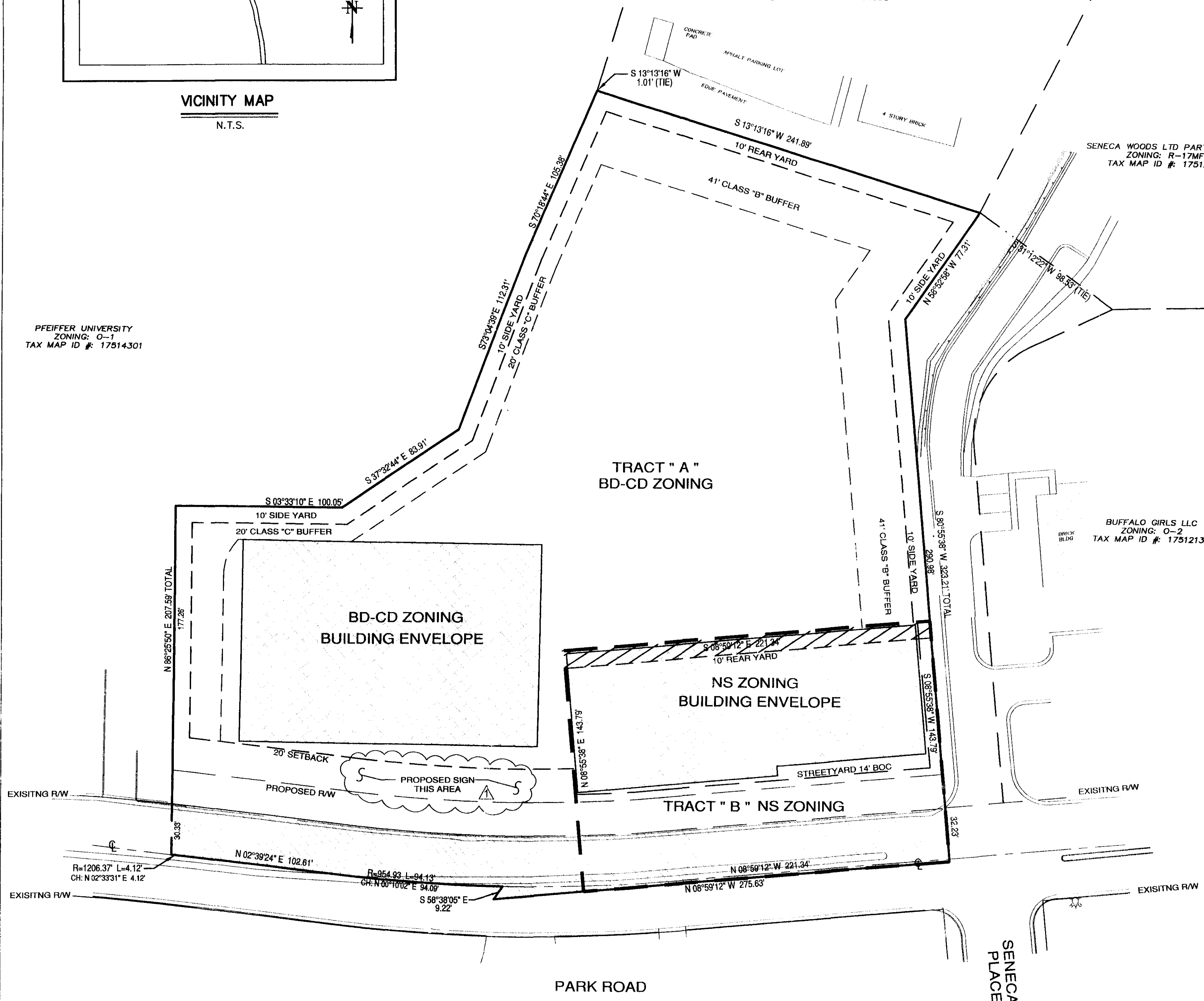


VICINITY MAP

N. T.S.

PFEIFFER UNIVERSITY  
ZONING: O-1  
TAX MAP ID #: 17514301

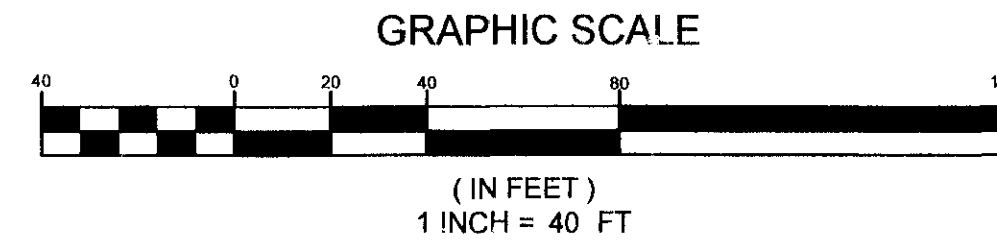


FRANCISCAN TERRACE CONDOMINIUMS  
ZONING: R-17MF  
TAX MAP ID #: 17514314 - 17514353

SENECA WOODS LTD PARTNERSHIP  
ZONING: R-17MF  
TAX MAP ID #: 17512101

BUFFALO GIRLS LLC  
ZONING: O-2  
TAX MAP ID #: 17512138

SENECA PLACE



GRAPHIC SCALE

(IN FEET)  
1 INCH = 40 FT

DEVELOPMENT STANDARDS  
September 2, 2003

GENERAL PROVISIONS

Unless more stringent standards are established by the Technical Data Sheet or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the B-D zoning district classification shall be followed in connection with development taking place on Tract A of the Site, and all development standards established under the Ordinance for the NS (Neighborhood Services) zoning district classification shall be followed in connection with development taking place on Tract B of the Site.

PERMITTED USES

The Site may be devoted to the following uses:

- Tract A
  1. The building to be constructed within that portion of the Site designated as Tract A on the Technical Data Sheet may be devoted only to the following uses:
