

MORRISON BOULEVARD DINING ON THE PARK



FOR PUBLIC HEARING REZONING PETITION 01-080: MORRISON BOULEVARD

ZONING DATA
TAX PARCEL ID: 17709106
EXISTING ZONING: BUSINESS DISTRICT (B1-SCD)
PROPOSED ZONING: MIXED USE DEVELOPMENT DISTRICT (OPTIONAL) (MUDD-O)
TOTAL LAND AREA: 1.33 AC +/-

DEVELOPMENT DATA
TOTAL BUILDING AREA: (2) STORY @ 15,000 EA = 30,000 SF TOTAL
PARKING REQ'D. @ 1/600 SF = 50 SPACES
TOTAL PARKING REQ'D. = 50 SPACES
PARKING PROVIDED:
SURFACE LOT 55 SPACES APPROX.
TOTAL PARKING PROV'D. 55 SPACES APPROX.

DEVELOPMENT STANDARDS:

General Provisions
These Development Standards form a part of the Technical Data Sheet for the "MORRISON BOULEVARD DINING ON THE PARK" submitted by The Harris Land Company (the Technical Data Sheet). Development of the property identified on this Technical Data Sheet (the "Property" or the "Site") and the individual components to be located thereon will be governed by the conditions of this Technical Data Sheet and those plans and drawings expressly incorporated herein by reference and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless these Development Standards establish more stringent standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the MIXED USE DEVELOPMENT DISTRICT (OPTIONAL) (MUDD-O) shall be followed in connection with development taking place on the Property.

Optional Provisions
This petition proposes a unique concept for a dining court including several restaurants. The dining facility building will also feature a drive-through facility. In order to accommodate the proposed dining facilities based on an urban design in keeping with the redevelopment of South Park Mall, the Petitioner is requesting a variation from certain MUDD standards as part of the MUDD (Optional) application. The Optional variations are as follows:

1. Signage. Attached identification signage may exceed the 5% of building wall area and the 100 square foot maximum set forth in the MUDD (Optional) application. Wall signage may cover 10% of building wall area up to a maximum of 200 square feet.

Permitted Uses
The building envelope shown on this Technical Data Sheet shall be limited to restaurant/dining uses including restaurants and a drive-through facility. No gas station or convenience store uses shall be permitted. Office uses on the Site shall not exceed 20% of the total allowable gross square footage building area on the Site except that office uses of the Site may be located in the second floor of the building envelope shown on the Schematic Site Plan. No other uses shall be permitted on the Site except those specifically listed in this Technical Data Sheet. The maximum building height shall not exceed 40 feet. The maximum building area shall not exceed 30,000 square feet. The maximum building area shall not exceed 15,000 square feet on the second floor and no 3,000 square feet of the building area shall be used for office use.

Building Limitations
1. The building shall front Morrison Boulevard, and no parking shall be located between the building and Morrison Boulevard. Parking shall be limited to an area between the building and Adair Court, and at the rear of the building as generally depicted on the Schematic Site Plan.
2. The building height (including limited architectural enhancement features) shall not exceed 2 stories or 40 feet in height measured by using the existing average grade elevation of the Site along Morrison Boulevard.
3. Should a 2-story building be constructed, no more than 30,000 square feet of building area may be constructed within the Building/Parking Envelope together with associated surface parking area. This area shall be contained within a 2-story building with a ground floor footprint not to exceed 15,000 square feet.
4. Should a 1-story building be constructed, no more than 20,000 square feet of building area may be constructed within the Building/Parking Envelope together with associated surface parking area.

Setbacks, Sideyards, and Rear Yards
All buildings constructed within the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance for the MIXED USE DEVELOPMENT DISTRICT, subject to any applicable Optional provisions.

Screening and Landscaping Areas
1. The Owner shall install or cause to be installed within the setback areas along Morrison Boulevard plants, trees and other materials in accordance with the Ordinance and shall thereafter maintain or cause to be maintained all such materials (including replacement of all dead or dying plants). Internal areas of the Site shall be landscaped in accordance with the requirements of the City Code.
2. Screening along Morrison Boulevard and perimeter of the Site shall conform to the standards and treatments specified in Section 12.253 of the Ordinance.
3. The height of any screening materials on the corner of Morrison Blvd. & Adair Ct. shall comply with the provisions of Section 12.109 of the Ordinance to maintain clear sight triangles as required.
4. All roof mounted mechanical equipment will be screened from view.

Parking/Loading
1. Off street parking will meet the minimum standards established under the Ordinance.
2. Parking shall be located to the side or rear of the building. No parking shall be permitted in front of the building.
3. Should a structured parking facility be provided, it will be designed so that only the openings at the street level are those to accommodate vehicle entrances and pedestrian access to the structure. All openings, including pedestrian and vehicle entrances, shall be designed so that cars parked inside are not visible from the street.
4. No dedicated off-street service/delivery parking spaces shall be required on the Site. Should loading spaces be desired, they will be designed per Section 8.607 of the Ordinance.

Lighting
1. The maximum height of any freestanding lighting fixture, including its base, shall not exceed 30 feet.
2. All direct lighting within the Site (except streetlights, which may be erected along Morrison Boulevard) shall be designed such that direct illumination does not extend past any exterior property line. Consideration will be given to the impact of lighting both within and without the perimeter of the Site. Items for consideration will include intensity, cutoff angles, color, energy efficiency, and shielding of sources of light, the intent being to eliminate glare toward Morrison Boulevard and adjacent properties.
3. No wall pack light fixtures will be allowed on any structures placed on the Site.

Access Points (Driveways)
1. The number of access points to Morrison Boulevard shall be limited to (1) right out exit driveway, and to Adair Court (2) full access driveways, as generally depicted on the Schematic Site Plan.
2. It is the Petitioner's understanding that Adair Court is a private street. Research is currently underway with the Petitioner in the event that it is determined that Adair Court is a public rather than private street, the Petitioner reserves the right to pursue abandonment of the associated right of way.
3. The placement and configuration of these access points are subject to any other modifications required to accommodate final site structural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation and the North Carolina Department of Transportation.
4. The existing controlled pedestrian access on the northeast corner of the site shall be maintained.

Fire Protection
1. Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

Architectural Controls
1. Canopies, awnings, and similar appendages shall be permitted at the entrance to the building and on the building facade along Morrison Boulevard, and shall be designed per Section 8.606(6) of the Ordinance.
2. Buildings constructed on the Site along Morrison Boulevard will have windows that face these streets and shall avoid large expanses of solid walls through the introduction of articulated facades and other specially designed architectural features.
3. Dumpster areas will be enclosed on all four sides by an 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.
4. Storm water management shall be managed through proven techniques, which satisfy the standards imposed by the City of Charlotte.
5. No storm water mechanical equipment will be screened from view.

Streetscape
1. Streetscape along Morrison Boulevard will meet the minimum standards established under the Ordinance.
2. Petitioner shall install a 6-foot wide planting strip along the Site's frontage on Morrison Boulevard.
3. Petitioner will install large maturing trees 40 feet of center along the Site's frontage on Morrison Boulevard.
4. Petitioner will provide 3-6 on-site bike parking spaces.
5. Petitioner will provide 3-6 on-site bike parking spaces.

Amendments to Rezoning Plan
1. Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 8 of the Ordinance.

Binding Effect
If this Rezoning Petition is approved, all conditions attached to development of the Site imposed under this Technical Data Sheet 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 successors in interest or assigns.

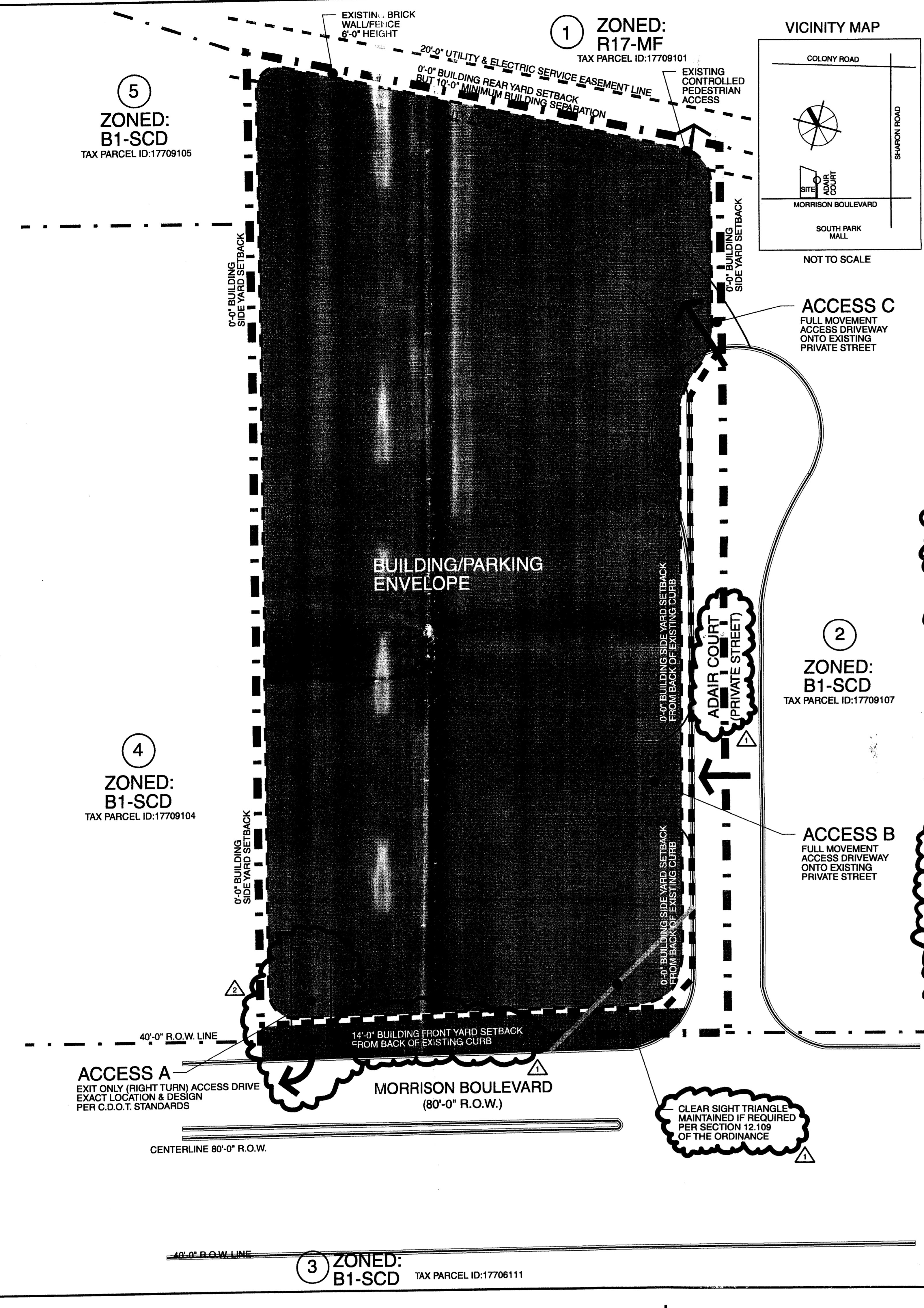
TECHNICAL DATA SHEET

1" = 20'-0"

APPROVED BY CITY COUNCIL
DATE 7/16/01

REVISED:
MAY 14, 2001
MAY 23, 2001
JUNE 25, 2001
JULY 16, 2001
S1.0(A)
APRIL 5, 2001

01-080



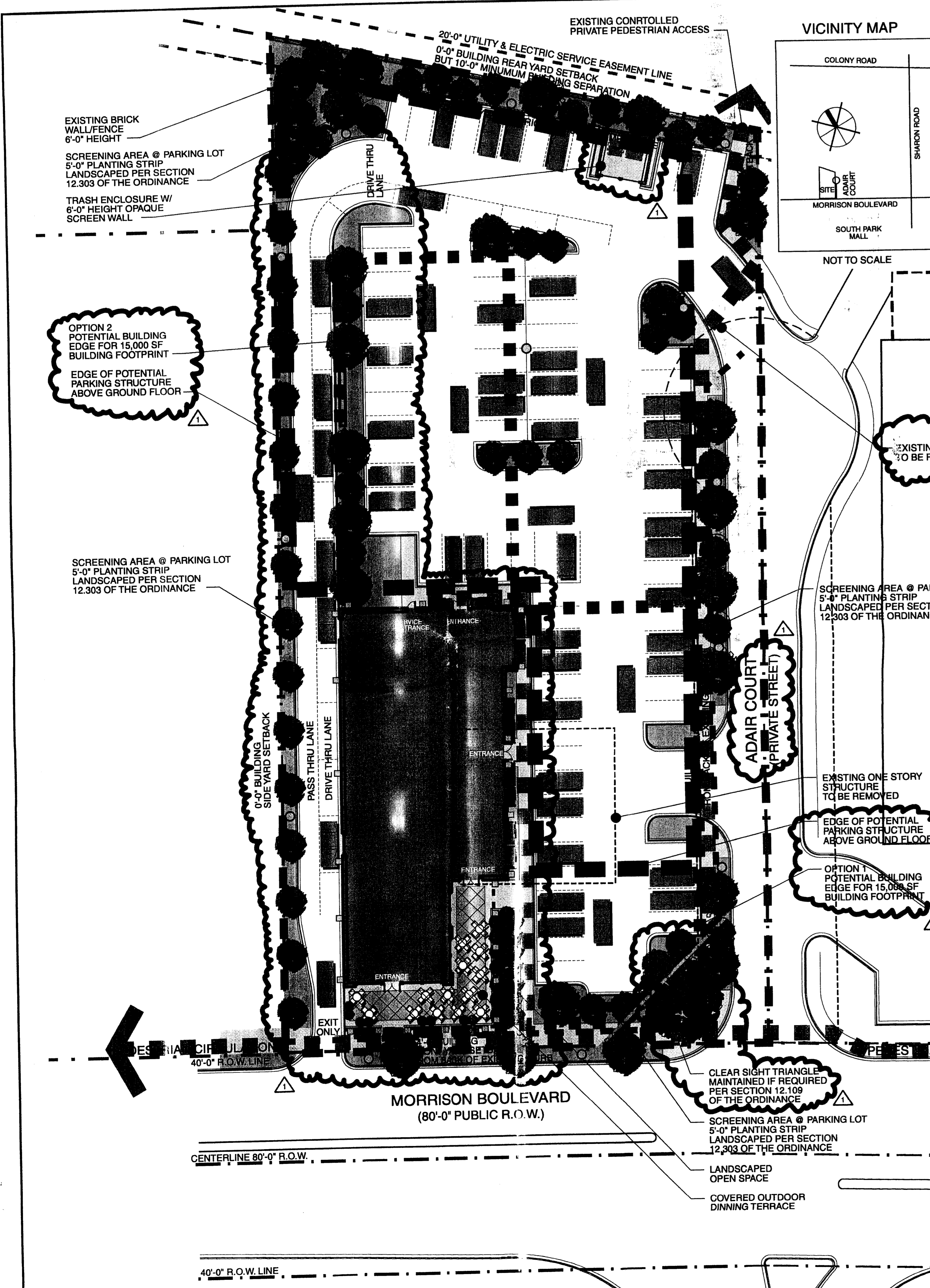
MORRISON BOULEVARD DINING ON THE PARK



FOR PUBLIC HEARING REZONING PETITION 01-080: MORRISON BOULEVARD

GENERAL NOTES:
1. THIS SCHEMATIC SITE PLAN IS PRELIMINARY, NOT INTENDED FOR CONSTRUCTION, AND SUBJECT TO CHANGE PER REZONING CLASSIFICATION, AND/OR RETAIL TENANT AND OFFICE SPACE LOCATION AND ALLOCATION WITHIN THIS PROPERTY.
2. PROPERTY BOUNDARY, EXISTING FEATURES AND STREET LOCATIONS TAKEN FROM SITE PLAN PREPARED 10/04/2000 BY RSA GROUP & MECKLENBURG COUNTY GIS 09/09/2001.
3. ANY & ALL FUTURE ROADWAY IMPROVEMENTS AND TRAFFIC LANE ADJUSTMENTS ALONG MORRISON BOULEVARD AND ADAIR COURT ADJACENT TO THIS PROPERTY AREA NOT REPRESENTED ON THIS SCHEMATIC PLAN.

LEGEND
■ = APPROXIMATE BUILDING FOOTPRINT
■ = PEDESTRIAN CIRCULATION
○ = EXTERIOR LIGHTING-POLE MOUNTED
□ = EXTERIOR LIGHTING-BUILDING FACADE MOUNTED
— = CANOPY W/ 3'-0" OVERHANG



SCHEMATIC SITE PLAN

1" = 20'-0"

REVISED:
MAY 14, 2001
MAY 23, 2001
JUNE 18, 2001
JUNE 25, 2001
JULY 16, 2001
S2.0(A)
APRIL 5, 2001

MORRISON BLVD. & SHARON RD. PROPERTY

shook

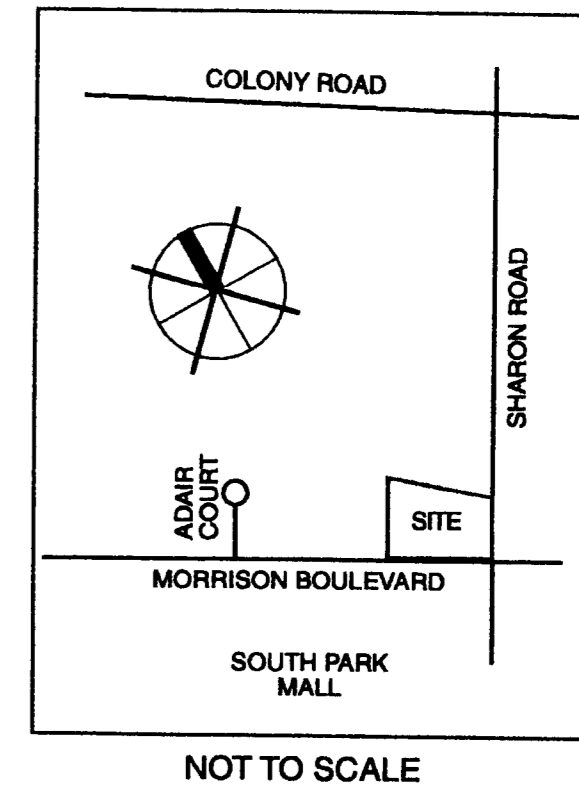
FOR PUBLIC HEARING
REZONING PETITION 01-080: MORRISON BOULEVARD & SHARON ROAD

ZONING DATA

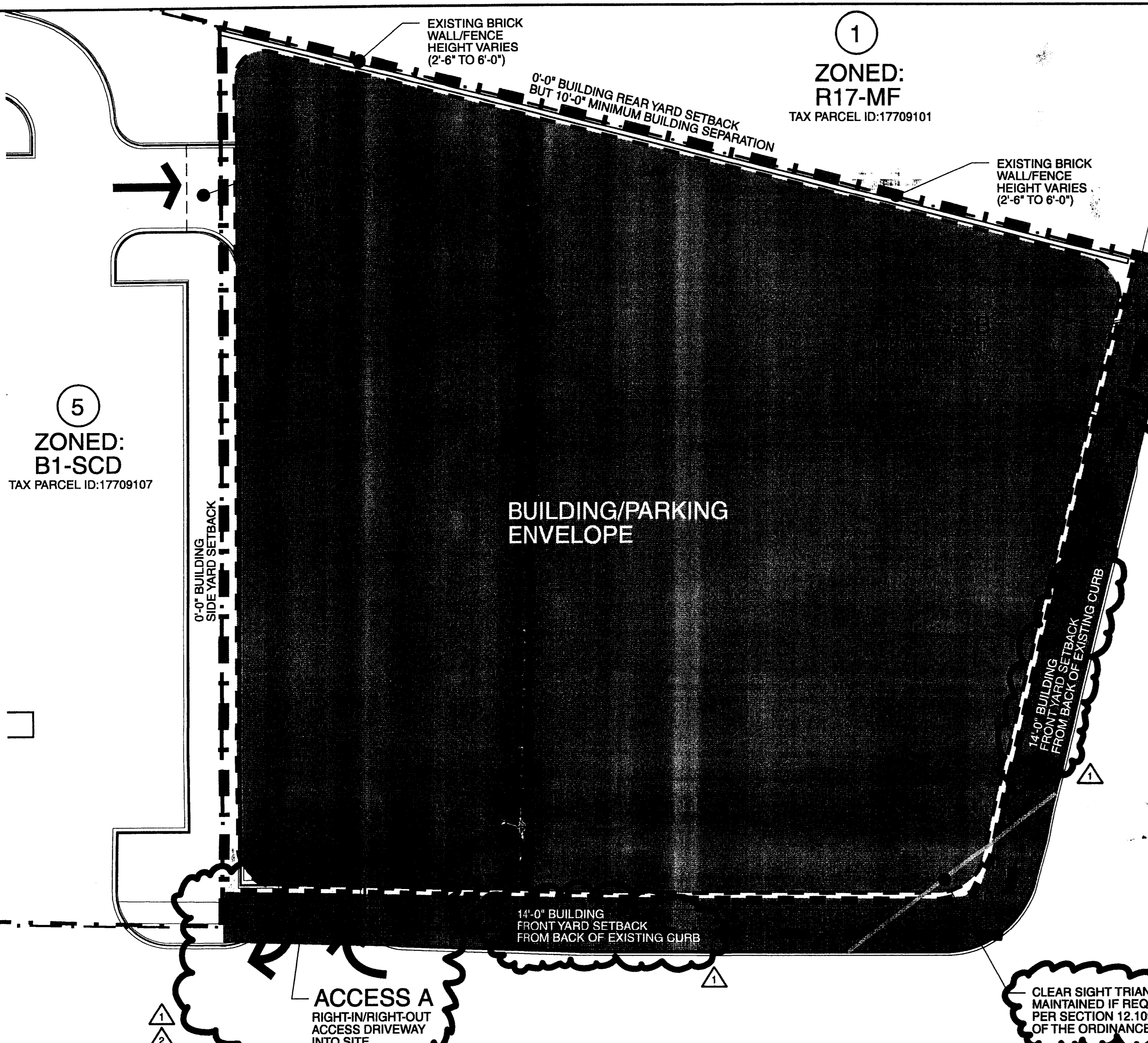
TAX PARCEL ID: 17709108
EXISTING ZONING: BUSINESS DISTRICT (B1-SCD)
PROPOSED ZONING: MIXED USE DEVELOPMENT DISTRICT (OPTIONAL) (MUDD-O)
TOTAL LAND AREA: 1.307 AC +/-
DEVELOPMENT DATA

TOTAL BUILDING AREA:
(2) STORY @ 15,000 EA. = 30,000 SF TOTAL
PARKING REQ'D. @ 1/600 SF = 50 SPACES
TOTAL PARKING REQ'D. = 50 SPACES
PARKING PROVIDED:
SURFACE LOT 55 SPACES APPROX.
TOTAL PARKING PROV'D. 55 SPACES APPROX.

VICINITY MAP



Perception Designer:
2151 Hawkins Street
Suite 400
Charlotte, NC 28203
704.377.0661
Fax: 377.0953
www.shookdesign.com
PREPARED FOR:
The Harris Land Company
6400 Fairview Road
P.O. Box 220748
Charlotte, NC 28222-0748
704.364.4957
Fax: 364.5014



5
ZONED:
B1-SCD
TAX PARCEL ID:17709107

1
ZONED:
R17-MF
TAX PARCEL ID:17709101

2
ZONED:
B1-SCD
TAX PARCEL ID:18817699

4
ZONED:
B1-SCD
TAX PARCEL ID:17709104

3
ZONED:
O15-CD
TAX PARCEL ID:18317701

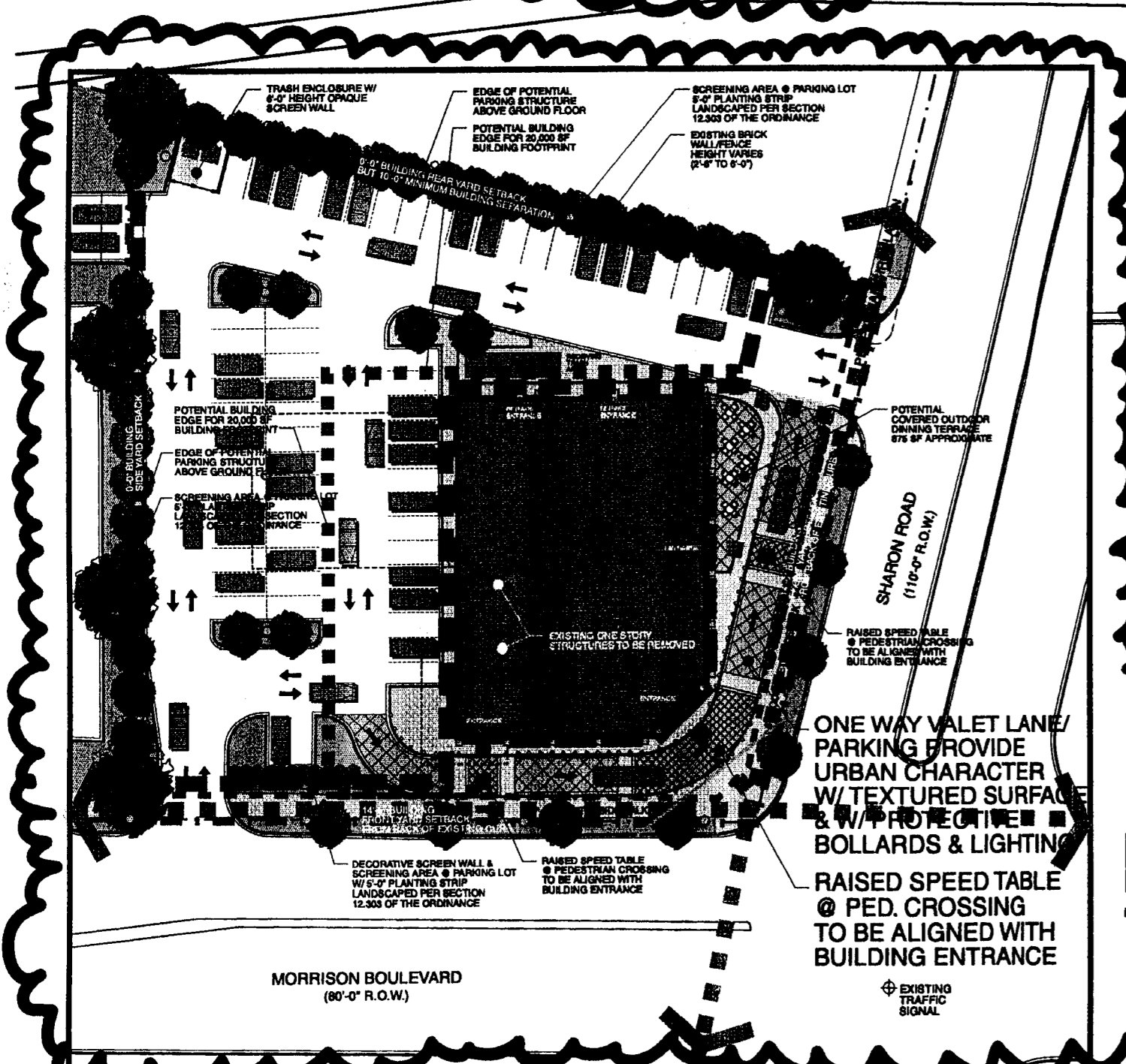


FIGURE 'A'
1"=50'-0"

TECHNICAL DATA SHEET

1"=20'-0"

DEVELOPMENT STANDARDS:

General Provisions
These Development Standards form part of the Technical Data Sheet for the "SHARON RD. & MORRISON BLVD. PROPERTY" submitted by The Harris Land Company (the Technical Data Sheet). Development of the property identified on the Technical Data Sheet (the "Property" or the "Site") and the individual components to be located thereon will be governed by the Ordinance. Unless the Schematic Site Plan or these Development Standards establish more stringent standards, all development standards established under the City of Charlotte Zoning Ordinance for the MIXED USE DEVELOPMENT DISTRICT (OPTIONAL) (MUDD-O) shall apply to the Property. These standards shall be followed in connection with development taking place on the Property.

Optional Provisions
This petition proposes a well-designed urban environment composed of retail, restaurant, and/or office space with parking located to the side and rear of the structure. The Petitioner is requesting a variation from certain MUDD standards as part of this MUDD (Optional) application. The Optional variations are as follows:

1. Signage: Attached identification signage may exceed the 5% of building wall area and the 100 square foot maximum set forth in the MUDD ordinance. Wall signage may cover 10% of building wall area up to a maximum of 200 square feet.
2. Drive through facility: There will be no accessory drive through facility associated with this proposed development unless a drug store or restaurant occupies the ground floor of the structure. In this event, the drive-through facility shall be allowed as an accessory use provided it is located to the rear of the structure and is not directly visible from Sharon Road.
3. The maximum height of the structure shall be limited to 40 feet. The maximum height of the structure shall be limited to 40 feet. The maximum height of the structure shall be limited to 40 feet.

Permitted Uses
The development shown on this Technical Data Sheet shall be limited to the following: (1) retail, restaurant, and/or office space; (2) parking; (3) landscaping; (4) signage; (5) site plan. The development shall be limited to the following: (1) retail, restaurant, and/or office space; (2) parking; (3) landscaping; (4) signage; (5) site plan.

Building Limitations
1. The building shall front Morrison Boulevard & Sharon Road with no parking located between the building and the street. Parking shall be limited to an area on the side and rear of the building as generally depicted on the Schematic Site Plan.
2. The building shall be constructed with a minimum of 2 stories or 40 feet in height measured by using the existing average grade elevation of the site along Morrison Boulevard and Sharon Road.
3. Should a 2-story building be constructed, no more than 30,000 square feet of building area may be constructed within the Building/Parking Envelope together with associated surface parking area. This area shall be contained within a 2-story building with a ground floor footprint not to exceed 15,000 square feet.
4. Should a 1-story building be constructed, no more than 20,000 square feet of building area may be constructed within the Building/Parking Envelope together with associated surface parking area.

Screening and Landscaping Areas
1. The Owner shall install or cause to be installed within the setback areas along Sharon Road, Morrison Boulevard, and the perimeter of the site landscaping in accordance with the Ordinance and shall thereafter maintain or cause to be maintained all such materials (including replacement of all dead or dying plants). Internal areas of the site shall be landscaped in accordance with the requirements of the City Code.
2. Screening along Sharon Road & Morrison Boulevard and perimeter of the site shall conform to the standards and treatments specified in Section 12.303 of the Ordinance.
3. The height of any screening materials in the corner of Morrison Blvd. & Adair Ct. shall comply with the provisions of Section 12.109 of the Ordinance to maintain clear sight triangles if required.
4. All roof mounted mechanical equipment will be screened from view.

Parking/Loading
1. Off street parking will meet the minimum standards established under the Ordinance.
2. Parking shall be located to the side or rear of the building. No parking shall be permitted in front of the building.
3. Should a structured parking facility be provided, it will be designed so that only the openings at the street level are those to accommodate vehicle entrances and pedestrian access to the structure. All openings, including pedestrian and vehicular entrances, shall be designed so that cars parked inside are not visible from the street.
4. No dedicated off-street service/delivery parking spaces shall be required on the site. Should loading spaces be desired, they will be designed per Section 8.8507 of the Ordinance.

Lighting
1. The maximum height of any freestanding lighting fixture, including its base, shall not exceed 30 feet.
2. All direct lighting within the site (except emergency lighting) shall be directed away from the street and shall be shielded so that direct illumination does not extend past any exterior property line. Consideration will be given to the impact of lighting both within and without the perimeter of the site. Items for consideration will include intensity, color, glare, energy efficiency, and shielding of sources of light, the intent being to minimize glare toward Sharon Road & Morrison Boulevard and adjacent properties.
3. No rear yard lighting fixtures will be allowed on any structures placed on the site.

Access Points (Driveways)
1. The number of access points to Morrison Boulevard shall be limited to (1) right-in/right-out driveway, and to Sharon Road (1) right-in/right-out driveway, as generally depicted on the Schematic Site Plan. An internal access drive shall also be established to facilitate the connection to the adjacent site to the west.
2. The placement and configuration of these access points are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments made for approval by the Charlotte Department of Transportation.

Fire Protection
1. Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of the building commences.

Architectural Controls
1. Canopies, awnings, and similar appurtenances shall be permitted at the entrances to the building and on the building facade along Morrison Blvd. & Sharon Rd. and shall be designed in accordance with the Ordinance.
2. The building shall be constructed with a minimum of 2 stories or 40 feet in height measured by using the existing average grade elevation of the site along Morrison Blvd. & Sharon Rd. and shall have windows that face the street and shall avoid large expanses of solid walls through the introduction of articulated facades and other architecturally designed architectural elements.
3. Dumpster area will be enclosed on all sides by a solid wall with one side being a hinged opaque gate. If one or more sides of a dumpster area adjoin a street or rear wall of a building, then the side or rear wall may be substituted for a site.

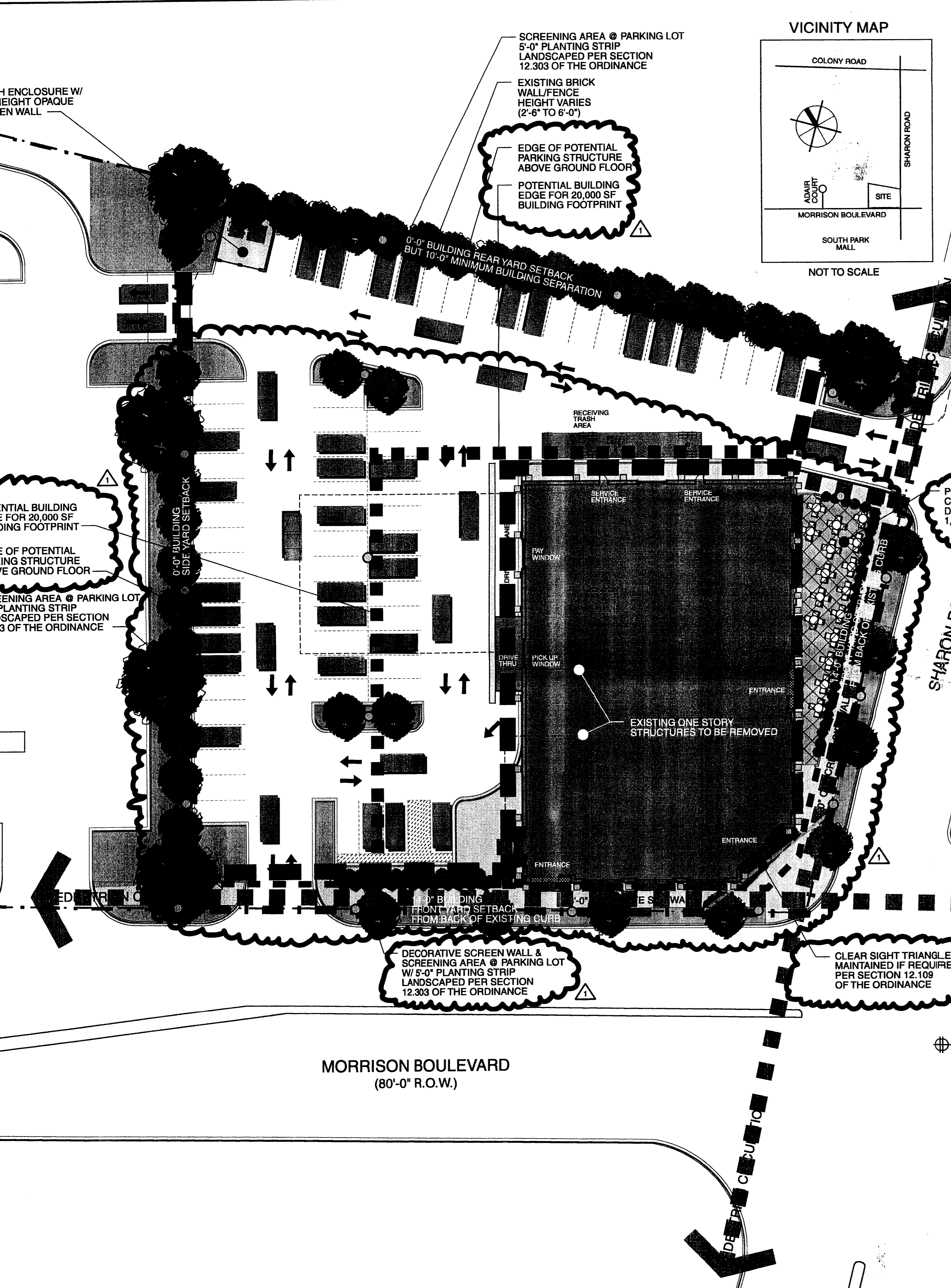
Storm Water Management
1. Storm water runoff from the site will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte.
2. No storm water detention shall be located between the building and the street.

Streetscape
1. Streetscape along Sharon Rd. & Morrison Boulevard will meet the minimum standards established under the Ordinance.
2. Petitioner shall install a 6-foot wide sidewalk with 8-foot wide planting strip along the site's frontage on Sharon Road & Morrison Boulevard.
3. Petitioner will install four mature trees 40 feet or more apart along the site's frontage on Sharon Road & Morrison Boulevard.
4. Petitioner will provide a sidewalk from Sharon Road & Morrison Boulevard to the entrance of the proposed building.
5. Petitioner will provide 8 on-site bike parking spaces.

Amendments to Revising Plan
1. Future amendments to the Technical Data Sheet 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.
2. The Petitioner shall be responsible for the cost of any amendments to the Technical Data Sheet and these Development Standards.
3. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Technical Data Sheet 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 successors.

REVISED:
APRIL 23, 2001
MAY 23, 2001
JUNE 25, 2001
JULY 16, 2001

S1.0(B)
APRIL 5, 2001



SCHEMATIC SITE PLAN

1"=20'-0"

MORRISON BLVD. & SHARON RD. PROPERTY

shook

FOR PUBLIC HEARING
REZONING PETITION 01-080: MORRISON BOULEVARD & SHARON ROAD

GENERAL NOTES:

1. THIS SCHEMATIC SITE PLAN IS PRELIMINARY, NOT INTENDED FOR CONSTRUCTION, AND SUBJECT TO CHANGE PER REZONING CLASSIFICATION, AND/OR RETAIL TENANT AND OFFICE SPACE LOCATION AND ALLOCATION WITHIN THIS PROPERTY.
2. PROPERTY BOUNDARY, EXISTING FEATURES AND STREET LOCATIONS TAKEN FROM SITE PLAN PREPARED 10/04/2000 BY RBA GROUP & MECKLENBURG COUNTY GIS 09-09-2001.
3. ANY & ALL FUTURE ROADWAY IMPROVEMENTS AND TRAFFIC LANE ADJUSTMENTS ALONG MORRISON BOULEVARD AND ADAIR COURT ADJACENT TO THIS PROPERTY AREA NOT REPRESENTED ON THIS SCHEMATIC PLAN.

LEGEND

- = APPROXIMATE BUILDING FOOTPRINT
- = PEDESTRIAN CIRCULATION
- = EXTERIOR LIGHTING-POLE MOUNTED
- = EXTERIOR LIGHTING-BUILDING FACADE MOUNTED
- = CANOPY W/ 3'-0" OVERHANG

Perception Designer:
2151 Hawkins Street
Suite 400
Charlotte, NC 28203
704.377.0661
Fax: 377.0953
www.shookdesign.com
PREPARED FOR:
The Harris Land Company
6400 Fairview Road
P.O. Box 220748
Charlotte, NC 28222-0748
704.364.4957
Fax: 364.5014

REVISED:
APRIL 26, 2001
MAY 8, 2001
MAY 23, 2001
JUNE 18, 2001
JUNE 25, 2001
JULY 16, 2001

S2.0(B)
APRIL 5, 2001