

**DEVELOPMENT DATA TABLE:**

• PETITIONER AND OWNER:	THE DUKE ENDOWMENT
• REZONING SITE AREA:	1.766 ACRES
• TAX PARCEL #:	120-053-10, 120-053-009
• EXISTING ZONING:	B-1
• PROPOSED ZONING:	MUDD-O
• EXISTING LAND USE:	VACANT COMMERCIAL BUILDING AND A PARTIALLY OCCUPIED COMMERCIAL BUILDING
• PROPOSED LAND USE:	OFFICE
• MAXIMUM BUILDING AREA:	BUILDING A: 47,500 SF BUILDING B: 37,000 SF
• MAXIMUM BUILDING HEIGHT:	BUILDING A: 68' AS MEASURED FROM MYRTLE AVE. 80' AS MEASURED FROM ORIOLE AVE. BUILDING B: 68' AS MEASURED FROM ORIOLE AVE.
• PARKING REQUIRED:	1 SPACE PER 600 SQUARE FOOT OF BUILDING AREA AS REQUIRED BY MUDD ZONING
• PARKING PROVIDED:	1 SPACE PER 600 SQUARE FOOT OF BUILDING AREA AS REQUIRED BY MUDD ZONING
• OPEN SPACE:	MINIMUM 15% OF THE SITE WILL BE ESTABLISHED AS TREE SAVES AREA PER THE TREE ORDINANCE

**DEVELOPMENT STANDARDS**

- GENERAL PROVISIONS**
  - These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by The Duke Endowment for an approximately 1.766 acre site located on the west side of East Morehead Street between Myrtle Avenue and Oriole Avenue, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site").
  - The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provision set out below, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD") zoning district shall govern the development of the Site.
  - Future amendments to the Rezoning 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.
- OPTIONAL PROVISIONS**

Petitioner requests the approval of the following optional provision:

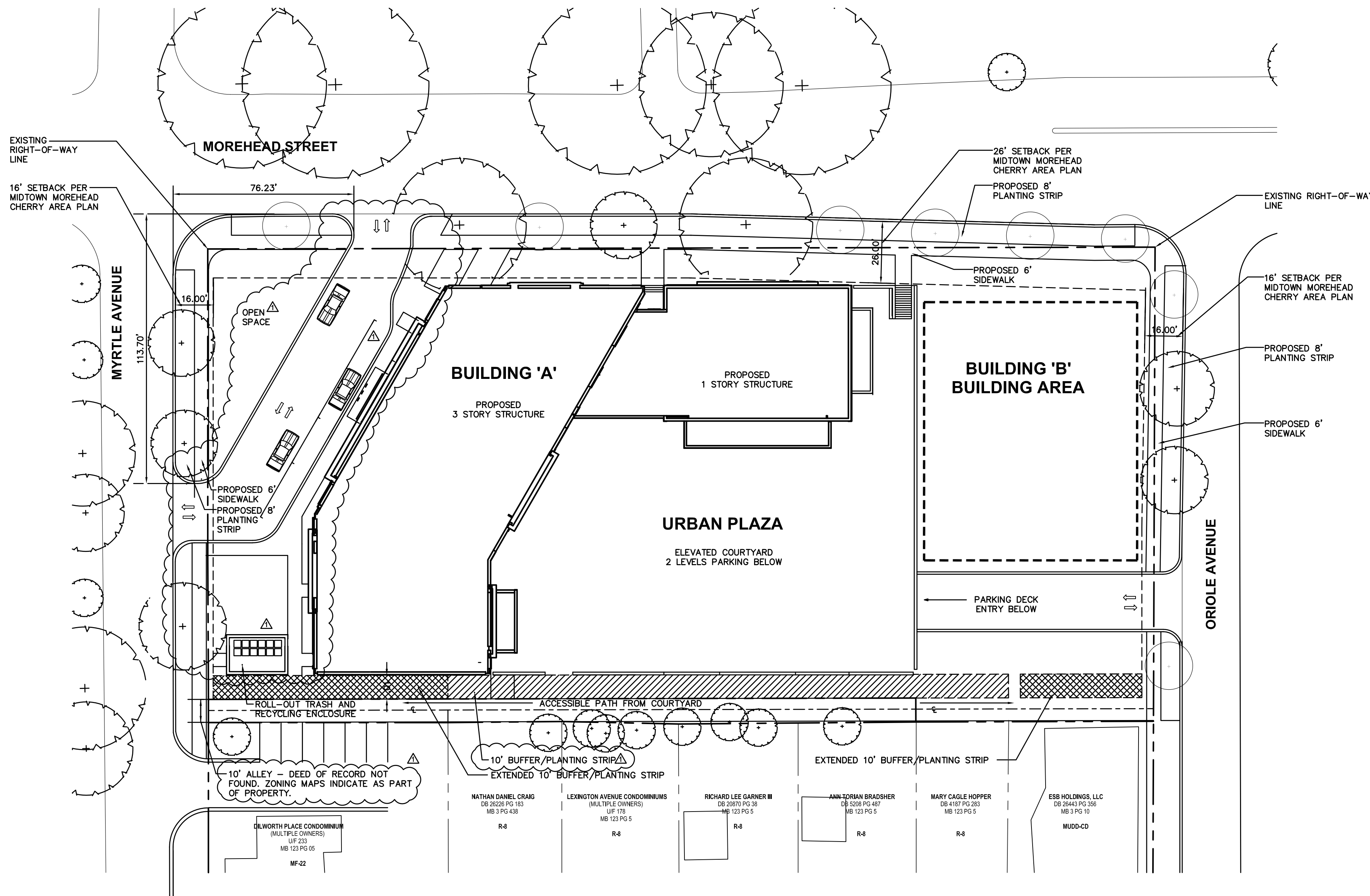
  - The location of the vehicular driveway, three parallel parking spaces, a delivery space and the roll-out trash can and recycling enclosure between Building A and the required setbacks from Myrtle Avenue and East Morehead Street.
- PERMITTED USES**