    - (a) That portion of the ground floor fronting Park Road may be devoted only to office uses and to any accessory uses that are clearly incidental and related thereto. More specifically, a minimum of 9,000 square feet and a maximum of 11,000 square feet of this ground floor area must be utilized or reserved for office uses and any accessory uses that are clearly incidental and related thereto.
    - (b) The remaining portion of the ground floor and the remaining portions of the building may be devoted to a self storage facility and to such facility's rental and management office.
  2. All storage shall be within the building located on Tract A, and no outside storage shall be permitted.
  3. The leasing or renting of moving vans and vehicles is prohibited.
  4. The storage of hazardous materials is prohibited.
  5. Drive thru windows are prohibited.

Tract B

- 1. The building to be constructed within that portion of the Site designated as Tract B on the Technical Data Sheet may be devoted only to the following uses and to any accessory uses that are clearly incidental and related thereto:
  - (a) Retail;
  - (b) Restaurant;
  - (c) Offices, including medical, dental and optical offices;
  - (d) Barber and Beauty Shops;
  - (e) Retail Bakeries;
  - (f) Retail Florists;
  - (g) Jewelry Stores;
  - (h) Dry Cleaning Pick-Up Stores;
  - (i) Religious Institutions; and
  - (j) Financial Institutions (without drive-thru windows).
- 2. Drive thru windows are prohibited.
- 3. The leasing or renting of moving vans and vehicles is prohibited.

