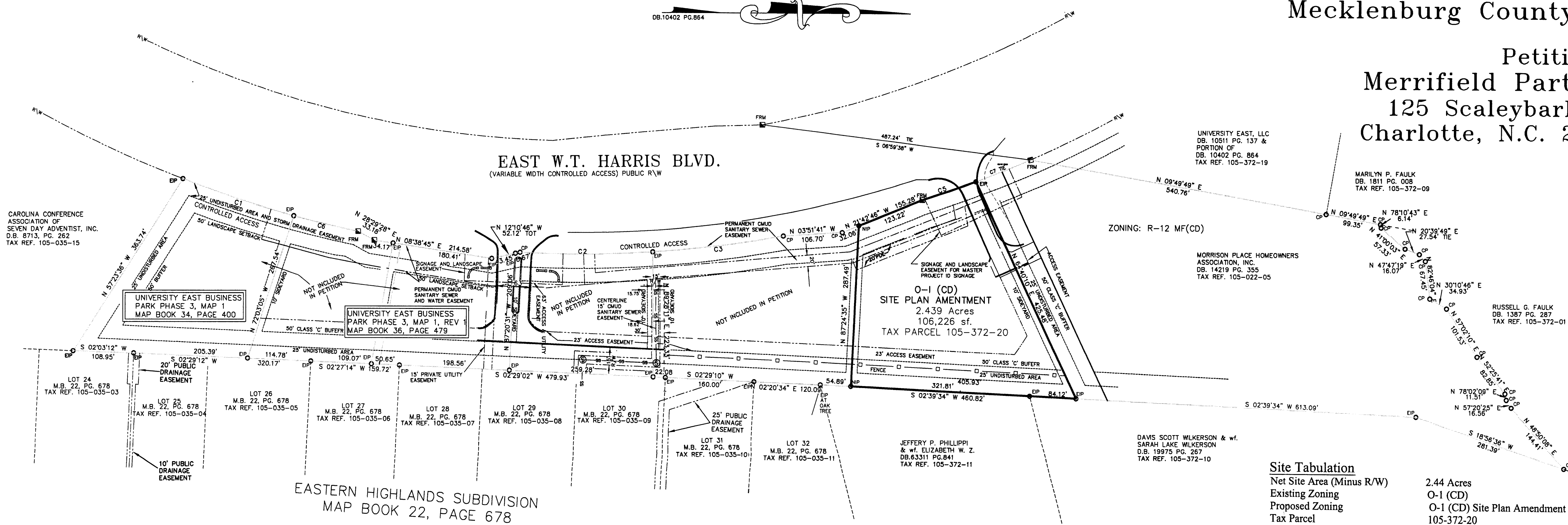
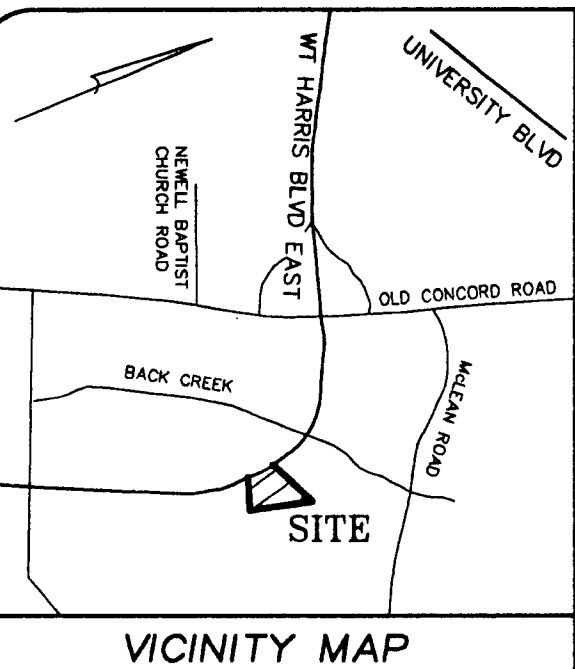


# 0-1 (CD) Site Plan Amendment for a portion of University East Mixed-Use Site

E. W.T. Harris Blvd.  
Mecklenburg County, .C.

Petitioner:  
Merrifield Partners  
125 Scaleybark Rd.  
Charlotte, N.C. 28217



Site Tabulation	
Net Site Area (Minus R/W)	2.44 Acres
Existing Zoning	O-1 (CD)
Proposed Zoning	O-1 (CD) Site Plan Amendment
Tax Parcel	105-372-20
Maximum Building Area	15,000 square feet

**METES AND BOUNDS DESCRIPTION**  
Being all of a 2.439 acre parcel of land situated in the City of Charlotte, Mecklenburg County, North Carolina being part of Lot 6 as recorded in Map Book 38, Page 705, Mecklenburg County Registry, and more particularly described by metes and bounds as follows:

BEGINNING at an existing iron pin, on the westerly property line of the Davis Scott Wilkerson and Sarah Lake Wilkerson tract as recorded in Deed Book 19975 Page 267, Mecklenburg County Register of Deeds, said iron pin being the southeasterly corner of the Morrison Place Homeowners Association tract as recorded in Deed Book 14219 Page 355, Mecklenburg County Register of Deeds.

Thence, with the westerly line of said Wilkerson tract, S 02°39'34" W, 84.12 feet to an existing iron pin, the northwesterly corner of the Jeffrey P. Phillippi and Elizabeth W. Z. tract as recorded in Deed Book 63311 Page 841, Mecklenburg County Register of Deeds.

Thence, with the westerly line of said Phillippi tract, S 02°39'34" W, 321.81 feet to a new iron pin, said iron pin being N 02°39'34" E, 54.89 feet from an existing iron pin at an oak tree, said iron pin being the northwesterly corner of Lot 32 as recorded in Map Book 22 Page 678, Mecklenburg County Register of Deeds.

Thence, through said Lot 6, N 87°24'35" W, 287.49 feet to a new iron pin on the easterly right of way line of East W. T. Harris Boulevard.

Thence, with the easterly right of way line of said East W. T. Harris Boulevard, the following two courses:

- N 21°42'46" W, 123.22 feet to a found right of way monument.
- With the arc of a circular curve to the to the left having a radius of 2009.86 feet, an arc length of 101.49 feet, and a chord which bears N 18°56'57" W, 101.48 feet to an existing iron pin, the southwesterly corner of said Morrison Place Homeowners Association tract.

Thence, with said Morrison Place Homeowners Association tract, N 64°40'10" E, 425.48 feet to the POINT OF BEGINNING, and containing within these metes and bounds 106,226 square feet, or 2.439 acres of land, more or less.

## DEVELOPMENT CONDITIONS

Portion of University East Mixed-Use Site, East W. T. Harris Boulevard, Merrifield Partners

## GENERAL PROVISIONS

Unless more stringent standards are established by the technical data sheet or these development standards, all regulations established under the Mecklenburg County Zoning Ordinance (the "Ordinance") for the O-1 zoning district classification will be followed.

## PERMITTED USES AND BUILDING AREA RESTRICTIONS

- The development may be devoted to general office uses and/or medical office uses and/or a daycare facility, which are permitted under the Ordinance in an O-1 zoning district. Hotels shall not be permitted.
- Up to 15,000 SF of gross floor area may be constructed on the site. In the event a daycare center is constructed on the site, it may accommodate up to 275 children at a time.

## ACCESS POINT/DRIVEWAYS

- The total number of ingress/egress points to East W. T. Harris Boulevard shall be limited to the number shown on the Technical Data Sheet. The access to the site is prohibited by exiting driveways.

## BUFFER

- Buffer areas established on the technical data sheet shall conform to the standards of section 12.302 of the Ordinance: subject, however, to the provisions of Section 12.304 thereof.
- Buffer areas shall remain as open space and, subject to the provisions of paragraphs (3) and (4) below and left undisturbed.
- The petitioner reserves the right to clear, grade and fill within the 25-foot wide area of the 50-foot wide buffer established along the eastern margin of the Site depicted on the Technical Data Sheet.
- The petitioner reserves the right to install fences, walls, and utilities within the buffer area established along the eastern margin of the site. Utility installations may only cross buffer areas at interior angles measured at property lines not less than 75 degrees.
- No buildings, parking spaces, maneuvering areas or storm water detention facilities may be located within buffer areas.
- When existing trees and natural vegetation have been cleared to accommodate pedestrian sidewalks or pathways or the installation of utilities, the cleared, unimproved areas will be landscaped with trees and shrubs.
- No spaces associated with the daycare facility shall be located in the buffer.

## SETBACK SIDE YARDS AND REAR YARDS

- All buildings constructed within the development shall satisfy or exceed the setback, rear yard and sideyard requirements established under the Ordinance for O-1 zoning district.
- No storm water detention facilities may be located within any setback areas. Landscape setback areas shall remain as open space and, subject to the provisions of paragraphs (4) and (6) below, will be left undisturbed.
- The petitioner reserves the right to clear grade and fill within the 25 foot wide area of the 50 foot wide landscape setback established along the western margin of the Site depicted on the Technical Data Sheet.
- Petitioner reserves the right to install utilities within the landscape setback area established along the western margin of the Site. Utility installations may only cross landscape setback areas at interior angle measured at property lines that are not less than 75 degrees.
- The Petitioner reserves the right to clear underbrush within the undisturbed portion of the landscape setback area, including trees 4 inches in caliper or less.
- When existing trees and natural vegetation in the landscape setback have been cleared to accommodate pedestrian sidewalks or pathways or the installation of utilities, the cleared, unimproved areas will be landscaped with trees and shrubs. The rear one-half of the 50 foot setback along W. T. Harris Boulevard shall be landscaped in the following manner:  
4 large maturing trees per 100 feet and shrubs which at a minimum, will satisfy the screening requirements of the Ordinance.
- Petitioner reserves the right to install streets or driveways through the setback as shown on the Technical Data Sheet.
- In the event the Site is developed with a daycare center, the outdoor play area will not be located within the required setback or required buffer. The outdoor play area will be located generally within the portion of the site between the building and Sardony Lane.

## SCREENING, LANDSCAPE, AND OPEN SPACE AREAS

- The Petitioner will, at a minimum, satisfy the standards of Section 12.303 of the Ordinance.
- To the extent that the site grading plan permits, trees greater than 4 inches in caliper located within the 25' exterior of the 50' landscape setback of W. T. Harris Boulevard shall be preserved.
- A 6 foot privacy fence shall be provided at least 40 feet from the rear property line of the proposed Lot 6. The "front" side of the fence shall face the office development on the site.

## PARKING

- Off street parking will meet the minimum standards established under the Ordinance.
- The option is reserved to provide off street parking on one of the parcels for another parcel in the development, so long as the requirements of the Ordinance are satisfied.

## LIGHTING

- All 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 25 feet in height.
- All direct lighting within the Site (except streetlights, which may erected along East W. T. Harris Boulevard) shall be designed such that direct illumination does not exceed past any property line and will be shielded with full cut off type fixture.
- Wall pack type lighting shall be prohibited.
- Pedestrian lighting with the development shall be provided in a regular pattern.

## SIDEWALK

- The Developer will provide a 5 foot pedestrian pathway on the site (outside of the E. W.T. Harris Blvd. right-of-way) along the site's frontage on E. W.T. Harris Blvd. to the southerly edge of Sardony Lane.

## SIGNS

- All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.

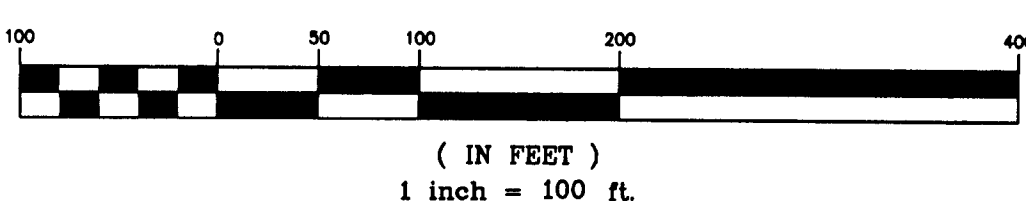
## ARCHITECTURE

- Buildings shall not exceed Two stories or 40 feet in height.
- Building to be architecturally compatible with other buildings located within University East Business Park Phase 3.

## SOLID WASTE MANAGEMENT

The developer shall submit a solid waste management plan to LUESA.

## GRAPHIC SCALE



CRAB ORCHARD TNSHP.  
MECKLENBURG COUNTY, NORTH CAROLINA  
**TECHNICAL DATA SHEET FOR  
PETITION NO. 2008-55**  
OWNER:  
**UNIVERSITY EAST, LLC**

RECEIVED  
MAR 2 4 2008

SURVEYOR SCALE  
SATT 1" = 100'  
DRAWN BY DATE  
PE/SAT 01/25/08  
PROJ. NUM SURVEY DATE  
CH03.0371 SU 01/25/08  
CADD FILE CADD FILE  
PETITION DWS

**GEOSCIENCE  
GROUP, INC.**

500-K Clanton Road  
Charlotte, NC 28217  
704-525-2003  
704-525-2051(fax)

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