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**MERRIFIELD
PARTNERS, LLC**

125 SCALEYBARK ROAD
CHARLOTTE NC 28209

Prosperity Corner

Schematic Site Plan

Neighborhood Services (NS)

Development Rezoning

Developmental Rezoning

NO.	DATE	BY	REVISIONS:
1	01.27.06	hkh	revised per planning and cdot comments
2	02.16.06	hkh	revised per northbrook comments

Exhibit No: 0E 041

Project No: 05.0
Date: 11 29 05

Date: 11.28.05

Designed by: kent
Drawn By: kent

Scale: 1"=30'

Sheet No.:

BZ-1

DEVELOPMENT STANDARDS FOR PROSPERITY PLACE

At the intersection of Eastfield Road and Prosperity Church Road

Development Standards

This petition proposes a mixed use development containing a mixture of live-work units, open space, commercial and/or office uses. Development of the Site will be controlled by the standards depicted on the Schematic Site Plan and by the standards of the Charlotte Zoning Ordinance. This proposal will allow a mixed use development composed of commercial and/or office uses along with live-work units interconnected with open space, pedestrian, and vehicular linkages. The Petitioner will construct a mixed use development in general conformity with the Schematic Site Plan with a special emphasis on the use of reduced street front setbacks and arrangement of buildings along Prosperity Church Road and Eastfield Road to promote pedestrian activity within the site. Further, the Petitioner will provide pedestrian connections from within the site to public sidewalks. The development depicted on the Schematic Site Plan is generally schematic in nature and intended to describe the general arrangement of uses on the Site. Accordingly, the configurations, placements, and sizes of the building footprints and lots, as well as the locations of streets and parking areas shown on the Schematic Site Plan are schematic in nature and may be altered or modified during design development and construction phases, subject to normal Staff reviews and approval.

Permitted Uses/Prohibitions:

- Uses within the NS area of the site may include neighborhood oriented uses such as a bank, pharmacy, dry cleaners, personal services, restaurants, or similar uses. The site will be restricted from use as a gas station, car wash, convenience store or any restaurant with a drive through service. There will be no direct vehicular access from any free-standing single tenant building to the adjoining public streets.
- The uses that may locate separated from the main structure will be designed as part of the overall development in terms of consistent landscaping, signage, and architectural style.
- No more than two tenants on the site may include a drive-through facility. Those uses shall be limited to a pharmacy and a bank.
- The live work units shall be multi-story with the ground floor used for commercial and/or office use and the other story(ies) used for residential purposes. The ground floor may be used by the owner/ occupant of the unit or may be space that the owner of the unit leases to another party. In the alternative, these units may be used for entirely residential purposes. In no event however, will the units be combined with each other so as to allow large commercial spaces on the Site.

Setbacks, Sideyards, and Rear Yards:

All buildings constructed within the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the Neighborhood Services (NS) District. The Site can be viewed as a unified development plan. As such, interior yards will not be required between buildings located on the Site. The Developer reserves the right to subdivide the Site and create lots within the interior of the development with no side and/or rear yards as part of a unified development plan, subject to the normal Staff review and approval process.

Design and Architectural Controls:

- Buildings will have doors, windows, or both facing onto Prosperity Church Road and the internal streets. The first floor elevations of all buildings facing a street (not an alley) must be designed to encourage and compliment pedestrian-scale activity. It is intended that this be accomplished principally by the use of entrances, awnings, windows, and articulated facades. At least 40 % of the length of the first floor street frontage shall be treated as such. Clear glass shall be used throughout with the exception that spandrel glass may be used to conceal structure, mechanical, interstitial or storage space. This glass area will count toward the 40 % minimum requirement.
- All buildings will have pitched roofs and minimum 5 foot perimeter walkways and will feature brick, stone, stucco or cementitious siding exteriors with brick accents.
- The height of the office/retail buildings will not exceed two stories and 25 feet in height as measured from the average grade of the building to the roof line. Architectural elements with non-occupiable space, such as but not limited to a roof parapet, may be placed on the roof and these element(s) shall not exceed 35 feet in height. In addition, these elements will not comprise more than 25 percent of the lineal footage of the long facade.
- The height of the residential (live/work) buildings will not exceed three stories with a maximum height of no more than 35 feet to the eave and a maximum of 45 feet to the top of the roof.
- Canopies, awnings and similar architectural accents are encouraged at entrances to buildings and in open space areas. Such features may be constructed of rigid or flexible material designed to complement the streetscape of the area. Any such facility may extend from the building up to two feet.
- Amenities within the open space area will include but not be limited to tables and seating/benches.