Tract C

- 1. The Class B buffer areas and the Class C buffer areas established on the Technical Data Sheet for Tract A shall conform to the standards for such buffers as set out in Section 12.302 of the Ordinance, subject, however to the provisions of Section 12.304 thereof. Pursuant to Section 12.302(b) of the Ordinance, Petitioner may reduce the width of the required buffer by 25 % by providing a wall, fence or berm that meets or exceeds the standards of Section 12.302(b) of the Ordinance.
- 2. Notwithstanding the foregoing, in no event may the width of the 41 foot Class B buffer located along the Site's eastern property line adjacent to Franciscan Terrace Condominiums be reduced. Additionally, at a minimum, the staggered planting within this Buffer area to accommodate the additional plantings.
- 3. In the event that an adjacent parcel is either rezoned to a use that eliminates or reduces the buffer requirements on the Site, the Petitioner may reduce or eliminate, as the case may be, the buffer area(s) set out on the Technical Data Sheet accordingly.
- 4. The buffer areas shall remain as open space, except to the extent necessary to accommodate grade changes and the installation and maintenance of a wall, fence, berm, landscaping and utility and drainage facilities and any grading associated therewith.
- 5. Where existing trees and natural vegetation have been cleared to accommodate grade changes or the installation of a wall, fence, berm, utility or drainage facilities and any grading associated therewith, the cleared, unimproved areas will be landscaped with trees and shrubs in accordance with the requirements of the Ordinance.
- 6. Above ground storm water detention facilities may not be located within the buffer areas.
- 7. No buildings, parking spaces or maneuvering areas may be located within the buffer areas.
- 8. In the event that the private drive adjacent to the southern boundary line of the Site is dedicated to and accepted by the City of Charlotte for maintenance as a public street, then the Class B buffer established on Tract A adjacent to such public street shall be eliminated.
- 9. With respect to that portion of the Class C buffer that is located along the northern boundary line of the Site and is hatched on the Technical Data Sheet, Petitioner is seeking a variance from the City of Charlotte Zoning Board of Adjustment to eliminate this portion of the Class C buffer. This variance is being requested in connection with a perpetual parking and cross access easement agreement with the owner of the parcel of land adjacent to the Site's northern property line. In the event that this variance request is granted, then this portion of the Class C buffer shall be eliminated. However, if the perpetual parking and cross access easement agreement is subsequently terminated, then the relevant portion of the Class C buffer must be established on the Site.
- 10. Any fence installed on the Site within the 41 foot Class B buffer located along the Site's eastern property line adjacent to Franciscan Terrace Condominiums cannot be opaque, and if a chain link fence is installed, it must be vinyl.

Tract D

- 1. Unless more stringent standards are established on the Technical Data Sheet, the building constructed within Tract A shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the B-D zoning district. Unless more stringent standards are established on the Technical Data Sheet, the building constructed within Tract B shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the NS zoning district.
- 2. Notwithstanding the foregoing, Petitioner is seeking a variance from the City of Charlotte Zoning Board of Adjustment to eliminate the rear yard requirement within Tract B. In the event that this variance request is granted, then the rear yard requirement for Tract B shall be eliminated.
- 3. No buildings, parking spaces or maneuvering areas may be located within the setbacks.
- 4. No above ground storm water detention facilities may be located within the required setbacks.
- 5. In the event that the private drive adjacent to the southern boundary line of the Site is dedicated to and accepted by the City of Charlotte for maintenance as a public street, then the side yards within Tracts A and B adjacent thereto shall be eliminated, and a 10 foot setback shall be established within Tract A adjacent to this public street, and a 7 foot setback shall be established within Tract B adjacent to this public street.

SCREENING AND LANDSCAPED AREAS

- 1. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance. All landscaping installed on the Site will meet or exceed the requirements of the Ordinance.
- 2. All roof mounted mechanical equipment will be screened from view.
- 3. Any dumpster visible from a public street or from an adjoining parcel of land will be screened from view by a solid-enclosure with gates. If one or more sides of the dumpster area adjoin a rear wall of a building, the rear wall may be substituted for the fence along each such side.

