

VICINITY MAP

N.T.S.

DEVELOPMENT SUMMARY

REZONING SITE AREA:	±3.87 AC
TAX PARCEL ID #:	091-102-08, 091-102-09, 091-102-03, and 091-102-01
EXISTING ZONING:	O-2, R-5 and NS
PROPOSED ZONING:	MUDD-0
PROPOSED USES:	Residential and Retail
EXISTING RETAIL:	22,500 SF
PROPOSED NEW RETAIL:	19,500 SF
PROPOSED RESIDENTIAL UNITS:	160 Max.
MAXIMUM BUILDING HEIGHT:	
BUILDING A:	75'
BUILDING B:	55'
PARKING:	
REQUIRED:	
RESIDENTIAL:	160 (1 Sp./Unit)
RESTAURANT:	25 (1 Sp./125 SF)
RETAIL:	70
PROPOSED:	260 MINIMUM

DEVELOPMENT STANDARDS

- GENERAL PROVISIONS**
 - Unless more stringent standards are established by these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the MUDD zoning district classification shall be followed in connection with development taking place on the Site.
 - The configurations, placements and sizes of the buildings, parking areas, and other site elements depicted on the Rezoning Plan are schematic in nature and may be altered or modified within the constraints defined by the Ordinance during design development and construction document phases.
 - Any or all portions of the development permitted may be constructed in separate phases or in a single phase at the discretion of the Petitioner. Temporary parking may be provided throughout the Site or on adjacent parcels through shared parking agreements during construction phases.
 - The Petitioner is requesting MUDD-Optional provisions to allow parking between the buildings and Mercury Street as depicted on the plan.
 - The Petitioner has filed for Right of Way abandonment of the existing Rights of Way and alleys on the Site.
- PERMITTED USES**

The site may be devoted to uses as prescribed in the MUDD district to include, but not be limited to, retail, residential, theater/performance hall, restaurant, live/work, and office.
- SETBACKS, SIDE YARDS, REAR YARDS, AND RIGHTS OF WAY**
 - Development of the Site shall comply with the setback, rear yard and side yard requirements established under the Ordinance for the MUDD zoning district.
 - No buildings, parking spaces or maneuvering areas may be located within the setbacks.
 - The Petitioner agrees to an increased setback along 36th Street in front of Building B in order to provide for a wider sidewalk as depicted on the Rezoning Plan; this increased setback shall be 20' from the back of the existing curb.
 - The Petitioner agrees to dedicate and convey by quitclaim deed and subject to a reservation for any necessary easements, prior to issuance of building permits, those portions of the Site immediately adjacent to Mercury Street as required to provide right of way measuring 25 feet from the existing centerline of Mercury Street if such right of way does not currently exist.
- SCREENING/TREE ORDINANCE/LANDSCAPE AREA**
 - Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.
 - All roof mounted mechanical equipment placed on any building located on the Site will be screened from view at grade from adjoining public rights of way and abutting properties.
 - Development of the Site shall comply with the City of Charlotte Tree Ordinance.
 - Locations of trees, planting, open space and landscape amenities may be altered or modified to accommodate changes to the configuration of the plan.
 - Tree save will be provided for one existing tree on site as depicted on the Technical Data Sheet. This tree save area will be supplemented with additional tree plantings on the Site to provide a minimum of 5 % tree save area for the Site.
 - Petitioner reserves the option to utilize tree grates and pavers to back of curb along sidewalk area.
- PARKING/INTERNAL VEHICULAR CIRCULATION**
 - Off-street parking will be provided and will meet the minimum requirements set out in the Ordinance. Handicap Parking will be located within the Parking Decks.
 - The exact alignment of internal vehicular circulation and driveways has not been determined and are subject to final design and engineering plans. Modification or alteration of these alignments may therefore take place during design development and construction phases.
 - Any surface level or structured parking facility shall not be included in the calculation of area for commercial square footage.
 - The Petitioner intends to construct a structured parking garage behind Building B, limited to one elevated level on the Mercury Street side. However, the Petitioner reserves the right to construct a larger facility if the City of Charlotte Economic Development Department elects to participate in construction in order to provide additional public parking.
 - Bicycle parking will be provided on the Site as required by the City of Charlotte parking requirements and standards.
- ACCESS POINTS (DRIVEWAYS)**
 - The number of vehicular access points to the Site shall be limited to the number depicted on the Rezoning Plan.
 - The placement and configuration of each access point are subject to modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the City of Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
 - Due to the nature of the Site and proposed development, service access must be provided from Mercury Street. The Petitioner agrees to limit delivery time from 7:00 AM to 7:00 PM and limit the truck size to SU-30 to minimize conflicts with the surrounding area. Deliveries between 7:00 PM and 7:00 AM and tractor trailers (WB-40+) are prohibited.
- STORMWATER/WETLANDS**
 - Development and Redevelopment projects within transit station areas designated by the Planning Director based on Corridor Record of Decisions or distressed business districts designated by the Economic Development Director are allowed by right to forego meeting the requirements of this ordinance, except for peak control and downstream analysis requirements on the increased impervious area of the project site, provided one (1) of the following three (3) measures are implemented on the site:
 - Provide 65% TSS removal from first inch of rainfall for entire site, or
 - Provide 1-year 24-hour volume control and 10-year 6-hour peak control for entire site, or
 - Pay the City a mitigation fee according to rates set forth in the Administrative Manual for the pre-project built upon area and up to a maximum of five (5) acres of increased built upon area.
 - Storm Water Quantity Control**

