SITE DEVELOPMENT SUMMARY:

123-036-05, 123-036-06, 123-015-02, 123-015-04 AND A PORTION OF 123-015-05

TRANSIT ORIENTED DEVELOPMENT - MIXED-USE "TOD-M"

TRANSIT ORIENTED DEVELOPMENT - MIXED-USE (OPTIONAL) "TOD-MO"

GROUND FLOOR COMMERCIAL SPACE WHICH IS FLEXIBLE FOR OFFICE, RETAIL, AND RESTAURANT USES; OFFICE USES ABOVE, RESIDENTIAL UNITS, HOTEL UNITS AND

SETBACKS ARE DESIGNED PER THE "SOUTH END TRANSIT STATION AREA PLAN"

99 UNITS MINIMUM 100 UNITS MINIMUM 12,000 SQFT MINIMUM

150,000 SQFT MINIMUM

6,000 SQFT MINIMUM

12) URBAN OPEN SPACE SHALL MEET THE MINIMUM ORDINANCE REQUIREMENTS. URBAN OPEN SPACE SHALL BE LOCATED OUTSIDE OF THE 35' LYNX RAIL CORRIDOR SETBACK AND MINIMUM SETBACKS ALONG SOUTH BOULEVARD AND EAST CARSON BOULEVARD.

HOTEL SPACES (AS ALLOWED BY THE ORDINANCE)

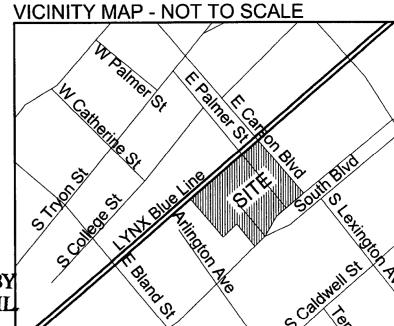
PLANIMETRIC AND TOPOGRAPHIC INFORMATION OUTSIDE OF THE PROJECT BOUNDARY

CATS LYNX BLUE LINE BASE MAP COMPLIED FROM DESIGN PLANS FOR SOUTH CORRIDOR

INFRASTRUCTURE PROJECT (SCIP) FROM THE CHARLOTTE AREA TRANSIT SYSTEM.

CARSON BOULEVARD AND SOUTH BOULEVARD ROAD REALINGNMENT PROVIDED BY:

NOTE: THE REZONING PLAN IS ILLUSTRATIVE IN NATURE AND IS INTENDED TO DEPICT



FOR PUBLIC HEARING

DEVELOPMENT LLC ARRIS ROUP,



BOULE\ OVEMENT

200

SITE

REZONING

THE DEVELOPMENT DEPICTED ON THE REZONING PLAN (Z-1.0) IS SCHEMATIC IN NATURE AND IS INTENDED ONLY TO DESCRIBE THE POSSIBLE ARRANGEMENT OF USES ON THE SITE AND ILLUSTRATE DESIGN PRINCIPALS. ACCORDINGLY, THE CONFIGURATION, PLACEMENT AND SIZE OF THE BUILDING FOOTPRINTS OUTLINED ON THE REZONING PLAN ARE SCHEMATIC AND, SUBJECT ONLY TO THE PROVISIONS SET FORTH BELOW MAY BE ALTERED OR MODIFIED DURING DESIGN, DEVELOPMENT AND CONSTRUCTION PHASES WITHIN THE MAXIMUM BUILDING/PARKING ENVELOPE LINES ESTABLISHED ON THIS SHEET. PARKING LAYOUTS MAY ALSO BE MODIFIED TO ACCOMMODATE FINAL BUILDING LOCATIONS AND OFF-STREET PARKING SPACES MAY BE LOCATED INSIDE AND OUTSIDE BUILDING ENVELOPES TO THE EXTENT PERMITTED BY THE ORDINANCE. ALL SUCH CHANGES ARE SUBJECT TO REVISIONS PER CHAPTER 6 OF THE ORDINANCE.

THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES, STANDARDS, POLICIES, AND APPROPRIATE DESIGN MANUALS WILL EXIST. THOSE CRITERIA (FOR EXAMPLE, THOSE THAT REQUIRE BUFFERS, REGULATE STREETS, SIDEWALKS, SETBACKS, TREES, AND SITE DEVELOPMENT, ETC.) WILL APPLY TO THE DEVELOPMENT SITE. THIS INCLUDES CHAPTERS 6, 9, 12, 17-21 OF THE CITY CODE. CONDITIONS SET FORTH IN THIS PETITION ARE SUPPLEMENTAL REQUIREMENTS IMPOSED ON THE DEVELOPMENT IN ADDITION TO OTHER STANDARDS.

THE SITE MAY BE DEVELOPED FOR RESIDENTIAL, RETAIL, RESTAURANT, OFFICE, AND HOTEL USES WHICH ARE PERMITTED BY RIGHT UNDER THE ORDINANCE FOR TRANSIT ORIENTED DEVELOPMENT DISTRICT - MIXED USE (TOD-M); SUBJECT, HOWEVER, TO THE FOLLOWING VARIATION(S) FROM THE TRANSIT ORIENTED DEVELOPMENT DISTRICT - MIXED USE (TOD-M) MINIMUM STANDARDS FOR DESIGN AND DEVELOPMENT AS PART OF THIS TOD-MO (OPTIONAL) APPLICATION AND IN CONNECTION WITH DEVELOPMENT OF THE SITE IN ACCORDANCE WITH THIS REZONING PLAN TO WHICH THESE DEVELOPMENT STANDARDS ARE ATTACHED:

. THE PETITIONER REQUESTS A DEVIATION FROM SECTION 9.1208(3) OF THE ORDINANCE FOR THE DEVELOPMENT. HOWEVER, DURING ARCHITECTURAL DESIGN, THE DEVELOPER MAY COORDINATE WITH THE PLANNING DEPARTMENT OR THE PLANNING DIRECTOR TO INCREASE THE MAXIMUM HEIGHT OF THE BUILDING(S) TO 250-FEET IN ORDER TO PROTECT VIEW CORRIDORS AND/OR ACHEIVE ADDITIONAL OPEN SPACE. BUILDING HEIGHT SHALL BE DEFINED AS THE VERTICAL DISTANCE BETWEEN THE AVERAGE GRADE AT THE BASE OF A STRUCTURE AND THE HIGHEST PART OF THE STRUCTURE, BUT NOT INCLUDING SKY LIGHTS, AND ROOF STRUCTURES FOR ELEVATORS, STAIRWAYS, TANKS, HEATING, VENTILATION AND AIR-CONDITIONING EQUIPMENT, OR SIMILAR EQUIPMENT FOR THE OPERATION AND MAINTENANCE OF A BUILDING.

