

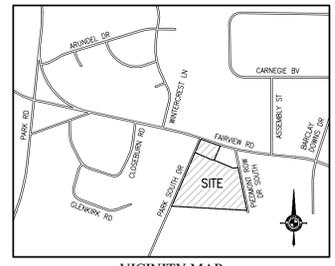
**METES & BOUNDS DESCRIPTIONS:**

TAX PARCEL: 179-022-39  
 THAT CERTAIN TRACT OR PARCEL OF LAND BEING DESIGNATED AS LOT 1, RECOMBINATION PLAT OF FAIRVIEW PLAZA, AS RECORDED IN MAP BOOK 50, PAGE 296 IN THE MECKLENBURG COUNTY PUBLIC REGISTRY, LYING AND BEING IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT AN EXISTING NAIL LOCATED AT THE INTERSECTION FORMED BY THE SOUTHERLY MARGIN OF THE RIGHT-OF-WAY OF FAIRVIEW ROAD (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY) AND THE EASTERLY MARGIN OF THE RIGHT-OF-WAY OF PARK SOUTH DRIVE (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY); THENCE WITH THE EASTERLY MARGIN OF THE RIGHT-OF-WAY OF PARK SOUTH DRIVE S 23°30'42" W A DISTANCE OF 160.79 FEET TO AN EXISTING NAIL BEING THE SOUTHWESTERLY CORNER OF LOT 2 AS DEPICTED ON A RECOMBINATION PLAT ENTITLED "FAIRVIEW PLAZA", RECORDED IN MAP BOOK 50, PAGE 296 IN THE MECKLENBURG COUNTY PUBLIC REGISTRY, SAID NAIL ALSO BEING THE POINT AND PLACE OF BEGINNING; THENCE WITH THE SOUTHERLY LINE OF LOT 2 THE FOLLOWING FIVE (5) COURSES AND DISTANCES AS FOLLOWS: 1) S 67°05'33" E A DISTANCE OF 33.87 FEET TO AN EXISTING NAIL, 2) S 64°34'31" E A DISTANCE OF 64.32 FEET TO AN EXISTING NAIL, 3) S 67°13'41" E A DISTANCE OF 102.87 FEET TO AN EXISTING NAIL, 4) S 89°47'06" E A DISTANCE OF 12.73 FEET TO AN EXISTING NAIL, 5) S 67°12'10" E A DISTANCE OF 14.51 FEET TO AN EXISTING NAIL BEING THE SOUTHWESTERLY CORNER OF LOT 3, AS DEPICTED IN AFORESAID MAP BOOK 50, PAGE 296; THENCE WITH THE SOUTHERLY LINE OF LOT 3 THE FOLLOWING THREE (3) COURSES AND DISTANCES: 1) S 67°12'10" E A DISTANCE OF 226.60 FEET TO AN EXISTING NAIL, 2) WITH THE ARC OF A CIRCULAR CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 24.00 FEET, AND AN ARC LENGTH OF 14.09 FEET, (CHORD: S 84°01'38" E A DISTANCE OF 13.89 FEET) TO AN EXISTING NAIL, 3) N 79°08'55" E A DISTANCE OF 33.07 FEET TO AN EXISTING NAIL LYING ON THE WESTERLY MARGIN OF THE RIGHT-OF-WAY OF FAIRVIEW ROAD; THENCE WITH THE WESTERLY MARGIN OF THE RIGHT-OF-WAY OF FAIRVIEW ROAD S 12°59'30" E A DISTANCE OF 485.36 FEET TO AN EXISTING NAIL BEING THE NORTHEASTERLY CORNER OF THE D.G. DELAWARE, LLC PROPERTY AS DESCRIBED IN DEED BOOK 20193, PAGE 907; THENCE WITH THE NORTHERLY LINE OF THE D.G. DELAWARE, LLC PROPERTY AND CONTINUING WITH THE NORTHERLY LINE OF THE D & A INVESTMENT GROUP, LLC AND PERIERRA MANAGEMENT, LLC PROPERTY AS DESCRIBED IN DEED BOOK 18628, PAGE 382, N 86°25'21" W, PASSING AN EXISTING NAIL AT 39.47 FEET, FOR A TOTAL DISTANCE OF 840.73 FEET TO AN EXISTING IRON ROD LYING ON THE EASTERLY MARGIN OF THE RIGHT-OF-WAY OF PARK SOUTH DRIVE; THENCE WITH THE EASTERLY MARGIN OF THE RIGHT-OF-WAY OF PARK SOUTH DRIVE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) N 23°10'50" E A DISTANCE OF 276.59 FEET TO AN EXISTING IRON ROD, 2) N 26°0'18" E A DISTANCE OF 200.20 FEET TO AN EXISTING IRON ROD, 3) N 23°5'54" E A DISTANCE OF 12.29 FEET TO AN EXISTING IRON ROD, 4) N 23°30'42" E A DISTANCE OF 157.63 FEET TO THE POINT OF BEGINNING, CONTAINING 350,596 SQUARE FEET OR 8.0486 ACRES OF LAND.

