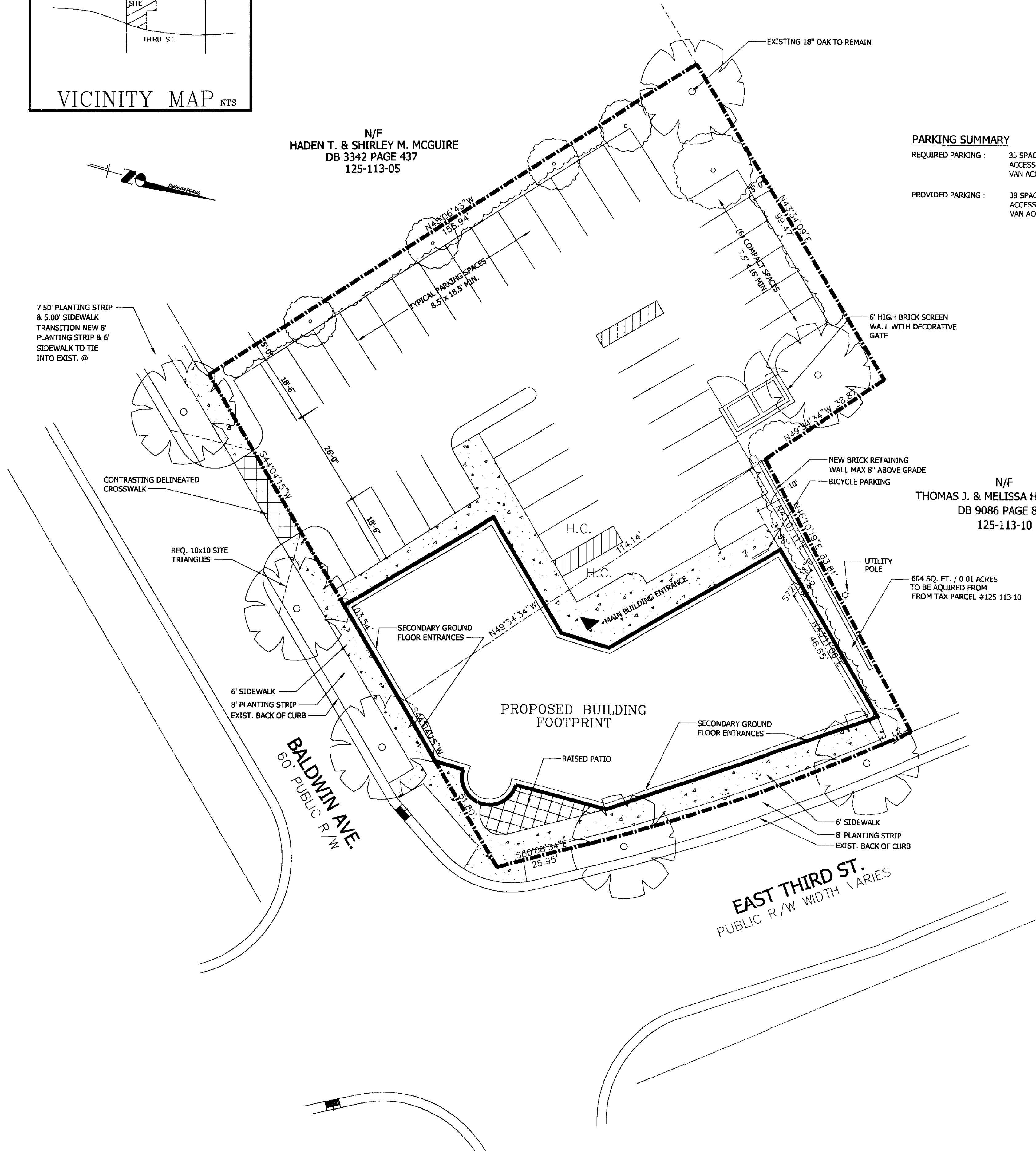


VICINITY MAP NTS

N/F  
HADEN T. & SHIRLEY M. MCGUIRE  
DB 3342 PAGE 437  
125-113-05

**PARKING SUMMARY**

REQUIRED PARKING :	35 SPACES, INCLUD. 2 ACCESSIBLE SPACES W/ 1 VAN ACCESS. SPACE
PROVIDED PARKING :	39 SPACES INCLUD. 2 ACCESSIBLE SPACES W/ 1 VAN ACCESS. SPACE



