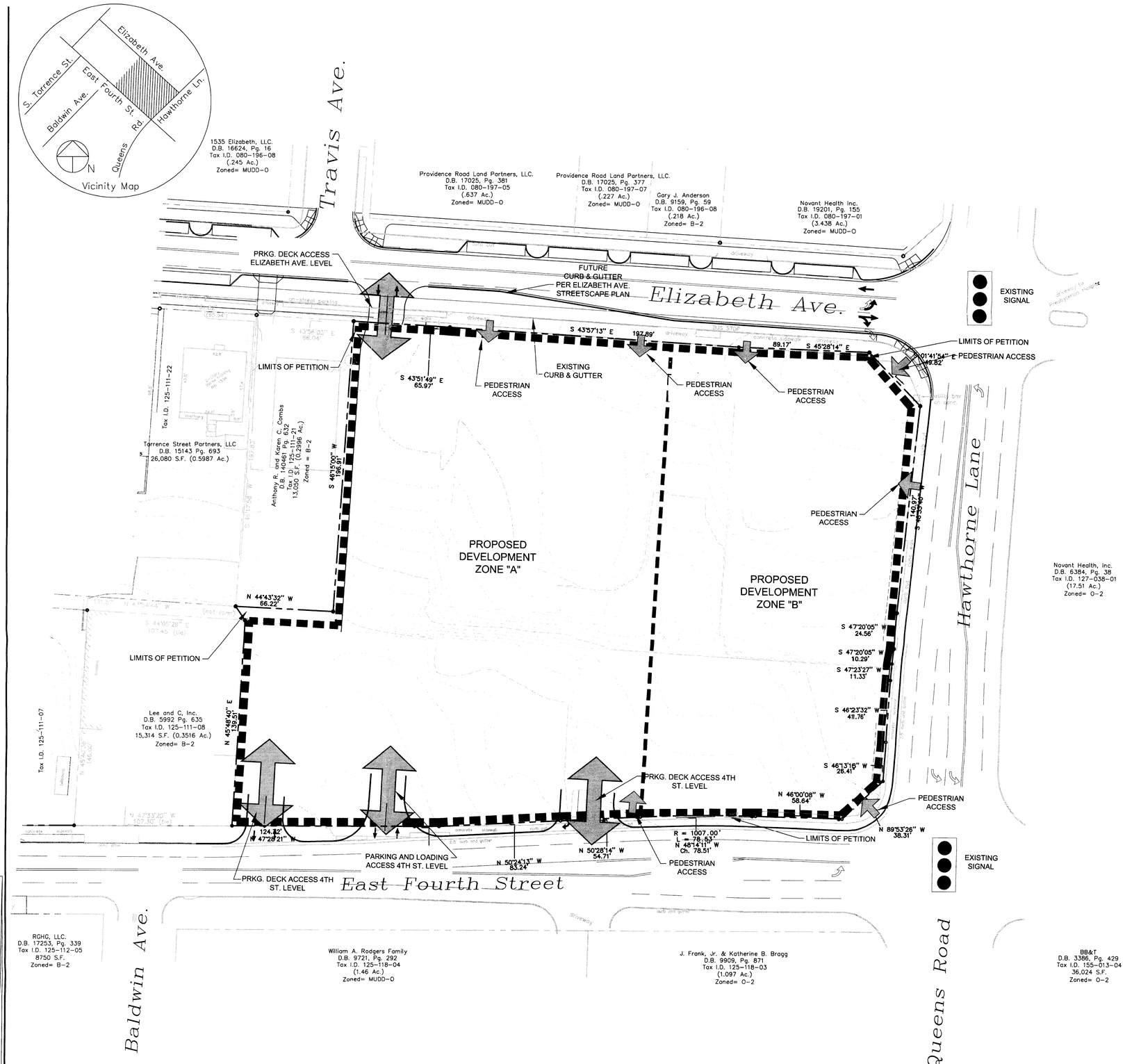

SITE DATA

EXISTING ZONING:	B-2
PROPOSED ZONING:	MUDD-O
SITE AREA:	±3.07 AC (GROSS)

PETITIONER:

PROVIDENCE ROAD LAND PARTNERS, LLC
1523 ELIZABETH AVENUE, SUITE 220
CHARLOTTE, NC 28204
(704) 405-5100

CONSULTANTS:

LITTLE DIVERSIFIED ARCHITECTURAL CONSULTING
5815 WESTPARK DRIVE
CHARLOTTE, NORTH CAROLINA 28217
(704) 525-6350

PARCELS WITHIN PETITION AREA:

125-111-20
125-111-18
125-111-17
125-111-15
125-111-14
125-111-12
125-111-11
125-111-10

DEVELOPMENT STANDARDS
12.18.06

General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Providence Road Land Partners LLC (the "Petitioner"). This rezoning Petition, and accompanying plan seeks to accommodate the development of a mixed use center on the approximate 3.07 acre site bounded by Hawthorne Lane to the east, Fourth Street to the south, and Elizabeth Avenue to the north (the "Site"). Development of the site will be governed by the Technical Data Sheet, these Development Standards, and the applicable provisions of the Zoning Ordinance of the City of Charlotte (the "Ordinance"). Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning classification shall govern all development taking place on the site.

