

TECHNICAL DATA SHEET - MUDD DEVELOPMENT AREA

SITE DEVELOPMENT DATA

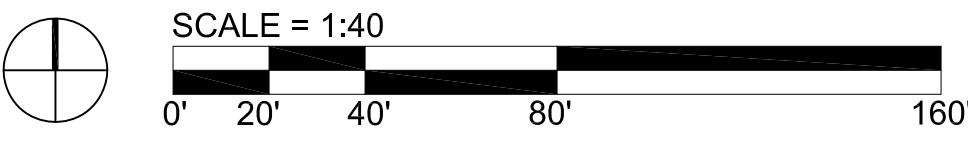
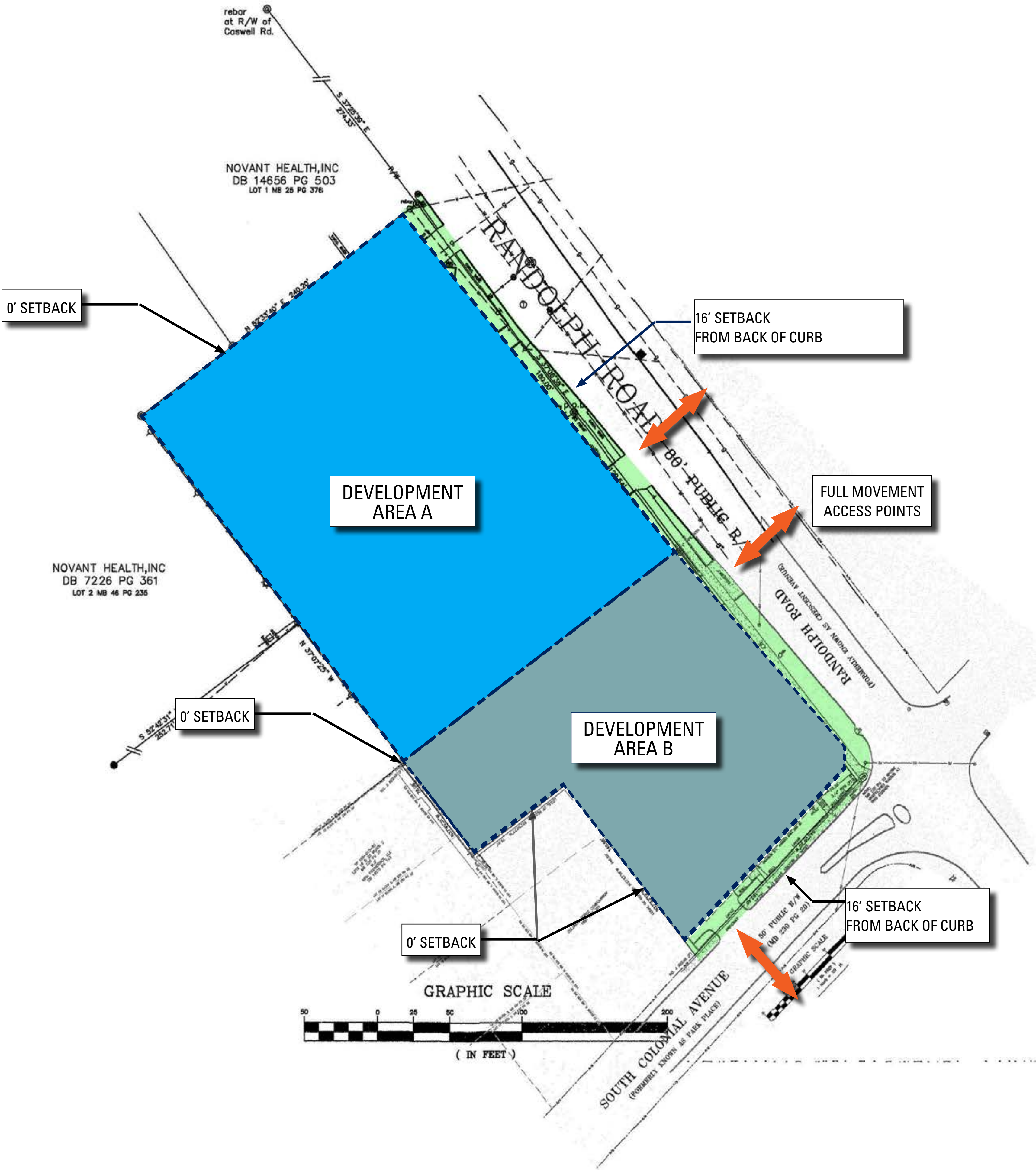
Acreage: ± 2.57 acres
Tax Parcel #s: 155-012-09;- 10 & -12
Existing Zoning: O-2
Proposed Zoning: MUDD-O
Existing Uses: Medical and professional offices uses.