The petitioner shall tie-in to the existing storm water system(s). The petitioner shall have the receiving drainage system(s) analyzed to ensure that it will not be taken out of standard due to the development. If it is found that development will cause the storm drainage system(s) to be taken out of standard, the petitioner shall provide alternate methods to prevent this from occurring.
 - Storm Water Quality Treatment - Source: BMP recommendation taken from "Post-Construction Ordinance Stakeholders' Group Final Report"**

For projects with defined watersheds greater than 24% built-upon area, construct water quality best management practices (BMPs) to achieve 85% Total Suspended Solid (TSS) removal for the entire post-development runoff volume for the runoff generated from the first 1-inch of rainfall. BMPs must be designed and constructed in accordance with the Mecklenburg County BMP Design Manual, July 2007 or North Carolina Division of Water Quality Stormwater Best Management Practices Manual, July 2007. (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, when available). Use of Low Impact Development (LID) techniques is optional.
 - Volume and Peak Control - Source: Volume Control and Peak Control Downstream Analysis taken from "Post-Construction Ordinance Stakeholders' Group Final Report"**

For projects with defined watersheds greater than 24% built-upon area, control the entire volume for the 1-year, 24-hour storm. Runoff volume drawdown time shall be a minimum of 24 hours, but not more than 120 hours.

For residential projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency.

"Residential" shall be defined as "A development containing dwelling units with open yards on at least two sides where land is sold with each dwelling unit."

For commercial projects with greater than 24% BUA, control the peak to match the predevelopment runoff rates for the 10-yr, 6-hr storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, control the peak for the 10-yr and 25-yr, 6-hour storms.

For commercial projects with less than or equal to 24% BUA, but greater than one acre of disturbed area, control the peak to match the predevelopment runoff rates for the 2 and 10-yr, 6-hr storm.
 - The following agencies must be contacted prior to construction regarding wetland and water quality permits:
Section 401 Permit NCDEHNR - Raleigh Office (919) 733-1786
Section 404 Permit US Army Corps of Engineers (704) 271-4854
- ARCHITECTURAL CONTROLS**
 - The maximum height of the building to be constructed on the site shall be as follows:
Building A: 75' as measured from average grade at North Davidson Street frontage
Building B: 55' as measured from average grade at 36th Street frontage
 - The quality of architecture, building construction and finishes will be consistent with other high quality projects in the surrounding area, and by way of example, may include materials such as brick, stucco, hardie paneling, cast stone, and stone. It will also be generally consistent in scale and character with what is depicted in the attached character studies.
- LIGHTING**

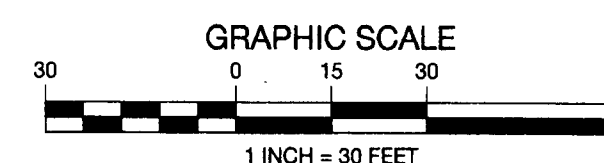
Lighting will be provided throughout the Site. No wall pak lighting will be allowed.
- SIGNAGE**