SETBACKS, SIDE YARDS AND REAR YARDS

1. ALL BUILDINGS CONSTRUCTED WITHIN THE SITE SHALL SATISFY THE SETBACK, REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED BY THE "SOUTH END TRANSIT STATION AREA PLAN" ADOPTED BY CITY COUNCIL IN JUNE OF 2005.

SCREENING AND LANDSCAPING AREAS

1. SITE WILL COMPLY WITH CHAPTER 21 OF THE TREE ORDINANCE.

2. LANDSCAPE AREAS WILL BE PLANTED ON THE SITE TO MEET OR EXCEED THE REQUIREMENTS OF THE

3. STREET TREES SHALL BE INSTALLED ALONG ALL PUBLIC STREETS PER THE CHARLOTTE TREE ORDINANCE, THE SOUTH END TRANSIT STATION AREA PLAN STREETSCAPE STANDARDS OR AS DEFINED UNDER THE "PERMITTED USES" APPROVED WITH THIS REZONING PETITION.

. SCREENING SHALL CONFORM WITH THE STANDARDS AND TREATMENTS SPECIFIED IN THE ORDINANCE. REQUIRED LANDSCAPE OF TREES AND SHRUBS LOCATED WITHIN THE BUFFER AREA SHALL CONFORM TO THE ORDINANCE.

5. ANY FENCE OR WALL CONSTRUCTED ALONG OR ADJACENT TO ANY SIDEWALK OR STREET RIGHT-OF-WAY REQUIRES A CERTIFICATE ISSUED BY THE CHARLOTTE DEPARTMENT OF

URBAN OPEN SPACE

I. THE URBAN OPEN SPACE AREAS LOCATED ALONG SOUTH BOULEVARD, CARSON BOULEVARD AND THE LYNX LIGHT RAIL CORRIDOR ARE PROPOSED TO BE VISIBLE AND ACTIVE PUBLIC SPACE AREAS AND ARE INTENDED TO COMPLIMENT THE PEDESTRIAN ENVIRONMENT ALONG SOUTH BOULEVARD AND CARSON

2. ITEMS PROVIDED WITHIN THE URBAN OPEN SPACE AREA SHALL INCLUDE THE FOLLOWING:

- SMALL MATURING TREES
- SHRUBS SMALL COURT YARDS
- SPECIALTY PAVING BENCHES
- PEDESTRIAN SCALE LIGHTING
- . ITEMS PROVIDED WITHIN THE URBAN OPEN SPACE AREA POTENTIALLY INCLUDE THE FOLLOWING: PUBLIC ART
- WATER FEATURE(S) OUTDOOR DINING OPPORTUNITIES UNIQUE LIGHTING CONCEPTS

FOLLOWING:

- TERRACED PLAZAS / PATIOS
- ACCESSORY STRUCTURES (KIOSKS, VENDORS, ETC.) PLANNED COMMUNITY OPPORTUNITIES
- I, ITEMS PROVIDED WITHIN THE 35-FOOT SETBACK ALONG THE RAIL CORRIDOR SHALL INCLUDE THE
- DECORATIVE FENCING TO BE LOCATED AT THE BACK OF THE BALLAST CURB A 7-FOOT CURBED TREE PLANTER TO INCLUDE TREES AND SHRUBS, OR, A TREE PIT AREA WITH
- TREE GRATES AS APPROVED BY THE SOUTH END TRANSIT STATION AREA PLAN. A 12-FOOT CONCRETE SIDEWALK WITHIN THE LYNX RAIL CORRIDOR AS INDICATED ON THE
- REZONING SITE PLAN.
- DECORATIVE LIGHTING FIXTURES

. URBAN OPEN SPACE SHALL BE PROVIDED IN THE NORTHWEST CORNER OF THE PROPERTY. THIS SPACE SHALL BE MEASURED 30-FEET INTO THE PARCEL FROM THE LYNX BLUE LINE RIGHT OF WAY AND SHALL BE ORIENTED TOWARD THE LYNX MULTI-USE TRAIL.

S. URBAN OPEN SPACE SHALL BE PROVIDED WITHIN A PORTION OF THE PROPERTY LOCATED BETWEEN THE 130-FOOT LYNX RAIL RIGHT-OF-WAY LIMITS AND THE LYNX RAIL CORRIDOR LIMITS. IMPROVEMENTS WITHIN THIS AREA SHALL INCLUDE ITEMS LISTED AS NOTE #2 IN THIS SECTION. URBAN OPEN SPACE LOCATED WITHIN THE LYNX CORRIDOR LIMITS SHALL NOT BE APPLIED TOWARD THE OVERALL MINIMUM OPEN SPACE REQUIREMENTS FOR THE DEVELOPMENT. THE PETITIONER SHALL COORDINATE CONSTRUCTION WITHIN THIS AREA WITH THE CHARLOTTE AREA TRANSIT SYSTEM.

URBAN OPEN SPACE SHALL BE OPEN AND AVAILABLE TO PUBLIC ACCESS AND SHALL BE MEASURED AND CALCULATED ON THE GROUND PLANE AS INDICATED ON THE REZONING SITE PLAN.

