

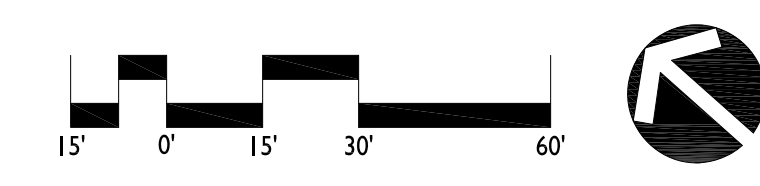
**SITE DEVELOPMENT DATA**

**Site Development Data:**

- Acreage: +/-3.87 AC
- Tax Parcel #: 091-102-08, 091-102-09, 091-102-03, 091-102-01
- Existing Zoning: MUDD-O by Rezoning Petition No. 2008-004
- Proposed Zoning: MUDD-O
- Existing Uses: Retail
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district (as more specifically described in the development standards).
- Residential Density: 65 Dwelling Units per Acre
- Non-Residential Uses: Up to 22,500 square feet of gross floor area (Existing)
- Maximum Building Height: 55 Ft.
- Parking: Per the Ordinance.

**ADJACENT PROPERTY OWNER**

1 NS 08308418 J PAUL SIRES / RUTH AVA LYONS 7448 VALLEYBROOK RD CHARLOTTE, NC 28207	10 R-5 09110305 CLARICE WILLIAMS BUMPASS 619 MERCURY ST CHARLOTTE, NC 28205
2 MUDD-O 09110102 JAMES R JR GUY C/O GUY PROPERTIES 4401 E. INDEPENDENCE BLVD STE 204 CHARLOTTE, NC 28205	11 R-5 09110306 DIANNE G ALEXANDER 623 MERCURY ST CHARLOTTE, NC 28205
3 MUDD-O 09110103 JAMES R JR GUY C/O GUY PROPERTIES 4401 E. INDEPENDENCE BLVD STE 204 CHARLOTTE, NC 28205	12 R-5 09110207 ALEXANDRIA & MARY LISA MANZANAREZ 3315 N ALEXANDER ST CHARLOTTE, NC 28205
4 MUDD-O 09110101 JAMES R JR GUY C/O GUY PROPERTIES 4401 E. INDEPENDENCE BLVD STE 204 CHARLOTTE, NC 28205	13 R-5 09110411 JOANN CRUMP 3318 N ALEXANDER ST CHARLOTTE, NC 28205
5 UR-3 (CD) 09110154 CITY OF CHARLOTTE 600 E 4TH ST CHARLOTTE, NC 28202	14 R-5 09110412 CARL E CRUMP & BARBARA A STUBBS 613 N 35TH ST CHARLOTTE, NC 28205
6 R-5 0810212 APRIL A GOODE 500 MERCURY ST CHARLOTTE, NC 28205	15 R-5 09110401 CHURCH NORTH CHARLOTTE PRESBYTERIAN 719 E 36TH ST CHARLOTTE, NC 28205
7 R-5 09110302 MELISSA G & BEVERLY RESSLER 507 MERCURY ST CHARLOTTE, NC 28205	16 R-5 08308711 PHIL W & BROOME & LARRY MORGAN 414 MELBOURNE CT CHARLOTTE, NC 28209
8 R-5 09110303 DINA ELHAWA ARAFAT & ATIEH ELHAWA 607 MERCURY ST CHARLOTTE, NC 28205	17 B-1 08308605 CHARLOTTE THE CHURCH OF JESUS CHRIST OF 600 E 36TH ST CHARLOTTE, NC 28205
9 R-5 09110304 CAROL A & PETER MORRIS 811 MERCURY ST CHARLOTTE, NC 28205	18 MUDD-O 08308508 WILLIAM H CARLISLE 5306 SOUTH BLVD CHARLOTTE, NC 28217



