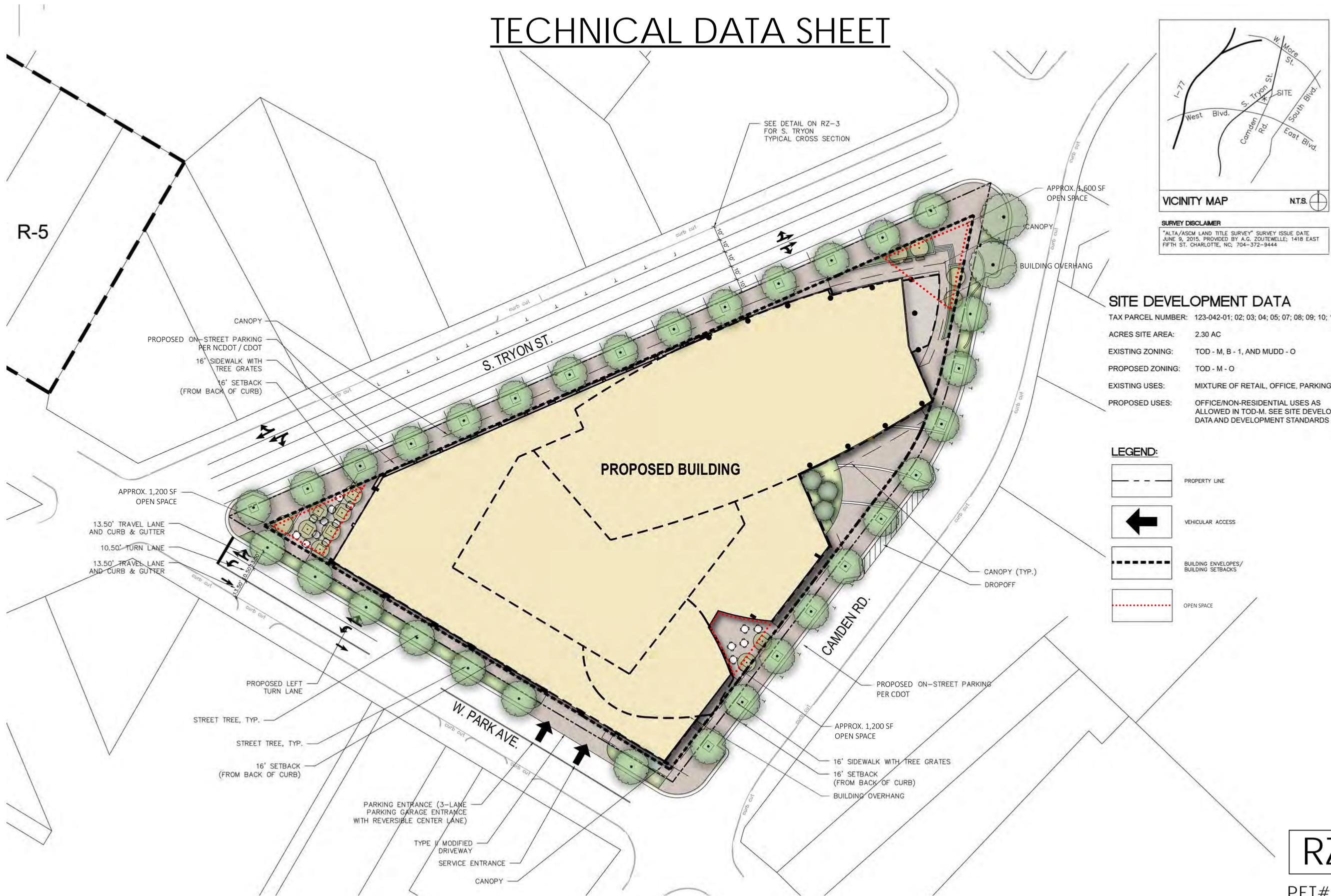


TECHNICAL DATA SHEET



VICINITY MAP N.T.S.

SURVEY DISCLAIMER
 "ALTA/ASCM LAND TITLE SURVEY" SURVEY ISSUE DATE: JUNE 9, 2015, PROVIDED BY A.G. ZOUTEWELLE, 1418 EAST FIFTH ST. CHARLOTTE, NC, 704-372-9444

SITE DEVELOPMENT DATA

TAX PARCEL NUMBER:	123-042-01; 02; 03; 04; 05; 07; 08; 09; 10; 11; 12; 13
ACRES SITE AREA:	2.30 AC
EXISTING ZONING:	TOD - M, B - 1, AND MUDD - O
PROPOSED ZONING:	TOD - M - O
EXISTING USES:	MIXTURE OF RETAIL, OFFICE, PARKING
PROPOSED USES:	OFFICE/NON-RESIDENTIAL USES AS ALLOWED IN TOD-M. SEE SITE DEVELOPMENT DATA AND DEVELOPMENT STANDARDS ON RZ-2.

LEGEND:

- PROPERTY LINE
- VEHICULAR ACCESS
- BUILDING ENVELOPES/ BUILDING SETBACKS
- OPEN SPACE

RZ-1

PET#2015-128

DEVELOPMENT STANDARDS

SITE DEVELOPMENT DATA:

- ACREAGE: ± 2.30 ACRES
- TAX PARCEL #: 123-042-01; 02; 03; 04; 05; 07; 08; 09; 10; 11; 12 AND 13
- EXISTING ZONING: TOD-M; B-1; AND MUDD-O
- PROPOSED ZONING: TOD-M-O

--EXISTING USES: MIXTURE OF RETAIL, OFFICE AND PARKING
--PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE TOD-M-O ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED BELOW IN SECTION 3).

--MAXIMUM DEVELOPMENT LEVELS: UP TO 285,000 SQUARE FEET OF GROSS FLOOR AREA (AS DEFINED IN SECTION 3 BELOW) OF OFFICE USES, WHICH SHALL INCLUDE VERTICALLY INTEGRATED GROUND FLOOR RETAIL, RESTAURANT, AND/OR PERSONAL SERVICES USES IN AN AMOUNT NOT TO EXCEED 25,000 SQUARE FEET OF GROSS FLOOR AREA OF THE TOTAL 285,000 SQUARE FEET OF USES, AND SUCH OTHER ACCESSORY USES PERMITTED IN THE TOD-M-O ZONING CLASSIFICATION, INCLUDING, WITHOUT LIMITATION CAFETERIA SPACE, AUDITORIUM SPACE AND SIMILAR USES, ALL AS MORE PARTICULARLY DESCRIBED BELOW IN SECTION 3.

--MAXIMUM BUILDING HEIGHT: A MAXIMUM BUILDING HEIGHT OF UP TO 37 FEET HIGHER THAN THE (120)FOOT BUILDING HEIGHT ALLOWED IN THE TOD-M-O DISTRICT, AS MEASURED FROM AVERAGE GRADE AT THE BASE OF THE BUILDING ALONG EACH OF S. TYRON STREET, W. PARK AVENUE AND CAMDEN ROAD AND AS ALLOWED BY THE OPTIONAL PROVISIONS SET FORTH BELOW, WHICH, AS SHOWN ON SHEET (RZ-3) REFLECTS A SCALE BACK OF THE HEIGHT OF THE BUILDING FROM THE WILMORE RESIDENTIAL ZONING LOCATED DOWN W. PARK AVENUE CONTEMPLATED TO INCLUDE: (I) 1½-2 FLOORS OF UNDERGROUND PARKING & 4½-5 FLOORS OF ABOVE GROUND PARKING CLOSEST TO W. PARK AVENUE; AND (II) 7 FLOORS OF OFFICE USES ABOVE ONE GROUND LEVEL FLOOR OF NON-RESIDENTIAL USES & 2 FLOORS OF UNDERGROUND PARKING, IN THE PORTION OF THE BUILDING CLOSEST TO THE INTERSECTION OF S. TRYON STREET AND CAMDEN ROAD, (THE MAXIMUM BUILDING HEIGHT AS SHOWN ON SHEET RZ-3 ALSO SHOWS THE MAXIMUM HEIGHT OF THE BUILDING IN CERTAIN AREAS IN THE CONTEXT OF THE RESIDENTIAL HEIGHT PLANE REQUIREMENTS).

--PARKING: AS REQUIRED BY THE ORDINANCE FOR THE TOD-M-O ZONING CLASSIFICATION.