TAX PARCEL: 179-022-37  
 THAT CERTAIN TRACT OR PARCEL OF LAND BEING DESIGNATED AS LOT 2, RECOMBINATION PLAT OF FAIRVIEW PLAZA, AS RECORDED IN MAP BOOK 50, PAGE 296 IN THE MECKLENBURG COUNTY PUBLIC REGISTRY, LYING AND BEING IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT AN EXISTING NAIL LOCATED AT THE INTERSECTION FORMED BY THE SOUTHERLY MARGIN OF THE RIGHT-OF-WAY OF FAIRVIEW ROAD (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY) AND THE EASTERLY MARGIN OF THE RIGHT-OF-WAY OF PARK SOUTH DRIVE (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY); THENCE WITH THE SOUTHERLY MARGIN OF THE RIGHT-OF-WAY OF FAIRVIEW ROAD THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) WITH THE ARC OF A CIRCULAR CURVE TURNING TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AND AN ARC LENGTH OF 8.89 FEET, (CHORD: S 79°53'22" E A DISTANCE OF 8.83 FEET) TO AN EXISTING NAIL, 2) S 69°42'46" E A DISTANCE OF 218.80 FEET TO AN EXISTING NAIL BEING THE NORTHWESTERLY CORNER OF LOT 3, AS DEPICTED ON A RECOMBINATION PLAT ENTITLED "FAIRVIEW PLAZA", RECORDED IN MAP BOOK 50, PAGE 296 IN THE MECKLENBURG COUNTY PUBLIC REGISTRY; THENCE LEAVING SAID RIGHT-OF-WAY AND RUNNING WITH THE WESTERLY LINE OF LOT 3 S 23°27'24" W A DISTANCE OF 170.40 FEET TO AN EXISTING NAIL LYING ON THE NORTHERLY LINE OF LOT 1, AS DEPICTED IN AFORESAID MAP BOOK 50, PAGE 296; THENCE WITH THE NORTHERLY LINE OF LOT 1 THE FOLLOWING FIVE (5) COURSES AND DISTANCES: 1) N 67°12'10" E A DISTANCE OF 14.51 FEET TO AN EXISTING NAIL, 2) N 89°47'06" W A DISTANCE OF 12.73 FEET TO AN EXISTING NAIL, 3) N 67°13'41" W A DISTANCE OF 102.87 FEET TO AN EXISTING NAIL, 4) N 64°34'31" W A DISTANCE OF 64.32 FEET TO AN EXISTING NAIL, 5) N 67°05'33" W A DISTANCE OF 33.87 FEET TO AN EXISTING NAIL ON THE EASTERLY MARGIN OF THE RIGHT-OF-WAY OF PARK SOUTH DRIVE; THENCE WITH THE EASTERLY MARGIN OF THE RIGHT-OF-WAY OF PARK SOUTH DRIVE N 23°30'42" E A DISTANCE OF 160.79 FEET TO THE POINT OF BEGINNING, CONTAINING 38,389 SQUARE FEET OR 0.8813 ACRES OF LAND.



**CHICAGO TITLE INSURANCE COMPANY**  
 COMMITMENT NO. 12-07310CH, EFFECTIVE DATE: AUGUST 23, 2012  
 (REVISED SEPTEMBER 7, 2012)  
 SCHEDULE B - II (EXCEPTIONS)  
 6. ANY RIGHT, EASEMENT, SETBACK, INTEREST, CLAIM, ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATIONS OR OTHER ADVERSE CIRCUMSTANCE AFFECTING THE TITLE DISCLOSED BY PLAT(S) RECORDED IN MAP BOOK 50, PAGE 296. (AFFECTS THE SUBJECT PROPERTY) (NOT PLOTTABLE)  
 7. EASEMENTS AND RIGHTS OF ENTRY RECORDED IN BOOK 7839, PAGES 657, 662 AND 667. (AFFECTS THE SUBJECT PROPERTY) (NOT PLOTTABLE)  
 8. RIGHT OF WAY EASEMENT TO SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY RECORDED IN BOOK 3718, PAGE 360. (AFFECTS THE SUBJECT PROPERTY) (AS SHOWN HEREON)  
 9. EASEMENT (S) TO DUKE POWER COMPANY RECORDED IN BOOK 2601, PAGE 471 AND BOOK 2429, PAGE 3. (AFFECTS THE SUBJECT PROPERTY) (NOT PLOTTABLE)  
 10. NON EXCLUSIVE DEED OF EASEMENT RECORDED IN BOOK 9663, PAGE 71. (AFFECTS THE SUBJECT PROPERTY) (AS SHOWN HEREON)  
 12. INDIVIDUAL EASEMENT TO TIME WARNER ENTERTAINMENT-ADVANCE/NEWHOUSE PARTNERSHIP RECORDED IN BOOK 1055, PAGE 452. (AFFECTS THE SUBJECT PROPERTY) (NOT PLOTTABLE)  
 13. DECLARATION OF RECIPROCAL ACCESS AND PARKING EASEMENTS RECORDED IN BOOK 2648, PAGE 465 AND RIGHTS OF OTHERS IN AND TO THE USE THEREOF. (AFFECTS THE SUBJECT PROPERTY) (NOT PLOTTABLE) (CROSS EASEMENT FOR INGRESS AND EGRESS; CROSS PARKING EASEMENT & PRIVATE EASEMENT FOR ALL STORM WATER)