Proposed Uses: Medical, professional and general offices uses as permitted by right, under prescribed conditions and by the Optional provisions below together with accessory uses as allowed in the MUDD zoning district (as more specifically described and restricted below in Section 3).

Maximum Gross Square feet of Development: Up to 185,000 square feet of gross floor area of medical, professional and general offices uses as allowed by right and under prescribed conditions in the MUDD zoning district, together with accessory uses allowed in the MUDD zoning district, provided, however, the structured parking facilities among other items as described in the definition of “gross floor area” below shall not be part of the gross floor area for this provision.

Maximum Building Height: Building height will be limited to 80 feet. Architectural features such as spires, mansards, domes, and the like as well as roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment will be allowed and will be considered part of the allowed building height.

Parking: Parking will comply with the MUDD standards.



TECHNICAL DATA SHEET - DEVELOPMENT STANDARDS

Hale Partnership, LLC,
Development Standards
6/18/15
Rezoning Petition No. 2015-000

Site Development Data:

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- Parking: Parking will comply with the MUDD standards.

1. General Provisions:

- a. Site Location. These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets RZ-1, RZ-2, RZ-3, RZ-4 and RZ-5 form this rezoning plan (collectively referred to as the “Rezoning Plan”) associated with the Rezoning Petition filed by Hale Partnership, LLC. (“Petitioner”) to accommodate the development of a high quality office buildings and related permitted uses on an approximately 2.57 acre site located on the southwest side of Randolph Road at its intersection with Colonial Avenue (the “Site”).
- b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the “Ordinance”). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.
- c. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the “Development/Site Elements”) set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site

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- d. Right-of-way Availability. It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

- e. Alternative Improvements. Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, and the Planning Director as applicable, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

III. Access.

- a. Access to the Site will be from Randolph Road and Colonial Avenue as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.
- b. The alignment of the vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the network set forth on the Rezoning Plan is not materially altered.

5. Streetscape, Landscaping Open Space and Screening:

- a. A 16 foot setback as measured from the back of the existing curb along Randolph Road and Colonial Avenue will be provided as generally depicted on the Rezoning Plan.
- b. An eight (8) foot planting strip and an eight (8) foot sidewalk will be provided along Randolph Road and Colonial Avenue as generally depicted on the Rezoning Plan.
- c. Urban Open Space will be provided on the Site as required by the Ordinance. The location of the proposed Urban Open Space is generally depicted on the Rezoning Plan.

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elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

- i. expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or,
- ii. minor and don’t materially change the overall design intent depicted on the Rezoning Plan; or
- iii. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the “external building line” (in this case the external setbacks, side or rear yards) indicated on Sheet RZ-2; or
- iv. modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner’s appeal rights set forth in the Ordinance.

- d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site will be limited four (4). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) to which such the accessory structure/building shall relate.

- e. Phased Development. Reference is made to Sheet RZ-4 which sets forth the proposed two-phased nature of the redevelopment contemplated by the Rezoning Plan. It is contemplated that the office building and structured parking facility generally depicted on “Development Area A” on Sheet RZ-3 will be developed in the first phase of the redevelopment of the Site and that redevelopment of the remainder of the Site shall take place in a second phase on the portion of the Site generally depicted on Sheet RZ-4 as “Development Area B”. It is further contemplated that the redevelopment of Development Area B shall be generally as depicted on Sheet RZ-3 which shows the entire redevelopment of the Site. Per the Optional Provisions set forth in Section 2 below, the Development/Site Elements that currently exist on the Site for both Development Area A and Development Area B may remain in the current condition until such time as the applicable Development Areas are redeveloped, and thereafter such redevelopment shall adhere to the requirements of the Rezoning Plan.

- f. Planned/Unified Development. The Site, including Development Area A and Development Area B, shall be viewed in the aggregate as a planned/unified development plan as to the Development/Site Elements generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separations, FAR requirements, and similar zoning standards

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- d. Upon redevelopment of the Site as contemplated by Section 1e. above, the portion of the grade level parking spaces to be located on Development Area A visible from Colonial Avenue other than by way of the entrance driveway will be screened from Colonial Avenue by evergreen landscaping hedge.