**LEGEND**

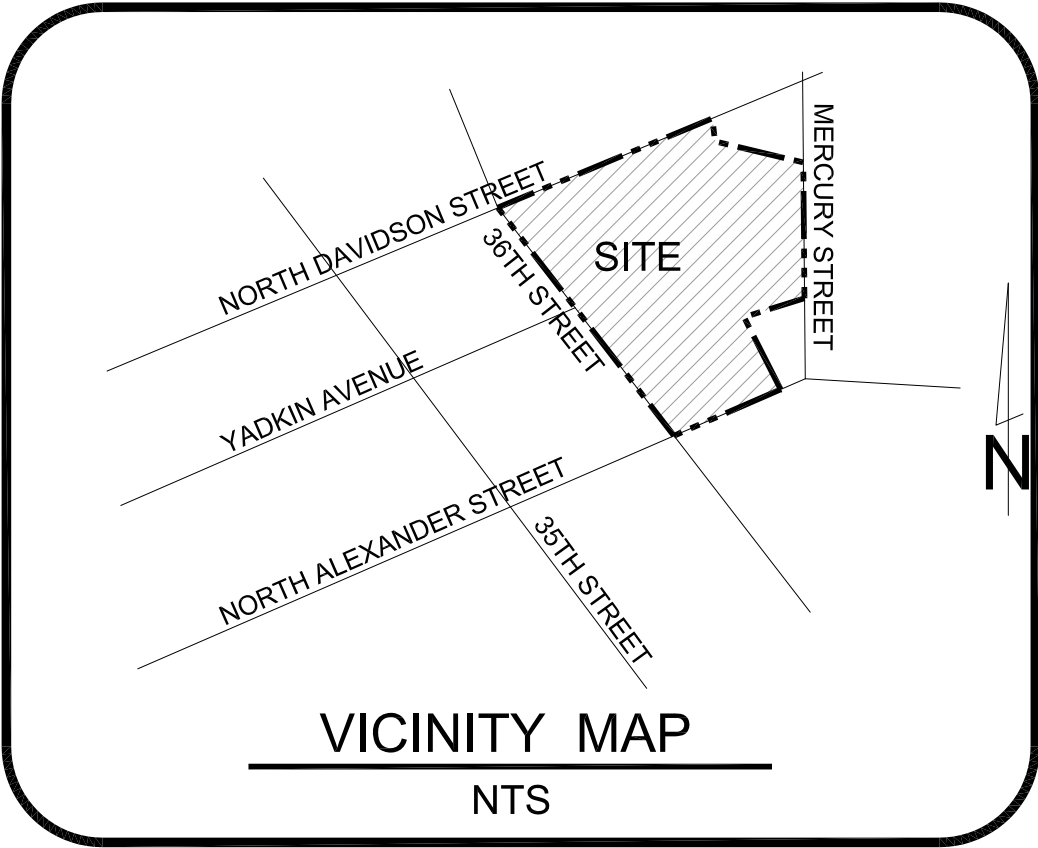
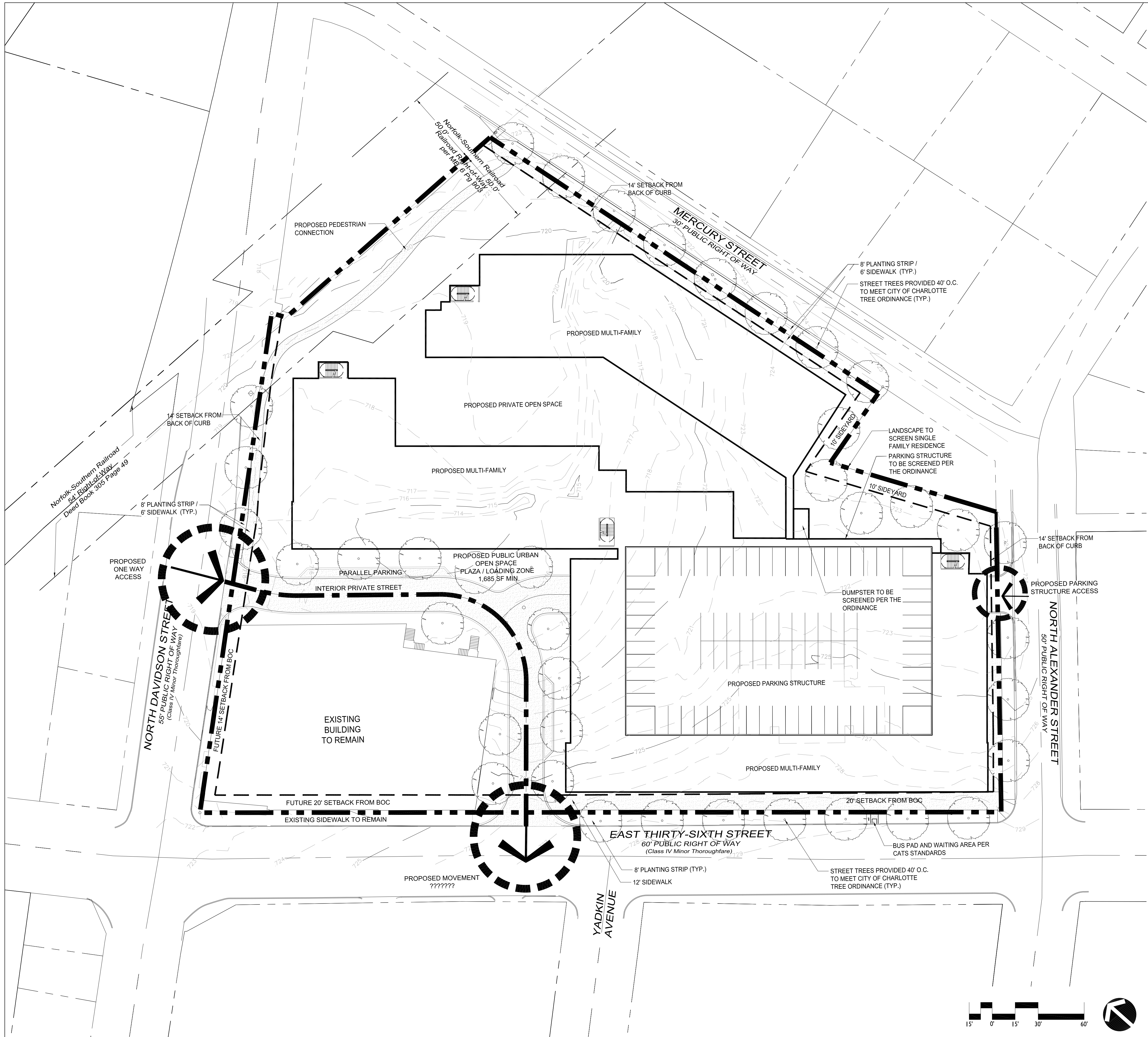
	REZONING LIMITS
	INTERIOR PRIVATE STREET
	SETBACK