Screening and Landscaping Areas:

- A screening/landscape strip of no less than 20 feet in width shall be provided along the southerly project edge. This screening/landscape strip shall include preservation of the existing brick wall which is owned by the property owner and conform to the specifications outlined within the Rear Yard Planting Detail. The landscaping within the 20 foot screening/landscape strip shall conform to or exceed the planting standards of a Class B buffer.
- All roof mounted mechanical equipment will be screened from view from adjoining public right-of-way and abutting properties as viewed from grade.
- Brick screen walls may be used in lieu of shrubbery to screen parking areas adjacent to Eastfield Road and Prosperity Church Road.
- Landscaping will incorporate a variety of materials and include specimen trees that will provide a unique environment within the development.
- All dumpsters on the Site will be screened with either a solid enclosure with gates or incorporated into building architecture.
- Petitioner will renovate the existing wall at the rear of the property in order to raise the height of the wall to 6' along its entire length.

Streetscape Treatment:

- The areas located at the access points to both Eastfield Road and Prosperity Church Road will be heavily landscaped to provide for a welcoming approach to the Site.
- The streetscape treatment along Eastfield Road and Prosperity Church Road will include large maturing trees and supplemental shrubbery in accordance with the Zoning Ordinance.
- The Petitioner shall cause to be installed on the Site six foot sidewalks and eight foot planting strips along its frontage on Eastfield Road and Prosperity Church Road in accordance with the Zoning Ordinance.
- Parking will not be located between buildings and the street along Prosperity Church Road and Eastfield Road, except as shown on the schematic site plan.

Lighting:

- Pedestrian scale lighting shall be installed along Eastfield Road and Prosperity Church Road.
- The maximum height of any freestanding light fixture erected on the Site (other than street lights on public rights-of-way) including its base, shall not exceed 20 feet. Lighting levels in the parking fields will be designed to minimum industry or City of Charlotte standards. All lighting will be capped and fully shielded to direct lighting downward and/or away from adjoining residential properties.
- No wall pack light fixtures will be allowed on any structures constructed on the Site. However, wall-mounted decorative light fixtures such as sconces will be permitted.

Signs:

- Signage will be permitted in accordance with applicable Zoning Ordinance standards.
- Detached signage will be ground-mounted or monument type signage and limited to 7 feet in height and 50 square feet in size.

Parking:

- Automobile parking will be provided in accordance with the following formulas:
 - One space per 125 square feet of floor area devoted to restaurant space,
 - One space per 250 square feet of floor area devoted to other non-residential space, and
 - One space per live-work unit.
- Where internal sidewalks are located between buildings and parking bays, either a sidewalk at least seven feet in width or wheelstops shall be provided.
- Bicycle parking shall be provided in accordance with the standards of the Ordinance.

Connectivity:

The Petitioner will provide a pedestrian network throughout the site with sidewalks and trails connecting the various uses. Each residential unit must connect to a public sidewalk via a sidewalk.

Access Points (Driveways):

- Vehicular access to shall be as generally depicted on the Site Plan. The placement and configuration of these access points are subject to any minor modifications required to accommodate final Site and architectural construction plans and designs and to any adjustments required for approval by the North Carolina and/or Charlotte Department of Transportation.
- The Petitioner agrees to dedicate and convey (by quitclaim deed and subject to a reservation for any necessary utility easements) prior to the issuance of any certificate of occupancy those portions of the Site immediately abutting the following roadways as required to provide right of way as outlined below if such right-of-way does not presently exist.

Prosperity Church Road
50 feet from centerline

Eastfield Road
35 feet from centerline
- The new curb line shall be 37.5 feet from the centerline of Prosperity Church Road and the setback shall be measured from that location.
- In order to discourage cut-through traffic, Petitioner will install up to two traffic calming devices (of his discretion) on the driveway connecting Eastfield and Prosperity Church Roads.