- e. Meter banks will be screened where visible from public view at grade level.

- f. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.

6. General Design Guidelines:

- a. Ground floor elevations of the principal use buildings located along Randolph Road shall be treated with a combination of fenestration, clear glass, prominent entrances, changes in materials, and landscaping.

- b. The attached illustrative building elevations set forth on Sheet RZ-5 are included to reflect an architectural style and a quality of the building(s) that may be constructed on the Site (the actual building(s) constructed on the Site may vary from these illustrations provided that the overall design intent is preserved).

7. Parking and Maneuvering Restrictions.

- a. Parking and maneuvering for parking and service area may be provided between Colonial Avenue and the building on Development Area B as generally depicted on the Rezoning Plan and allowed by the Optional Provisions above; furthermore, the existing Development/Site Elements may remain in the current condition in accordance with the Optional Provisions above until such time as the applicable Development Area A or Development Area B is redeveloped.

8. Environmental Features:

- a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- b. Portions or all of the Storm Water Management features may be located within the private streets or driveways shown on the Rezoning Petition Plan.
- c. The Site will comply with the Tree Ordinance.

9. Signage:

- a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided.
- b. On premises directional and instructional signs may be located throughout the Site per the standards of the Ordinance.

10. Lighting:

will not be required internally between improvements and other Development/Site Elements located on Development Area A and Development Area B. The Petitioner and/or owners of portions of the Site, including for instance Development Area A and Development Area B reserve the right to preserve the existing parcel separations and to subdivide portions of the Site as well as create lots within the interior of the Site without regard to any internal separation standards, public/private street frontage requirements and FAR requirements, provided, however all such separation standards that are applicable along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section 3 below as to the Site taken as a whole and not individual portions, Development Areas or lots located therein.

2. Optional Provisions.

Each of the following optional provisions shall apply to the Site:

- a. To allow the Development/Site Elements that currently exist on the Site for both Development Area A and Development Area B to remain in the current condition as generally shown on Sheet RZ-1 until such time as the applicable Development Areas are redeveloped, and thereafter such redevelopment shall adhere to the requirements of the Rezoning Plan.

- b. To allow parking and vehicular maneuvering between the proposed building and Colonial Avenue in the manner generally depicted on Sheet RZ-3 on the Rezoning Plan (this shall be in addition to the Optional Provision a. above dealing the pre-redevelopment condition of the Site).

- c. To allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less; provided with individual letters are used the sign surface area may be increased further by 10%.

- d. The definition of “gross floor area” or “GSA” set forth below shall be permitted and applied in the manner described below.

Note: The optional provision regarding signs is an addition/modification to the standards for signs in the MUDD district and is to be used with the remainder of MUDD standards for signs not modified by these optional provisions.

3. Permitted Uses, Development Area Limitations:

- a. Subject to the restrictions and limitations listed below, the principal buildings constructed on the Site may be developed in the aggregate of up to 185,000 square feet of gross floor area of medical, professional and general office uses together with uses as permitted by under prescribed conditions and per the Optional provisions above, and together with accessory uses allowed in the MUDD-O zoning district (As per the definition of gross floor area below the square footage of the proposed parking structure will not be considered when calculating the allowed square feet of gross floor area for the Site.). It is further understood that the accessory uses referenced above shall include retail, restaurant and personal services uses that are accessory to the principal office related uses.

“Personal services” uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of

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- a. All new attached and detached lighting shall be fully shielded downwardly directed and full cut off fixture type lighting excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

- b. Detached lighting on the Site, except street lights located along public streets, will be limited to 20 feet in height.

11. Amendments to the Rezoning Plan:

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

12. Binding Effect of the Rezoning Application:

- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

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Personal Service uses include but are not limited to: beauty salons and barber shops, Spa’s, Yoga and exercise studios, nail salons, massage shops, martial art training studios, dry cleaning establishments, locksmiths, and alike.

For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), 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 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 or structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts, vestibules, roof top 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 or these Development Standards).

4. Transportation Improvements and Access:

I. Proposed Improvements:

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

The following Transportation Improvements are also illustrated on figure located on Sheet RZ- of the Rezoning Plan. Figure on Sheet RZ-- is to be used in conjunction with the following notes to determine the extent of the proposed improvements.