I. GENERAL PROVISIONS:

a. **SITE LOCATION.** THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND OTHER GRAPHICS SET FORTH ON ATTACHED RZ SHEETS FROM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY COUSINS PROPERTIES ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF AN OFFICE BASED DEVELOPMENT ON AN APPROXIMATELY 2.30 ACRE SITE LOCATED AT THE INTERSECTION OF S. TRYON STREET, CAMDEN ROAD AND W. PARK 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 TOD-M-O ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.

c. **GRAPHICS AND ALTERATIONS/MODIFICATIONS.** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, BUILDING MATERIALS, STREETSCAPE PERSPECTIVES, 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 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) MINOR AND DONT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN, SUCH AS MINOR MODIFICATIONS TO THE CONFIGURATIONS OF THE STREET DIMENSIONS AND THE LIKE AS LONG AS THE MODIFICATIONS MAINTAIN THE GENERAL BUILDING/PARKING ORIENTATION AND CHARACTER OF THE DEVELOPMENT GENERALLY DEPICTED ON THE REZONING PLAN; OR

(ii) MODIFICATIONS TO MOVE STRUCTURES GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTIES IN A RESIDENTIAL DISTRICT OR ABUTTING RESIDENTIAL USE BUT NO CLOSER THAN THE "EXTERNAL BUILDING LINE" (IN THIS CASE THE EXTERNAL SETBACKS, REAR/SIDE YARDS OR BUFFER AREAS, IF APPLICABLE) INDICATED ON SHEET RZ-1; OR

(iii) MODIFICATIONS TO ALLOW MINOR INCREASES IN THE MASS OF THE BUILDING THAT DOES 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.** NOTWITHSTANDING THE NUMBER OF BUILDINGS SHOWN ON THE REZONING PLAN, THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED ONE (1). 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) LOCATED ON THE SITE AS THE ACCESSORY STRUCTURE/BUILDING.

e. **FIVE YEAR VESTED RIGHTS.** PURSUANT TO THE PROVISIONS OF SECTION 1.110 OF THE ORDINANCE AND N.C.G.S. SECTION 160A-385.1, DUE TO THE NATURE OF THE DEVELOPMENT AND/OR REDEVELOPMENT, THE LEVEL OF INVESTMENT, THE TIMING OF DEVELOPMENT AND/OR REDEVELOPMENT AND CERTAIN INFRASTRUCTURE IMPROVEMENTS, ECONOMIC CYCLES AND MARKET CONDITIONS, THIS PETITION INCLUDES VESTING OF THE PROPOSED REZONING PLAN AND CONDITIONAL ZONING DISTRICTS ASSOCIATED WITH THE PETITION FOR A FIVE (5) YEAR PERIOD, BUT SUCH PROVISIONS SHALL NOT BE DEEMED A LIMITATION ON ANY OTHER VESTED RIGHTS WHETHER AT COMMON LAW OR OTHERWISE.

f. **GROSS FLOOR AREA.** WHEN DETERMINING THE MAXIMUM DEVELOPMENT LEVELS SET FORTH IN THIS REZONING PLAN, GROSS FLOOR AREA AS DEFINED IN THE ORDINANCE SHALL EXCLUDE ANY SURFACE OR STRUCTURED PARKING FACILITIES AND OUTDOOR DINING AND GATHERING AREAS WHETHER ON THE ROOF OF THE BUILDING OR AT STREET LEVEL (SEE ALSO SECTION 3.G. BELOW).

g. **PERSONAL SERVICES.** PERSONAL SERVICE 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 MERCHANDISE BUT THE SALE OF PRODUCTS AND MERCHANDISE IS TYPICALLY ANCILLARY. EXAMPLES OF PERSONAL SERVICE USES INCLUDE BUT ARE NOT LIMITED TO: BEAUTY SALONS AND BARBER SHOPS, SPAS, YOGA AND EXERCISE STUDIOS, FITNESS AND WELLNESS FACILITIES, NAIL SALONS, MARTIAL ART TRAINING STUDIOS, LAUNDRIES AND DRY CLEANING ESTABLISHMENTS, LOCKSMITHS, FUNERAL HOMES AND ALIKE).

2. OPTIONAL PROVISIONS.

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

a. **MAXIMUM BUILDING HEIGHT WITHIN TOD-M.** TO ALLOW THE HEIGHT OF THE PRINCIPAL BUILDING CONSTRUCTED ON THE SITE TO EXCEED THE ALLOWED (120)FOOT MAXIMUM BUILDING HEIGHT OF THE TOD-M ZONING DISTRICT BY 36 FEET, AS MEASURED FROM THE AVERAGE GRADE AT THE BASE OF THE BUILDING ALONG EACH OF S. TRYON STREET, W. PARK AVENUE AND CAMDEN ROAD AND PER SECTION 2.C. BELOW, AS SHOWN ON SHEET (RZ-3, THIS REFLECTS A SCALE BACK OF THE HEIGHT OF THE BUILDING FROM THE WILMORE RESIDENTIAL ZONING LOCATED DOWN W. PARK AVENUE CONTEMPLATED TO INCLUDE: (I) 1½-2 FLOORS OF UNDERGROUND PARKING & 4½ FLOORS OF ABOVE GROUND PARKING CLOSEST TO W. PARK AVENUE; AND (II) 7 FLOORS OF OFFICE USES ABOVE ONE GROUND LEVEL FLOOR OF NON-RESIDENTIAL USES & 2 FLOORS OF UNDERGROUND PARKING, IN THE PORTION OF THE BUILDING CLOSEST TO THE INTERSECTION OF S. TRYON STREET AND CAMDEN ROAD.

b. **BUILDING HEIGHT FROM SINGLE-FAMILY RESIDENTIAL ZONING.** TO ALLOW PORTIONS OF THE PROPOSED BUILDING TO EXCEED THE ALLOWED BUILDING HEIGHT FROM SINGLE-FAMILY RESIDENTIAL ZONING, AS MEASURED FROM THE SHORTEST DISTANCE BETWEEN EXISTING SINGLE-FAMILY ZONING AND THE BUILDING EDGES, IN THE MANNER SET FORTH ON SHEET RZ-3. AS SHOWN ON SHEET RZ-3, AT BUILDING LOCATION "C," WHICH IS THE LOCATION OF THE GREATEST VARIANCE ABOVE THE RESIDENTIAL HEIGHT PLANE, (I) THE ALLOWABLE HEIGHT DUE TO PROXIMITY TO RESIDENTIAL ZONING IS ±71 FEET, AND (II) THE VARIANCE REQUESTED IS 86 FEET. FURTHERMORE, RZ-3 REFLECTS A SCALE BACK OF THE HEIGHT OF BUILDING FROM WILMORE RESIDENTIAL ZONING LOCATED DOWN W. PARK AVENUE CONTEMPLATED TO INCLUDE: (I) 1½ FLOORS OF UNDERGROUND PARKING & 4½ FLOORS OF ABOVE GROUND PARKING CLOSEST TO W. PARK AVENUE; AND (II) 7 FLOORS OF OFFICE USES ABOVE ONE GROUND LEVEL FLOOR OF NON-RESIDENTIAL USES & 2 FLOORS OF UNDERGROUND PARKING, IN THE PORTION OF THE BUILDING CLOSEST TO THE INTERSECTION OF S. TRYON STREET AND CAMDEN ROAD.

c. **MECHANICAL EQUIPMENT SCREEN.** IN ORDER TO ENSURE COMPLIANCE WITH APPLICABLE ORDINANCE PROVISIONS, IF NEEDED, TO ALLOW ROOF TOP MECHANICAL EQUIPMENT SCREENS LOCATED ON THE ROOF OF THE BUILDING, AND WHEN LOCATED A MINIMUM OF 30 FEET AWAY FROM THE EDGE OF THE BUILDING'S PARAPET WALL (I.E. LOCATED AWAY FROM THE BUILDING'S EXTERIOR BUILDING FACE AND TOWARD THE CENTER OF THE ROOF) TO NOT BE USED WHEN DETERMINING ALLOWED BUILDING HEIGHT PER THE OPTIONAL PROVISIONS 2.a. AND b.) ABOVE AND OTHERWISE WHEN DETERMINING ALLOWED BUILDING HEIGHT UNDER THIS REZONING PLAN.

d. **NON-STRUCTURED PARKING USES.** TO ALLOW URBAN OPEN SPACE AREAS LOCATED BETWEEN THE PARKING STRUCTURE PORTION OF THE BUILDING AND W. PARK AVENUE AND S. TRYON STREET TO BE USED FOR THE PURPOSE OF COMPLYING WITH SECTION 9.1208(6)(L) OF THE ORDINANCE DEALING WITH PERCENTAGE OF LINEAR STREET FRONTAGE DEVOTED TO NON-STRUCTURED PARKING USES.

e. **DETACHED SIGNS.** IN ADDITION TO OTHER SIGNS PERMITTED IN THIS SECTION 2 AND OTHERWISE IN THE REZONING PLAN, TO ALLOW ONE DETACHED GROUND MOUNTED SIGN ALONG EACH PUBLIC STREET FRONTAGE UP TO 10 FEET IN HEIGHT AND CONTAINING UP TO 75 SQUARE FEET OF SIGN AREA.

f. **WALL SIGNS.** IN ADDITION TO OTHER SIGNS PERMITTED IN THIS SECTION 2 AND OTHERWISE IN THE REZONING PLAN, TO ALLOW WALL SIGNS LOCATED ABOVE THE FOURTH FLOOR OF THE BUILDING TO HAVE UP TO 220 SQUARE FEET OF SIGN SURFACE AREA PER WALL OR 10% OF THE WALL AREA, TO WHICH THEY ARE ATTACHED, WHICHEVER IS LESS.

NOTE: THE OPTIONAL PROVISIONS REGARDING SIGNS ARE ADDITIONS/MODIFICATIONS TO THE STANDARDS FOR SIGNS IN THE TOD DISTRICT AND ARE TO BE USED WITH THE REMAINDER OF TOD STANDARDS FOR SIGNS NOT MODIFIED BY THESE OPTIONAL PROVISIONS.

g. **GROSS FLOOR AREA.** TO ALLOW THE CLARIFICATION REGARDING THE TERM "GROSS FLOOR AREA" IN THE CONTEXT OF MAXIMUM DEVELOPMENT LEVELS IN 1.F. ABOVE TO BE USED AND APPLIED IN THE MANNER DESCRIBED BELOW IN SECTION 3.