PARKING

- 1. Parking areas depicted on the Schematic Site Plan may vary in size and location.
- 2. Off-street parking and loading will meet the minimum requirements set out in the Ordinance.
- 3. Pursuant to Section 12.202 and Table 12.202 of the Ordinance, the minimum number of off-street parking spaces required to accommodate the permitted uses of the Site as set out in these Development Standards is 128. Petitioner will provide a minimum of 100 off-street parking spaces on the Site, and in accordance with Section 12.203 of the Ordinance, the remaining required off-street parking spaces will be provided on an adjoining parcel of land pursuant to a perpetual parking and cross access easement agreement. Petitioner shall submit the perpetual parking and cross access easement agreement to the Charlotte Department of Transportation for review and approval.
- 4. With respect to that portion of the Site that is located along the northern boundary line of the Site and is hatched on the Technical Data Sheet, Petitioner is seeking a variance from the City of Charlotte Zoning Board of Adjustment to eliminate the requirement under Section 12.206(a) of the Ordinance that the parking lot within this area be screened from the abutting property to the north of the Site. This variance is being requested in connection with a perpetual parking and cross access easement agreement with the owner of the parcel of land adjacent to the Site's northern property line. In the event that this variance request is granted, then the parking lot within this area of the Site may adjust the exterior lot line. However, if the perpetual parking and cross access easement agreement is subsequently terminated, then the relevant portion of the parking lot must be brought into compliance with Sections 12.206(a) and 12.303 of the Ordinance.

LIGHTING

- 1. A uniform lighting system will be employed throughout the Site.
- 2. The maximum height of any free standing lighting fixture (including its base) installed on the Site may not exceed 20 feet. All free standing lighting fixtures installed on the Site shall be capped and the illumination downwardly directed so that the direct illumination does not extend past any property line of the Site. Consideration will be given to the impact of lighting both within and without the perimeter of the Site. Items for consideration will include intensity, cut-off angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards public streets and adjacent properties.
- 3. No wall pack style light fixtures will be permitted on the Site, and any wall mounted light fixtures installed on the Site shall be capped and downwardly directed so that illumination does not extend past any property line of the Site.

SIGNS

- 1. All signs placed on the Site will be erected in accordance with the requirements and of the Ordinance.
- 2. Any detached sign installed on the Site must be located within that portion of the Site designated on the Technical Data Sheet, and any such detached sign shall have a maximum height of 7 feet and a maximum sign face area per side of 80 feet.
- 3. Wall signs installed on any building located on the Site shall be limited in size to 100 square feet per wall. Individual tenant identification signs for any office or retail users located on the Site shall not be considered or counted towards the 100 square foot limitation for wall signs.

ACCESS POINTS (DRIVEWAYS) AND SIDEWALKS

- 1. The number of vehicular access points to the Site shall be limited to those depicted on the Technical Data Sheet.
- 2. The placement and configuration of each access point are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the City of Charlotte Department of Transportation.
- 3. Petitioner is pursuing with the adjoining property owners and the Charlotte Department of Transportation the dedication and acceptance of the private drive adjacent to the Site's southern boundary line as a public street by the City of Charlotte. In the event that the adjoining property owners agree to dedicate such private drive as a public street and the City of Charlotte agrees to accept the same as a public street, then Petitioner will improve the private drive to public street standards in the manner generally depicted on the Technical Data Sheet and Schematic Site Plan or as otherwise required by the Charlotte Department of Transportation.
- 4. Petitioner shall install an 8 foot wide sidewalk strip and a 6 foot wide sidewalk along the Site's frontage on Park Road.
- 5. As generally depicted on the Schematic Site Plan, Petitioner shall install sidewalks or walkways connecting the entrances into the building located on Tract A that front Park Road to the sidewalk to be installed along the Site's frontage on Park Road.