N/F  
THOMAS J. & MELISSA H. VANDIVER  
DB 9086 PAGE 879  
125-113-10

**General Provisions**

These Development Standards form a part of the Rezoning Site Plan associated with the Rezoning Petition filed by New South Properties of the Carolinas, LLC to accommodate the redevelopment of that approximately 0.55 acre site located at the northwestern quadrant of the intersection of East Third Street and Baldwin Avenue and which is more particularly depicted on the Rezoning Site Plan (the "Site").

Development of the Site will be governed by the Rezoning Site Plan, these development standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Site Plan or these development standards establish more stringent standards, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD") zoning district shall govern the development of the Site.

The development depicted on the Rezoning Site Plan is schematic in nature and intended to describe the general arrangement of uses on the Site. Accordingly, the configuration, placement and size of the building footprints outlined on the Rezoning Site Plan are schematic in nature, and subject to the provisions set forth below under *Design and Performance Standards*, may be altered or modified during design development and construction phases within the maximum development area boundaries established on the Rezoning Site Plan. Parking layouts may also be modified to accommodate final building locations. Ancillary facilities and parking spaces may be located inside or outside development area boundaries to the extent permitted by the Ordinance.

**Permitted Uses**

The Site may be devoted to professional business and general offices, restaurants, barber and beauty shops and retail sales and any accessory uses that are permitted in the MUDD zoning district.

**Maximum Building Area**

The maximum gross building area that may be developed on the Site is 21,500 square feet. A maximum of 7,500 square feet of the maximum gross building area may be devoted to retail uses. Outdoor porches and patios and outdoor seating and dining areas shall not be considered to be a part of and counted towards the maximum gross building area.

**Maximum Building Height**

Any building developed on the Site shall not exceed three stories and 60 feet in height above average grade.

**Setbacks, Side Yards and Rear Yards**

All new buildings and parking areas located on the Site shall be setback from the curb lines along East Third Street and Baldwin Avenue a minimum of 14 feet. All new buildings shall satisfy or exceed the rear yard and side yard requirements established under the Ordinance for the MUDD zoning district. Buildings and parking areas may be located within the development area boundaries outlined on the Rezoning Site Plan.

**Design and Performance Standards**

New development will conform to Section 9.8506 of the Ordinance.

All trees located within the right-of-way for East Third Street and Baldwin Avenue and within the 14 foot setbacks will be preserved and will be protected during the grading and construction process.

All roof mounted mechanical equipment placed on new buildings will be screened from view at grade from adjoining public rights-of-way and abutting properties.

Any new lighting attached to a building shall be capped and downwardly directed.

Wall-mounted decorative light fixtures such as sconces are permitted.

All new buildings will feature traditional red-toned brick as the primary construction material.

Contrasting pavement demarcation will be provided on that portion of the sidewalk along Baldwin Avenue that crosses the vehicular access driveway into the Site so as to differentiate this portion of the sidewalk from the remainder thereof.

The brick retaining wall to be constructed along a portion of the Site's property line in the location generally depicted on the Rezoning Site Plan shall have a maximum height of 8 inches above grade.

**Parking**

All new off street parking and loading facilities will meet the standards established under the Ordinance.

**Vehicular Access/Transportation**

Vehicular access shall be as generally depicted on the Rezoning Site Plan. The placement and configuration of this 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 Charlotte Department of Transportation.

