

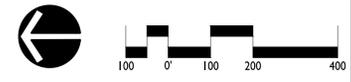
VICINITY MAP
NTS

SITE DEVELOPMENT DATA

Site Acreage: +/- 89.50 Ac.
 Tax Parcels: 231-131-06
 231-131-07
 Proposed Zoning: MUDD-O; and MX-2 Innovative with five (5) year vested rights.
 Existing Zoning: R-3 and R-3 (CD) by Rezoning Petition No. 2011-021
 Existing Uses: Vacant and two single-family homes.
 Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD-O zoning district and the MX-2 Innovative zoning district (as designated in Section 3 of development standards notes).
 Maximum Gross Square Feet of Development: (i) within the MUDD-O zoning district: up to 560,000 square feet of gross floor area of office, retail, restaurant, personal services and other commercial uses (as designated in Section 3 of development standards notes); hotel uses for up to 150 rooms; up to 471 residential dwelling units of all types; and (ii) within the MX-2 Innovative zoning district: up to 90 detached, attached, duplex, triplex, and quadruplex dwelling units.
 Maximum Building Height: As allowed by the Ordinance in the area zoned MX-Innovative. In the area zoned MUDD-O, building height will be limited to 95 feet (for the purposes of this height limit, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment will not be considered for the calculation of allowed building height when located on a multi-story office building, otherwise building height will be measured as defined by the Ordinance).
 Parking: As required by the Ordinance for the MX-2 Innovative portion of the Site and as specified in Table 12.202 "Minimum Required Off-Street Parking Spaces by Use" of the Off-Street Parking and Loading Section of the Ordinance for the portion of the Site zoned MUDD-O.

SITE LEGEND

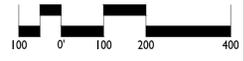
- SITE ACCESS
- PUBLIC STREET
- PRIVATE STREET
- ZONING LINE
- DEVELOPMENT AREA
- BUILDING EDGE





SITE LEGEND

----- PEDESTRIAN CONNECTIONS



REVISIONS:
 12.07.13 - REVISION PER STAFF COMMENTS
 12.03.13 - REVISION PER STAFF COMMENTS
 12.20.13 - REVISION PER STAFF COMMENTS

DATE: 07/20/13
 DESIGNED BY: KST
 DRAWN BY: MIB
 CHECKED BY: KST
 C.C. BY: KST/007
 PROJECT #: 1013058

SHEET #:
RZ-2

MATTHEWS FARM
REZONING PETITION No. 2013-085
 PROVIDENCE ROAD FARMS, LLC
SCHEMATIC SITE PLAN

Providence Road Farms, LLC
Development Standards
12/14/13
Rezoning Petition No. 2013-085 (Matthews Farms Mixed Use Community)

Site Development Data:

- Acreage:** ± 89.5 acres
- Tax Parcel #s:** 231-131-06 and 07
- Existing Zoning:** R-3 and R-3(CD) by Rezoning Petition No. 2011-021
- Proposed Zoning:** MUDD-O, and MX-2 Innovative with five (5) year vested rights.
- Existing Uses:** Vacant and two single-family homes.
- Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD-O zoning district and the MX-2 Innovative zoning district (as more specifically described below in Section 3).
- Maximum Gross Square Feet of Development:** (i) within the MUDD-O zoning district: up to 560,000 square feet of gross floor area of office, retail, restaurant, personal services and other commercial uses (as more specifically described below in Section 3); hotel uses for up to 150 rooms; up to 471 residential dwelling units of all types; and (ii) within the MX-2 Innovative zoning district: up to 90 detached, attached, duplex, triplex, and quadruplex dwelling units.
- Maximum Building Height:** As allowed by the Ordinance in the area zoned MX-Innovative. In the area zoned MUDD-O, building height will be limited to 95 feet (for the purposes of this height limit, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment will not be considered for the calculation of allowed building height when located on a multi-story office building, otherwise building height will be measured as defined by the Ordinance).
- Parking:** As required by the Ordinance for the MX-2 Innovative portion of the Site; and as specified in Table 12.202 "Minimum Required Off-Street Parking Spaces by Use" of the Off-Street Parking and Loading Section of the Ordinance for the portion of the Site zoned MUDD-O.

I. General Provisions:

a. **Site Location.** These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets RZ-4, RZ-5, RZ-6 and RZ-7 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Providence Road Farms, LLC ("Petitioner") to accommodate development of mixed use commercial and residential community on an approximately 89.5 acre site located south of I-485 and east of Providence Road (the "Site").

b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, (i) the regulations established under the Ordinance for the MUDD-O zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Innovative Provisions provided below; and (ii) the regulations established under the Ordinance for the MX-2 Innovative zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Innovative Provisions provided below.

c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan as well as any schematic building elevations are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the Development Standards, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Changes to the Rezoning Plan not permitted by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

d. **Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed: (i) on the portions of the Site zoned MUDD-O and developed for commercial uses shall not exceed 32 and the number of buildings within such portion of the site zoned MUDD-O and developed for the residential uses shall not exceed 43; and (ii) on the portions of the Site zoned MX-2 Innovative and developed for the residential uses shall not exceed 95. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building. Other than parking structures, the size of accessory structures/buildings located within the portion of the Site zoned MUDD-O will be limited to 20% of the building area of the principal buildings constructed within such Development Areas to which the accessory structure/building (other than parking structures) relate.

e. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, site and rear yards, setbacks, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site nor between the areas zoned MUDD-O and MX-Innovative. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide the portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth on the Rezoning Plan as to the Site as a whole and not individual portions or lots located thereon.

f. **Five Year Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any other vested rights whether at common law or otherwise.