FIRE PROTECTION

Adequate fire protection in the form of fire hydrants will be provided to the Mecklenburg County Fire Marshal's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

ARCHITECTURAL CONTROLS

- 1. The maximum height of any building constructed on the Site shall be 50 feet.
- 2. The maximum gross heated floor area of the building to be constructed within Tract A shall be 82,800 square feet. A maximum of 73,800 square feet of this maximum gross heated floor area may be devoted to self storage uses and the related rental and management offices. A maximum of 11,000 square feet of this maximum gross heated floor area may be devoted to offices and to any accessory uses that are clearly incidental and related thereto. The building to be constructed within Tract A must be located within the Building Envelope for Tract A as depicted on the Technical Data Sheet.
- 3. The maximum gross heated floor area of the building to be constructed within Tract B shall be 48,000 square feet. The building to be constructed within Tract B must be located within the Building Envelope for Tract B as depicted on the Technical Data Sheet.
- 4. No parking areas shall be located between any building constructed on the Site and their respective setbacks from Park Road.
- 5. The elevations attached to the Technical Data Sheet as Exhibit A are intended to portray the basic character and quality of the buildings to be constructed on the Site within Tracts A and B. Accordingly, the buildings constructed within Tracts A and B shall be designed and constructed so that they are substantially similar in appearance to the attached elevations. The primary exterior building material to be utilized on the buildings shall be stucco or stucco systems, however, the buildings will not be monochrome stucco. More specifically, the exterior of the buildings shall be composed of a combination of stucco or stucco systems, glass and windows. The stucco or stucco systems shall contain multiple earth tones that are articulated in relief. The exterior of the buildings will be articulated classically with a base, middle and top. The glazing in the upper portion of the building to be constructed within Tract A will be opaque.
- 6. With respect to the building to be constructed within Tract A, there will be no direct access to the individual self storage units from the exterior of the building, access to the individual storage units being provided by way of internal hallways. There will be a single unloading and loading area into the self storage portion of the building, such unloading and loading area to be located in the rear of the building in the location generally depicted on the Schematic Site Plan. The unloading and loading area will be recessed into the building.

OPERATIONS

The hours of operation for the self storage facility will be limited to 6:00 a.m. to 7:00 p.m. Monday through Saturday and 9:00 a.m. to 6:00 p.m. on Sunday.

STORM WATER MANAGEMENT

- 1. Storm water runoff from the Site will be managed through proven techniques which satisfy the standards, if any, imposed by the City of Charlotte Engineering Department.
- 2. Above ground storm water detention facilities shall not be located in the buffer area or setback.
- 3. In addition to the foregoing, Petitioner shall install 3 storm water catch basins in the southeastern corner of that parcel of land that adjoins the Site's northern boundary line and is currently owned by Pfeiffer University and storm drain piping necessary to connect the 3 storm water catch basins to the underground detention system to be installed on the Site. The preliminary design of the foregoing improvements provides for 3 brick or precast storm water catch basins and 8 inch reinforced concrete pipe per the Charlotte Mecklenburg Land Development Standard 20.0A.

AMENDMENTS TO REZONING PLAN

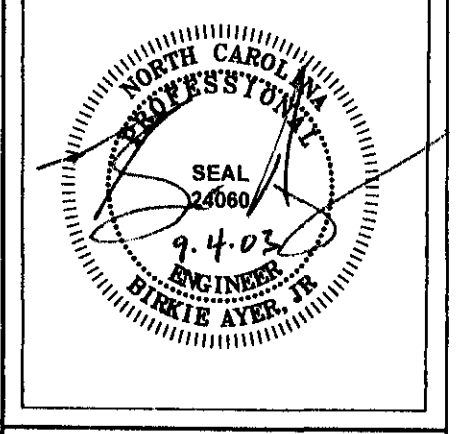
Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

BINDING EFFECT OF THE REZONING APPLICATION

If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the development of the Site imposed under these Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

