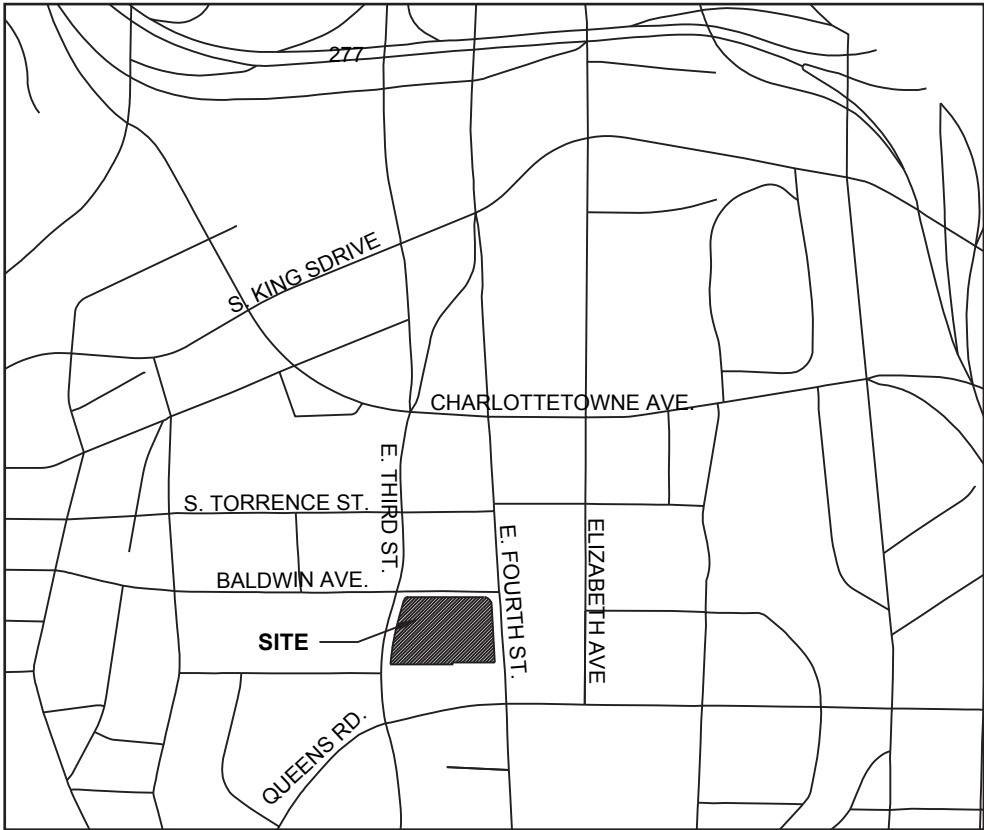


TECHNICAL DATA SHEET



VICINITY MAP

NTS

SITE DEVELOPMENT DATA:

TAX PARCEL NUMBERS: 12511801 / 12511804
ACRES: 1.94 / 1.46 (3.4 TOTAL)
EXISTING ZONING: O-2 / MUDD-O
PROPOSED ZONING: MUDD-O
EXISTING USE: OFFICE / COMMERCIAL, RETAIL & SURFACE PARKING
PROPOSED USE: ALL USES PERMITTED IN MUDD DISTRICT

OF RESIDENTIAL UNITS: N/A
RESIDENTIAL DENSITY: N/A
SF OF NON-RESIDENTIAL USES: 549,628 SF OFFICE - 20 STORY TOWER
514,864 SF PARKING DECK
(1,064,492 SF TOTAL)
*16,800 FUTURE BUILDING SITE

FLOOR AREA RATIO: 7.187
MAX BUILDING HEIGHT: 299 FEET
MAX # OF BUILDINGS: 2
PARKING RATIO: 3 PER 1,000 GFA
(APPROX 220/LEVEL FOR 7 LEVELS)
AMOUNT OF OPEN SPACE: 10,000 SF

LEGEND:

- 1ST FLOOR LEVEL FOOTPRINT
- 1ST FLOOR LEVEL WITH NO UPPER LEVEL
- UPPER LEVEL FOOTPRINT
- STREET LEVEL



NORTH 0' 15' 30' 60'

RZ-1

Date: 11.20.2017



THIRD STREET PROJECT
- REZONING PETITION -

K&L GATES
214 N. TRYON ST., 47TH FLOOR
CHARLOTTE, NC 28202

Gensler
214 N. TRYON ST., SUITE 2320
CHARLOTTE, NC 28202

DRG DESIGN RESOURCE GROUP
2459 WILKINSON BLVD.
CHARLOTTE, NC 28208

STEWART
101 N. TRYON ST., SUITE 1400
CHARLOTTE, NC 28202

STREET LEVEL CONTEXT

LEGEND:

- RETAIL
- PARKING GARAGE
- SERVICE AREA
- BUILDING LOBBY
- FUTURE BUILDING SITE
- ENTRY TERRACE

Date: 11.20.2017



THIRD STREET PROJECT - REZONING PETITION -



NORTH 0' 15' 30' 60'

RZ-2

STREET SECTIONS



SECTION 1



SECTION 3



SECTION 2



SECTION 4

RZ-3

Date: 11.20.2017

DEVELOPMENT STANDARDS

Site Development Data:

- Acreage:** ± 3.4 acres
- Tax Parcels:** 12511804 and 12511801
- Existing Zoning:** MUDD-O and O-2
- Proposed Zoning:** MUDD-O with five (5) year vested rights.
- Existing Uses:** Commercial/Office
- Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district.
- Maximum Development (subject to conversion rights as defined herein):**

Office:	512,500 square feet
Retail:	16,800 square feet
Hotel:	240 rooms
- Maximum Building Height:** Up to 290 feet as requested in the Optional Provisions to the MUDD zoning district, below.
- Parking:** As required by the Ordinance for the MUDD zoning district.

I. General Provisions:

- a. **Site Description.** These Development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the “Rezoning Plan”) associated with the Rezoning Petition filed by NAI Southern Real Estate (“Petitioner”) to accommodate development of a mixed use commercial development on an approximately 3.4 acre site bounded by Third Street, Fourth Street, and Baldwin Avenue (the “Site”).
- b. **Intent.** This Rezoning is intended to accommodate development on the Site in a manner consistent with the objectives set forth in the Midtown Morehead Cheery Area Plan. Development of the Site would include a horizontally-integrated mixture of uses, including office, retail, and hotel uses within walking distance of transit. The Petitioner seeks to create a street level public realm with the pedestrian experience in mind. The overall development plan is intended to allow the Site to evolve in a manner that is consistent with the future vision for the area, resulting in a well designed, quality experience for nearby residents, employees, and visitors, as well as the larger community.
- c. **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,

 1. The regulations established under the Ordinance for the MUDD zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Optional Provisions provided below.
- d. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, setbacks, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, that all such separation standards 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 IV below as to the Site as a whole and not individual portions or lots located therein.
- 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 master planned large scale 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 approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period.

II. Optional Provisions for the MUDD-O Area.

The following optional provisions are provided to accommodate deviations from the MUDD standards:

- a. The Petitioner seeks approval of an optional provision to allow up to 290 feet of building height within the Site.
- b. To allow one (1) porte-cochere or valet parking service area between buildings and a street. The Petitioner shall coordinate with CDOT during the permitting phase of redevelopment regarding the final location of the proposed porte-cochere/loading spaces.
- c. To allow wall signs having 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.
- d. To allow temporary signs and banners not to exceed 100 square feet in sign area. Any such signs or banners will be professionally fabricated banners made of fabric or plastic of any type. Paper banners will not be allowed; and no more than two (2) banners will be allowed at a time.
- e. To allow one (1) detached, ground mounted sign per street front. The detached signs may be up to five (5) feet in height and contain up to 60 square feet of sign area.
- f. To allow the “base” of building requirements of Section 9.8506(2)(i) to be satisfied by providing taller and architecturally differentiated ground floors that distinguish ground floor levels from upper stories.
- g. To allow backflow prevention devices to be located within buildings, after verifying the acceptable location with City and County departments. Exposed backflow prevention devices shall be screened.

III. Permitted Uses

- a. Subject to the Maximum Development provisions set forth under Section 4 below, the Site may be devoted to any commercial uses permitted by right and under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith, except for the following:
 1. Car washes;
 2. Automobile service stations; and
 3. EDEEs with drive-through service windows.