3. PERMITTED USES & DEVELOPMENT AREA LIMITATIONS:

a. **GENERAL.** IN ADDITION TO OTHER DEVELOPMENT PERMITTED ON THE SITE AS DESCRIBED IN THIS SECTION 3, THE PRINCIPAL BUILDING CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 285,000 SQUARE FEET OF GROSS FLOOR AREA OF OFFICE USES, WHICH SHALL INCLUDE VERTICALLY INTEGRATED GROUND FLOOR RETAIL, RESTAURANT, AND/OR PERSONAL SERVICES USES (SEE DEFINITION IN SECTION 1.G. ABOVE) IN AN AMOUNT NOT TO EXCEED 25,000 SQUARE FEET OF GROSS FLOOR AREA OF THE TOTAL 285,000 SQUARE FEET OF USES, AND SUCH OTHER ACCESSORY USES PERMITTED IN THE TOD-M-O ZONING CLASSIFICATION, INCLUDING, WITHOUT LIMITATION CAFETERIA SPACE, FITNESS/WELLNESS SPACE, AUDITORIUM SPACE AND SIMILAR USES.

b. **RETAIL, RESTAURANT AND PERSONAL SERVICES USES.** AS SET FORTH ON SHEET RZ-5 (UPDATED GROUND FLOOR USES) AND SHEET RZ-6 (LOBBY/CAMDEN EMPHASIS), THE REFERENCE TO "PROPOSED RETAIL" FOR THOSE AREAS DESIGNATED IN ORANGE/MAUVE COLOR SHALL INCLUDE RETAIL, RESTAURANT AND/OR PERSONAL SERVICES USES.

c. **S. TRYON STREET RETAIL LEASING COMMITMENT.** AS SET FORTH ON SHEET RZ-5, THAT CERTAIN GROUND FLOOR SPACE LOCATED ALONG S. TRYON STREET NEAR THE INTERSECTION OF S. TRYON STREET AND CAMDEN ROAD DESIGNATED AS "PROPOSED RETAIL" MAY BE USED FOR RETAIL, RESTAURANT AND/OR PERSONAL SERVICES USES (THE "TRYON RETAIL SPACE"). PETITIONER COMMITS TO USE DILIGENT GOOD FAITH EFFORTS TO LEASE THE TRYON RETAIL SPACE FOR ACTIVE RETAIL, RESTAURANT AND/OR PERSONAL SERVICES USES, AS DEMONSTRATED BY ACTIVE LEASING/MARKETING OF THE TRYON RETAIL SPACE FOR NOT LESS THAN 12 MONTHS FROM RECEIPT OF THE BUILDING PERMIT FOR THE BUILDING ("DILIGENT LEASING EFFORTS"). IF, HOWEVER, AFTER EXERCISING DILIGENT LEASING EFFORTS, THE PETITIONER IS UNABLE TO LEASE ALL OR A PORTION OF THE TRYON RETAIL SPACE FOR SUCH USES, IN ORDER TO PROMOTE ACTIVE STREET LEVEL USES THAT ENHANCE THE PEDESTRIAN EXPERIENCE AND VISUAL INTEREST ALONG S. TRYON STREET, THE PETITIONER MAY HAVE ALL OR PART OF THE TRYON RETAIL SPACE OCCUPIED FOR ACTIVE USES ASSOCIATED WITH THE ACTIVITIES OF THE OFFICE TENANT(S) WITHIN THE BUILDING.

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:

a. **IMPROVEMENTS TO W. PARK AVENUE.** AS REFLECTED ON SHEET RZ-1, INSTALL A WESTBOUND LEFT TURN LANE ON W. PARK AVENUE.

II. STANDARDS, PHASING AND OTHER PROVISIONS.

a. **CDOT STANDARDS.** ALL OF THE FOREGOING PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT. 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 SOUTH END AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

b. **ALTERNATIVE IMPROVEMENTS.** CHANGES TO THE ABOVE REFERENCED ROADWAY IMPROVEMENT(S) CAN BE APPROVED THROUGH THE ADMINISTRATIVE AMENDMENT PROCESS UPON THE DETERMINATION AND MUTUAL AGREEMENT OF PETITIONER, CDOT, PLANNING DIRECTOR, AND AS APPLICABLE, NCDOT, PROVIDED, HOWEVER, THE PROPOSED ALTERNATE TRANSPORTATION IMPROVEMENTS PROVIDE (IN THE AGGREGATE) COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS IDENTIFIED IN THIS PETITION.

III. ACCESS & STREETS.

a. VEHICULAR ACCESS TO THE SITE WILL BE FROM W. PARK AVENUE, ALL AS GENERALLY DEPICTED ON THE REZONING PLAN AND SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.

b. THE EXACT ALIGNMENT, DIMENSIONS AND LOCATIONS OF THE ACCESS POINTS TO THE SITE AND THE DRIVEWAYS ON THE SITE MAY BE MODIFIED FROM THE ELEMENTS SHOWN ON THE REZONING PLAN PROVIDED THAT THE OVERALL DESIGN INTENT IS NOT MATERIALLY ALTERED AND REQUIREMENTS DESCRIBED IN THIS SECTION 4.III. ARE MET.

5. PARKING AREAS, ACCESS AND CIRCULATION DESIGN GUIDELINES.

a. BUILDING MATERIALS ASSOCIATED WITH FACADES ON PARKING STRUCTURES THAT ARE GENERALLY COMPATIBLE IN QUALITY WITH ADJOINING BUILDINGS, PLAZAS AND STREETSCAPES WILL BE CREATED, TAKING INTO CONSIDERATION DIFFERENCES ASSOCIATED WITH PARKING STRUCTURES.

b. PARKING STRUCTURES SHALL BE DESIGNED TO MATERIALLY SCREEN THE VIEW OF PARKED CARS FROM ADJACENT PUBLIC OR PRIVATE STREETS OR PUBLICLY ACCESSIBLE OPEN SPACES OR PLAZAS. SCREENING OF CARS ON THE GROUND LEVEL WILL BE ACCOMPLISHED PRIMARILY THROUGH THE USE OF LANDSCAPING; AND SCREENING OF CARS PARKED ON AN EXPOSED UPPER LEVEL WILL BE ACCOMPLISHED BY DECORATIVE SCREENING.

c. ON-SITE LOADING DOCKS AND WASTE AREAS SHALL BE SEPARATED AND/OR SCREENED FROM VIEW AT GROUND LEVEL FROM PRIMARY BUILDING ENTRANCES.

d. THE ATTACHED ILLUSTRATIVE/CONCEPTUAL BUILDING ELEVATIONS, STREETSCAPE PERSPECTIVES AND GRAPHICS ARE INCLUDED TO REFLECT THE DESIGN INTENT AND QUALITY OF THE BUILDING THAT MAY BE CONSTRUCTED ON THE SITE (THE ACTUAL BUILDING CONSTRUCTED ON THE SITE MAY VARY FROM THESE ILLUSTRATIONS IN THE MANNER SET FORTH IN THE ATTACHED APPLICABLE RZ SHEET AND THESE DEVELOPMENT STANDARDS).

e. RETAIL, RESTAURANTS AND PERSONAL SERVICES USES LOCATED ALONG CAMDEN ROAD WILL BE SETBACK AN ADDITIONAL FIVE (5) FEET FROM THE 16 FOOT SETBACK, FOR A MINIMUM SETBACK OF 21 FEET AS MEASURED FROM THE BACK OF CURB.

6. PEDESTRIAN ACCESS AND CIRCULATION DESIGN, OPEN SPACE AND GUIDELINES.

a. ALONG THE SITE'S STREETS, THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT LINKS THE BUILDING(S), PARKING AREAS AND AREAS OF INTEREST ON THE SITE WITH ONE ANOTHER BY WAY OF LINKS TO SIDEWALKS ALONG THE ABUTTING PUBLIC STREETS AND/OR OTHER PEDESTRIAN FEATURES. THE MINIMUM WIDTH FOR THESE INTERNAL SIDEWALKS WILL BE EIGHT (8) FEET. STREET TREES WILL ALSO BE PROVIDED ALONG THE SITE'S ADJACENT PUBLIC STREETS.

b. PUBLIC OPEN SPACE AREAS IN EXCESS OF THE AMOUNT REQUIRED BY THE TOD-M ZONING DISTRICT WILL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN AND SAID OPEN SPACE AREAS SHALL CONTAIN IN THE AGGREGATE NO LESS THAN 4,000 SQUARE FEET. THESE PUBLIC OPEN SPACE AREAS WILL CONTAIN SEATING AREAS AND LANDSCAPED AREAS. ADDITIONAL ELEMENTS/AMENITIES MAY ALSO BE PROVIDED WITHIN THE PUBLIC OPEN SPACE AREAS SUCH AS BUT NOT LIMITED TO: ART WORK, WATER FEATURES, TRELLISES, GAZEBOS, LIGHTING (INCLUDING SPECIALTY LIGHTING) AND THE LIKE. EACH PUBLIC OPEN SPACE WILL BE DESIGNED TO MEET ACCESSIBILITY STANDARDS.

c. THE PETITIONER WILL WORK WITH CDOT TO ENHANCE THE PEDESTRIAN CROSSWALK LOCATED ON CAMDEN ROAD THAT PROVIDES ACCESS TO THE LIGHT RAIL STATION ACCESS PATH.