8. THE PETITIONER SHALL INSTALL ON THE UPPER LEVEL OF THE PARKING STRUCTURE A PRIVATE AMENITY AREA TO BE UTILIZED BY THE OCCUPANTS OF THE PROPOSED DEVELOPMENT AND PROVIDE A VISUAL IĒAS (FOR EXAMPLE ORNAMENTAL GRASSES, OPEN LAWN, BENCHES, SPECIALTY PAVING, PEDESTRIAN SCAL

1. PETITIONER AGREES TO INSTALL PEDESTRIAN SCALE LIGHTING ALONG PUBLIC STREETS. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURE, INCLUDING ITS BASE, SHALL NOT EXCEED

2. ALL DIRECT LIGHTING WITHIN THE SITE SHALL BE FULL SHIELDED WITH CUT-OFF AND DESIGNED SUCH THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY EXTERIOR PROPERTY LINE. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND OUTSIDE OF THE PERIMETER OF THE SITE. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUTOFF ANGLES, COLOR, ENERGY EFFICIENCY AND SHIELDING OF SOURCES OF LIGHT, THE INTENT BEING TO ELIMINATE GLARE TOWARDS

3. NO WALL PACK LIGHT FIXTURES WILL BE ALLOWED ON ANY STRUCTURES PLACED ON THE SITE.

1. ON-STREET VEHICULAR PARKING SHALL BE INSTALLED ALONG SOUTH BOULEVARD AS INDICATED ON THE REZONING SITE PLAN. THE TOTAL NUMBER OF ON-STREET PARKING SPACES SHALL BE COORDINATED WITH THE CHARLOTTE DEPARTMENT OF TRANSPORTATION DURING THE SITE PERMITTING PROCESS.

1. THE PETITIONER SHALL MEET THE REQUIREMENTS OF THE "SOUTH END TRANSIT STATION AREA PLAN" FOR THE STREETSCAPE DESIGN ALONG SIOUTH BOULEVARD AND CARSON BOULEVARD.

2. FOR ANY PORTIONS OF SIDEWALKS LOCATED OUTSIDE OF THE PUBLIC RIGHT-OF-WAY, THE PETITIONER SHALL CONTACT THE CHARLOTTE DEPARTMENT OF TRANSPORTATION AND DEDICATE A PUBLIC ACCESS AND MAINTENANCE EASEMENT.

1. ALL SIGNS PLACED ON THE SITE SHALL BE ERECTED IN ACCORDANCE WITH THE REQUIREMENTS OF

2. TEMPORARY CONSTRUCTIONS SIGNAGE CANNOT BE LOCATED WITHIN THE REQUIRED SETBACK, AND MUST BE REMOVED NO LATER THAN 7 DAYS FOLLOWING THE RECEIPT OF THE CERTIFICATE OF OCCUPANCY FOR THE STRUCTURE ADDRESSED BY THE SIGNAGE.

1. THE PETITIONER AGREES TO COORDINATE WITH THE CHARLOTTE DEPARTMENT OF TRANSPORTATION FOR THE CITY OF CHARLOTTE SUPPORTED PROJECT ENVISIONED BY THE SOUTH CORRIDOR INFRASTRUCTURE PROGRAM WHICH INCLUDES:

- A. REALIGNMENT OF CARSON BOULEVARD WITH LEXINGTON AVENUE
- B. IMPROVEMENTS TO CARSON BOULEVARD/LEXINGTON AVENUE AND SOUTH BOULEVARD
- C. ROADWAY IMPROVEMENTS TO SOUTH BOULEVARD

2. THE PETITIONER WILL SEEK THE ABANDONMENT OF THE PALMER STREET RIGHT-OF-WAY AND THE RIGHTS FOR USE OF THE ABANDONED AREA FOR REDEVELOPMENT.

3. THE PETITIONER WILL SEEK THE ABANDONMENT FOR A PORTION THE CARSON BOULEVARD RIGHT-OF-WAY AND THE RIGHTS FOR USE OF THE ABANDONED AREA FOR REDEVELOPMENT.

ACCESS POINTS (DRIVEWAYS)

1. TWO DRIVEWAY CONNECTIONS ARE PROPOSED TO SOUTH BOULEVARD AS DEPICTED ON THE REZONING PLAN. THE PETITIONER SHALL COORDINATE THIS LOCATION WITH THE CHARLOTTE DEPARTMENT OF TRANSPORTATION DURING THE CONSTRUCTION DOCUMENTATION PROCESS.

2. ONE DRIVEWAY CONNECTION IS PROPOSED TO CARSON BOULEVARD AS DEPICTED ON THE REZONING PLAN. THE PETITIONER SHALL COORDINATE THIS LOCATION WITH THE CHARLOTTE DEPARTMENT OF TRANSPORTATION DURING THE CONSTRUCTION DOCUMENTATION PROCESS.

3. THE PROPOSED DRIVEWAY CONNECTIONS TO SOUTH BOULEVARD AND EAST CARSON BOULEVARD WILL REQUIRE DRIVEWAY PERMITS TO BE SUBMITTED TO CDOT/NCDOT FOR REVIEW AND APPROVAL. THE EXACT DRIVEWAY LOCATIONS AND TYPE/WIDTH OF THE DRIVEWAYS WILL BE DETERMINED BY CDOT DURING THE DRIVEWAY PERMIT PROCESS. THE LOCATIONS OF THE DRIVEWAYS SHOWN ON THE SITE PLAN ARE SUBJECT TO CHANGE IN ORDER TO ALIGN WITH DRIVEWAYS ON THE OPPOSITE SIDE OF THE STREET AND COMPLY WITH CITY DRIVEWAY REGULATIONS AND THE CITY TREE ORDINANCE. ANY FENCE OR WALL CONSTRUCTED ALONG OR ADJACENT TO ANY SIDEWALK OR STREET RIGHT-OF-WAY REQUIRES A CERTIFICATE ISSUED BY CDOT.

4. A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEM(S) (IRRIGATION SYSTEMS, DECORATIVE CONCRETE PAVEMENT, BRICK PAVERS, ETC.) WITHIN A PROPOSED/EXISTING CITY MAINTAINED STREET RIGHT-OF-WAY BY A PRIVATE INDIVIDUAL, GROUP, BUSINESS, OR HOMEOWNER'S/BUSINESS ASSOCIATION. AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY CDOT PRIOR TO THE CONSTRUCTION/INSTALLATION OF THE NON-STANDARD ITEM(S). CONTACT CDOT FOR ADDITIONAL INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS.

