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These Development Standards form a part of the Technical Data Sheet associated with the rezoning Petition filed by BV Belk Properties to accommodate development of a mixed-use, pedestrian friendly project on 6.84 ac site located at the corner of Independence Blvd. and Arena Dr. adjacent to Ovens Auditorium Mecklenburg County (the "SITE").

Development of the site will be governed by the Technical Data Sheet (Z1), 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 Ordinance for MUDD zoning classification shall govern all development on the site.

2. Permitted Uses

Site currently used for a hotel.

- Site uses are limited to the following:
 Residential as indicated, retail, restaurants, office and personal services as allowed in MUDD(CD) District (no drive through facilities)
- 3. Maximum Building Areas and Development Limitations
 The Site may be developed with the following limitations.

MUDD(CD) to be as follows:

400 Residential Units

Residential Parking 1 spaces per unit = 400 spaces

Commercial - 20,000 SF

Commercial Parking 1 space per 600 SF = 67 spaces

Restaurant Parking 1 space per 125 SF = 20 spaces

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Total Required Parking = 487 spaces

While areas devoted to outdoor dining, courtyards and plazas are not included in the above square footages, any off street parking required by the ordinance will be provided in these areas or in structured parking.

- 4. Setbacks, Side Yards and Rear Yards

 All buildings constructed on each Parcel of the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the specific Zoning Classifications.

 Buildings and parking areas may be located within the building and parking envelopes described on the Technical Data Sheet.
- 5. Design and Performance Standards

(a) Architectural Controls

Buildings constructed facing Independence Blvd. and Arena Dr. shall have public entrances and parking behind/screened from view of the public street by building/fencing and/or landscaping

II. All dumpster areas will be enclosed on all four sides by an opaque/masonry wall with one side being a hinged opaque gate. If one or more sides of a dumpster adjoin a side or rear wall of a building, then the side or rear wall of that building may be substituted for a side.

No spandrel glass panels allowed.

(b) Landscaping and Screening

Internal areas of the Site shall be landscaped in accordance with the requirements of the Code of the City Of Charlotte,

- ii. All mechanical equipment will be screened from view from adjoining public right-of-way and abutting properties as viewed from grade.
- iii. All other screening and landscaping shall conform to the standards of the Ordinance.
- (C) Streetscape Treatment
 The streetscape along the portion of the Site's frontage on Independence Blvd.
 and Arena Dr. will conform to the Ordinance and include large maturing trees,
 supplementary shrubbery, sidewalks which are at least 8 feet in width.
- (d) Lighting

All new freestanding lighting fixtures installed shall be uniform in design.

- ii. Max. height of any new freestanding light fixture, including base, may not exceed 25 feet.
- All new parking lot lighting shall be fully shielded.
- (iv. Wall pak lighting not allowed.) 1

 Wall-mounted decorative lighting such as sconces are permitted.
- (e) Parking

New off-street parking and loading areas will satisfy the standards established under the Ordinance.

New off-street parking shall not be located within areas between building fronting public streets and the adjoining public streets No on-street parking provided as part of this petition.

6. Storm Water Quality Treatment

Any separate, defined drainage area within a project that will have greater than 24% built-upon area is to have water quality best management practices (BMP's) to treat storm water runoff from the entire built-upon area within the separate, defined drainage area. The BMP's are to be constructed to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the first 1-inch of rainfall. The BMP's must be designed and constructed in accordance with the N.C. Department of Environmental and Natural Resources (NCDENR) Best Management Practices Manual, April 1999, Section 4.0. Any separate, defined drainage area within a project that will have greater than 24% built-upon area is to have best management practices (BMP's) to control the entire runoff volume for the 1-year, 24-hour. The runoff volume drawdown time for the BMP's shall be a minimum of 24 hours, but not more than 120 hours. The peak runoff rates should be controlled with BMP's to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency.

Storm water runoff from the development shall be transported from the site by vegetated conveyances to the maximum extent practicable.

7. Storm Water Quantity Control

The petitioner shall tie-in to the existing storm water system(s). The petitioner shall have the receiving drainage system(s) analyzed to ensure that it will not be taken out of standard due to the development. If it is found that development will cause the storm drainage system(s) to be taken out of standard, the petitioner shall provide alternate methods to prevent this from occurring.