2. Optional Provisions for MUDD-O Areas and Innovative Provisions for MX-2 Area.

I. The following optional provisions shall apply to the portions of the Site designated MUDD-O on the Technical Data Sheet:

a. Except as specifically restricted in Section 5, to allow vehicular parking, maneuvering and service between the proposed buildings and: (i) Providence Road; (ii) Ardrey Kell Road extension; (iii) Golf Links Drive and (iv) the interior public streets, in the manner generally depicted on the Rezoning Plan.

b. To allow within Development Areas A and F, (i) an interim surface parking lot in lieu of a parking deck in the areas generally depicted for a parking deck on Sheet RZ-2 Schematic Site Plan; and (ii) interim surface parking in the locations generally depicted for buildings on the Sheet RZ-2 Schematic Site Plan; such interim surface parking areas will meet all required minimum setbacks, streetscape and screening requirements.

c. To allow up to six (6) uses in total with an accessory drive-through windows to be located within Development Areas A, B, C, D, and E.

d. To allow along Providence Road shopping center/development identification signs up to 20 feet in height and containing up to 150 square feet of sign area. The number and locations of these shopping center/development identification signs will be limited as follows: (i) one on each side of Ardrey Kell Road extension at its intersection with Providence Road; (ii) one on each side of Golf Links Drive at its intersection with Providence Road; and (iii) one at the intersection of Providence Country Club Drive and Providence Road. These signs may be used to identify any of the uses located on the Site except for any uses located within development Area B, C, D and Area E.

e. To allow one (1) detached identification sign for each building located within Development Areas B, C, D, and E. These detached identification signs may be up to five (5) feet high and contain up to 36 square feet of sign area.

f. To allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less, within Development Areas A, B, C, D, E, F, and G.

g. To allow the uses within Development Area I to have detached signs with up to 36 square feet of sign area and up to five (5) feet in height.

h. To allow the multi-tenant office buildings constructed within Development Areas A, F, and G to have one detached sign each with up to 36 square feet of sign area and up to five (5) feet in height.

i. To allow special event signs and banners to be located on the Site.

j. To allow any of the detached signs allowed by the Ordinance or these Optional Provisions to be placed within the landscape setback provided along Providence Road or landscape areas indicated on the Rezoning Plan.

Note: The optional provisions regarding signs as additions/modifications to the standards for signs in the MUDD district and are to be used with the remainder of MUDD standards for signs not modified by these optional provisions.

k. To not require doorways to be recessed into the face of buildings when the abutting sidewalk width is greater than six (6) feet.

l. To allow required long term bike parking spaces for the uses located within Development Areas A, F and G to be located within the parking decks constructed on the Site.

m. To allow portions of the existing five (5) foot sidewalk and four (4) foot planting strip along Providence Road to remain without replacement sidewalks and planting strips.

II.

a. The Petitioner hereby seeks the following Innovative Development Standards in connection with development taking place within Development Area H, the MX-2 Community, to accommodate a variety of setback and yard widths and other development elements so as to allow for a pedestrian friendly neo-traditional residential development:

- i. A minimum lot size for single-family detached lots of 3,800 square feet; provided, however, lots that abut Tax Parcel # 231-131-11 (the "Exterior Lots") will be a minimum of 4,500 square feet.
- ii. A minimum lot width of 35 feet, except for the Exterior Lots which will have a minimum lot width of 40 feet.
- iii. A minimum side yard of 3.0 feet.
- iv. A minimum front setback of 5 feet as measured from the proposed right-of-way of public streets or the back of the sidewalk, whichever is greater.
- v. A minimum rear yard of 20 feet except for the Exterior Lots which will have a 30 foot rear yard.
- vi. A maximum building height of 40 feet as measured at the side yard; and
- vii. The ability to allow single-family lots to front on private streets.

b. In addition, the Petitioner reserves the right to modify the innovative provisions described above or seek other innovative development standards in the future pursuant to the applicable process set forth in the Ordinance.

3. Permitted Uses, Development Area Limitations, Transfer & Conversion Rights and Outparcel Restrictions:

a. For ease of reference, the Rezoning Plan sets forth nine (9) development areas as generally depicted on the Technical Data Sheet as Development Areas A, B, C, D, E, F, G, H and I (each a "Development Area" and collectively the "Development Areas").

b. Subject to the restrictions, limitations, and transfer/conversion rights listed below, the principal buildings constructed within Development Areas A, B, C, D, E, F and G on the Site may be developed: (i) with up to 560,000 square feet of gross floor area of uses permitted by right and under prescribed conditions, (ii) a hotel with up to 150 rooms, and (iii) up to 96 residential dwelling units, together with accessory uses and uses under prescribed conditions in the MUDD-O zoning district.