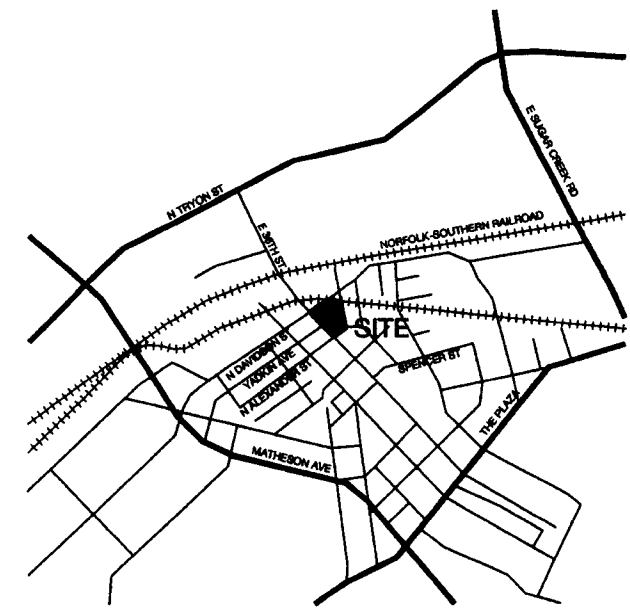
Signage will adhere to sign regulations as provided for in Section 9.8506(2)c and Chapter 13 of the Ordinance.
- AMENDMENTS TO REZONING PLAN**

Future amendments to the Rezoning 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 APPLICATION**

If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under these Development Standards and Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

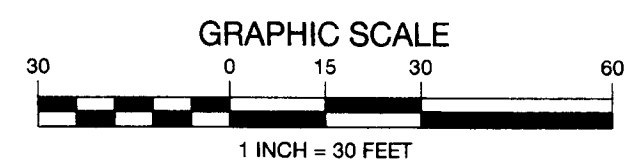
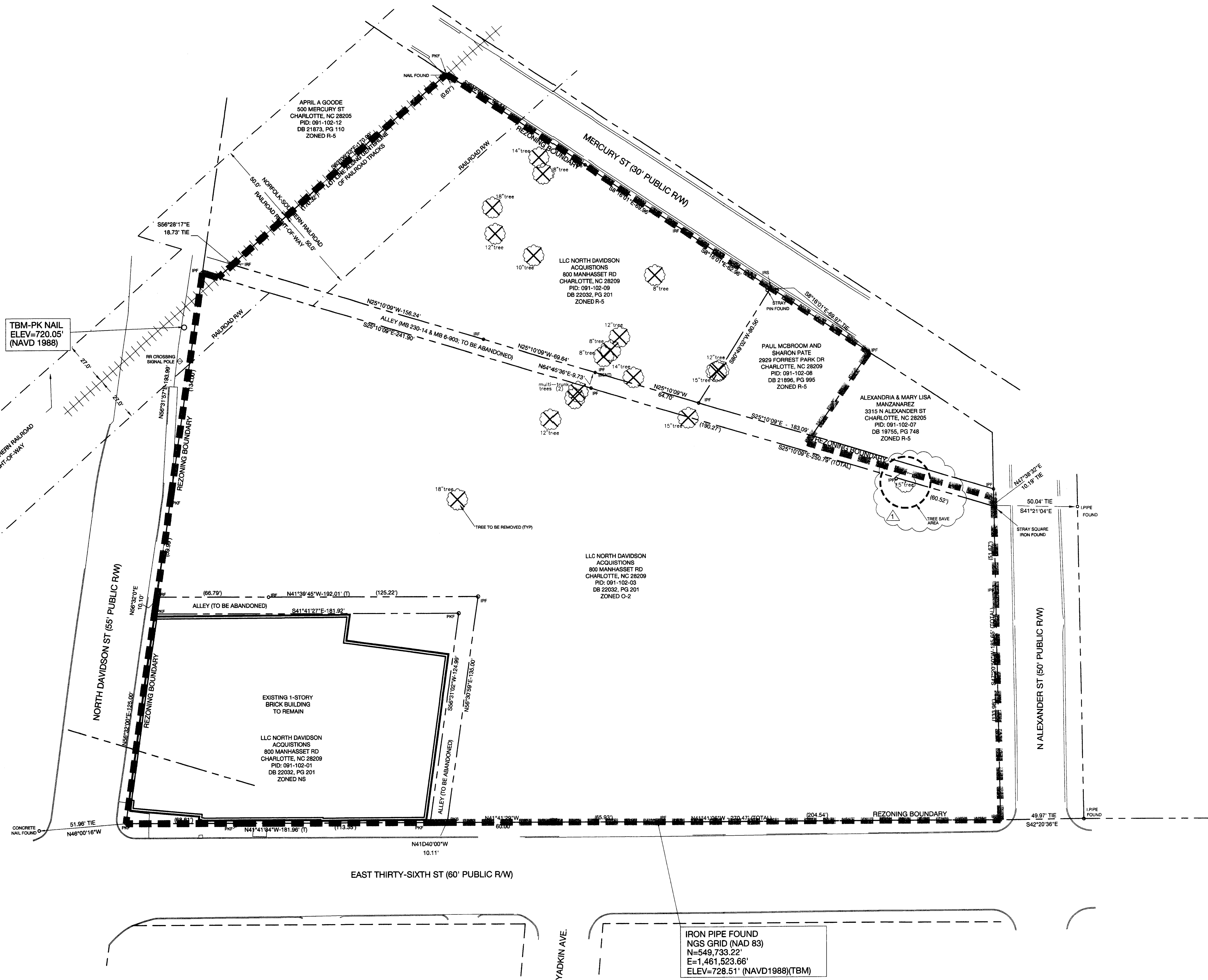
REZONING PETITION #2008-004