5. TO FACILITATE BUILDING PERMIT/DRIVEWAY PERMIT REVIEW AND APPROVAL, THE SITE PLAN MUST BE REVISED TO INCLUDE THE FOLLOWING:

- DIMENSION WIDTH OF THE EXISTING AND PROPOSED DRIVEWAYS.
- NEW/RECONSTRUCTED DRIVEWAYS MUST BE DROP CURB RAMP TYPE II-MODIFIED OR TYPE III DRIVEWAYS, IF WARRANTED.
- INDICATE THE LOCATIONS AND WIDTHS OF ALL ADJACENT AND OPPOSING DRIVEWAYS. INDICATE TYPICAL PARKING MODULE DIMENSIONS.
- · DIRECTIONAL WHEELCHAIR RAMPS (TWO PER CORNER) SHOULD BE PROVIDED AT ALL INTERSECTIONS OF PUBLIC AND PRIVATE STREETS.
- INCLUDE A PARKING SUMMARY WITH FIGURES FOR THE NUMBERS OF PARKING SPACES
- REQUIRED AND PROVIDED. • PARKING DECK OPERATIONS AND GATE LOCATIONS.

SOLID WASTE

1. MECKLENBURG COUNTY SOLID WASTE REQUESTS THE PETITIONER SHALL SUBMIT A SOLID WASTE MANAGEMENT PLAN PRIOR TO INITIATING DEMOLITION AND/OR CONSTRUCTION ACTIVITIES TO INCLUDE, AT A MINIMUM. THE PROCEDURES THAT WILL BE USED TO RECYCLE ALL CLEAN WOOD, METAL, AND CONCRETE GENERATED DURING DEMOLITION AND CONSTRUCTION ACTIVITIES. ADDITIONALLY, THE PLAN SHOULD SPECIFY THAT ALL LAND CLEARING AND INERT DEBRIS SHALL BE TAKEN TO A PROPERLY PERMITTED FACILITY. THE PLAN SHALL SPECIFY THAT MONTHLY REPORTING OF ALL TONNAGE DISPOSED AND RECYCLED WILL BE MADE TO THE MECKLENBURG COUNTY SOLID WASTE PROGRAM. THE REPORT SHALL INCLUDE THE IDENTIFICATION AND LOCATION OF FACILITIES RECEIVING DISPOSED OR RECYCLED MATERIALS.

2. THE DEVELOPMENT MUST MEET ALL REQUIREMENTS AS STATED IN THE CHARLOTTE CITY CODE REGARDING SOLID WASTE DUMPSTER, COMPACTOR AND RECYCLING AREAS.

FIRE PROTECTION

1. ALL NEW BUILDINGS SHALL COMPLY WITH THE LAND USE REQUIREMENTS OF THE CHARLOTTE FIRE DEPARTMENT.

2. ALL NEW BUILDINGS SHALL COMPLY WITH THE WATER SUPPLY REQUIREMENTS OF THE CHARLOTTE FIRE DEPARTMENT.

3. ALL NEW BUILDINGS SHALL COMPLY WITH THE ACCESS REQUIREMENTS OF THE NORTH CAROLINA STATE FIRE CODE AND THE CHARLOTTE FIRE DEPARTMENT.

1. REDEVELOPMENT OF THIS SITE MAY REQUIRE SUBMISSION OF AN ASBESTOS NOTIFICATION OF DEMOLITION AND RENOVATION TO MCAQ DUE TO POSSIBLE DEMOLITION OR RENOVATION OF AN EXISTING STRUCTURE. A LETTER OF NOTIFICATION AND THE REQUIRED FORMS WILL BE MAILED DIRECTLY TO THE PETITIONER BY MCAQ.

2. THE PROPOSED PROJECT MAY BE SUBJECT TO CERTAIN AIR QUALITY PERMIT REQUIREMENTS IN ACCORDANCE WITH MECKLENBURG COUNTY AIR POLLUTION CONTROL ORDINANCE (MCAPCO) REGULATION 2.0805 - "PARKING FACILITIES". A LETTER OF NOTIFICATION AND COPY OF THE REGULATIONS WILL BE MAILED DIRECTLY TO THE PETITIONER BY MCAQ.

1. THERE ARE NO STREAMS OR ASSOCIATED S.W.I.M. BUFFERS OR FLOODPLAIN AREAS ASSOCIATED WITH THIS SITE.

1. OVERHEAD UTILITY LINES LOCATED ALONG THE WESTERN SIDE OF SOUTH BOULEVARD AND ADJACENT TO THE DEVELOPMENT PROPERTY SHALL BE RELOCATED UNDERGROUND BY THE PETITIONER DURING THE CONSTRUCTION PROCESS. RELOCATION OF THESE OVERHEAD UTILITIES SHALL OCCUR IF DUKE ENERGY AND THE CHARLOTTE DEPARTMENT OF TRANSPORTATION MUTUALLY AGREE THIS IMPROVEMENT IS FEASIBLE AND APPROPRIATE FOR THIS STREET.

2. OVERHEAD UTILITY LINES LOCATED ALONG THE SOUTHERN SIDE OF EAST CARSON BOULEVARD AND ADJACENT TO THE DEVELOPMENT PROPERTY SHALL BE RELOCATED UNDERGROUND BY THE PETITIONER DURING THE CONSTRUCTION PROCESS. RELOCATION OF THESE OVERHEAD UTILITIES SHALL OCCUR IF DUKE ENERGY AND THE CHARLOTTE DEPARTMENT OF TRANSPORTATION MUTUALLY AGREE THIS IMPROVEMENT IS FEASIBLE AND APPROPRIATE FOR THIS STREET.

3. THE PETITIONER AGREES TO COORDINATE THE RELOCATION OF UTILITIES LOCATED WITHIN THE ABANDONED PALMER STREET RIGHT-OF-WAY WITH ALL NECESSARY AGENCIES.

STORM WATER MANAGEMENT/WETLANDS

1. STORM WATER RUNOFF WILL BE MANAGED THROUGH PROVEN TECHNIQUES WHICH SATISFY THE STANDARDS IMPOSED BY THE CITY OF CHARLOTTE ORDINANCES AND THE CHARLOTTE MECKLENBURG STORM WATER DESIGN MANUAL. SURFACE LEVEL STORM WATER DETENTION, IF PROVIDED, SHALL NOT BE ALLOWED BETWEEN THE BUILDINGS AND THE STREET, AND NOT BETWEEN THE BUILDINGS AND THE RAIL LINE AS WELL AS NOT WITHIN THE SETBACKS OR AS REQUIRED BY THE ORDINANCE.

