

This map is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, platimetric maps, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

FAT CITY FOR PUBLIC HEARING PETITION NO: 2005-46

Thursday December 22, 2005
Revised: February 17, 2006

REQUESTED ZONING CHANGE FROM: NS, Neighborhood Services TO: MUDD - 0' Mixed Use Development District - Optional

Data and Notes:

- Size: 0.44 acres (19,539 S.F.)
Tract 1, 9,782 sq ft + Tract 2, 9,757 sq ft
- Present zoning: NS, Neighborhood Services
- Proposed zoning: "MUDD - 0" Mixed Use Development District - Optional
Please see the OPTIONAL NOTES.

Every effort will be made to try to preserve approximately 3200 S.F. of existing Fat City building shell and about 70' of existing building facade fronting North Davidson Street. Petitioner reserves the right to build back the facade wall and the Fat City building shell, to their existing location/shape/condition if removed or demolished (for some unforeseen reason), as long as a portion of a building remains.

- Proposed building, Maximum of 38,000 sf. Including 7,440 sf of commercial + 21 residential units
- Potential future additional building S.F. or additional units will comply with the parking requirements of MUDD-0
- Existing parking : 28 gravel parking spaces and on street parking
- Future required parking : per MUDD-0
Residential: 1 space per dwelling unit
All Other Uses: 1 space per 600 SF

6 a. Required parking : 33
Commercial: 7440 sf @ 800 = 12.4, 12 parking spaces provided

Residential : 21 units at 1 per unit = 21,
21 on site & on street parking provided

6 b. On site parking spaces = 26 spaces
North Davidson street on street parking = 4 spaces.
35 Street on street parking = 3 spaces

6 c. Total provided: 33
Petitioner reserves the right to provide recycling containers and reduce the minimum parking spaces by up to 3 spaces if necessary. Per EXCEPTION to section 12.403, item (4)

As an option, the petitioner seeks reduction in 1 parking space.

- Final parking count may vary per construction documents and permitting issues. However, the parking requirements will be met per MUDD-0.
- Future on street parking per CDOT approval.
- 4 Bicycle parking will be provided on site.
- Signage is limited to building signage with no detached signs.
Signage is limited to the MUDD-0 requirements.

Petitioner agrees to signage to be 10% of the building wall to which attached. North Davidson street and 35th street walls count up to 7000 sf. 10% of 7000 = 700 sf of signage total.
As an option, the petitioner seeks 700 sf of signage.

