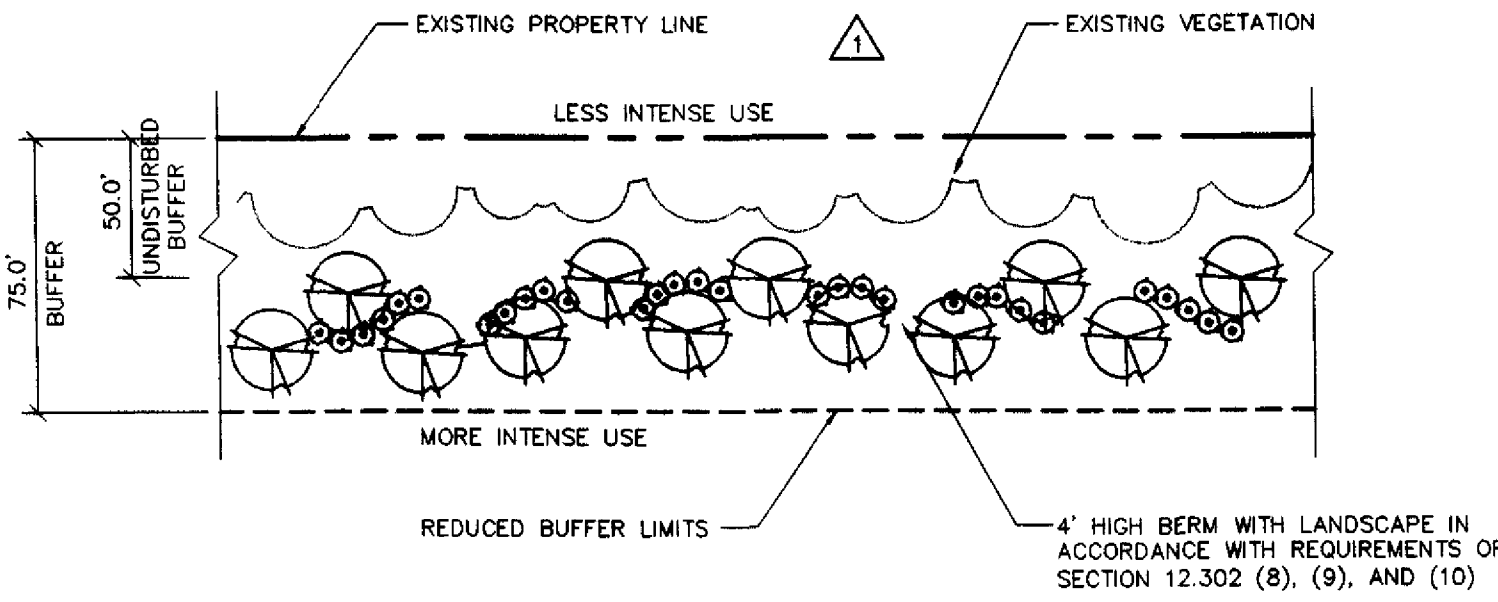
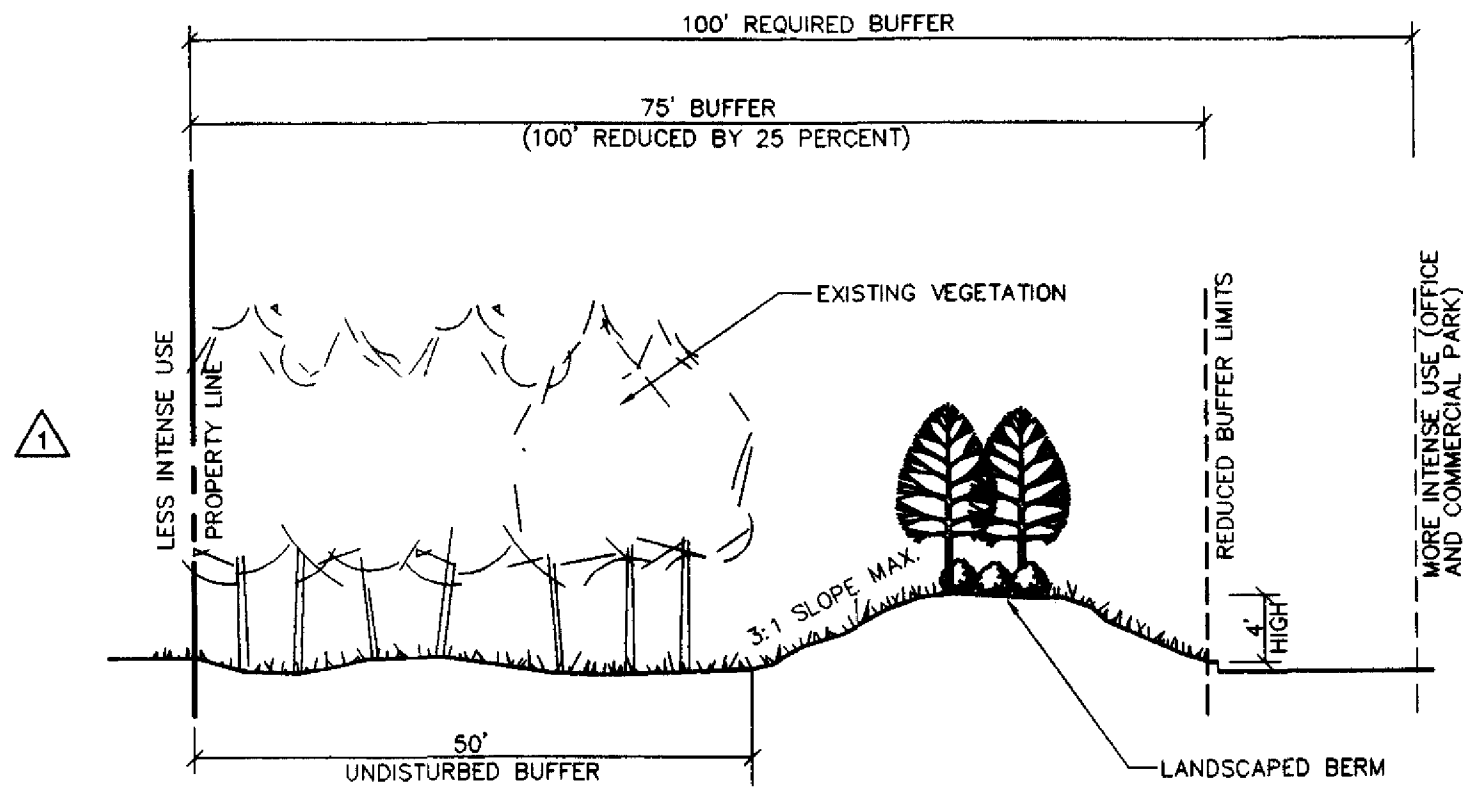