The Technical Data Sheet is accompanied by a development scheme which depicts potential development scenarios for the Site. This plan is referred to as the Schematic Site Plan. Detailed site planning and building design for the Site has not been finalized. The development scenario depicted on the Schematic Site Plan is intended to reflect a potential arrangement of proposed uses and elements on the Site. The exact placement, configuration, and size of the uses and elements may be altered during the design development and construction document phases of the project, within the limits described by this Technical Data Sheet, accompanying Development Standards, and the provisions of the Ordinance.

1. Permitted Uses

The Site may be devoted to any uses which are permitted by right or under prescribed conditions (together with any incidental or accessory uses and structures associated therewith) which are permitted under the Ordinance in the MUDD-O Zoning District with the following exceptions and limitations:

a. Adult Establishments

2. Setbacks and Streetscape:

a. Fourth Street: Petitioner agrees to provide a minimum 8 foot planting strip and 8 foot sidewalk along Fourth Street frontage.
b. Hawthorne Lane: Petitioner will provide a minimum 8 foot planting strip and 8 foot sidewalk along Hawthorne Lane. However, Petitioner reserves the right to reduce the planting strip to no less than 6 feet in certain areas due to the geometric relationship of Hawthorne Lane and the proposed development near the intersection of Fourth Street. Petitioner also reserves the right to construct trees in tree grates in lieu of the planting strip along the Hawthorne Lane frontage.
c. Elizabeth Avenue: Petitioner will provide a minimum 8 foot planting strip and 8 foot sidewalk along Elizabeth Avenue frontage however, Petitioner reserves the right to construct trees in tree grates in lieu of the planting strip along this frontage. Petitioner will coordinate with the Elizabeth Avenue Business Corridor project – Project No. 512-01-022, for all sidewalk and streetscape improvements.
d. Western Property Line: Petitioner agrees to provide either a 5 foot planting strip consisting of evergreen plantings or screen wall that will be a minimum of five feet in height as measured from the ground elevation along the Petitioners corresponding side along the adjacent Parcel 125-111-21 Property Line. If the screen wall option is utilized, the design and materials will be architecturally compatible to the other elements of the project.

3. Maximum Building Areas and Limitations:

a. The Site may include up to a total of 180,000 square feet of Commercial Uses, up to 300 residential units, ancillary residential uses, a Parking Structure and associated service and ancillary uses to serve the development occurring on the site. The areas of development within the Site will be depicted on the Technical Data Sheet, and described as Development Zone "A" and Development Zone "B"

Development Zone A: Up to 300 Residential Units and Ancillary Residential Uses
Up to 30,000 square feet of Commercial Uses
A portion of Parking Structure, and Ancillary Service Areas

Development Zone B: Up to 150,000 square feet of Commercial Uses
A portion of the Parking Structure, and Ancillary Service Areas

b. The Petitioner reserves the right to modify maximum commercial square footage and residential units indicated within the respective Development Zones, however will not exceed the maximum development density as described for the total Site.
c. The Petitioner reserves the right to exchange Residential Condominium units for Hotel Rooms which may be interchangeable at a conversion factor of 1 hotel room per 1 residential unit. The total number of any combination of residential units and hotel rooms however combined, will not exceed the maximum number of residential units.
d. The maximum height limitation for Development Zone "A" will be 250 feet. The maximum height limitation for Development Zone "B" will be 120 feet. Building Heights will be measured per the standards of the ordinance.

