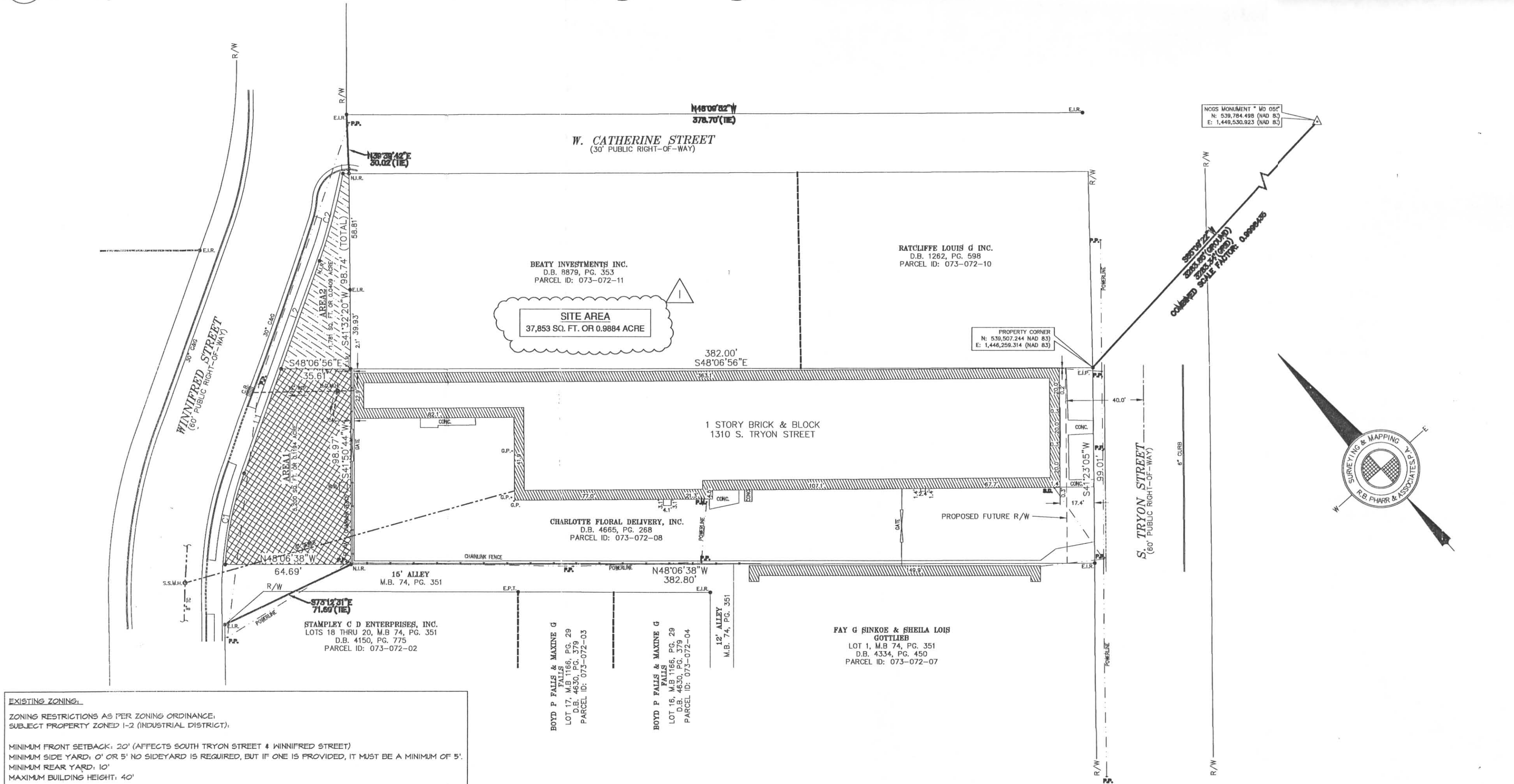


03 Proposed Site Plan: Rehabilitation of Existing Building- Future Office and Retail Use



02 Existing Conditions Survey

DEVELOPMENT STANDARDS
PACKARD TRYON, LLC
November 19, 2004

APPROVED BY CITY COUNCIL
DATE 11/18/05

General Provisions

These Development Standards form a part of the Rezoning Site Plan associated with the Rezoning Petition filed by Packard Tryon, LLC to accommodate the redevelopment of that approximately 0.9884-acre site located on South Tryon Street between West Catherine Street and West Bland Street (the "Site") and the existing structure located thereon, which Site is more particularly depicted on the Rezoning Site Plan.