Petitioner shall coordinate its plans for and the development of the Site with the Charlotte Department of Transportation in anticipation of the Charlotte Department of Transportation's planned improvements to the intersection of East Third Street and Baldwin Avenue.

Upon the re-development of the parcel of land adjoining the Site's northern property line (the "Adjoining Parcel"), the then owner of the Site will explore the possibility of making a vehicular connection from the Site to the Adjoining Parcel. In no event will a vehicular connection be installed if it would cause the Site to be in non-compliance with the off street parking requirements of the Ordinance.

**Storm Water Management**

Storm water runoff will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte and the Charlotte Mecklenburg Storm Water Design Manual.

The following agencies shall be contacted prior to construction regarding wetland and water quality permits, if applicable:

- Section 401 Permit NCDEHNR-Raleigh Office
- Section 404 Permit US Army Corps of Engineers

Petitioner shall tie-in to the existing storm water system. Petitioner shall have the receiving drainage system analyzed to ensure that it will not be taken out of standard due to this development. If it is found that the development will cause the receiving storm drainage system to be taken out of standard, Petitioner shall provide adequate detention to prevent this from occurring. Should the existing, receiving drainage system be deemed to be out of standard prior to the development of this Site, Petitioner agrees to provide adequate detention to ensure that the system will not be additionally overburdened.

**Fire Protection**

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications.

**Signs**

All signs shall comply with the City of Charlotte Sign Ordinance.

**Amendments to Rezoning Plan**

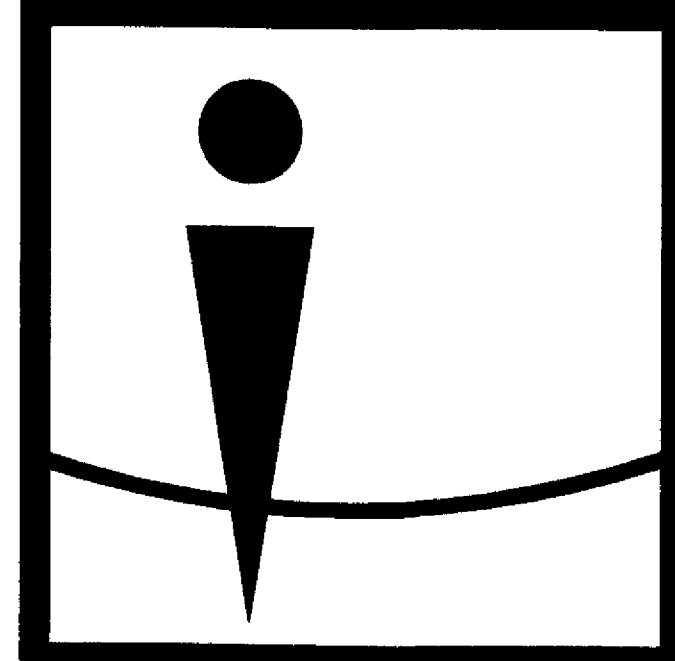
Future amendments to the Rezoning Site Plan and these Development Standards may be applied for by the then Owner or Owners of the tract or tracts within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

**Binding Effect of the Rezoning Documents and Definitions**

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Rezoning Site Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

Throughout these Development Standards, the terms, "Petitioner" and "owner" or "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

**\*\*Note: Revised text has been underlined**



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PROFESSIONAL  
SEAL

FOR PUBLIC HEARING  
PETITION No. 2003-054

NEW SOUTH  
PROPERTIES

3rd AND BALDWIN

CHARLOTTE, NORTH CAROLINA

date:  
4/8/03  
status:  
REZONING SUBMITTAL  
revisions:  
5/16/03 PLANNING COMMENTS  
8/28/03 PLANNING COMMENTS

APPROVED BY CITY COUNCIL  
DATE: 7/2/03

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**SITE  
PLAN**

**TDS-1**