4. Design and Performance Standards:

a. Commercial Uses will be established along the street frontages of the site, with the exception of that frontage associated with the Parking Structure generally depicted along Fourth Street. All street walls will, as a minimum, conform to the requirements of Section 9.8506 part 2, paragraph a.
b. Commercial Retail Uses may be located on the first floor of any structure within the Site unless depicted as otherwise, and extend into the second, third, or fourth floor of any structure within the Site, either as multiple users or single uses.
c. Due to the elevation change along Hawthorne Lane, the proposed elevated plaza area which is accessible to the public may be counted towards the street wall requirements as defined in Section 9.8506 part 2 paragraph (a). The foundation wall of the elevated plaza will be architecturally articulated with reveals and/or other architectural treatments, such as imagery, or artwork however will not contain windows or doors.
d. The streetwalls and facades of the Parking Structure along Fourth Street will be designed in conformance with Section 9.8506 Part 2 section (a) of the Ordinance. The architectural treatment of the street level frontage of the Parking Structure will be compatible with the architectural treatments of the street level frontage of the commercial uses fronting the same streets in lieu of occupied retail space.
e. A minimum of 4 operational door locations will be provided along the Elizabeth Avenue frontage. A corner entrance at the intersection of Elizabeth Avenue and Hawthorne Lane may be counted toward this requirement. A minimum of 3 operational doors will be provided along the Hawthorne Lane frontage. The corner entrances at Elizabeth Avenue and Hawthorne Lane, and Fourth Street and Hawthorne Lane respectively may be counted toward this requirement.
f. Dumpster areas will be enclosed on all four sides by an opaque wall with one side being a hinged opaque gate. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear of the building may be substituted for the wall.
g. Detached pedestrian scale light poles and fixtures will be consistent in design and will not exceed 15 feet in height. This excludes street lighting. All lighting will be shielded to direct lighting downward.
h. The vehicular access points as generally depicted on the Technical Data Sheet will include sidewalks, landscaping, and lighting for pedestrian accessibility and movement.
i. The pedestrian crossings, where the vehicular access alley intersects with Elizabeth Avenue and Fourth Street, will be defined by articulation of surface paving materials, lighting, and signage.
j. Wall-pak lighting is prohibited within the Site.
k. Service areas will be screened from public view, and will be covered.
l. The Petitioner, under the optional provision to this ordinance, reserves the right to construct building signage, in addition to those allowed by the ordinance, in the areas as indentified on the attached building elevations. These building signs may exceed the maximum number and size as defined in the ordinance up to 250 square feet for the signs located on all occupied portions of the building for any retail tenant exceeding 12,000 square feet. Signs located on the parking garage portion of the building may be up to a maximum of 100 square feet per sign for parking directional signage.
m. The site will conform with all approved streetscape plans for the area. The Petitioner reserves the right to delay its portion of construction responsibilities or modification of the abutting Elizabeth Avenue Streetscape until final design plans for the Streetscape improvements by the City of Charlotte have been fully coordinated with the proposed development, and construction of those streetscape improvements by the City of Charlotte is complete.
n. The development occurring on the Site will conform with the open space requirements as described in Section 9.8506 part 4. These Open Spaces may include plazas, courtyards, upper floor terraces, rooftops and up to 20 percent within an enclosed ground floor level.
o. Petitioner reserves the right to seek the appropriate variances, text amendments or other regulatory body approvals as required for the installation of a limited helipad on a roof within a portion of the proposed development.

5. Parking:

a. The parking and loading areas within the site will, as a minimum, satisfy the requirements of the Ordinance.
b. The Petitioner reserves the right to construct and maintain interim surface parking within the site to accommodate the parking requirements of any initial phases of the project either inside or outside the described development zones associated with the development.
c. Bicycle Parking will be provided as required by Section 12.202A of the Ordinance.

6. Storm Water Management

Storm Water runoff from the site will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte Ordinances and the Charlotte Mecklenburg Storm Water Design Manual and other measures that are required by adopted policy at the time of approval of this petition. The proposed development will not be obligated to comply with policies that have not been legally adopted by the City of Charlotte or the State of North Carolina, however reserves the right to consider elements of such policies for implementation at the discretion of the Petitioner.

7. Vehicular Access and Roadways

a. Vehicular access to the Site shall be as generally depicted on the Technical Data Sheet.
b. The placement, configurations and locations of these access points are subject to any minor modifications required to accommodate actual site and building design, and any adjustments that may be required by CDOT or NCDOT.
c. The Petitioner is working with CDOT to prepare a Transportation Improvement Study document for the area. This overall study in association with the required Traffic Impact Study for this Petition, will be provided for and approved by CDOT prior to MUDD site approval to evaluate the effect that site generated traffic will have on the thoroughfare system in the vicinity and to address access to and from the site.
d. The City of Charlotte Department of Transportation, along with Charlotte Mecklenburg Planning Commission Staff shall inform the Petitioner of the locations of the transitional Rights of Ways along the surrounding street frontage, the allowable curblines surrounding the Site, and the corresponding building setbacks.
e. The Petitioner reserves the right to seek abandonment of existing easements, alleyways, or other encumbrances within the site through quit claim procedure or other methods in order to create a compatible and integrated development.

8. Fire Protection

a. Adequate fire protection will be provided in accordance with the requirements of the office of the Fire Marshall and building code in existence at the time of approval of this Petition.

9. Environmental

a. Multi-Family complexes must meet all requirements as stated in Chapters 9 and 12 of the Charlotte City Code regarding solid waste, dumpster, compactor, and recycling areas.
b. Any development taking place on the Site will comply with the allowances and restrictions imposed by the Brownfields Agreement for this Site.
c. If required, a Notification of Demolition and Renovation will be submitted to Mecklenburg County Air Quality prior to commencement of Demolition or Site disturbance activities.