The Site may be devoted to professional business and general offices and to any incidental and accessory uses allowed in the MUDD zoning district, including, without limitation, conference rooms, meeting rooms and facilities, and a catering kitchen.
- TRANSPORTATION**
  - Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of each access point are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
  - The driveway into the Site from East Morehead Street and Myrtle Avenue shall be a two-way driveway as depicted on the Rezoning Plan. However, if deemed necessary for the safety, mobility and efficiency of East Morehead Street and/or Myrtle Avenue by CDOT or NCDOT, Petitioner shall convert the driveway into a one-way driveway.
  - A minimum of 1 parking space per 600 square feet of gross floor area shall be provided on the Site.
  - As depicted on the Rezoning Plan, and excepting the three parallel parking spaces noted above, the vehicular off-street parking spaces shall be located in a partially subterranean structured parking facility that will be accessed from Oriole Avenue.
  - Vehicles in the structured parking facility shall be screened from view from Oriole Avenue through the use of decorative or ornamental metal grillwork and supplemental screening plants.
  - No openings into the structured parking facility shall be located on the western side of the structured parking facility except that openings for the ventilation of the structured parking facility shall be permitted.
  - Bicycle parking will be provided on the Site as required by the Ordinance.
  - Petitioner shall prohibit construction traffic serving the Site from utilizing Lexington Avenue to access the Site.
- MAXIMUM BUILDING AREA**
  - As depicted on the Rezoning Plan, a maximum of two freestanding buildings and a structured parking facility may be constructed on the Site. The maximum gross floor area of that building designated as "Building A" on the Rezoning Plan shall be 47,500 square feet, and the maximum gross floor area of that building designated as "Building B" on the Rezoning Plan shall be 37,000 square feet.
  - The gross floor area of the structured parking facility shall not be counted towards the maximum gross floor area of Building A or Building B.
- ARCHITECTURAL STANDARDS**
  - The maximum height of Building A shall be 68 feet as measured from Myrtle Avenue and 80 feet as measured from Oriole Avenue, and Building A may contain no more than 3 stories.
  - The maximum height of Building B shall be 68 feet as measured from Oriole Avenue and Building B may contain no more than 3 stories.
  - Attached to the Rezoning Plan are schematic architectural elevations of each elevation of Building A that are intended to depict the general architectural style, character and elements of each elevation of Building A. Accordingly, each elevation of Building A shall be designed and constructed so that it is substantially similar in appearance to the relevant schematic architectural elevation in terms of its architectural style, character and elements. Changes and alterations which do not materially change the overall conceptual architectural style and character are permitted based upon final design/construction drawings.
  - The permitted exterior building materials for Building A are set out on the attached schematic architectural elevations of Building A. More specifically, the permitted exterior building material shall include bluestone, limestone, terracotta, a standing seam metal screen wall and glass.
  - Building B shall be compatible with Building A in appearance and quality through the use of similar architectural designs, styles and features, and similar building materials and colors.
  - The roll-out trash can and recycling area will be enclosed on all four sides by an opaque wall with hinged opaque gates or doors. If one or more sides of the roll-out trash can and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side. Supplemental screening plants will be installed between the roll-out trash can and recycling area enclosure and Myrtle Avenue.
  - All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- STREETSCAPE and LANDSCAPING**
  - Petitioner shall install a minimum 8 foot planting strip and a minimum 6 foot sidewalk along the Site's frontage on East Morehead Street.
  - Petitioner shall install a minimum 8 foot planting strip and a minimum 6 foot sidewalk along the Site's frontage on Oriole Avenue.
  - Petitioner shall install a minimum 8 foot planting strip and a minimum 6 foot sidewalk along the Site's frontage on Myrtle Avenue.
  - Internal sidewalks leading from Building A to Morehead Street and Myrtle Avenue shall be installed as generally depicted on the Rezoning Plan.
  - A 10 foot wide buffer/planting strip shall be installed along the western boundary line of the Site as depicted on the Rezoning Plan. This planting strip shall consist of a combination of evergreen trees and evergreen shrubs. Plant materials will be provided at a minimum of 6 trees and 20 shrubs per 100 linear feet in accordance with Sections 12.302(a)(b),(c),(d), and (e) of the Ordinance.
  - The accessible path from the Urban Plaza may not be located within the 10 foot wide planting strip but shall be allowed to cross the 10 foot wide planting strip referenced above in subparagraph E to access the adjacent alley.
- OPEN SPACE**
  - The area designated on the Rezoning Plan as "Urban Plaza" shall be maintained as urban space and shall contain landscaping, horizontal hardscape, decorative and pedestrian scale lighting and outdoor seating.
  - That portion of the Site designated as the "Building B Building Area" on the Rezoning Plan shall be maintained as open space until such time that Building B is constructed, and this open space shall contain landscaping and/or detention facilities.
  - That portion of the Site located at the intersection of Myrtle Avenue and Morehead Street designated as open space shall contain landscaping, horizontal hardscape and outdoor seating.
- SIGNAGE**