**LINE LEGEND:**

EASEMENT	---
FENCE	---
PROPERTY LINE (NOT SURVEYED)	---
RIGHT-OF-WAY	---
RIGHT-OF-WAY (NOT SURVEYED)	---
SETBACK	---
CABLE TV LINE	---
FIBER OPTIC LINE	---
GAS LINE	---
POWER LINE	---
POWER LINE (UNDERGROUND)	---
SANITARY SEWER PIPE	---
STORM DRAIN PIPE	---
TELEPHONE LINE	---
TELEPHONE LINE (UNDERGROUND)	---
WATER LINE	---

- LEGEND:**
- BFP - BACK FLOW PREVENTOR
  - CONC - CONCRETE
  - C&G - CURB & GUTTER
  - CB - CATCH BASIN
  - CMP - CORRUGATED METAL PIPE
  - C/O - CLEAN OUT
  - D.B. - DEED BOOK
  - ER - EXISTING IRON ROD
  - EN - EXISTING NAIL
  - EU - END UNKNOWN
  - FOB - FIBER OPTIC BOX
  - FOMH - FIBER OPTIC MANHOLE
  - FDC - FIRE DEPARTMENT CONNECTION
  - FH - FIRE HYDRANT
  - FV - FIRE VALVE
  - FES - FLARED END SECTION
  - GM - GAS METER
  - GP - GATE POST
  - GV - GAS VALVE
  - GPMH - GREASE PIT MANHOLE
  - GLT - GROUND LIGHT
  - GOP - GUARD POST
  - GW - GUY WIRE
  - ICV - IRRIGATION CONTROL VALVE
  - LMP - LAMP POST
  - NGS - NATIONAL GEODETIC SURVEY
  - O/HANG - OVERHANG
  - M.B. - MAP BOOK
  - M.H. - MANHOLE
  - M.R. - MAP BOOK
  - M.S. - MINIMUM SIDE YARD: 0'
  - M.R.Y. - MINIMUM REAR YARD: 0'
  - HEIGHT: 120'
  - O-3(CD)
  - M.S. - MINIMUM SIDE YARD: 20'
  - M.R.Y. - MINIMUM REAR YARD: 20'
  - HEIGHT: 9 STORIES, PER SITE PLAN (95-17)
  - FOR FURTHER INFORMATION CONTACT THE CHARLOTTE-MECKLENBURG ZONING DEPARTMENT AT 704-336-3569.

- PARKING:**
- MUDD - NO REQUIREMENTS
  - O-3: 1 PARKING SPACE PER 300 SQ. FT.
  - LOT 1:
    - 1,047 REGULAR PARKING SPACES
    - 20 HANDICAPPED PARKING SPACES
    - 1,067 TOTAL PARKING SPACES
  - LOT 2:
    - 23 REGULAR PARKING SPACES
    - 2 HANDICAPPED PARKING SPACES
    - 25 TOTAL PARKING SPACES

- ZONING:**
- ZONING RESTRICTIONS AS PER ZONING ORDINANCE:  
 SUBJECT PROPERTY ZONED: MUDD(CD) & O-3(CD)
- MINIMUM SETBACK REQUIREMENTS LOT 2 PER ZONING PETITION NO. 2006-074 MUDD(CD)
- MINIMUM SETBACK: 14 FT. FROM BACK OF CURB  
 MINIMUM SIDE YARD: 0'  
 MINIMUM REAR YARD: 0'  
 HEIGHT: 120'  
 O-3(CD)
- MINIMUM SETBACK: 20'  
 MINIMUM SIDE YARD: 20'  
 MINIMUM REAR YARD: 20'  
 HEIGHT: 9 STORIES, PER SITE PLAN (95-17)
- FOR FURTHER INFORMATION CONTACT THE CHARLOTTE-MECKLENBURG ZONING DEPARTMENT AT 704-336-3569.

