRIVATE ROADS SHALL BE DESIGNED TO HAVE STREET TREES AND SIDEWALKS A MINIMUM OF 8 FEET IN WIDTH PROVIDED THAT ANY DEVIATION FROM THE MINIMUM 8 FEET SIDEWALK WIDTH SHALL RELATE TO PEDESTRIAN WALK AREAS OF AN APPROPRIATE WIDTH INCLUDED AS PART OF THE ABOVE DESCRIBED SIGNIFICANT DESIGN FEATURES.

**DEVELOPMENT PHASING PROVISIONS**

IN ORDER TO ASSURE THAT THE INFRASTRUCTURE THAT SERVES THE AREA IS ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT, THE DEVELOPMENT OF THE SITE WILL BE TIED TO THE PROVISION OF SPECIFIC INFRASTRUCTURE IMPROVEMENTS. THE PROVISION OF THESE IMPROVEMENTS IS NOT TIED TO SPECIFIC CALENDAR DATES BUT RATHER SERVES AS A LIMITING FACTOR TO THE AMOUNT OF DEVELOPMENT THAT CAN OCCUR ON THE SITE AS SPECIFIED BELOW. CERTAIN LEVELS OF DEVELOPMENT WILL BE PERMITTED IN CONJUNCTION WITH THE PROVISION OF CERTAIN ROAD IMPROVEMENTS THAT HAVE BEEN DESIGNED TO IMPROVE EXISTING CONDITIONS AND TO ACCOMMODATE THE ANTICIPATED TRAFFIC IMPACT THAT CAN BE EXPECTED FROM THE NEW DEVELOPMENT. THE DESIGN AND LOCATION OF THE IMPROVEMENTS WILL SUBSTANTIALLY CONFORM TO THE PROVISIONS OF THIS ILLUSTRATIVE SITE PLAN, IN CONJUNCTION WITH THE APPROVAL OF THE APPROPRIATE TRANSPORTATION AUTHORITY. IN THAT CONTEXT, IF THE PETITIONER IS REQUIRED OR CHOOSES TO MAKE ADDITIONAL IMPROVEMENTS ON PUBLIC STREETS THAT ARE NOT LISTED BELOW THE PETITIONER MAY MODIFY THE NATURE OR EXTENT OF THE SPECIFIC IMPROVEMENTS LISTED BELOW IF THESE CHANGES ARE APPROVED BY NCDOT OR CDOT, WHICH EVER HAS JURISDICTION FOR THE PUBLIC ROADS INVOLVED WITH THE CHANGES. IN ADDITION, THE PETITIONER RESERVES THE RIGHT TO ACCELERATE ANY OF THE IMPROVEMENTS LISTED BELOW IN ANY OF THE PHASES TO FACILITATE THE EFFICIENT PROVISION OF THE LISTED IMPROVEMENTS. FINALLY, WITH REGARD TO THE INSTALLATION OF TRAFFIC SIGNALIZATION THAT IS INCLUDED IN THE PHASING PROVISIONS, IF THE TRAFFIC REQUIREMENTS FOR A PARTICULAR SIGNAL HAVE NOT BEEN MET AND/OR THE APPROPRIATE TRANSPORTATION AUTHORITY HAS NOT PERMITTED A SIGNAL TO BE INSTALLED, THE LACK OF AN INSTALLED SIGNAL SHALL NOT BE CONSTRUED AS A FAILURE ON THE PART OF THE PETITIONER TO COMPLETE THAT PARTICULAR PORTION OF THE PHASING PROVISIONS AND DEVELOPMENT RIGHTS TIED TO THE PROVISION OF THAT SIGNAL WILL BE AVAILABLE TO THE PETITIONER AS IF THE SIGNAL WAS IN PLACE. THE PETITIONER IS COMMITTED TO PROVIDE, AS PART OF THE PARTICULAR SIGNALIZATION, THE RIGHT-OF-WAY THAT THE DIRECTION OF THE APPROPRIATE TRANSPORTATION AUTHORITY SHOULD THAT AUTHORITY REQUIRE THE SIGNAL EVEN IF TRAFFIC REQUIREMENTS HAVE NOT BEEN MET. THE SQUARE FOOTAGE/NUMBER OF DWELLING UNITS SPECIFIED FOR EACH USE INCLUDED IN PHASE ONE CAN BE EXCHANGED FROM ONE USE TO ANOTHER PROVIDED THAT THE NET NEW EXTERNAL TRIPS PRODUCED BY THE SITE DOES NOT EXCEED 1,300 TRIPS DURING THE PM PEAK HOUR.

**PHASE ONE (A)**

IN CONJUNCTION WITH THE PROVISION OF THE IMPROVEMENTS LISTED BELOW, THE PETITIONER MAY DEVELOP UP TO 223,128 SQUARE FEET OF RETAIL SPACE, 21,600 SQUARE FEET OF RESTAURANT SPACE, ONE HOTEL, ONE CAR DEALERSHIP, AND 81 TOWN HOMES. THE PETITIONER MAY APPLY FOR BUILDING PERMITS UPON THE LETTING OF CONTRACTS FOR THE IMPROVEMENTS LISTED AND MAY NOT RECEIVE CERTIFICATES OF OCCUPANCY UNTIL THE SPECIFIC IMPROVEMENTS HAVE BEEN COMPLETED.

