

Bissell Holdings, LLC - Development Standards
SISKEY BUILDING
August 22nd, 2010
Rezoning Petition No. 2010-054

Site Data:
--Acreage: ±2.961
--Tax Parcel #: 183-131-06
--Existing Zoning: O-1(CD) by Rezoning Petition No. 98-58
--Proposed Zoning: MUDD-O
--Existing Use: Professional business, general and medical office uses with ground floor retail and restaurant uses.
--Proposed Uses: Professional business, general and medical office uses, retail establishments and business, personal services and restaurants, along with any accessory uses and structures associated with the allowed principle uses and as further defined by Section 7 below Permitted Uses.
--Allowed Square Footage: 80,000 square feet of gross floor area (as defined below)
--Maximum Building Height: 75 feet as defined by the Ordinance
--Parking: See Section 7 below for required parking ratios.
--Open Space:

1. General Provisions:
a. These Development Standards form a part of the Rezoning Site Plan associated with the Rezoning Petition optional provisions (the "Optional Provisions") to accommodate development on approximately 2.961 acres generally located on Sharon Road (the "Site"), the Site being the current location of the Siskey Building. Development of the Site will be governed by the Rezoning Site Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Site Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance (or 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 layout of the development, 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 graphic representations of the existing development. They may, therefore, be altered or modified 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 the extent permitted by the Ordinance.
c. The Site is currently developed with a multi-story office building. A portion of the ground floor of the building is currently occupied by retail establishments and business, personal services and restaurant uses as allowed in the O-2 zoning district.

2. Optional Provisions:
a. The Petitioner seeks the optional provision to allow the existing five (5) foot sidewalk and five (5) foot planting strip along Coltsgate Road to meet the required streetscape improvements, but the existing six (6) foot sidewalk and eight (8) foot planting along Sharon Road will be preserved.
b. The Petitioner seeks the optional provision to allow the existing wall and detached signs to remain. Any new wall and detached signs comply with the requirements of the MUDD district.
c. New and existing detached signs as allowed by the MUDD district and as allowed by these Optional Provisions will be allowed in the 20 foot setback as long as the detached signs are located between the building and the back of the sidewalk.

3. 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, along with any accessory uses and structures associated with the allowed principle uses, as allowed in the MUDD district.
b. Maximum allowed "gross floor area" will be 80,000 square feet.
c. Retail establishments and business, restaurants and personal service uses will be limited to the ground floor of the principle building.
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 (road space) and outdoor dining areas.

4. Setbacks, Side Yards, and Rear Yards:
a. The Petitioner will establish a 20 foot landscape setback along Sharon and Coltsgate Roads. This setback will be measured from the existing back of curb.
b. Parking and maneuvering areas for parking or vehicular circulation areas will not be allowed between the buildings) and Sharon Road provided that such parking and maneuvering and vehicular circulation may be allowed to the side and rear of such buildings) and between buildings).

5. Building Heights:
a. Building height will not exceed 75 feet as defined by the Ordinance.

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 parcels known as tax parcels # 183-177-03 and 183-131-09 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 # 183-177-03 and 183-131-09. Furthermore, the Petitioner reserves the right to subdivide the Site and create lots within the interior of the development of the Site, tax parcel # 183-177-03 and 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.

7. 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 # 183-177-03 and 183-131-09 to the northeast and south of the Site respectively.
c. The alignment of internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns and parking layouts.

8. Access Points (Driveways):
a. Access to the Site will be via existing driveways from the abutting properties that provide access to Sharon Road and from a shared driveway to Coltsgate Road.

9. Internal Sidewalk:
a. A sidewalk that links the building(s) to Sharon Road shall be maintained.

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

11. 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 sconces, will be permitted.

