

N/F
125-03-101
Mecklenburg County
Deed Book 2072 Page 497

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	48.47	30.00	43.37	N04°00'27"E
C2	46.41	30.00	41.92	S85°10'42"E

- Notes:
- Deed Reference(s) - DB 2988-125, DB 3182-41
 - Tax Parcel ID - 125-07-120, 125-07-125
 - Current Owner - City of Charlotte
 - All bearings are NC Grid bearings
 - All distances are shown horizontal
 - Grid distance = Horizontal distance x Combined Grid Factor (0.999872765)
 - Total Area - ±11.320 Acres
Tract 1 - ±5.428 Acres
Tract 2 - ±5.902 Acres
 - Areas have been determined by coordinate computation
 - Iron pins (#5 Rebar) or other monumentation (as shown) found or set at all property corners
 - Zoning - UMD
 - This property is not located in a special Flood Hazard Area as determined by the Department of Housing and Urban Development, Reference Community Panel Number: 370159018E Dated: 2/4/04
 - This survey was performed without benefit of a Title Commitment Report. LandDesign Surveying, Inc. does not claim that all matters of record which may affect the subject property are shown hereon.
 - The location of underground utilities shown on this map are approximate, based on information provided by others or by field location. Utility locations as shown hereon are intended for planning only. Actual location, size or depth of line should be verified with the individual utility company before construction.
 - The North Carolina Grid Coordinates shown on this map were derived by static differential GPS observations using Trimble 4700 Receivers and processed using Online Positioning User Service.

- Legend
- EIP Existing Iron Pin
 - IPS Iron Pin Set (#5 Rebar)
 - CM Concrete Monument
 - PT Calculated Point
 - L Light Pole
 - OU Overhead Utility
 - F Fence Line
 - G Gas Line
 - UT Underground Telephone
 - S Sanitary Manhole
 - C Curb Inlet
 - DI Drain Inlet
 - FH Fire Hydrant
 - WM Water Meter
 - WV Water Valve
 - BOC Back of Curb
 - EOP Edge of Pavement
 - R/W Right-of-Way
 - N/F Now or Formerly
 - CGF Combined Grid Factor

N/F
125-08-102
301 Cameron Associates, LLC
Deed Book 20394 Page 334

N/F
125-08-103
555 Blake, LLC
Deed Book 20394 Page 602



Design Survey
for
2nd Ward Village
City of Charlotte,
Mecklenburg County,
North Carolina

LandDesign
Surveying

Phone: (704) 376-7777
Fax: (704) 376-2448
223 North Graham St.
Charlotte, NC 28202



