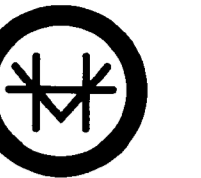


RICHARD ALDRIDGE  
DB 08587 - 366  
PARCEL ID# 078-341-02

HAMILTON STREET PROPERTIES, LLC  
DB 14123 - 938  
PARCEL ID# 078-341-09

HAMILTON STREET PROPERTIES, LLC  
DB 12525 - 801  
DB 09073 - 442  
PARCEL ID# 078-341-01

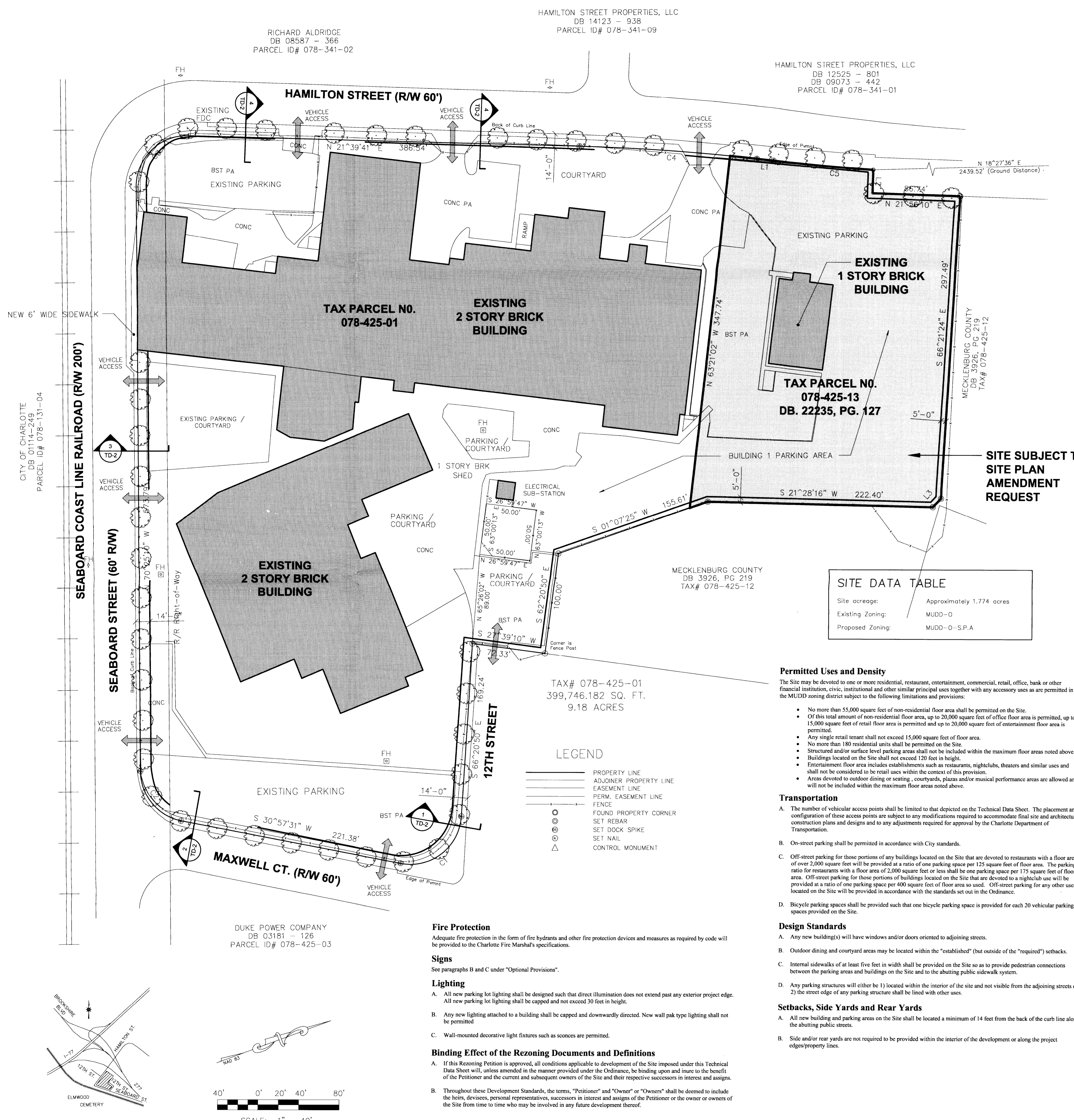
DEVELOPMENT STANDARDS  
February 16, 2011