7. SIGNAGE:

a. SIGNAGE AS ALLOWED BY THE ORDINANCE AND BY THE OPTIONAL PROVISIONS LISTED ABOVE MAY BE PROVIDED IN ADDITION TO THE SIGNAGE OTHERWISE ALLOWED IN THIS SECTION.

8. LIGHTING:

a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.

b. DETACHED LIGHTING ON THE SITE, EXCEPT DECORATIVE LIGHTING OR ART WORK THAT UTILIZES LIGHTING ELEMENTS WHEN LOCATED IN THE PUBLIC OPEN SPACE AREAS AND STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 20 FEET IN HEIGHT.

9. 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 OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

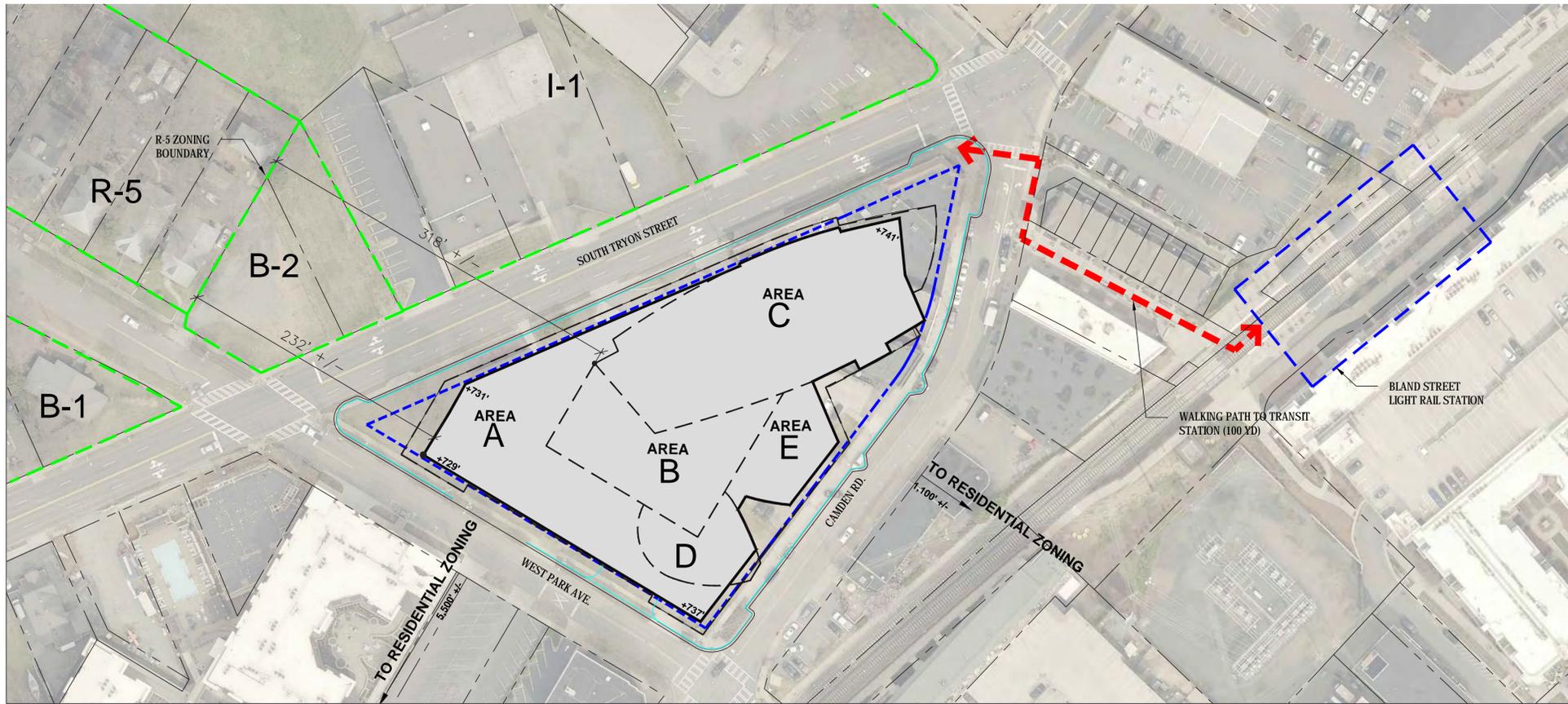
10. BINDING EFFECT OF THE REZONING APPLICATION:

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.

RZ-2

PET#2015-128

DEVELOPMENT EXHIBITS

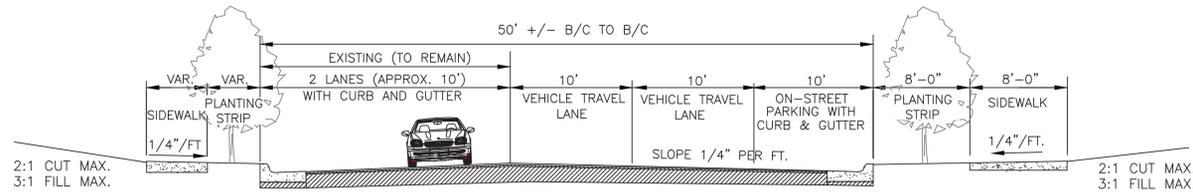


DESCRIPTION OF BUILDING HEIGHT**:

AREA	WEST PARK AVERAGE GRADE (FEET)	DISTANCE FROM RESIDENTIAL ZONING (LINEAR FEET)	BUILDING ELEVATION (FEET)	ALLOWABLE HEIGHT DUE TO RESIDENTIAL ZONING (FEET)	VARIANCE REQUESTED DUE TO RESIDENTIAL ZONING (FEET)	VARIANCE REQUESTED ABOVE TOD MAX BUILDING HEIGHT (FEET)
A	733	232	796	63	0	0
B	733	318	816	71	12	0
C	733	318	889	71	85	36
D	733	415	799	81	0	0
E	733	468	796	86	0	0

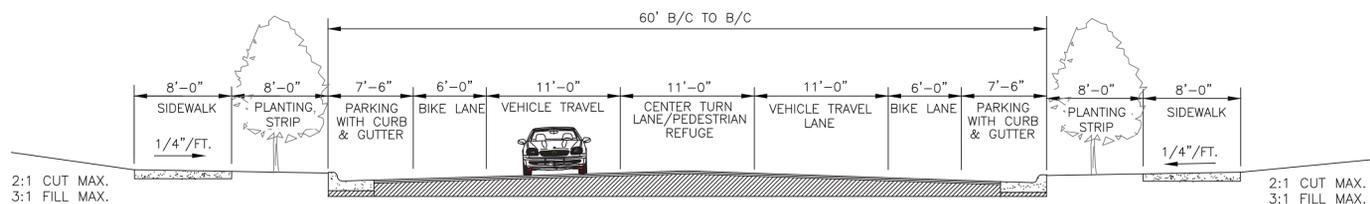
** SEE DEVELOPMENT STANDARDS ON RZ-2 FOR FURTHER PROVISIONS.

PROPOSED BUILDING FOOTPRINT AND DISTANCE TO RESIDENTIAL ZONING



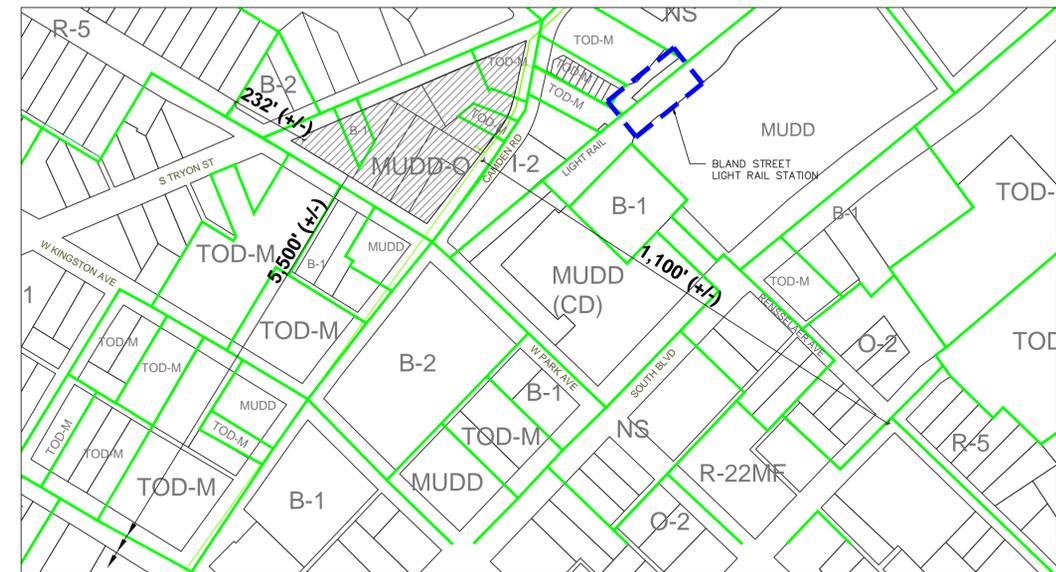
1 PROPOSED S. TRYON STREET SECTION (INTERIM CONDITION)