2. THE DETENTION SHALL TIE-IN TO THE EXISTING ABUTTING STORM WATER SYSTEM(S). THE PETITIONER SHALL HAVE THE RECEIVING DRAINAGE SYSTEM ABUTTING THE SITE 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, THE 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 DEVELOPMENT OF ITS SITE, THE PETITIONER AGREES TO PROVIDE ADEQUATE DETENTION TO ENSURE THAT THE SYSTEM WILL NOT BE ADDITIONALLY OVERBURDENED.

3. REDEVELOPMENT ON THE SITE SHALL OTHERWISE ADHERE TO THE REQUIREMENTS OF THE POST CONSTRUCTION CONTROL ORDINANCE IN THE FORM ADOPTED BY CHARLOTTE CITY COUNCIL ON NOVEMBER 26, 2007.

4. ANY JURISDICTIONAL WETLANDS OR STREAMS, IF PRESENT, NEED TO BE PROTECTED OR PROPER ENVIRONMENTAL PERMITS OBTAINED PRIOR TO THEIR DISTURBANCE. FOR 401 PERMITS CONTACT DENR. FOR 404 PERMITS CONTACT THE ARMY CORPS OF ENGINEERS.

ARCHITECTURAL CONTROLS AND RESTRICTIVE COVENANTS 1. THE FIRST FLOOR OF ALL BUILDINGS SHALL BE DESIGNED TO ENCOURAGE AND COMPLEMENT

DESIGN PRINCIPALS ILLUSTRATED ON THE PLANS.

PEDESTRIAN SCALE INTEREST AND ACTIVITY. 2. BUILDINGS SHALL BE DESIGNED TO INTEGRATE VARIATION THROUGH ARCHITECTURAL CONTROLS

GLASS AND/OR METAL AND FABRIC AWNINGS. 3. BUILDING ELEVATIONS SHALL BE SUBMITTED FOR REVIEW AND APPROVAL TO THE CHARLOTTE-MECKLENBURG PLANNING DEPARTMENT DURING THE SITE PLAN APPROVAL PHASE PRIOR TO ISSUANCE OF BUILDING PERMITS. PRIOR TO ISSUANCE OF BUILDING PERMITS, THE CHARLOTTE-MECKLENBURG PLANNING DEPARTMENT SHALL HAVE THE OPPORTUNITY TO REVIEW THE

AND MATERIALS. THESE MATERIALS MAY POTENTIALLY INCLUDE BRICK, STONE, PRECAST, METAL PANEL,

4. THE PETITIONER SHALL MAKE BEST EFFORTS TO MAINTAIN VIEW CORRIDORS ALONG THE LYNX LIGHT RAIL CORRIDOR EXTENDING TO UPTOWN.

PROPOSED PLANS AGAINST THE APPROVED CONDITIONAL PLANS TO ASSURE COMPLIANCE WITH

5. THE ELEVATION OF THE BUILDING FRONTING CARSON BOULEVARD SHALL BE SETBACK A MINIMUM OF 10-FEET ABOVE THE FOURTH OR FIFTH FLOOR.

6. THE BUILDING ELEVATIONS WHICH FRONT THE LIGHT RAIL CORRIDOR SHALL INCLUDE BALCONIES AND OTHER ARCHITECTURAL ELEMENTS TO CREATE VISUAL SCALE AND INTEREST ALONG EACH BUILDING ELEVATION WHICH FRONTS THE PUBLIC RIGHT-OF-WAY.

7. THE BUILDING ELEVATIONS ALONG SOUTH BOULEVARD SHALL INCLUDE ARCHITECTURAL ELEMENTS TO CREATE VISUAL SCALE AND INTEREST. TO DECREASE MASSING, ALL BUILDINGS ALONG SOUTH BOULEVARD WILL INCLUDE A 10' SETBACK ABOVE THE 4TH OR 5TH FLOOR OR ARCHITECTURAL DESIGN ELEMENTS UP TO THE 4TH OR 5TH FLOOR. THESE ELEMENTS COULD INCLUDE VERANDAS AND/OR SECOND OR THIRD FLOOR TERRACES. FOR THE BUILDING FRONTING SOUTH BOULEVARD, THESE ELEMENTS SHALL INCLUDE MASONRY MATERIALS ALONG THE FACADE OF THE GROUND LEVEL , EXTENDING TO THE FOURTH OR FIFTH FLOOR AND SHALL INCLUDE BUILDING ARTICULATION THAT COMPLIMENTS THE EXISTING STRUCTURES AND NEIGHBORHOOD CHARACTER LOCATED IN THE SOUTH END AND DILWORTH COMMUNITIES.

8. A MINIMUM OF 50% OF THE GROUND FLOOR AREA ALONG SOUTH BOULEVARD AND EAST CARSON BOULEVARD SHALL CONTAIN RETAIL, OFFICE OR RESIDENTIAL USES. 9. MATERIALS THAT MAY BE INCLUDED AS PART OF THE BUILDING ELEVATIONS BELOW THE FOURTH OR

FIFTH FLOOR INCLUDE BUT ARE NOT LIMITED TO: A. MASONRY (I.E. BRICK, STONE, GRANITE, ETC.) USED IN BUILDINGS FACING SOUTH BOULEVARD

- B. TILE (CERAMIC, PORCELAIN, ETC.) C. PRECAST CONCRETE
- D. METAL PANEL E. ALUMINUM CURTAIN WALL
- FABRIC AWNINGS
- G. METAL CANOPIES H. RETAIL TENANT SIGNAGE
- LIGHTING WALL SCONCES

 CLEAR GLASS, REQUIRED FOR ALL FIRST FLOOR USES

COLOR TINTED GLASS (USED ONLY ABOVE THE FIRST FLOOR)

TRELLACE CABELING FOR VEGITATION, OR DECORATIVE ARTWORK.

10. THE PETITIONER SHALL ADD ARCHITECTURAL SCREENING ELEMENTS TO THE REAR ELEVATION OF THE PARKING DECK ALONG THE SOUTHERN MOSTEDGE OF THE PROPERTY LINE TO SCREEN VEHICLES FROM ADJACENT PROPERTY VIEWS. THIS COULD INCLUDE LOUVERS, GRILLS, VEGATATED SCREENS,

11. THE PETITIONER SHALL WORK TOWARD DEVELOPING A LEED CERTIFIED BUILDING AND THAT MAY INCORPORATE SUSTAINABLE DESIGN AND BUILDING MATERIALS

AMENDMENTS TO REZONING PLAN 1. FUTURE AMENDMENTS TO THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS MAY BE

APPLIED FOR BY THE OWNER OR OWNERS OF THE SITE IN ACCORDANCE WITH CHAPTER 6 OF THE ORDINANCE.