- NOTES:**
- THIS PLAT IS NOT FOR RECORDATION AS PER G.S. 47-30 AS AMENDED.
  - ALL CORNERS MONUMENTED AS SHOWN.
  - NO RECOVERABLE NGS MONUMENT LOCATED WITHIN 2,000 FEET OF SUBJECT PROPERTY.
  - THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS APPROXIMATE, BASED ON INFORMATION PROVIDED BY OTHERS OR BY FIELD LOCATION. UTILITY LOCATIONS AS SHOWN HEREON ARE INTENDED FOR PLANNING ONLY. ACTUAL LOCATION, SIZE, OR DEPTH OF LINE SHOULD BE VERIFIED WITH THE INDIVIDUAL UTILITY COMPANY BEFORE CONSTRUCTION.
  - BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
  - PARK SOUTH DRIVE IS SHOWN AS A "MINOR THOROUGHFARE" ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THOROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 50' FROM CENTERLINE.
  - FAIRVIEW ROAD IS SHOWN AS A "MAJOR THOROUGHFARE" ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THOROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 50' FROM CENTERLINE.
  - THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
  - THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN CHICAGO TITLE INSURANCE COMPANY COMMITMENT ORDER NO. 12-07310CH WITH AN EFFECTIVE DATE OF AUGUST 23, 2012 AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR DERIVED FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE KNOWN TO ME HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.

**ALTA CERTIFICATION:**  
 TO: JEFFERIES LOANCORE LLC, ITS SUCCESSORS AND ASSIGNS; CHICAGO TITLE INSURANCE COMPANY AND CHICAGO TITLE COMPANY, LLC  
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT 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, 6(A), 6(B), 7(A), 7(B)(1), 7(C), 8, 9, 11(A), 13, 16, 18 AND 21 OF TABLE THEREOF. THE FIELDWORK WAS COMPLETED ON SEPTEMBER 07, 2012.

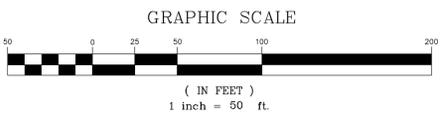


JUSTIN F. CLONINGER, N.C.P.L.S. DATE: L-4430

**REZONING PETITION # \_\_\_\_\_ EXISTING CONDITIONS RZ-1**

<p><b>REVISIONS</b></p> <p>09/24/12 - GENERAL CORRECTIONS.</p> <p>10/01/12 - GENERAL CORRECTIONS.</p>	<p>ALTA/ACSM LAND TITLE SURVEY PREPARED FOR:  <b>FAIRVIEW PLAZA ASSOCIATES, L.P.</b></p> <p>5940, 5950, 5960 &amp; 5970 FAIRVIEW ROAD          6010 PIEDMONT ROW DRIVE, SOUTH          CITY OF CHARLOTTE, MECKLENBURG COUNTY, N.C.          LOTS 1 &amp; 2, FAIRVIEW PLAZA          MAP REFERENCE: M.B. 50, PG. 296          DEED REFERENCE: D.B. 4278, PG. 350, D.B. 4637, PG. 155 &amp; D.B. 9869, PG. 952          TAX PARCEL NO: 179-022-37 &amp; 39</p> <p><b>R.B. PHARR &amp; ASSOCIATES, P.A.</b>          SURVEYING &amp; MAPPING          LICENSE NO. C-1471</p> <p>420 HAWTHORNE LANE CHARLOTTE, NC 28204 TEL: (704) 376-2186</p>
<p>CREW: DRAWN: REVISED:</p> <p>KD CW CW</p>	<p>SCALE: 1" = 50'</p> <p>DATE: SEPTEMBER 07, 2012</p> <p>FILE NO. W-3603B</p> <p>JOB NO. 78637</p>