REVISIONS:  
 DATE: October 24, 2011  
 DESIGNED BY:  
 DRAWN BY: MRC  
 CHECKED BY: MRC  
 SCALE: 1"=30'  
 PROJECT #: 1011262  
 SHEET #:

**THE MERCURY  
 SCHEMATIC SITE PLAN  
 TECHNICAL DATA SHEET**

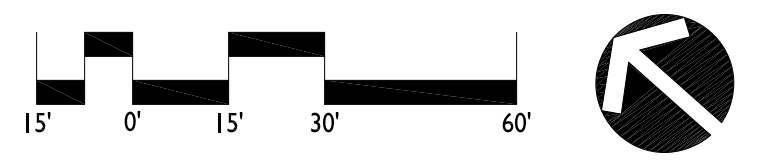
Mercury NoDa, LLC 620 E. Worthington Ave. Charlotte, NC 28203





**THE MERCURY  
 SCHEMATIC SITE PLAN**  
 Mercury NoDa, LLC 620 E. Worthington Ave. Charlotte, NC 28203  
**SCHEMATIC SITE PLAN**

REVISIONS:  
 DATE: October 24, 2011  
 DESIGNED BY:  
 DRAWN BY: MRC  
 CHECKED BY: MRC  
 SCALE: 1/8"=1'-0"  
 PROJECT #: 1011262  
 SHEET #:  
**RZ-2**