The following roadway improvements will be made by the Petitioner as part of the redevelopment of the Site as proposed by the Rezoning Plan:
[NOTE: TO BE FORTHCOMING]

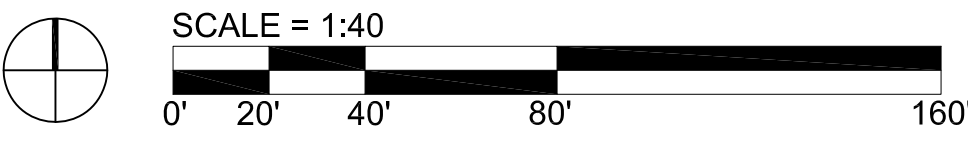
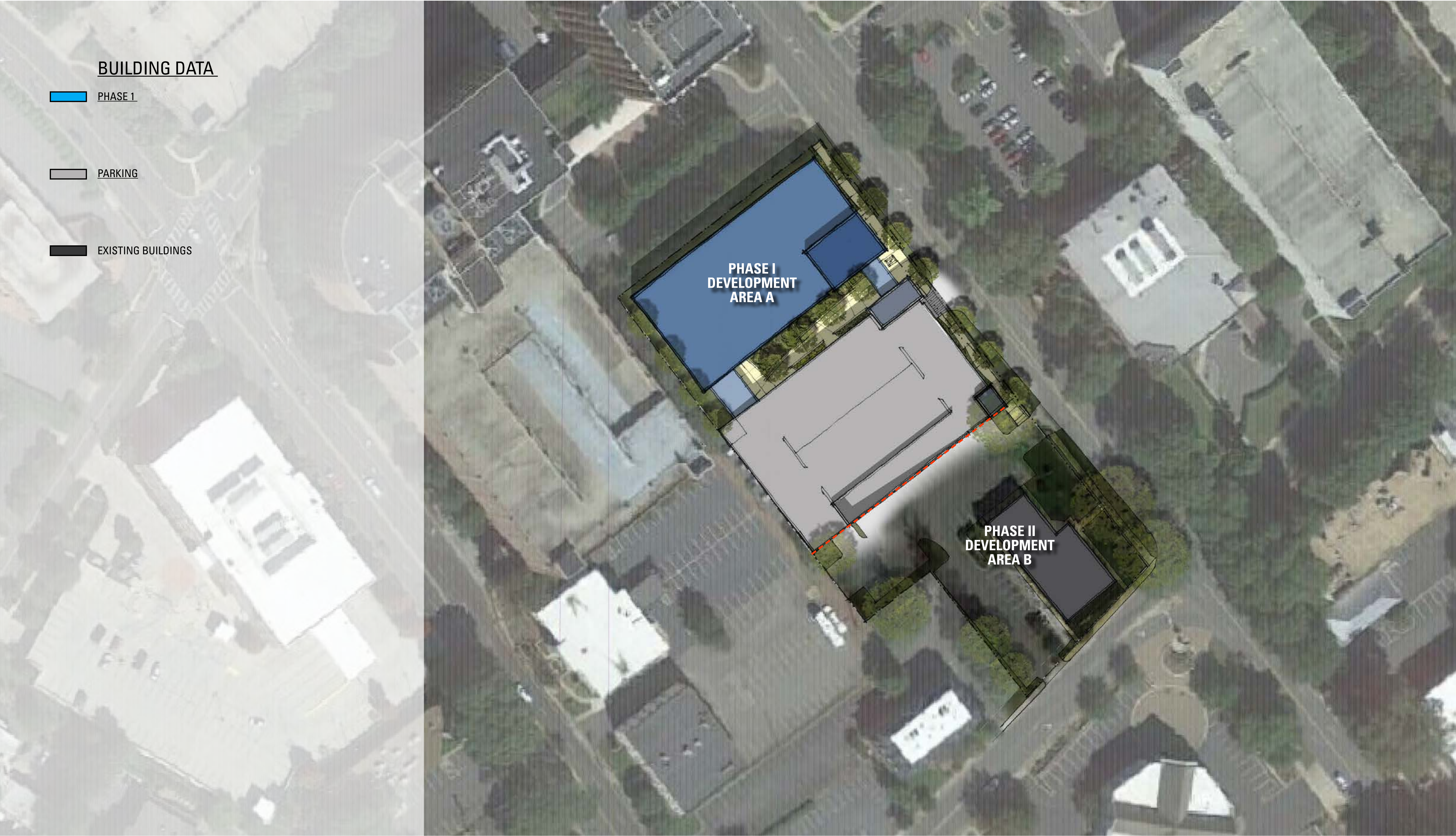
II. Standards, Phasing and Other Provisions.

