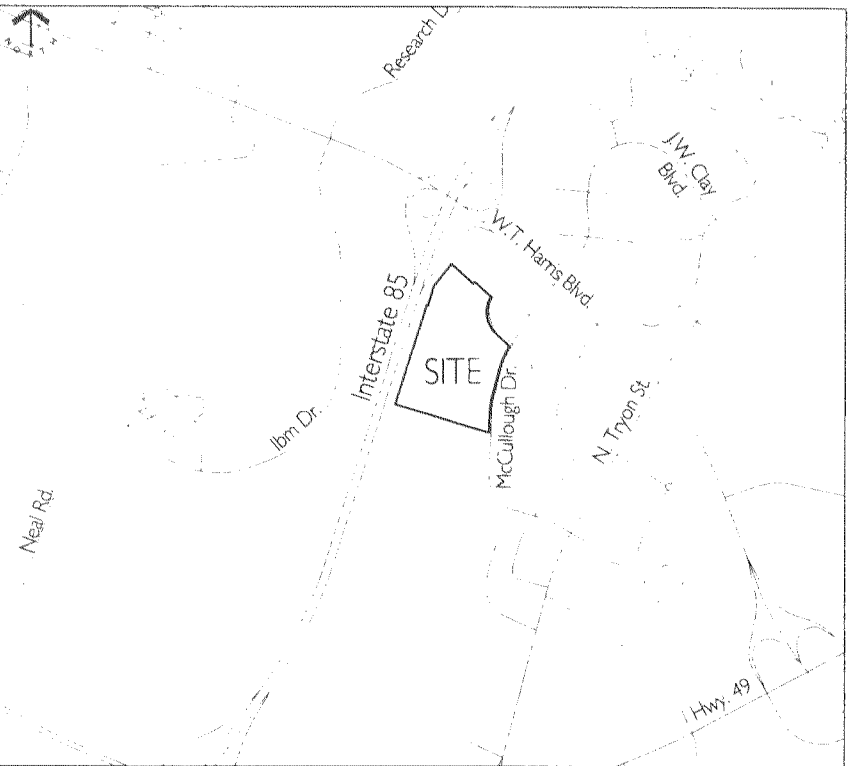


2006-96

VICINITY MAP



SITE DATA

Site Area: 41.185 Ac.
Existing Zoning: B-2 (CD)/O-2 (CD)

- Proposed Uses:
- Retail/Restaurant
 - Office
 - Hotel
 - Residential Units

*This Amendment is taken from the original University Center Petition (2001-103) Dated October 12, 2001 (last revision).



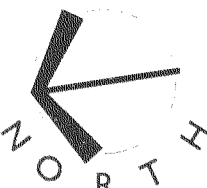
REVISIONS:

DATE: 04/10/06
DESIGNED BY: RC
DRAWN BY: ST
CHECKED BY: RC
C.C. BY: RUST
PROJECT # 1006064
SHEET #

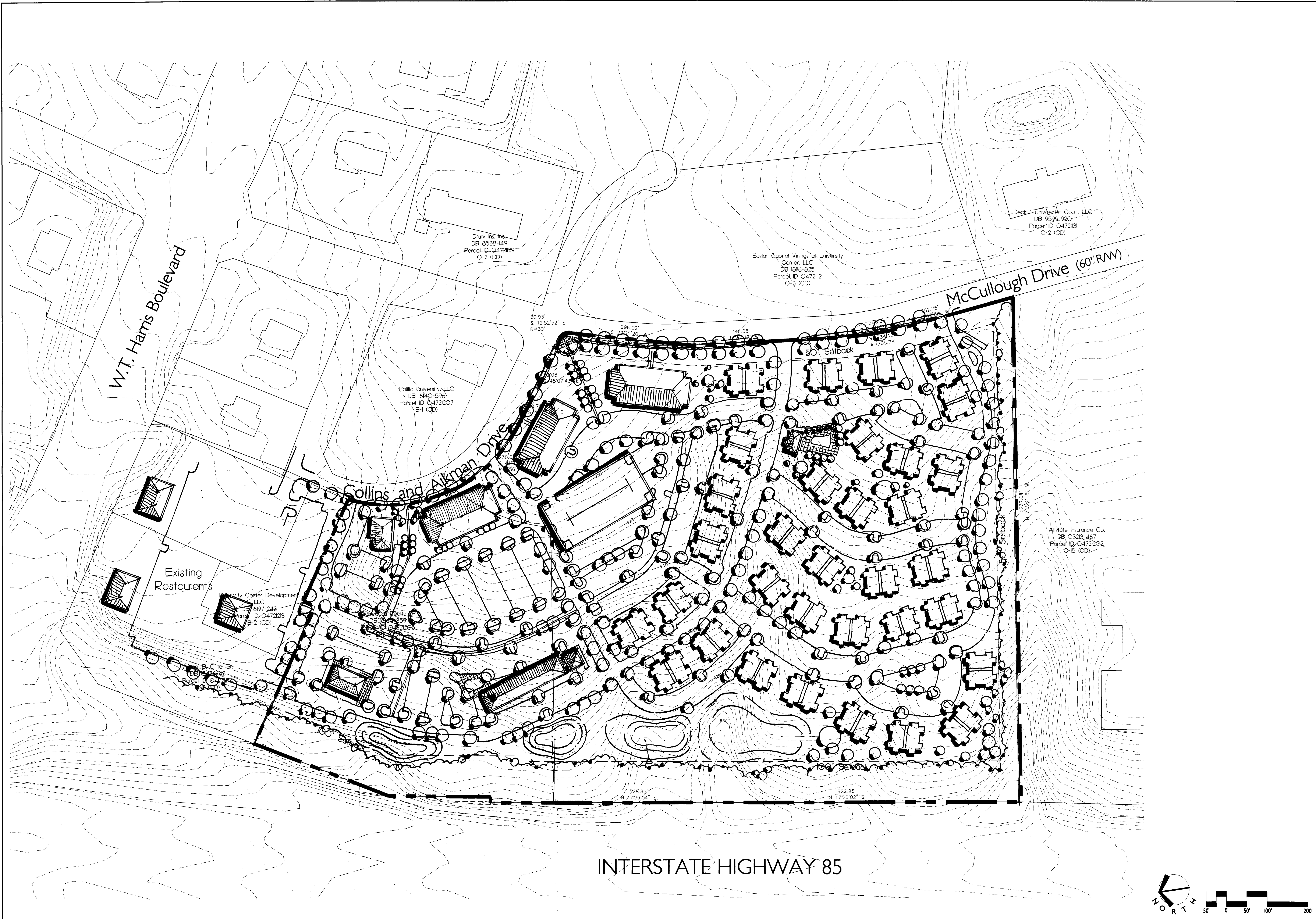
C1.0



INTERSTATE HIGHWAY 85







DATE: 04/21/06
DESIGNED BY: RC
DRAWN BY: STC
CHECKED BY: JAC
QC BY: ACST
SCALE: 1"=100'
PROJECT #: 1006064
SHEET #:
C1.2

REVISIONS:

UNIVERSITY CENTER
Charlotte, North Carolina
Phillips Development & Realty, LLC
Site Plan Amendment - Schematic Site Plan 2



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UNIVERSITY CENTER MIXED-USE VILLAGE
DEVELOPMENT STANDARDS
DEVELOPMENT AREAS 1 (portion of) and 2b of 2001-103 SITE PLAN
April 27, 2006

1. GENERAL PROVISIONS

Unless more stringent standards are established by the Technical Data Sheet or these Development Standards, all development standards established under the Zoning Ordinance (the "Ordinance") for the B-2 and O-2 classifications shall be followed. The property subject to this petition shall consist of a portion of Development Area 1 and all of Development Area 2b of the Technical Data Sheet associated with Rezoning Petition Number 2001-103. The Technical Data Sheet and these Development Standards (together the "Site Plan") supercede in all respects all prior conditional use zoning plans with respect to the property that constitutes the Site.