BINDING EFFECT OF THE REZONING APPLICATION

1. IF THE PETITIONER'S REZONING PETITION IS APPROVED, THE DEVELOPMENT PROGRAM ESTABLISHED UNDER THE REZONING PLAN AND OTHER SUPPORTIVE DOCUMENTS SHALL, 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 HEIRS. DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTERESTS AND ASSIGNS.

2. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" OR "OWNER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER AND OWNER.



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VICINITY MAP - NOT TO SCALE

FOR PUBLIC HEARING

PETITION NO. 2008-088

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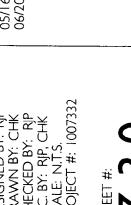
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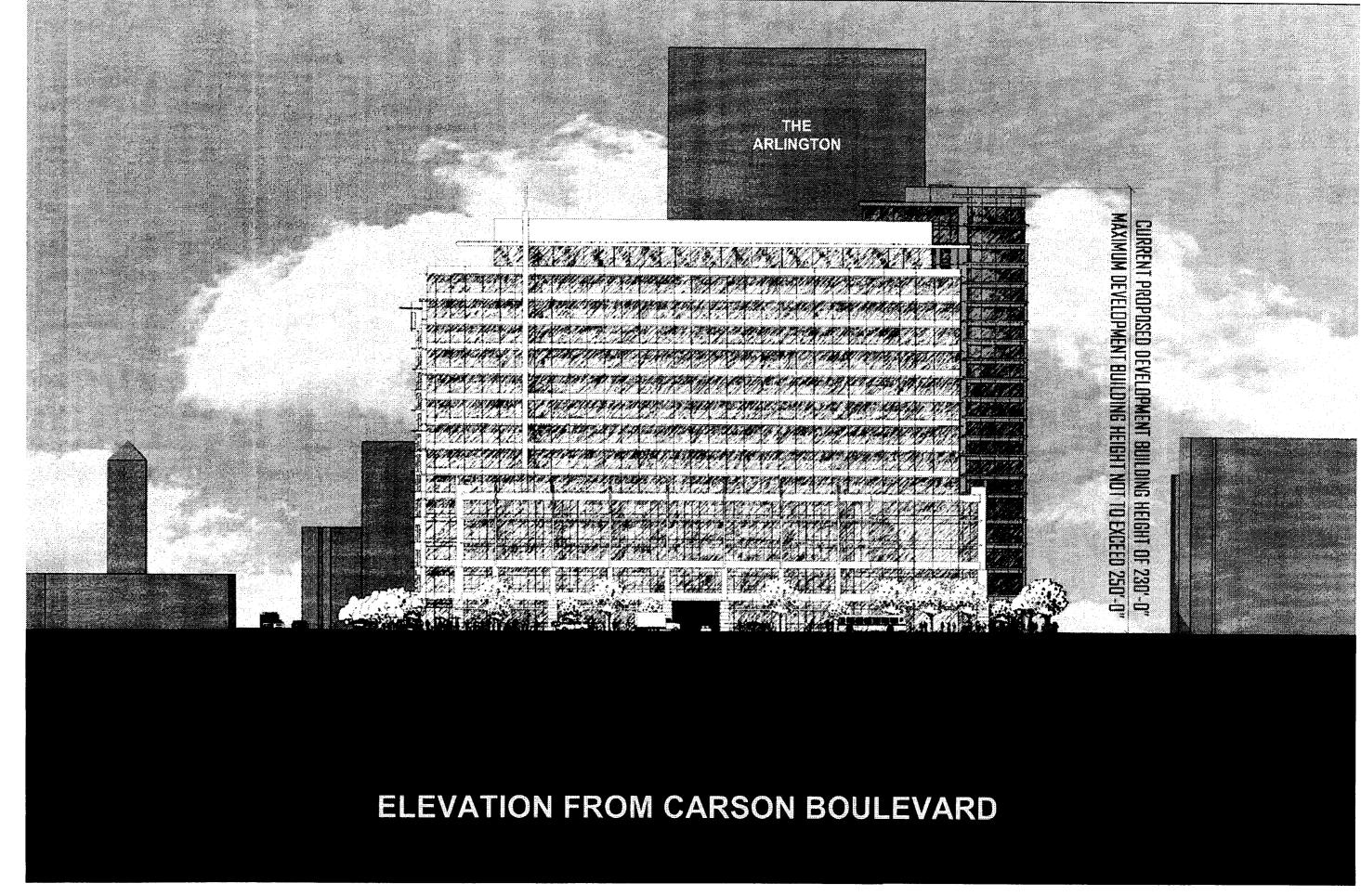
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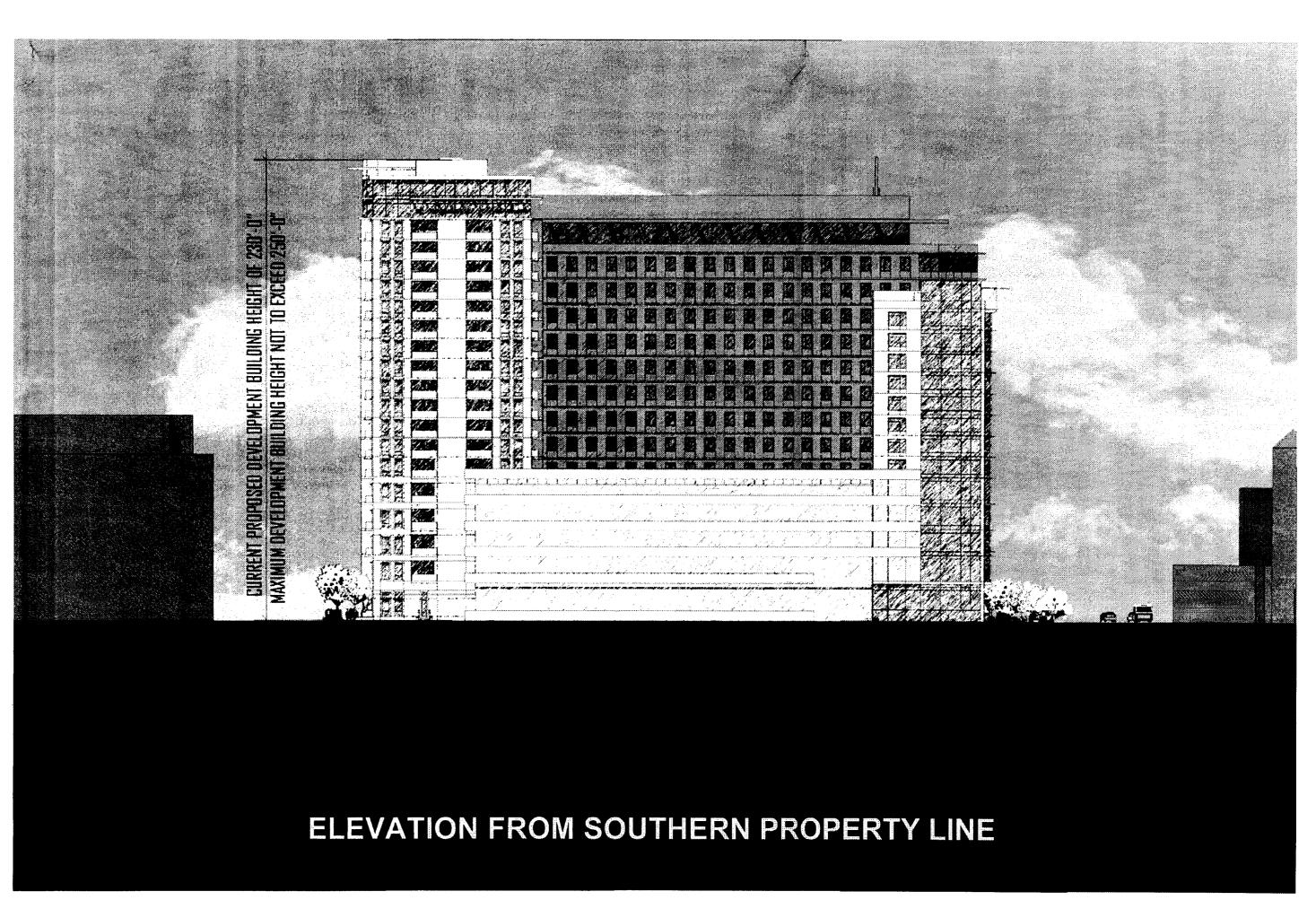
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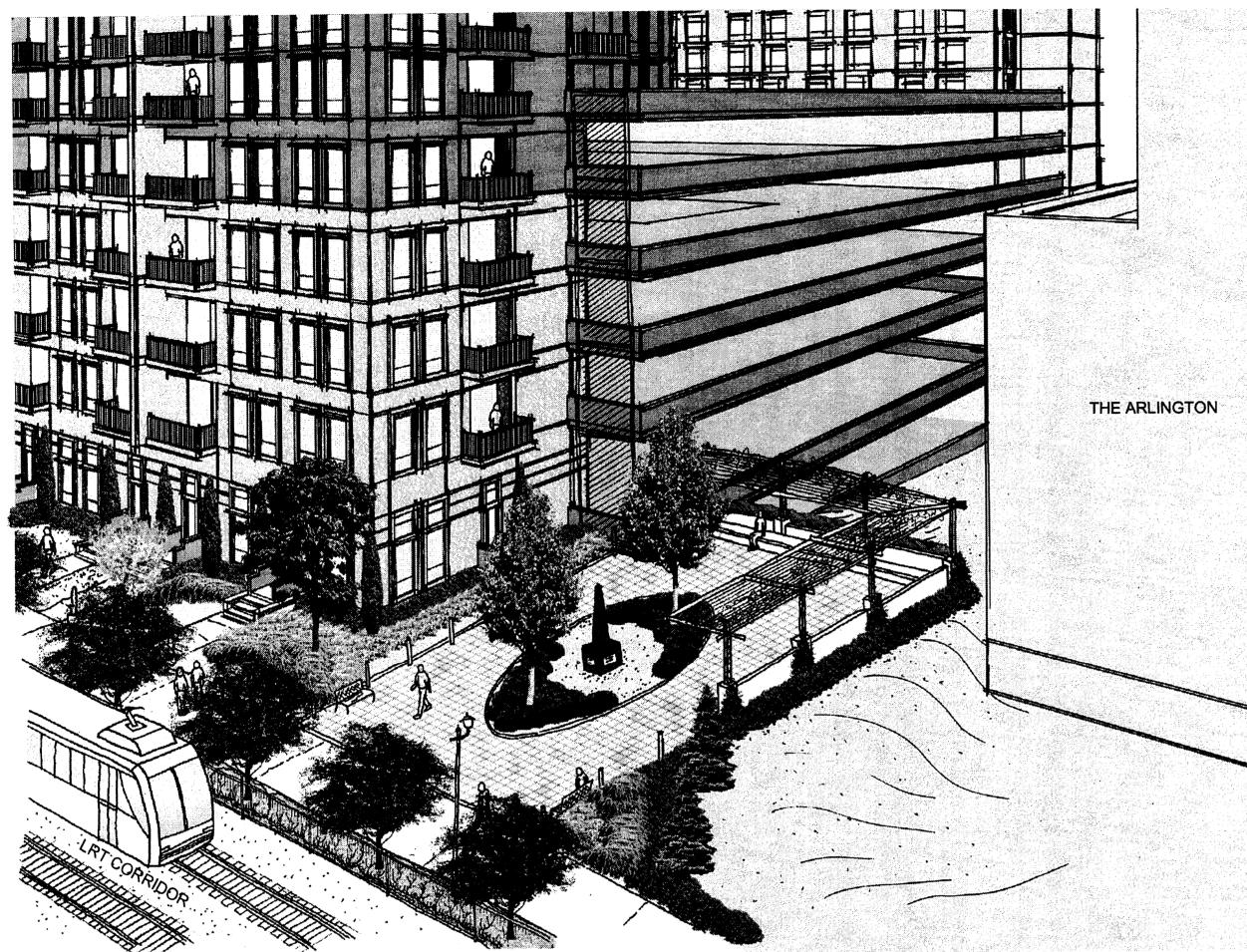