VICINITY MAP

N.T.S.



REZONING PETITION #2008-004

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28203
vc 704.334.1716
fx 704.334.6571

North Davidson
Acquisitions
Mr. Tyler K. Foster
800 Manhasset Rd.
Charlotte, NC 28209

The Mercury

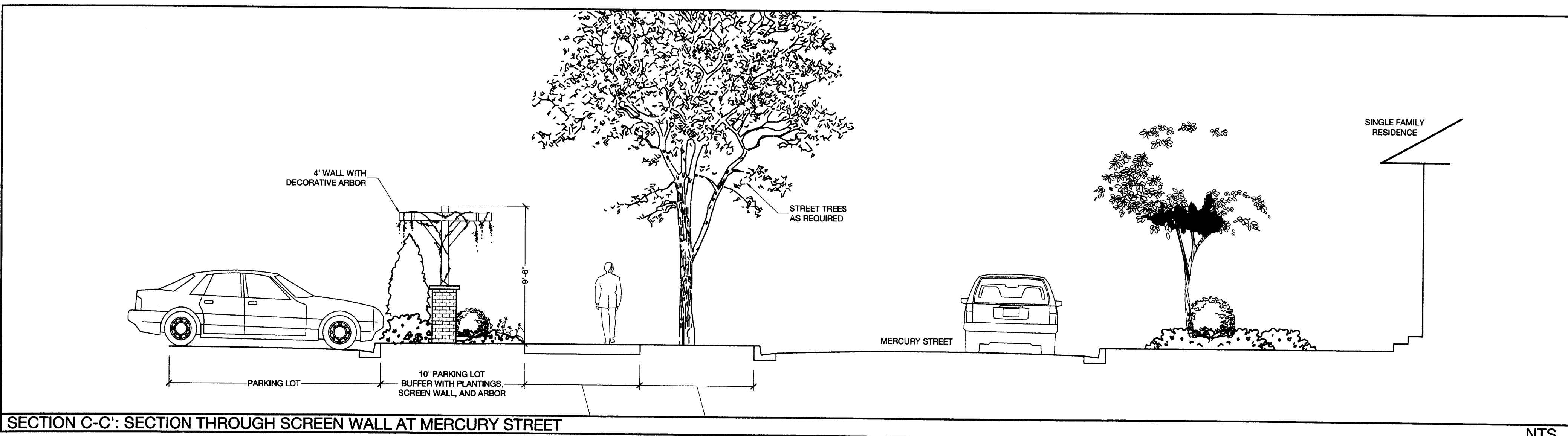
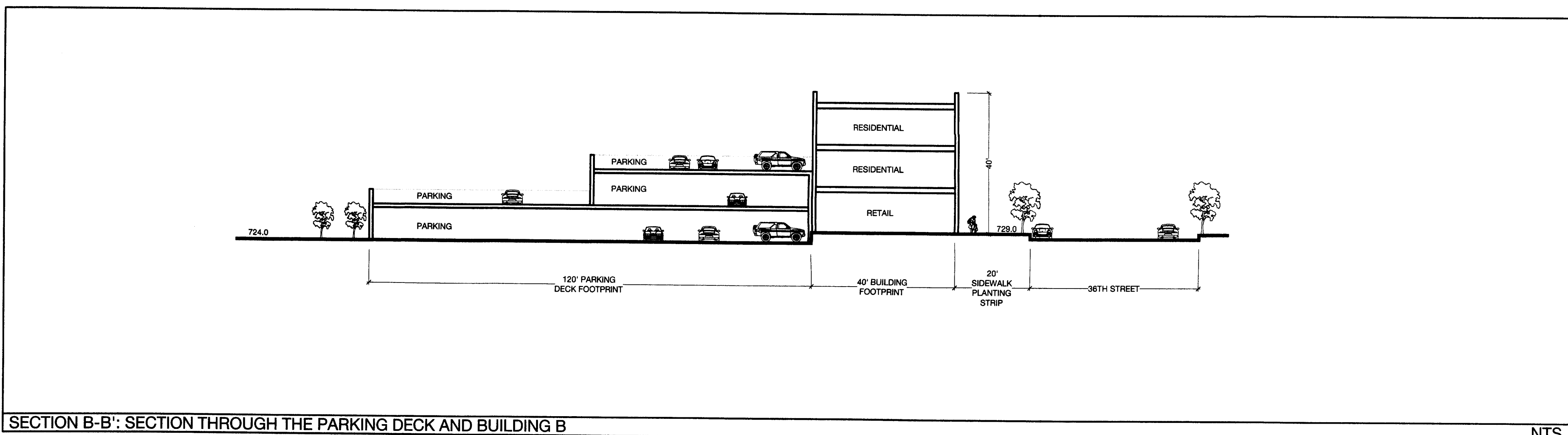