NOTE: PROPOSED PAVEMENT SECTIONS BASED ON CITY OF CHARLOTTE AND NCDOT REQUIREMENTS



2 PROPOSED S. TRYON STREET SECTION - FUTURE CONDITION PER SMALL AREA PLAN

NOTE: PROPOSED PAVEMENT SECTIONS BASED ON CITY OF CHARLOTTE AND NCDOT REQUIREMENTS

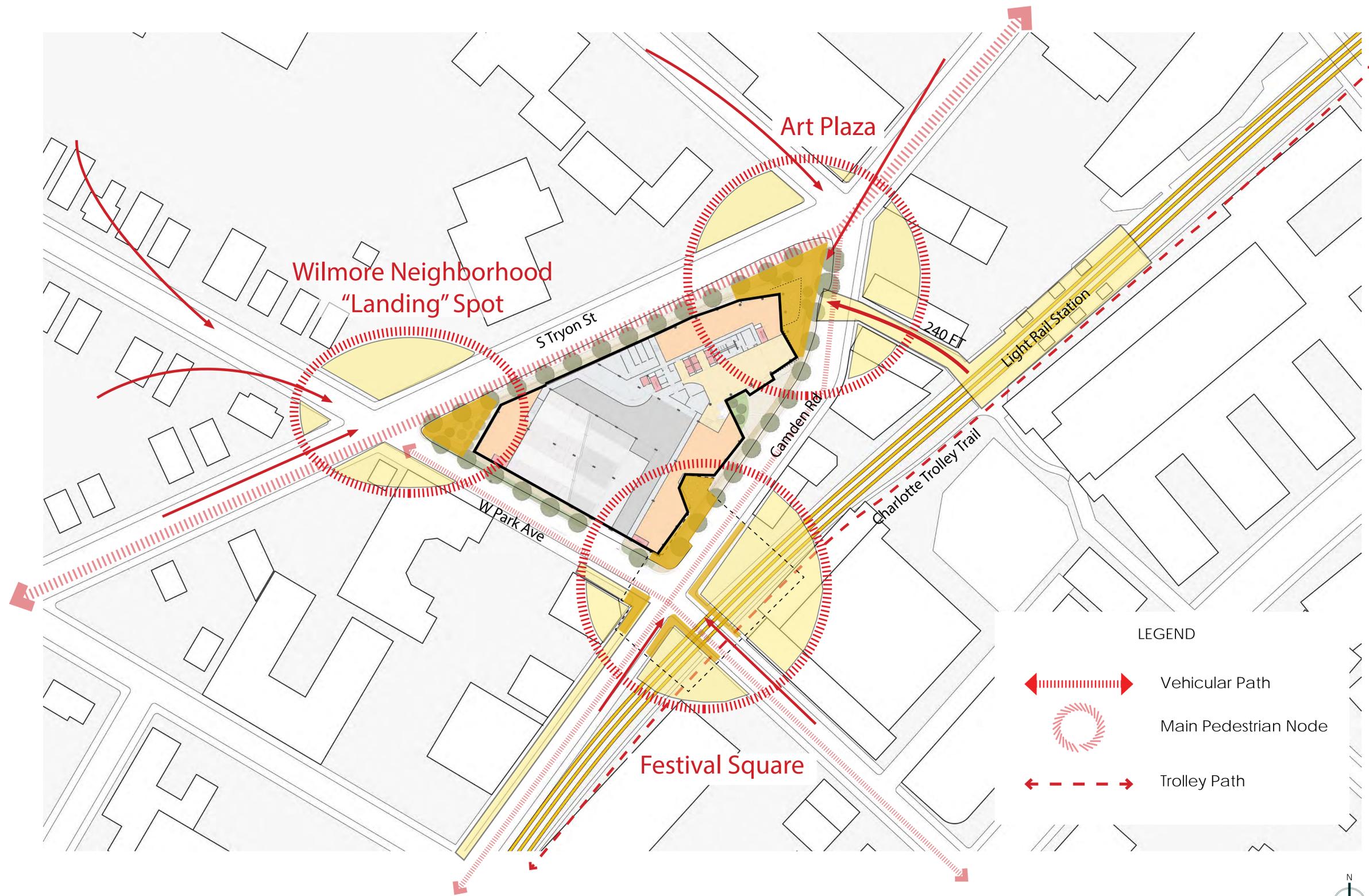


ADJACENT ZONING AND DISTANCE TO RESIDENTIAL

RZ-3

PET#2015-128

UPDATED DIAGRAM - 3 Corners / 3 Places + Connectivity



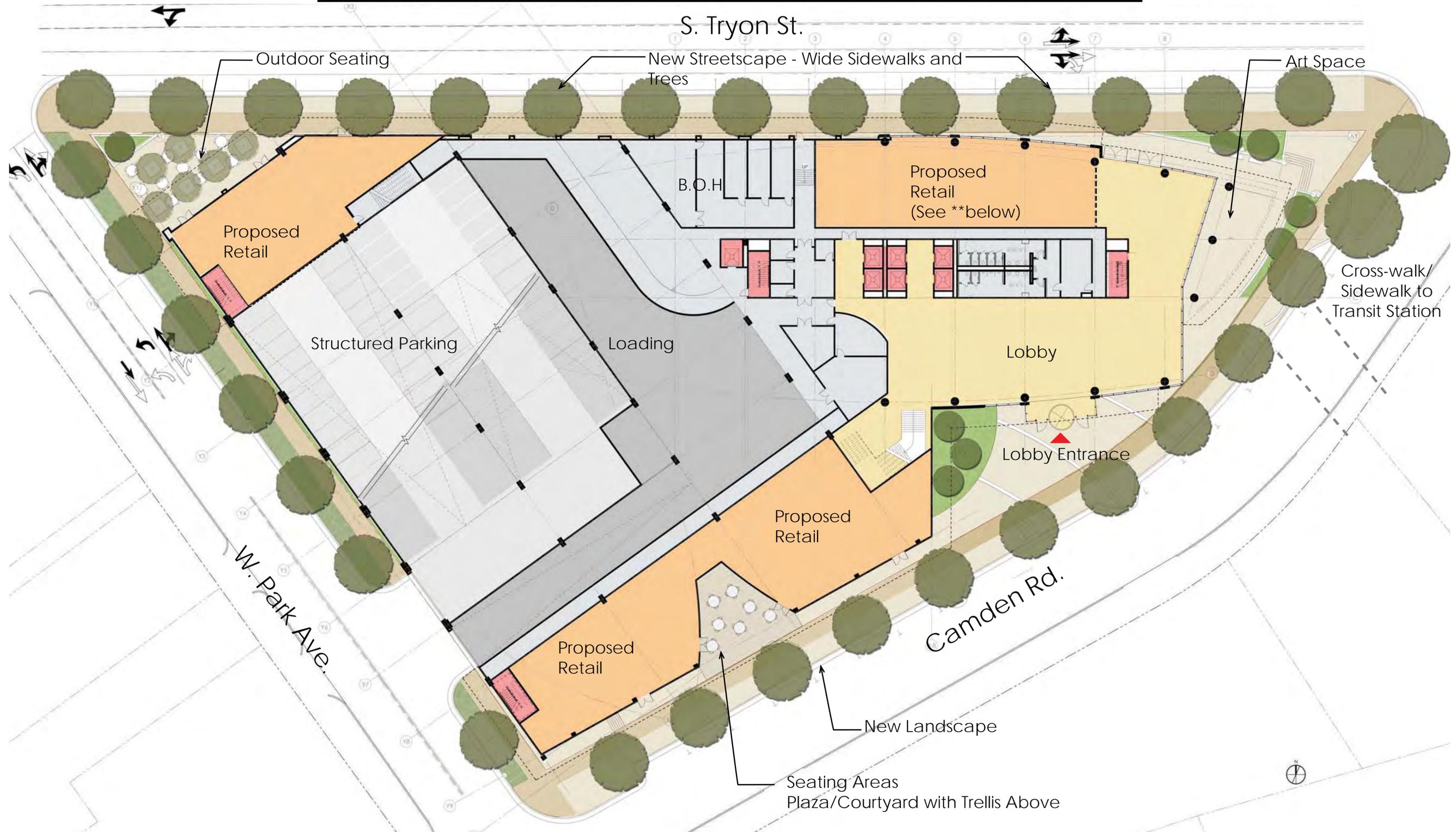
NOTE: This is an illustrative/conceptual rendering of the proposed open space area associated with the development. The exact dimensions and configuration are subject to minor deviation and changing during the design development that do not materially change the design intent.