Survey Date: August, 2006
Project Number: 4106094
G:\4106094\dwg\6094Base.dwg

Revision 1:4/10/7
To update utilities

FOR PUBLIC HEARING
PETITION # 2007-088

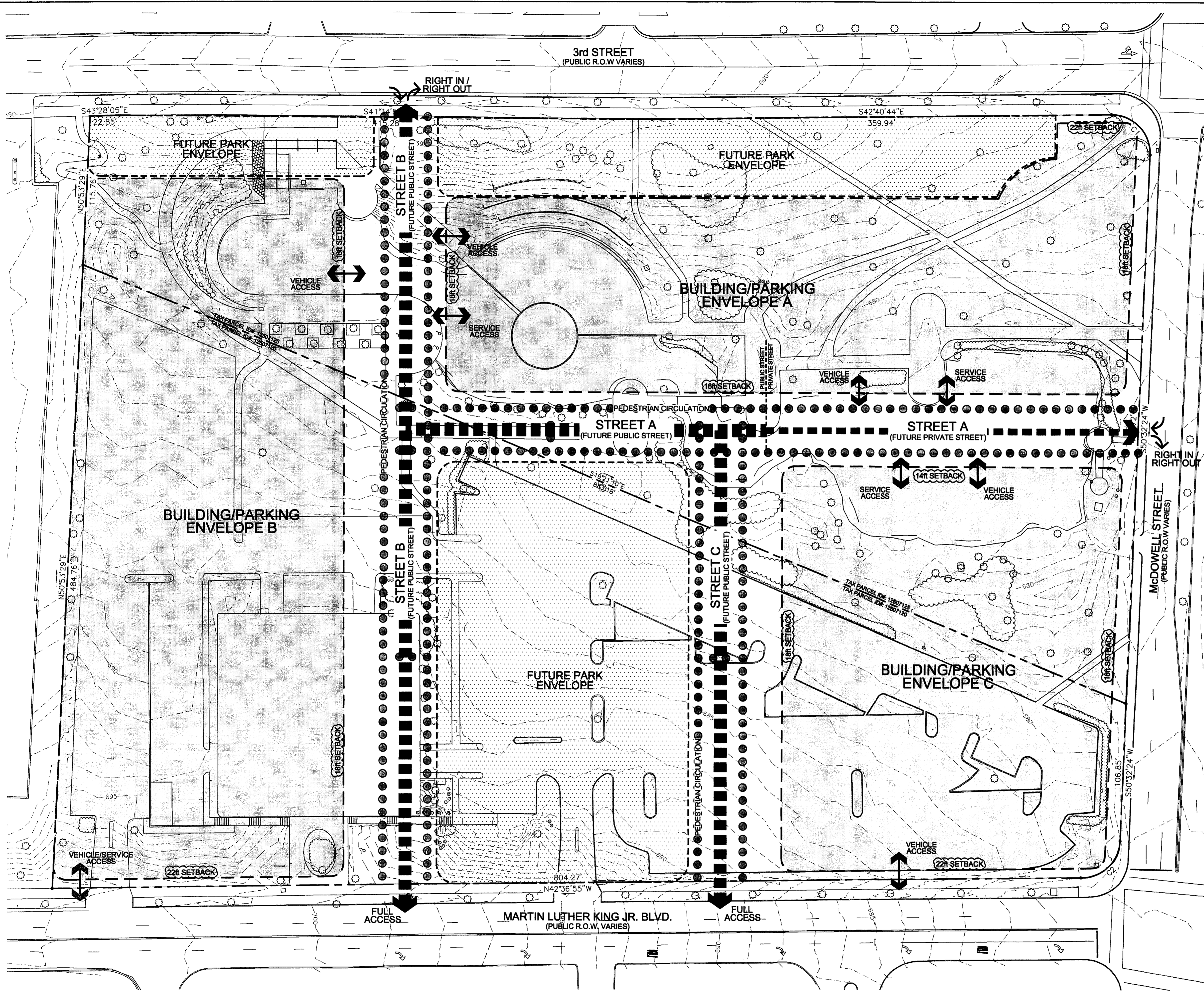
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**BROOKLYN VILLAGE
MIXED USE DEVELOPMENT**
SPECTRUM PROPERTIES, CHARLOTTE, NORTH CAROLINA
EXISTING CONDITIONS PLAN

REVISIONS:
1) 05/2007 - City Staff Comments

DATE: 4/17/2007
DESIGNED BY:
DRAWN BY:
CHECKED BY:
SCALE: 1"=40'-0"
PROJECT #: 106079
SHEET #:

RZ1.0

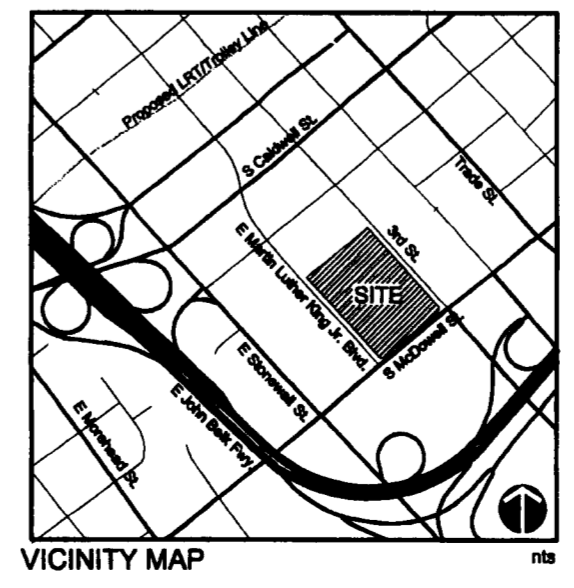


DEVELOPMENT SUMMARY

PETITION NO.: 2007-088
PARCEL ID#: 12507125 and 12507120
JURISDICTION: CITY OF CHARLOTTE
EXISTING ZONING: UMUD
PROPOSED ZONING: UMUD-O
TOTAL SITE ACREAGE: +/- 11.33 ACRES

GENERAL NOTES

SURVEY DATA AND BOUNDARY INFORMATION
PROVIDED BY: LANDDESIGN SURVEY
223 NORTH GRAHAM STREET
CHARLOTTE, NC 28202
704-376-7777



DEVELOPMENT STANDARDS - BROOKLYN VILLAGE UMUD-O (MAY 26, 2007)

A. General Provisions
These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Spectrum Investment Services, Inc., as agent for Cornerstone Real Estate Advisors LLC, to accommodate redevelopment of that approximately 11.33 acre site consisting of a parcel located at 701 E. Martin Luther King Jr. Blvd., known as the Board of Education Building and a parcel located at 800 E. 3rd Street, known as Marshall Park, all as more particularly described on the Technical Data Sheet (together the "Site"). The Petitioner contemplates development of a mixed-use community on the Site with residential, office and retail uses together with other possible uses permitted in the UMUD zoning district. The Site is currently zoned UMUD, which permits the uses contemplated by the Petitioner. The development contemplated by the Petitioner generally depicted on the Technical Data Sheet and the Conceptual Schematic Site Plan is referenced herein as "Development Alternative A" (as described below), and the Petitioner seeks certain variation(s) from the minimum standards of UMUD for the Site in connection with "Development Alternative A". As described below, other development alternatives for the Site that do not seek variation(s) from the minimum UMUD standards are permitted.

B. Permitted Uses
The Site may be devoted to any uses (including any accessory uses) permitted in the UMUD Zoning Classification. Development and/or redevelopment may occur in phases over an extended time frame.

C. UMUD-Optional Provisions
The Petitioner is requesting the following variations from the UMUD minimum standards for design and development as part of this UMUD (Optional) application in connection with development of the Site in accordance with the Technical Data Sheet and the Conceptual Schematic Site Plan to which these Development Standards are attached (the "Development Alternative A").

1. **Vehicle/Truck Maneuvering, Loading Areas and Street B.** Certain variations in the requirements of the Ordinance, including without limitation Section 12.212, regarding loading and the maneuvering of trucks and cars in the area generally depicted on the Conceptual Schematic Site Plan for Street B and the building referenced as "Building A-2" shall be permitted.

2. **Internal Private Streets**
(a) It is intended that the internal streets within the Site referenced as Street "B", Street "C", and the portion of Street "A" referenced as "Future Public Street" on the Technical Data Sheet (collectively, the "Proposed Public Streets") shall be dedicated as public streets upon satisfaction of the conditions set forth in this Section C.2. That portion of Street "A" shown on the Technical Data Sheet as "Future Private Street" shall remain private in nature, provided that such portion of Street "A" shall be open and freely accessible to the public at all times upon completion of construction.
(b) Notwithstanding the foregoing, the Proposed Public Streets may be maintained as private streets provided that such streets shall be open and accessible to the public at all times upon completion of construction until the occurrence of each of the following events:
(i) approval by all applicable departments of the City of Charlotte and Mecklenburg County of modifications to the Charlotte-Mecklenburg Land Development Manual and any other applicable design guidelines or regulations to permit design, construction and maintenance of the internal streets in the manner generally depicted on Sheet RZ-3 (the "Proposed Public Streets Design");
(ii) approval by the City of Charlotte or other applicable governmental officials of the streetscape/cross-section portion of the Proposed Public Streets Design; and
(iii) approval by CDOT of an encroachment agreement permitting the installation and maintenance within the rights-of-way of specialty lighting and other streetscape improvements shown as part of the Proposed Public Streets Design.