For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the term "gross floor area" or "GFA" shall mean and refer to the sum of the areas horizontal areas of each floor of a principal building on the Site measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude any surface or structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts, vestibules, roof top equipment rooms and maintenance crawl spaces), all loading dock areas (open or enclosed), outdoor coolers and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

c. Subject to the restrictions, limitations, and transfer/conversion rights listed below, Development Area I may be developed for up to 375 residential dwellings units, together with accessory uses in the MUDD-O zoning district.

d. Subject to the restrictions, limitations, and transfer/conversion rights listed below, Development Area H may be developed for up to 90 detached, attached, duplex, triplex, and quadruplex dwelling units, together with accessory uses and uses under prescribed conditions in MX-2 Innovative zoning district.

e. The total square feet of gross floor area devoted to office uses and other commercial uses such as retail, restaurant and personal services uses shall be interchangeable provided that:

(i) the total square feet of gross floor area of all such office and other commercial uses does not exceed 560,000 square feet of gross floor area;

(ii) the total square feet of gross floor area of all office uses does not exceed 330,000 square feet of gross floor area; and

(iii) the total square feet of gross floor area for non-office commercial uses such as retail, restaurant and personal services uses shall not exceed 230,000 square feet of gross floor area; furthermore

(iv) office uses may exceed the limitations described in item (ii) above and non-office commercial uses may exceed the limitations described in item (iii) above up to an amount not to exceed 10% of the stated amounts by converting office uses into non-office commercial uses such as retail, restaurant and personal services at a ratio of 1.5 square feet of gross floor area of office uses for every 1 square foot of gross floor area of such non-office uses so converted and vice-versa, subject to the limitation described in item (i) above.

f. Additional hotel rooms may be developed within the area of the Site zoned MUDD-O by converting residential dwelling units into hotel rooms at the rate of one (1) residential unit so converted into two (2) hotel rooms, up to a maximum of 50 hotel rooms created by such conversion, and additional residential dwelling units may be developed by converting hotel rooms into residential dwelling units at the rate of two (2) hotel rooms so converted into one (1) residential dwelling unit up to a maximum of 25 residential dwelling units created by such conversion.

g. If less than 150 hotel rooms are constructed within the portion of the Site zoned MUDD-O, then subject to taking into account the number of hotel rooms converted to residential dwelling units as described above in Subsection 3.f, the permissible gross floor area described in Subsection 3.b. above may be increased at the rate of 1,000 square feet of gross floor area for each hotel room constructed up to a maximum increased gross floor area of 50,000 square feet, such floor area being allocated among office uses and other non-office commercial uses such as retail, restaurant and personal services uses at a ratio of 1 square foot of office uses to 1.5 square feet of non-office commercial uses. By way of example only, if 15 hotel rooms were converted, the 15,000 square feet of gross floor area permitted for commercial uses could be used for an increase of up to 15,000 square feet of gross floor area of office uses or 10,000 square feet of gross floor area of non-office commercial uses, or some combination following the same ratio.

h. Entitlement for up to 30 residential dwelling units may be transferred from Development Area I to Development Areas A, F and G.

i. Up to six (6) uses, in total, with an accessory drive-through window may be developed within Development Areas A, B, C, D and E, subject to the following restrictions and the design guidelines set forth in Section 5 below:

(i) No more than two restaurants in total with accessory drive-through windows may be located within Development Areas B, C, D and E;

(ii) Only one such use with an accessory drive-through window may be located within Development Area A, and such allowed use will be restricted to "limited service restaurants" (defined herein) restaurants with no more than 2,000 square feet of gross floor area serving primarily items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food (other than heating) (a "Limited Service Restaurant");

(iii) No more than two banks/financial institutions with accessory drive-through windows may be located within Development Areas B, C, D and E; provided, however, the Petitioner reserves the right to construct a multi-tenant building with a Limited Service Restaurant (as defined above) in lieu of one of the allowed banks/financial institutions with an accessory drive-through window.

j. Only one gas station with or without a convenience store will be allowed on the Site. The gas station with or without a convenience store may be developed within one of the following Development Areas B, C and D.

4. Transportation Improvements and Access:

I. Proposed Improvements:

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

The following Transportation Improvements are also illustrated on Figure ____ and ____ on Sheet RZ-____ of the Rezoning Plan. The figures on Sheet RZ-____ are to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number or letter when describing an improvement corresponds to the number or letter found on figure ____ and ____ for the proposed improvement).

II. LIST OF IMPROVEMENTS TO BE FORTHCOMING

II. Standards, Phasing and Other Provisions.

a. **CDOT/NC DOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT and NC DOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

b. **Phasing [TO BE DETERMINED].**

c. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 5.II above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 5.II.a above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

d. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with condemnation of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such condemnation proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

e. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, Planning Director, and as applicable, NC DOT, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

III. Access.

a. Access to the Site will be from Providence Road, the proposed extension of Ardrey Kell Road and future streets as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. The total number of access points to Ardrey Kell extension will be limited to 15. The number and location of access points to the internal public streets, other than Ardrey Kell Road, will be determined during the building permit process and thereafter additional or fewer driveways and/or private streets may be installed or removed with approval from appropriate governmental authorities subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations.

c. The three public streets indicated within Development Area I will be designed as public streets with angled parking, that may not exceed 60 degrees.

d. The private streets generally depicted on the Technical Data Sheet will be designed to meet any of the public street cross-section as defined in City of Charlotte Subdivision Ordinance. The determination of which street cross-section will be used will be determined during the subdivision review process.

e. Vehicular access to the residential dwellings located within Development Areas A and F may be from a private alley or a private street.

f. A sidewalk network as generally depicted by the pedestrian circulation plan set forth on Sheet RZ-4 of the Rezoning Plan will be provided. The minimum width of the sidewalks indicated will be six (6) feet, except in Development Area H where sidewalk widths may be five (5) feet.

g. The alignment of the internal public and private streets, vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards.

