

Live Oaks CHA Property
DEVELOPMENT STANDARDS
December 7, 2005

General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Live Oak Development Partnership, LLC, representing the Housing Authority of the City of Charlotte (the "Petitioner"). This rezoning Petition, and accompanying plan seeks to accommodate the development of a mixed use center on the approximate 4.62 acre site bounded and accessed by way of Savings Place via Fairview Road from 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 zoning district 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 without further zoning approvals provided such altered design is 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 zoning district classification. These uses may include residential and retail uses to the densities and limitations as described and set forth within these Development Standards.

2. Maximum Building Areas and Limitations:

- a. The Site may include up to 300 Multi-Family Residential Units, and a maximum total of 13,500 of of Retail together with associated surface parking, parking structures and other ancillary facilities such as marketing and leasing offices 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" with the following uses:

Development Zone A: Up to 50 Multi Family Residential Units
Surface Parking, Parking Structure, and ancillary service and access areas

Development Zone B: Up to 250 Multi Family Residential Units
Up to 13,500 of of Retail
Surface Parking, Parking Structure, ancillary service and access areas

- b. The Petitioner reserves the right to modify maximum square footage and residential units indicated within the respective Development Zones through administrative approval of Planning Staff, however will not exceed the maximum Multi Family Units and Retail development area as described for the total Site.
c. Up to three independent, disconnected buildings may be developed on the Site, however the primary use of any building developed on the Site will be Residential.
d. Retail Uses will be located primarily along the ground floor street or drive frontage of the development.
e. During the design development phases of the project, the Petitioner shall submit development plans with more defined building areas of the project for Administrative review and approval by the Charlotte Mecklenburg Planning Commission Staff prior to formal MUDD (CD) review submittal.

3. Design and Performance Standards:

- a. All street walls will, as a minimum, conform to the requirements of Section 9.8506 part 2: paragraph a. The architectural treatment of the street level frontage of the any Parking Structure(s) that front a street will be compatible with the architectural treatments of the street level frontage of the commercial uses fronting the same street(s).
b. 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.
c. Detached pedestrian braille light poles and fixtures will be consistent in design and will not exceed 25 feet in height. This excludes street lighting.
d. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
e. All freestanding lighting fixtures, except street lights erected along public or private streets, will be uniform in design.
f. The maximum height of any freestanding lighting fixture, including its base, may not exceed 35 feet.
g. All parking lot and roadway/driveway area lighting shall be capped and designed such that direct illumination does not extend past any exterior property line.
h. Wall-mounted decorative light fixtures such as sconces are permitted.
i. Service areas will be screened from public view.
j. Signage will be designed and erected in accordance with the requirements of the ordinance. The Petitioner reserves the right to request a master signage system through the Planning Development Flexibility Option as described in Section 13.110 of the Ordinance.
k. 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, second floor terraces, with up to 30 percent of the required open spaces located within an enclosed ground floor level.

4. Parking:

- a. The parking and loading areas within the site will, as a minimum, satisfy the requirements of the Ordinance through a combination of on-street, surface lot, and structured parking facilities.
b. The Petitioner reserves the right to construct and maintain interim surface parking within the site to accommodate the parking requirements of the initial phases of the project either inside or outside the described development zones associated with the defined initial phase of development.
c. The Petitioner reserves the right to incorporate parallel and/or angled on street parking along the Site's street frontage.

5. Storm Water Management

- a. 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 LUESA in existence as of approval of this Petition.

6. 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.
c. 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 curbsides surrounding the Site, and the corresponding building setbacks.
d. The Petitioner reserves the right to seek abandonment of existing portions of Savings Place, easements, alleyways, or other encumbrances within the site through quit claim procedure or other methods in order to create a compatible and integrated development.
e. The Petitioner reserves the right, upon abandonment, to reconstruct all or portions of Savings Place as either a private or public drive.

7. 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.

8. 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.

9. 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.