**LEGEND**

	MUDD-O BOUNDARY
	INTERIOR PRIVATE STREET
	SETBACK

**DEVELOPMENT STANDARDS**

**1. DEVELOPMENT INFORMATION**

SITE AREA:	+/- 3.87 ACRES
TAX PARCEL(S) INCLUDED WITHIN THE AREA TO BE REZONED	091-102-08, 091-102-09, 091-102-03, 091-102-01
EXISTING ZONING	MIXED USE DEVELOPMENT DISTRICT (MUDD-O)
PROPOSED ZONING	MIXED USE DEVELOPMENT DISTRICT (MUDD-O)
EXISTING USES	RETAIL (22,500 SF)
PROPOSED USES	USES PERMITTED BY RIGHT AND UNDER THE PERSCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD DISTRICT (AS MORE SPECIFICALLY DESCRIBED BELOW).
RESIDENTIAL UNITS AND TYPES	250 UNITS MAXIMUM - MULTIFAMILY (APARTMENTS / CONDOMINIUMS)
RESIDENTIAL DENSITY	65 DWELLING UNITS PER ACRE (65 DUA) MAXIMUM
NON-RESIDENTIAL USES	22,500 SQFT MAXIMUM - EXISTING RETAIL
FLOOR AREA RATIO	PER THE ORDINANCE
MAXIMUM BUILDING HEIGHT	PER THE ORDINANCE
NUMBER OR RATIO OF PARKING SPACES	PER THE ORDINANCE
AMOUNT OF OPEN SPACE	PER THE ORDINANCE

**2. GENERAL PROVISIONS**

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE SCHEMATIC PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY MERCURY NoDa, LLC. (THE "PETITIONER" OR "DEVELOPER") TO ACCOMMODATE DEVELOPMENT TO BE KNOWN AS "THE MERCURY" ON AN APPROXIMATELY 3.87 ACRE SITE GENERALLY LOCATED AT THE EASTERN CORNER OF THE INTERSECTION OF NORTH DAVIDSON ST AND E. 36TH ST. (THE "SITE"). DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE SCHEMATIC PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE SCHEMATIC PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE DEVELOPMENT DISTRICT (MUDD) ZONING CLASSIFICATIONS, SUBJECT TO THE PROVISIONS PROVIDED BELOW, SHALL GOVERN DEVELOPMENT TAKING PLACE ON THOSE PORTIONS OF THE SITE GENERALLY DEPICTED ON THE SCHEMATIC PLAN.
- B. THE DEVELOPMENT DEPICTED ON THE REZONING PLAN (RZ-2) IS 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 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.
- C. 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.
- D. FUTURE AMENDMENTS TO THE SCHEMATIC PLAN AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE TRACT OR TRACTS INVOLVED, IN ACCORDANCE WITH SECTION 6.207 OF THE ORDINANCE.

**3. OPTIONAL PROVISIONS**

- A. THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW PARKING BETWEEN THE BUILDINGS AND NORTH DAVIDSON ST. AND EAST 36TH STREET AS DEPICTED ON THIS PLAN

**4. PERMITTED USES**

- A. THE SITE MAY BE DEVOTED TO USES AS PRESCRIBED IN THE MUDD DISTRICT TO INCLUDE, BUT NOT LIMITED TO RETAIL, RESIDENTIAL, THEATER / PERFORMANCE HALL, RESTAURANT, LIVE WORK AND OFFICE.
- B. THE TOTAL RESIDENTIAL DENSITY FOR THE SITE SHALL NOT EXCEED 65 DWELLING UNITS PER ACRE (65 DUA).