5. Site Design & Architectural Standards:

a. The principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings (other than structured parking facilities) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, synthetic stone, stucco, cementitious siding (such as hardi-blank), EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits;

b. The Petitioner has established a set of Architectural Design Guidelines for Development Areas A, F, G and I as set forth on Sheets RZ-4, RZ-5, and RZ-6 of the Rezoning Plan (the "Design Guidelines"). The Design Guidelines create certain design standards for how various buildings within each of these Development Areas will address the following site elements: (i) public streets; (ii) private streets; (iii) open space areas; and (iv) parking areas. Without limiting the authority granted to the Planning Director by the Zoning Ordinance, at the request of the Petitioner the Planning Director may modify various aspects of the Design Guidelines.

c. Within Development Area A, two (2) twenty-five foot wide pedestrian accessways from Ardrey Kell Road to the Public Plaza located along Private Street 1 may be provided as generally depicted in the Design Guidelines (Sheet RZ-4). These two (2) pedestrian accessways may be combined into one pedestrian accessway with a minimum width of 40 feet. An additional pedestrian accessway, with a minimum width of 20 feet, may be provided such Public Plaza from the parking area opposite the Public Plaza as generally depicted on the Design Guidelines (Sheet RZ-4).

d. Buildings constructed within Development Areas B, D and E that directly abut Providence Road, Golf Links Drive, Ardrey Kell Road extension and Private Street 5 will be designed so that no parking, maneuvering for parking areas or drive-thru lanes will be allowed between the proposed building and these abutting public or private streets.

e. Buildings constructed within Development Areas C and D that directly abut Providence Road, Golf Links Drive and Private Street 3 will not have parking areas or maneuvering for parking areas located between the buildings and these streets, provided, however, drive thru lanes will be allowed between such buildings and these streets. If drive-thru lanes are included between the buildings and the adjacent streets, a low wall (2.0 to 2.5 feet high) and low accent plantings will be provided between the drive thru lanes and these adjacent streets, and such wall will be constructed of building materials generally compatible with the buildings to which they relate.

f. Buildings within Development Areas B, C, D and E will not primarily orient the service side of such buildings to Providence Road.

g. The service areas of the buildings constructed within Development Areas A and F will be screened from the adjoining streets with walls designed to complement the building architecture of the adjacent buildings. Architectural features such as, but not limited to, banding, medallions, changes in color or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

h. Off-street parking areas may not be located between Ardrey Kell Road and the proposed buildings, however, but vehicular parking and maneuvering may be located to the side or behind such buildings and behind the established setback.

i. Along the extension of Ardrey Kell Road off-street parking areas, other than interim surface parking areas, will not occupy more than 45% of the linear street frontage of each block face along Ardrey Kell Road.

j. Meter banks will be screened where visible from public view at grade level.

k. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.

6. Streetscape, Landscaping and Buffers:

a. Along Providence Road a 29 foot landscape setback as measured from the back of the existing curb or the back of the future curb of Providence Road, as applicable, will be provided, and no buildings, parking or maneuvering for parking will be allowed within this setback. This 29 foot landscape setback area will be landscaped with a variety of landscape materials (trees, shrubs, ornamental grasses, grass, and/or areas of seasonal color) and a low wall as described below. A low wall (2.0 to 2.5' high) will be provided within portions of the landscape setback that abut parking areas that are over 150 linear feet in length, and in these instances such low wall will be added to the landscape setback for at least 50% of the length of the parking area. A combination the existing and a new sidewalk will be provided within this 29 foot landscape setback; this sidewalk will be allowed to meander within the landscape setback to avoid existing and related utility poles. In areas where the existing sidewalk has been removed to accommodate roadway improvements the Petitioner will install a new six (6) foot sidewalk. This landscape setback and associated treatments are generally depicted on Sheet RZ-6 of the Rezoning Plan.

b. Along the Site's internal private streets, the Petitioner will provide a sidewalk and a cross-walk network that links all the buildings on the Site with one another by way of links to sidewalks along the abutting public and private streets and/or other pedestrian features. The minimum width for these internal sidewalks will be six (6) feet, except in Development Area H where a five (5) foot sidewalk may be provided. Street trees will also be provided along the Site's internal public and private streets.

c. A landscape area of varying widths will be provided within the portion of the Site zoned MUDD-O that abuts Tax Parcels 231-131-05 and 11 as generally depicted on the Rezoning Plan. This landscape area may be reduced in width by 25 % by the installation of a fence or wall. This landscape area may also be eliminated when the use or zoning on the adjoining property changes to a use or zoning category that would not be required to have a buffer under the Ordinance.