CONSULTANTS:

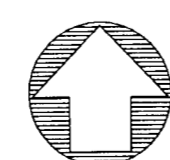
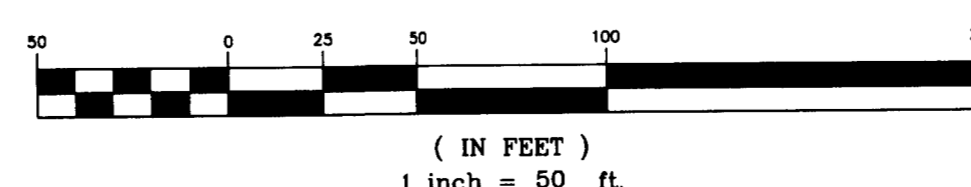
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PETITIONER:

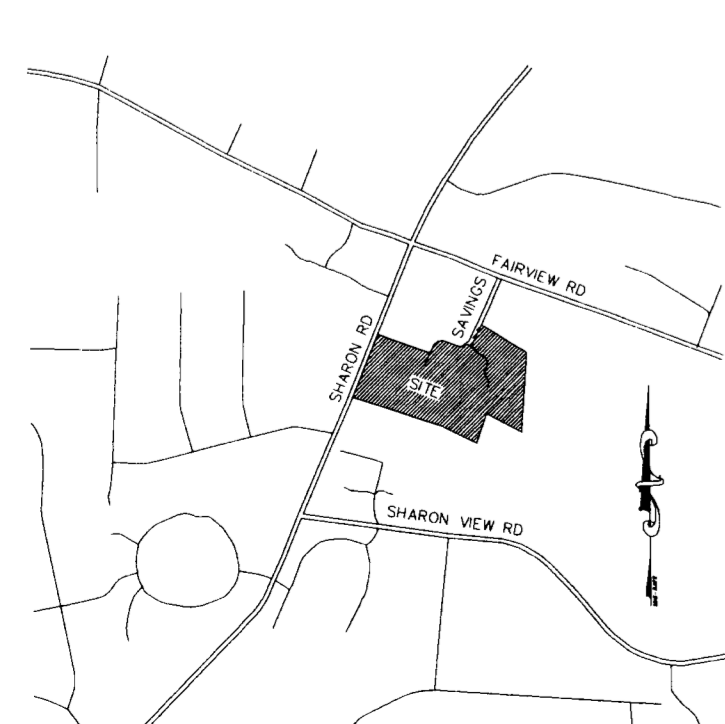
LIVE OAK DEVELOPMENT PARTNERSHIP, LLC
1301 SOUTH BOULEVARD
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GRAPHIC SCALE