Storm Water Quality Treatment - Source: BMP recommendation taken from "Post Construction Ordinance Stakeholders' Group Final Report"

For projects with defined watersheds greater than 24% built-upon area, construct water quality best management practices (BMP's) to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the runoff generated from the first 1-inch of rainfall. BMP's must be designed and constructed in accordance with the N.C. Department of Environment and Natural Resources (NCDENR) Best Management Practices Manual, April 1999, Section 4.0 (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, when available). Use of Low Impact Development (LID) techniques is optional.

Volume and Peak Control -

Source: Volume Control and Peak Control Downstream Analysis taken from "Post-Construction Ordinance Stakeholders' Group Final Report".

For projects with defined watersheds greater than 24% built-upon area, control the entire volume for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours.

For residential projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency. "Residential" shall be defined as "A development containing dwelling units with open yards on at least two sides: where land is sold with each dwelling unit".

For commercial projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-yr, 6-hr storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, control the peak for 10-yr and 25-year, 6-hour storms.

For commercial projects with less than or equal to 24% BUA, but greater than one acre of disturbed area, control the peak to match the predevelopment runoff rates for the 2 and 10-yr, 6-hr storm.

Additional Notes

The following agencies must be contacted prior to construction regarding wetland and water quality permits:

Section 401 Permit NCDEHNR - Raleigh Office (919) 733-1786
Section 401 Permit US Army Corps of Engineers (704) 271-4854

8. Connectivity

Pedestrian and vehicular connections will be proved in the manner generally depicted and as shown on the Schematic Site Plan Sheet.

- 9. Landscaping Areas and Screening
- (a) The landscape areas established on the technical data sheet shall contain landscape materials typically associated with a Class cu Buffer. The landscape areas may be reduced or eliminated if the use of an adjacent parcel changes to a non-residential use. Cutting and Clearing of the existing vegetation along the adjacent property line is to be minimized and planting to supplement retained cover is to be coordinated with Zoning inspectors to meet minimum buffer standards per the Ordinance.
- (b) Storm water detention may not be located within the buffer.
- (c) Utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees.
- (d) No buildings, parking spaces or maneuvering areas may be located within the buffer area.

10. Bicycle Parking

Bicycle parking spaces (bike racks) shall be provided throughout the project as required by the Zoning Ordnance.

project as required by the Zoning Ordnar

11. Fire Protection

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshall's specifications.

Plans for each building will be submitted to the Fire Marshal's office for approval during the Building permitting phase for approval.

12. Water/Sewer Service

Public CMUD Water/Sewer service currently located at/on the site.

- 13. Signs
- (a) All signs placed on the Site will be erected in accordance with the requirements of the Ordinance, unless more restricted requirements are imposed below.
 (b) No more than 1 freestanding monumental type identification signs may be erected on the Site
- at the intersection of Independence Bivd, and Arena Dr.
- (c) A uniform signage and graphic system will be employed throughout the Site.(d) Building mounted signage to comply with ordnance and permitted separately.
- (a) Danaing mounted agricage to comply with ordinance and permitted sept
- 14. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet, The Conceptual Master Plan, the Conceptual Elevations and these development Standards may be applied for by the Owner or Owners of the Parcel of Parcels within the Site in accordance with the provisions of Chapter 6 of the Ordinance.

- 15. Binding Effect of the Rezoning Documents and Definitions
- (a) If this rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and the respective successors in interest and assigns.
- (b) Throughout these Development Standards, the terms, "Petitioner" and "Owners" 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 the Site from time to time may be involved in any future development thereof.

16. Vehicular Access and Road Improvements

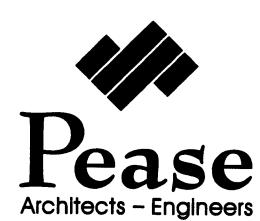
Vehicular Access to Independence Blvd. and Arena Dr. shall
be as generally depicted on Technical Data Sheet (Z1) at a
total of 3 locations:

Independence Bivd. -(1)
Arena Bivd. -(2)

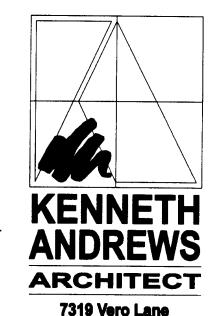
175' transitional right of way along Independence Bivd. to be maintained. However, should the Transitional R/W be reduced the petition reserves the right to extend the development into the space between the current and future buffer.