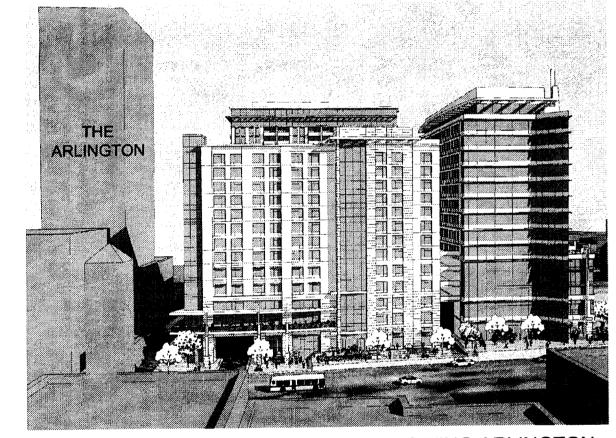




FOR PUBLIC HEARING PETITION NO. 2008-088







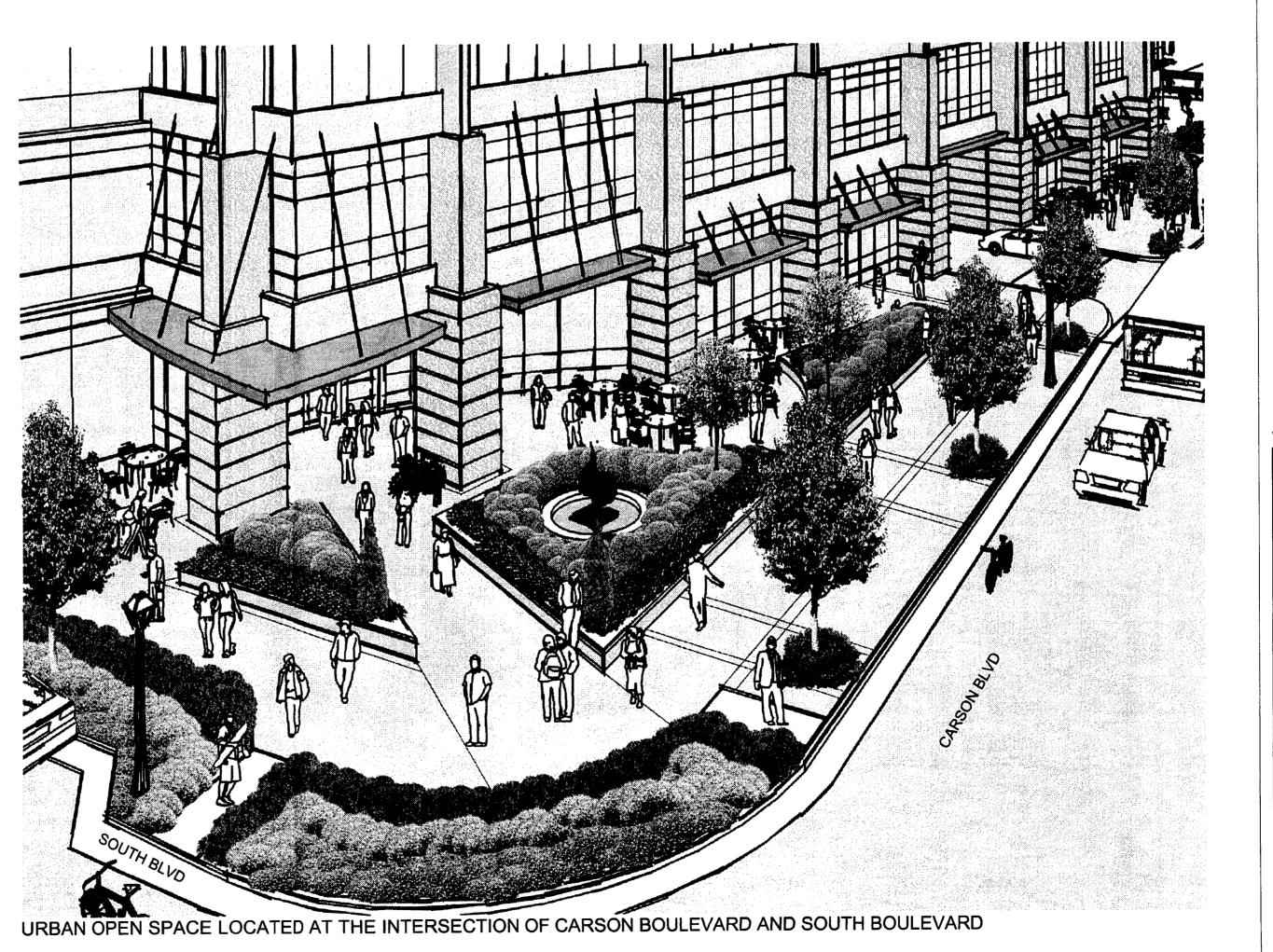
SOUTH BOULEVARD PERSPECTIVE SHOWING ARLINGTON DEVELOPMENT AND STREET LEVEL ACTIVITY

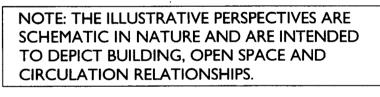


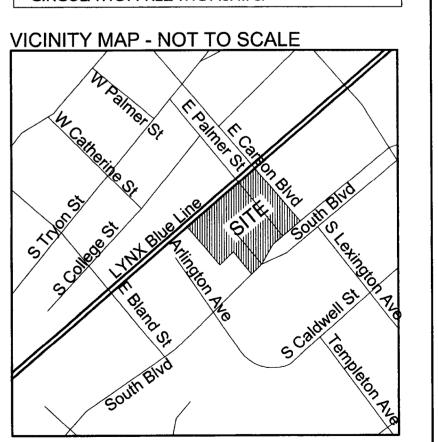
SOUTH BOULEVARD PERSPECTIVE SHOWING TOWER ALONG CARSON BOULEVARD AND VEHICULAR ACCESS INTO DEVELOPMENT



STREET LEVEL ACTIVITIES AND BUILDING ARTICULATION ILLUSTRATED ALONG SOUTH BOULEVARD







FOR PUBLIC HEARING PETITION NO. 2008-088