IN CONNECTION WITH ANY SUCH PHASE ONE (A) DEVELOPMENT, THE FOLLOWING IMPROVEMENTS MUST BE INSTALLED OR CONTRACTED FOR PRIOR TO ANY DEVELOPMENT AND THE IMPROVEMENTS WILL BE INSTALLED IN VARIOUS PORTIONS OF THE SITE AS THOSE PORTIONS OF THE SITE DEVELOP PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY FOR DEVELOPMENT ON THAT PORTION OF THE SITE, RESERVING THE PETITIONER'S RIGHT TO INSTALL ANY OR ALL IMPROVEMENTS IF TO DO SO WOULD RESULT IN GREATER EFFICIENCY, SAVE THE PART OF THE AVAILABILITY OF RIGHT-OF-WAY. FOR ANY RIGHT-OF-WAY THAT MAY NOT BE AVAILABLE, THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION IS ASSUMED TO ASSIST IN RIGHT-OF-WAY ACQUISITION. ALSO IN CONNECTION WITH ANY PHASE ONE (A) DEVELOPMENT:

- PETITIONER COMMITS TO DESIGN THE 2010 INTERSECTION CONFIGURATION AS DEFINED IN THE PETITIONER'S TRAFFIC IMPACT STUDY AT MOUNT HOLLY ROAD AND RHYNE ROAD, CONSISTING OF THE FOLLOWING:
  - RHYNE ROAD (SOUTHERN LEG): DUAL SOUTHBOUND THROUGH LANES, DUAL NORTHBOUND LEFT-TURN LANES, A NORTHBOUND THROUGH LANE, DUAL NORTHBOUND RIGHT-TURN LANES, AND A MEDIUM EXTENDING FROM MOUNT HOLLY ROAD TO DRIVEWAY #3.
  - MOUNT HOLLY ROAD: DUAL WESTBOUND LEFT-TURN LANES
  - RELOCATION OF RAILROAD GATES AND TRAFFIC SIGNAL MODIFICATIONS.

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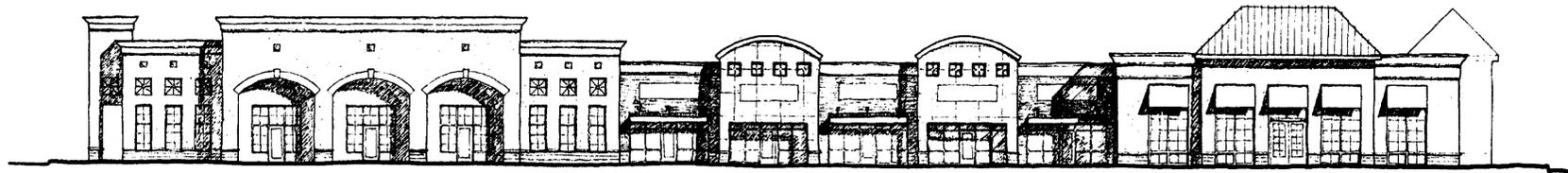


<b>PROJECT No.:</b> 68272	
<b>DATE:</b> 7/3/08	<b>DES.:</b> WOOLPERT
	<b>DR.:</b> WOOLPERT
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<b>DATE:</b> 7/3/08	
<b>DES.:</b> WOOLPERT	
<b>DR.:</b> WOOLPERT	
<b>CKD.:</b>	
WOOLPERT, INC. 8731 Red Oak Blvd, Suite 101 Charlotte, North Carolina 28217-3958 704-525-6284 WOOLPERT FAX: 704-525-8529	
<b>RHYME STATION</b> MIXED-USE DEVELOPMENT REZONING CHARLOTTE, NORTH CAROLINA	
<b>ILLUSTRATIVE SITE PLAN</b>	
SHEET No.	
<b>TDS-4</b>	



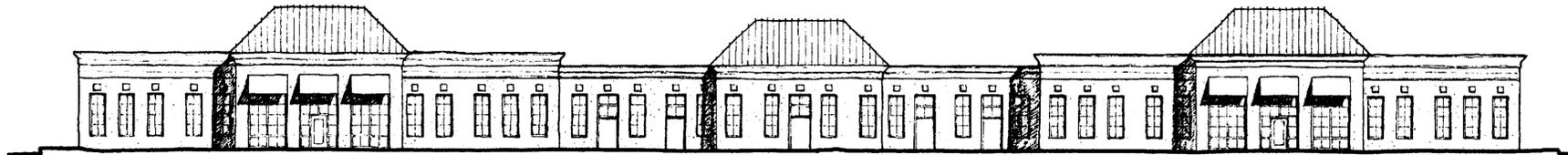
### Townhome Elevations

SCALE 1/16" = 1'-0"



### Retail Elevations

SCALE 1/16" = 1'-0"



### Office Elevations

SCALE 1/16" = 1'-0"

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**RHYNE STATION**  
 MIXED-USE DEVELOPMENT REZONING  
 CHARLOTTE, NORTH CAROLINA

**ARCHITECTURAL ELEVATIONS**

SHEET NO.

**TDS-5**