10. Transit Stop Waiting Pad

a. Petitioner agrees to construct a concrete waiting pad consistent with CATS development standards 60.01A will be constructed on East Fourth Street. Petitioner agrees to maintain the bus stop on Elizabeth Avenue.

11. Amendments to the Rezoning Plan:

a. Future amendments to the Petition, or portions thereof may be applied for by the then Owner of the Parcel or Parcels within the site in accordance with provisions of Chapter 6 of the Ordinance.

12. Binding Effect of the Rezoning Documents and Definitions:

a. If this Rezoning Petition is approved, all conditions applicable to the 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 their respective successors in interest and assigns.
b. Throughout these Development Standards, the terms, "Petitioner" and "Owner" 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 who may be involved with any future development thereof.

REACTIVATED PETITION NUMBER = 2005-092
FOR PUBLIC HEARING

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

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PROJECT NAME
Elizabeth Avenue
Redevelopment
East Property
Rezoning

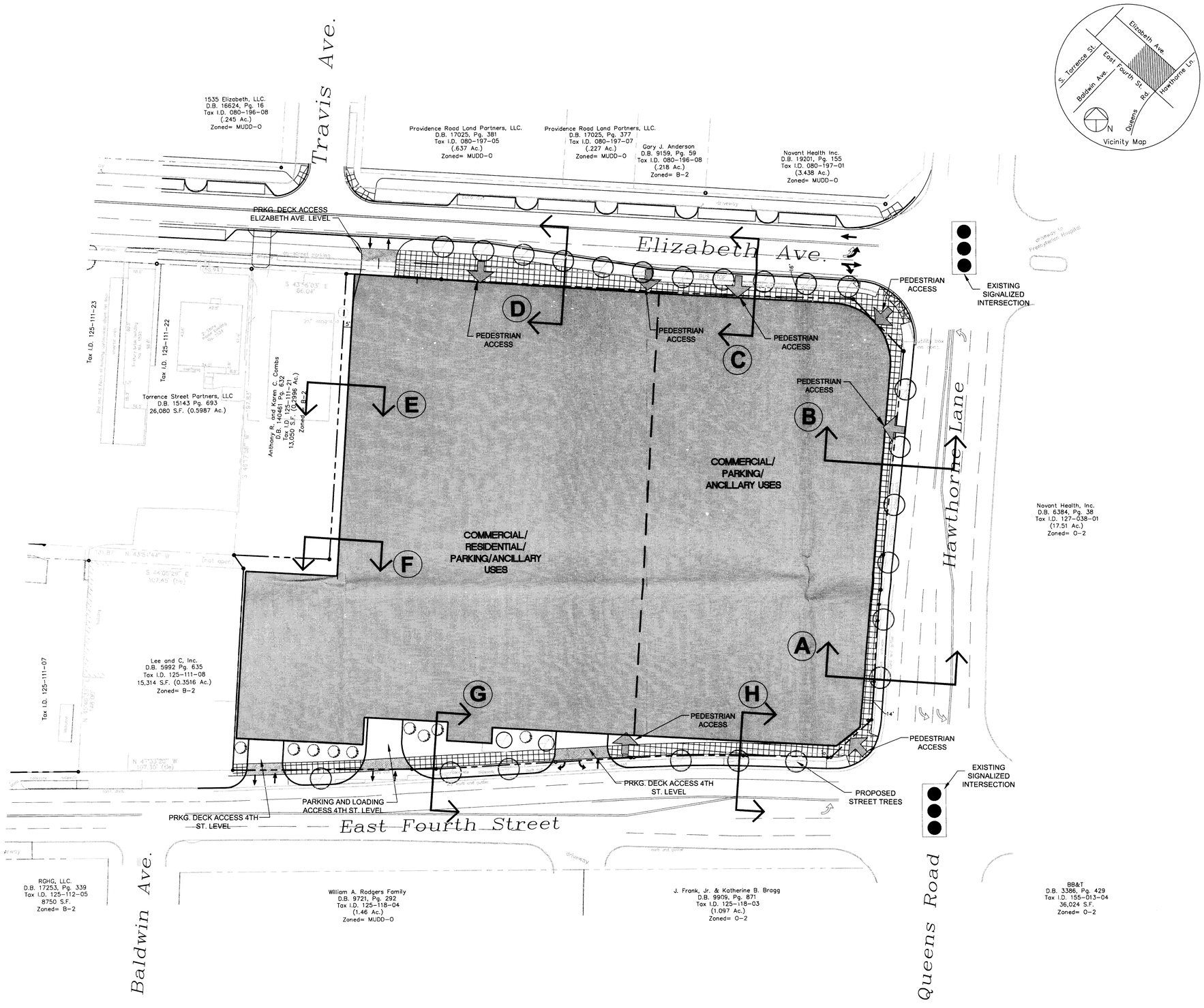
PROJECT TEAM
PRINCIPAL IN CHARGE
Jim Gamble, ASLA
PROJECT MANAGER
David Powlen, RLA
DRAWN BY
C. Chastain, RLA