7. Environmental Features:

a. The project will provide for storm water best management practices (BMPs) designed to meet regulatory requirements for storm water capture, treatment, volume attenuation and detention as applicable.

b. The project reserves the right to adjust the natural drainage boundaries of the site as required to meet program requirements of the development while meeting applicable storm water controls regulations as applicable in the above ground BMPs as depicted on the rezoning plan. Pre-developed release rates shall be set for BMP discharge based on pre-developed natural drainage patterns. Volume capture for the 1-year design storm event shall fully capture post-developed drainage area to said BMPs and release said volume over a 2 to 5 day release period. Water quality treatment shall be provided per regulation for the first "1" rainfall volume or "first flush".

c. The location, size and type of storm water management systems depicted on the Rezoning Plan is subject to adjustment in order to accommodate actual storm water treatment requirements as applicable.

d. Required storm water management systems may be provided off-site in shared storm water management facilities.

8. Plazas and Open Space:

a. The Petitioner will provide for a "Public Plaza" to be located within Development Area A in the location generally depicted on Sheet RZ-4 of the Rezoning Plan. The Pedestrian Plaza will be designed as a significant pedestrian focal point and an amenity for that portion of the development. The Pedestrian Plaza will include features such as: water features, windows, specialty graphics, landscaping, specialty paving, seating areas, signage (e.g. wayfind, directional, special event) art work and/or other site elements that help create a vibrant Pedestrian Plaza area. Portions of the Pedestrian Plaza may be used for outdoor dining associated with restaurants. Additional open space areas will also be provided as generally illustrated on Sheet RZ-4 of the Rezoning Plan.

b. The open space area surrounding the water quality/storm water detention pond located in Development Area H will be improved as an amenity area with seating areas, trails and landscaping as the adjacent portions of the Site are developed.

9. Signage:

a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided. Because the Site will be viewed as a Planned/Unified Development as defined by the Ordinance, shopping center signs may be located throughout the portion of the Site designated MUDD-O as allowed by the Ordinance and the Optional Provisions. In addition, uses located on the interior of the Site may be identified on the allowed shopping center/development signs (by way of example, the multi-family developments and single-family developments may be identified on the signs allowed along Providence Road and Ardrey Kelly extension). The allowed signs may contain identification signage for any of the uses located on the Site.

b. Master signage and graphic systems shall be adopted. In addition, signage is allowed pursuant to an approved "sign flex option" plan, to request a greater number of signs for the community, and such plan will be incorporated herein upon approval.

c. Information and Advertising Pillar Signs as defined by the Ordinance may be provided throughout the Site.

d. On premises directional and instructional signs may be located throughout the Site per the standards of the Ordinance.

10. Lighting:

a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

b. Detached lighting on the Site, except street lights located along public and private streets, will be limited to 30 feet in height in the portions of the Site used for non-residential uses and 25 feet in height in the portions of the Site used for residential uses.

11. Miscellaneous:

a. The Petitioner reserves the right to request a modification to the required internal public/private streets through the Alternative Compliance provisions of the Subdivision Regulations or through the variance process.

b. The Petitioner will make available on the Site to Charlotte Area Transit System (CATS) 40 non-exclusive parking spaces for use by transit customers. The 40 parking spaces will be located within Development Area A. The Petitioner will construct a bus stop shelter waiting pad in an area near the park and ride spaces and with pedestrian access. The location of the waiting pad will be determined during the land development permitting process in consultation with CATS. The Petitioner will work with CATS to provide a bus access easement between Providence Road and the parking spaces. The Petitioner reserves the right to terminate this commitment to provide 40 park and ride spaces should CATS discontinue Express Bus service to the Site. These 40 spaces may be used to meet minimum parking requirements for the Site.

c. The proposed Site is being treated as a "Mixed Use Center" by the Planning Department for the purposes of the compliance with the subdivision regulations; accordingly, the Site shall be treated as a Mixed Use Center for the purposes of compliance with the Charlotte Tree Ordinance.