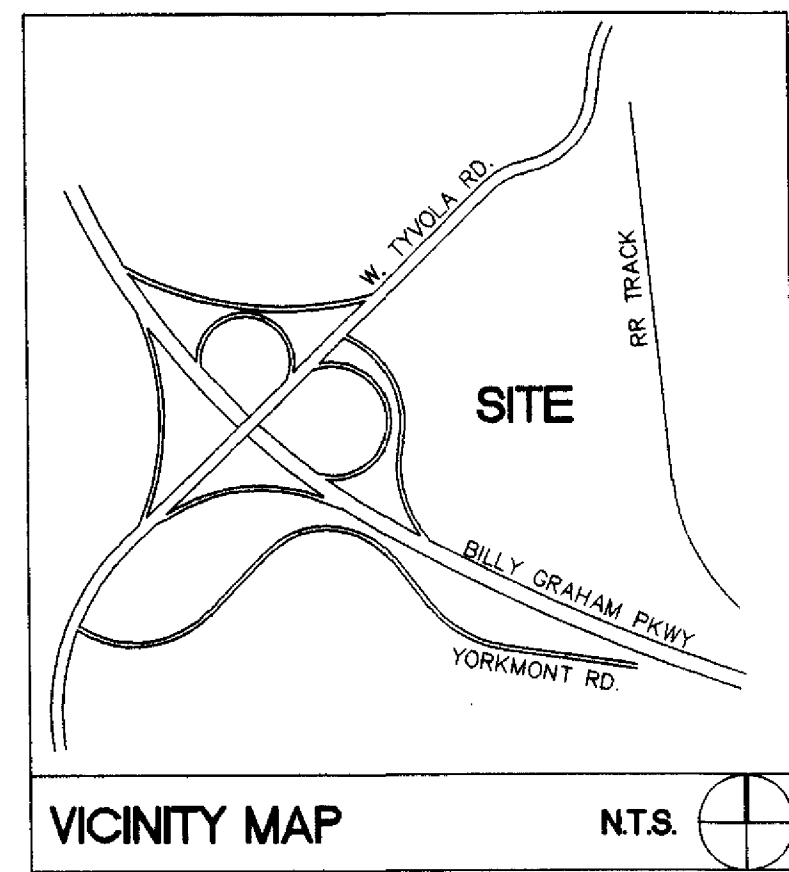
LINE	BEARING	DISTANCE
L1	S69°10'36"E	96.13
L1	S05°00'15"W	81.64
L2	S42°54'57"W	169.49
L3	N63°24'40"E	107.98
L4	N63°22'08"E	102.89
L5	N85°05'55"E	134.83
L6	S81°34'08"E	104.76
L7	S81°01'37"E	147.66
L8	S82°52'41"E	92.84
L9	S81°28'09"E	155.25
L10	S75°04'01"E	119.17
L11	N69°13'42"E	119.05
L12	N67°00'33"E	137.59
L13	N78°41'24"E	117.43
L14	N90°00'00"E	88.28
L15	S58°23'26"E	58.59
L16	S30°04'14"E	84.26
L17	S59°44'31"E	53.32
L18	N78°06'51"E	74.53
L19	N57°05'42"E	77.72
L20	N64°26'26"E	34.74
L21	S66°57'59"E	72.54
L22	N28°38'42"W	115.76
L23	N28°38'42"W	164.11
L24	S11°06'18"E	33.91
L25	S11°06'18"E	272.55



REDUCED BUFFER PLAN - TYPICAL 100' LENGTH
NTS



REDUCED BUFFER SECTION
NTS



SURVEY DISCLAIMER

EXISTING SITE AND TOPOGRAPHIC INFORMATION TAKEN FROM 'TOPOGRAPHICAL SURVEY,' BILLY GRAHAM EVANGELICAL MINISTRIES, ET AL, BILLY GRAHAM PARKWAY, CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, DATED FEBRUARY 1, 2002

SITE DATA

SITE AREA (PARCEL A,B,C&D) : 157.76 ACRES

MAXIMUM BUILDING AREA: PARCEL A AND B: 1,365,000 SQUARE FEET
PARCEL C AND D: 900,000 SQUARE FEET
TOTAL: 2,265,000 SQUARE FEET

EXISTING ZONING: R-17MF, R-22MF AND I-1(CD)

PROPOSED ZONING: I-1(CD), I-1(CD) SITE PLAN AMENDMENT AND O-1(CD)

PROPOSED USE: OFFICE, COMMERCIAL PARK, GUEST QUARTERS, HELPAD, COMMUNICATION TOWERS, HISTORICAL STRUCTURES, MUSEUM/LIBRARY (AND AUXILIARY USES ASSOCIATED WITH THE MUSEUM/LIBRARY SUCH AS CAFE, BOOKSTORE, GIFTSHOP, MAINTENANCE) WITH OTHER USES PERMITTED BY I-1 AND O-1(CD) ZONING.

MINIMUM DEVELOPMENT STANDARDS ALLOWED UNDER THE ORDINANCE

MAXIMUM FLOOR AREA RATIO: .80
MINIMUM SETBACK REQUIRED: 20.0'
MINIMUM SETBACK PROVIDED: 50.0' (BILLY GRAHAM PARKWAY)
35.0' (WEST TYVOLA ROAD PARKING SETBACK)
50.0' (WEST TYVOLA ROAD BUILDING SETBACK)
MINIMUM SIDE YARD: 4.0'
MINIMUM REAR YARD: 10.0'
MINIMUM PARKING DECK SETBACK: 30.0' (FROM THE PUBLIC RIGHT OF WAY)

SITE PLAN NOTES

- THE CONFIGURATION, PLACEMENT AND SIZE OF THE BUILDINGS AND PARKING DECKS SHOWN ON THIS SITE PLAN ARE SCHEMATIC IN NATURE AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASE. PARKING LAYOUTS MAY ALSO BE MODIFIED TO ACCOMMODATE FINAL BUILDING LOCATIONS. THIS SITE PLAN ILLUSTRATES ONE POTENTIAL PATTERN FOR THE SITE IF DEVELOPED TO THE MAXIMUM. THE AMOUNT OF DEVELOPMENT REQUESTED MAY BE LESS AND IN A PATTERN APPROPRIATE FOR AND CONSISTENT WITH THE PROJECT AS IT DEVELOPS IN THE FUTURE.
- WHILE THE FLOOR AREA/FOOTPRINTS OF THE BUILDINGS AND PARKING DECKS AND NUMBER OF BUILDINGS AND PARKING DECKS MAY VARY FROM THAT SHOWN ON THE SITE PLAN, THE TOTAL BUILDING AREA SQUARE FOOTAGE, EXCLUSIVE OF PARKING DECKS, MAY NOT EXCEED, IN THE AGGREGATE, THE MAXIMUM PERMISSIBLE SQUARE FOOTAGE ESTABLISHED BY THIS PLAN.



Land Planning
Landscape Architecture
Civil Engineering
Urban Design

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Suite 300
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The Keith Corporation

Charlotte
North Carolina

Childress Klein Properties

Charlotte
North Carolina

Rezoning Plan

PETITION #2002-74

Project No.
2455

Issued

03/25/02

Revised

- 05/17/02 - REVISED PER CMPC COMMENTS
- 07/22/02 - REVISED PER CMPC COMMENTS
- 08/05/02 - REVISED PER CMPC COMMENTS

APPROVED BY CITY COUNCIL

DATE 7/22/02

FOR PUBLIC HEARING

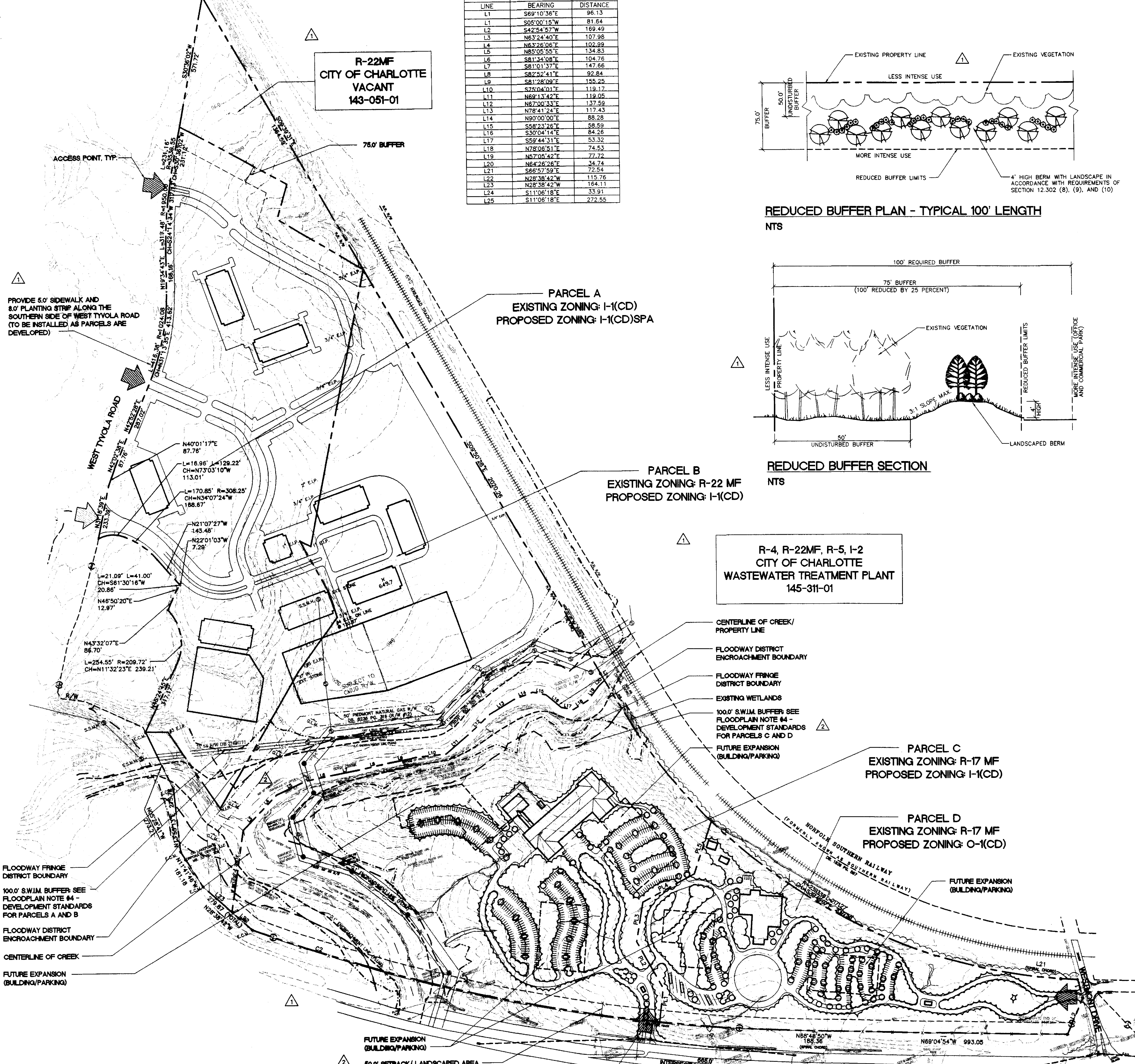
SCALE: 1"=200'

0 100 200 200

RZ1 of 2

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LINE	LENGTH	BEARING
PL1	145.78	N26°05'25"E
PL2	228.74	N09°21'47"W
PL3	189.26	N29°12'39"E
PL4	251.16	N81°17'12"E
PL5	238.73	N38°08'48"E



PHASING OF DEVELOPMENT (PARCELS A AND B)



PARCEL A WAS PREVIOUSLY A PART OF ZONING PETITION #98-125, WHICH PROVIDES FOR DEVELOPMENT OF UP TO 2,665,000 SQUARE FEET ON BOTH SIDES OF WEST TYVOLA ROAD. OF THE MAXIMUM SQUARE FOOTAGE ALLOWED BY PETITION #98-125, 765,000 SQUARE FEET IS HEREBY ASSIGNED TO PARCEL A, LEAVING 1,900,000 SQUARE FEET FOR THE REMAINING LAND COVERED BY PETITION #98-125. UNDER THE PRESENT ZONING PETITION #02-074, AN ADDITIONAL 600,000 SQUARE FEET IS PERMITTED ON PARCELS A AND B SUCH THAT PARCELS A AND B HAVE A COMBINED MAXIMUM BUILDING AREA (EXCLUSIVE OF PARKING STRUCTURES) OF 1,365,000 SQUARE FEET. HENCE, 1,900,000 SQUARE FEET MAY BE DEVELOPED ON THE REMAINING LAND COVERED BY PETITION #98-125 (HEREINAFTER REFERRED TO AS "LAKEPONTE CORPORATE CENTER NORTH") AND 1,365,000 SQUARE FEET MAY BE DEVELOPED ON PARCELS A AND B (HEREINAFTER REFERRED TO AS "LAKEPONTE CORPORATE CENTER SOUTH").

THE OWNERS OF LAKEPONTE CORPORATE CENTER SOUTH AGREE TO DEVELOP LAKEPONTE CORPORATE CENTER SOUTH IN ACCORDANCE WITH THE PHASING SCHEDULE SET FORTH BELOW.

PHASE I

UP TO A COMBINED 500,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPONTE CORPORATE CENTER NORTH AND LAKEPONTE CORPORATE CENTER SOUTH AT ANY TIME WITH NO ADDITIONAL ROAD IMPROVEMENTS.

PHASE II

AN ADDITIONAL COMBINED 784,000 SQUARE FEET GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPONTE CORPORATE CENTER NORTH AND LAKEPONTE CORPORATE CENTER SOUTH AT ANY TIME AFTER THE FOLLOWING TRANSPORTATION IMPROVEMENTS HAVE BEEN COMPLETED:

- A. INSTALLATION OF TRAFFIC SIGNAL AT THE INTERSECTION OF THE BILLY GRAHAM PARKWAY SOUTH-BOUND RAMP WITH WEST TYVOLA ROAD.
- B. INSTALLATION OF TURN LANES AT ALL THREE ACCESS POINTS FROM LAKEPONTE CORPORATE CENTER NORTH AND LAKEPONTE CORPORATE CENTER SOUTH ONTO WEST TYVOLA ROAD. STORAGE LANES AS DETAILLED IN THE PETITIONER'S OCTOBER 1996 TRAFFIC ACCESS ANALYSIS PREPARED BY KUBILINS TRAFFIC CONSULTING, INC. WHICH WAS PART OF REZONING PETITION #98-125.
- C. INSTALLATION OF TRAFFIC SIGNALS AT THE SITE'S EASTERN AND WESTERN ACCESS POINTS ONTO WEST TYVOLA ROAD, AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET IN PETITION #98-125, AND IN ACCORDANCE WITH CDOT AND NCDOT REQUIREMENTS AND UPON MEETING SIGNAL WARRANTS.

WHILE THE ADDITIONAL DEVELOPMENT APPROVED FOR PHASE II MAY BE CONSTRUCTED CONTEMPORANEOUSLY WITH THE REQUIRED TRANSPORTATION IMPROVEMENTS, NO CERTIFICATES OF OCCUPANCY MAY BE ISSUED FOR ANY OF THIS ADDITIONAL DEVELOPMENT UNTIL THE IMPROVEMENTS HAVE BEEN COMPLETED.

PHASE III

AN ADDITIONAL COMBINED 1,381,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPONTE CORPORATE CENTER NORTH AND LAKEPONTE CORPORATE CENTER SOUTH AT ANY TIME AFTER THE TRANSPORTATION IMPROVEMENTS REQUIRED FOR PHASE II HAVE BEEN SATISFIED AND THE FOLLOWING ADDITIONAL TRANSPORTATION IMPROVEMENTS HAVE BEEN COMPLETED:

- A. INSTALLATION OF THE TRAFFIC SIGNAL AND ROADWAY IMPROVEMENTS AT THE INTERSECTION OF THE BILLY GRAHAM PARKWAY SOUTH-BOUND RAMP WITH WEST TYVOLA ROAD PER APPROVED ENCROACHMENT AGREEMENT #01-191-P AND SIGNAL PLANS PREPARED BY CDOT.

WHILE THE ADDITIONAL DEVELOPMENT APPROVED FOR PHASE III MAY BE CONSTRUCTED CONTEMPORANEOUSLY WITH THE REQUIRED TRANSPORTATION IMPROVEMENTS, NO CERTIFICATES OF OCCUPANCY MAY BE ISSUED FOR ANY OF THIS ADDITIONAL DEVELOPMENT UNTIL THE IMPROVEMENTS HAVE BEEN COMPLETED.

PHASE IV

AN ADDITIONAL 300,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPONTE CORPORATE CENTER SOUTH AT ANY TIME AFTER THE TRANSPORTATION IMPROVEMENTS REQUIRED FOR PHASES II, III AND IV HAVE BEEN SATISFIED AND THE FOLLOWING ADDITIONAL TRANSPORTATION IMPROVEMENTS HAVE BEEN COMPLETED:

- A. CONVERT THROUGH-LANE ON SOUTH-BOUND CASCADE POINTE TO THROUGH-RIGHT LANE.
- B. INCREASE SOUTH BOUND CASCADE POINTE LEFT-TURN LANE STORAGE TO 150 FEET WITH 150 FEET OF TAPER, UNLESS OTHERWISE AGREED UPON BY CDOT AND DEVELOPER'S CONSULTANT.
- C. INCREASE EAST BOUND TYVOLA DUAL LEFT-TURN STORAGE AT CASCADE POINTE TO 350 FEET, UNLESS OTHERWISE AGREED UPON BY CDOT AND DEVELOPER'S CONSULTANT.
- D. ADD LEFT-TURN LANE ON NORTH-BOUND CASCADE POINTE WITH 120 FEET STORAGE AND 120 FEET TAPER, UNLESS OTHERWISE AGREED UPON BY CDOT AND DEVELOPER'S CONSULTANT.
- E. ADD LEFT-TURN LANE ON NORTH-BOUND PERIMETER POINTE WITH 120 FEET STORAGE AND 120 FEET TAPER, UNLESS OTHERWISE AGREED UPON BY CDOT AND DEVELOPER'S CONSULTANT.

WHILE THE ADDITIONAL DEVELOPMENT APPROVED FOR PHASE IV MAY BE CONSTRUCTED CONTEMPORANEOUSLY WITH THE REQUIRED TRANSPORTATION IMPROVEMENTS, NO CERTIFICATES OF OCCUPANCY MAY BE ISSUED FOR ANY OF THIS ADDITIONAL DEVELOPMENT UNTIL THE IMPROVEMENTS HAVE BEEN COMPLETED.

PHASE V

AN ADDITIONAL 175,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPONTE CORPORATE CENTER SOUTH AT ANY TIME AFTER THE TRANSPORTATION IMPROVEMENTS REQUIRED FOR PHASES II, III, IV AND V HAVE BEEN SATISFIED AND THE FOLLOWING ADDITIONAL TRANSPORTATION IMPROVEMENTS HAVE BEEN COMPLETED:

- A. MODIFY BILLY GRAHAM PARKWAY (BGP)/TYVOLA ROAD INTERCHANGE TO PROVIDE WEST-BOUND TYVOLA ROAD DUAL LEFT-TURN LANES WITH 475 FEET OF STORAGE AT SOUTH BOUND BGP RAMP INTERSECTION (INCLUDES COMMENSURATE SOUTH BOUND ON-RAMP MODIFICATIONS/EXTENSION, AND NORTH-BOUND OFF RAMP TO WEST BOUND TYVOLA ROAD RAMP MODIFICATIONS, CONSTRUCTION OF A MEDIAN, AND INSTALLATION OF A TRAFFIC SIGNAL).
- B. PROVIDE DUAL RIGHT-TURN LANES ON NORTH-BOUND BGP OFF-RAMP TO EAST-BOUND TYVOLA ROAD, 450 FEET OF STORAGE, CONSTRUCTION OF A MEDIAN, AND INSTALLATION OF A NEW TRAFFIC SIGNAL.
- C. WIDEN BGP SOUTH-BOUND OFF-RAMP TO INCREASE LEFT-TURN STORAGE LENGTH TO 375 FEET UNLESS PROVIDED BY CURRENT PROJECT (NC ENCROACHMENT AGREEMENT #01-191-P).

WHILE THE ADDITIONAL DEVELOPMENT APPROVED FOR PHASE V MAY BE CONSTRUCTED CONTEMPORANEOUSLY WITH THE REQUIRED TRANSPORTATION IMPROVEMENTS, NO CERTIFICATES OF OCCUPANCY MAY BE ISSUED FOR ANY OF THIS ADDITIONAL DEVELOPMENT UNTIL THE IMPROVEMENTS HAVE BEEN COMPLETED.

PHASE VI

AN ADDITIONAL 125,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVELOPED ON LAKEPONTE CORPORATE CENTER SOUTH AT ANY TIME AFTER THE TRANSPORTATION IMPROVEMENTS REQUIRED FOR PHASES II, III, IV AND V HAVE BEEN SATISFIED AND THE FOLLOWING ADDITIONAL TRANSPORTATION IMPROVEMENTS HAVE BEEN COMPLETED:

- A. ADDITION OF EASTBOUND LEFT-TURN AND RIGHT-TURN LANES ON WEST BOULEVARD AND BGP, UNLESS INTERSECTION HAS BEEN CONVERTED TO A GRADE SEPARATED INTERCHANGE.

WHILE THE ADDITIONAL DEVELOPMENT APPROVED FOR PHASE VI MAY BE CONSTRUCTED CONTEMPORANEOUSLY WITH THE REQUIRED TRANSPORTATION IMPROVEMENTS, NO CERTIFICATES OF OCCUPANCY MAY BE ISSUED FOR ANY OF THIS ADDITIONAL DEVELOPMENT UNTIL THE IMPROVEMENTS HAVE BEEN COMPLETED.

PLANS FOR ALL SIGNAL INSTALLATIONS AND ROADWAY IMPROVEMENTS DESCRIBED ABOVE MUST BE APPROVED IN ADVANCE BY NCDOT AND CDOT.