Storm Water Management:

- Storm water runoff 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. Surface level storm water detention, if provided, shall not be located in the setback required by the ordinance.
- The detention shall tie-in to the existing abutting storm water system(s). The Petitioner shall have the receiving drainage system abutting the Site analyzed to ensure that it will not be taken out of standard due to this development. If it is found that the development will cause the receiving storm drainage system to be taken out of standard, the Petitioner shall provide adequate detention to prevent this from occurring. Should the existing, receiving drainage system be deemed to be out of standard prior to development of its Site, the Petitioner agrees to provide adequate detention to ensure that the system will not be additionally overburdened.
- The Petitioner shall control runoff for the post-development site such that peak storm water release rates match pre-development rates for the 2-year and 10-year 6-hour storm events. Runoff draw down time shall be a minimum of 24 hours but not more than 120 hours.

Fire Protection:

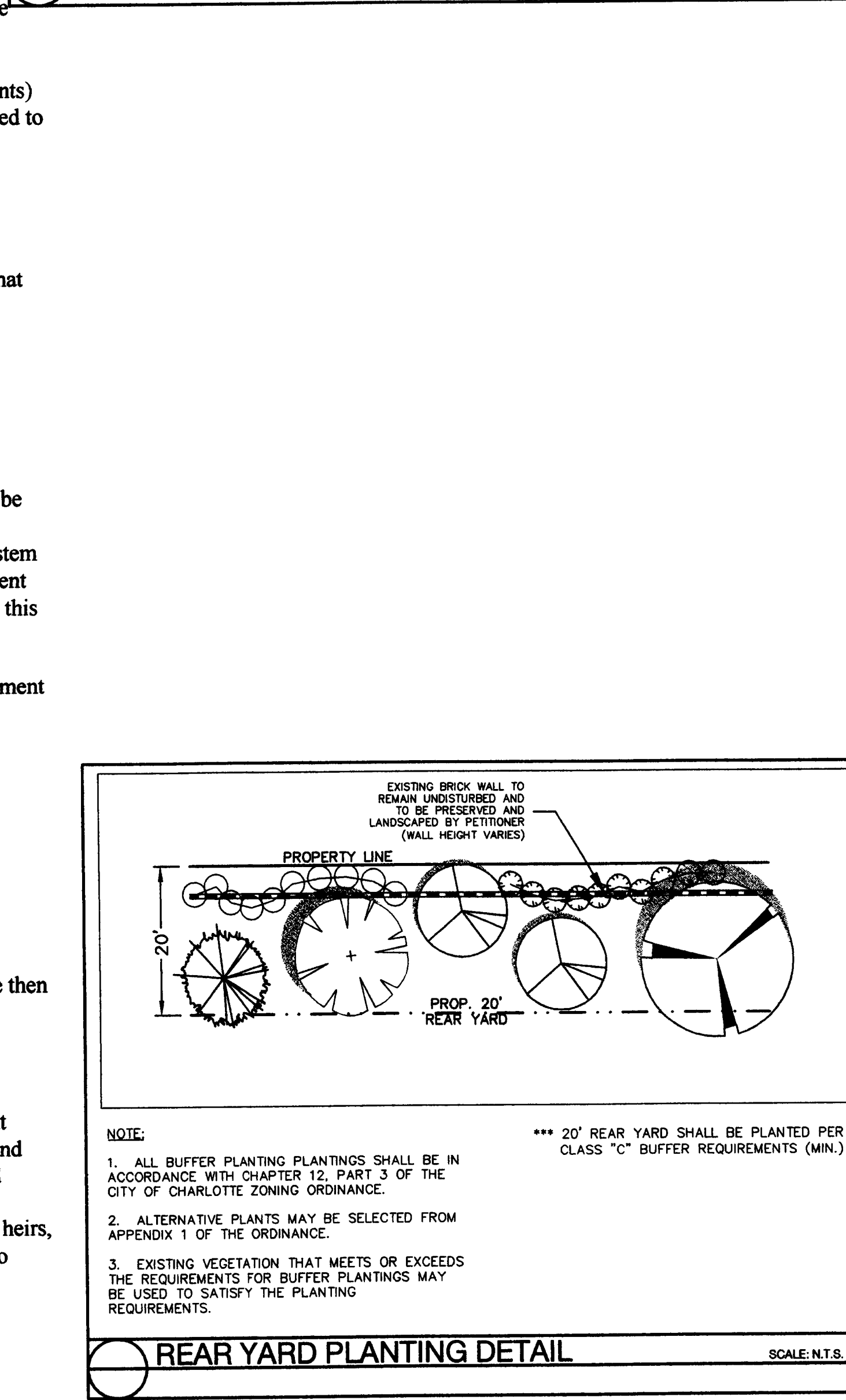
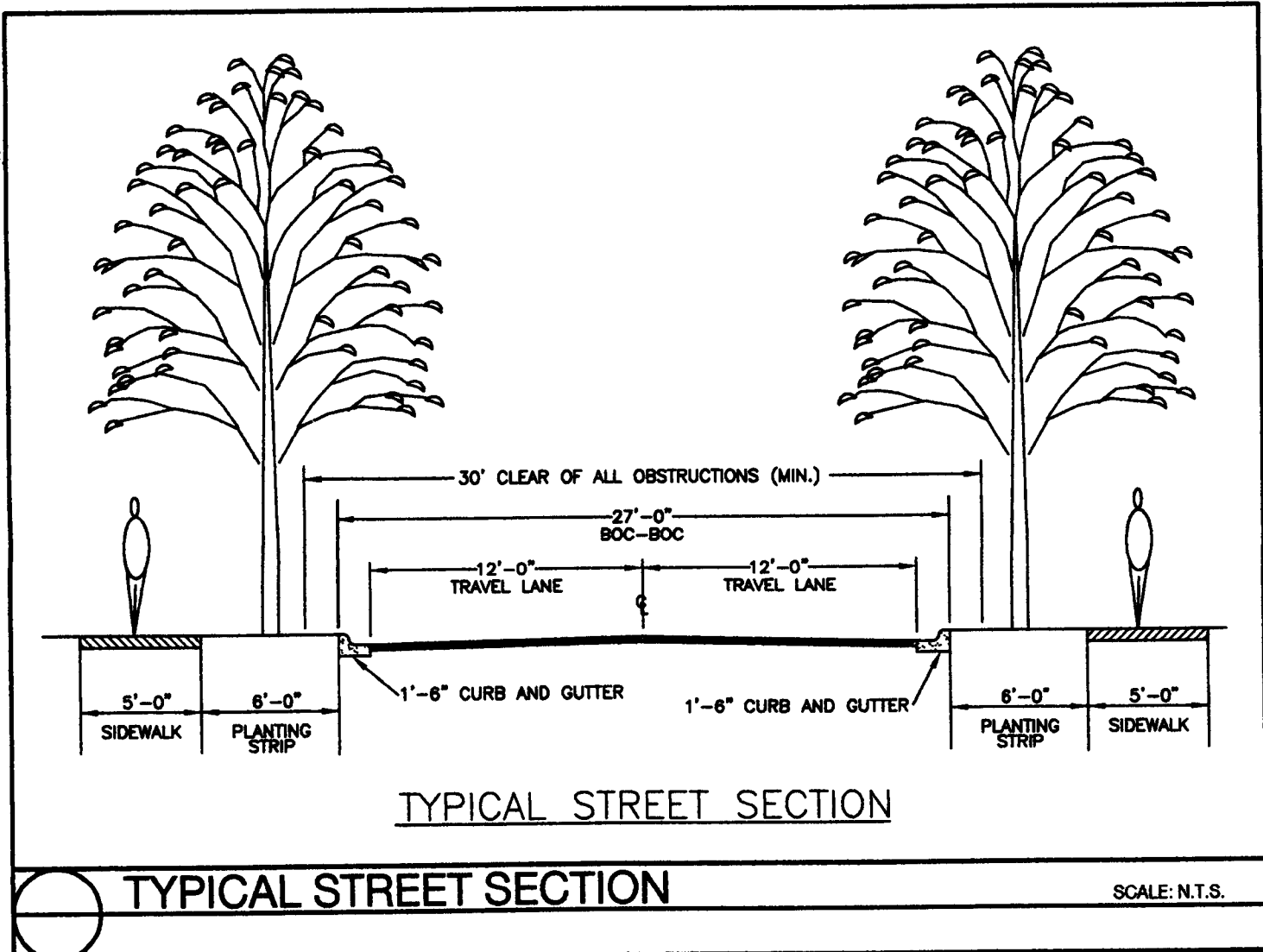
Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

Amendments to Rezoning Plan:

Future amendments to the Schematic Site Plan, the Schematic Site Plan and these Development Standards may be applied for by the then Owner or Owners of the Parcel or Parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

Binding Effect of the Rezoning Documents and Definitions:

- If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Schematic Site Plan will, unless amended in the manner provided under the Zoning 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.
- 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 in any future development thereof.



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Prosperity Church Road & Eastfield Road, Charlotte, NC

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1	01/27/08	hnh	revised per planning and code comments
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Scale: n.t.s
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