REVISED DEVELOPMENT STANDARDS AND ADDED PROPOSED SIGN LOCATION TO PLAN	NO.	DATE	DESCRIPTION
1	9/4/03		

**STEWART ENGINEERING INC**  
P.O. BOX 472727  
CHARLOTTE, NC 28247  
TEL. 704.544.7050  
FAX. 704.544.0682



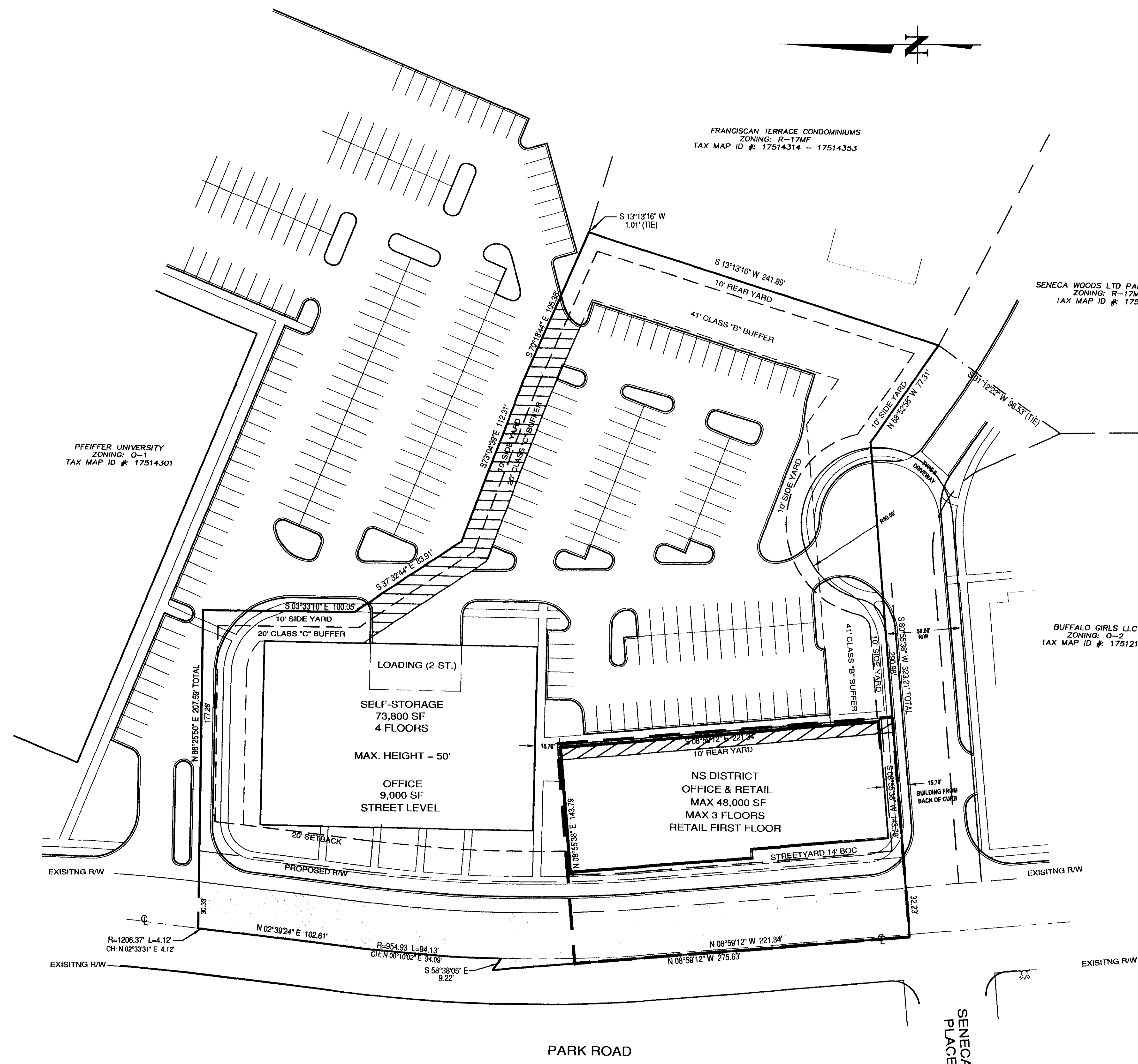
**SENECA PLACE**  
BRIGHAM ENTERPRISES, LLC  
CITY OF CHARLOTTE  
MECKLENBURG COUNTY, NORTH CAROLINA