ANY PETITIONER/DEVELOPER TRANSPORTATION IMPROVEMENT HEREIN OUTLINED FOR PARCELS A AND B SHALL NOT BE REQUIRED IF THE TRANSPORTATION IMPROVEMENT HAS BEEN OTHERWISE FUNDED AND/OR COMPLETED BY APPLICABLE LOCAL, STATE OR FEDERAL AGENCY RESPONSIBLE FOR SUCH IMPROVEMENTS.

ABILITY TO TRANSFER SQUARE FOOTAGE

PARCEL A WAS PREVIOUSLY A PART OF ZONING PETITION #98-125, WHICH PROVIDES FOR DEVELOPMENT OF UP TO 2,665,000 SQUARE FEET ON BOTH SIDES OF WEST TYVOLA ROAD. OF THE MAXIMUM SQUARE FOOTAGE ALLOWED BY PETITION #98-125, 765,000 SQUARE FEET IS HEREBY ASSIGNED TO PARCEL A, LEAVING 1,900,000 SQUARE FEET FOR THE REMAINING LAND COVERED BY PETITION #98-125. UNDER THE PRESENT ZONING PETITION #02-074, AN ADDITIONAL 600,000 SQUARE FEET IS PERMITTED ON PARCELS A AND B SUCH THAT PARCELS A AND B HAVE A TOTAL MAXIMUM BUILDING AREA (EXCLUSIVE OF PARKING STRUCTURES) OF 1,365,000 SQUARE FEET. HENCE, 1,900,000 SQUARE FEET (EXCLUSIVE OF PARKING STRUCTURES) MAY BE DEVELOPED ON THE REMAINING LAND COVERED BY PETITION #98-125 (HEREINAFTER REFERRED TO AS "LAKEPONTE CORPORATE CENTER NORTH") AND 1,365,000 SQUARE FEET MAY BE DEVELOPED ON PARCELS A AND B (HEREINAFTER REFERRED TO AS "LAKEPONTE CORPORATE CENTER SOUTH"). PETITIONER HEREBY RESERVES THE RIGHT TO TRANSFER SQUARE FOOTAGE BETWEEN LAKEPONTE CORPORATE CENTER NORTH AND LAKEPONTE CORPORATE CENTER SOUTH AT ANY TIME, PROVIDED PETITIONER SUBMITS AN UPDATED TRAFFIC IMPACT ANALYSIS TO BE REVIEWED AND APPROVED BY CDOT.

BUFFER AREA (PARCELS A AND B ONLY)

1. BUFFER AREA ESTABLISHED ON THIS SITE PLAN SHALL CONFORM TO THE STANDARDS OF SECTION 12.302 OF THE ZONING ORDINANCE. SUBJECT, HOWEVER, TO THE PROVISIONS OF SECTION 12.304 AND TO THE PROVISIONS OF SECTION 12.302 (8) THE FOLLOWING PARAGRAPHS 7 THROUGH 8 OF THIS SUBSECTION.
2. THE EXTERIOR 50 FEET OF ALL BUFFER AREA ARE TO REMAIN IN THEIR UNDISTURBED CONDITIONS EXCEPT TO THE EXTENT NECESSARY TO ACCOMMODATE ACCESS POINTS AND UTILITY LINES AND FACILITIES. ALL UTILITY LINES AND FACILITIES INSTALLED IN THE FUTURE MAY ONLY CROSS THE UNDISTURBED PORTIONS OF BUFFER AREA AT INTERIOR ANGLES MEASURED AT PROPERTY LINES WHICH ARE NOT LESS THAN 75 DEGREES AND, TO THE EXTENT POSSIBLE, PATHS CLEARED FOR SUCH UTILITY LINES AND FACILITIES SHALL BE REPLANTED WITH PLANT MATERIALS WHICH ARE THE SAME AS OR SIMILAR TO THE TYPES OF MATERIALS THAT ARE IN PLACE WITHIN THE BUFFER AREA AND MEET MINIMUM BUFFER REQUIREMENTS.
3. THE REMAINING PORTIONS OF ALL BUFFER AREA ARE TO REMAIN AS OPEN SPACE, EXCEPT TO THE EXTENT NECESSARY TO ACCOMMODATE ACCESS POINTS, BERMS, VINES, UNDERBRUSH, GRADING, DRAINAGE PIPES OR CHANNELS, UTILITY LINES AND FACILITIES AND PEDESTRIAN PATHWAYS.
4. IN ALL BUFFER AREAS WHERE EXISTING TREES AND NATURAL VEGETATION HAVE BEEN CLEARED TO ACCOMMODATE BERMS, WALLS, FENCES, GRADING PIPE OR CHANNELS, UTILITY LINES AND FACILITIES AND PEDESTRIAN PATHWAYS, THE CLEARED, UNIMPROVED AREA WILL BE LANDSCAPED AS REQUIRED BY SECTION 12.302 OF THE ORDINANCE.
5. IN ALL BUFFER AREA THE PETITIONER RESERVES THE RIGHT TO REMOVE VINES, UNDERBRUSH AND SMALL UNDERSTORY TREES (LESS THAN 4 INCHES IN CALIPER) TO ALLOW THE AREA BENEATH THE TREES AND TO PLANT GRASS OUTSIDE OF THE EXISTING TREE AREA FOR PURPOSES OF IMPROVING THE OVERALL APPEARANCE OF NATURALLY VEGETATED AREA. THE OWNERS OF PARCELS A AND B MAY ALSO INSTALL SUPPLEMENTAL LANDSCAPING WITHIN SUCH AREA WHERE NEEDED.
6. IF IN THE FUTURE ADJOINING ZONING DISTRICTS ARE CHANGED TO ZONING DISTRICTS WHICH DO NOT REQUIRE A BUFFER OR WHICH REQUIRE A REDUCED BUFFER, THEN THE BUFFER PROVIDED AT THE APPLICABLE EDGE DEPICTED ON SHEET #21 MAY BE ADJUSTED IN ACCORDANCE WITH TABLE 12.302 (a) AND TABLE 12.302 (b) OF THE ORDINANCE.
7. SIGNS AND GRAPHICS WILL NOT BE ALLOWED IN BUFFER AREA.
8. OFF-STREET PARKING WILL NOT BE ALLOWED IN THE BUFFER.

DEVELOPMENT STANDARDS (PARCELS A, B, C AND D)

