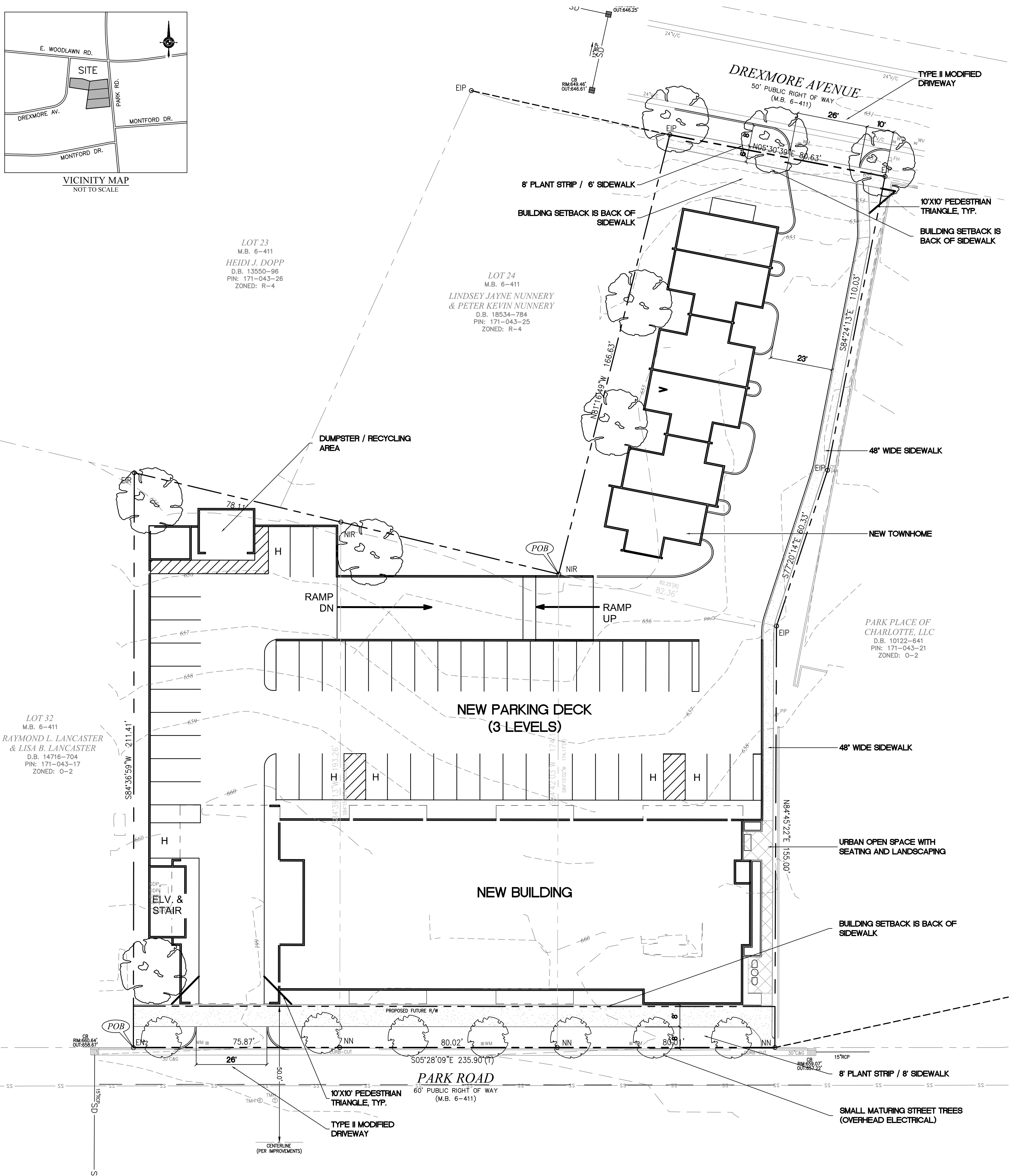


LOT 23  
M.B. 6-411  
HEIDI J. DOPP  
D.B. 13550-96  
PIN: 171-043-26  
ZONED: R-4

LOT 24  
M.B. 6-411  
LINDSEY JAYNE NUNNERY  
& PETER KEVIN NUNNERY  
D.B. 18534-784  
PIN: 171-043-25  
ZONED: R-4

LOT 32  
M.B. 6-411  
RAYMOND L. LANCASTER  
& LISA B. LANCASTER  
D.B. 14716-704  
PIN: 171-043-17  
ZONED: O-2



1. Development Data

AREA: 1.31 ACRES  
TAX PARCEL NO: 171-043-19; 171-043-18; 171-043-20 & 171-043-24  
EXISTING ZONING: R-4 and O-2  
PROPOSED ZONING: MUDD -O  
EXISTING USE: Office/SF Residential  
PROPOSED USE: Mixed Use Development to include up to 6 Attached Dwelling structured parking and 6 story building to include up to five of Multi Family Dwelling Units and up to 10,000 square feet of Retail, Restaurant, Commercial and/or Office.  
MAX. BUILDING HEIGHT: Not to exceed 6 Stories or 85 feet from top of curb on Park Road  
MAX. BUILDING AREA: Not to exceed 115,000 SF including Attached Dwelling Units but excluding structured parking.  
RESIDENTIAL PARKING REQUIRED: 1.00 SPACE/UNIT  
NONRESIDENTIAL PARKING REQUIRED: 1.00 SPACE/ 600 GROSS SF  
RESIDENTIAL PARKING PROVIDED: 1.00 SPACE/UNIT (Minimum)  
NONRESIDENTIAL PARKING PROVIDED: 1.00 SPACE/ 600 GROSS SF (Minimum)