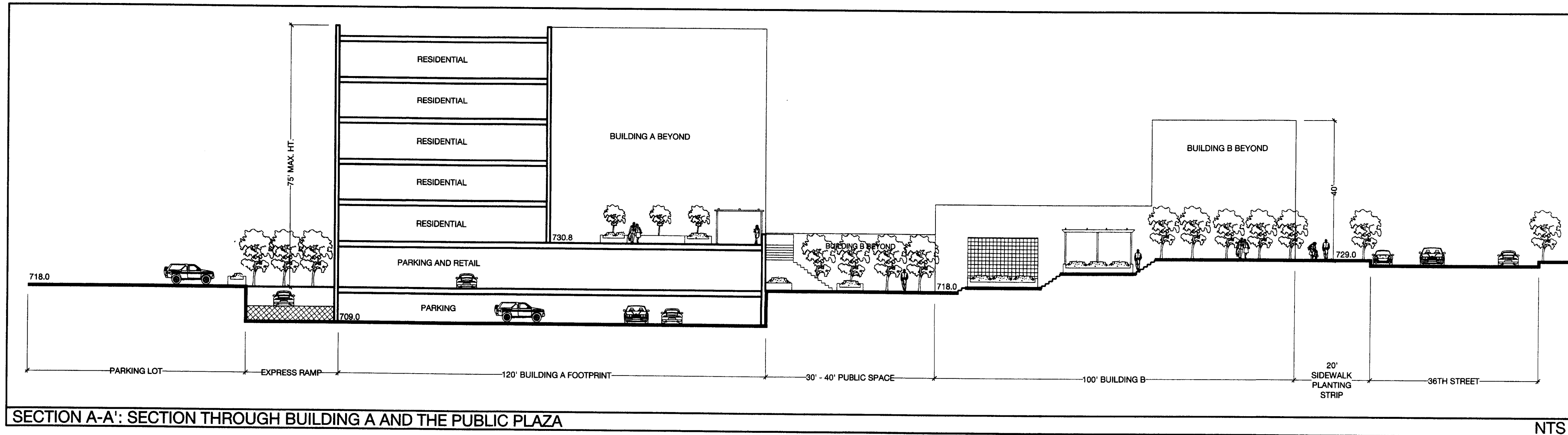
Technical Data Plan Rezoning Petition #2008-004

Charlotte, North Carolina

NO.	DATE	BY	REVISIONS:
1	12.21.07	EV	Per Comments
2	01.25.08	EV	Per Comments
3	02.19.08	EV	Per Comments

Project No: 07-049
Date: September 7, 2007
Designed by: UDP/BBM
Drawn By: CC
Scale: 1" = 30'-0"
Sheet No:

RZ-2



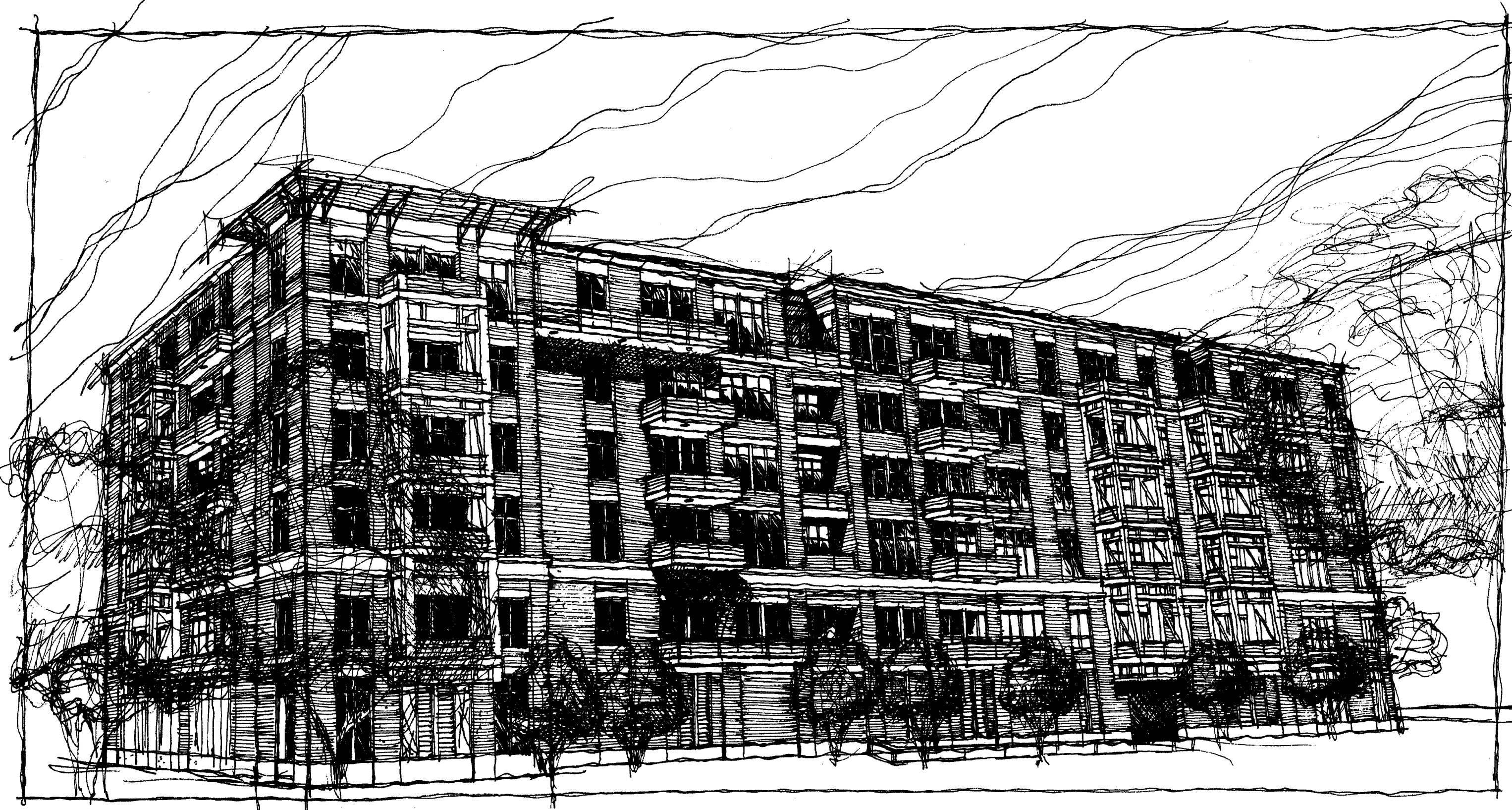
NO.	DATE	BY	REVISIONS:
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VIEW OF BUILDING B FROM 36TH STREET



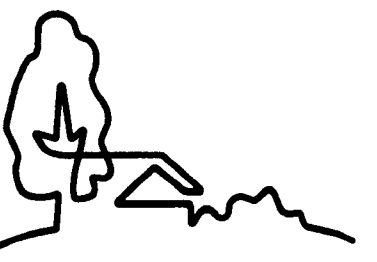
VIEW OF BUILDING B AT ALEXANDER STREET INTERSECTION



VIEW OF BUILDING A FROM MERCURY STREET



VIEW OF BUILDING A FROM NORTH DAVIDSON



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North Davidson
Acquisitions

Mr. Tyler K. Foster
800 Manhasset Rd
Charlotte, NC 28209

The Mercury

Schematic Building Perspectives
Rezoning Petition #2008-004
Charlotte, North Carolina

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Project No: 07-049
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Drawn By: EV
Scale: r/s
Sheet No:

REZONING PETITION #2008-004

RZ-4