RZ-4

PET#2015-128

UPDATED SITE PLAN - GROUND FLOOR USES



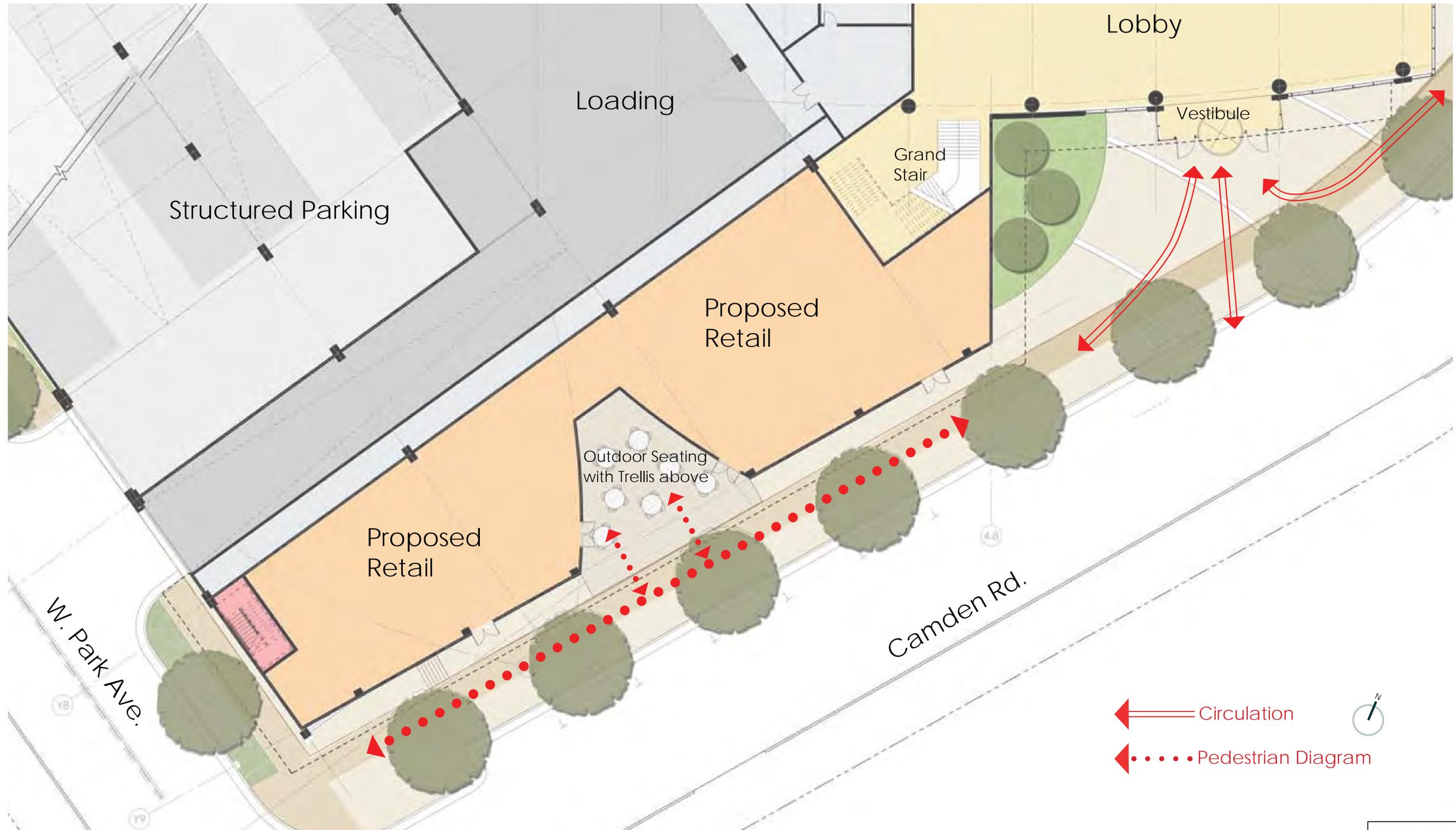
NOTE: This is an illustrative/conceptual rendering of the proposed ground floor uses and elements. The exact dimensions and configuration are subject to minor deviation and changing during the design development that do not materially change the design intent. Reference to "Proposed Retail" uses include retail, restaurant and/or personal services uses.

** **NOTE:** Reference is made to Section 3.C. of sheet RZ-2 (Development Standards) for Tryon Space Leasing Commitment.

RZ-5

PET#2015-128

LOBBY ACCESS EMPHASIS

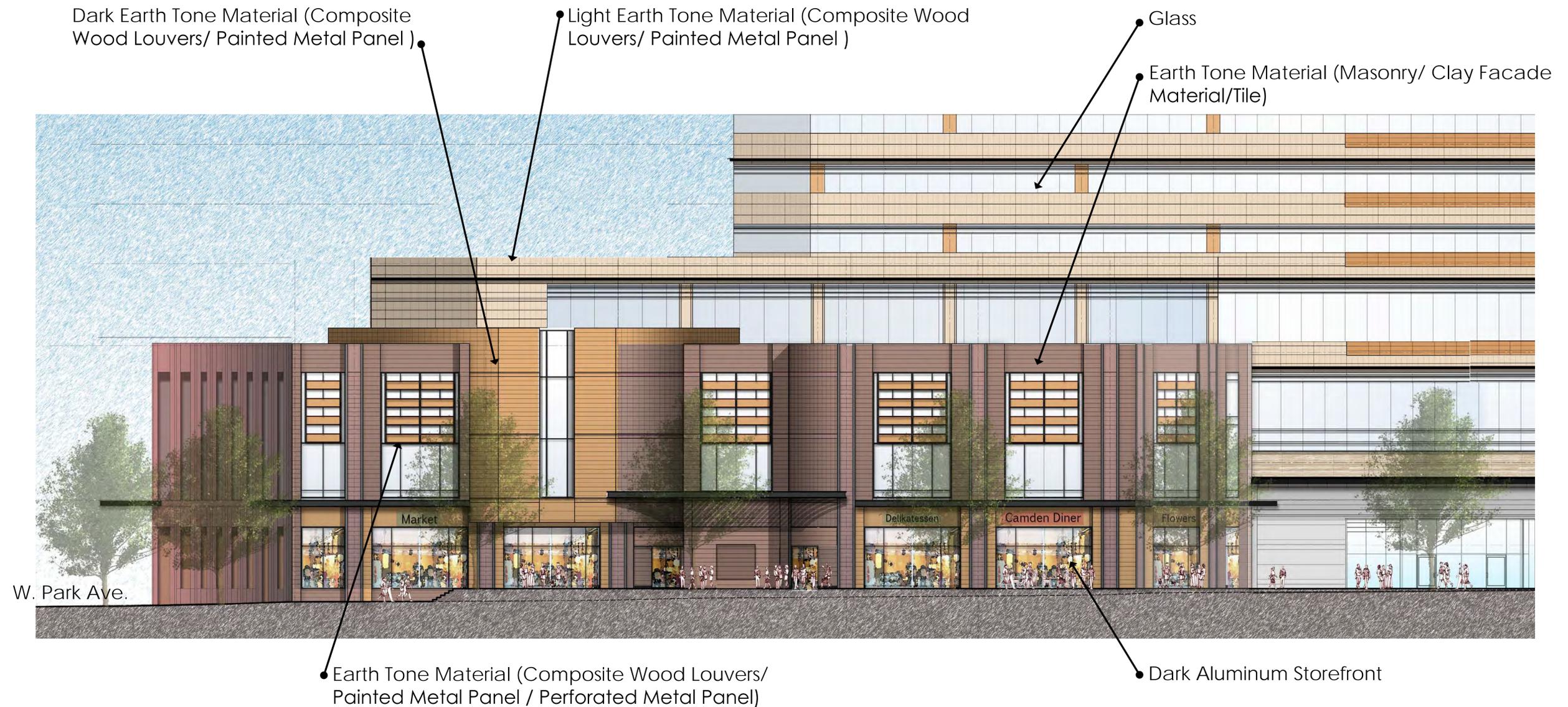


NOTE: This is an illustrative/conceptual rendering of the proposed lobby access and related areas along Camden Road. The exact dimensions and configuration are subject to minor deviation and changing during the design development that do not materially change the design intent. References to "Proposed Retail" uses include retail, restaurant and/or personal services uses.