Within thirty (30) days of the occurrence of each of the events set forth in the preceding sentence, Petitioner shall provide for dedication of the Proposed Public Streets for public use and maintenance.

3. **Outdoor Dining Activities and Sidewalk Seating Areas Along and Within the Internal Street Rights-of-Way.** Outdoor dining and sidewalk seating areas may take place and be located along and within portions of the rights-of-way of internal streets within the Site.

4. **Angled/Diagonal/Parallel Parking.** Parking along internal streets, whether public or private, may be designed as angled, diagonal or parallel, as generally depicted on Sheet RZ-3 attached as part of this rezoning plan.

5. **Setbacks and Sidewalks:**
(a) Building improvements may encroach up to 8 feet into the setback along Street "B" to allow installation of steps for the proposed building to be located at the corner of Martin Luther King Jr. Blvd. and Street "B" in the area generally depicted on the Conceptual Schematic Site Plan, provided, however, a minimum of 8 feet of sidewalk area shall remain unobstructed to allow pedestrian circulation.
(b) The existing sidewalk, planting strips and street lighting located along Martin Luther King Jr. Blvd. and Third Street may remain in lieu of the installation of new sidewalk, planting strips and street lighting improvements. Existing street lighting along McDowell may remain.

6. **Street Trees (Section 9.906).** Petitioner may supplement existing trees located along the exterior boundary of the Site and may install trees within the Proposed Public Streets in a manner consistent with the Proposed Public Streets Design.

7. **Signage (Chapter 13).** The UMUD signage provisions may be modified to allow a vibrant, exciting signage system that identifies the Site and the tenants within building(s) located on the Site as an urban mixed use project including, without limitation, urban retail uses, and creates a sense of place. All signage associated with the Site shall conform to Section 13.108(a) of the Ordinance with the exception of the following *Optional* variations:
(a) In addition to other signs permitted under this Section 7 and Chapter 13 of the Ordinance, permitted signage types include all signs permitted under Chapter 13 including and/or in addition to the following:
 - *Propaganda and Trade Signs*
 - *Decorative Signs*
 - *Awning Signs*
 - *Fabricated Letters, Symbols and/or Logos*
 - *Project and Project Building Identification Signs*
 - *Signs that Reference/Advertise the Project/Project Components*
 - *Merchandise Signs*
 - *Tenant Identification Signs for each Tenant*
 - *Directional and Way Finding Signs*
 - *Architectural Signs and/or Banners*
 - *Mural/Artwork and Advertising Banners*
(b) In addition to other signs permitted under this Section 7 and Chapter 13 of the Ordinance, two (2) detached, ground-mounted project/tenant identification signs, substantially in locations generally depicted on the Rezoning Plan are permitted. These signs may be up to 25 feet in height and 100 square feet in signage sign area (per side for double sided signs). Such signage may not be located within public rights-of-way or sight triangles.
(c) In addition to the other signs permitted under this Section 7 and Chapter 13 of the Ordinance, wall mounted signage may contain maximum sign surface per tenant space of up to the lesser of 100 square feet or 10% of the building wall area associated with such tenant space. Individual projecting and/or blade signs shall not exceed 100 square feet in sign surface area per sign; such signs together with wall signs may be located on any building wall.
(d) In addition to the other signs permitted under this Section 7 and Chapter 13 of the Ordinance, one monument style building identification sign for each building proposed for the Site, provided, however, that such signs may not exceed 6 feet in height and 24 feet in size. Additionally, as indicated above, way finding and directional signs may be permitted.
(e) All signs may be internally or externally lit by any means and at any times;
(f) Artwork such as but not limited to murals, may be painted directly onto the building facade(s);
(g) In addition to the other signs permitted under this Section 7 and Chapter 13 of the Ordinance, in order to visually screen construction activity and create a sense of place, until substantial completion of construction of each of the building components generally depicted on the Conceptual Schematic Site Plan, signs that reference or advertise the development project and/or individual project components may be placed on construction fencing or otherwise located on undeveloped parcels within the Site with a limit of one (1) such sign per street frontage.