**FLOOD CERTIFICATION**  
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEDERAL INSURANCE ADMINISTRATION, DATED MARCH 2, 2009, COMMUNITY PANEL NO. 370158 45414 (MAP NO. 371045 4100J) (ZONE X--UNSHADED)  
 THIS IS TO CERTIFY THAT ON THE 9TH DAY OF SEPTEMBER 2012 AN ACTUAL SURVEY WAS MADE UNDER MY SUPERVISION OF THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE BOUNDARY LINES AND THE IMPROVEMENTS, IF ANY, ARE AS SHOWN HEREON. THIS PLAT MEETS THE MINIMUM STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA, BOARD RULE 1.600 (21 NCAC 56) AND THE RATIO OF PRECISION DOES NOT EXCEED AN ERROR OF CLOSURE OF ONE (1) FOOT PER 10,000 FEET OF PERIMETER SURVEYED NOR 20 SECONDS TIMES THE SQUARE ROOT OF THE NUMBER OF ANGLES TURNED.  
 SIGNED



**CURVE TABLE**

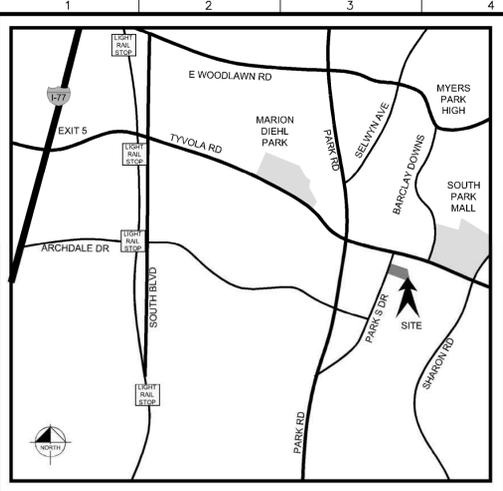
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	25.00'	8.89'	8.83'	S79°53'22" E
C2	24.00'	14.09'	13.89'	S84°01'38" E



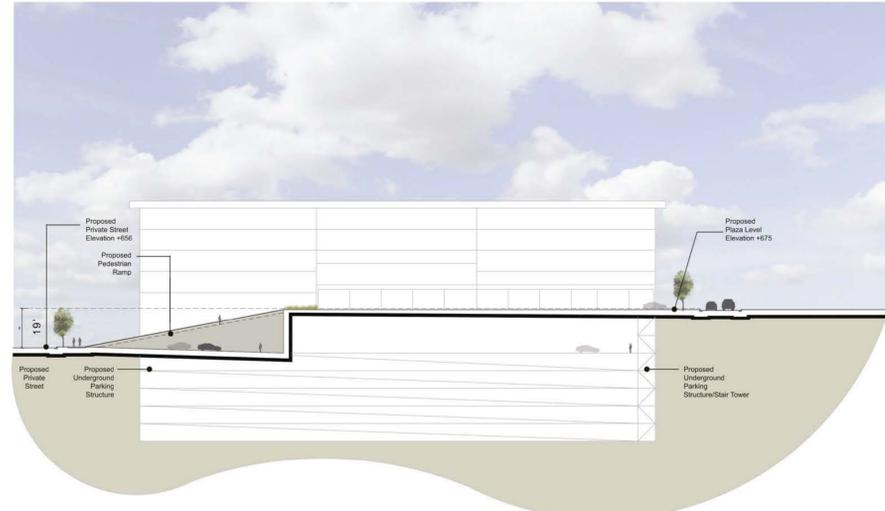
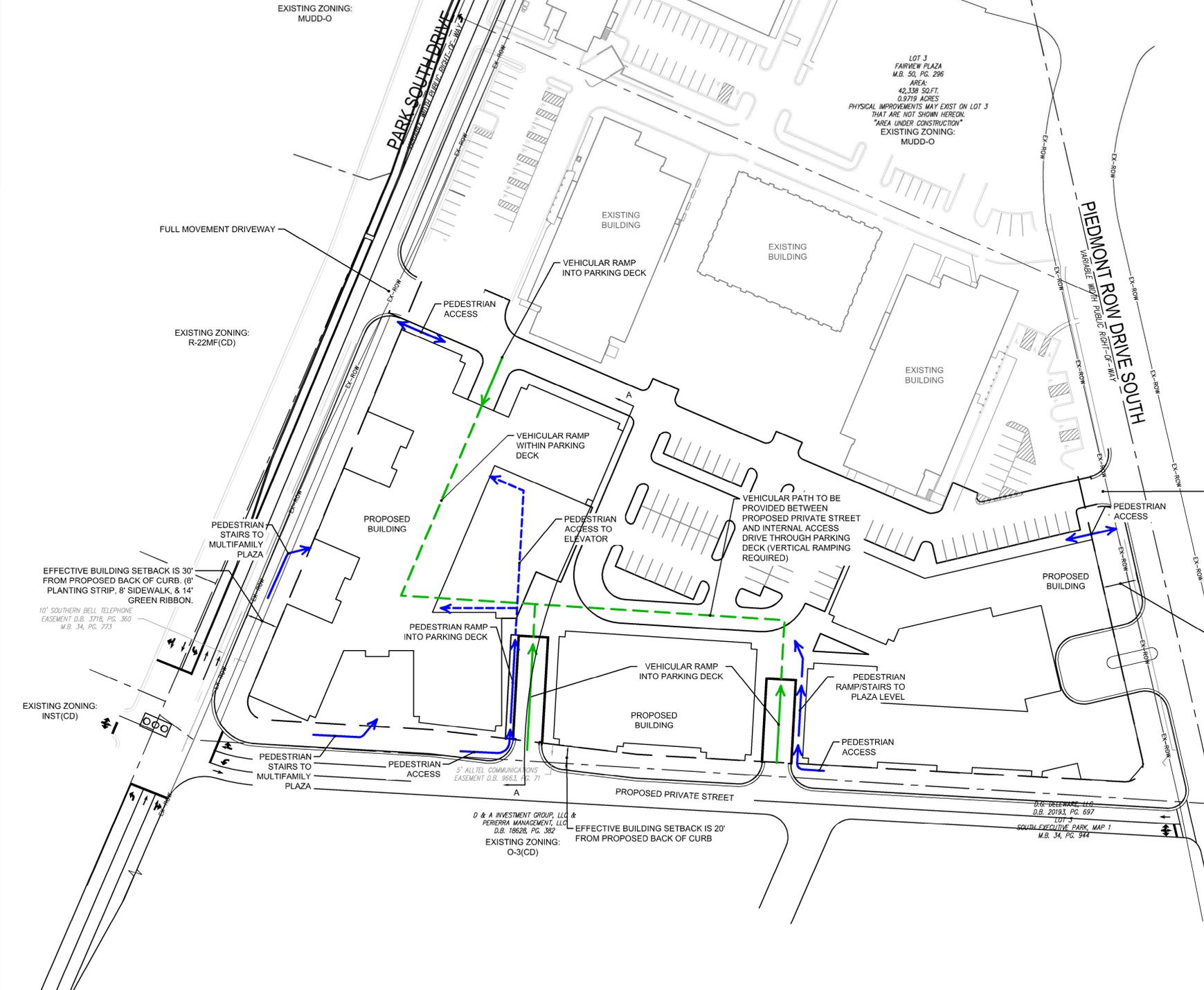