RZ-6

PET#2015-128

UPDATED CAMDEN ELEVATION

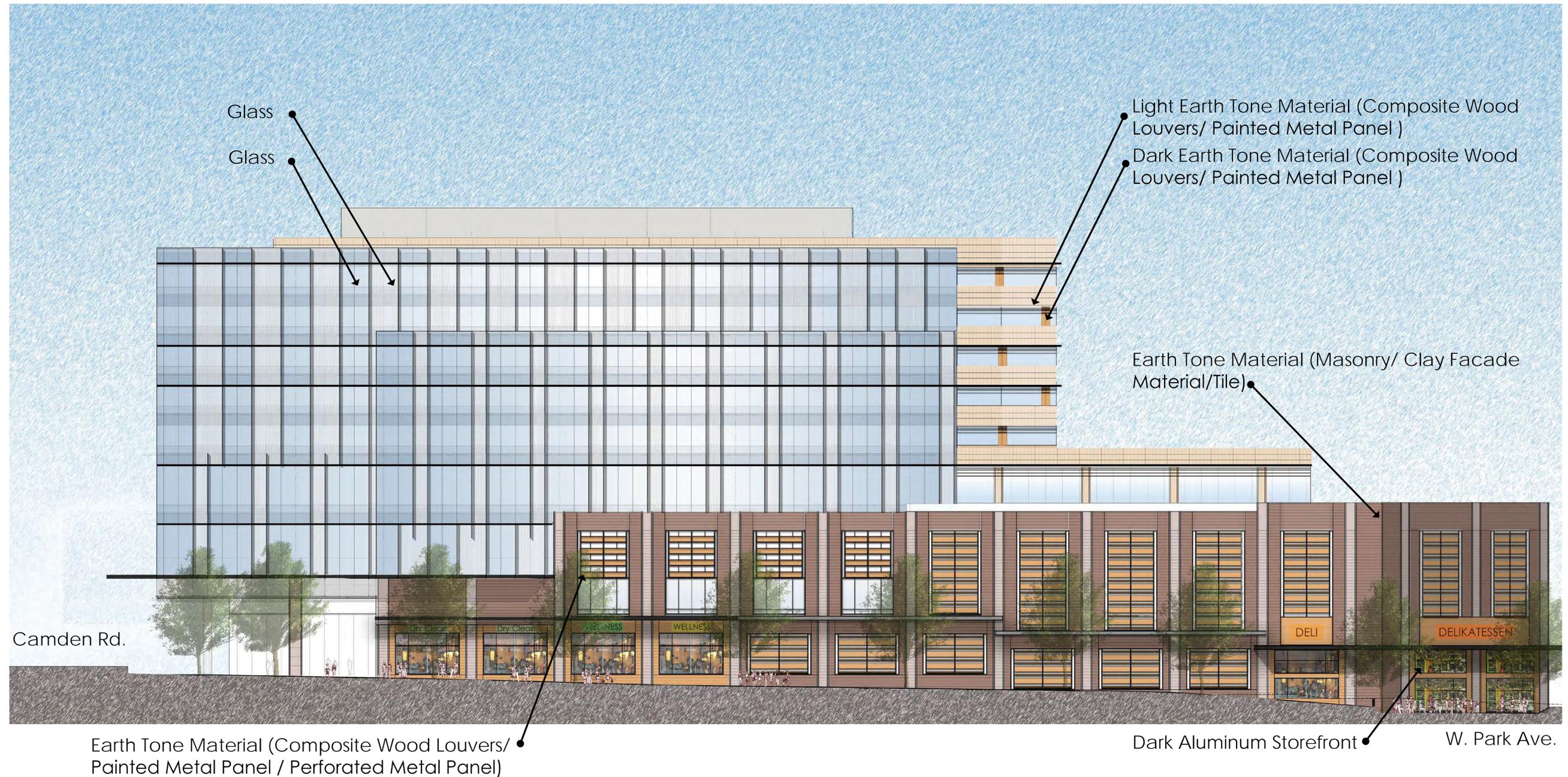


NOTE: This is an illustrative/conceptual rendering of the elevation of a portion of the building located along Camden Road. This reflects the overall design intent and the type of building materials contemplated. Minor changes and deviations may occur during the design development that do not materially change the design intent.

RZ-7

PET#2015-128

UPDATED TRYON ELEVATION

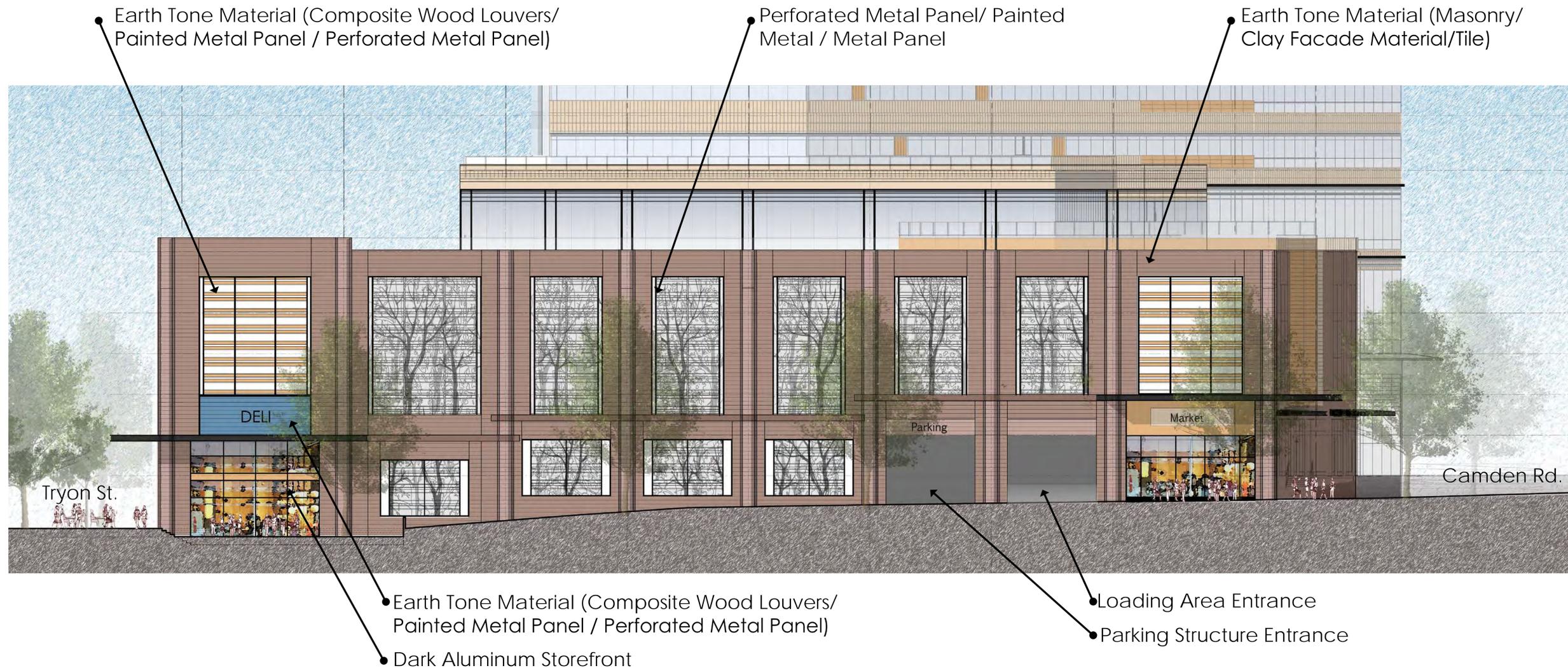


NOTE: This is an illustrative/conceptual rendering of the elevation of a portion of the building located along Tryon Street. This reflects the overall design intent and the type of building materials contemplated. Minor changes and deviations may occur during the design development that do not materially change the design intent.

RZ-8

PET#2015-128

UPDATED PARK ELEVATION



NOTE: This is an illustrative/conceptual rendering of the elevation of a portion of the building located along West Park Avenue. This reflects the overall design intent and the type of building materials contemplated. Minor changes and deviations may occur during the design development that do not materially change the design intent.