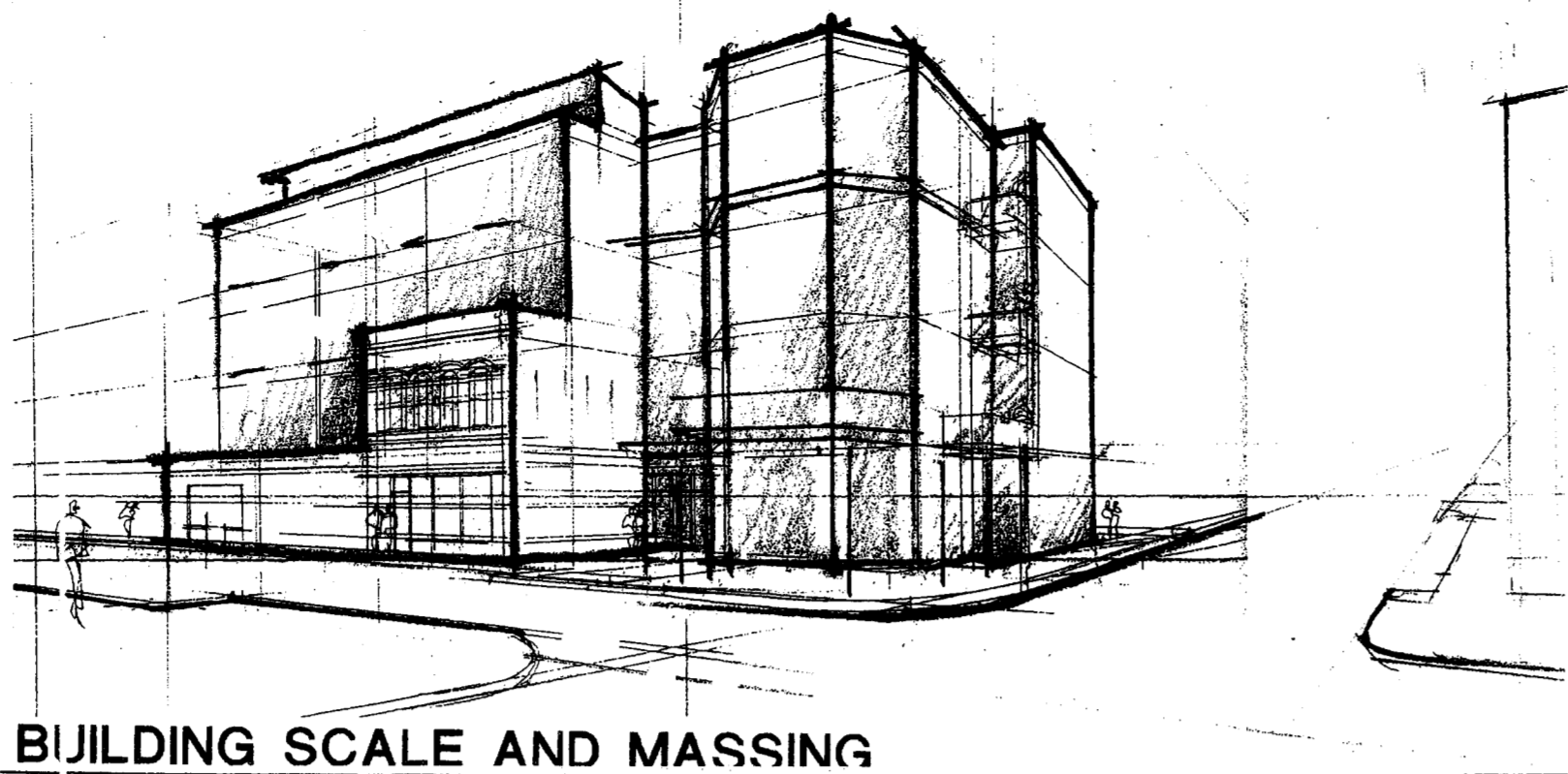
- Trash collection service may be off site by a vendor or on site dumpster or on site compactor, roll up and recycling, as needed/required at all. Will meet section 12.403
Petitioner reserves the right to provide recycling containers and reduce the minimum parking spaces by up to 3 spaces if necessary. Per EXCEPTION to section 12.403, item (4)
- The dumpster, and recycling if any will be screened with walls and gates on all four sides.
- Sites will meet tree ordinance requirements. Petitioner will work with urban forestry to provide additional trees around the back parking areas. See note 12.
- Storm water requirements will meet city regulations. Please note that most of the site is already IMPERVIOUS. The existing site is almost all concrete, asphalt or compacted gravel.

10 a. The petitioner shall also utilize detention for any increase of impervious area created by the development. Please note that since the existing site is almost all concrete, asphalt or compacted gravel No detention is required or planned. See note 10.

10 b. The petitioner will work with the City Storm Water (Have spoken to Bill Pruitt) to pipe and cover the existing concrete bed drainage to the left of the property. A 25' easement will be granted from the adjacent property owner (YMCA) in order for the new Fat City left building wall to come within 8" to 18" of the property line. Please see detail of this 25' easement to storm drain pipe to building relationship on this sheet.