MISTRI HARDAWAY ARCHITECTS  
216 WEST TREMONT AVE., SUITE 301, CHARLOTTE, NC 28203  
P. 704.371.6022 F. 704.572.5697

FIBER MILLS LLC

FIBER MILLS  
1000 SEABOARD ST  
CITY OF CHARLOTTE  
MECKLENBURG COUNTY  
NORTH CAROLINA



**General Provisions**

- General Provisions**
- These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Music Factory Condominiums, LLC to accommodate the installation of additional signs on that approximately 1.774 acre site located on the eastern side of Hamilton Street north of Seaboard Street 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"). Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Mixed Use Development District (MUDD) zoning district shall govern the development of the Site subject, however, to the "Optional" provisions provided below.
  - The Site is a portion of an approximately 9.18 acre site (the "Original Rezoning Site") that was rezoned from the I-2 zoning district to the MUDD-O zoning district by the Charlotte City Council on May 16, 2005 pursuant to Rezoning Petition No. 2005-043 to accommodate the re-use, redevelopment and expansion of the old Fiber Mill with residential, restaurant, entertainment, commercial, retail, office, bank or other financial institution, civic and institutional uses and similar uses permitted in the MUDD zoning district.
  - The sole purpose of this Rezoning Petition is to amend the approved conditional rezoning plan for the Site to permit the installation of additional signs thereon, which signs are more particularly described below. The 7.403 acre portion of the Original Rezoning Site designated as Tax Parcel No. 078-425-01 on the Mecklenburg County Tax Maps (hereinafter referred to as the "Related Parcel") is not a part of or subject to this Rezoning Petition.
  - The Site and the Related Parcel are owned by affiliated entities. To ensure that development rights are appropriately allocated between the Site and the Related Parcel, in the event that this Rezoning Petition is approved by the Charlotte City Council, the Petitioner will seek and obtain an administrative site plan amendment to the approved conditional rezoning plan relating to Rezoning Petition No. 2005-043 to reduce the amount of the maximum permitted gross building area on the Related Parcel under such conditional rezoning plan as follows:
    - No more than 545,000 square feet of non-residential floor area shall be permitted on the Related Parcel.
    - Of this total amount of non-residential floor area, up to 180,000 square feet of office floor area is permitted, up to 135,000 square feet of retail floor area is permitted and up to 230,000 square feet of entertainment floor area is permitted.
    - Any single retail tenant shall not exceed 50,000 square feet of floor area.
    - No more than 420 residential units shall be permitted on the Related Parcel.
    - Structured and/or surface level parking areas shall not be included within the maximum floor areas noted above.
    - Buildings located on the Related Parcel shall not exceed 120 feet in height.
    - Entertainment floor includes establishments such as restaurants, nightclubs, theaters and similar uses and shall not be considered to be retail uses within the context of this provision.
    - Areas devoted to outdoor dining or seating, courtyards, plazas and/or musical performance areas are allowed and will not be included within the maximum floor areas noted above.
  - The Site is currently improved with an approximately 4,450 square foot building and parking and maneuvering areas. The building may be preserved and reused; renovated and reused; and/or removed or replaced as determined by the Petitioner. The parking and maneuvering areas may be renovated, reused, removed or replaced.
  - 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 Provisions**