K:\CHL\PRD\015272 MAC\030 Fairview Road\043 Rezoning\RZ-4 Vehicular/Pedestrian Access Plan.dwg

April 14, 2016 - 5:57pm By: Hannah Barrow

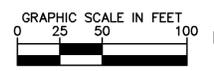


VICINITY MAP  
SCALE: NTS



CROSS SECTION A-A

LEGEND FOR ACCESS PLAN	
	DIAGRAMATIC VEHICULAR ACCESS PATH
	DIAGRAMATIC PEDESTRIAN ACCESS PATH
	AT-GRADE VEHICULAR ACCESS PATH
	AT-GRADE PEDESTRIAN ACCESS PATH



**Kimley-Horn**  
NC License #F-0102  
200 SOUTH TRYON ST  
SUITE 200  
CHARLOTTE, NORTH CAROLINA 28202  
PHONE: (704) 333-5131  
© 2016

CLIENT:  
**FAIRVIEW PLAZA JLC, LLC**  
5850 FAIRVIEW ROAD, SUITE 800  
CHARLOTTE, NORTH CAROLINA 28210

PROJECT:  
**FAIRVIEW PLAZA**  
REZONING PETITION #2014-117  
PARK SOUTH DRIVE AT FAIRVIEW ROAD  
CHARLOTTE, MECKLENBURG COUNTY  
NORTH CAROLINA

TITLE:  
**PEDESTRIAN AND VEHICULAR ACCESS PLAN**

DESIGNED BY: ASP  
DRAWN BY: ASP  
CHECKED BY: ECH  
DATE: 04/15/16  
PROJECT#: 015272030

**RZ-4**

DEVELOPMENT STANDARDS

GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION... B. THE DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN... C. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE... D. SIDEWALKS GENERALLY DEPICTED ON THE REZONING PLAN MAY BE ALTERED... E. THE SITE AND THE ADJACENT PARCEL OF LAND DESIGNATED AS TAX PARCEL NO. 179-022-39... F. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS...