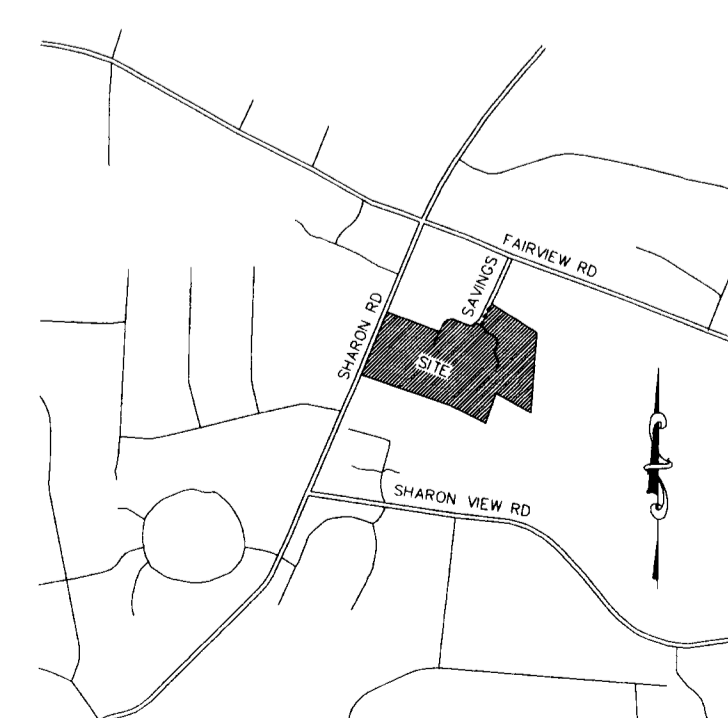
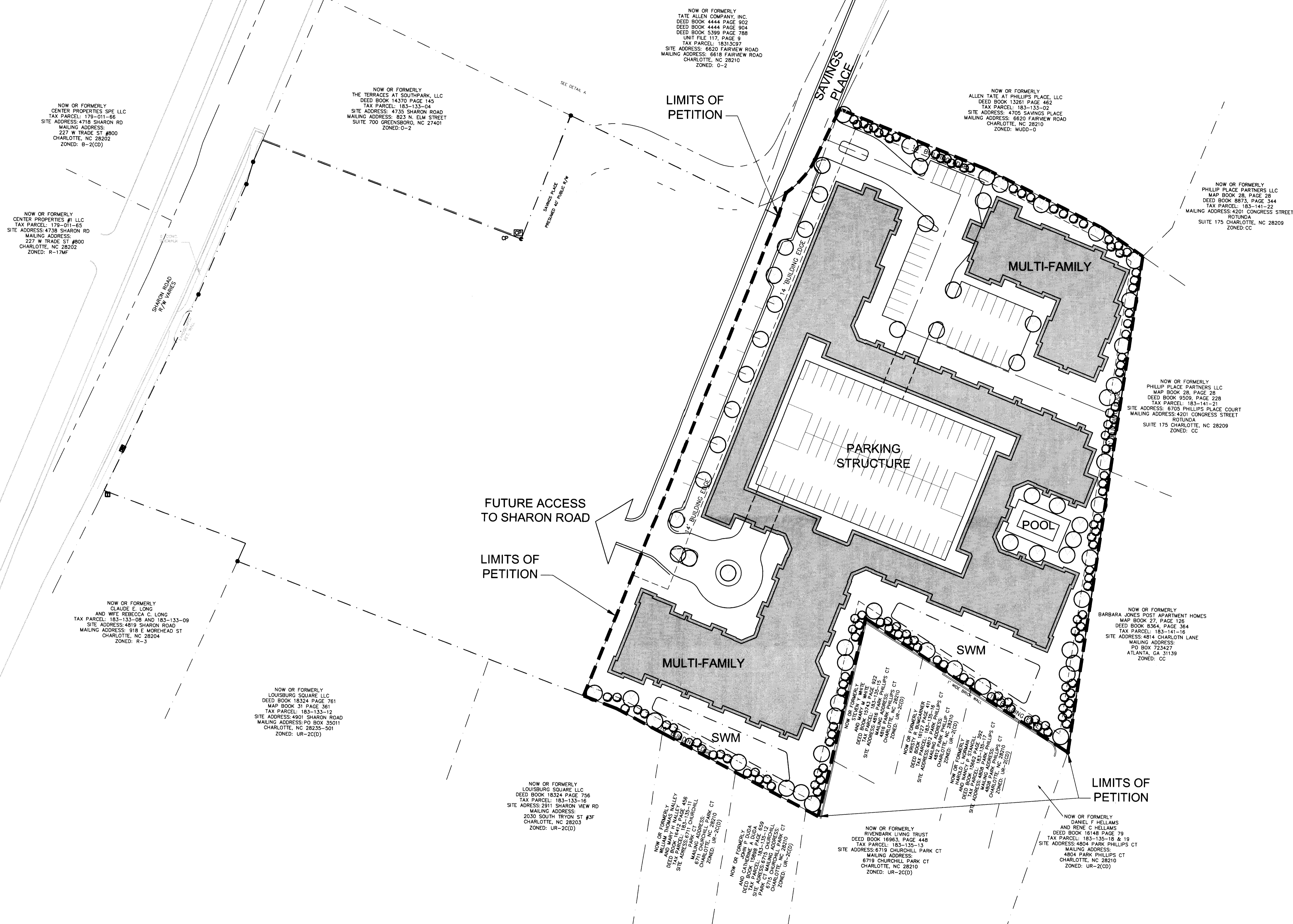


SITE DATA: TOTAL AREA = +/- 4.62 AC.
TAX PARCEL #: 183-133-07

EXISTING ZONING: R-15 MF (CD)
PROPOSED ZONING: MUDD (CD)
SITE AREA: +/- 4.62 AC (GROSS)



VICINITY MAP



VICINITY MAP

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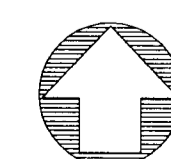
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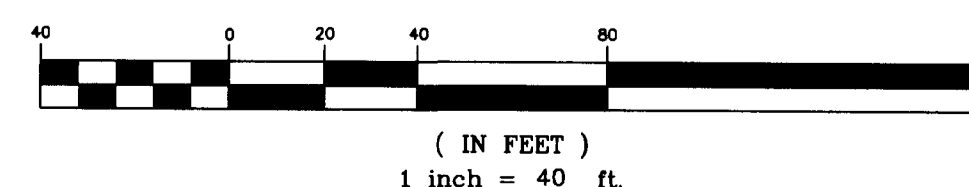
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NOTE:

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.