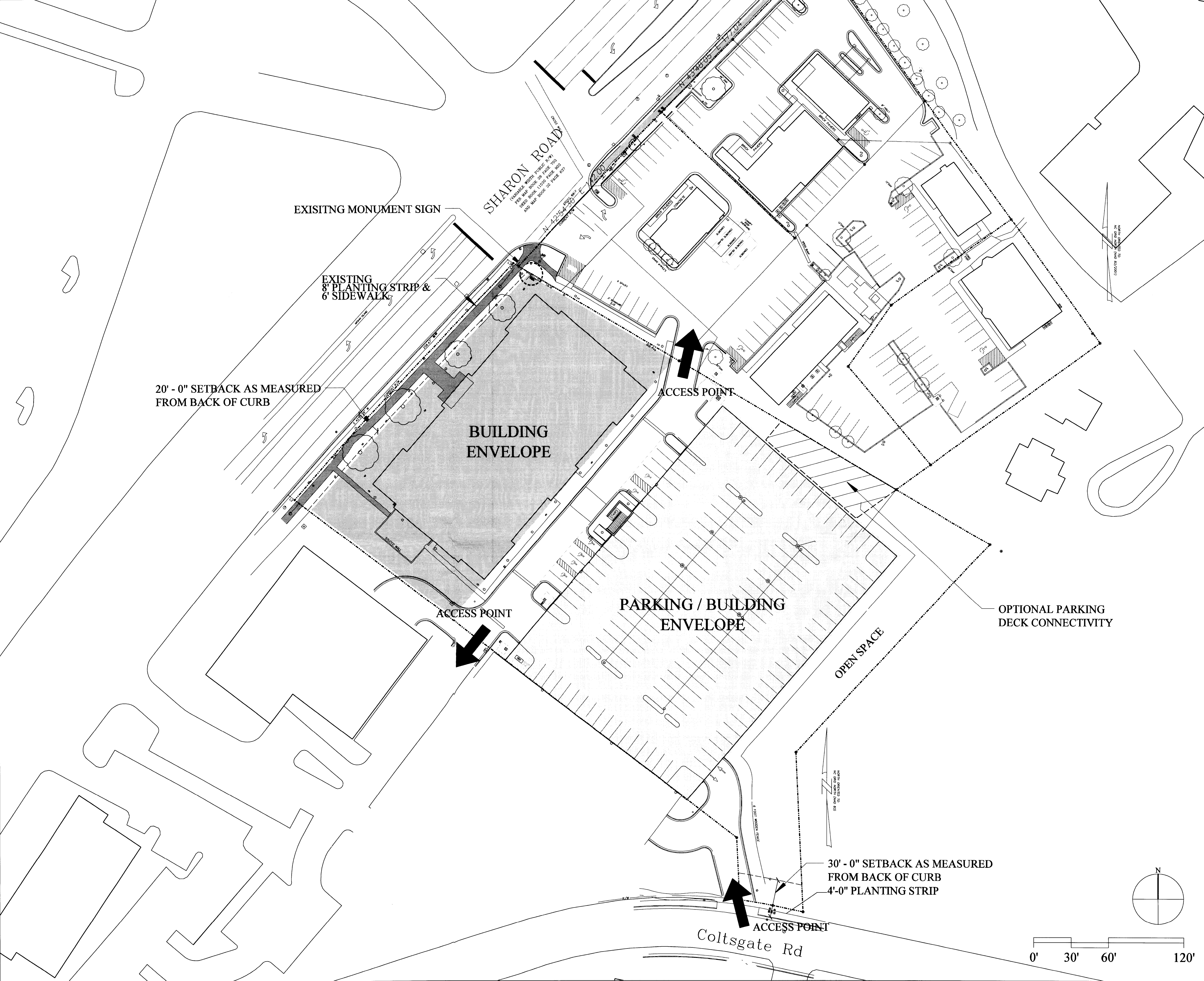
12. Signage:
a. All wall signs placed on the building will be erected in accordance with the requirements of the MUDD district and as allowed by the Optional Provisions above.
b. A detached sign as specified in the Optional Provisions may be constructed in the setback along Sharon Road.

13. 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.

14. Architectural Controls:
a. All sides of all buildings will be built using four sided architecture.
b. Meter banks will be hidden from public view.
c. The attached elevations are included to reflect the architectural style and quality of the buildings that has been constructed on the Site.

15. 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.

16. 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.





THE ATTACHED ELEVATION IS INCLUDED TO REFLECT THE ARCHITECTURAL STYLE AND QUALITY OF THE BUILDING THAT HAS BEEN CONSTRUCTED ON THE SITE.

0' 8' 16' 32'

EXISTING BUILDING ELEVATION
SISKEY BUILDING - 4521 SHARON ROAD
 CHARLOTTE, NC 28 JUNE 2010