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"). Subject to the optional provisions set out in these Development Standards and on the Rezoning Site Plan, the regulations established under the Ordinance for the Transit Oriented Development Mixed Use Oriented ("TOD-M") zoning district shall govern the development of the Site.

Permitted Uses

The Site may be devoted to any uses permitted by right or under prescribed conditions in the TOD-M zoning district, and to any accessory uses permitted in the TOD-M zoning district. Notwithstanding the foregoing, a maximum of 15,000 square feet of the existing building located on the Site may be devoted to retail uses.

Minimum Floor Area Ratio

Pursuant to Section 9.1208(5)(c)(3) of the Ordinance, the minimum floor area ratio requirements of the TOD-M zoning district shall not apply to the Site.

Maximum Building Height

The maximum height of any building developed on the Site pursuant to this TOD-M Optional Rezoning Site Plan shall be governed by Section 9.1208(3) of the Ordinance.

Setbacks, Side Yards and Rear Yards

1. The development plan depicted on the Rezoning Site Plan contemplates the redevelopment of an existing structure on the Site. Accordingly, the building and parking setback along South Tryon Street shall be the existing established setback. More specifically, the building located on the Site shall be setback a minimum of 12 feet from the back of the future curb line along South Tryon Street as depicted on the Technical Data Sheet, and an 8 foot sidewalk and a 4 foot planting strip shall be located within this 12 foot setback.

2. The building and parking setback on the Site along Winnifred Street shall be 16 feet from the back of the existing curb line.

3. All above ground, at ground and below ground utility structures associated with underground electric, natural gas, telecommunications or cable television distribution lines, pipes, or conduits, including air vents, vaults and backflow preventers, shall be located behind the minimum setback.

4. No new doors shall be permitted to swing into the minimum setback, except for emergency doors.

5. Side yards are not provided and are not required for the Site under the Ordinance.

6. A rear yard is not provided and is not required for the Site under the Ordinance.

Parking

1. Pursuant to the requirements of Section 9.1208(6)(a) of the Ordinance, a maximum of 1 parking space per 300 square feet of office space may be provided on the Site.

2. Pursuant to the requirements of Section 9.1208(6)(a) of the Ordinance, a maximum of 1 parking space per 250 square feet of retail space may be provided on the Site.

3. Pursuant to the requirements of Section 9.1208(6)(a) of the Ordinance, a maximum of 1.6 parking spaces per residential dwelling unit may be provided on the Site.

4. For all other non-residential uses, the maximum number of parking spaces permitted is the minimum amount required in Table 12.202 of the Ordinance per non-residential use.

5. Pursuant to the requirements of Section 9.1208(6)(a) of the Ordinance, a minimum of 1 parking space per 150 square feet of restaurant/nightclub space, and a maximum of 1 parking space per 75 square feet of restaurant/nightclub space shall be provided on the Site.

6. Parking maximums may be exceeded as provided in Section 9.1208(6)(a)(2) of the Ordinance.

7. All surface parking areas shall conform to the internal planting requirements for parking areas set out in the Charlotte Tree Ordinance.

8. The parking areas shall be screened in accordance with the requirements of Section 9.1208(6)(k) of the Ordinance. That portion of the parking areas adjacent to Winnifred Street shall be screened with a finished masonry wall that is 32 inches to 36 inches in height and located within a 3 foot wide planting strip containing supplemental landscaping.

Screening and Lighting

1. Development of the Site shall comply with the screening requirements of Section 9.1208(8) of the Ordinance.

2. All outdoor lighting fixtures installed on the Site shall comply with the lighting requirements of Section 9.1208(10) of the Ordinance.