The Technical Data Sheet is accompanied by a conceptual site plan for development within the Site, which is referred to in these Development Standards as the "Schematic Site Plan." Detailed site planning and building design for the Site has not been finalized. The development depicted on the Schematic Site Plan is schematic in nature, and except as otherwise specified in these Development Standards, is intended only to describe the possible arrangements of uses and building elements and the schematic depictions of the uses, structures and building elements set forth on the Schematic Site Plan should be reviewed in conjunction with the provisions of these Development Standards. Consequently, except as otherwise expressly specified on the Technical Data Sheet and in these Development Standards, the ultimate layout of the development proposed, the exact alignments of streets, points of access, the numbers, the size, configuration and placements of buildings, the size, configuration and placements of parking areas, and the heights and masses of buildings have not been finally determined, and depictions of such elements on the Schematic Site Plan and schematic building elevations are not intended to be specific site development plans but rather preliminary graphic representations of the types and quality of development proposed. They may, therefore, be altered or modified during design development and construction document phases within the maximum building/parking envelope lines established on the Technical Data Sheet and subject to the accompanying Development Standards and Section 6.306 (7) of the Ordinance. Parking layouts may be modified to accommodate final building locations and ancillary facilities and parking spaces may be located inside or outside development area boundaries to the extent permitted by the Ordinance. Sidewalks generally depicted on the Schematic Site Plan are intended to reflect the general pedestrian circulation for development on the Site but the specific locations of such sidewalks may be subject to minor variations that do not materially change the design intent generally depicted on the Schematic Site Plan. The dimensions and specific locations of building/parking envelopes and parking envelopes generally depicted on the Technical Data Sheet may be subject to minor variations that do not materially change the design intent generally depicted on the Schematic Site Plan.

2. PERMITTED USES AND BUILDING AREA RESTRICTIONS

2.1 This proposal is intended to accommodate the development of retail/restaurant, office, hotel and residential uses which will be interconnected with open space, pedestrian and vehicular linkages.

2.2 The Site may be devoted to any of the following uses:

- Up to 30,000 square feet of retail/restaurant space; and
- Up to 400,000 square feet of office space; and
- Up to 400 residential units;
- Either one limited service hotel with up to 150 rooms with associated hotel uses and amenities such as restaurants, conference/meeting/banquet space, gift shops and similar uses; or one full service hotel with up to 375 rooms (a "full service" hotel refers to a hotel that includes restaurant and conference/meeting/banquet facilities within or adjacent to the hotel building);
- Associated surface and structured parking spaces and accessory uses and uses permitted under prescribed conditions as permitted under the Ordinance.
- No fast food restaurants or gas station/convenience stores shall be allowed.

Provided, however, in the event that all of the 375 permitted hotel rooms are not constructed, additional office square footage shall be permitted at the rate of 500 square feet for each undeveloped hotel room up to a maximum of 1,00,000 square feet of additional office space.

3. ACCESS POINTS

The total number of ingress/egress points shall be limited to the number shown on the Technical Data Sheet. The exact locations may vary somewhat from those depicted based upon final design and locational requirements as regulated by CDOT and, where applicable, NCDOT.

4. SETBACK, SIDE YARDS AND REAR YARDS

- 4.1 All buildings constructed on the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance. The Petitioner 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.
- 4.2 The setback areas extending around the perimeter of the Site are to remain as open space and, except to the extent necessary to accommodate pedestrian pathways, walls, berms, fences, grading, signs, graphics or utility construction and, where indicated, vehicular access, will be restricted from future development. No buildings or parking lots or storm water detention basin (actual water surface area) may be placed within any setback.
- 4.3 In setback areas where existing natural vegetation has been cleared to accommodate walls, berms, fences, grading, signs, graphics, vehicular access or utility construction, the cleared, unimproved areas will be landscaped with trees and/or shrubs in accordance with Class B buffer standards unless applicable ordinances or constraints imposed by utility companies would prohibit such landscaping.
- 4.4 The 100 foot setback area which runs parallel to Interstate 85 will generally be left undisturbed except as follows:
- (a) The Petitioner reserves the right to clear any underbrush and "limb up" to a height of 8 feet selected trees and to selectively remove trees having calipers of 4 inches or less. In addition, the Petitioner reserves the right to create a visibility corridor along Interstate 85 provided that at least three buildings within the abutting portion of Development Area 1 (as outlined on Petition Number 2001-103) are clustered or at least two buildings are clustered and one building is located within 20 feet of the setback line associated with Collins and Aikman Drive. Any such visibility corridor shall be limited to 150 feet in width and subject to the approval of the City's Urban Forester in accordance with the City of Charlotte Tree Ordinance, Section 21-44 and other applicable sections thereof. In the event that a view corridor is created, the building clustering referred to above is required rather than optional. The renderings set forth in figures 6-A and 6-B of Petition Number 2001-103 illustrate potential development scenarios within which buildings are clustered such that a visibility corridor may be created. Other development scenarios within which buildings are clustered are also allowed subject to staff approval as per Section 6.1 (h).
- (b) The Petitioner reserves the right to grade within the 100 foot setback provided that any such grading is limited to a total of 50 linear feet parallel to I-85 and does not extend more than 25 feet into the setback. Any cleared areas will be landscaped with trees and/or shrubs in accordance with a Class B buffer standard unless applicable ordinances or constraints imposed by utility companies would prohibit such landscaping.
- 4.5 Within the 50 foot setback area along McCullough Drive, street trees will be provided at a 2 1/4 inch to 3 inch caliper and will be spaced at 35 feet to 45 feet on center depending on the most appropriate spacing for the species selected; provided, however, any existing street trees, including without limitation the existing maple trees, may be counted towards the satisfaction of this requirement.

