

DEVELOPMENT DATA:
SITE AREA : 1.679 ACRES (73,140 sq. ft)
TAX ID: 127-03-517, 127-03-518, 127-03-509
CURRENT ZONING: NS (NEIGHBORHOOD SERVICES)
PROPOSED ZONING: MUDD-O (WITH 3 YEAR VESTED RIGHTS)
EXISTING USE: COMMERCIAL
PROPOSED USE: MULTI-FAMILY RESIDENTIAL AND COMMERCIAL
(SEE PERMITTED USES IN DEVELOPMENT STANDARDS NOTES)
NUMBER OF RESIDENTIAL UNITS: SEE DEVELOPMENT STANDARDS NOTES
AREA OF NON-RESIDENTIAL USE: SEE DEVELOPMENT STANDARDS NOTES
MAXIMUM BUILDING HEIGHT: SEE DEVELOPMENT STANDARDS NOTES
MIN. PARKING REQUIRED: SEE DEVELOPMENT STANDARDS NOTES
MIN. OPEN SPACE REQUIRED: PER THE ORDINANCE

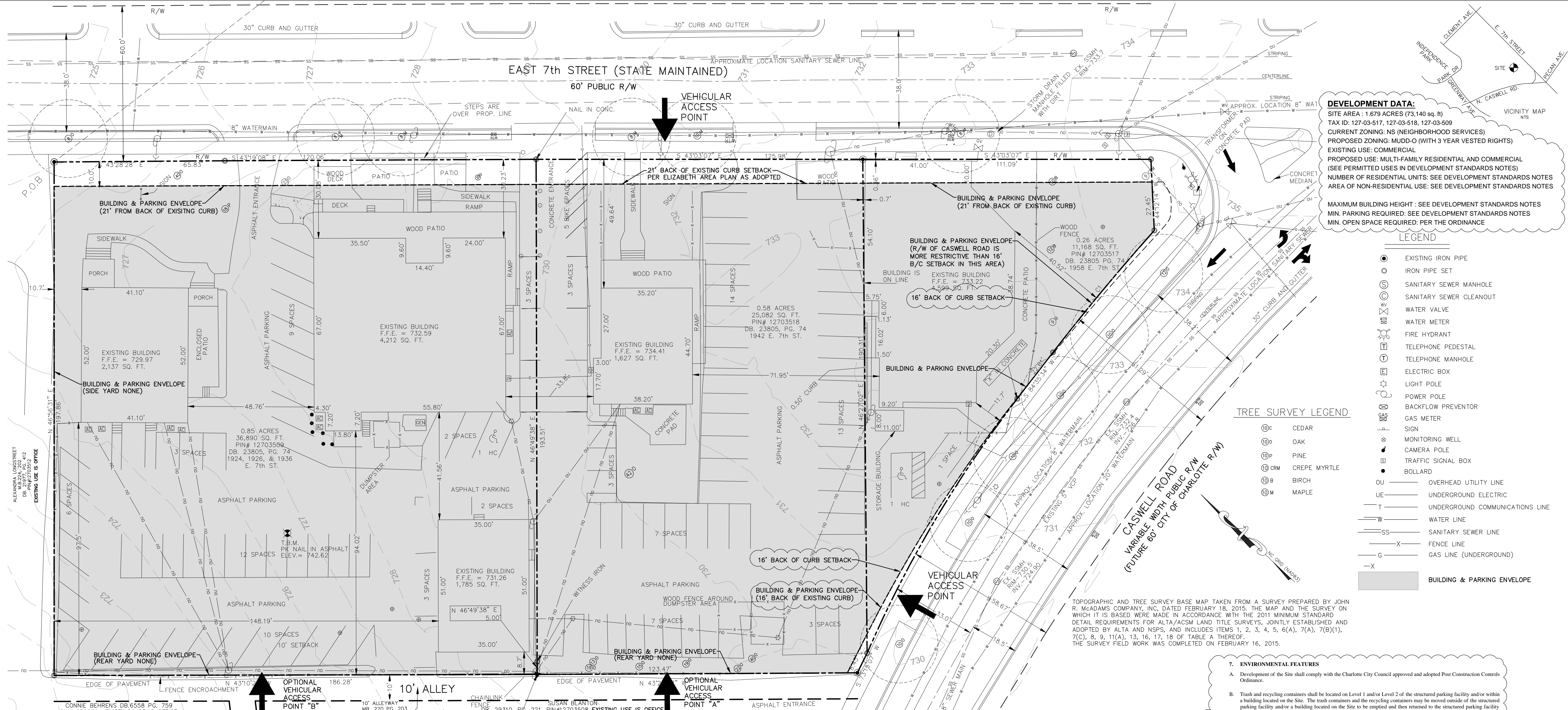
- LEGEND
EXISTING IRON PIPE
IRON PIPE SET
SANITARY SEWER MANHOLE
SANITARY SEWER CLEANOUT
WATER VALVE
WATER METER
FIRE HYDRANT
TELEPHONE PEDESTAL
TELEPHONE MANHOLE
ELECTRIC BOX
LIGHT POLE
POWER POLE
BACKFLOW PREVENTOR
GAS METER
SIGN
MONITORING WELL
CAMERA POLE
TRAFFIC SIGNAL BOX
BOLLARD
OVERHEAD UTILITY LINE
UNDERGROUND ELECTRIC
UNDERGROUND COMMUNICATIONS LINE
WATER LINE
SANITARY SEWER LINE
FENCE LINE
GAS LINE (UNDERGROUND)
BUILDING & PARKING ENVELOPE