GENERAL

ALL DEVELOPMENT STANDARDS ESTABLISHED UNDER THE CITY OF CHARLOTTE ZONING ORDINANCE (THE ORDINANCE) FOR THE I-1(CD) AND O-1(CD) ZONING DISTRICTS SHALL BE FOLLOWED IN CONNECTION WITH DEVELOPMENT TAKING PLACE ON THE SITE. THE CONFIGURATION, PLACEMENT, NUMBER AND ALIGNMENT OF THE BUILDING SHALL BE MEASURING 60 FEET WIDE THROUGH SAID PARCELS TO CONNECT TO THE DESIGNATED CREEK CROSSING AREA. THE PETITIONER/DEVELOPER OF PARCELS C AND D SHALL ESTABLISH DEVELOPMENT PLANS THAT RESPECT THE CREEK CROSSING AREA AND REASONABLY PROVIDE FOR THE POSSIBLE FUTURE CONNECTION ON SAID PARCELS. THE AREA OF THE CREEK CROSSING AND/OR STREET RIGHT-OF-WAY ALIGNMENT MAY BE ALTERED BY THE MUTUAL AGREEMENT OF THE PETITIONER/DEVELOPERS SO LONG AS THE INTENT OF THE PROPOSED VEHICULAR CONNECTION IS PRESERVED AND MAINTAINED. THE RIGHT-OF-WAY ALIGNMENT SHALL BE DETERMINED THROUGH NORMAL SUBDIVISION REGULATIONS AND REQUIREMENTS. IN THE EVENT THAT THE VEHICULAR CONNECTION PROCEEDS AND NO SUBDIVISION OF PARCELS A AND/OR B HAS OCCURRED (I.E.: NO RIGHT-OF-WAY DEDICATION), THEN THE PETITIONER/DEVELOPER OF PARCELS A AND B SHALL PROVIDE THE RIGHT-OF-WAY UPON THE REQUEST OF THE CITY OF CHARLOTTE. IT IS UNDERSTOOD AND AGREED THAT NO ROADWAY OR RIGHT-OF-WAY FOR THE CONNECTION OF PARCELS A AND B AND PARCELS C AND D WILL BE ESTABLISHED ON PARCELS C AND D WHILE THE BILLY GRAHAM EVANGELISTIC ASSOCIATION (BGEA) OR ITS SUCCESSORS ARE THE OWNERS OR USERS OF ANY PORTION OF PARCELS C AND D UNLESS THE BGEA OR SUCH SUCCESSORS AND THE CITY OF CHARLOTTE BOTH AGREE TO SAID CONNECTION. IF THE BILLY GRAHAM EVANGELISTIC ASSOCIATION OR ITS SUCCESSORS SELL PARCELS C AND D TO ANOTHER SINGLE USER WHOSE PARTICULAR NEEDS ARE INCONSISTENT WITH THE CONNECTIVITY OF C AND D TO A AND B, THEN THE CITY WILL CONSIDER THOSE NEEDS IN DETERMINING WHETHER OR NOT CONNECTIVITY WILL BE REQUIRED.

PERMITTED USES

1. EXCEPT AS OTHERWISE PROVIDED BELOW, THE SITE MAY BE DEVOTED TO ANY USE (INCLUDING AN ANCILLARY USE) WHICH IS PERMITTED UNDER THE ORDINANCE AND WHICH IS NOT UNDER PRESCRIBED CONDITIONS IN AN I-1 (CD) AND O-1(CD) ZONING DISTRICT.
2. NO FAST FOOD RESTAURANTS (I.E. RESTAURANTS WITH DRIVE-THROUGH SERVICES) OR GAS/CONVENIENCE STORES WILL BE ALLOWED.
3. RETAIL USES WITHIN THE SITE SHALL BE LIMITED TO 70,000 S.F. FOR PARCELS A AND B.
4. THE NUMBER OF HOTEL ROOMS ASSOCIATED WITH PARCELS A AND B SHALL BE A MAXIMUM OF 475 ROOMS. THERE ARE NO HOTELS ASSOCIATED WITH PARCELS C AND D.
5. THE PROPOSED GUEST COTTAGES/QUARTERS WILL HAVE AN ANCILLARY FUNCTION OF PARCELS A AND B. GUEST COTTAGES WILL NOT HAVE A KITCHEN; THE MAXIMUM LENGTH OF STAY SHALL BE 90 DAYS.
6. OFFICES GREATER THAN 400,000 SQUARE FEET ARE ALLOWED AS PROVIDED FOR UNDER SECTION 9.1103 (PARAGRAPH 13).

SCREENING

1. DEVELOPMENT SCREENING WILL CONFORM TO THE STANDARDS ESTABLISHED UNDER CHAPTER 9.1103 OF THE ORDINANCE.
2. ALL DUMPSTERS WILL BE LOCATED IN ENCLOSURES CONSTRUCTED OF EITHER MASONRY WALLS OR WOODEN FENCES AND WILL BE PROVIDED WITH GATES. IF ONE OR MORE SIDES OF THE DUMPSTER AREA ADJOINS A SIDE OR REAR WALL OF A BUILDING, THE WALL OR WALLS MAY BE SUBSTITUTED FOR THE FENCE ALONG EACH SIDE.

OFF-STREET PARKING

PARKING AREA DEPICTED ON THIS REZONING PLAN MAY VARY IN SIZE, LOCATION AND CONFIGURATION, BUT IN ALL CASES OFF-STREET PARKING AND LOADING WILL CONFORM TO THE PARKING AND LOADING STANDARDS ESTABLISHED UNDER THE ORDINANCE.

LIGHTING

1. A UNIFORM LIGHTING SYSTEM WILL BE EMPLOYED EACH FOR PARCELS A AND B AS WELL AS PARCELS C AND D AND WILL INCLUDE SMOKE BOX FIXTURES WHICH DO NOT, INCLUDING THEIR BASES, EXCEED 30 FEET IN HEIGHT.
2. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND OUTSIDE THE PROJECT. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUTOFF ANGLES, COLOR, ENERGY EFFICIENCY AND SHIELDING OF SOURCES OF LIGHT, THE INTENT BEING TO ELIMINATE GLARE TOWARDS ADJACENT STREETS AND PROPERTIES.
3. WALL-PAK TYPE LIGHTING WILL NOT BE UTILIZED ON BUILDINGS.

OUTPARCELS

1. UPON ESTABLISHMENT AND COMPLETION OF THE CONFIGURATION OF OUTPARCELS, BUILDINGS CONSTRUCTED ON OUTPARCELS WILL CONFORM TO THE FRONT YARD, REAR YARD AND SETBACK REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE.
2. VEHICULAR ACCESS POINTS TO EACH OUTPARCEL WILL BE PLACED ON INTERNAL PROJECT STREETS. NO ACCESS TO OUT PARCELS WILL BE ALLOWED OFF OF WEST TYVOLA ROAD.
3. ALL BUILDINGS PLACED WITHIN OUTPARCELS MUST BE CONSTRUCTED OF MASONRY OR STUCCO OR STUCCO-LIKE MATERIALS AND DESIGNED SUCH THAT EACH SUCH BUILDING IS IN HARMONY WITH ADJOINING BUILDINGS THROUGH THE USE OF SIMILAR ARCHITECTURAL FEATURES, SCALE, AND LANDSCAPING.
4. A MAXIMUM OF 5 OUTPARCELS SHALL BE ALLOWED IN ASSOCIATION WITH THE DEVELOPMENT OF PARCELS A AND B. NO OUTPARCELS ARE ALLOWED ON PARCELS C AND D.

STORMWATER MANAGEMENT

1. DEVELOPMENT WILL COMPLY WITH THE CITY OF CHARLOTTE STORM WATER MANAGEMENT ORDINANCES.
2. STORMWATER DETENTION IS NOT REQUIRED AS THE SITE IS LOCATED ADJACENT TO THE FLOODWAY.