RZ-9

PET#2015-128

CONCEPTUAL BAY ELEVATION

Sample Material Palette

Masonry



Clay Tile



Composite Wood



Sample Material Palette

Composite Wood Louvers



Painted metal panels



Dark Aluminum Storefront

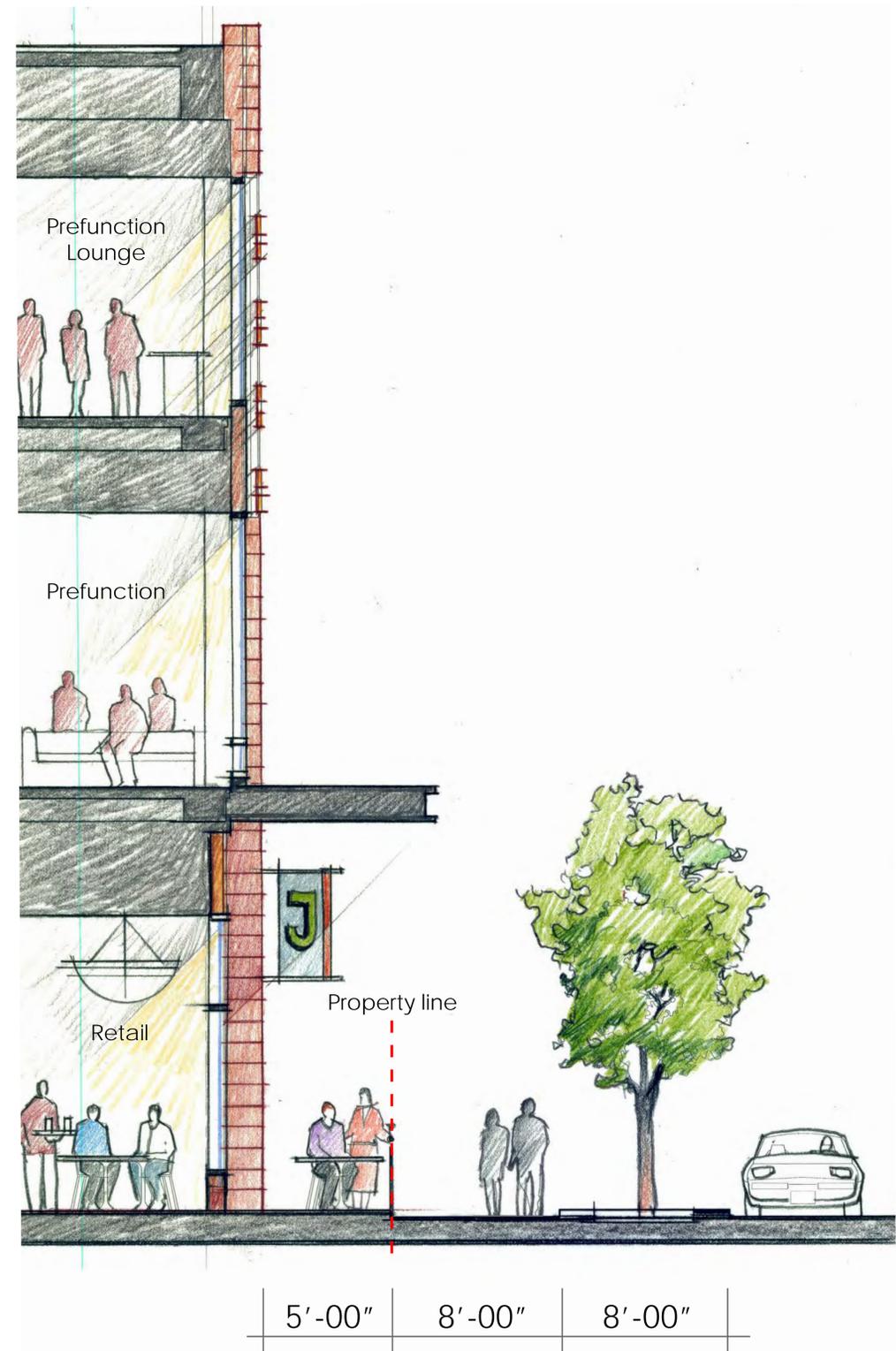


NOTE: This is an illustrative/conceptual rendering of a typical bay elevation including illustrations of sample material palette contemplated. Minor changes and deviations may occur during the design development that do not materially change the design intent.

RZ-10

PET#2015-128

CONCEPTUAL BAY ELEVATION/SECTION



NOTE: This is an illustrative/conceptual rendering of a typical bay elevation and section reflecting activity contemplated within a portion of the building. Minor changes and deviations may occur during the design development that do not materially change the design intent. It is noted that only a portion of the building contains these activity elements.

RZ-11

PET#2015-128

ART PLAZA PERSPECTIVE

(S. Tryon St. + Camden Rd.)

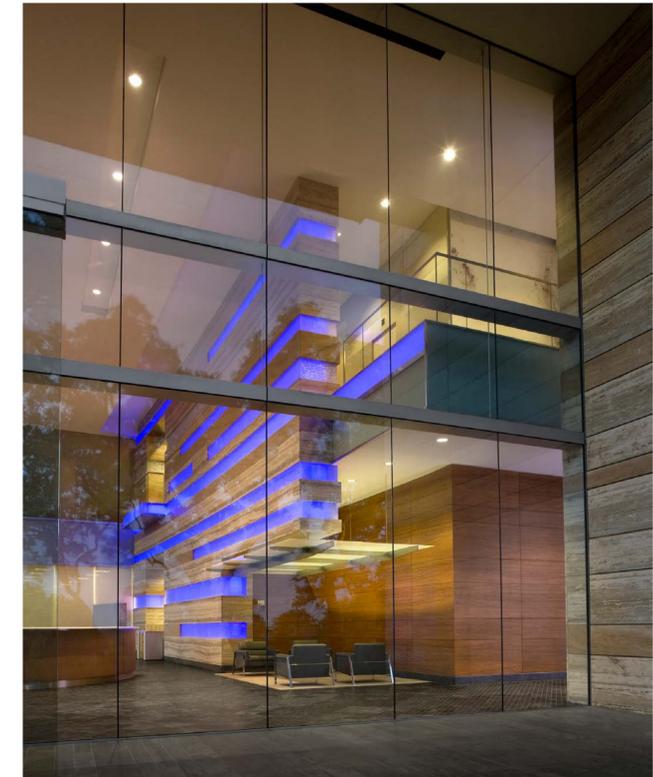
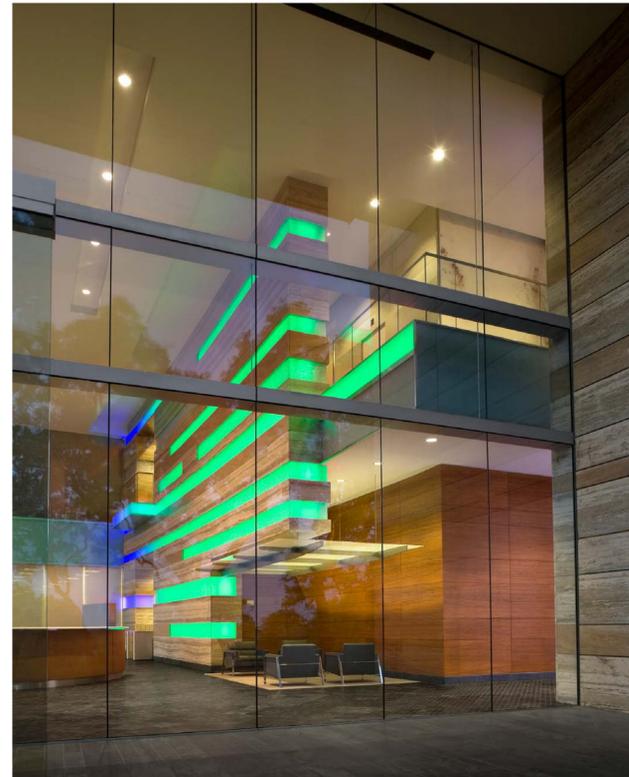
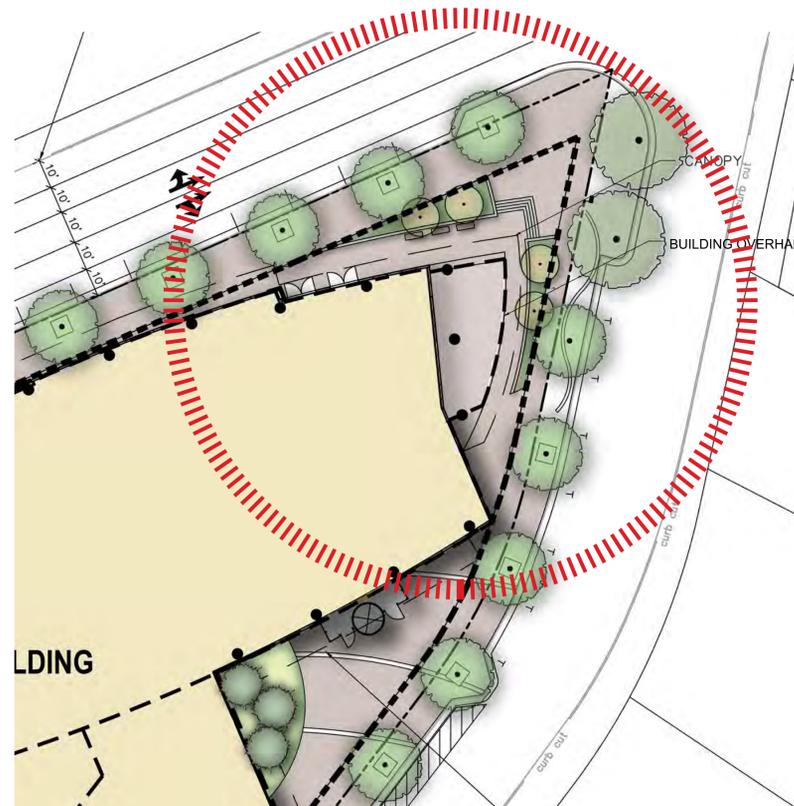


NOTE: This is an illustrative/conceptual rendering of a perspective of the building at the corner of Camden Road and S. Tryon Street. This is conceptual and subject to minor deviations and changes which may occur during design development that do not materially change the design intent. A few street trees are intentionally not showing in this rendering to better see the proposed building.

RZ-12

PET#2015-128

ART PLAZA - Tryon & Camden



NOTE: This is an illustrative/conceptual perspective related to the "Art Plaza" at Tryon & Camden. The images are not intended to represent the architectural style, the specific open space elements (interior or exterior), nor the nature of the art that is contemplated for this area, all of which will be developed by the Petitioner during design/development.

RZ-13

PET#2015-128

LANDING SPOT PERSPECTIVE

(S. Tryon St. + W. Park Ave.)



NOTE: This is an illustrative/conceptual rendering of a perspective of the building at the corner of S. Tryon Street and W. Park Ave. This is conceptual and subject to minor deviations and changes which may occur during design development that do not materially change the design intent. A few street trees are intentionally not showing in this rendering to better see the proposed building.

RZ-14

PET#2015-128

FESTIVAL SQUARE PERSPECTIVE

(Camden Rd.)



NOTE: This is an illustrative/conceptual rendering of a perspective of the building from Camden Rd. This is conceptual and subject to minor deviations and changes which may occur during design development that do not materially change the design intent. A few street trees are intentionally not showing in this rendering to better see the proposed building.

RZ-15

PET#2015-128