

Site Data:

-Acreage: 2.273
-Existing Zoning: O-2
-Proposed Zoning: MUDD-O
-Allowed Square Footage: 105,000 square feet of gross floor area
-Maximum Building Height: 75' - 0"

1. General Provisions:

a. These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Bissell Porter Two LLC Group (the "Petitioner" or "Developer") and include optional provisions (the "Optional Provisions") to accommodate development on approximately 2.273 acres generally located on Sharon Road (the "Site"); the Site being the current location of the Sharon Station development. Development of the Site will be governed by the Technical Data Sheet, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Mixed Use Development District (MUDD) Zoning Classification, subject to the Optional Provisions provided below, shall govern development on the Site.

b. Consequently, except as otherwise expressly specified on the Rezoning Site Plan and in these Development Standards, the ultimate layout of the development proposed, the exact alignments of streets and points of access, the numbers, the size, configuration and placements of buildings and parking areas; and the depictions of such elements on the Rezoning Site Plan are preliminary graphic representations of the types and quality of development proposed. They may, therefore, be altered or modified during development and construction document phases subject to the accompanying Development Standards and Section 6.207 of the Ordinance. Parking layouts for surface and structured parking may be modified to accommodate changes to building locations to the extent permitted by the Ordinance.

2. Permitted Uses:

a. The Site may be developed with the following uses: professional business, general and medical office uses, retail establishments and business, personal services and restaurants, and with any accessory uses and structures associated with the allowed principal uses, as allowed in the MUDD district.

b. Maximum allowed "gross floor area" will be 105,000 square feet.

c. Retail establishments and business, restaurants and personal service uses will be limited to the ground floor of the principle building.

d. Prior to the redevelopment of the Site as indicated on the Rezoning Site Plan the six (6) existing buildings may continue to be used as professional business, general and medical office uses as well as two branch banks with drive-through windows. In addition, up to two (2) of the existing buildings may be used for retail establishments and business, personal services and restaurants (the existing development described in this paragraph as may be modified in the manner described above is hereby referred to as the "Existing Development/Alteration"). The uses described above may utilize the existing drive-through windows if located in the existing buildings which currently contain such accessory drive-through windows.

e. Up to a total of 2,500 square feet of gross floor area may be added to the existing buildings and the building dimensions (horizontal and vertical) may be adjusted accordingly.

For purposes of the development limitations set forth in these Development Standards the term "gross floor area" or "GFA" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building, and any accessory buildings or structures on the site measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude any surface and structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl spaces) and outdoor dining areas.

3. Optional Provisions

a. During the period that the Site is developed, or expanded by no more than 2,500 square feet of gross floor area, in the manner described by the "Existing Development/Alteration" (as defined above), the provisions of the MUDD district governing streetscape requirements, or the location of the existing parking spaces or maneuvering areas for parking located between the existing buildings and Sharon Road or the prohibition on the use of accessory drive-through windows shall not apply to development on the Site; provided, however, upon redevelopment of the Site in a manner beyond the Existing Development/Alteration (the "Redevelopment"), the Site shall comply with these provisions.

b. The Petitioner seeks the optional provision to allow wall signs up to 10% of the building wall or 200 square feet, whichever is less, and one detached sign up to 50 square feet and 7 feet high. The existing wall and detached signs may remain or may be replaced with new signs that meet these standards.

4. Setbacks, Side Yards, and Rear Yards:

a. Upon the Redevelopment of the Site, the Petitioner will establish a 20 foot landscape setback along Sharon Road. This setback will be measured from the back of the existing curb.

b. Upon the Redevelopment of the Site, parking and maneuvering areas for parking or vehicular circulation areas will not be allowed between the building(s) and Sharon Road, provided that such parking and maneuvering and vehicular circulation may be allowed to the side and rear of such building(s) and between building(s).

5. Building Heights:

a. Building height will not exceed 75 feet.

6. Unified Development:

a. The site shall be viewed as a unified development plan as to the Components of the Site generally depicted on the Rezoning Site Plan and as to current and future improvements located within adjacent parcel known as tax parcel # 183-131-06 as generally depicted on the Rezoning Site Plan. As such, side and rear yards and other separation standards will not be required internally between improvements located on the Site and tax parcel # 183-131-06. Furthermore, the Petitioner reserves the right to subdivide the Site and create lots within the interior of the development of the Site and tax parcel # 183-131-09 with no public street frontage or side and/or rear yards or other separation standards as part of a unified development plan; provided, however, all such yards and separation standards along the exterior boundary of the Site shall be adhered to.

6. Parking/Internal Vehicular Circulation:

a. Off street parking spaces will be provided at the following ratios for the Site:

- (i) Professional business and general and medical office uses: one space per 300 square feet;
- (ii) Retail uses (non-restaurant): one space per 600 feet;
- (iii) Restaurant uses: one space per 125 square feet; and
- (iv) Other non-residential uses: one space per 600 square feet.

b. Required parking may be provided on the parcel created for the proposed use or by a reciprocal parking easement with the abutting property owners, including without limitation, Tax Parcel # 183-131-06 located to the southwest of the Site.

c. The alignment of internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns and parking layouts.

7. Access Points (Driveways):

a. Access to the Site will be via two driveways from Sharon Road. Access to the Site from Coltsgate Road via easements with the adjoining property owners will also be allowed.

8. Internal Sidewalk:

a. Any new building constructed on the Site as part of the Redevelopment of the Site (as defined above), will be connected via a five (5) foot sidewalk to the sidewalk located along Sharon Road.

9. Stormwater:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

10. Lighting:

a. All new lighting shall be full cut-off type lighting fixtures with the exception of lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

b. Site lighting will be limited to 25 feet in height.

c. No "wall pak" lighting will be allowed, however architectural lighting on building facades, such as scones, will be permitted.

11. Signage:

a. All wall signs placed on the building(s) will be erected in accordance with the requirements of the MUDD zoning district and as allowed by the Optional Provisions above.

b. A detached sign as specified in the Optional Provisions may be constructed in the setback along Sharon Road.

12. Screening and Tree Ordinance:

a. All roof mounted mechanical equipment will be screened from view from adjoining public streets and abutting properties as viewed from grade.

b. Dumpster areas and recycling areas will be enclosed by a solid pre-cast wall with one side being a decorative gate. The pre-cast used to enclose the dumpster will be same as the pre-cast used on the building. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.

c. Backflow preventers will be screened from public view and will be located outside of the setback on Sharon Road.

13. Architectural Controls:

a. Any new building(s) fronting on Sharon Road and constructed as part of Redevelopment of the Site (as defined above), will have a door, windows, clear glass and landscaping along the Sharon Road side of such building(s).

b. All sides of all building(s) constructed as part of Redevelopment of the Site (as defined above), will be built using four sided architecture.

d. Meter banks will be hidden from public view.

14. Amendments to the Rezoning Plan:

Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of the applicable portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

15. Binding Effect of the Rezoning Application:

If this Rezoning Petition is approved, all conditions applicable to the 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 the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

EXISTING SITE