NO.	REASON	DATE
1	CMPC COMMENTS	12/18/06

SHEET TITLE
TECHNICAL
DATA SHEET

PROJECT NO.
101-9925-01

ISSUE DATE | SHEET NUMBER
12/18/06 | RZ-1



NOTE:

THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND DEPICTS A POSSIBLE DEVELOPMENT SCHEME. FINAL LAYOUT WILL BE DETERMINED DURING DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PREPARATION.

REACTIVATED PETITION NUMBER = 2005-092 FOR PUBLIC HEARING

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

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Elizabeth Avenue Redevelopment East Property Rezoning

PRINCIPAL-IN-CHARGE:
Jim Gamble, ASLA

PROJECT MANAGER
David Powlen, RLA

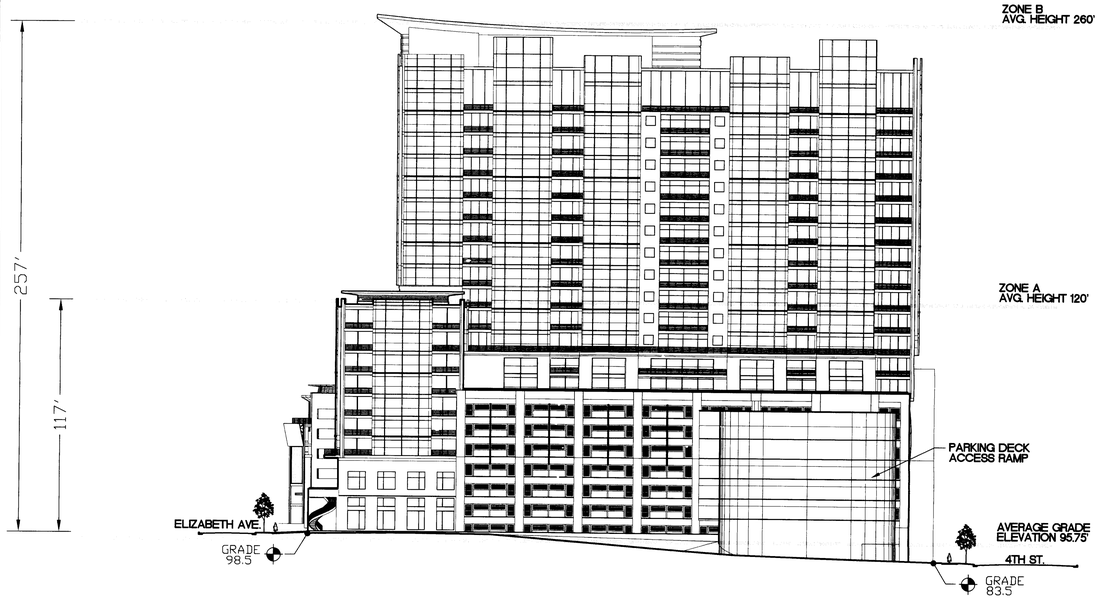
DRAWN BY
C. Chastain, RLA

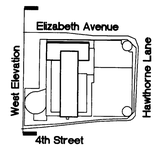
NO.	REASON	DATE:
1	CMPC COMMENTS	12/18/06