**5. ACCESS AND TRANSPORTATION**

- A. THE PETITIONER AGREES TO DEDICATE AND CONVEY (BY QUITCLAIM DEED AND SUBJECT TO A RESERVATION FOR ANY NECESSARY EASEMENTS), PRIOR TO ISSUANCE OF BUILDING PERMIT, THOSE PORTIONS OF THE SITE IMMEDIATELY ADJACENT TO MERCURY STREET AS REQUIRED TO PROVIDE RIGHT OF WAY MEASURING 25 FEET FROM EXISTING CENTERLINE OF MERCURY STREET IF SUCH RIGHT OF WAY DOES NOT CURRENTLY EXIST.
- B. THE EXACT ALIGNMENT OF INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS HAS NOT BEEN DETERMINED AND ARE SUBJECT TO FINAL DESIGN AND ENGINEERING PLANS. MODIFICATION OR ALTERATION OF THESE ALIGNMENTS MAY THEREFORE TAKE PLACE DURING THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES.
- C. OFF STREET PARKING WILL BE PROVIDED AND WILL MEET THE MINIMUM REQUIREMENTS SET OUT IN THE ORDINANCE. HANDICAP PARKING WILL BE PROVIDED WITHIN THE PARKING DECK.
- D. BICYCLE PARKING SHALL BE PROVIDED ON THE SITE AS REQUIRED PER THE ORDINANCE.
- E. THE NUMBER OF VEHICULAR ACCESS POINTS TO THE SITE SHALL BE LIMITED TO THE NUMBER SHOWN ON THE REZONING PLAN.
- F. THE PLACEMENT AND CONFIGURATION OF EACH ACCESS POINT ARE SUBJECT TO MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND ARCHITECTURAL CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CITY OF CHARLOTTE DEPARTMENT OF TRANSPORTATION AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

**6. ARCHITECTURAL STANDARDS**

- A. SETBACKS, SIDE YARDS, REAR YARDS, AND BUILD HEIGHTS
- A.A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE SETBACK, SIDE YARD AND REAR YARD REQUIREMENTS PER THE ORDINANCE FOR THE MUDD ZONING DISTRICT.
- A.B. NO BUILDINGS, PARKING SPACES, LOADING OR MANEUVERING SHALL BE LOCATED WITHIN THE SETBACKS.
- A.C. THE PETITIONER AGREES TO AN INCREASED SETBACK ALONG 36TH STREET IN FRONT OF THE PROPOSED DEVELOPMENT IN ORDER TO PROVIDE FOR A WIDER SIDEWALK AS DEPICTED ON THE REZONING PLAN. THIS INCREASED SETBACK SHALL BE 20 FEET FROM BACK OF EXISTING CURB.
- A.D. THE MAXIMUM HEIGHT OF THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE 55 FEET.
- B. THE QUALITY OF ARCHITECTURE, BUILDING CONSTRUCTION AND FINISHES WILL BE CONSISTENT WITH OTHER HIGH QUALITY PROJECTS IN THE SURROUNDING AREA, AND BY WAY OF EXAMPLE, MAY INCLUDE MATERIALS SUCH AS BRICK, STUCCO, HARDIE PANELING, CAST STONE AND STONE.
- C. THE PETITIONER INTENDS TO CONSTRUCT A STRUCTURED PARKING GARAGE. GARAGE SHALL BE SCREENED PER THE ORDINANCE SECTION 12.303 FROM ADJACENT PROPERTIES WHERE NOT WRAPPED BY RESIDENTIAL UNITS. GARAGE HEIGHT SHALL NOT EXCEED ULTIMATE RESIDENTIAL HEIGHT.

**7. STREETSCAPE AND LANDSCAPING**

- A. STREETS WITHIN SHALL BE PRIVATE AS INDICATED ON THE SCHEMATIC PLAN. ALL PRIVATE STREETS WITHIN THE SITE SHALL REMAIN OPEN AND ACCESSIBLE TO THE PUBLIC.
- B. PRIVATE STREETS LOCATED WITHIN THE SITE OR IMPROVED AS A RESULT OF DEVELOPMENT RELATED TO THE SITE SHALL FOLLOW THE GUIDELINES FOR PUBLIC STREETS DESIGNATED BY THE CITY OF CHARLOTTE *URBAN STREET DESIGN GUIDELINES* AND ASSOCIATED DETAILS.
- C. SCREENING SHALL CONFORM WITH THE STANDARDS AND TREATMENTS SPECIFIED IN SECTION 12.303 OF THE ORDINANCE.
- D. ALL ROOF MOUNTED MECHANICAL EQUIPMENT PLACED ON ANY BUILDING LOCATED ON THE SITE SHALL BE SCREENED FROM VIEW AT GRADE FROM ADJOINING PUBLIC RIGHTS OF WAY AND ABUTTING PROPERTIES.
- E. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE.
- F. LOCATION OF TREES AND PLANTING MATERIALS MAY BE MODIFIED TO ACCOMMODATE CHANGES TO THE CONFIGURATION OF THE PLAN.
- G. PETITIONER RESERVES THE OPTION TO UTILIZE TREE GRATES AND PAVERS TO BACK OF CURB ALONG SIDEWALK AREA.