- The approval of this Rezoning Petition authorizes the utilization of the MUDD-O provisions to accommodate the following variations from the Ordinance requirements:
- Due to the plans for the preservation and use of the existing building on the Site until such time as the Site is redeveloped, this MUDD-Optional plan allows parking and maneuvering in front of the building. However, newly created parking areas will not be located between the building and abutting public streets and any new building(s) will be placed such that parking is not located between the new building(s) and abutting public streets. In the event that existing parking is located between new building(s) and public streets, it shall be removed. Parking areas located between public streets and building(s) shall be converted to outdoor plazas, outdoor dining areas, courtyards and/or similar treatments with some parking areas located between public streets and buildings being allowed to remain so long as they are enhanced through the addition of outdoor plazas, outdoor dining areas, courtyards and/or similar treatments within two years of the reuse of a nearby building or within two years of new construction activity in nearby areas.
  - One monument style building/tenant identification sign for each of the buildings located on the Site may be installed. These signs must be located along interior private streets or driveways and may be up to 6 feet in height and 18 square feet in size. Detached project identification signage shall not be located within the required Zoning Ordinance setback. Wall and projecting signage shall conform to the UMUD District standards of the Ordinance.
  - In addition to the signage described in paragraph B above, the following signs may be installed on the existing building located on the Site:
    - The JFG Sign
    - The JFG Sign depicted on Exhibits A and B on Sheet TD-2 may be installed on the roof of the existing building located on the Site as an off-premises, roof mounted sign.
    - If installed, the JFG Sign shall be installed as generally depicted on Exhibits B and C on Sheet TD-2, and the sign face area shall generally face West Brookshire Freeway.
    - The maximum sign face area of the JFG Sign shall be 820 square feet.
    - The JFG Sign may be illuminated provided, however, that any illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway. Illumination intensity or brilliance shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle.
    - The Rear Support Sign
      - An on-premises, roof mounted sign may be installed on the rear of the support structure of the sign referenced above in subparagraph 1 (the "Rear Support Sign") as generally depicted on Exhibits C and D on Sheet TD-2. The sign depicted on Exhibits C and D is an illustrative example of the Rear Support Sign.
      - The Rear Support Sign may be illuminated provided, however, that any illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway. Illumination intensity or brilliance shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle.
      - The Rear Support Sign shall be in line with a wall sign on the wall of the building that the Rear Support Sign is installed, a wall sign on the wall of the building that the sign face area of the Rear Support Sign directly addresses or faces shall not be permitted. However, wall signs may be installed on the other walls of the building located on the Site in accordance with the requirements of the UMUD zoning district.
      - Replacement Sign for the JFG Sign
        - The JFG Sign, if installed, will be installed on the roof of the existing building located on the Site pursuant to a written lease agreement between the owner of the JFG Sign and the owner of the Site (the "Sign Lease"). The Sign Lease shall have a minimum term of 5 years.
        - The JFG Sign may be replaced with another sign (the "Replacement Sign") that meets the standards and requirements set out below upon the earlier to occur of the following:
          - the expiration of the 5 year period commencing on the date that Rezoning Petition No. 2011-003 is approved by the Charlotte City Council and expiring 5 years thereafter if no Sign Lease is established for the JFG Sign, and
          - the termination of the Sign Lease prior to the expiration of its lease term.
        - If installed, the Replacement Sign must be installed in the location of the JFG Sign.
        - The Replacement Sign shall be an on-premises, roof mounted sign. The Site and the Related Parcel shall be deemed to be the premises for the purposes of this paragraph.
        - A portion of the Replacement Sign will be an electronic changeable face sign, and the remaining areas of the Replacement Sign will be static.
        - The static portions of the Replacement Sign shall identify the North Carolina Music Factory, which is located on the Site and the Related Parcel. The electronic changeable face area of the Replacement Sign shall provide information on the various venues located at the North Carolina Music Factory and shall announce and provide information regarding the events and entertainment opportunities offered and to be offered at the North Carolina Music Factory. Up to 20 percent of the electronic changeable face area of the Replacement Sign may advertise sponsors of the events and entertainment opportunities offered and to be offered at the North Carolina Music Factory.
        - The maximum sign face area of the Replacement Sign shall be 500 square feet.
        - No moving, rotating, fluttering, blinking or flashing elements are permitted, and no animation, video, audio, or lighting effects are permitted.
        - Messages or information on the electronic changeable face area of the Replacement Sign used to provide information on the various venues located at the North Carolina Music Factory and the events and entertainment opportunities offered and to be offered at the North Carolina Music Factory shall remain in a fixed, static position for a minimum of 6 hours. The Planning Director may authorize more frequent intervals of changes to the copy or information on the electronic changeable face area of the Replacement Sign based upon the following:
          - the owner of the Site provides contextual graphics that provide a compelling reason for allowing more frequent changes;
          - the contextual graphics indicate that the sign copy displaying multiple events and entertainment opportunities are not legible from West Brookshire Freeway; and
          - the frequency of the changes to the copy or information shall not change the intent of the Replacement Sign being an identification sign and not a billboard sign.
        - The design and appearance of the Replacement Sign must be approved by the Planning Department prior to the issuance of a sign permit for the Replacement Sign. Set out as Exhibit E on Sheet TD-2 is a rendering of a sign that is representative of the design intent for the Replacement Sign. The actual design of the Replacement Sign may vary from the sign depicted on Exhibit E.

SITE DATA TABLE	
Site acreage:	Approximately 1.774 acres
Existing Zoning:	MUDD-O
Proposed Zoning:	MUDD-O-S.P.A

**Permitted Uses and Density**

- The Site may be devoted to one or more residential, restaurant, entertainment, commercial, retail, office, bank or other financial institution, civic, institutional and other similar principal uses together with any accessory uses as are permitted in the MUDD zoning district subject to the following limitations and provisions:
- No more than 55,000 square feet of non-residential floor area shall be permitted on the Site.
  - Of this total amount of non-residential floor area, up to 20,000 square feet of office floor area is permitted, up to 15,000 square feet of retail floor area is permitted and up to 20,000 square feet of entertainment floor area is permitted.
  - Any single retail tenant shall not exceed 15,000 square feet of floor area.
  - No more than 180 residential units shall be permitted on the Site.
  - Structured and/or surface level parking areas shall not be included within the maximum floor areas noted above.
  - Buildings located on the Site shall not exceed 120 feet in height.
  - Entertainment floor area includes establishments such as restaurants, nightclubs, theaters and similar uses and shall not be considered to be retail uses within the context of this provision.
  - Areas devoted to outdoor dining or seating, courtyards, plazas and/or musical performance areas are allowed and will not be included within the maximum floor areas noted above.

**Transportation**

- The number of vehicular access points shall be limited to that depicted on the Technical Data Sheet. The placement and configuration of these access points are subject to any modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation.
- On-street parking shall be permitted in accordance with City standards.
- Off-street parking for those portions of any buildings located on the Site that are devoted to restaurants with a floor area of over 2,000 square feet will be provided at a ratio of one parking space per 125 square feet of floor area. The parking ratio for restaurants with a floor area of 2,000 square feet or less shall be one parking space per 175 square feet of floor area. Off-street parking for those portions of buildings located on the Site that are devoted to a nightclub use will be provided at a ratio of one parking space per 400 square feet of floor area so used. Off-street parking for any other uses located on the Site will be provided in accordance with the standards set out in the Ordinance.
- Bicycle parking spaces shall be provided such that one bicycle parking space is provided for each 20 vehicular parking spaces provided on the Site.

**Design Standards**

- All new building(s) will have windows and/or doors oriented to adjoining streets.
- Outdoor dining and courtyard areas may be located within the "established" (but outside of the "required") setbacks.
- Internal sidewalks of at least five feet in width shall be provided on the Site so as to provide pedestrian connections between the parking areas and buildings on the Site and to the abutting public sidewalk system.
- Any parking structures will either be 1) located within the interior of the site and not visible from the adjoining streets or 2) the street edge of any parking structure shall be lined with other uses.

**Setbacks, Side Yards and Rear Yards**

- All new building and parking areas on the Site shall be located a minimum of 14 feet from the back of the curb line along the abutting public streets.
- Side and/or rear yards are not required to be provided within the interior of the development or along the project edge/property lines.

**Fire Protection**

Adequate fire protection in the form of fire hydrants and other fire protection devices and measures as required by code will be provided to the Charlotte Fire Marshal's specifications.

**Signs**

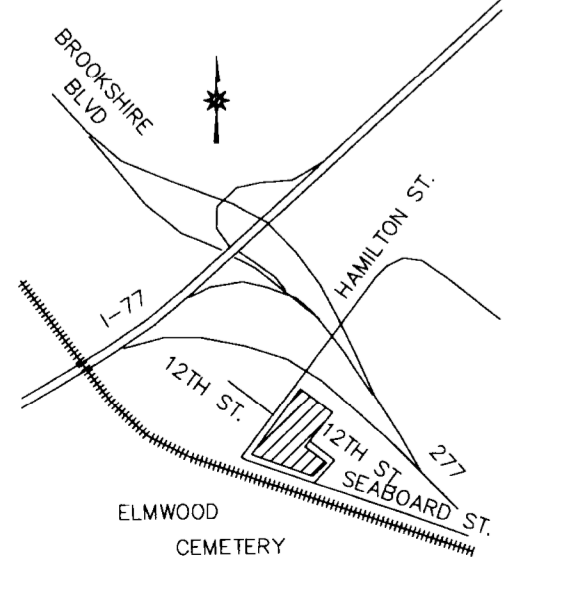
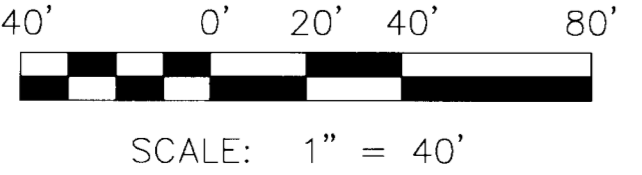
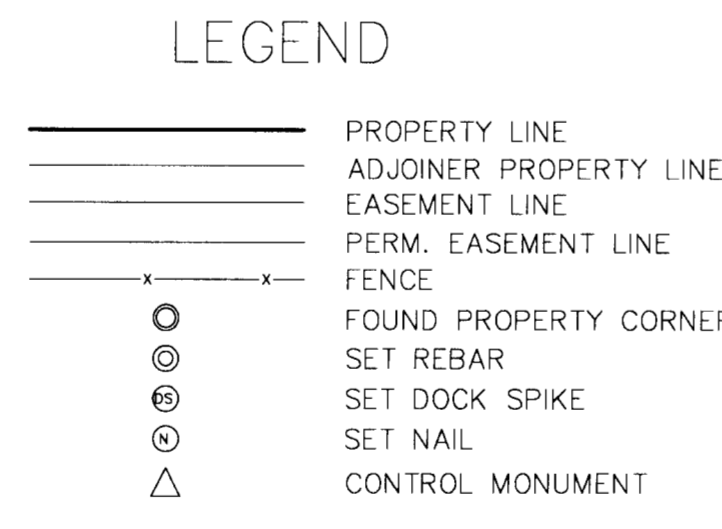
See paragraphs B and C under "Optional Provisions".

**Lighting**

- All new parking lot lighting shall be designed such that direct illumination does not extend past any exterior project edge. All new parking lot lighting shall be capped and not exceed 30 feet in height.
- Any new lighting attached to a building shall be capped and downwardly directed. New wall pack type lighting shall not be permitted.
- Wall-mounted decorative light fixtures such as sconces are permitted.

**Binding Effect of the Rezoning Documents and Definitions**

- 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 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  
CITY COUNCIL

FEB 21 2011

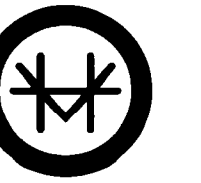
Issued: 10-25-2010

- Revisions:
- 1 12-17-2010
  - 2 01-20-2011
  - 3 02-21-2011

FOR PUBLIC  
HEARING --  
REZONING PETITION  
NO. 2011-003

TECHNICAL  
DATA SHEET

TD-1



FIBER MILLS LLC

FIBER MILLS  
1000 SEABOARD ST  
CITY OF CHARLOTTE  
MECKLENBURG COUNTY  
NORTH CAROLINA

APPROVED BY  
CITY COUNCIL

FEB 21 2011

Issued: 10-25-2010

Revisions:

- 12-17-2010
- 01-20-2011
- 02-21-2011

TECHNICAL  
DATA SHEET

TD-2

**SignArt**  
4225 Old Concord Road  
Charlotte, NC 28217  
704.587.8861  
704.587.9998 fax  
800.525.5321

PROJECT:	
OWNER:	
CLIENT:	JFG
LOCATION:	
DATE:	
DRAWN BY:	
CHECKED BY:	
SCALE:	1/4" = 1'-0"
SHEET NO.:	3 of 4

**DESCRIPTION**  
1. SEE EXHIBIT A  
2. SEE EXHIBIT B  
3. SEE EXHIBIT C  
4. SEE EXHIBIT D

**REVISIONS**

**DATE**

**DESCRIPTION**

**BY**

**CHKD BY**

**APPRECIATED FOR PRODUCTION**  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Sign Location: \_\_\_\_\_  
Scale: 1/4" = 1'-0"

© 2010 SIGNART. THIS SKETCH IS THE SOLE PROPERTY OF SIGNART AND MAY NOT BE COPIED OR REPRODUCED WITHOUT CONSENT.

EXHIBIT  
A

**SignArt**  
4225 Old Concord Road  
Charlotte, NC 28217  
704.587.8861  
704.587.9998 fax  
800.525.5321

PROJECT:	
OWNER:	
CLIENT:	JFG
LOCATION:	
DATE:	
DRAWN BY:	
CHECKED BY:	
SCALE:	1/8" = 1'-0"
SHEET NO.:	2 of 4

**DESCRIPTION**  
1. SEE EXHIBIT A  
2. SEE EXHIBIT B  
3. SEE EXHIBIT C  
4. SEE EXHIBIT D

**REVISIONS**

**DATE**

**DESCRIPTION**

**BY**

**CHKD BY**

**APPRECIATED FOR PRODUCTION**  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Sign Location: \_\_\_\_\_  
Scale: 1/8" = 1'-0"

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EXHIBIT  
B

**SignArt**  
4225 Old Concord Road  
Charlotte, NC 28217  
704.587.8861  
704.587.9998 fax  
800.525.5321

PROJECT:	
OWNER:	
CLIENT:	M. King Factory
LOCATION:	
DATE:	
DRAWN BY:	
CHECKED BY:	
SCALE:	1/2" = 1'-0"
SHEET NO.:	1 of 1

**DESCRIPTION**  
1. SEE EXHIBIT A  
2. SEE EXHIBIT B  
3. SEE EXHIBIT C  
4. SEE EXHIBIT D

**REVISIONS**

**DATE**

**DESCRIPTION**

**BY**

**CHKD BY**

**APPRECIATED FOR PRODUCTION**  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Sign Location: \_\_\_\_\_  
Scale: 1/2" = 1'-0"

© 2010 SIGNART. THIS SKETCH IS THE SOLE PROPERTY OF SIGNART AND MAY NOT BE COPIED OR REPRODUCED WITHOUT CONSENT.

EXHIBIT  
C

**SignArt**  
4225 Old Concord Road  
Charlotte, NC 28217  
704.587.8861  
704.587.9998 fax  
800.525.5321

PROJECT:	
OWNER:	
CLIENT:	M. King Factory
LOCATION:	
DATE:	
DRAWN BY:	
CHECKED BY:	
SCALE:	1/2" = 1'-0"
SHEET NO.:	1 of 1

**DESCRIPTION**  
1. SEE EXHIBIT A  
2. SEE EXHIBIT B  
3. SEE EXHIBIT C  
4. SEE EXHIBIT D

**REVISIONS**

**DATE**

**DESCRIPTION**

**BY**

**CHKD BY**

**APPRECIATED FOR PRODUCTION**  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Sign Location: \_\_\_\_\_  
Scale: 1/2" = 1'-0"

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EXHIBIT  
D

**SignArt**  
4225 Old Concord Road  
Charlotte, NC 28217  
704.587.8861  
704.587.9998 fax  
800.525.5321

PROJECT:	
OWNER:	
CLIENT:	M. King Factory
LOCATION:	
DATE:	
DRAWN BY:	
CHECKED BY:	
SCALE:	1/2" = 1'-0"
SHEET NO.:	1 of 1

**DESCRIPTION**  
1. SEE EXHIBIT A  
2. SEE EXHIBIT B  
3. SEE EXHIBIT C  
4. SEE EXHIBIT D

**REVISIONS**

**DATE**

**DESCRIPTION**

**BY**

**CHKD BY**

**APPRECIATED FOR PRODUCTION**  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Sign Location: \_\_\_\_\_  
Scale: 1/2" = 1'-0"

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EXHIBIT  
E