FLOOD PLAIN

1. THE PETITIONER SHALL COMPLY WITH ALL APPLICABLE S.W.I.M. BUFFER REGULATIONS.
2. THE FLOODWAY FRINGE SHALL BE PRESERVED AS AN OPEN SPACE/NATURAL AMENITY AREA. THE PETITIONERS MAY IMPROVE THE FRINGE AREA BY CLEARING, GRADING AND PROVIDING FILL, AND BY ESTABLISHING PEDESTRIAN PATHS AS WELL AS PLACING PEDESTRIAN AMENITY FURNITURE WITHIN THIS AREA, SUCH AS BENCHES, PICNIC TABLES, ETC.
3. IN ORDER TO IMPROVE THE OVERALL APPEARANCE OF THE FRINGE AREA, THE PETITIONERS RESERVE THE RIGHT TO CLEAN AND REMOVE MAINTAINED AND NATURAL DEBRIS FROM THE AREA, INCLUDING THE REMOVAL OF WEEDS, VINES, UNDERSTORY GROWTH, ETC.
4. THE PETITIONERS/DEVELOPERS OF PARCELS A AND B SHALL DEDICATE THE S.W.I.M. BUFFER OF THE SITE TO THE MECKLENBURG COUNTY PARKS AND RECREATION DEPARTMENT FOR PUBLIC GREENWAY USE. THE PETITIONERS SHALL MAINTAIN THE BUFFER PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY ASSOCIATED WITH PARCELS A OR B. ANY AND ALL PUBLIC ACCESS, USAGE, PEDESTRIAN PATHWAY OR OTHER IMPROVEMENTS DESIGNED FOR PUBLIC USE OF THE GREENWAY AREA SHALL BE SPECIFICALLY DESIGNATED ON PARCELS A AND B AND SHALL NOT BE LOCATED OR PERMITTED ON PARCELS C OR D. THE PETITIONER/DEVELOPER OF PARCELS C AND D SHALL DEDICATE AN AREA MEASURING 100 FEET IN DEPTH FROM THE TOP OF THE BANK OF THE CREEK TO THE DEDICATION FOR PARCELS C AND D SHALL OCCUR PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY ASSOCIATED WITH PARCELS C OR D.

FIRE PROTECTION

1. A FIRE HYDRANT IS REQUIRED WITHIN 750' OF THE MOST REMOTE POINT OF A BUILDING AS A TRUCK TRAVELS.

SIGNS

1. AN INDIVIDUAL SIGNAGE MASTER PLAN AND GRAPHICS SYSTEM WILL BE CREATED AND IMPLEMENTED FOR PARCELS A AND B AS WELL AS ONE FOR PARCELS C AND D.
2. ALL SIGNS PLACED ON THE SITE WILL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.
3. PERMANENT PROJECT IDENTIFICATION SIGNS AND DIRECTIONAL SIGNS MAY BE LOCATED ALONG WEST TYVOLA ROAD AND BILLY GRAHAM PARKWAY.
4. ALL FREESTANDING SIGNS WILL BE OF THE GROUND MOUNTED TYPE AND NO PYLON SIGNS WILL BE ALLOWED ON THE SITE.
5. GROUND MOUNTED SIGN PANELS FOR RETAIL USES WILL BE LIMITED TO FOUR (4) FEET IN HEIGHT ABOVE A SIGN BASE WHICH WILL BE LIMITED TO TWO AND ONE-HALF (2 1/2) FEET IN HEIGHT FOR A TOTAL HEIGHT OF SIX AND ONE-HALF (6 1/2) FEET IN HEIGHT. THE SIGN PANEL WILL BE NO LARGER THAN FIFTY (50) SQUARE FEET.
6. BILLBOARDS WILL NOT BE ALLOWED ON SITE.

ACCESS

1. THE NUMBER OF VEHICULAR ACCESS POINTS TO THE PROJECT SITE SHALL BE LIMITED TO THE GENERAL AREAS DEPICTED ON THIS SITE PLAN. ACCESS POINTS WILL BE PLACED AND CONFIGURED TO ACCOMMODATE FINAL SITE PLANS AND DESIGN, BUT IN ALL EVENTS WILL CONFORM TO REQUIREMENTS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
2. VEHICULAR ACCESS POINTS ON PROPOSED ROADS WITHIN THE PROJECT SITE BOUNDARY WILL BE PLACED AND CONFIGURED TO ACCOMMODATE FINAL SITE PLANS AND DESIGN, BUT IN ALL EVENTS, WILL CONFORM TO THE REQUIREMENTS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OR THE CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION.
3. THE PLACEMENTS AND CONFIGURATIONS OF EACH ACCESS POINT ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE PLANS AND DESIGN AND ANY DESIGN AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OR THE CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION.
4. CONSTRUCTION OF THE ACCESS POINTS OFF OF WEST TYVOLA ROAD AND THE PROPOSED INTERNAL ROADS WILL CONFORM TO THE FINAL SITE PLANS AND DESIGN APPROVED BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION OR THE CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION.
5. THE PETITIONER/DEVELOPERS SHALL PROVIDE, AS HEREIN PROVIDED, FOR THE POSSIBLE FUTURE VEHICULAR CONNECTIVITY OF PARCELS A AND B TO PARCELS C AND D ACROSS IRWIN CREEK. THE PETITIONER/DEVELOPERS AGREE TO WORK COOPERATIVELY TOGETHER TO ESTABLISH A MUTUALLY SUITABLE LOCATION FOR THE CREEK CROSSING AND TO DESIGNATE AN AREA AT THE CREEK WHERE THE POSSIBLE FUTURE CONNECTION ACROSS THE CREEK COULD OCCUR. EACH PETITIONER/DEVELOPER SHALL RECOGNIZE THIS AREA WITH RESPECT TO THE PLACEMENT OF BUILDINGS AND OTHER IMPROVEMENTS MADE ON THE SITE SUCH THAT THE DESIGNATED CROSSING POINT OF THE CREEK IS NOT UNDULY BLOCKED, HINDERED OR OTHERWISE PREVENTED FROM OCCURRING DUE TO THE PLACEMENT OF SAID IMPROVEMENTS. FURTHERMORE, THE PETITIONER/DEVELOPER OF PARCELS A AND B SHALL DEDICATE A STREET RIGHT-OF-WAY MEASURING 60 FEET WIDE THROUGH SAID PARCELS TO CONNECT TO THE DESIGNATED CREEK CROSSING AREA. THE PETITIONER/DEVELOPER OF PARCELS C AND D SHALL ESTABLISH DEVELOPMENT PLANS THAT RESPECT THE CREEK CROSSING AREA AND REASONABLY PROVIDE FOR THE POSSIBLE FUTURE CONNECTION ON SAID PARCELS. THE AREA OF THE CREEK CROSSING AND/OR STREET RIGHT-OF-WAY ALIGNMENT MAY BE ALTERED BY THE MUTUAL AGREEMENT OF THE PETITIONER/DEVELOPERS SO LONG AS THE INTENT OF THE PROPOSED VEHICULAR CONNECTION IS PRESERVED AND MAINTAINED. THE RIGHT-OF-WAY ALIGNMENT SHALL BE DETERMINED THROUGH NORMAL SUBDIVISION REGULATIONS AND REQUIREMENTS. IN THE EVENT THAT THE VEHICULAR CONNECTION PROCEEDS AND NO SUBDIVISION OF PARCELS A AND/OR B HAS OCCURRED (I.E.: NO RIGHT-OF-WAY DEDICATION), THEN THE PETITIONER/DEVELOPER OF PARCELS A AND B SHALL PROVIDE THE RIGHT-OF-WAY UPON THE REQUEST OF THE CITY OF CHARLOTTE. IT IS UNDERSTOOD AND AGREED THAT NO ROADWAY OR RIGHT-OF-WAY FOR THE CONNECTION OF PARCELS A AND B AND PARCELS C AND D WILL BE ESTABLISHED ON PARCELS C AND D WHILE THE BILLY GRAHAM EVANGELISTIC ASSOCIATION (BGEA) OR ITS SUCCESSORS ARE THE OWNERS OR USERS OF ANY PORTION OF PARCELS C AND D UNLESS THE BGEA OR SUCH SUCCESSORS AND THE CITY OF CHARLOTTE BOTH AGREE TO SAID CONNECTION. IF THE BILLY GRAHAM EVANGELISTIC ASSOCIATION OR ITS SUCCESSORS SELL PARCELS C AND D TO ANOTHER SINGLE USER WHOSE PARTICULAR NEEDS ARE INCONSISTENT WITH THE CONNECTIVITY OF C AND D TO A AND B, THEN THE CITY WILL CONSIDER THOSE NEEDS IN DETERMINING WHETHER OR NOT CONNECTIVITY WILL BE REQUIRED.