8. **Lighting.** Existing street lights located along the exterior boundaries of the Site may remain. Unique lighting to support a vibrant urban mixed use project with ground floor retail uses will be permitted on the Site. Non-standard lighting as generally depicted on the Proposed Public Streets Design shall be permitted.

9. **Easement/Air Rights for Buildings along Linear Park.** It is acknowledged that the grant of easements and/or air parcels and/or the placement of no build restrictions by and between Mecklenburg County and the eventual owner of the Third Street Linear Park shown on the Conceptual Schematic Site Plan and the owner of parcels located adjacent to the Third Street Linear Park may be undertaken so as to ensure compliance with all applicable ordinances, codes and regulations, including without limitation zoning and subdivision ordinance requirements and building code regulations.

10. **Access Locations.** Access to the Site from public rights of way shall be as shown on the Conceptual Schematic Site Plan and to extent permitted shall be permitted as UMUD-Optional variations pursuant to this UMUD-Optional request. Minor variations in such access points may be permitted.

11. **Modifications Authority of Planning Director.** Developer may seek alteration(s) to the standards described in this UMUD-Optional application upon application to the Charlotte-Mecklenburg Planning Director, and the Planning Director may, at her discretion, approve any such alterations upon a determination that the same are substantially in keeping with the Optional provision(s) provided herein and with the overall intent and purposes of the UMUD district.

D. Other Development Alternatives Under UMUD Without Optional Variations
It is understood that the variation(s) from the UMUD minimum standards requested by this Petition are optional in nature and relate solely to development contemplated in connection with Development Alternative A. This Petition also contemplates development of the Site, and/or portions thereof, without the benefit of the Optional provision(s) in accordance with UMUD requirements and minimum standards. In other words, the Petitioner, its successors and assigns, reserves the right to develop the Site, and/or portions thereof, in a manner wholly different from the development depicted on the Technical Data Sheet and Schematic Site Plan (collectively, "Other Development Alternatives") without the benefit of the Optional provision(s), provided that Other Development Alternatives are in accordance with UMUD requirements and minimum standards in effect at the time of application of the first building permit for the first building to be located on the Site.

E. Unified Development, Applicable Standards
(a) The Site shall be viewed as a unified development plan as to the building elements and development components generally depicted on the Technical Data Sheet. Petitioner reserves the right to subdivide the Site and create lots within the interior of the development of the Site with no side, and/or rear yards or other internal separation standards, provided, however, all such yard and separation standards along the exterior of the Site shall be adhered to.
(b) Additionally, upon approval of this UMUD-O Petition for development generally in accordance with the Technical Data Sheet and the Conceptual Schematic Site Plan (i.e., Development Alternative A), subject to application of the Optional Provisions set forth in Section C. above, development of the entire Site in such manner shall adhere to all applicable Ordinances, land development, storm water and other related regulations in effect as of the date of approval of this UMUD-O Petition, provided that application for a building permit for the first building to be developed on the Site in accordance with Development Alternative A is filed within two (2) years from such approval. In the event the first building permit application for the first building to be developed on the Site is not filed within said 2-year period, development of the Site, whether in accordance with the Technical Data Sheet and Conceptual Site Plan (i.e., Development Alternative A) or in accordance with Other Development Alternatives, shall adhere to all such Ordinances and regulations in existence at the time of the application for the first building permit for the first building on the Site.