SHEET TITLE:
SCHEMATIC SITE PLAN

PROJECT NO.
101-9925-01

DATE:	SHEET NUMBER:
12/18/06	RZ-2





1 RZ-3 **WESTERN PROPERTY ELEVATION**
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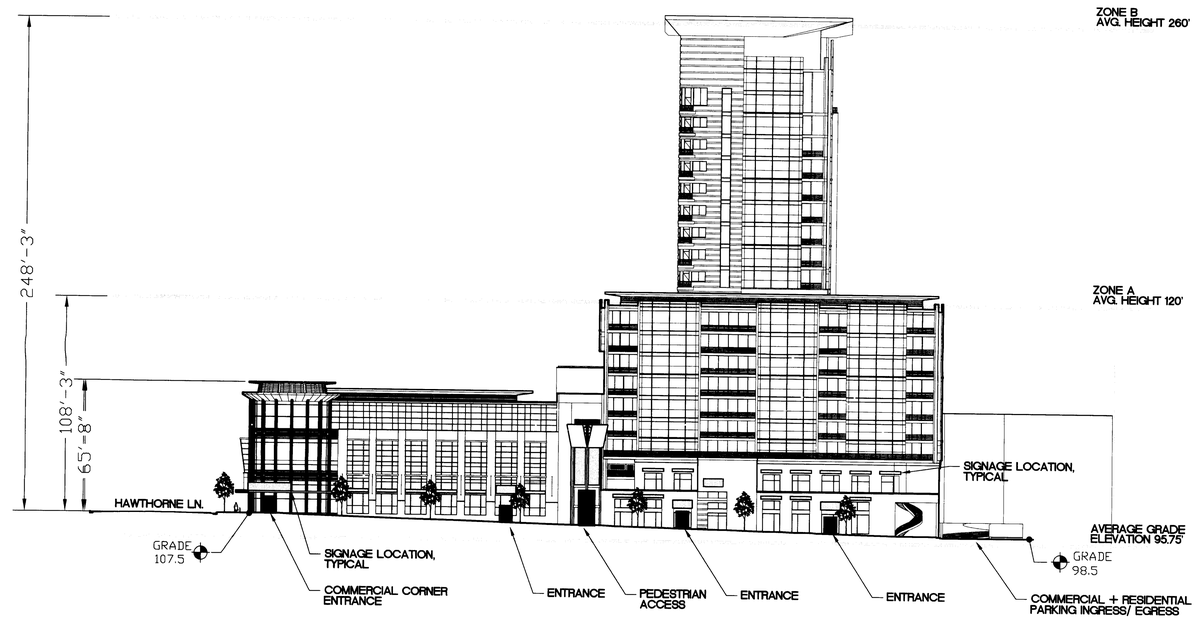
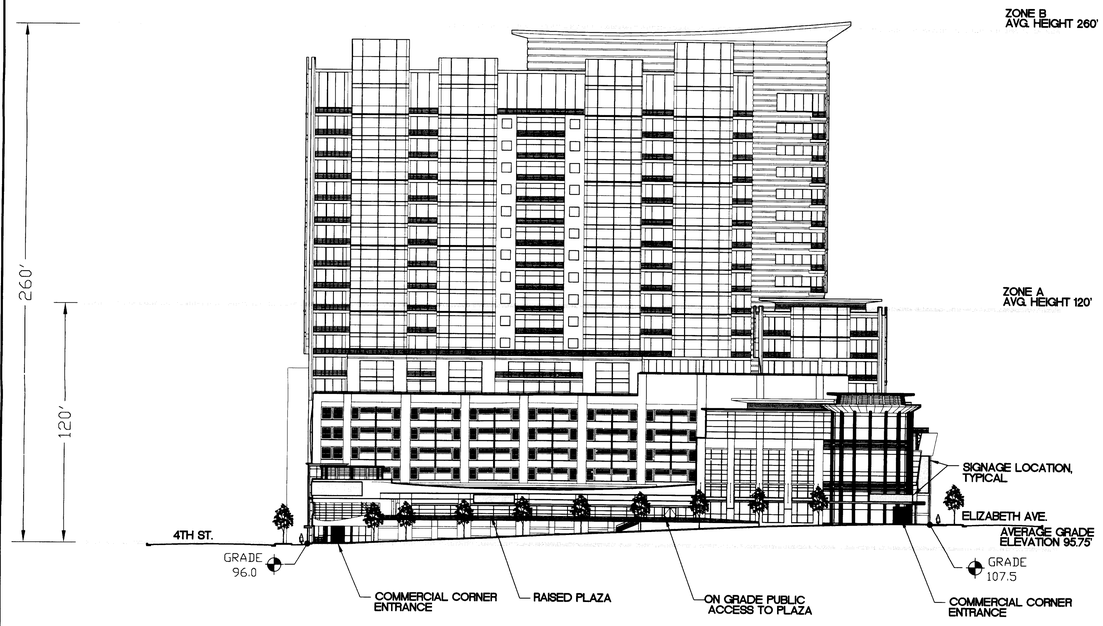
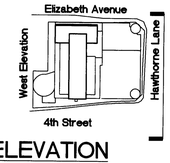


NOTE:
These elevations are schematic in nature and intend to only depict the scale and design quality of the development. These elevations are subject to modification during preparation of the final Design Development and Construction Documents. Further, the final design will require MUDD-O review prior to issuance of building permits.