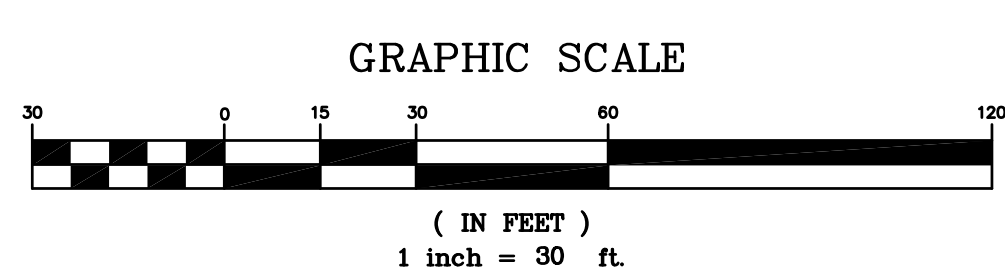
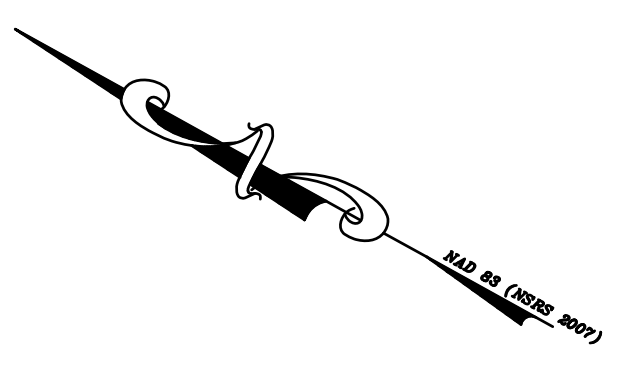
All signs installed on the Site shall comply with the requirements of the Ordinance.
- LIGHTING**
  - All freestanding lighting fixtures installed on the Site (excluding street lights) shall be fully copped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
  - The maximum height of any freestanding lighting fixture installed on the Site shall be 20 feet.
  - Any lighting attached to the buildings to be located on the Site shall be decorative, copped and downwardly directed. "Wall-pak" typed lighting fixtures may not be installed on the buildings to be located on the Site.
- PHASING**