IV. Maximum Development

- a. The principal buildings may be developed with up to 529,300 square feet of gross floor area of commercial non-residential uses permitted by right and under prescribed conditions, along with any accessory uses allowed in the MUDD zoning district. However, the total square footage devoted to retail and Eating, Drinking, and Entertainment uses may not exceed 16,800 square feet.
- b. Up to 240 hotel rooms may be developed on the Site. Hotel uses shall not be counted against the total commercial square footage maximums referenced in Section IV.a above.
- c. For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements) the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).
- d. Petitioner shall provide at least 5,000 square feet of ground floor space that is designed and constructed to accommodate retail activities (leasing offices, fitness centers, lobbies, and other areas that are accessory to residential or office uses shall not be considered retail space for purposes of this provision).
- e. The total square feet of gross floor area devoted to office uses and other commercial uses such as retail, restaurant and personal service uses shall be interchangeable provided that:
 1. The total square feet of gross floor area of all such office and other commercial uses does not exceed 529,300 square feet of gross floor area; and
 2. The total amount of retail square footage shall not exceed 16,800 square feet.

V. Transportation

- a. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. 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 broad south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.
- b. **Access:**
 1. Access to the Site from external public streets will be as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.
 2. The Rezoning Plan identifies potential vehicular access points which could be surface drives or entrances to structured parking facilities. The exact number and location of vehicular access points will be determined during the design process and thereafter with approval from appropriate governmental authorities, subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations. Petitioner, in its discretion may limit ingress and egress movements or restrict certain vehicular access points to one-way traffic if necessary.
 3. The Petitioner reserves the right to request the installation of pavers and/or stamped or colored asphalt within streets abutting the Site in order to designate and define pedestrian cross-walks. The Petitioner will coordinate the design of any decorative pavement elements proposed within the public right-of-way with CDOT during the driveway permit process. Furthermore, the Petitioner understands that an encroachment and maintenance agreement must be obtained from CDOT before any decorative pavers and/or stamped pavement proposed in the public right-of-way may be installed.
 4. The alignment of vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT’s final approval.

VI. Design Guidelines:

- a. **General Design Guidelines.**
 1. Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 20% of that building’s entire façade facing such network street using brick, glass, natural stone (or its synthetic equivalent), stucco, fiber cement, corrugated metal, steel accents, architectural shingles or other material approved by the Planning Director.
 2. Prohibited Exterior Building Materials: The Petitioner will not utilize (1) vinyl siding (but not vinyl hand rails, windows or door trim) or (2) concrete masonry units not architecturally finished.
 3. Meter banks will be screened where visible from public view at grade from public or private streets and shall be located outside of the setback.
 4. Rooftop HVAC and related mechanical equipment will be screened from public view at grade from public or private streets.
 5. Trees may be provided in grates or raised planters rather than in planting strips.
 6. Dumpsters, loading and services areas shall be screened from streets, common open spaces and any adjacent residential uses with materials complimentary to the principal structure. Dumpster enclosures will not directly abut the back of a sidewalk.
 7. Backflow preventers and transformers shall be screened and located outside the setback, but can be located in a four (4) foot transition zone. Backflow prevention devices may also be located inside buildings, as permitted in the optional provisions above.

VII. Parking Areas, Access and Circulation Design Guidelines.

- a. Structured parking facilities shall be designed to encourage and complement pedestrian-scale interest and activity on the ground floor and be architecturally compatible with primary buildings on all levels.
- b. Petitioner seeks to limit areas where parking structures are visible from public or privates streets. Therefore, exposed parking structures (driveway entrances to parking decks are permitted) that are visible from public or private streets shall not be allowed in the areas generally depicted on the Rezoning Plan.
- c. Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design.
- d. On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances and from Third Street and Fourth Street.

VIII. Pedestrian Access and Circulation Design Guidelines.

- a. Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of main door swings, shopping cart storage, and temporary trash or similar impediments. Main door swings are to be distinguished from emergency exits, with emergency exits only requiring a walkway width of at least four (4) feet.

IX. Open Space and Amenity Areas.

- a. Urban Open Spaces: the Site shall meet or exceed the Urban Open Space requirements of the MUDD district.

X. Environmental Features

- a. The Petitioner shall comply with the Post Construction Stormwater Ordinance and Tree Ordinance.

XI. Signage

Signage as allowed by the Ordinance and by the Optional Provisions set forth under Section II above may be provided.

XII. Lighting:

- a. Detached lighting on the Site, except street lights located along public streets, will be limited to 30 feet in height.
- b. Attached and detached lighting shall be downwardly directed. However, upward facing accent lighting shall be permitted.

XIII. Amendments to the Rezoning Plan:

Future amendments to the Rezoning Plan 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.

XIV. Binding Effect of the Rezoning Application:

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.

XV. Vested Rights Provision:

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment involved.

Date: 11.20.2017



THIRD STREET PROJECT

- REZONING PETITION -



RZ-4