- a. CDOT/NC DOT Standards. All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT as applicable. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the area, by way of a private/public partnership effort or other public sector project support.

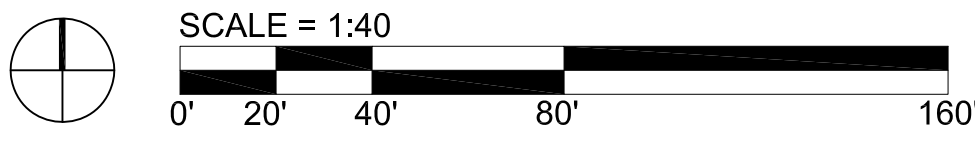
- b. Substantial Completion. Reference to “substantial completion” for certain improvements as set forth in the provisions of Section 4.III.b. above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.III.a above provided, however, in the event all roadway improvements are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

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SCHEMATIC SITE PLAN - PROPOSED SITE DEVELOPMENT PHASE I

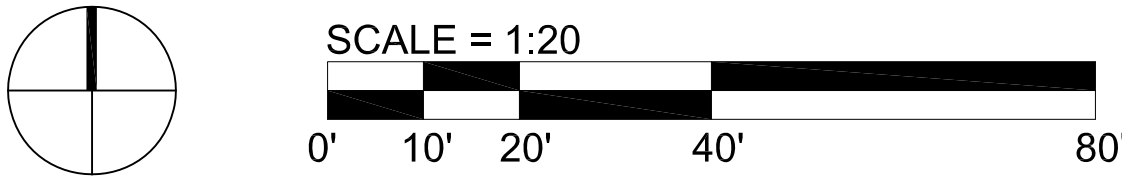
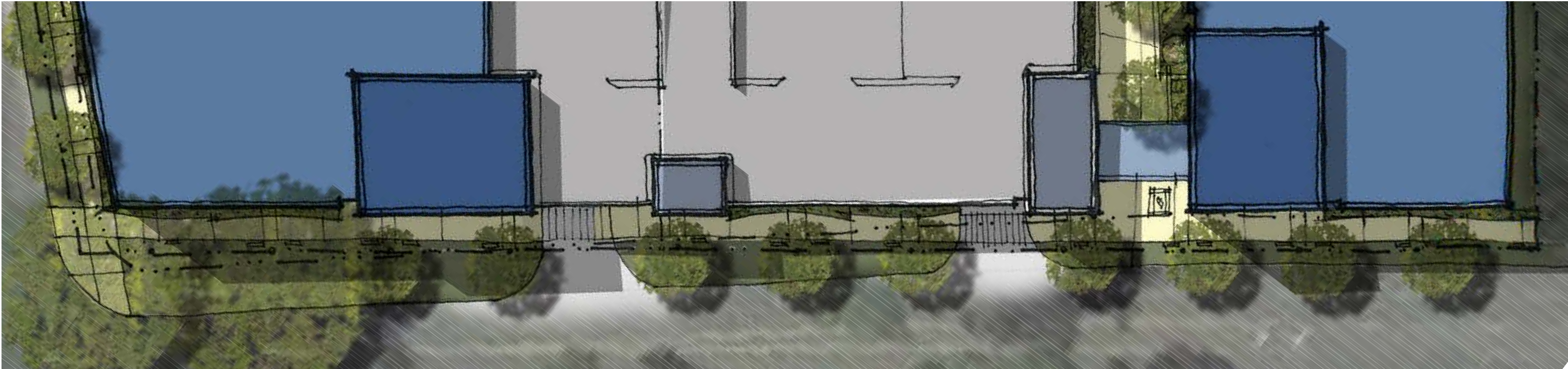


SCHEMATIC SITE PLAN - PROPOSED SITE DEVELOPMENT FULL BUILD OUT



CONCEPT ELEVATION

Note: These elevations are provided to reflect the architectural style and quality of the buildings that may be constructed on the Site (the actual buildings constructed on the Site may vary from these illustrations as long the general architectural concepts and intent illustrated is maintained).



TECHNICAL DATA SHEET - EXISTING SURVEY

SITE DEVELOPMENT DATA

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