The development of the Site will occur in two phases. Phase 1 will consist of all improvements depicted on the Rezoning Plan except for Building B. Building B will be constructed in Phase 2.
- BINDING EFFECT OF THE REZONING PETITION**

If this Rezoning Petition is approved, all conditions applicable to the development and/or use of the Site imposed under this Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns. Throughout these Development Standards, the terms, "Petitioner" and "owner" or "owners" 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.



**RECEIVED**  
By Michael Cataldo at 9:55 am, Apr 13, 2012



**STEWART**  
200 S. COLLEGE ST.  
SUITE 720  
CHARLOTTE, NC 28202  
T 704.334.7925  
F 704.334.7926  
www.stewart-eng.com  
PROJECT No. X11023.00

Date	Description
02.27.12	Rezoning Submittal
04.13.12	Revisions per Planning Staff Comments

Seal/Signature

Project Name  
THE DUKE ENDOWMENT

Project Number  
59.6191.00

Description  
REZONING PLAN

Scale  
1" = 30'-0"

**RZ 1.0**

REVISED 04.13.12 - REZONING PETITION NUMBER 2012-044



Date	Description
02.27.12	Rezoning Submittal
04.13.12	Revisions per Planning Staff Comments

Seal/Signature

Project Name  
THE DUKE ENDOWMENT

Project Number  
59,6191.00

Description  
REZONING PLAN

Scale  
1" = 30'-0"

**RZ 2.0**



MYRTLE AVENUE ELEVATION  
SCALE: 1/16" = 1'-0"

1



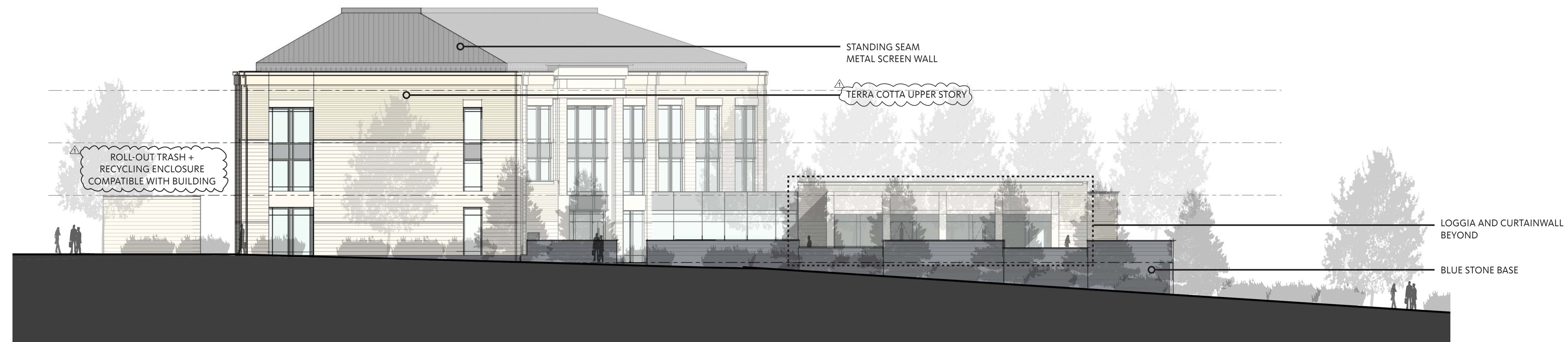
ORIOLE AVENUE ELEVATION  
SCALE: 1/16" = 1'-0"

2



MOREHEAD STREET ELEVATION  
SCALE: 1/16" = 1'-0"

3



REAR ELEVATION  
SCALE: 1/16" = 1'-0"

4

REVISED 04.13.12 - REZONING PETITION NUMBER 2012-044