

General Provisions

These Development Standards form a part of the Technical Data Sheet for the Mixed Used Development at Firth and Fulton submitted by The Conformity Corporation (Monte and Jessica Ritchey). 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 City of Charlotte Zoning Ordinance. Unless more stringent standards are established by this Technical Data Sheet, the development standards established under the Ordinance for the MUDD District classification shall be followed in connection with development taking place on the Site.

The development depicted on the Schematic Site Plan attached as Sheet L2.0 is merely schematic in nature and is intended only to describe the possible arrangement of uses on the Site. Accordingly, the configuration, placement and size of the building footprints outlined on the Schematic Site Plan are schematic in nature 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 to the extent permitted by the Ordinance.

Permitted Uses

The Site may only be developed with the proposed uses outlined in the Technical Data Sheet. Not more than 12 newly developed residential units may be constructed on the site. Residential uses may not exceed 10200 SF. An office/restaurant/retail component of not more 6000 SF may be constructed. The uses will be integrated into a single structure and be built in one phase.

Building Limitations

Total built SF will be governed by a FAR of 1.25

Buffers

Exempt

Setbacks, Side Yards and Rear Yards

All buildings constructed within the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the ordinance for the MUDD district.

Screening and Landscaping

1. Landscaping will meet or exceed the requirements of the Ordinance along City Rights of Way.
2. Screening shall conform to the standards and treatments specified in Sections 12.303 of the Ordinance and 12.403.
3. Petitioner shall exercise good faith efforts to preserve trees. Trees 8 inches in caliper or greater shall be preserved within setbacks along roadways except where their preservation conflicts with the installation or replacement of utilities and other similar site elements. Mitigation of the removal of any setback trees will be coordinated through Urban Forestry consistent with the Tree Ordinance.
4. A dumpster, serviced privately, will be provided for the shared use of both the residential and commercial elements of the project.

Parking

1. No parking shall be allowed between ROWs and building faces.
2. Parking space and drive aisle dimensions as well as sight triangles do not apply in the MUDD district, but consideration will be given to adequacy of circulation (balanced against the highly urban nature of the site) and safety concerns.

Lighting

Wall packs may be used, but only in so much as they do not directly address residential units on or adjacent to the site.

Signs

Pursuant to the Ordinance.

Fire Protection

Plans will be submitted to the Fire Marshal's office for approval before construction commences.

Open Space

Pursuant to the Ordinance

Architectural Controls and Restrictive Covenants

1. The Petitioner agrees to record restrictive covenants governing the use and development of the Site prior to the issuance of any building permit for improvements to the Site. The restrictive covenants will be enforced by a Property Owners Association and will provide for the establishment of:
 - a. A Property or Homeowner's Association
 - b. Use restrictions on the property no less restrictive and in keeping with the use restrictions set forth in these Development Standards
 - c. Common areas maintenance
 - d. An architectural review process for external modifications and installation of satellite dishes, etc.
2. In no event shall any building exceed 3 stories. In no event shall any building exceed 40' above the average grade upon which it is situated.

Storm Water

Storm water runoff from the Site will be managed through proven techniques that satisfy the standards imposed by the City of Charlotte.

Amendments to Rezoning Plan

The then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance may apply for future amendments to this Technical Data Sheet.

Binding Effect

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



MIXED USE @ FIRTH & FULTON
1600 FULTON AVENUE
CHARLOTTE, NC

REVISIONS:
 △ 09.19.03 △
 △ 10.28.03 △
 △

SHEET TITLE: NOTES
 SCALE: AS INDICATED
 DATE: JUNE 23 2003

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APPROVED BY CITY COUNCIL
DATE 11/7/03