- 17. Greenway Dedication/Easement (N/A)
- 18. Air Quality Permits

 Total parking required does not exceed minimum requirements for an Air Quality Permit.
- 19. Miscellaneous Notes
- (a) Alterations or modifications area allowed as per Section 6.207 of the ordnance
- (b) Dumpster area to include recycling containers.



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Charlotte, NC 28215 704.323.9321 704.531.8717 fax

Colosseum Place

BV Belk Properties

09/19/07 Review Comments
 09/10/07 Submittal
 07/19/07 Submittal
 No. Date Description

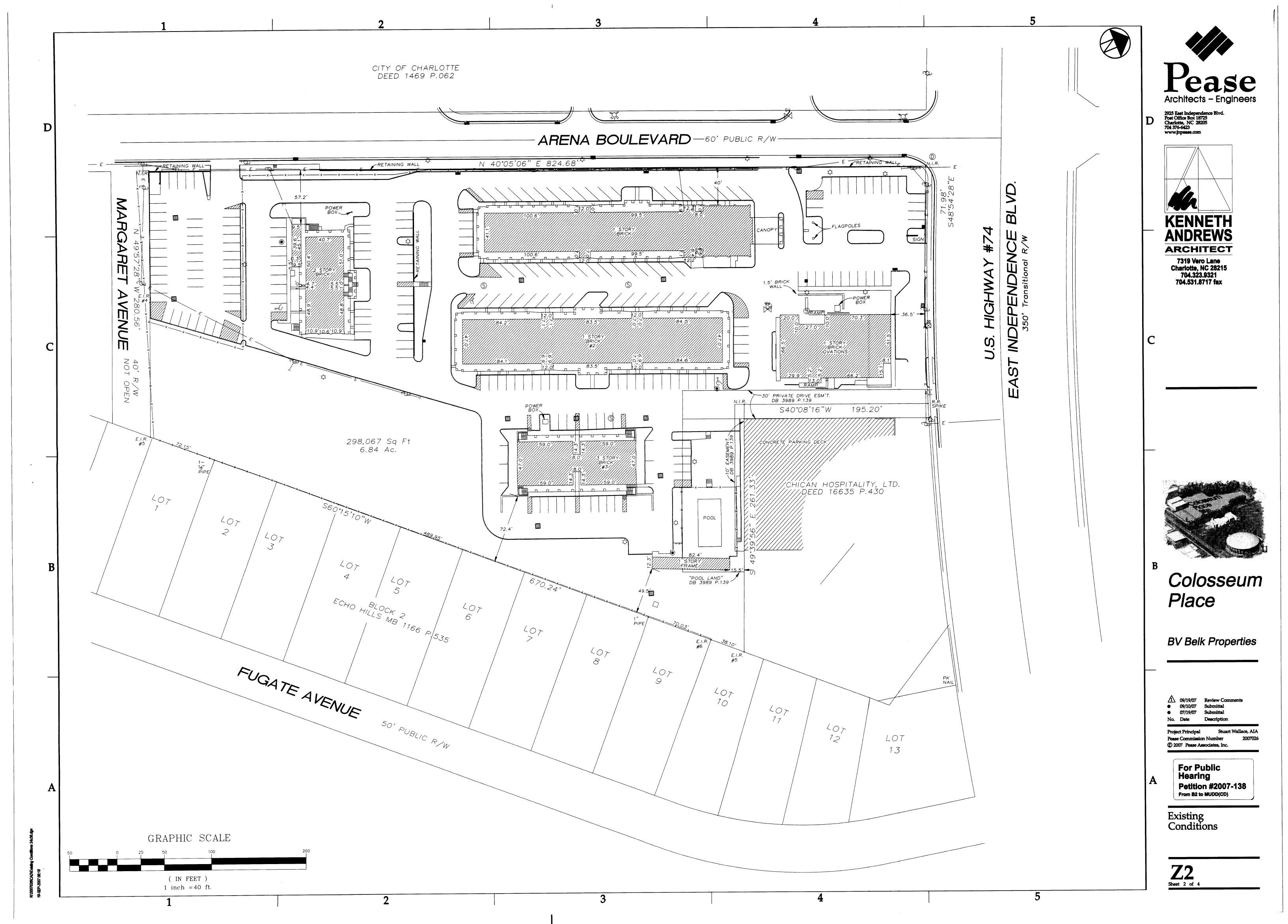
Project Principal Stuart Wallace, AIA
Pease Commission Number 2007026
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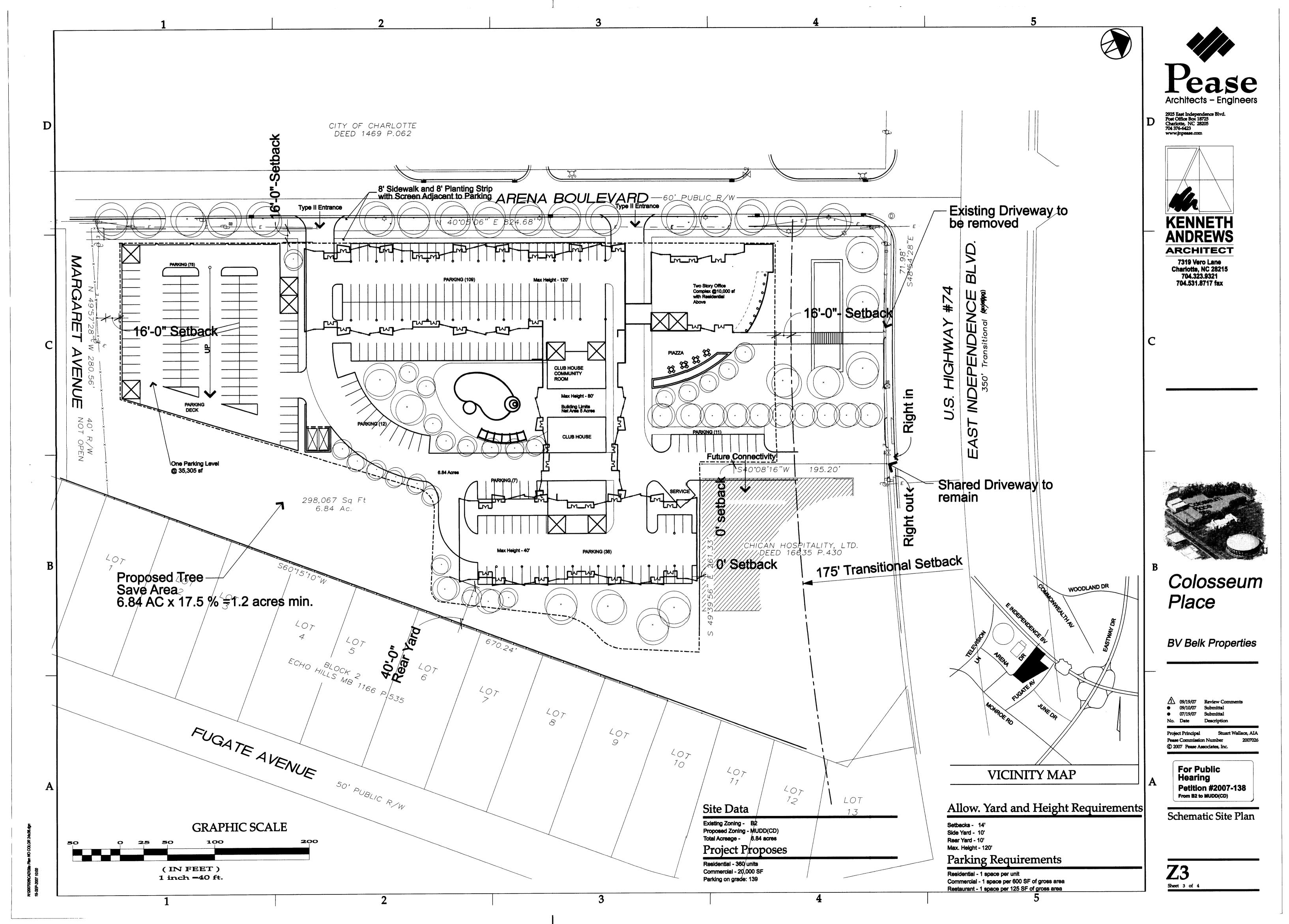
For Public Hearing Petition #2007-138

Technical Data Sheet

Z1Sheet 1 of 4

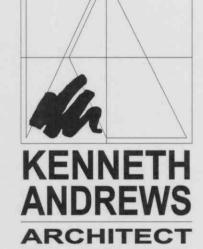
N-12007026/CAD/Tech Date Sheet 24x







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From B2 to MUDD(CD)

Elevations and Perspectives

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