- TREE SURVEY LEGEND
CEDAR
OAK
PINE
CREPE MYRTLE
BIRCH
MAPLE

TOPOGRAPHIC AND TREE SURVEY BASE MAP TAKEN FROM A SURVEY PREPARED BY JOHN R. MACADAMS COMPANY, INC. DATED FEBRUARY 18, 2015. THE MAP AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(A), 7(A), 7(B)(1), 7(C), 8, 9, 11(A), 13, 16, 17, 18 OF TABLE A THEREOF. THE SURVEY FIELD WORK WAS COMPLETED ON FEBRUARY 16, 2015.

- 7. ENVIRONMENTAL FEATURES
A. Development of the Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
B. Trash and recycling containers shall be located on Level 1 and/or Level 2 of the structured parking facility and/or within a building located on the Site.
C. The trash containers and the recycling containers may be moved outside of the structured parking facility and/or a building located on the Site to be emptied and then returned to the structured parking facility and/or a building located on the Site.
8. LIGHTING
A. All freestanding lighting fixtures installed on the Site (excluding street lights, lower, decorative lighting that may be installed along the sidewalks, sidewalks and parking areas and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
B. The maximum height of any freestanding lighting fixture installed on the Site shall be 21 feet.
C. Any lighting fixtures attached to a building to be constructed on the Site shall be decorative, capped and downwardly directed.
9. CONSTRUCTION ACTIVITIES
A. During the construction of the buildings to be located on the Site, all vehicles transporting construction workers to and from the Site shall park on the Site or at a remote off-street location secured by Petitioner.
B. Construction activities conducted on the Site on Mondays, Tuesdays, Wednesdays, Thursdays or Fridays may not commence prior to 7:00 AM and must cease by 7:00 PM.
C. Construction activities conducted on the Site on Saturdays may not commence prior to 9:00 AM and must cease by 7:00 PM.
10. ELIZABETH COMMUNITY ASSOCIATION REVIEW OF PLANS
A. At the time that Petitioner submits site plans and building elevations to the City of Charlotte to commence the urban review process, which process includes the issuance of a building permit, Petitioner shall submit copies of such site plans and building elevations to the ECA Board for the purpose of notifying the Board of the commencement of the urban review process for this development.
11. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the 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.
B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner of the Site from time to time who may be involved in any future development thereof.
C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

SCALE: 1" = 20'