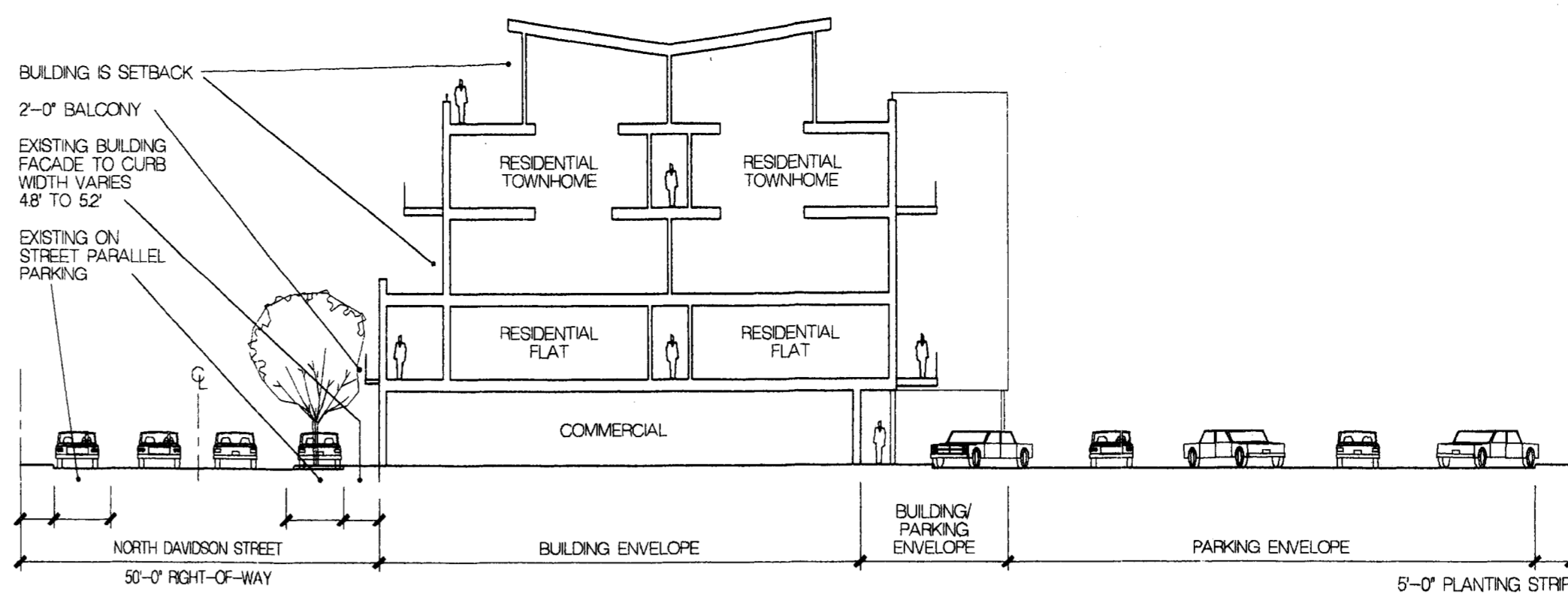
This easement area can provide outdoor space, improved sidewalk / outdoor seating along North Davidson Street and potential of pedestrian connectivity from the back of the building to the YMCA property / parking.

- All MUDD-0 uses permitted by right are allowed except for the following:
 - Amusement, commercial, outdoor.
 - Auction Sales
 - Automobile service stations, including minor repairs and lubrication.
 - Pest control and disinfesting services.
 - Exterminators, embalming and crematories.
 - Building material sales with outdoor storage.
 - Equipment rental and leasing
 - Off-street parking as a principal use
- Fire and life safety requirements will meet city regulations. Hydrant will be provided within 750 ft of most remote point of buildings as truck travels.



BUILDING SCALE AND MASSING

NO TO SCALE
NOTE: THIS BUILDING SCALE AND MASSING IS CONCEPTUAL IN NATURE. IT MAY BE MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES PER SECTION 6.2