3 RZ-3 **ELIZABETH AVE. ELEVATION**
SCALE: 1/32" = 1'-0"





2 RZ-3 **HAWTHORNE STREET ELEVATION**
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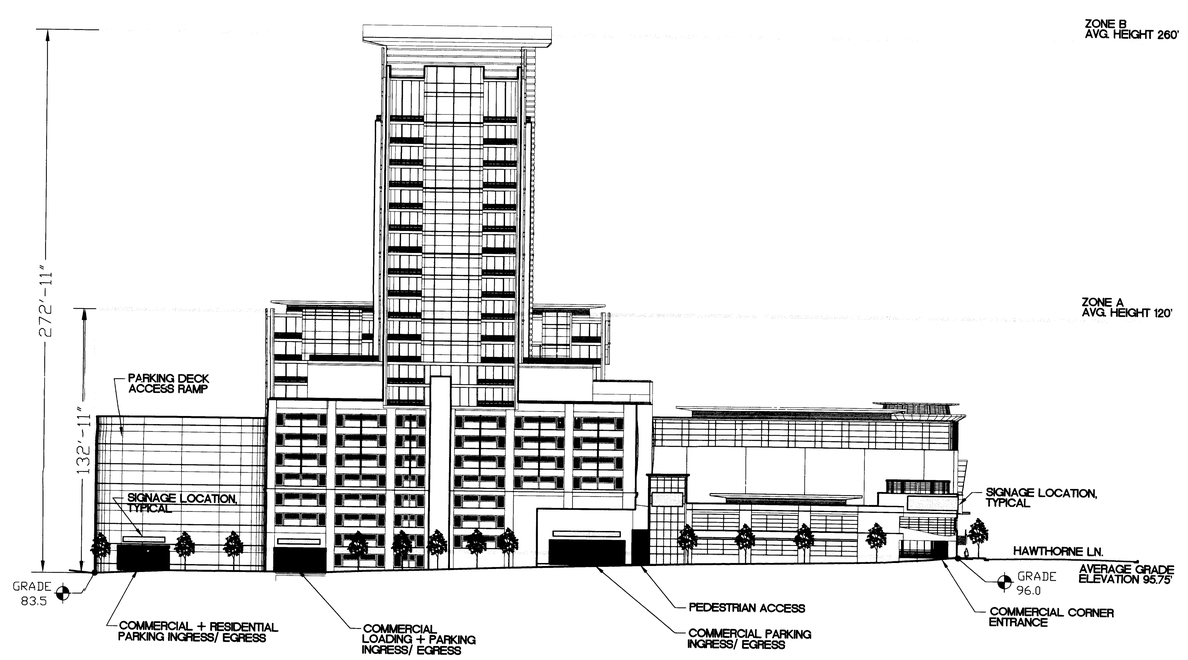

REACTIVATED PETITION NUMBER = 2005-092
FOR PUBLIC HEARING

4 RZ-3 **4th STREET ELEVATION**
SCALE: 1/32" = 1'-0"

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PRINCIPAL IN CHARGE
Jim Gamble, ASLA
PROJECT MANAGER
David Powlen, RLA
DRAWN BY
C. Chastain, RLA

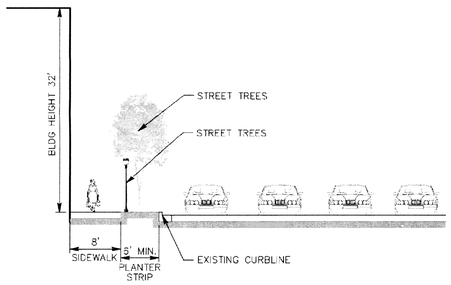
REVISIONS

NO.	REASON	DATE

DRAWING TITLE
SCHEMATIC
ELEVATIONS

PROJECT NUMBER
101-9925-01

DATE ISSUED: 12/18/06
SHEET NUMBER: RZ-3



SECTION "A"
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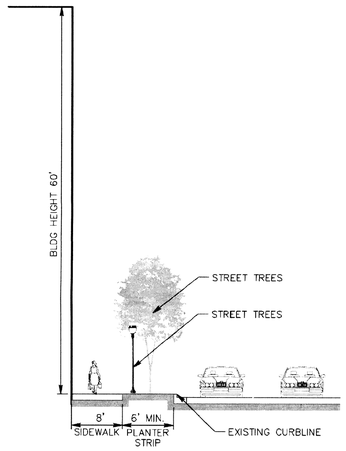

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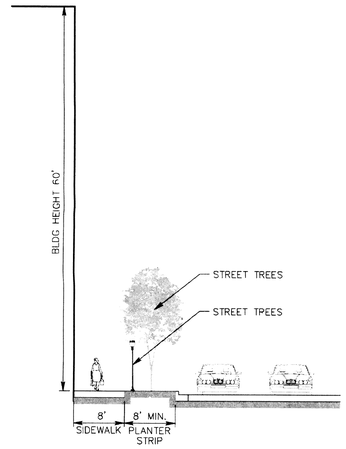

