

General Provisions

These development standards form a part of the Rezoning Site Plan associated with the Rezoning Petition filed by John Frank Bragg, Jr. to accommodate the redevelopment of that approximately 0.583 acre site located on the southeastern corner of South Caldwell Street and Lexington Avenue (the "Site"), which Site is more particularly depicted on the Rezoning Site Plan.

Development of the Site will be governed by the Rezoning Site Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provisions set out below in these Development Standards and on the Rezoning Site Plan, the regulations established under the Ordinance for the Transit Oriented Development Mixed Use Oriented ("TOD-M") zoning district shall govern the development of the Site.

Permitted Uses

The Site may be devoted to any uses permitted by right or under prescribed conditions in the TOD-M zoning district, and to any accessory uses permitted in the TOD-M zoning district.

Minimum Floor Area Ratio/Maximum Building Area

- Pursuant to Section 9.1208(5)(a) of the Ordinance, the minimum floor area ratio for the Site shall not be less than .50 square feet of floor area to 1 square foot of the Site.
- Plazas, arcades, courtyards, outdoor cafes, rooftop gardens, and widened public sidewalks that enhance pedestrian spaces and amenities can be credited toward meeting the minimum required FAR. If the pedestrian spaces/amenities are available to the public then the square footage shall be credited at 100%; if private, then the square footage shall be credited at 50%. In no instance shall more than 20% of the pedestrian area be credited toward the required FAR.
- The maximum gross floor area of the building to be developed on the Site shall be 32,000 square feet.

Maximum Building Height

The maximum height of the building to be developed on the Site shall be 65 feet.

Setbacks, Side Yards and Rear Yards

- The buildings located on the Site shall satisfy or exceed the set back, rear yard and side yard requirements established under the Ordinance for the TOD-M zoning district as more particularly depicted on the Rezoning Site Plan.
- All above ground, at ground and below ground utility structures associated with underground electric, natural gas, telecommunications or cable television distribution lines, pipes, or conduits, including air vents, vaults and backflow preventers, shall be located behind the minimum setback.
- No new doors shall be permitted to swing into the minimum setback, except for emergency doors.

Parking

- Off-street parking and bicycle parking shall meet the requirements of the Ordinance.
- Parking maximums may be exceeded as provided in Section 9.1208(6)(a)(2) of the Ordinance.

Screening and Lighting

- Development of the Site shall comply with the screening requirements of Section 9.1208(8) of the Ordinance.
- All outdoor lighting fixtures installed on the Site shall comply with the lighting requirements of Section 9.1208(10) of the Ordinance.

Vehicular Access

Vehicular access to the Site shall be as generally depicted on the Rezoning Site Plan. The placement and configuration of each access point 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 Charlotte Department of Transportation ("CDOT").

Urban Design Standards

Subject to any requested optional provisions, the improvements to the Site shall comply with the applicable Urban Design Standards set out in Sections 9.1209 of the Ordinance.

Fire Protection

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications.

Signs

All signs shall comply with the requirements of Section 9.1209(7) of the Ordinance and the applicable requirements of the City of Charlotte Sign Ordinance.

Optional Provisions

- As depicted on the Rezoning Site Plan, the parking area located along the Site's frontage on South Caldwell Street may cover more than 35% of the total lot width of the Site's frontage along South Caldwell Street.
- Urban open space shall not be provided on the Site.