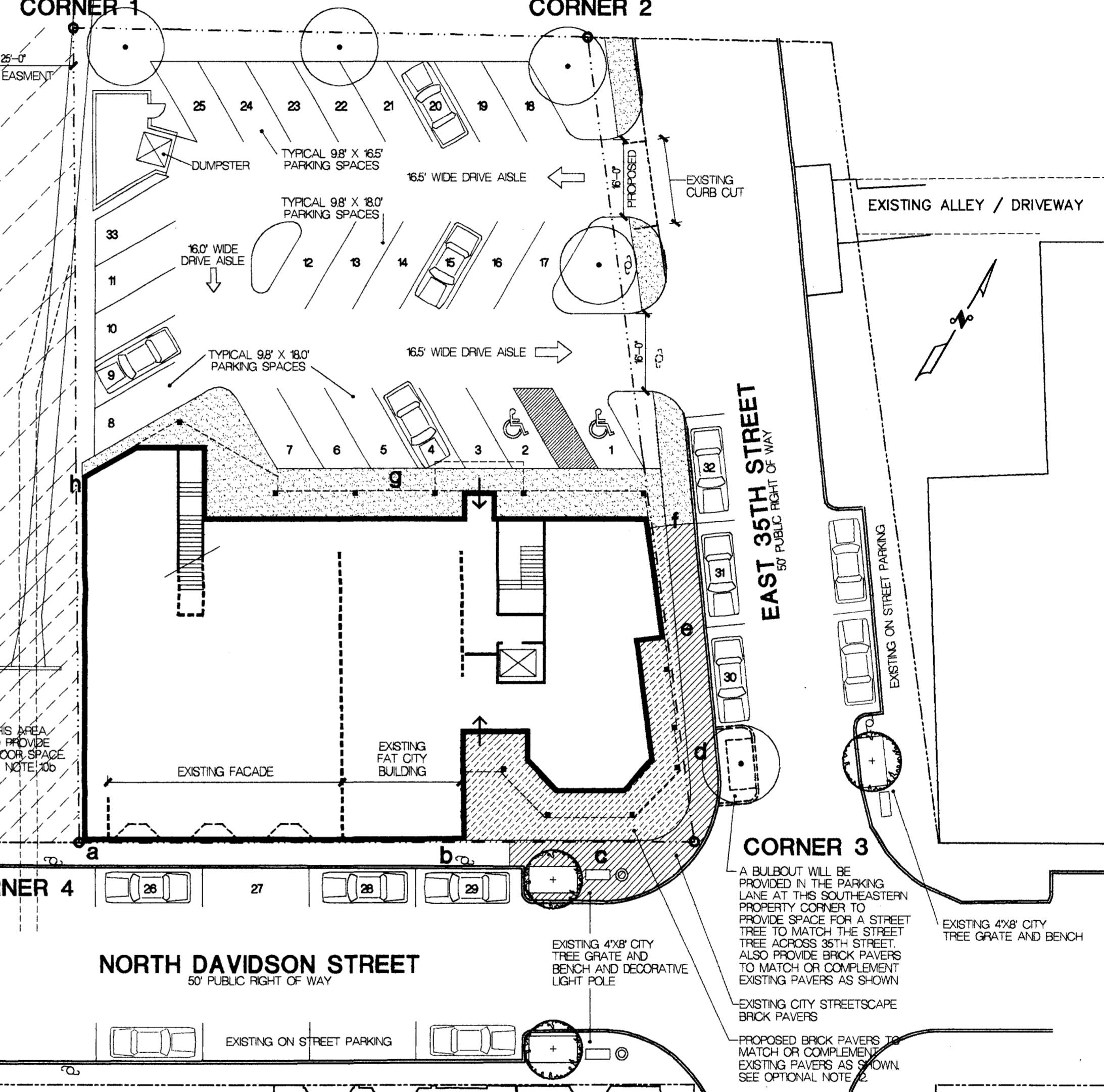


SECTION

SCALE: 1" = 20'-0"

NOTE: THIS SECTION IS CONCEPTUAL IN NATURE. IT MAY BE MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES PER SECTION 6.2