12. Amendments to the Rezoning Plan:

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

13. Binding Effect of the Rezoning Application:

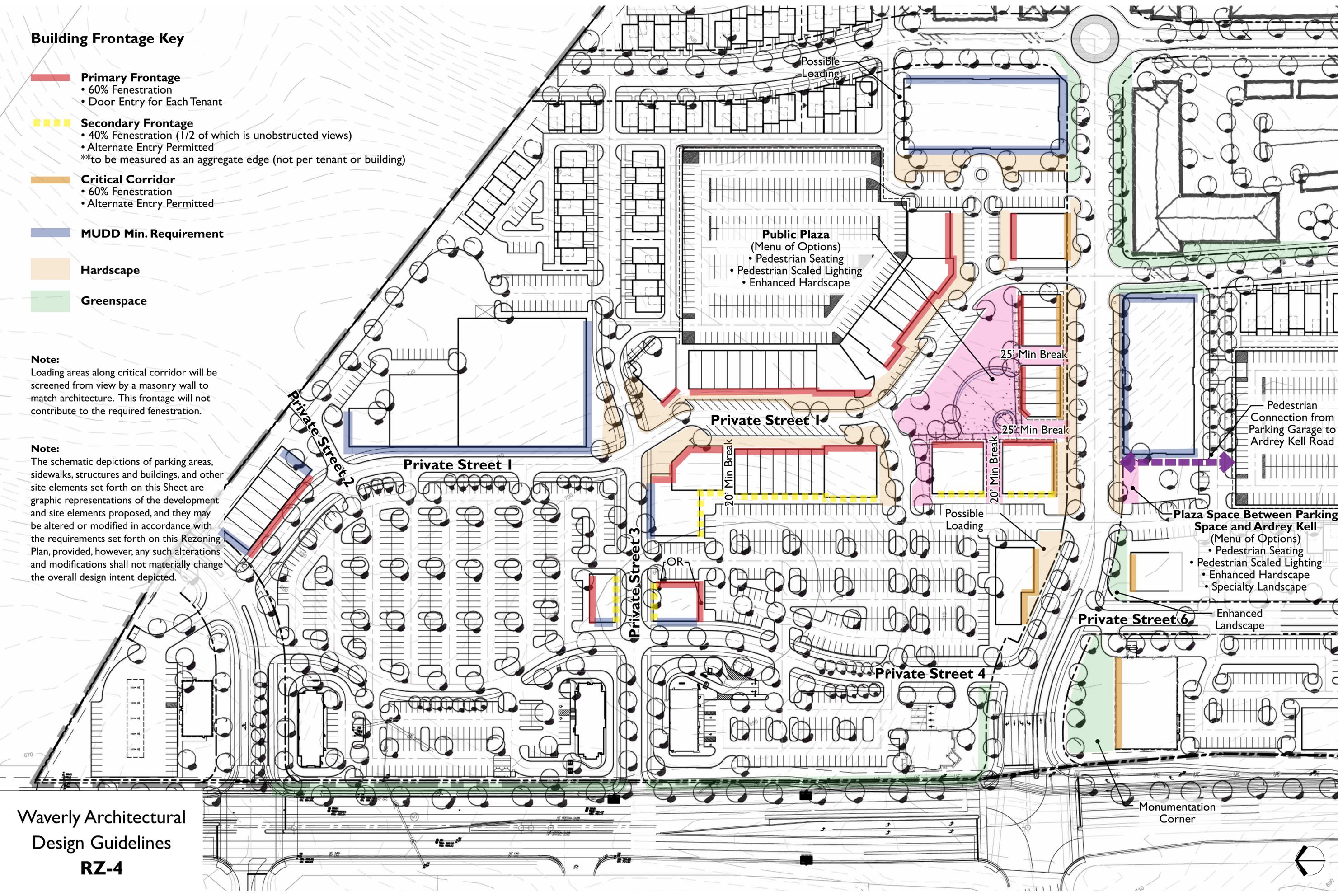
a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or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