OPTIONAL PROVISIONS

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE DEVELOPMENT OF THE SITE:

- A. THE BUILDING TO BE LOCATED WITHIN DEVELOPMENT AREA 3 MAY HAVE A MAXIMUM HEIGHT OF 150 FEET. B. THE BUILDING TO BE LOCATED WITHIN DEVELOPMENT AREA 2 MAY HAVE A MAXIMUM HEIGHT OF 130. C. DOORS AND BUILDING ENTRANCES SHALL NOT BE REQUIRED TO BE RECESSED. D. REFLECTIVE GLASS MAY BE UTILIZED ON CERTAIN GROUND FLOOR ELEVATIONS... E. HARDSCAPE, LANDSCAPING, CHAIRS AND TABLES, SEAT WALLS AND OTHER SEATING ELEMENTS...

PERMITTED USES

- A. THE BUILDINGS TO BE LOCATED ON THE SITE MAY ONLY BE DEVOTED TO THE USES SET OUT BELOW... (1) PLANNED MULTI-FAMILY DWELLING UNITS; (2) EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS... (3) HOTELS; (4) ART GALLERIES; (5) COLLEGES, UNIVERSITIES, COMMERCIAL SCHOOLS... (6) PROFESSIONAL BUSINESS AND GENERAL OFFICES... (7) RETAIL SALES LIMITED TO USES ALLOWED IN THE B-1 ZONING DISTRICT; (8) SERVICES, INCLUDING, WITHOUT LIMITATION, BEAUTY SHOPS... (9) POST OFFICES; AND (10) STRUCTURED PARKING DECKS AS AN ACCESSORY USE.

DEVELOPMENT LIMITATIONS

- A. A MAXIMUM OF 400 PLANNED MULTI-FAMILY DWELLING UNITS MAY BE DEVELOPED ON THE SITE. B. A MAXIMUM OF 300 HOTEL ROOMS MAY BE DEVELOPED ON THE SITE. C. A MAXIMUM OF 75,000 SQUARE FEET OF GROSS FLOOR AREA DEVOTED TO RETAIL USES... D. A MAXIMUM OF 125,000 SQUARE FEET OF GROSS FLOOR AREA DEVOTED TO PROFESSIONAL BUSINESS AND GENERAL OFFICES... E. FOR PURPOSES OF THESE DEVELOPMENT LIMITATIONS AND THE DEVELOPMENT STANDARDS IN GENERAL, THE TERM "GROSS FLOOR AREA" SHALL MEAN AND REFER TO THE SUM OF THE GROSS HORIZONTAL AREAS OF EACH FLOOR OF A PRINCIPAL BUILDING...

EQUIPMENT ROOMS AND MAINTENANCE CRAWL SPACES), ALL LOADING DOCK AREAS (OPEN OR ENCLOSED), OUTDOOR COOLERS AND OUTDOOR DINING AREAS WHETHER ON THE ROOF OF THE BUILDING(S) OR AT STREET LEVEL. PARKING FOR OUTDOOR DINING AREAS WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

- F. AS PROVIDED IN PARAGRAPH E ABOVE, THE GROSS FLOOR AREA OF ANY STRUCTURED PARKING FACILITIES CONSTRUCTED ON THE SITE SHALL NOT BE CONSIDERED OR COUNTED TOWARDS THE MAXIMUM GROSS FLOOR AREA OR DENSITY ALLOWED ON THE SITE.

TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN... B. OFF-STREET PARKING SHALL BE LOCATED AS GENERALLY DEPICTED ON THE REZONING PLAN... C. THE DEVELOPMENT SHALL COMPLY WITH THE PARKING REQUIREMENTS OF THE MUDD ZONING DISTRICT. D. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST NEW BUILDING... (1) EAST - WEST CONNECTOR ROAD (a) CONSTRUCT AND INSTALL THE NEW EAST - WEST CONNECTOR ROAD... (2) PARK SOUTH DRIVE BETWEEN FAIRVIEW ROAD AND THE CONNECTOR ROAD (a) MODIFY THE EXISTING CURB ON THE EASTERN SIDE OF PARK SOUTH DRIVE... (3) PARK SOUTH DRIVE AT FAIRVIEW ROAD (a) EXTEND THE EXCLUSIVE NORTHBOUND LEFT-TURN LANE... (4) FAIRVIEW ROAD AT PIEDMONT ROW DRIVE SOUTH (a) OPTIMIZE INTERSECTION SPLITS AND OFFSETS... (5) PIEDMONT ROW DRIVE SOUTH AT THE CONNECTOR ROAD (a) PROVIDE STOP CONTROL ON ALL APPROACHES OF THIS INTERSECTION... (6) PARK SOUTH DRIVE AT THE CONNECTOR ROAD/ADULT DAYCARE DRIVEWAY (a) INSTALL A TRAFFIC SIGNAL...