- 1. GENERAL PROVISIONS
A. These Development Standards form a part of the Rezoning Plan (comprised of Sheets RZ-1 through RZ-7) associated with the Rezoning Petition filed by FCD-Development, LLC (the "Petitioner") to accommodate the development of two mixed use buildings that contain multi-family residential dwelling units and commercial uses and other uses set out below, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD") zoning district shall govern the development and use of the Site.
B. 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").
C. The parcels of land that comprise the Site may be recombined at the option of the Petitioner or further subdivided in accordance with the Subdivision Ordinance.
D. The buildings to be developed on the Site are designated as Building A and Building B on the Rezoning Plan.
E. Pursuant to Section 1.110 of the Ordinance and Section 160A-385.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 3 years due to the size of the development, the level of investment, economic cycles and market conditions.
F. Future amendments to the Rezoning Plan and the 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.
2. OPTIONAL PROVISIONS
The following optional provisions shall apply to the development of the Site:
A. Upper level balconies may encroach up to 5 feet into the setbacks from East 7th Street and North Caswell Road.
B. An outdoor plaza (the "Plaza") at the corner of East 7th Street and North Caswell Road that is generally depicted on the Rezoning Plan and is described below under Section 6.F. of these Development Standards may be established on the Site.
C. Any desired encroachments into the right of way shall require the approval of the North Carolina Department of Transportation ("NCDOT") or the Charlotte Department of Transportation ("CDOT") as applicable.
D. A minimum 8 foot wide planting strip and a minimum 8 foot wide sidewalk shall be installed along the Site's frontage on East 7th Street, provided, however, that portions of the sidewalk may be wider than 8 feet.
3. PERMITTED USES/DEVELOPMENT LIMITATIONS
A. The Site may only be devoted to the uses set out below.
(1) A total maximum of 100 multi-family dwelling units and any incidental and accessory uses relating thereto that are allowed in the MUDD zoning district.
(2) A total maximum of 30,000 square feet of gross floor area devoted to the commercial uses set out below (including any combination of such uses), together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district.
(3) Service uses such as barber and beauty shops;
(4) Eating, drinking and entertainment establishments (Type 1), and eating, drinking and entertainment establishments (Type 2) subject to the applicable regulations of Section 12.564 of the Ordinance.
(5) Professional business and general offices; and
(6) Retail sales.
(7) Eating, drinking and entertainment establishments (Type 1 and Type 2) may, on any live, recorded or broadcast music outdoors between the hours of 11 PM and 6 AM.

- C. Exercise, health and/or fitness clubs, centers or facilities may not be located on the Site.
D. An accessory fitness center described above in paragraph C shall not be located on the North Caswell Road elevation or the East 7th Street elevation of any building located on the Site.
4. TRANSPORTATION
A. Vehicular access shall be as generally depicted on the Rezoning Plan.
B. The site shall be served by a structured parking facility as depicted on the Rezoning Plan.
C. The structured parking facility shall contain two levels of parking and for purposes of these development standards, these levels are designated as Level 1 and Level 2, with Level 1 being the lower level and Level 2 being the upper level of the structured parking facility.
D. Subject to the terms of paragraph E below, vehicular ingress and egress into the structured parking facility shall be by way of the vehicular access point located along the Site's frontage on East 7th Street (the "East 7th Street Access Point") and the vehicular access point located along the Site's frontage on North Caswell Road (the "North Caswell Road Access Point").
E. In the event that (i) an easement agreement between the owner of the Site and the owner of Tax Parcel No. 127-035-08 is executed and recorded in the Mecklenburg County Public Registry that allows for the improvement of the structured alley (the "Alley") to accommodate two-way vehicular traffic from the western edge of that vehicular access point located on the Site's frontage on the Alley that is designated as Vehicular Access B on the Rezoning Plan to North Caswell Road and (ii) such improvement of the Alley is approved by the applicable governmental authorities prior to the issuance of the first building permit for the development contemplated under the Rezoning Plan (hereinafter collectively referred to as the "Alley Improvement Conditions"), then Petitioner shall establish Vehicular Access B and that vehicular access point located on the Site's frontage on the Alley that is designated as Vehicular Access A on the Rezoning Plan, and Petitioner shall eliminate the North Caswell Road Access Point.
F. Level 2 of the structured parking facility shall be accessible from the East 7th Street Access Point and the North Caswell Road Access Point (unless the North Caswell Road Access Point is eliminated as described above).
G. Level 1 and Level 2 of the structured parking facility shall have vehicular connectivity through the implementation of one of the two methods described below.
(1) Option 1
(a) If the Alley is not improved to accommodate two-way vehicular traffic as described above such that Vehicular Access A and Vehicular Access B are not established, then Level 1 of the structured parking facility and Level 2 of the structured parking facility shall have vehicular connectivity by way of an internal ramp within the structured parking facility.
(2) Option 2
(a) If the Alley is improved to accommodate two-way vehicular traffic as described above such that Vehicular Access A and Vehicular Access B are required to be established, then
(i) Level 2 of the structured parking facility shall be accessible from the East 7th Street Access Point and from Vehicular Access A; and
(ii) Level 1 of the structured parking facility shall be accessible from Vehicular Access B.
This method provides two-way vehicular circulation between Level 1 and Level 2 of the structured parking facility by way of the Alley, via Vehicular Access A and Vehicular Access B.
H. In the event that Vehicular Access A and Vehicular Access B are established on the Alley as provided above, then Petitioner shall install a sign at each such access point that limits vehicular turning movements from the structured parking facility onto the Alley to left-turns only towards North Caswell Road.
I. The permitted exterior building materials for the East 7th Street elevation of Building A shall also be the permitted exterior building materials for the other elevations of Building A.
J. The permitted exterior building materials for the East 7th Street elevation of Building A are designated and labeled on the conceptual, architectural elevations of the East 7th Street elevation of Building A set out on Sheet RZ-7 of the Rezoning Plan.
K. The permitted exterior building materials for the other elevations of Building A shall also be the permitted exterior building materials for the other elevations of Building A.
L. Where specific exterior building materials are designated and labeled on the conceptual, architectural elevations, those exterior building materials must be utilized.

