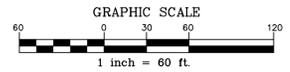
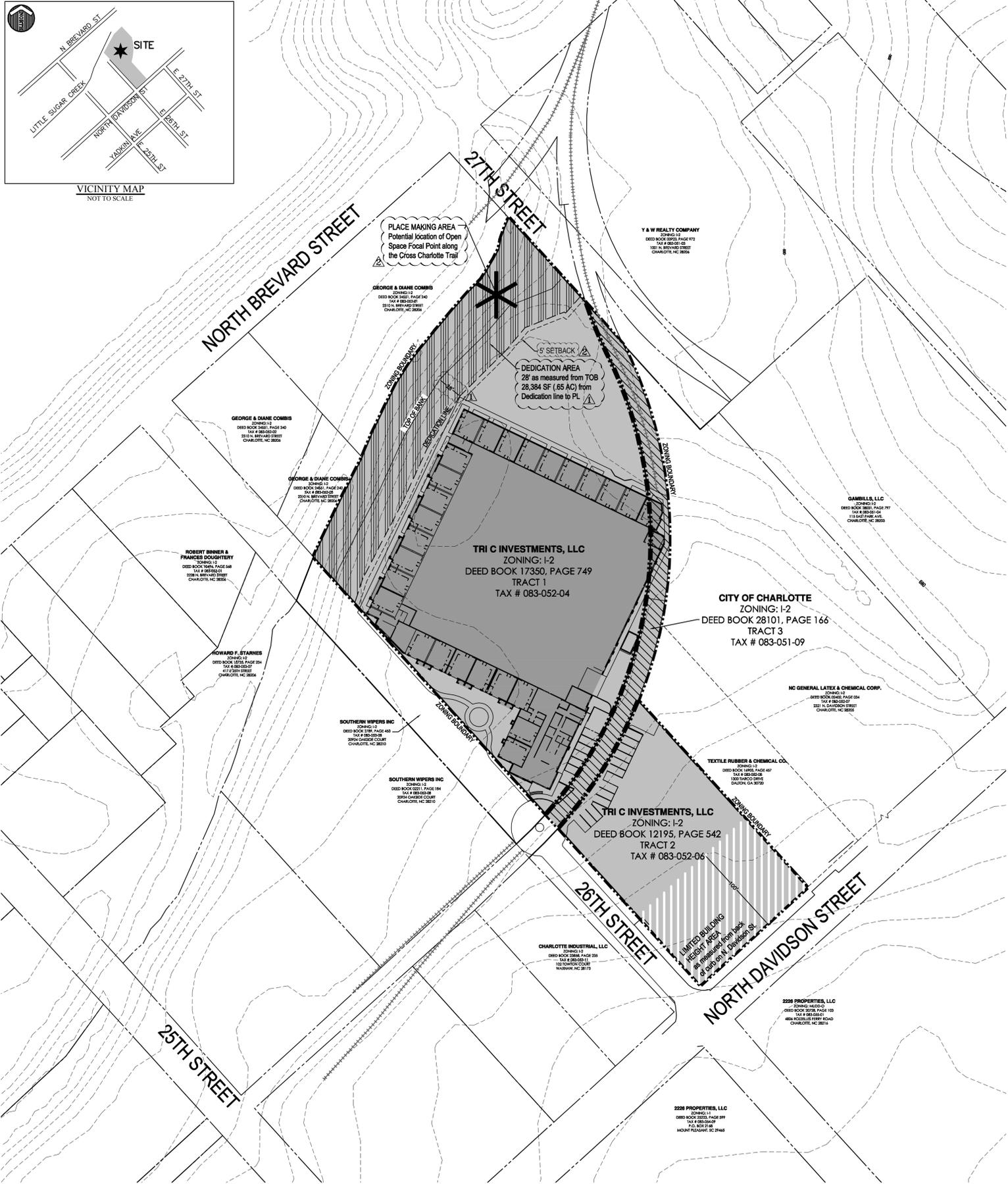