**8. ENVIRONMENTAL FEATURES**

- A. THE PETITIONER SHALL ADHERE TO THE REQUIREMENTS OF THE POST-CONSTRUCTION STORM WATER ORDINANCE (PCCO) FOR THE CITY OF CHARLOTTE FOR THIS DEVELOPMENT AREA.
- B. DUE TO THE PROXIMITY OF THE PLANNED 36TH STREET STATION ALONG THE NORTHEAST CORRIDOR - BLUE LINE EXTENSION, THIS SITE IS EXEMPT FROM THE CITY OF CHARLOTTE TREE SAVE ORDINANCE REQUIREMENTS.

**9. PARKS, GREENWAYS, AND OPEN SPACE**

- A. THE PETITIONER SHALL ADHERE TO THE REQUIREMENTS OF THE CITY OF CHARLOTTE ZONING ORDINANCE FOR URBAN OPEN SPACE WITHIN THIS DEVELOPMENT AREA.
- B. LOCATION OF OPEN SPACE MAY BE MODIFIED TO ACCOMMODATE CHANGES TO THE CONFIGURATION OF THE PLAN.

**10. FIRE PROTECTION**

- A. THE PETITIONER SHALL ADHERE TO THE REQUIREMENTS OF THE CHARLOTTE FIRE DEPARTMENT FOR THIS DEVELOPMENT AREA.

**11. SIGNAGE**

- A. WHERE SIGNS, BANNERS, FLAGS AND PENNANTS FOR IDENTIFICATION OR DECORATION ARE PROVIDED, THEY MUST CONFORM TO THE REQUIREMENTS OF CHAPTER 13 OF THE CITY OF CHARLOTTE ZONING ORDINANCE.

**12. LIGHTING**

- A. THE MAXIMUM HEIGHT OF THE LIGHT SOURCE (LIGHT BULB) DETACHED FROM A BUILDING SHALL BE 20 FEET.
- B. AS THE PROJECT DEVELOPS, PEDESTRIAN SCALE LIGHTING WILL BE INSTALLED ALONG BOTH INTERIOR STREETS AND STREETS THAT BORDER THE SITE. NO WALL PAK LIGHTING WILL BE ALLOWED.

**13. OTHER**

- A. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
- IF THIS REZONING PETITION IS APPROVED, THE DEVELOPMENT PROGRAM ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS AND THE SCHEMATIC PLAN SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONERS AND THE OWNERS (FROM TIME TO TIME) AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS.
- B. AMENDMENTS TO THE REZONING PLAN
- FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET, THE SCHEMATIC SITE PLAN, AND OTHER SHEETS ACCOMPANYING THE PETITION AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCELS WITHIN THE SITE INVOLVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.
- C. REQUEST FOR 5-YEAR VESTING
- PURSUANT TO THE PROVISIONS OF SECTION 1.110 OF THE ORDINANCE AND N.C.G.S. §160A-385.1, DUE TO THE ECONOMIC CYCLES AND MARKET CONDITIONS, THIS PETITION INCLUDES VESTING OF THE APPROVED REZONING PLAN ASSOCIATED WITH THIS PETITION FOR A FIVE (5) YEAR PERIOD.
- D. THROUGHOUT THIS REZONING PETITION, THE TERMS "PETITIONERS", "OWNER" OR "OWNERS," SHALL, WITH RESPECT TO EACH TRACT WITHIN THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE, OR PORTIONS THEREOF, WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.

REVISIONS:

DATE: October 24, 2011  
 DESIGNED BY:  
 DRAWN BY: MFC  
 CHECKED BY: MFC  
 SCALE: AS SHOWN  
 PROJECT #: 1011262  
 SHEET #:

**RZ-3**

**THE MERCURY  
 SCHEMATIC SITE PLAN**  
 Mercury NoDa, LLC 620 E. Worthington Ave. Charlotte, NC 28203  
**DEVELOPMENT NOTES**



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