5. SCREENING AND LANDSCAPING

- 5.1. Screening will conform to the applicable standards of Section 12.303 of the Ordinance.
- 5.2. Landscaping shall meet or exceed the requirements of the Ordinance and the City of Charlotte Tree Ordinance. Newly installed landscaping shall be consistent with the existing landscaping treatments.
- 5.3. Irrigation systems will be maintained by Petitioner or its successors and assigns in all landscaped setback areas along McCullough Drive.
- 5.4. All roof mounted mechanical equipment will be screened from view.
- 5.5. Dumpster areas will be enclosed on all four sides by a 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 wall may be substituted for a side.
- 5.6. The Petitioner reserves the right to seek to eliminate or reduce any required buffers between unlike land uses within the Site in accordance with the relevant provisions of the Ordinance.

6. PARKING

- 6.1 Off street parking will meet or exceed the minimum standards established under the Ordinance and will not be allowed within the setbacks.
- 6.2 Parking areas will be broken up with landscaping to avoid massing of paved material.
- 6.3 Where parking is not located behind buildings, screening shall be provided at the lot line by landscaping or decorative walks or fences. In mixed use areas, in order to promote unified and pedestrian-friendly development shared parking may be allowed at the discretion of the Zoning Administrator.
- 6.4 Parking decks and underground parking are allowed, provided that perimeter parking deck elevations located immediately abutting and within 20 feet of right-of-way or easement lines associated with public or private streets or primary pedestrian circulation areas will include a "deck edge" designed in a manner consistent with the overall project design and image and substantially in compliance with Section 12.212(2)(c), (e) and (f) or Section 12.212(3)(d).

7. LIGHTING

Freestanding streetscape lighting fixtures installed within the Site will be uniform in design. The maximum height of any freestanding lighting fixture, including its base, shall not exceed 30 feet in height. No wall "pak" type lighting will be allowed.

8. SIGNS

All signs placed on the Site will be erected in accordance with the requirements of the Ordinance. Detached signs shall not exceed 7 feet in height or 50 square feet in size. No pylon type detached signs shall be permitted. Detached signage may be located within building setbacks and other locations throughout the Site in accordance with the Ordinance.

9. AMENDMENTS TO REZONING PLAN

Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then owner or owners of the applicable parcel or parcels affected by such amendment in accordance with Section 6 of the Ordinance.

10. BINDING EFFECT

If this Rezoning Petition is approved, the development program established under these Development Standards and the Technical Data Sheet shall, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the owners (from time to time) and their respective heirs, devisees, personal representatives, successors in interest and assigns.

Throughout this Rezoning Petition, the terms "Petitioner", "Owner" or "Owners," shall, with respect to each parcel within the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

REVISIONS:

DATE: 04/21/06
DESIGNED BY: RC
DRAWN BY: ST
CHECKED BY: NC
CREATED BY: JST
SCALE: NTS
PROJECT #: 1006064

SHEET #:

CI.3

UNIVERSITY CENTER
Charlotte, North Carolina
Phillips Development & Realty, LLC

Site Plan Amendment - Development Standards



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