VICINITY MAP
NOT TO SCALE



CH-325872-V5
Faison - 26th Street
REZONING PETITION NO. 2016-016
DEVELOPMENT STANDARDS
1/15/2015

1. Development Data Table
Site Area: 3.99 acres +/- (TOD-MO) 25 acres +/- (TOD-M)
Tax Parcels: 083-052-04, 083-052-06, 083-052-09
Existing Zoning: I-2
Proposed Zoning: TOD-MO(083-052-04, 083-052-06) TOD-M (083-052-09)
Office/Event
Existing Use: TOD-MO
Proposed Uses: Uses allowed under TOD-MO
Maximum Development: Development intensity shall not exceed limits of TOD-MO
Maximum Building Height: As allowed under TOD, however, certain areas identified on the Conditional Site Plan shall not exceed 60 feet in height.
Parking: Shall satisfy or exceed Ordinance requirements

2. General Provisions
These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by FCD-Development, LLC ("FCD") to rezone property tax parcels 083-052-04 and 083-052-06 (the "Site") from the I-2 Zoning District to the TOD-M Zoning District. The proposed TOD-M zoning for tax parcel 083-052-09 is a conventional zoning request, therefore that parcel will not be subject to the zoning conditions contained in these Development Standards or the Rezoning Plan.
The Petitioner has also petitioned to rezone tax parcel 083-052-09, which is currently owned by the City of Charlotte, from the I-2 Zoning District to the TOD-M Zoning District. The proposed TOD-M zoning for tax parcel 083-052-09 is a conventional zoning request, therefore that parcel will not be subject to the zoning conditions contained in these Development Standards or the Rezoning Plan.
Development of the Site will be governed by the accompanying Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Rezoning Plan is intended to reflect maximum development rights, building envelopes, and the arrangements and locations of access points.
Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the TOD-M Zoning District shall govern all development taking place on the Site.
Alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development proposed or significantly alter the Rezoning Plan or these Development Standards, constitute changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

All existing infrastructure, structures, uses and parking areas on the Site (and the on-street parking and public rights of way that are adjacent thereto) may be maintained and continued in their current condition until such time as the particular infrastructure, structure, use or parking area is redeveloped.

3. Optional Provision
Petitioner requests deviations from the TOD-M standards to allow the existing structure on Tax Parcel 083-052-06 to remain in its current condition. Changes of use and modifications to the existing building shall not require the structure to be brought into compliance with the standards of the TOD-M district. However, in the event that the existing structure on Tax Parcel 083-052-06 is demolished, any new development on that parcel shall comply with the TOD-M standards.

4. Permitted Uses
The Site may be devoted to any uses permitted in the TOD-M Zoning District together with any incidental or accessory uses associated therewith.

5. Maximum Development
Petitioner shall provide a "Limited Building Height Area" as generally depicted on the Conditional Rezoning Plan. Portions of buildings located within the "Limited Building Height Area" shall not exceed 60 feet in height, exclusive of architectural features.

6. Transportation
a. Driveway entrances shall not be permitted along North Davidson Street.
b. No streetscape improvements to North Davidson Street shall be required if the existing structure within tax parcel 083-052-06 is maintained. In the event that the existing structure within tax parcel 083-052-06 is removed, the Petitioner shall provide an eight (8) foot wide sidewalk, eight (8) foot wide planting area, and on-street parking along the site's frontage on North Davidson Street.
c. Petitioner shall cause the installation of two off-site pedestrian connections linking the Site to Brevard Street, in the locations generally depicted as "Developer Provided Connection" on the Connectivity Exhibit. At minimum, these connections shall include an 8 foot-wide sidewalk, provided, however, that the existing connections with 26th Street shall be permitted to remain until such time as the existing structure within tax parcel 083-052-06 is removed. The connections shall be substantially completed prior to the issuance of a Certificate of Occupancy for the main structure on tax parcel 083-052-04.
d. Petitioner's obligation to provide a pedestrian connection across Little Sugar Creek in the vicinity of the 26th Street right-of-way in order to provide a more direct connection between the Site and the proposed 26th Street Transit Station shall be contingent upon Petitioner obtaining the permits necessary to construct that connection.

7. Architectural Standards
Applicable to Tax Parcel 083-052-06
a. In the event that the existing structure within tax parcel 083-052-06 is removed and replaced with a new structure, to stimulate pedestrian activity along North Davidson Street, the first floor (street level) facade of any new buildings facing North Davidson Street shall be designed to accommodate commercial activities. New commercial spaces fronting North Davidson Street shall incorporate doors that are accessible from the sidewalk along North Davidson. Additionally, for any new building fronting on North Davidson, at least 60% of the area of the building wall measured between 2 feet and 10 feet above the adjacent sidewalk, shall include transparent glass. Up to 40% of the required glass area may be comprised of display windows. These display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within the required glass area shall not be screened by film, decals and other opaque material, or glazing finishes.
b. Driveway entrances shall not be permitted along North Davidson Street.

Applicable to Tax Parcel 083-052-04
a. Ground floor level shall be taller and architecturally different than upper floors, with more transparency than upper floors.
b. All ground floor residential units fronting the Cross Charlotte Trail shall incorporate entrances that face the Cross Charlotte Trail and shall have direct connections to the Cross Charlotte Trail if and when the Cross Charlotte Trail is constructed.
c. In the event that a building face which fronts the Charlotte Cross Trail or the now-abandoned right of way of 26th Street does not incorporate ground floor entrances to individual units, a primary building entrance shall be provided every 100 linear feet at minimum.

d. Each ground floor residential unit entrance shall incorporate at least three of the following design features:
• decorative pedestrian lighting/scones
• architectural details carried through to upper stories
• covered porches, canopies, awnings or sunshades
• archways
• transom windows
• terraced or raised planters that can be utilized as seat walls
• common outdoor seating enhanced with specialty details, paving, landscaping, or water features
• double doors (entrances should give an appearance of a front door orientation rather than a back patio design)
• stoops or stairs

e. All ground floor residential units shall be elevated an average of 24 inches above grade. Ground floor residential units shall be no more than five feet above average grade or two feet below average grade.

f. Ground floor levels of parking structures shall be "wrapped" with active uses so that parking structures are not visible from the Cross Charlotte Trail or adjacent public rights of way.

g. Multifamily buildings with facades in excess of 250 linear feet that front on public or private streets shall be articulated in one or more of the following methods to visually break down the buildings potentially monolithic mass and achieve an appropriate pedestrian scale along the street wall:
i. Façade Modulation varying the plane of the building street wall to break up the mass of the building.
• Minimum width of 15'-0" and a minimum depth of 5'-0"
• No single section of the façade shall exceed 150'-0" in length
• May be achieved through multiple modulations

ii. Building Mass Separation at a depth of at least 25'-0" from the street wall and a width of at least 25'-0" open to the sky.
• No single section of the façade shall exceed 150'-0" in length

iii. Architectural Façade Variations along the street wall to visually break down the building's mass with intervals not exceeding 150'-0". These façade variations shall include at least two of the following techniques:
• Varied Architectural Styles
• Varied Roof Pitches
• Varied Window Arrangement and Sizes
• Significant Exterior Façade Materials Changes
• Offset Wall Planes

8. Streetscape and Landscaping
Petitioner shall invest at least \$10,000.00 in public art (which may be freestanding or integrated into structures) to be located in areas within the Site that are visible from the proposed Cross Charlotte Trail.

9. Environmental Features
Petitioner shall satisfy the requirements of the Post Construction Controls Ordinance.

10. Parks, Greenways and Open Space
a. Petitioner agrees to dedicate the area generally depicted on the Technical Data Sheet as "Dedication Area" to Mecklenburg County Parks and Recreation Department in exchange for the conveyance by the City of Charlotte of tax parcel 083-052-09 to the Petitioner. The area to be dedicated generally extends from the Site's northwest property boundary to the area located 28 feet east of the eastern "top of bank" of Little Sugar Creek.
b. In the event that tax parcel 083-052-09 is not conveyed to the Petitioner, Petitioner shall not be required to dedicate the "Dedication Area" to the Mecklenburg County Parks and Recreation Department, shall not be required to enter into the development agreement contemplated by Item 10.e of these Development Standards, shall not be required to construct any of the Developer Provided Connections contemplated by Item 6.c of these Development Standards and shall not be required to set aside or dedicate the Place Making Area contemplated by Item 10.f of these Development Standards.

c. No fencing shall be located between the development and the Cross Charlotte Trail.

d. All buildings shall be set back at least 5 feet from the area generally depicted on the Technical Data Sheet as "Dedication Area".
e. In order to ensure that the proposed development and the adjacent portion of the Cross Charlotte Trail are developed in a coordinated manner, Petitioner agrees to enter into a development agreement with the appropriate governmental entity in which the Petitioner shall agree to build the portion of the Cross Charlotte Trail that runs through tax parcel 083-052-04 in conjunction with the development of the Site. The agreement would also provide that the Petitioner shall be reimbursed by the appropriate governmental entity for the cost of the trail construction. Such agreement shall also provide that this portion of the Cross Charlotte Trail shall be substantially complete before the issuance of a Certificate of Occupancy for the main structure on tax parcel 083-052-04. As a part of such development agreement, the appropriate governmental entity shall agree to construct the portion of the Charlotte Cross Trail that would connect the Charlotte Cross Trail across 27th Street and through to North Brevard Street as depicted on the Technical Data Sheet or, alternatively, to permit Petitioner to construct the same subject to reimbursement by the appropriate governmental entity for the cost of such trail construction. If the appropriate governmental entity fails to enter into such a development agreement with the Petitioner, Petitioner shall not be required to construct any of the Cross Charlotte Trail and the Certificate of Occupancy for the main structure on tax parcel 083-052-04 shall not be withheld by reason of any portion of the Cross Charlotte Trail not being substantially complete.

f. Petitioner shall set aside an outdoor open space area in the area generally depicted on the Conceptual Site Plan as "Place Making Area". The area may be a private amenity serving the Site. However, if an appropriate governmental entity commits to fund the development of the "Place Making Area" at that location, the Petitioner would dedicate the "Place Making Area" to the public.

11. Signage
All signage shall meet the requirements of the TOD-M Zoning District. However, in accordance with the optional request above, signage on the existing building within tax parcel 083-052-06 may remain and be updated in accordance with the nonconforming provisions of the Ordinance.

12. Lighting
All free-standing lighting fixtures will be shielded with full cut-off fixtures.

13. Amendments to Rezoning Plan
Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

14. Binding Effect of the Rezoning Documents and Definitions
If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner 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 the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.

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REVISIONS:
12-18-15 PLANNING DEPARTMENT COMMENTS
1-15-16 CITY STAFF COMMENTS

OWNER:
TRI C INVESTMENTS, LIMITED LIABILITY COMPANY

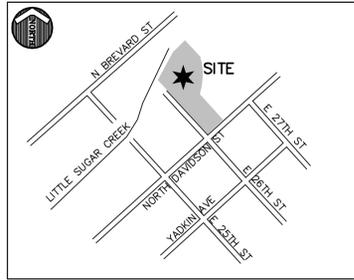
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REZONING PETITION NO. 2016-16
CHARLOTTE, NC

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McAdams

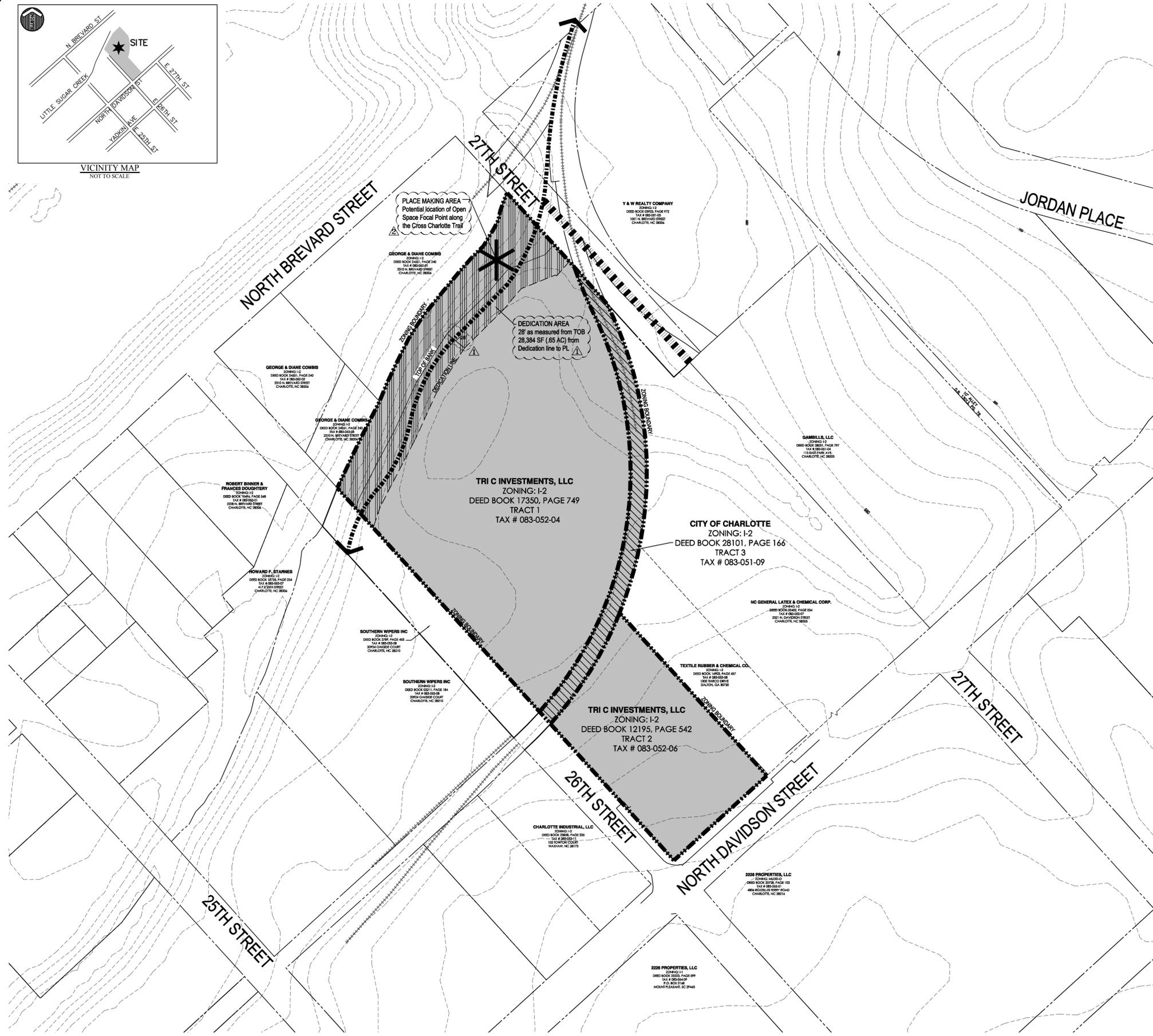
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PRELIMINARY DRAWING - NOT RELEASED FOR CONSTRUCTION



VICINITY MAP
NOT TO SCALE



LEGEND

- CROSS CHARLOTTE TRAIL
(CONCEPTUAL ALIGNMENT)
- DEVELOPER PROVIDED CONNECTION
(PEDESTRIAN CONNECTIONS)

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REVISIONS:

NO.	DATE	DESCRIPTION
1	1-15-16	CITY STAFF COMMENTS

OWNER:
TRI C INVESTMENTS,
LIMITED LIABILITY
COMPANY

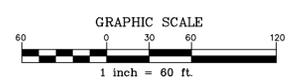
N. DAVIDSON PROPERTY
REZONING PETITION NO. 2016-16
CHARLOTTE, NC

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DRAWN BY:	RMR
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DATE:	10-23-15
SHEET NO.	RZ-3



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