**TECHNICAL DATA SHEET**

DATE:	5/21/03
SCALE:	HORIZ : 1" = 40'
JOB NO.:	X2002.00
SHEET:	1 OF 2

APPROVED BY CITY COUNCIL

DATE 7/15/03



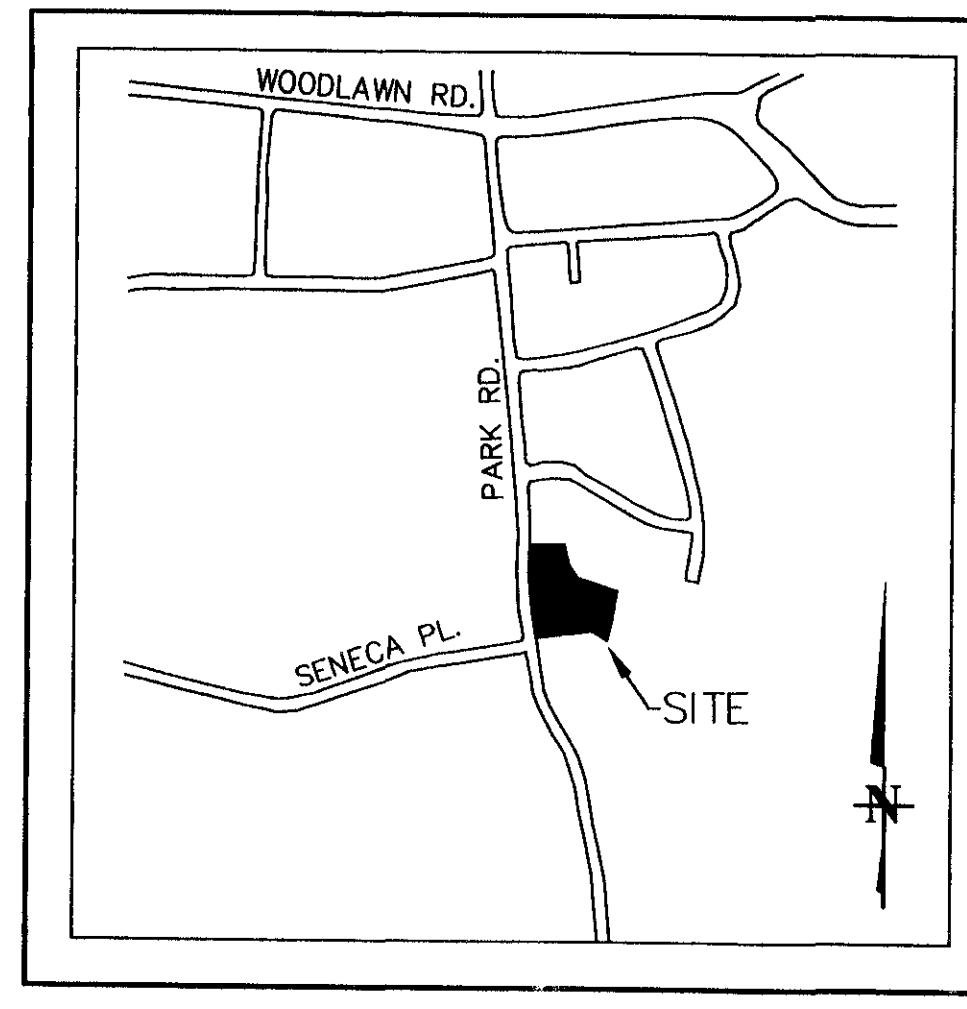
**SITE DESIGN DATA**

- TOTAL SITE AREA: 3.6287 ACRES.
- PROPERTY ADDRESS: 4715 PARK ROAD.
- PROPOSED LAND USE: BUSINESS/OFFICE/STORAGE.
- CURRENT ZONING: O-2.
- PROPOSED ZONING: B-D(CD) & NS.
- REZONING PETITION 2003-012
- PARCEL TAX NUMBER: 17514303
- OMITTED
- TOTAL IMPERVIOUS AREA = 1.78 ACRES
- NEIGHBORHOOD SERVICES REQUIRES 1 SPACE PER 600 SF  
48,000 SF / 600 SF = 80 SPACES
- WAREHOUSE REQUIRES .25 SPACES PER 1,000 SF AND 1 SPACE PER 400 SF OF OFFICE  
73,800 SF / 1,000 SF = 73.8 X .25 SPACES = 18 SPACES
- OFFICE REQUIRES 1 SPACE PER 300 SF  
9,000 SF / 300 SF = 30 SPACES
- TOTAL PARKING SPACES REQUIRED: 128 SPACES
- TOTAL PARKING SPACES DEPICTED ON PLAN: 120 SPACES