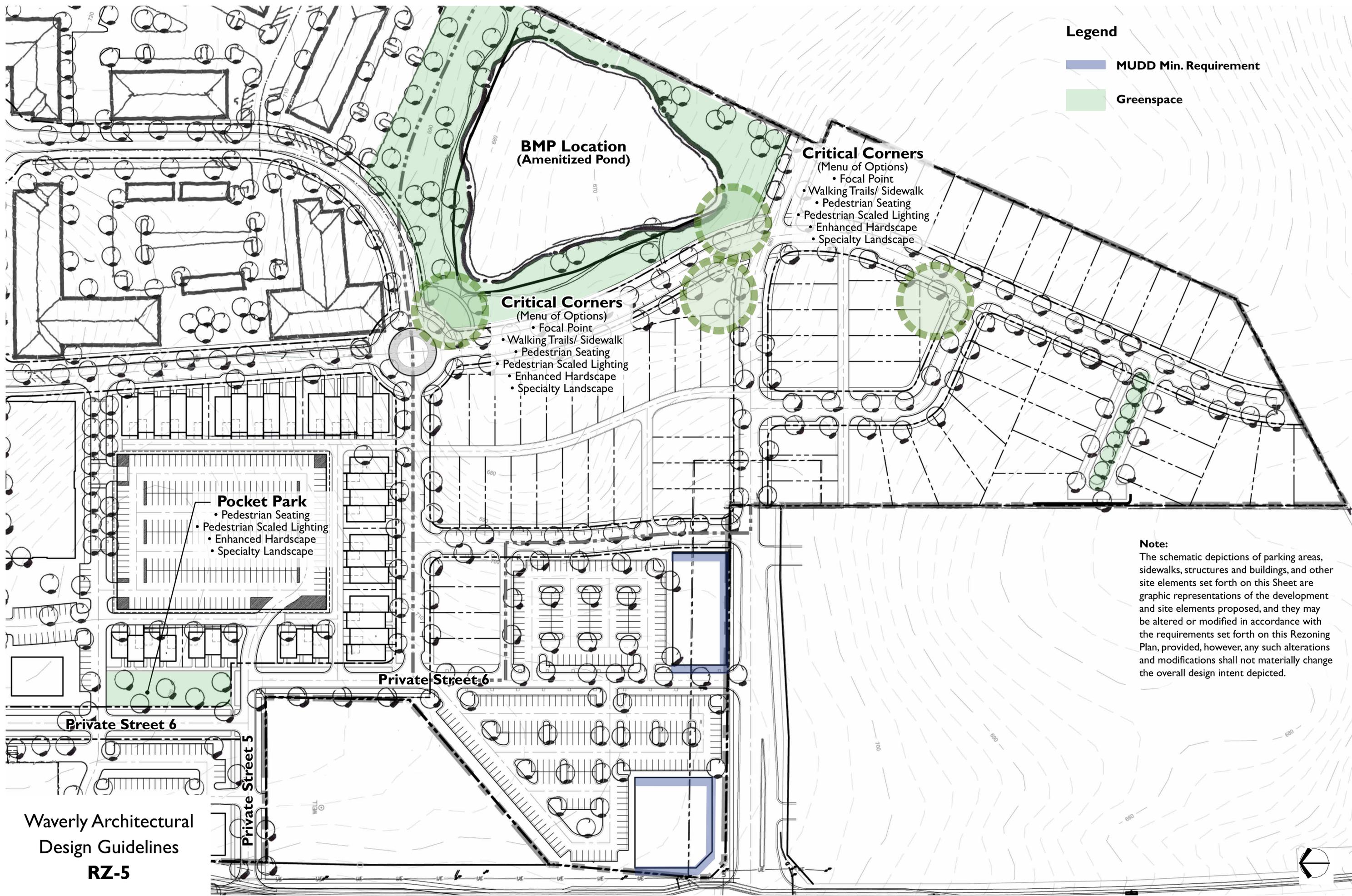
Building Frontage Key

- █ **Primary Frontage**
 - 60% Fenestration
 - Door Entry for Each Tenant
- ▤▤▤▤ **Secondary Frontage**
 - 40% Fenestration (1/2 of which is unobstructed views)
 - Alternate Entry Permitted
 - **to be measured as an aggregate edge (not per tenant or building)
- █ **Critical Corridor**
 - 60% Fenestration
 - Alternate Entry Permitted
- █ **MUDD Min. Requirement**
- █ **Hardscape**
- █ **Greenspace**

Note:
Loading areas along critical corridor will be screened from view by a masonry wall to match architecture. This frontage will not contribute to the required fenestration.

Note:
The schematic depictions of parking areas, sidewalks, structures and buildings, and other site elements set forth on this Sheet are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the requirements set forth on this Rezoning Plan, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted.





- Legend**
- MUDD Min. Requirement
 - Greenspace

**BMP Location
(Amenitized Pond)**

- Critical Corners
(Menu of Options)**
- Focal Point
 - Walking Trails/ Sidewalk
 - Pedestrian Seating
 - Pedestrian Scaled Lighting
 - Enhanced Hardscape
 - Specialty Landscape

- Critical Corners
(Menu of Options)**
- Focal Point
 - Walking Trails/ Sidewalk
 - Pedestrian Seating
 - Pedestrian Scaled Lighting
 - Enhanced Hardscape
 - Specialty Landscape

- Pocket Park**
- Pedestrian Seating
 - Pedestrian Scaled Lighting
 - Enhanced Hardscape
 - Specialty Landscape

Note:
The schematic depictions of parking areas, sidewalks, structures and buildings, and other site elements set forth on this Sheet are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the requirements set forth on this Rezoning Plan, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted.