Vehicular Access

Vehicular access to the Site shall be as generally depicted on the Rezoning Site Plan. 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 Charlotte Department of Transportation ("CDOT").

Optional Provisions

1. As depicted on the Rezoning Site Plan, parking shall be permitted between the building located on the Site and the required setback from Winnifred Street.

2. As depicted on the Rezoning Site Plan, parking that is located to the side of the building may cover more than 35% of the total lot width.

3. As provided in paragraph 8 under "Parking", that portion of the parking areas adjacent to Winnifred Street shall be screened with a finished masonry wall that is 32 inches to 36 inches in height and located within a 3 foot wide planting strip containing supplemental landscaping.

4. As depicted on the Rezoning Site Plan, a sidewalk from the rear of the building to Winnifred Street shall not be provided.

Urban Design Standards

1. The improvements to and renovation of the existing building located on the Site shall comply with the applicable Urban Design Standards set out in Sections 9.1209(1) through 9.1209(6) of the Ordinance.

2. Subject to the provisions of Paragraph 1 under "Setbacks, Side Yards and Rear Yards", the Site shall comply with the streetscape requirements of Section 9.1209(8) of the Ordinance.

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 requirements of Section 9.1209(7) of the Ordinance and the applicable requirements of the City of Charlotte Sign Ordinance.

Bicycle Racks

Petitioner shall provide bicycle racks in those locations depicted on the Technical Data Sheet.

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 Site in accordance with the provisions of Chapter 6 of the Ordinance.

Binding Effect of the Rezoning Documents and Definitions

Subject to the next following section of these Development Standards entitled "Demolition of Existing Building and Redevelopment of the Site", 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 term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

Demolition of Existing Building and Redevelopment of the Site

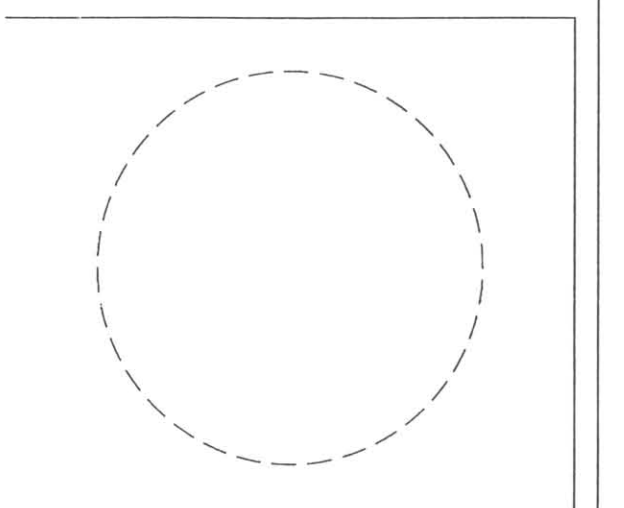
In the event that the existing building located on the Site is demolished for purposes of redeveloping the Site, the Site may be redeveloped without the above described optional provisions, in accordance with the general terms, provisions and standards of the TOD-M zoning district, and the terms and provisions of this Rezoning Site Plan shall not govern the redevelopment of the Site.

Abandonment of Excess Right of Way

Petitioner has caused a Petition to Abandon and Close Excess Right of Way for Winnifred Street located adjacent to the Site to be filed with CDOT. Petitioner's use of this excess right of way for parking as depicted on the Rezoning Site Plan is conditioned upon the abandonment and closing of this excess right of way by the City of Charlotte.

01 Zoning Notes

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**THE PACKARD
BUILDING**
CHARLOTTE, NORTH CAROLINA

Project Number: N/A

Issue Date: 9/22/04

Revisions:

No. Date/Description

1 11/19/04: REVISIONS PER ZONING COMMENTS

04-151

PROPOSED

11/19/04

REVISIONS

04-151

11/19/04

REVISIONS

Technical Data

Sheet

(Rezoning

Petition # 04-151)

FOR PUBLIC HEARING

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