Amendments to Rezoning Plan

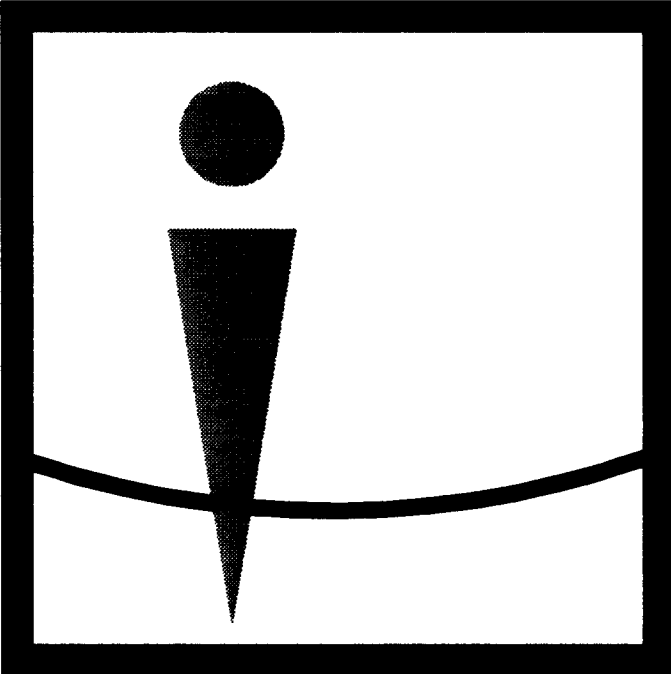
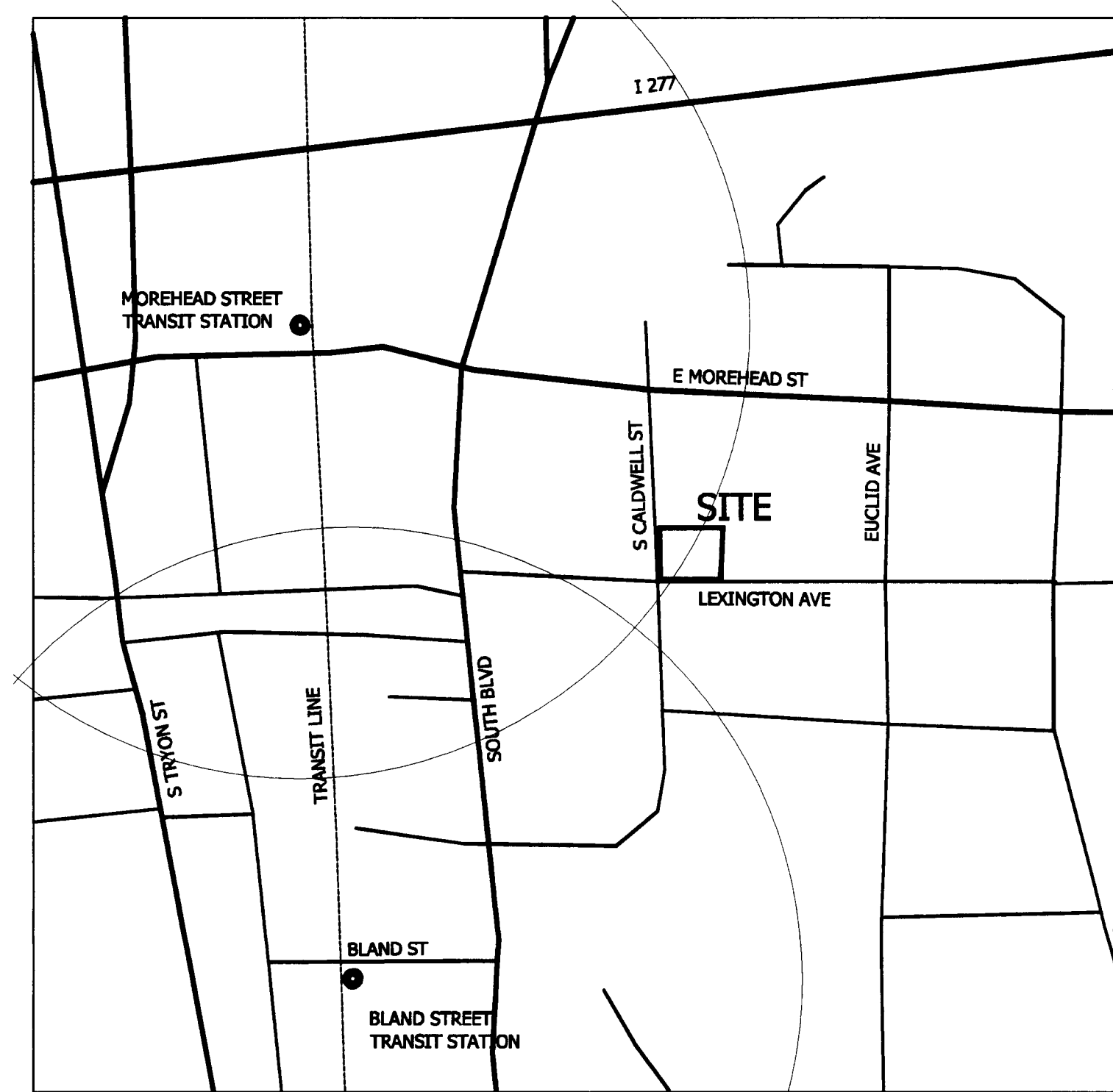
Future amendments to the Rezoning Site Plan and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

Binding Effect of the Rezoning Documents and Definitions

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Rezoning Site Plan 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.