Multi-Family Street Frontage

 **Primary Frontage**
• 55% Building Frontage*

 **Secondary Frontage**
• 35% Building Frontage*

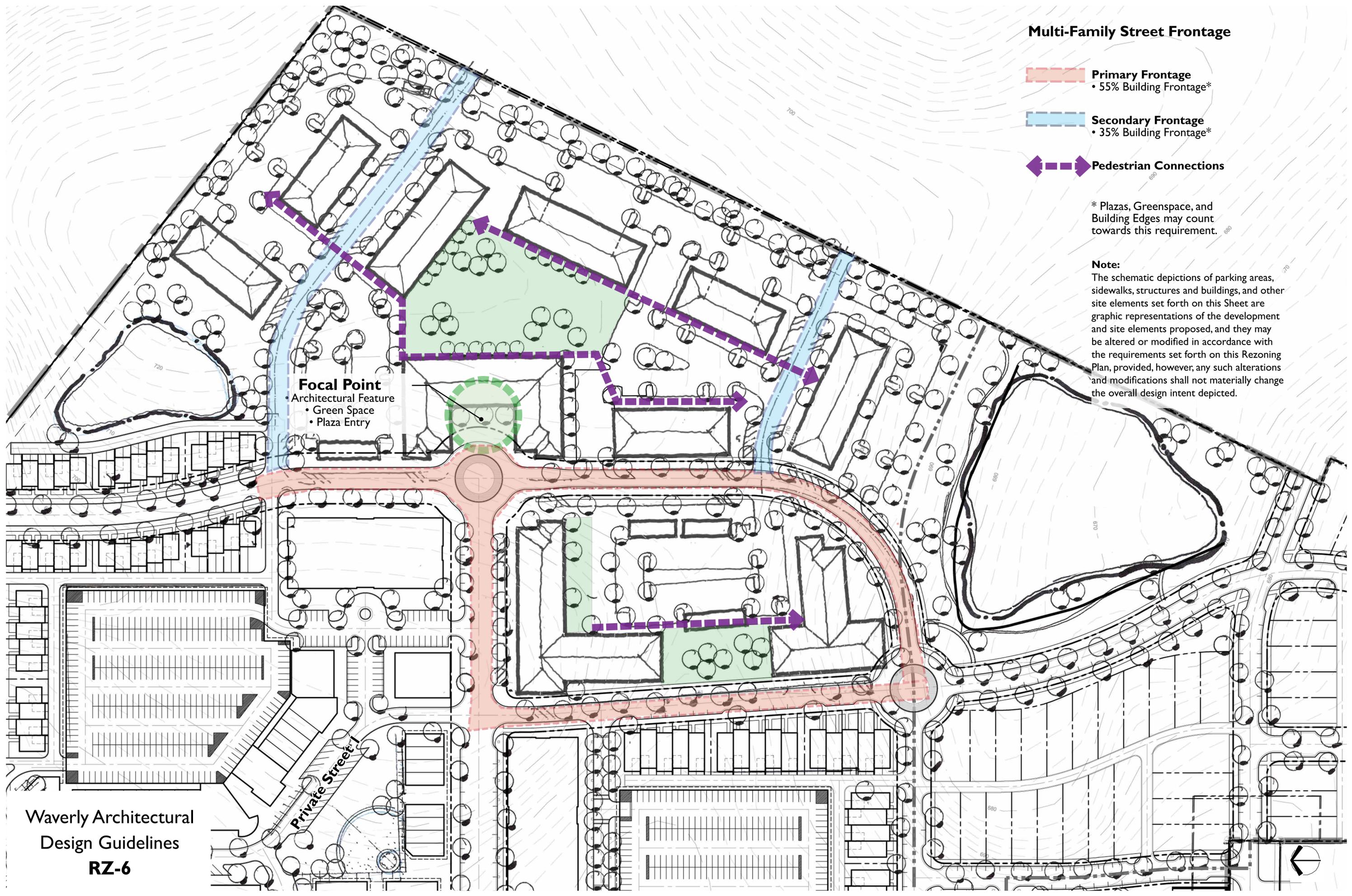
 **Pedestrian Connections**

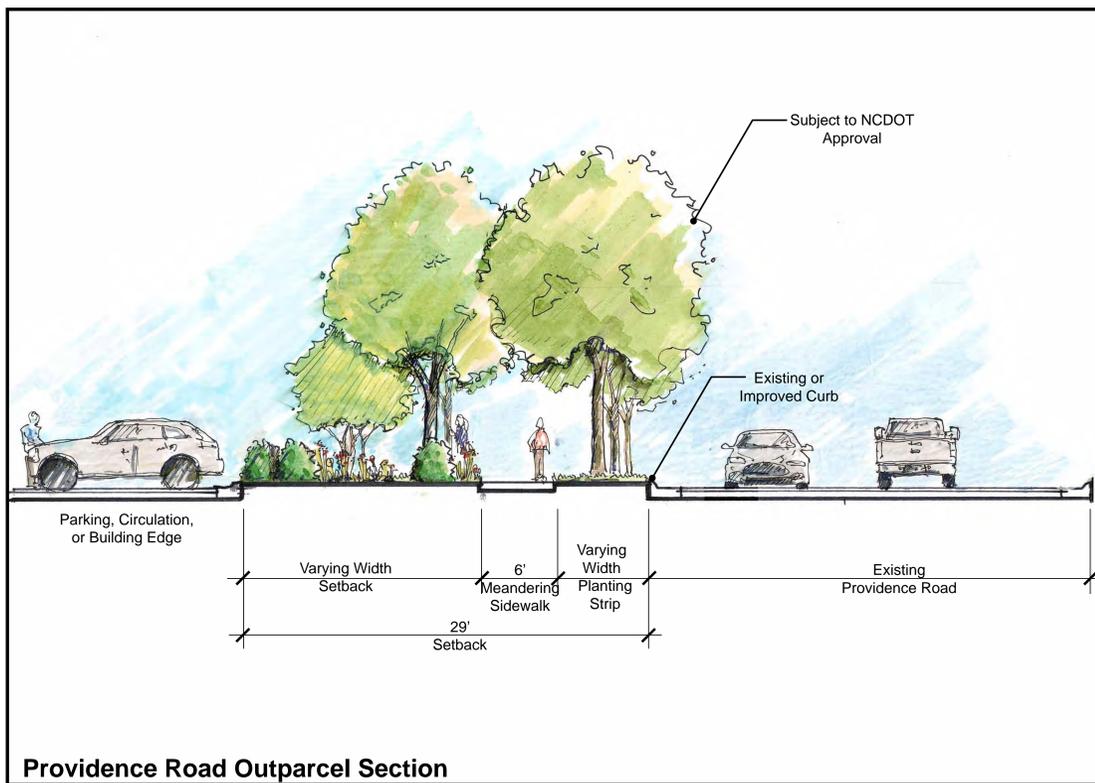
* Plazas, Greenspace, and Building Edges may count towards this requirement.

Note:
The schematic depictions of parking areas, sidewalks, structures and buildings, and other site elements set forth on this Sheet are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the requirements set forth on this Rezoning Plan, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted.

Focal Point
• Architectural Feature
• Green Space
• Plaza Entry

Private Street





Note:
The schematic depictions of parking areas, sidewalks, structures and buildings, and other site elements set forth on this Sheet are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the requirements set forth on this Rezoning Plan, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted.