- 1. A minimum of 1 parking space per bedroom for the multi-family dwelling units.
2. A minimum of 1 parking space per 333 square feet of gross floor area devoted to office and professional office uses.
3. A minimum of 1 parking space per 250 square feet of gross floor area devoted to retail uses.
4. A minimum of 1 parking space per 100 square feet of gross floor area devoted to eating, drinking and entertainment establishments (Type 1 and Type 2).
5. Each of the uses located on the Site shall meet the minimum parking requirements set above without utilizing the shared parking provisions of the Ordinance.
6. The gross floor area of the structured parking facility shall not be considered for the purpose of calculating the required number of parking spaces on the Site.
7. The gross floor area of internal hallways and corridors, the lobbies for the multi-family dwelling units and any amenity areas for the multi-family dwelling units shall not be considered for the purpose of calculating the required number of parking spaces on the Site.
8. The alignment of the internal vehicular circulation areas and driveways may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
9. Prior to the issuance of the first certificate of occupancy for a new building to be constructed on the Site, Petitioner shall dedicate and convey as right of way to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to East 7th Street measuring 16 feet from the back of the existing curb on East 7th Street (which area shall include the 8 foot planting strip and 8 feet of sidewalk), to the extent that such right-of-way does not already exist.
10. Prior to the issuance of the first certificate of occupancy for a new building to be constructed on the Site, Petitioner shall construct a bus stop waiting pad for a relocated bus stop on East 7th Street adjacent to the Site.
11. The bus stop waiting pad shall be located entirely within the right of way, and the precise location of the bus stop waiting pad shall be determined during the permitting process.
12. The bus stop waiting pad shall be constructed to CATS Development Standard 600.B.
13. Petitioner's obligation to construct the bus stop waiting pad shall be subject to Petitioner's ability to obtain all approvals and permits required to construct it.
14. CATS shall be responsible for the installation and maintenance of any bench or shelter.
15. The East 7th Street Access Point may be restricted to right-in, right-out vehicular movements if required by CDOT and/or NCDOT.
16. This restriction, if required by CDOT and/or NCDOT, shall be implemented through the installation of appropriate signage.
5. ARCHITECTURAL STANDARDS
A. The maximum height in stories of Building A and Building B shall be 4 stories.
B. The maximum height in feet of Building A shall be 58 feet as measured pursuant to the terms of the Ordinance.
C. The maximum height in feet of Building B shall be 48 feet as measured pursuant to the terms of the Ordinance.
D. Set out on Sheets RZ-4 through RZ-6 of the Rezoning Plan are conceptual, architectural elevations of each elevation of Building A that are intended to depict the general conceptual architectural style and character of each elevation of Building A.
E. Set out on Sheets RZ-4 through RZ-6 of the Rezoning Plan are conceptual, architectural elevations of each elevation of Building B that are intended to depict the general conceptual architectural style and character of each elevation of Building B.
F. Accordingly, each elevation of Building A shall be designed and constructed so that each elevation is substantially similar in appearance to the relevant conceptual, architectural elevation with respect to architectural style and character.
G. Notwithstanding the foregoing, changes and alterations to the exterior of Building B which do not materially change the overall conceptual architectural style and character shall be permitted.
H. The permitted exterior building materials for the East 7th Street elevation of Building A are designated and labeled on the conceptual, architectural elevations of the East 7th Street elevation of Building A set out on Sheet RZ-7 of the Rezoning Plan.
I. To the extent that Petitioner determines, at its option, to extend any portion of the facade of Building A to the North Caswell Road elevation of Building A, the permitted exterior building materials for the North Caswell Road elevation of Building A shall also be the permitted exterior building materials for the other elevations of Building A.
J. Where specific exterior building materials are designated and labeled on the conceptual, architectural elevations, those exterior building materials must be utilized.

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Project Number
Date 06/23/16
PETITION # 2016-015
SUBMITTAL JUNE 23, 2016

Technical Data Sheet

SHEET RZ 1
1"=20'