- REMAINING OFF-STREET PARKING SPACES TO BE PROVIDED PURSUANT TO A SHARED PARTY AGREEMENT IN ACCORDANCE WITH SECTION 12.203 OF THE ORDINANCE.

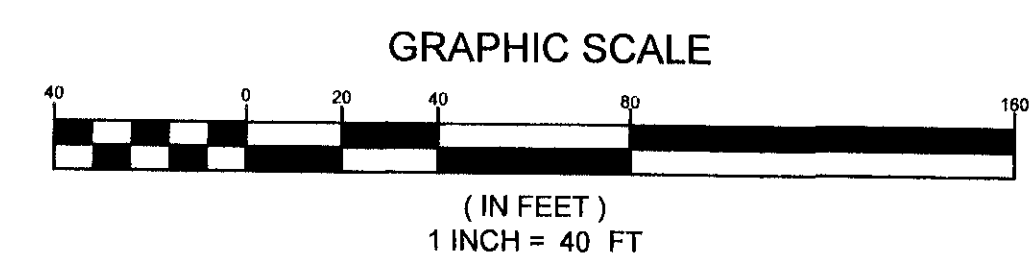
**FLOOR AREA RATIO (FAR) DATA**

- TOTAL SITE BOUNDARY: 3.6287 AC (158,065 SF.)
- AREA NOT ELIGIBLE FOR FAR: 0.3411 AC (14,859 SF.)
- NS ZONING AREA: 0.5552 AC (24,186 SF)
- BD-CD AREA: 2.7257 AC (118,732 SF)
- BD-CD FAR: 0.7
- NS FAR: 2.0

FAR	BD-CD (SF)	NS (SF)
ALLOWED	83,314	48,372
PROPOSED	82,800	48,000

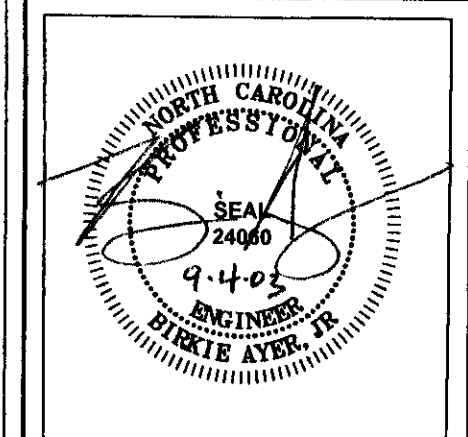


VICINITY MAP  
N.T.S.



NO.	DATE	DESCRIPTION
1	9/4/03	REVISED SITE DESIGN DATA NOTE NO. 14

**STEWART ENGINEERING INC**  
 P.O. BOX 472727  
 CHARLOTTE, NC 28247  
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**SENECA PLACE**  
 BRIGHAM ENTERPRISES, LLC  
 CITY OF CHARLOTTE  
 MECKLENBERG COUNTY, NORTH CAROLINA

**SCHEMATIC SITE PLAN**

DATE:	5/21/03
SCALE:	HORIZ : 1" = 40'
JOB NO.	X2002.00
SHEET:	2 OF 2

APPROVED BY CITY COUNCIL  
 DATE 9/5/03