2. General Provisions:

- These Development Conditions form a part of the Rezoning Petition filed by Selwyn Property Group Investments, LLC ("Petitioner" or "Owner") to accommodate the development of an approximately 1.31 AC site located on the west side of Park Road near the corner of Park Road and Woodlawn and the corner of Woodlawn and Drexmore Avenue and which is more particularly depicted on the Site Plan (the "Site"). These Development Conditions, the Site Plan, Elevations, Application and any revisions thereof are collectively referred to as the "Rezoning Petition".
- The proposed design, including location of access points, size, configuration and location of buildings and parking areas may be altered or modified during the design/development/construction phases, as long as it meets the requirements of Section 6.207 of the Ordinance.
- The Site is currently improved with three small commercial buildings and one residence.
- The number of accessory buildings will not exceed the number of principal buildings on the Site.
- The Development of this Site will be governed by the Rezoning Petition and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"), subject to the optional provision(s) set out below.

3. Optional Provision:

The following variation from the MUDD minimum standards for design and development is requested as part of this MUDD-O Petition:

- Section 9.8506 (c) (1) (a) (Sign, banners, flags and pennants): The Rezoning Petition seeks the optional provision to allow signs located on any building wall of a structure to have a maximum sign surface of all signs on one wall not to exceed 10% of building wall area to which the sign is attached for a maximum of 200 square feet.
- Section 9.8506 (c) (1) (b) (Sign, banners, flags and pennants): The Rezoning Petition seeks the optional provision to permit a ground mounted or monument sign and such sign shall have a maximum height of five feet and a maximum face area of fifty square feet.

4. Permitted Uses:

- Use of the Site shall be permitted for up to 6 attached Dwelling Units, structured parking, a 6 story building to include up to 5 floors of Multi Family Dwelling Units and up to 10,000 SF of commercial use, including retail, restaurant, general and medical office uses and business service uses. Accessory uses and structures allowed in MUDD, including, but not limited to, leasing office and amenities to the residential units such as recreation area and fitness facility shall also be permitted and shall not be included as part of the 10,000 SF of commercial use. Residential units may be either for sale or for rent. Notwithstanding anything herein to the contrary, Petitioner reserves the right to use all or portions of the 6 story building for hotel use or professional business and general office use as permitted in MUDD zoning.

5. Transportation:

- Access to the Site will be generally as depicted on the Site Plan. Exact driveway locations and design will be subject to review and approval of the City Department of Transportation (CDOT).
- Petitioner shall offer for dedication additional right of way along Park Road to include an eight (8) foot planting strip and an eight (8) foot sidewalk (sixteen feet from back from curb), generally as depicted on the Site Plan. This offer of dedication shall be made prior to issuance of Certificate of Occupancy.

6. Architectural Standards:

Reserved

7. Streetscape, Landscaping and Buffers:

Street trees, landscaping, buffers and screening will be provided as required by the Ordinance, subject to these Development Conditions.

8. Environmental Features:

- The development of the Site meets the criteria set forth in Section 18-161(c) of the Charlotte Post Construction Stormwater Ordinance ("PCO") and Petitioner shall have the right to comply with the PCO by meeting required stream buffers and phosphorus requirements and by implementing one of the mitigation measures provided in Section 18-161(c) (1)-(3), said right surviving any prior expiration of the PCO Ordinance amendment.
- The Petitioner shall comply with the City of Charlotte Tree Ordinance.

9. Parks, Greenway and Open Space:

Petitioner shall provide privately constructed open space as generally depicted on the Site Plan.

10. Fire Protection:

Reserved

11. Signage:

Reserved

12. Lighting:

- All new light pole fixtures located within the site shall be a maximum of 20' height and shall be fully shielded. Lighting will be full cut-off fixtures designed to achieve zero (0) foot candles along the western property edge.
- No wall-pak lighting shall be allowed.
- Incidental decorative lighting, such low path lighting and landscape lighting may also be installed.

13. Phasing:

N/A

14. Other:

15. Amendments to the Rezoning Petition:

Future amendments to the Rezoning Petition may be applied for by the Owner or Owners of the Site in accordance with the provisions of Section 6.207 "Alterations of Approval" of the Ordinance.

16. Binding Effect of the Rezoning Petition:

Upon approval of this Rezoning Petition, all conditions applicable to the development of the Site imposed under the Rezoning Petition, unless amended in the manner provided under the Ordinance, shall 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 interests and assigns.

Throughout these Development Conditions, 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 and may be involved in any future development thereon.

17. Vesting:

Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. §160A-385.1, due to the nature of the redevelopment, the level of investment, the timing of the redevelopment and certain infrastructure, economic cycles and market conditions this Rezoning Petition includes vesting of the approved Rezoning Plan and conditional zoning district associated with this Rezoning Petition for a five (5) year period.



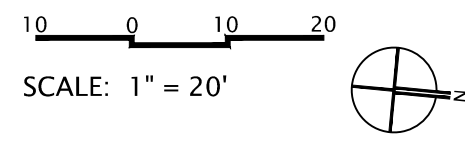
design resource group

- landscape architecture
- civil engineering
- urban design
- land planning
- traffic engineering
- transportation planning

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4424 PARK ROAD, CHARLOTTE, NORTH CAROLINA  
SELWYN PROPERTY GROUP, INC.  
1914 BRUNSWICK AVENUE SUITE 2A  
CHARLOTTE, NORTH CAROLINA 28207  
704-343-2828

REZONING PLAN



PROJECT #: 379-003  
DRAWN BY: BS  
CHECKED BY: XX

DEVELOPMENT DATA

MARCH 24, 2014

REVISIONS: