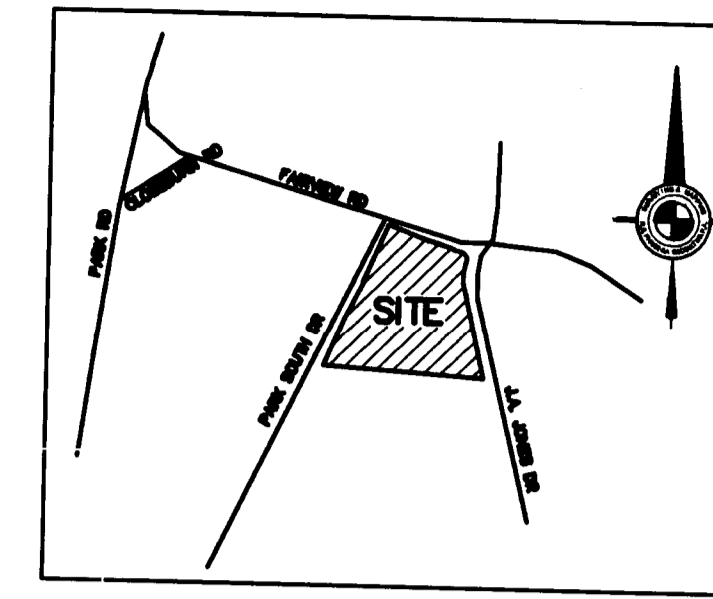


REGISTER OF DEEDS:
 CERTIFIED TO BE A TRUE AND CORRECT COPY OF
 THE ORIGINAL MAP RECORDED IN
 BOOK _____ PAGE _____
 DATE:
 JUDITH A. GIBSON, REGISTER OF DEEDS

RECOMBINATION PLAT
FAIRVIEW PLAZA
 OWNER: FAIRVIEW PLAZA ASSOCIATES, LP
 FAIRVIEW ROAD
 CITY OF CHARLOTTE,
 MECKLENBURG COUNTY, NORTH CAROLINA
 DEED REFERENCE: 4278-350, 4637-155, & 9869-952
 TAX PARCEL #: 179-022-02, 179-022-37, & 179-022-39

TOTAL AREA=431,323 SQ. FT. OR 9.9018 ACRES
 (AREA BY COORDINATE COMPUTATION)

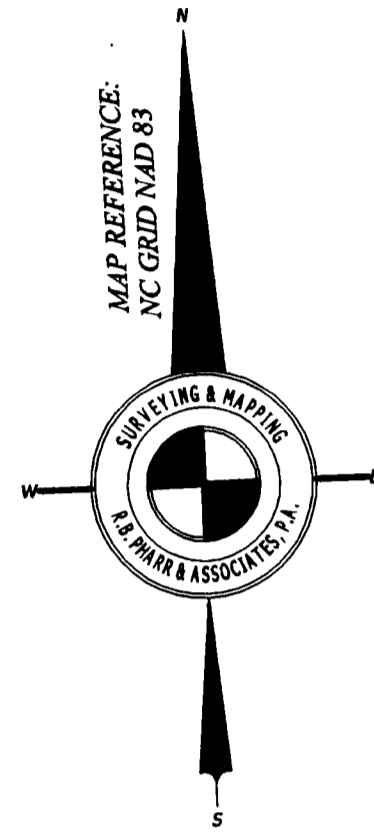


APPROVED BY
 CITY COUNCIL

DEC 20

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 REQUEST.

**BURTON
 ENGINEERING
 ASSOCIATES**
 CIVIL ENGINEERS
 LAND PLANNERS
 5850 Fairview Rd., Suite 100, Charlotte, NC 28210
 (704) 553-8881 - Fax (704) 553-8860



NOTES:

- ALL CORNERS MONUMENTED AS SHOWN.
- THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT. R.B. PHARR & ASSOCIATES, P.A. DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY ARE SHOWN HEREON.
- BROKEN LINES INDICATE PROPERTY LINES NOT SURVEYED.
- PARK SOUTH DRIVE IS SHOWN AS A "MINOR THOROUGHFARE" ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THOROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 35' FROM CENTERLINE.
- FAIRVIEW ROAD IS SHOWN AS A "MAJOR THOROUGHFARE" ON THE MECKLENBURG-UNION METROPOLITAN PLANNING ORGANIZATION THOROUGHFARE PLAN OF 2004 AND MAY BE SUBJECT TO A FUTURE RIGHT-OF-WAY OF 50' FROM CENTERLINE.
- THE OFF-SITE RIGHT-OF-WAY SHOWN HEREON IS FOR ILLUSTRATIVE PURPOSES ONLY. THE UNDERSIGNED CERTIFIES ONLY TO THE RIGHT-OF-WAYS SURVEYED, AND DOES NOT CERTIFY TO THE RIGHT OF WAY WIDTH OF ANY ADJACENT PROPERTIES.
- PHYSICAL IMPROVEMENTS MAY EXIST ON THIS PROPERTY THAT ARE NOT SHOWN HEREON.
- THE PURPOSE OF THIS PLAT IS TO SUBDIVIDE THE SUBJECT PROPERTY AS SHOWN HEREON.
- NO NGS MONUMENT FOUND WITHIN 2000' OF THE SUBJECT PROPERTY.
- THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP IS 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.

LEGEND:

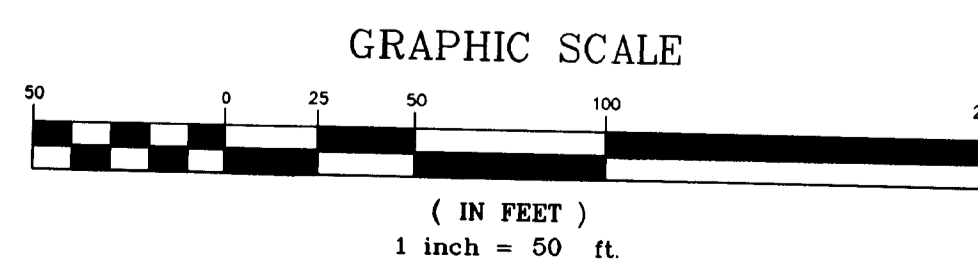
- CALCULATED POINT
- CGF - COMBINED GRID FACTOR
- D.B. - DEED BOOK
- ECM - EXISTING CONCRETE MONUMENT
- EIP - EXISTING IRON PIPE
- EIR - EXISTING IRON ROD
- EMM - EXISTING METAL MONUMENT
- EN - EXISTING NAIL
- EPI - EXISTING PUNCH HOLE
- (M) - MEASURED
- M.B. - MAP BOOK
- N.C.G.S. - NORTH CAROLINA GEODETIC SURVEY
- NIR - NEW IRON ROD
- NN - NEW NAIL
- (P) - PLATTED
- PIV - PARCEL IDENTIFICATION NUMBER
- PG. - PAGE
- (R) - RECORDED
- R/W - RIGHT-OF-WAY
- PROPERTY LINE
- PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- RIGHT-OF-WAY (NOT SURVEYED)
- EASEMENT
- SETBACK
- APPROXIMATE ZONING LINE

ZONING:

ZONING RESTRICTIONS AS PER ZONING ORDINANCE:
 SUBJECT PROPERTY ZONED: MUDD(CD) & O-3(CD)
 MINIMUM SETBACK REQUIREMENTS FOR LOTS 2 & 3
 AS PER ZONING PETITION NO. 2008-074
 MINIMUM SETBACK: 14 FT FROM BACK OF CURB
 MINIMUM SIDE YARD: 0 (10' BUILDING SEPARATION
 REQUIRED ADJACENT TO RESIDENTIAL USE)
 MINIMUM REAR YARD: 0 (10' BUILDING
 SEPARATION REQUIRED ADJACENT TO RESIDENTIAL
 USE)

FOR FURTHER INFORMATION CONTACT THE
 CHARLOTTE-MECKLENBURG ZONING DEPARTMENT
 AT 704-336-3566.

FOR PUBLIC HEARING
 PETITION NO. 2010-070



FLOOD CERTIFICATION
 THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS NOT
 LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON
 MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT
 AGENCY, FEDERAL EMERGENCY MANAGEMENT
 FEBRUARY 4, 2004
 COMMUNITY PANEL NO.: 3701580228E

REVIEW OFFICER:

I, _____ REVIEW OFFICER OF MECKLENBURG COUNTY, NORTH
 CAROLINA CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS
 AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

SURVEYOR'S CERTIFICATE:

STATE OF NORTH CAROLINA
 COUNTY OF MECKLENBURG
 I, THE UNDERSIGNED SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY
 SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (D.B. 4278-350,
 D.B. 4637-155, & D.B. 9869-952); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY
 INDICATED AS DRAWN FROM INFORMATION AS REFERENCED ON THE FACE OF THIS
 PLAT; THAT THE RATIO OF PRECISION AS CALCULATED EXCEEDS 1:10,000 LINEAR
 FEET; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.
 WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS _____ DAY OF
 A.D., 20 _____

THIS PLAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY
 THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

JUSTIN F. CLONINGER (L-4430) _____ DATE _____
 PROFESSIONAL LAND SURVEYOR

CREW:	TR	DRAWN:	REVISOR:
R.B. PHARR & ASSOCIATES, P.A.			
SURVEYING & MAPPING			
420 HAWTHORNE LANE CHARLOTTE, N.C. 28204 TEL: (704) 376-2186			
SCALE:	DATE:	FILE NO.:	JOB NO.:
1"=50'	JAN. 22, 2008	W-3603	72648

Project
FAIRVIEW
 MIXED-USE DEVELOPMENT REZONING
 FAIRVIEW PLAZA ASSOCIATES LIMITED PARTNERSHIP, CHARLOTTE, NORTH CAROLINA

Sheet
 Title
SITE SURVEY

Engineer	CTB
Drawn By	JRD
Date	08/23/10
Revisions	1 - 10/14/10 - PER REVIEW ONE

BEA Project Number
 528-001

Sheet
 EX 1.0

5

30" C&G

FAIRVIEW ROAD

(VARIABLE WIDTH PUBLIC R/W)

EXISTING ACCESS POINT

CATS PEDESTRIAN WAITING PAD AT STOP (APPROX. LOCATION)

3 OAK TREES TO BE REMOVED 18", 24" & 60"

S20°24'39"W 2.79'

S75°20'23"E 19.74'

S41°41'74"E 41.74'

N12°59'30"W 12.59'

N12°59'30"W 12.59'

N12°59'30"W 12.59'

N12°59'30"W 12.59'

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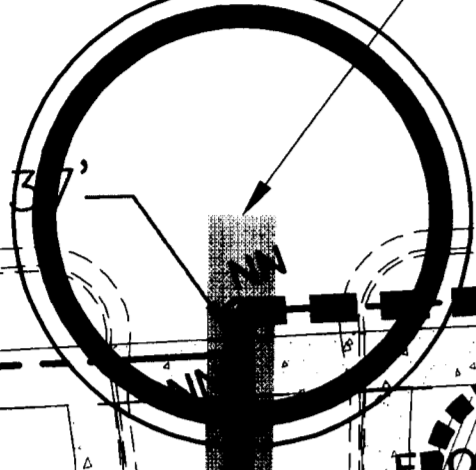
N12°59'30"W 12.59'

N12°59'30"W 12.59'

N12°59'30"W 12.59'

N12°59'30"W 12.59'

N21°06'24"E 4.57'



14' SETBACK FROM BACK OF CURB

BIKE PARKING PROPOSED BUILDING ENVELOPE +/- 17,000 SF

SEE "PERMITTED USES" NOTE ON SHEET TDS 1.2 FOR INTENDED USES

APPROXIMATE LOCATION OF DRIVE-THRU SERVICE LANE & WINDOWS

PROPOSED PARKING ENVELOPE

15" BRADFORD TREE TO BE REMOVED

PROPOSED AREA TO BE REMOVED FROM DEDICATION 3,807 SQ. FT. 0.0874 ACRES (THIS AREA IS INCLUDED IN THE REZONING AREA)

PIEDMONT ROW SOUTH

(VARIABLE WIDTH PUBLIC R/W)

EXISTING ACCESS POINT

EXISTING PARKING AREA

EXISTING PARKING AREA

ASPHALT

EXISTING PRIVATE DRIVE

EXISTING PRIVATE DRIVE

EXISTING 9 STORY

EXISTING 5 STORY BLDG
5 STORY GRANITE BUILDING
FOOTPRINT=12,074 SQ. FT.

EXISTING 9 STORY BLDG

EXISTING 9 STORY BLDG
W/ SUBLEVEL
TPRINT AREA=16,356 SQ. FT.

DEED LINE D.B. 4278, PG. 350
D.B. 4637, PG. 155

EXISTING 9 STORY BLDG
W/ SUBLEVEL
PRINT AREA=15,840 SQ. FT.

DEVELOPMENT SUMMARY
 TAX PARCEL ID#: 179-022-02
 TOTAL SITE AREA: 1.0593 ACRES
 EXISTING ZONING & USES: MIXED USE DEVELOPMENT- MUDD (CD)
 - OFFICE
 - RETAIL
 - RESTAURANTS
 PROPOSED ZONING & PERMITTED USES: MIXED USE DEVELOPMENT DISTRICT - OPTIONAL (MUDD-O)
 - OFFICE / RETAIL
 - RESTAURANTS
 - BANK WITH DRIVE-THROUGH

MINIMUM SETBACK REQUIREMENT: 14 FEET FROM BACK OF CURB
 MINIMUM SIDEYARD REQUIREMENT: 0 (10' BUILDING SEPARATION REQUIRED ADJACENT TO RESIDENTIAL USE)
 MINIMUM REAR YARDS REQUIREMENT: 0 (10' BUILDING SEPARATION REQUIRED ADJACENT TO RESIDENTIAL USE)
 MAXIMUM BUILDING HEIGHT: 60 FEET (2 STORIES)

DEVELOPMENT TOTALS

PROPOSED MAXIMUM BUILDING AREA: 17,000 SF

VEHICLE / BICYCLE PARKING REQUIREMENTS:
 REQUIRED PARKING: 1 SPACE PER 150 SF OF FLOOR AREA DEVOTED TO RESTAURANT USES AND 1 SPACE PER 350 SF OF FLOOR AREA DEVOTED TO OTHER USES.
 PROVIDED PARKING: * SEE PARKING NOTE TDS 1.2 IN THIS SET
 REQUIRED HANDICAP PARKING: HANDICAP PARKING SHALL BE PROVIDED PER DETAIL #50.10A OF THE CHARLOTTE-MECKLENBURG LAND DEVELOPMENT STANDARDS
 REQUIRED LOADING SPACES: 0 (LESS THAN 50,000 GROSS SF)
 PROVIDED LOADING SPACES: 0
 REQUIRED BICYCLE PARKING: BICYCLE PARKING SPACES SHALL BE PROVIDED IN ACCORDANCE WITH THE ORDINANCE.

- ADJACENT OWNERS**
- ① #171-25-215 HOUSING AUTHORITY CITY OF CHARLOTTE P.O. BOX 36795 CHARLOTTE, NC 28202 EXISTING ZONING: R-43MF EXISTING USE: MULTI-FAMILY
 - ② #171-25-213 CAROLINA LP ONL RETIREMENT PCI NORTH ONL CENTER AT CITY COMMONS 450 SOUTH ORANGE AVE. ORLAND, FL 32801 EXISTING ZONING: R-22MF(CD) EXISTING USE: MULTI-FAMILY
 - ③ #179-02-239 AND #179-02-202 FAIRVIEW PLAZA ASSOCIATES LIMITED PARTNERSHIP 3800 ARCO CORPORATE DR STE 200, CHARLOTTE, NC 28273 EXISTING ZONING: O-3(CD) EXISTING USE: OFFICE
 - ④ #179-01-184 6000 FAIRVIEW ASSOCIATES, LLC 6060 JA JONES DR STE 408 CHARLOTTE, NC 28287-3290 EXISTING ZONING: O-3 EXISTING USE: OFFICE
 - ⑤ #177-06-225 CRECENT RESOURCES LLC PIEDMONT TOWN CENTER ONE LLC 400 NORTH TRYON ST #1300 CHARLOTTE, NC 28202 EXISTING ZONING: MUDD-O EXISTING USE:
 - ⑥ #177-06-201 TRP PARKVIEW PROPERTY LLC AND TRP INVESTMENTS LLC 772 BURR OAK DR WESTMONT, IL 60559 EXISTING ZONING: O-1 EXISTING USE: OFFICE

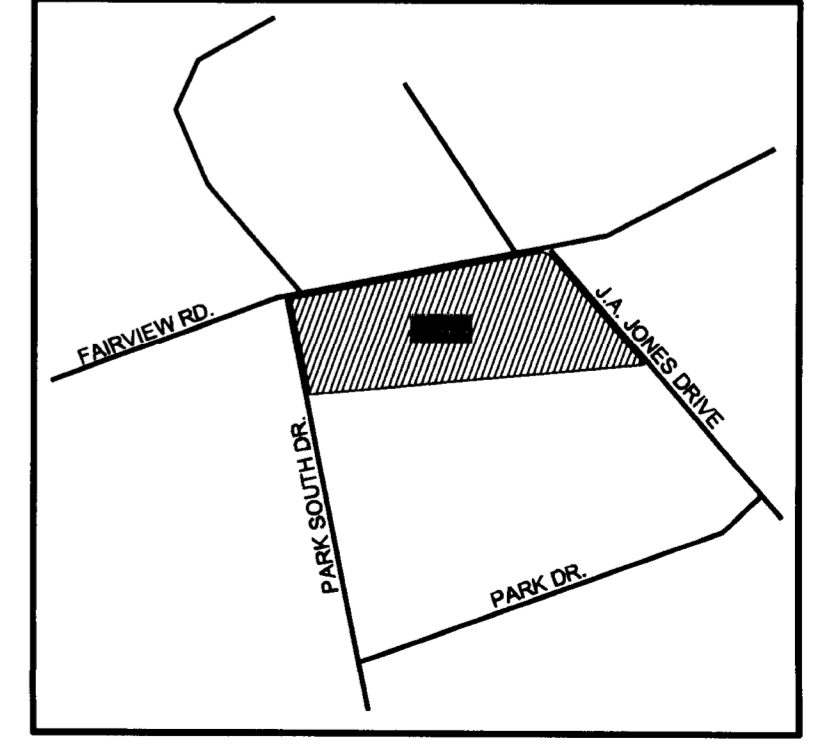
NOTES:
 ADJACENT PARCEL, PLANIMETRIC INFORMATION OUTSIDE OF THE PROJECT BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY: MECKLENBURG COUNTY ENGINEERING & BUILDING STANDARDS DEPARTMENT DELD (DEMOGRAPHIC, EMPLOYMENT AND LAND DEVELOPMENT) INFORMATION SYSTEM
 BOUNDARY SURVEY PROVIDED BY: R.B. PHARR & ASSOCIATES, P.A., CHARLOTTE, NC DATED: JANUARY 22, 2008

- LEGEND**
- ↑ BUILDING ORIENTATION
 - - - BUILDING ENVELOPE
 - - - - - PARKING ENVELOPE
 - X TREE TO BE REMOVED
 - - - - - REZONING LIMITS

APPROVED BY CITY COUNCIL

DEC 20

VICINITY MAP - NOT TO SCALE



FOR PUBLIC HEARING PETITION NO. 2010-070

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 CIVIL ENGINEERS AND PLANNERS
 5950 Fairview Rd., Suite 100, Charlotte, NC 28210
 (704) 553-8881 • Fax: (704) 553-8860

FAIRVIEW MIXED-USE DEVELOPMENT REZONING
 FAIRVIEW PLAZA ASSOCIATES LIMITED PARTNERSHIP, CHARLOTTE, NORTH CAROLINA

Project	FAIRVIEW MIXED-USE DEVELOPMENT REZONING
Engineer	CTB
Drawn By	JRD
Date	08/23/10
Revisions	1 - 10/14/10 - PER REVIEW ONE
BEA Project Number	528-001
Sheet	TDS 1.1

P:\DWG528-001\Blank of NC SouthParkResizing\BGA\Technical Data Sheet-TDS1.1.dwg, TDS1.1, 11/17/2010 2:27:38 PM, Autodesk PDF.pc3

GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION FILED BY FAIRVIEW PLAZA ASSOCIATES TO ACCOMMODATE THE DEVELOPMENT OF THAT APPROXIMATELY 1.0593 ACRE SITE LOCATED ON THE SOUTH SIDE OF FAIRVIEW ROAD BETWEEN PARK SOUTH DRIVE AND PIEDMONT ROW DRIVE SOUTH AND WHICH IS MORE PARTICULARLY DEPICTED ON THE TECHNICAL DATA SHEET (THE "SITE").

DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), SUBJECT TO THE OPTIONAL PROVISION SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE DEVELOPMENT DISTRICT ("MUDD") ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT OF THE SITE.

2. 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.

OPTIONAL PROVISION

1. DRIVE THROUGH SERVICE LANES AND WINDOWS SHALL BE PERMITTED AS AN ACCESSORY USE TO A BANK OR FINANCIAL INSTITUTION ONLY PURSUANT TO SECTION 12.413 OF THE ORDINANCE.
2. NOTWITHSTANDING THE FOREGOING, A MAXIMUM OF THREE DRIVE THROUGH SERVICE LANES SHALL BE PERMITTED ON THE SITE (TWO TELLER LANES AND ONE ATM LANE).

PERMITTED USES

THE SITE MAY BE DEVOTED TO THE FOLLOWING USES AND TO ANY ACCESSORY USES ALLOWED IN THE MUDD ZONING DISTRICT:

- ART GALLERIES.
- BANK OR FINANCIAL INSTITUTION WITH ACCESSORY DRIVE THROUGH SERVICE LANES AND WINDOWS, PROVIDED, HOWEVER, THAT ONLY ONE BANK OR FINANCIAL INSTITUTION SHALL BE PERMITTED ON THE SITE.
- BARBER AND BEAUTY SHOPS.
- COLLEGES, UNIVERSITIES, COMMERCIAL SCHOOLS, SCHOOLS PROVIDING ADULT TRAINING IN ANY OF THE ARTS, SCIENCES, TRADES AND PROFESSIONS.
- EQUIPMENT RENTAL AND LEASING WITHIN AN ENCLOSED BUILDING.
- INDOOR RECREATION.
- LABORATORIES, DENTAL, MEDICAL AND OPTICAL.
- PROFESSIONAL BUSINESS AND GENERAL OFFICES SUCH AS BANKS, CLINICS, MEDICAL, DENTAL AND DOCTORS' OFFICES, VETERINARY CLINICS, GOVERNMENT OFFICES, POST OFFICES, OPTICIANS' OFFICES, AND SIMILAR USES, PROVIDED, HOWEVER, THAT VETERINARY CLINICS WITH OUTDOOR RUNS SHALL NOT BE PERMITTED.
- REPAIR OR SERVICING OF ANY ARTICLE, THE SALE OF WHICH IS PERMITTED IN THE DISTRICT, WITHIN AN ENCLOSED BUILDING UP TO 5,000 SQUARE FEET.
- RESTAURANTS, INCLUDING ROOFTOP TERRACES FOR DINING AND BAR AREAS, OUTDOOR DINING AND OPEN AIR OR SIDEWALK CAFES.
- RETAIL SALES LIMITED TO THOSE USES PERMITTED IN THE B-1 ZONING DISTRICT, PROVIDED, HOWEVER, THAT GAS STATIONS, CONVENIENCE STORES AND RESTAURANTS WITH DRIVE THROUGH WINDOWS SHALL NOT BE PERMITTED ON THE SITE.
- STUDIOS FOR ARTISTS, DESIGNERS, PHOTOGRAPHERS, MUSICIANS, SCULPTORS, GYMNASTS, POTTERS, WOOD AND LEATHER CRAFTSMEN, GLASS BLOWERS, WEAVERS, SILVERSMITHS, AND DESIGNERS OF ORNAMENTAL AND PRECIOUS JEWELRY.

TRANSPORTATION

1. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. 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 CDOT AND/OR NCDOT.
2. VEHICULAR PARKING SHALL BE PROVIDED AT THE FOLLOWING RATE:
 - a. A MINIMUM OF 1 PARKING SPACE PER 150 SQUARE FEET OF FLOOR AREA SHALL BE PROVIDED FOR ANY RESTAURANT USE LOCATED ON THE SITE. FOR PURPOSES OF CALCULATING THE PARKING REQUIREMENTS ONLY, OUTDOOR DINING AREAS SHALL BE CONSIDERED TO BE RESTAURANT FLOOR AREA.
 - b. A MINIMUM OF 1 PARKING SPACE PER 350 SQUARE FEET OF FLOOR AREA SHALL BE PROVIDED FOR ALL OTHER USES LOCATED ON THE SITE.
 - c. VEHICULAR PARKING REQUIREMENTS SHALL BE MET BY THE PROVISION OF PARKING SPACES ON THE SITE AND IN ACCORDANCE WITH SECTIONS 9.8507 AND 12.203 OF THE ORDINANCE, VEHICULAR PARKING SPACES WILL BE PROVIDED ON ADJOINING PARCELS OF LAND LOCATED WITHIN 1,600 FEET OF THE PERMITTED USE(S) PURSUANT TO A WRITTEN AGREEMENT WITH A MINIMUM TERM OF NINE YEARS. PETITIONER SHALL SUBMIT THE WRITTEN PARKING AGREEMENT TO THE ZONING ADMINISTRATOR TOGETHER WITH PARKING CALCULATIONS FOR THE SITE AND THE ADJOINING PARCELS OF LAND THAT ARE SUBJECT TO THE WRITTEN PARKING AGREEMENT FOR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY NEW BUILDING CONSTRUCTED ON THE SITE.
3. PRIOR TO THE ISSUANCE OF A PERMIT FOR A RESTAURANT USE TO BE LOCATED WITHIN THE BUILDING TO BE CONSTRUCTED ON THE SITE, THE PETITIONER SHALL DEMONSTRATE TO THE SATISFACTION OF THE ZONING ADMINISTRATOR AND THE CHARLOTTE-MECKLENBURG PLANNING DEPARTMENT THAT THE RESTAURANT USE AND THE OTHER USES LOCATED WITHIN THE BUILDING SATISFY THE VEHICULAR PARKING REQUIREMENTS SET OUT ABOVE IN PARAGRAPH 2.
4. BICYCLE PARKING WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.
5. PETITIONER WILL FILE WITH CDOT A PETITION TO ABANDON THE EXCESS RIGHT OF WAY FOR PIEDMONT ROW DRIVE SOUTH LOCATED ALONG THE EASTERN EDGE OF THE SITE AND MORE PARTICULARLY DEPICTED ON THE TECHNICAL DATA SHEET. IF THIS RIGHT OF WAY AREA IS ABANDONED BY THE CITY OF CHARLOTTE, THEN THE BUILDING PROPOSED TO BE CONSTRUCTED ON THE SITE MAY EXTEND INTO THE ABANDONED RIGHT OF WAY AREA AS MORE PARTICULARLY DEPICTED ON THE TECHNICAL DATA SHEET.
6. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE BUILDING TO BE CONSTRUCTED ON THE SITE, PETITIONER SHALL CONSTRUCT A CONCRETE WAITING PAD ADJACENT TO THE SITE ON FAIRVIEW ROAD AT THE LOCATION OF THE EXISTING BUS STOP (CATS STOP ID # 10470). THE CONCRETE WAITING PAD SHALL BE CONSTRUCTED TO CATS DEVELOPMENT STANDARDS 60.01A. PETITIONER'S OBLIGATION TO CONSTRUCT A CONCRETE WAITING PAD AS DESCRIBED ABOVE SHALL BE SUBJECT TO PETITIONER'S ABILITY TO OBTAIN ALL APPROVALS AND PERMITS REQUIRED TO CONSTRUCT THE CONCRETE WAITING PAD.
7. ACCESSORY DRIVE THROUGH SERVICE LANES AND WINDOWS ASSOCIATED WITH A BANK OR FINANCIAL INSTITUTION SHALL BE LOCATED ON THE REAR OR SOUTHERN SIDE OF THE BUILDING TO BE CONSTRUCTED ON THE SITE.

ARCHITECTURAL STANDARDS

1. AS MORE PARTICULARLY DEPICTED ON THE TECHNICAL DATA SHEET, ONE FREESTANDING BUILDING MAY BE CONSTRUCTED ON THE SITE. THE MAXIMUM GROSS BUILDING AREA OF THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE 17,000 SQUARE FEET. THE AREA OF ANY ROOFTOP TERRACE FOR DINING AND BAR AREAS SHALL BE CONSIDERED AND COUNTED TOWARDS THE MAXIMUM GROSS BUILDING AREA OF THE BUILDING TO BE CONSTRUCTED ON THE SITE. HOWEVER, OTHER OUTDOOR PORCHES, PATIOS, SEATING AND DINING AREAS SHALL NOT BE CONSIDERED TO BE A PART OF AND SHALL NOT BE COUNTED TOWARDS THE MAXIMUM GROSS BUILDING AREA OF THE BUILDING TO BE CONSTRUCTED ON THE SITE.
2. THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE LIMITED TO TWO STORIES AND A MAXIMUM HEIGHT OF 60 FEET ABOVE AVERAGE GRADE ALONG FAIRVIEW ROAD.
3. NOTWITHSTANDING THE TERMS OF PARAGRAPH 1 ABOVE, A ROOFTOP TERRACE FOR DINING AND BAR AREAS MAY BE LOCATED ON THE BUILDING TO BE CONSTRUCTED ON THE SITE.
4. THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE SHALL CONFORM TO SECTION 9.8506 OF THE ORDINANCE.
5. ALL ROOF MOUNTED MECHANICAL EQUIPMENT PLACED ON THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE WILL BE SCREENED FROM VIEW AT GRADE FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ABUTTING PROPERTIES.
6. ANY DUMPSTER VISIBLE FROM A PUBLIC STREET OR FROM AN ADJOINING PARCEL OF LAND WILL BE SCREENED FROM VIEW BY A SOLID ENCLOSURE WITH GATES. IF ONE OR MORE SIDES OF THE DUMPSTER AREA ADJOIN A REAR WALL OF A BUILDING, THE REAR WALL MAY BE SUBSTITUTED FOR THE FENCE ALONG EACH SUCH SIDE.
7. THE BUILDING ELEVATIONS ATTACHED TO THE TECHNICAL DATA SHEET AS SHEETS TDS 3.0 AND TDS 3.1 ARE INTENDED TO PORTRAY THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE, CHARACTER AND ELEMENTS OF THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE. ACCORDINGLY, THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE BUILDING DEPICTED ON THE ELEVATION SET OUT ON SHEET TDS 3.0 OR TO THE BUILDING DEPICTED ON THE ELEVATION SET OUT ON SHEET TDS 3.1 IN TERMS OF ITS ARCHITECTURAL STYLE, CHARACTER AND ELEMENTS. CHANGES AND ALTERATIONS WHICH DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER ARE PERMITTED BASED UPON FINAL DESIGN/CONSTRUCTION DRAWINGS.
8. NEW BUILDING WALLS FACING FAIRVIEW ROAD WILL INCLUDE WINDOWS AND DOORS WITH CLEAR GLASS. ANY OBSTRUCTION TO THE GLASS TO BLOCK OUT KITCHENS, STORAGE AREAS, ETC. WILL CONSIST OF ARTWORK THAT MUST BE APPROVED BY THE CHARLOTTE-MECKLENBURG PLANNING STAFF. SPANDREL GLASS WILL NOT BE PERMITTED.

STREETScape AND LANDSCAPING

1. PETITIONER SHALL INSTALL A MINIMUM 6 FOOT SIDEWALK AND A MINIMUM 8 FOOT PLANTING STRIP ALONG THE SITE'S FRONTAGE ON FAIRVIEW ROAD AND PIEDMONT ROW DRIVE SOUTH.
2. LANDSCAPING ALONG THE SITE'S FRONTAGE ON FAIRVIEW ROAD AND PIEDMONT ROW DRIVE SOUTH WILL MEET THE MINIMUM STANDARDS OF THE ORDINANCE.

SETBACKS, SIDE YARDS AND REAR YARDS

AS MORE PARTICULARLY DEPICTED ON THE TECHNICAL DATA SHEET, THE BUILDING AND PARKING AREAS LOCATED ON THE SITE SHALL BE SETBACK A MINIMUM OF 14 FEET FROM THE BACK OF THE EXISTING OR PROPOSED CURB LINES ALONG FAIRVIEW ROAD AND PIEDMONT ROW DRIVE SOUTH. THE BUILDINGS TO BE LOCATED ON THE SITE SHALL ALSO SATISFY OR EXCEED THE REAR YARD AND SIDE YARD REQUIREMENTS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING DISTRICT.

CANOPIES, AWNINGS AND SIMILAR ARCHITECTURAL ACCENTS MAY BE CONSTRUCTED OF RIGID OR FLEXIBLE MATERIAL DESIGNED TO COMPLEMENT THE STREETScape OF THE AREA, AND THEY MAY EXTEND FROM THE BUILDINGS UP TO ONE HALF OF THE WIDTH OF THE SETBACK AREA IN FRONT OF THE BUILDINGS, OR NINE FEET, WHICHEVER IS LESS, AND THEY MAY NOT BE CLOSER THAN TWO FEET TO THE BACK OF THE CURB. GROUND SUPPORTS FOR THESE FEATURES ARE NOT PERMITTED IN THE MINIMUM SETBACK, SIDEWALK OR IN THE PUBLIC RIGHT OF WAY. IN NO INSTANCE SHALL SUCH FEATURES EXTEND OVER OR INTERFERE WITH THE GROWTH OR MAINTENANCE OF ANY REQUIRED TREE PLANTINGS. MINIMUM OVERHEAD CLEARANCE SHALL BE EIGHT FEET. IF A CANOPY, AWNING, CORNICE OR OTHER APPURTENANCE EXTENDS INTO THE PUBLIC RIGHT OF WAY, AN ENCROACHMENT AGREEMENT FROM CDOT OR NCDOT, AS THE CASE MAY BE, SHALL BE REQUIRED.

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 9.8506(2)(C) OF THE ORDINANCE AND THE APPLICABLE REQUIREMENTS OF THE CITY OF CHARLOTTE SIGN ORDINANCE.

LIGHTING

1. THE MAXIMUM HEIGHT OF ANY NEW FREESTANDING LIGHTING FIXTURES (INCLUDING ITS BASE) INSTALLED WITHIN THE PARKING AREAS LOCATED ON THE SITE SHALL BE 20 FEET. ALL SUCH FREE STANDING LIGHTING FIXTURES SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECT ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE. CONSIDERATION WILL BE GIVEN TO THE IMPACT OF LIGHTING BOTH WITHIN AND WITHOUT THE PERIMETER OF THE SITE. ITEMS FOR CONSIDERATION WILL INCLUDE INTENSITY, CUT-OFF ANGLES, COLOR, ENERGY EFFICIENCY AND SHIELDING OF SOURCES OF LIGHT, THE INTENT BEING TO ELIMINATE GLARE TOWARDS PUBLIC STREETS AND ADJACENT PROPERTIES.
2. ANY LIGHTING ATTACHED TO THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED. STANDARD "WALL-PAK" TYPE LIGHTING WILL NOT BE PERMITTED.
3. WALL-MOUNTED DECORATIVE LIGHT FIXTURES SUCH AS SCONCES SHALL BE PERMITTED.
4. PEDESTRIAN SCALE LIGHTING SHALL BE INSTALLED ON THE SITE PURSUANT TO SECTION II.B.3 OF THE SOUTHPARK SMALL AREA PLAN.

VOLUNTARY TREE MITIGATION

TO MITIGATE THE IMPACT OF THE REMOVAL OF TREES FROM THE SITE IN CONNECTION WITH THE DEVELOPMENT THEREOF, THE PETITIONER SHALL PLANT ON THE SITE 2 LARGE MATURING TREES, EACH OF WHICH SHALL BE A MINIMUM OF 5 INCHES IN CALIPER AT THE TIME OF INSTALLATION. THESE TREES SHALL BE IN ADDITION TO ANY TREES THAT ARE REQUIRED TO BE PLANTED UNDER THE APPLICABLE ORDINANCES IN EFFECT AT THE TIME OF THE APPROVAL OF THIS REZONING PETITION. WHEN CONFIRMING THE SIZE OF THESE TREES TO BE PLANTED ON THE SITE, THE TREES SHALL BE MEASURED 12 INCHES ABOVE GROUND. EACH OF THESE TREES SHALL BE PLANTED ON THE SITE PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATION OF OCCUPANCY FOR THE NEW BUILDING TO BE CONSTRUCTED ON THE SITE.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE TECHNICAL DATA SHEET AND THESE DEVELOPMENT STANDARDS 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.

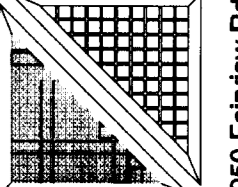
THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

**APPROVED BY
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DEC 20

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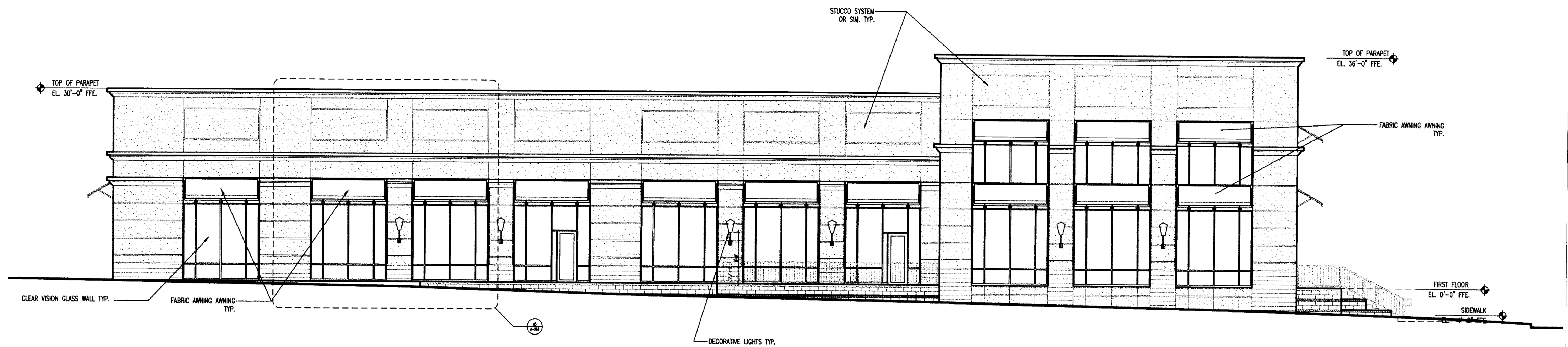
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FAIRVIEW DEVELOPMENT REZONING
MIXED-USE DEVELOPMENT REZONING
FAIRVIEW PLAZA ASSOCIATES LIMITED PARTNERSHIP, CHARLOTTE, NORTH CAROLINA

MUDD (O) DEVELOPMENT STANDARDS

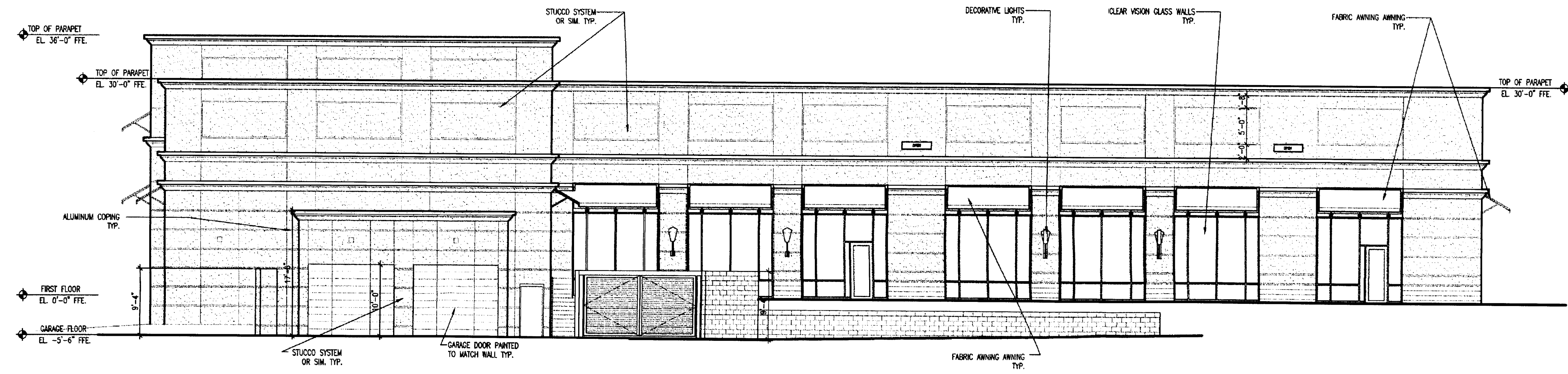
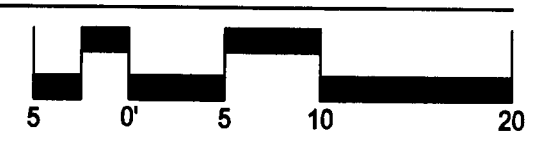
Project	Engineer
Sheet	CTB
Drawn By	JRD
Date	08/23/10
Revisions	
1 - 10/14/10 - PER REVIEW ONE	
2 - 11/17/10 - PER REVIEW TWO	
3 - 12/20/10 - FINAL REVIEW	
BEA Project Number	528-001
Sheet	TDS 1.2

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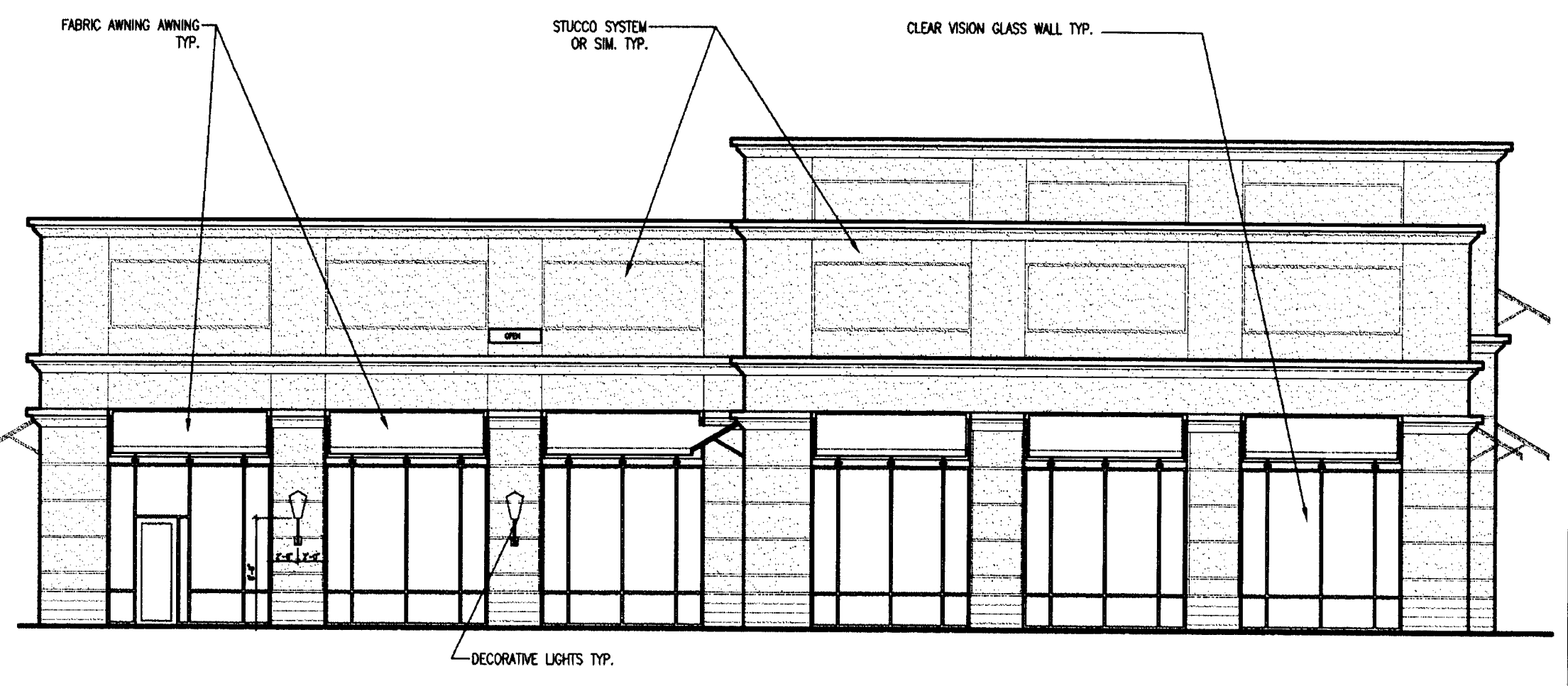
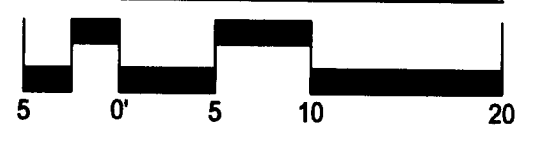
NORTH ELEVATION

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SOUTH ELEVATION

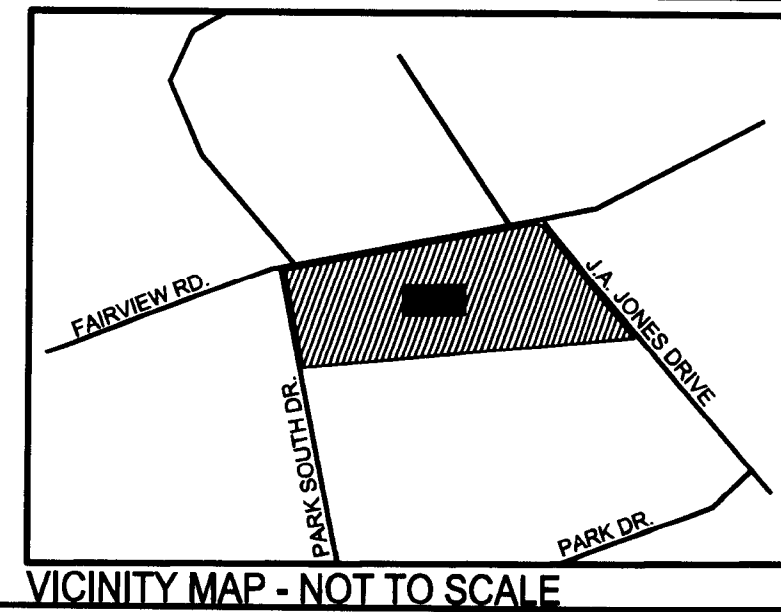
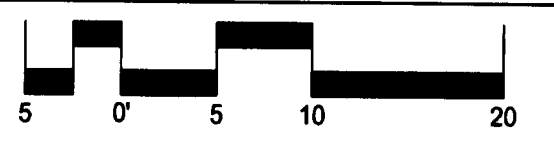
General notes:
 Finish color of EIFS or stucco is to be Benjamin Moore 2155-00 or owner approved equal.
 Granite shall be "absolute black indian polished" from superior tile & marble corp. or owner approved equal.
 All aluminum window frames and flashing metals to be clear anodized or bright silver color or owner approved equal.
 All glass shall be Pilkington blue-green eclipse advantage SHGC .38 Ufactor .34 or owner approved glass with equal performance.
 All CMU shall be smooth or polished face see drawing notes (metromount - mountain sand or owner approved equal).
 All mortar shall be C-cure buckskin beige or owner approved equal.
 Awning fabric to be Sunbrella color black or owner approved equal.



EAST ELEVATION



WEST ELEVATION



VICINITY MAP - NOT TO SCALE

FOR PUBLIC HEARING
PETITION NO. 2010-070

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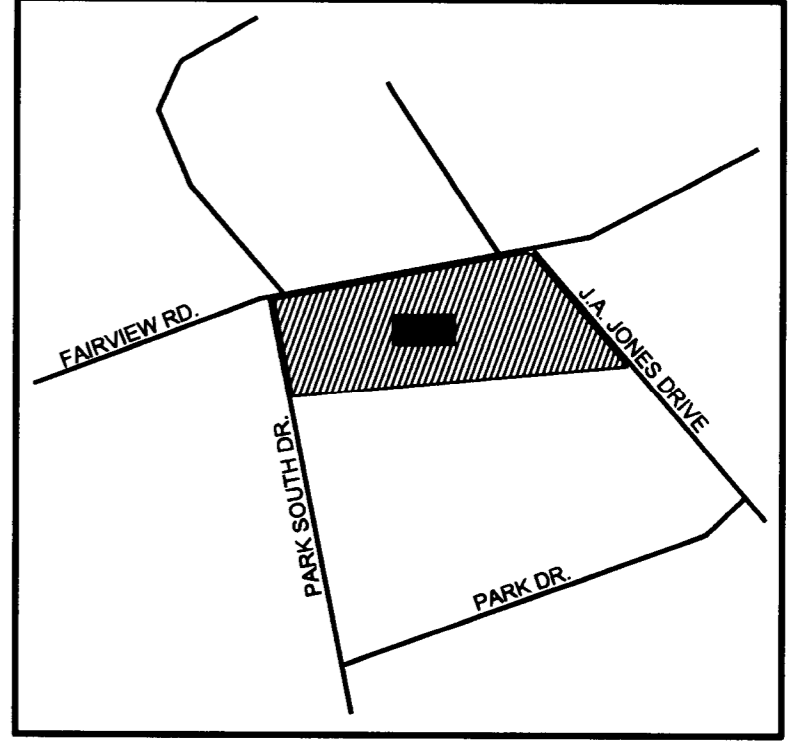
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FAIRVIEW MIXED-USE DEVELOPMENT REZONING
 FAIRVIEW PLAZA ASSOCIATES LIMITED PARTNERSHIP, CHARLOTTE, NORTH CAROLINA
BUILDING ELEVATIONS
PHASE 2
SCHEMATIC SITE PLAN 2(A) & 2(B)

Project	CTB
Engineer	JRD
Drawn By	JRD
Date	08/23/10
Revisions	1 - 10/14/10 - PER REVIEW ONE
BEA Project Number	528-001
Sheet	TDS 3.0



VICINITY MAP - NOT TO SCALE



APPROVED BY
CITY COUNCIL

DEC 20

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MIXED-USE DEVELOPMENT REZONING
FAIRVIEW PLAZA ASSOCIATES LIMITED PARTNERSHIP, CHARLOTTE, NORTH CAROLINA

**BUILDING ELEVATIONS
PHASE 2
SCHEMATIC SITE PLAN 2(C)**

Project

Engineer

Drawn By

Date

Revisions

1 - 10/14/10 - PER REVIEW ONE

BEA Project Number

528-001

Sheet

TDS 3.1

FOR PUBLIC HEARING
PETITION NO. 2010-070