PHASING OF DEVELOPMENT (PARCELS C AND D)

TRANSPORTATION COMMITMENTS

1. PROPOSED BREAK IN THE CONTROLLED ACCESS ALONG BILLY GRAHAM PARKWAY HAS BEEN APPROVED BY THE STATE HIGHWAY ADMINISTRATOR AND BOARD OF TRANSPORTATION OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.
2. IMPROVEMENTS BY THE OWNERS OF PARCELS C AND D TO BE PROVIDED AS FOLLOWS:

PHASE I

1. UP TO 800,000 SF OF BUILDING SPACE CAN BE DEVELOPED ON PARCELS C AND D AT ANY TIME AFTER THE FOLLOWING TRANSPORTATION IMPROVEMENTS HAVE BEEN COMPLETED:

BILLY GRAHAM PARKWAY (US 521) AND WESTMONT DRIVE

- INSTALL A TRAFFIC SIGNAL UPON MEETING APPLICABLE WARRANTS AND WITH APPROVAL OF CDOT AND NCDOT.
- CONSTRUCT AN ADDITIONAL SOUTHBOUND LEFT-TURN LANE ON BILLY GRAHAM PARKWAY TO TOTAL A COMBINED 720 FEET OF STORAGE AND AN ADDITIONAL 375 FEET FOR DECELERATION, WITH A 20:1 BAY TAPER.
- CONSTRUCT A NORTHBOUND RIGHT-TURN LANE ON BILLY GRAHAM PARKWAY WITH 330 FEET OF STORAGE, 375 FEET OF DECELERATION LENGTH AND A 20:1 BAY TAPER.
- RECONFIGURE THE WESTMONT DRIVE APPROACH TO INCLUDE DUAL LEFT-TURN EXITING LANES WITH A MINIMUM COMBINED STORAGE LENGTH OF 760 FEET AND ONE EXITING RIGHT-TURN LANE WITH A STORAGE LENGTH OF 250 FEET AND A 15:1 BAY TAPER. THE ENTERING THROUGH LANE ON WESTMONT DRIVE WILL ENTER INTO THE BILLY GRAHAM EVANGELICAL ASSOCIATION HEADQUARTERS, WOODRIDGE CENTER DRIVE TEETING INTO THE REALIGNED WESTMONT DRIVE. THE ACCESS ROAD TO THE WASTEWATER TREATMENT CENTER WILL THEN TEET INTO THE REALIGNED WOODRIDGE CENTER DRIVE.

BILLY GRAHAM PARKWAY (US 521) AND ACCESS "A" (DIRECTIONAL CROSSOVER)

- CONSTRUCT A SOUTHBOUND LEFT-TURN LANE ON BILLY GRAHAM PARKWAY WITH 175 FEET OF STORAGE, 375 FEET OF DECELERATION LENGTH, A 20:1 BAY TAPER.
- CONSTRUCT A NORTHBOUND RIGHT-TURN LANE ON BILLY GRAHAM PARKWAY WITH 300 FEET OF STORAGE, 375 FEET OF DECELERATION LENGTH AND A 20:1 BAY TAPER.

- CONSTRUCT ACCESS "A" WITH ONE ENTRY LANE AND ONE RIGHT-TURNING EXIT LANE. THIS ACCESS HAS BEEN GIVEN FINAL APPROVAL BY NCDOT FOR THE REQUESTED BREAK IN THE CONTROLLED ACCESS ON BILLY GRAHAM PARKWAY (US 521) AT APPROXIMATELY STATION 75+00.

PHASE II

OVER 600,000 SQUARE FEET [UP TO 725,000 SQUARE FEET] OF BUILDING SPACE CAN BE DEVELOPED UPON THE COMPLETION OF THE FOLLOWING TRANSPORTATION IMPROVEMENTS:

1. COMPLETE THE PROPOSED PUBLIC STREET (REALIGNED WESTMONT DRIVE) BY PROVIDING THE FOLLOWING MODIFICATIONS:
 - THE ADDITION OF A MEDIAN WITHIN THE PROPOSED STREET TO CONVERT ITS INTERSECTION WITH WOODRIDGE CENTER DRIVE TO RIGHT-IN/RIGHT-OUT MOVEMENTS ONLY.
 - ADDITION OF AN INTERNAL LOOP WITHIN THE WIDE MEDIAN OF THE PROPOSED STREET TO PROVIDE FOR TRAFFIC TO EXIT WOODRIDGE CENTER DRIVE TO BILLY GRAHAM PARKWAY.
2. PROVIDE THE FOLLOWING IMPROVEMENTS TO THE INTERSECTION OF BILLY GRAHAM PARKWAY-WOODLAWN ROAD AND SOUTH TRYON STREET:
 - THE CONSTRUCTION OF AN EASTBOUND RIGHT TURN LANE ON BILLY GRAHAM PARKWAY WITH 150 FEET OF STORAGE AND A 20:1 BAY TAPER.
 - THE CONSTRUCTION OF AN ADDITIONAL EASTBOUND LEFT TURN LANE ON BILLY GRAHAM PARKWAY WITH 375 FEET OF TOTAL STORAGE (BOTH LANES), 15:1 BAY TAPER AND APPROPRIATE THROUGH LANE TAPERS.

PHASE III

OVER 725,000 SQUARE FEET UP TO 900,000 SQUARE FEET OF BUILDING SPACE CAN BE DEVELOPED UPON THE COMPLETION OF THE FOLLOWING TRANSPORTATION IMPROVEMENT:

1. ADDITION OF EASTBOUND LEFT-TURN AND RIGHT-TURN LANES ON WEST BOULEVARD AND BGP, UNLESS INTERSECTION HAS BEEN CONVERTED TO A GRADE SEPARATED INTERCHANGE.

ANY PETITIONER/DEVELOPER TRANSPORTATION IMPROVEMENTS HEREIN OUTLINED FOR PARCELS C AND D SHALL NOT BE REQUIRED IF THE TRANSPORTATION IMPROVEMENT HAS BEEN OTHERWISE FUNDED AND/OR COMPLETED BY APPLICABLE LOCAL, STATE OR FEDERAL AGENCY RESPONSIBLE FOR SUCH IMPROVEMENTS.



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Charlotte
North Carolina

Childress Klein Properties

Charlotte
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Rezoning Plan Notes

PETITION #2002-74

Project No.

2455

Issued

03/25/02

Revised

05/17/02 - REVISED PER CMPC COMMENTS

07/22/02 - REVISED PER CMPC COMMENTS

08/05/02 - REVISED PER CMPC COMMENTS

APPROVED BY CITY COUNCIL

DATE 7/22/02

FOR PUBLIC HEARING

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