- (a) CONSTRUCT AND INSTALL THE NEW EAST - WEST CONNECTOR ROAD... (b) CONVERT THE EXISTING TWO-WAY LEFT-TURN LANE TO DEDICATED LEFT-TURN LANES... (c) THE CONSTRUCTION OF THE MEDIAN WILL LIMIT THE RELEVANT EXISTING DRIVEWAYS... (d) INSTALL A PEDESTRIAN REFUGE ISLAND WITHIN THE MEDIAN... (a) OPTIMIZE INTERSECTION SPLITS AND OFFSETS... (b) SET THE ROW AND THE NEW BUILDING LOCATIONS... (a) PROVIDE STOP CONTROL ON ALL APPROACHES... (b) PARK SOUTH DRIVE AT THE CONNECTOR ROAD/ADULT DAYCARE DRIVEWAY (a) INSTALL A TRAFFIC SIGNAL... (b) OPERATE THE SOUTHBOUND LEFT-TURN MOVEMENT... (c) PROVIDE 175 FEET OF SOUTHBOUND LEFT-TURN STORAGE... (d) CONSTRUCT A SHARED NORTHBOUND THROUGH/RIGHT-TURN LANE... (e) CONSTRUCT THE WESTBOUND APPROACH OF THE CONNECTOR ROAD...

ARCHITECTURAL AND DESIGN STANDARDS

- A. SUBJECT TO THE OPTIONAL PROVISIONS SET OUT ABOVE, THE DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE APPLICABLE URBAN DESIGN STANDARDS... B. THE MAXIMUM HEIGHT OF THE BUILDING TO BE LOCATED WITHIN DEVELOPMENT AREA 1 SHALL BE 100 FEET. C. THE MAXIMUM HEIGHT OF THE BUILDING TO BE LOCATED WITHIN DEVELOPMENT AREA 2 SHALL BE 130 FEET. D. THE MAXIMUM HEIGHT OF THE BUILDING TO BE LOCATED WITHIN DEVELOPMENT AREA 3 SHALL BE 150 FEET... E. BUILDINGS WILL BE ORIENTED TOWARDS AND HAVE PROMINENT PEDESTRIAN ENTRANCES... F. WINDOWS AND DOORS SHALL BE PROVIDED FOR AT LEAST 60% OF THE TOTAL FACADE AREA... G. GROUND FLOOR ELEVATIONS SHALL BE TREATED WITH A COMBINATION OF FENESTRATION, CLEAR GLASS, PROMINENT ENTRANCES, PORCHES, STOOPS...

- H. FACADES OVER 75 FEET IN LENGTH SHALL INCORPORATE WALL PROJECTIONS OR RECESSES... I. FACADES SHALL PROVIDE VISUAL DIVISIONS BETWEEN THE FIRST AND SECOND STORIES... J. FACADES ABOVE THE FIRST STORY SHALL INCORPORATE WINDOWS, ARCHES, BALCONIES... K. THE SITE WILL INCLUDE A SERIES OF PUBLICLY ACCESSIBLE OPEN SPACES AND PLAZAS... L. SET OUT ON SHEETS RZ-6 AND RZ-7 OF THE REZONING PLAN... M. ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW... N. EXTERIOR DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL...

SETBACK AND YARDS/STREETSCAPE

- A. SETBACKS AND YARDS SHALL BE PROVIDED AS DEPICTED ON THE REZONING PLAN. B. AS DEPICTED ON SHEETS RZ-2 AND RZ-3 OF THE REZONING PLAN, A 30 FOOT SETBACK FROM THE BACK OF CURB SHALL BE PROVIDED... C. AS DEPICTED ON SHEETS RZ-2 AND RZ-3 OF THE REZONING PLAN, A 20 FOOT SETBACK FROM THE BACK OF CURB SHALL BE ESTABLISHED... D. PETITIONER SHALL INSTALL PLANTING STRIPS AND SIDEWALKS... E. SIDEWALKS PROVIDING PEDESTRIAN ACCESS INTO THE SITE FROM THE CONNECTOR ROAD... F. A VEHICULAR ACCESS AND CONNECTION THROUGH THE STRUCTURED PARKING FACILITY...

ENVIRONMENTAL FEATURES

- A. DEVELOPMENT OF THE SITE SHALL BE IN COMPLIANCE WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE. B. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS ARE SUBJECT TO REVIEW AND APPROVAL... C. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

LIGHTING

- A. ALL NEW FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING... B. THE MAXIMUM HEIGHT OF ANY NEW FREESTANDING LIGHTING FIXTURE... C. ANY LIGHTING FIXTURES ATTACHED TO THE STRUCTURES TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

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... B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES... 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. D. PURSUANT TO SECTION 1.110 OF THE ORDINANCE AND SECTION 160A-385.1 OF THE NORTH CAROLINA GENERAL STATUTES...

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