F. Amendments to Rezoning Plan
Subject to the provisions of Section D above, future amendments to the Technical Data Sheet, the Conceptual Schematic Plan and these Development Standards in accordance with Development Alternative A may be applied for by the then Owner or Owners of the tract or tracts within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

G. Binding Effect of the Rezoning Documents and Definitions
1. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Technical Data Sheet in accordance with Development Alternative A 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.
2. 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.

H. Statement With Respect To The Graphics Which Are Set Forth On Exhibits Accompanying The Technical Data Sheet for Development Alternative A
The graphic representations set forth on this rezoning plan are intended to describe the conceptual plans proposed for development in accordance with Development Alternative A. However, it should be noted that such plans are schematic in nature and relate only to development in accordance with Development Alternative A. Accordingly, the concepts may be altered during design development phases for development in accordance with Development Alternative A.

**FOR PUBLIC HEARING
PETITION # 2007-088**

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SPECTRUM PROPERTIES
DEVELOPMENT PARTNERS

CITY OF CHARLOTTE

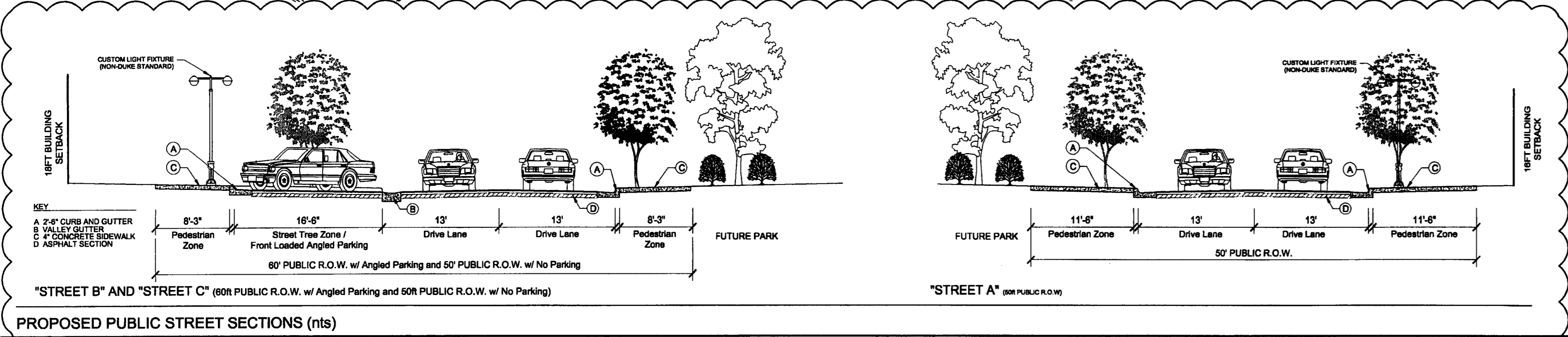
**BROOKLYN VILLAGE
MIXED USE DEVELOPMENT**
SPECTRUM PROPERTIES, CHARLOTTE, NORTH CAROLINA

TECHNICAL DATA SHEET

REVISIONS:
1) 05/20/07 - City Staff Comments

DATE: 4/17/2007
DESIGNED BY: SJS
CHECKED BY: SJS
O.C. BY: SJS
SCALE: 1"=40'-0"
PROJECT #: 1006079
SHEET #:

RZ2.0



This technical drawing is a truck maneuvering inset for Building A2. It shows the building's footprint, including a 'PARKING DECK ENTRY' at the top, a 'SERVICE AREA' at the bottom, and 'BUILDING A2' in the center. To the left of the building, a dashed line indicates the 'BACK OF THE MANEUVERING' area. A curved dashed line labeled 'BACK-TURN MANEUVER LINE' shows a potential path for a truck. The inset also depicts 'STREET B (FUTURE PUBLIC STREET)' running vertically and 'STREET A (FUTURE PUBLIC STREET)' running horizontally at the bottom. The drawing uses various line styles (solid, dashed, dotted) and hatching to represent different materials and boundaries.

SHEET #: **B730**

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