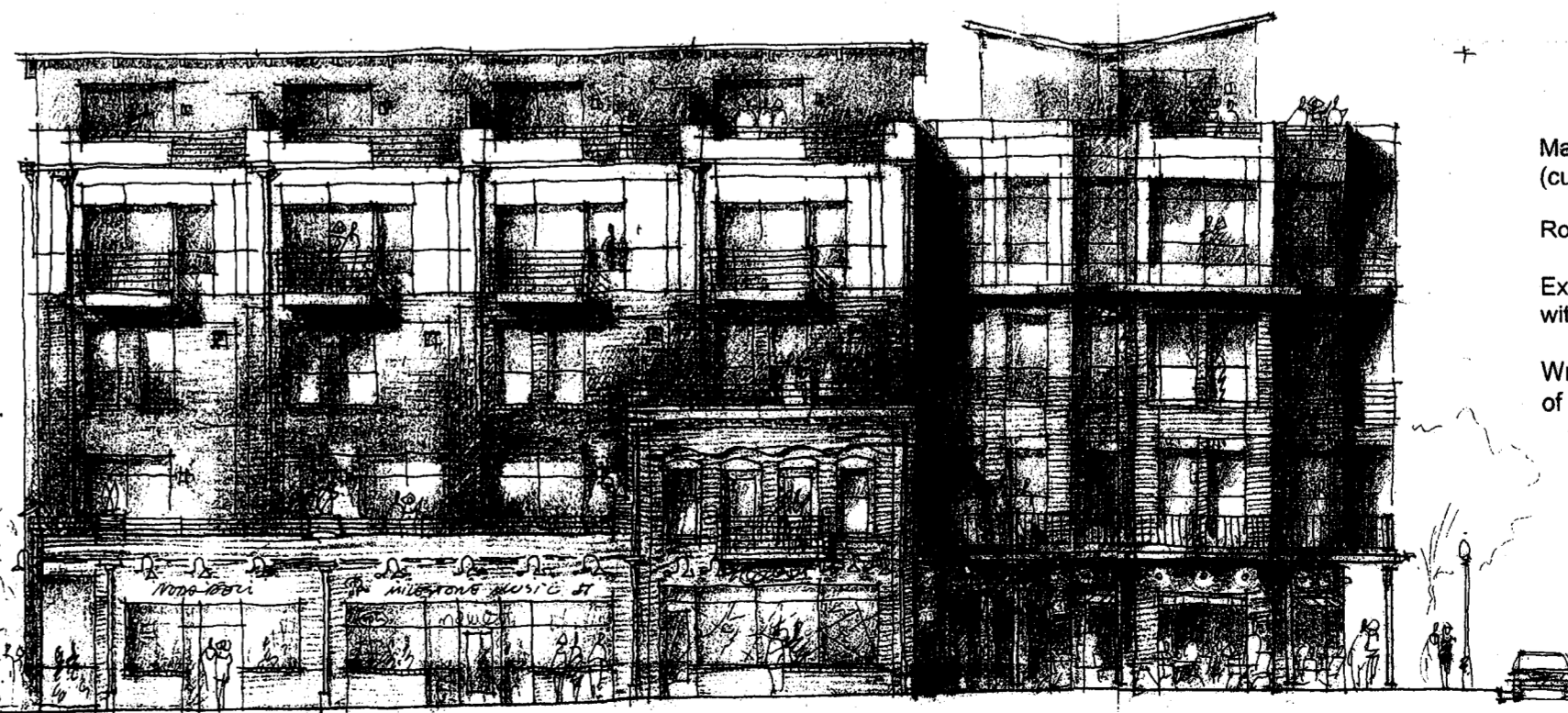
REZONING BOUNDARIES ARE CORNER 1 TO CORNER 4



ILLUSTRATIVE SITE PLAN

SCALE: 1" = 20'-0"

NOTE: THIS SITE PLAN IS CONCEPTUAL IN NATURE. IT MAY BE MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES PER SECTION 6.2



ELEVATION ALONG NORTH DAVIDSON STREET

NOT TO SCALE

NOTE: THIS ELEVATION IS CONCEPTUAL IN NATURE. IT MAY BE MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES PER SECTION 6.2

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FAT CITY

PETITIONER:

FAT CITY INVESTMENT ASSOCIATES, LLC
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TECHNICAL DATA AND ILLUSTRATIVE SITE PLAN

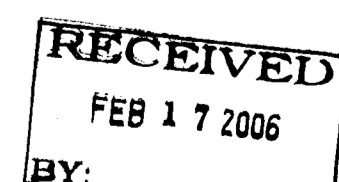
REZONING PETITION
2005-46
2005-046

FOR PUBLIC HEARING

REVISIONS:

Revised: February 17, 2006

● DECEMBER 22, 2005



1 OF 2

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FAT CITY

PETITIONER:

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SURVEY

**REZONING
PETITION**

2506-06
2506-046

**FOR
PUBLIC
HEARING**

REVISIONS:

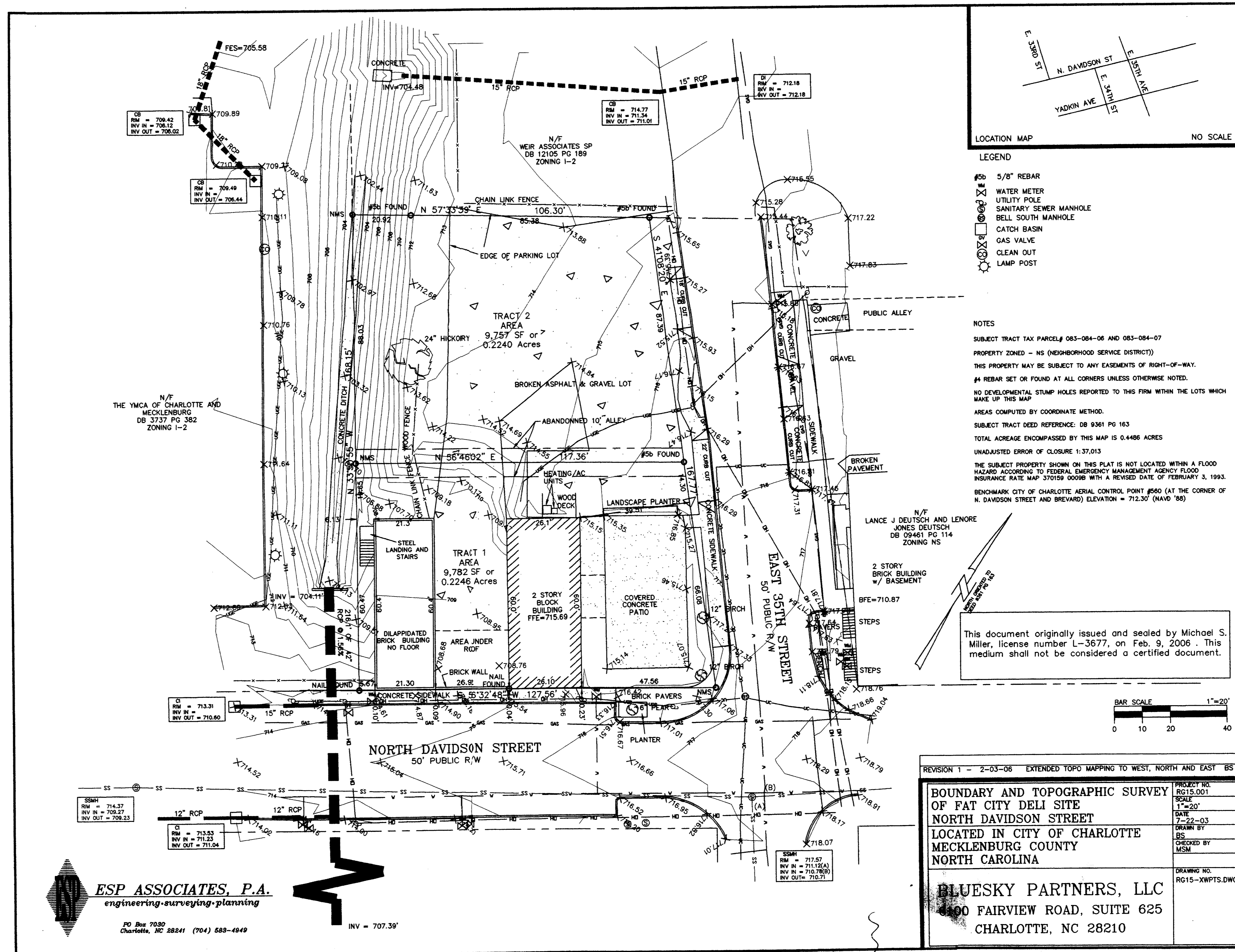
Revised: February 17, 2006

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Written Metes and Bounds

Site as described in Deed Book 16547 Page 789 of the Mecklenburg County Registry.

BEGINNING at a point located at the intersection of westerly margin of East 35th Street (currently a 50' public right-of-way) and the northerly margin of North Davidson Street (currently a 50' public right-of-way); thence with the northerly margin of North Davidson Street S. 56-32-48 W. 127.56 feet to a nail found in the easterly boundary of the property owned, now or formerly by the YMCA of Charlotte and Mecklenburg as described in Deed Book 3737 at Page 382, Mecklenburg County Registry; thence with the easterly boundary of the YMCA property N. 33-50-55 W 168.15 feet to a point located in the southeasterly boundary of the property owned (now or formerly) by Weir Associates SP as described in Deed Book 12105 at Page 189, Mecklenburg County Registry; thence with the southeasterly boundary of the Weir Associates property N. 57-33-39 E. 106.30 feet to a point located in the westerly margin of East 35th Street; thence with the westerly margin of East 35th Street S. 41-08-20 E. 167.77 feet to the POINT OR PLACE OF BEGINNING, containing 0.4486 acres and being further identified as Tracts 1 and 2, all as shown on that survey entitled "Boundary and Topographic Survey of Fat City Deli Site" prepared by ESP Associates, P.A., dated July 22, 2003, reference to which this survey is hereby made.



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