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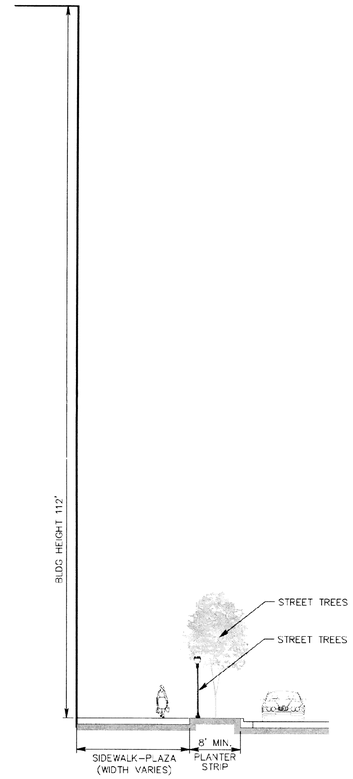

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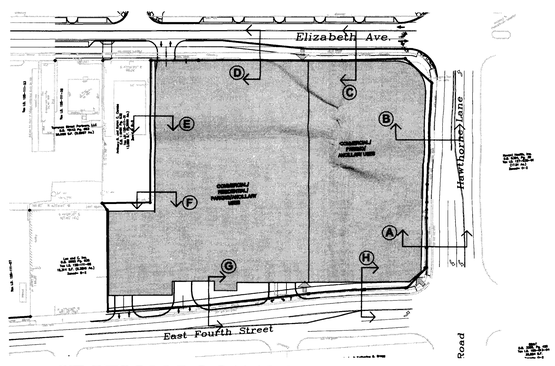
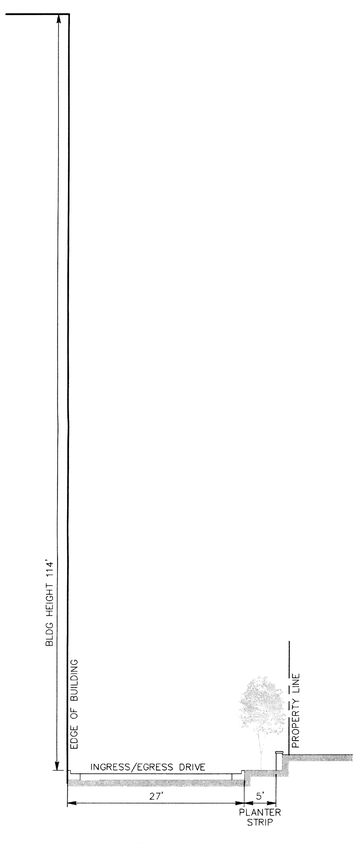


SECTION LOCATOR



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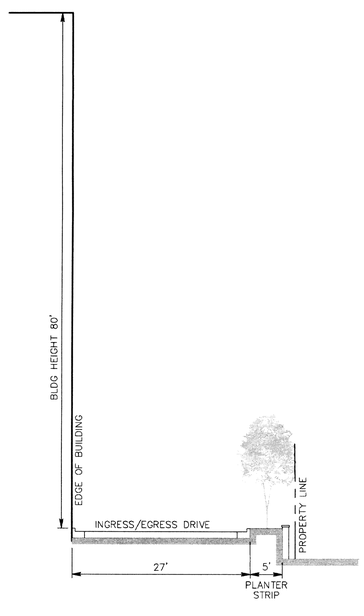

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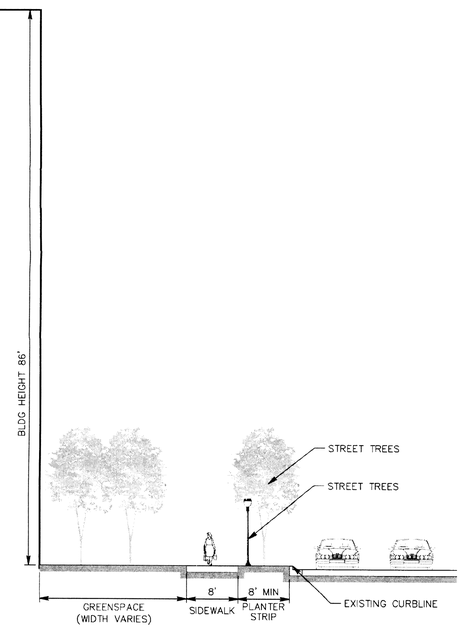

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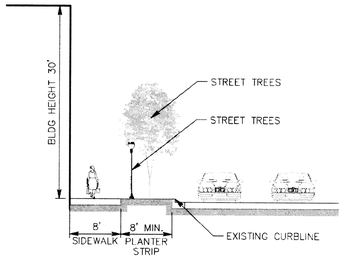

SECTION "H"
1"=10'

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PRINCIPAL IN CHARGE
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PROJECT MANAGER
David Powlen, RLA

DRAWN BY
C. Chastain, RLA

NO.	REASON	DATE

SCHEMATIC ELEVATIONS

101-9925-01

12/18/06

RZ-4

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REVISIONS

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SHEET TITLE
SCHEMATIC
RENDERING

PROJECT NO.
101-9925-01

DATE 12/18/06

SHEET NUMBER RZ-5