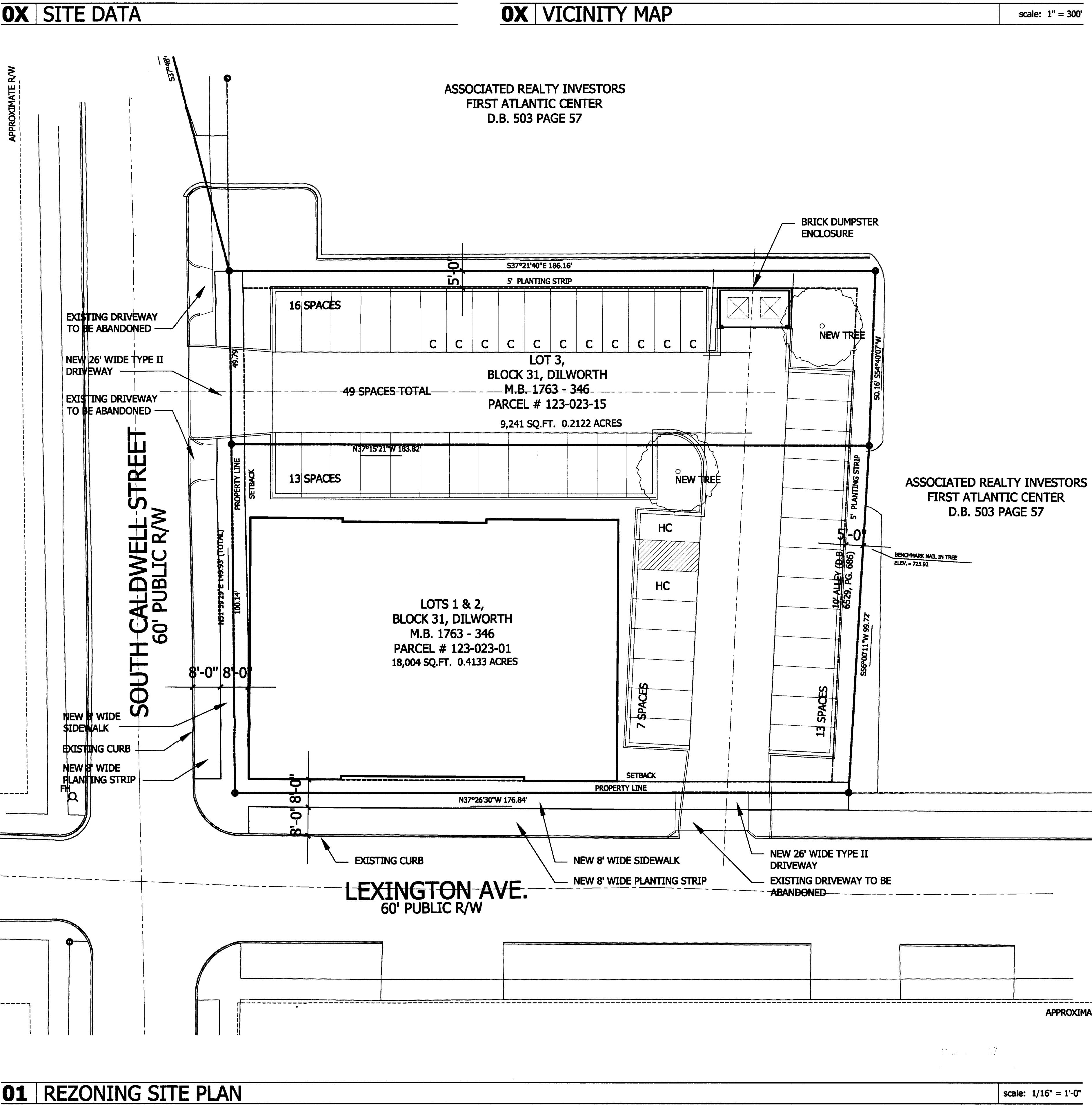
Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

TAX PARCEL NO. : 123-023-01 and 123-023-05
SITE AREA : COMBINED : 0.6255 ACRES
EXISTING ZONING : O 2
PROPOSED ZONING : TODD-O
BUILDING AREA PROPOSED : 32 000 SF MAX
21 000 SF MIN (0.75 FAR)
PARKING PROPOSED : 1 / 300 MAX



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1031 South Caldwell St.
Charlotte, NC
FOR PUBLIC HEARING
PETITION NUMBER : 2007- XXX

KEY PLAN

ISSUE	:	DATE
SCHEMATIC	:	01/31/07
REZONING FILING	:	03/26/07
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ILLUSTATIVE PLAN
and NOTES

2007-078
RZ1.0
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