

ACREAGE: + 59.4 ACRES -TAX PARCEL #S: 147-031-03,04-13; 147-081-37, 38-43; 147-037-01, 02-12; 147-034-01,04-09; 147-036-02,03-07; 147-041-02,03-14; 147-035-01,02-17; 147-042-01,02,17-26; 147-032-01,02; 147-033-01 --EXISTING ZONING: B-2, B-1, O-2, R-17MF AND R-8

-PROPOSED ZONING: MUDD-O, AND UR-2(CD) WITH FIVE (5) YEAR VESTED RIGHTS --EXISTING USES: RETAIL USES & MULTI-FAMILY DWELLING UNITS

-PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD-O, ZONING DISTRICT AND THE UR-2

RESTAURANTEATING DRINKING ENTERTAINMENT ESTABLISHMENTS (EDEE), PERSONAL SERVICES AND OTHER COMMERCIAL USES (AS MORE SPECIFICALLY DESCRIBED BELOW II

DESCRIBED BELOW. **AXIMUM BUILDING HEIGHT:** IN THE AREA ZONED UR-2(CD), BUILDING HEIGHT WILL BE LIMITED WITHIN DEVELOPMENT AREAS E THROUGH L AS SHOWN ON SHEET RZ-1.0 OF T REZONING PLAN. IN THE AREA ZONED MUDD-O ALLOWED BUILDING HEIGHTS WILL BE LIMITED AS FOLLOWS: (I) WITHIN DEVELOPMENT AREA A THE MAXIMUM BUILDING HEIGHT WILL BE 60 FEET: (II) WITHIN DEVELOPMENT AREA B THE MAXIMUM BUILDING HEIGHT WILL BE 85 FOR THE PORTION OF BUILDING(S) ABUTTING SOUTH BLVD AND 56 FEET FOR TH PORTION OF THE BUILDING ABUTTING PRIVATE STREET A AS GENERALLY DEPICTED ON SHEET RZ-1.0; (III) WITHIN DEVELOPMENT AREA C THE MAXIMUM BUILDING HEIGHT WILL BE FEET; AND (IV) WITHIN DEVELOPMENT AREA D THE MAXIMUM BUILDING HEIGHT WILL BE 60 (FORFEET. FOR THE PURPOSES OF THIS ABOVE HEIGHT LIMITALIMITS, ROOF TOI MECHANICAL EQUIPMENT, SCREENS OR DEVICES USED TO SCREEN ROOF TOP STRUCTURES OR EQUIPMENT, SPIRES, MANSARDS, DOMES, DORMERS, OR OTHER ARCHITECTURAL

SECTION 3); AND (II) WITHIN THE MUDD-O AND UR-2(CD) ZONING DISTRICTS UP TO 1,050 RESIDENTIAL DWELLING UNITS, SUBJECT TO THE LIMITATIONS AND CONVERSION RIGHT

FEATURES WILL NOT BE CONSIDERED FOR THE CALCULATION OF ALLOWED BUILDING HEIGHT. OTHERWISE BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE).
PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD-O ZONING DISTRICT. WITHIN THE AREAS ZONED UR-2(CD) A MINIMUM OF 1.3 SPACES PER RESIDENTIAL DWELLING UNIT WIL BE PROVIDED INCLUDING THE ON-STREET PARKING SPACES AS ALLOWED BY THE ORDINANCE.

### **GENERAL PROVISIONS:**

SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND SCHEMATIC SITE PLAN, AND RELATED GRAPHICS FORM THE REZONING PLAN (COLLECTIVELY FERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY MARSH PROPERTIES, LLC ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF MIXED/MULTI-USE COMMERCIAL AND RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 59.2 ACRE SITE LOCATED ON THE EAST SIDE OF SOUTH BOULEVARD BETWEEN POINDEXTER DRIVE AND MARSH ROAD (THE "SITE").

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 ONING 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 OPTIONAL PROVISIONS PROVIDED BELOW: AND (II) THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE UR-2 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.

GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, TREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT. LOCATIONS. SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON HE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES. IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR ELEXIBILITY IN ALLOWING. SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE. THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

EXPRESSLY PERMITTED BY THE REZONING PLAN (IT IS UNDERSTOOD THAT IF A MODIFICATION IS EXPRESSLY PERMITTED BY THE REZONING PLAN IT IS DEEMED A MINOR MODIFICATION FOR THE PURPOSES OF THESE DEVELOPMENT STANDARDS), OR-

MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN; OR .MODIFICATIONS TO MOVE STRUCTURES GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTIES IN A RESIDENTIAL DISTRICT OR ABUTTING RESIDENTIAL USE BUT NO CLOSER THAN THE "EXTERNAL BUILDING LINE" (IN THIS CASE THE EXTERNAL SETBACKS, REAR YARDS OR BUFFER AREAS) INDICATED ON SHEET RZ-1; OR V.MODIFICATIONS TO ALLOW MINOR INCREASES IN THE MASS OF THE BUILDINGS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT DEPICTED ON OR DESCRIBED IN THE REZONING

HE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN EACH INSTANCE,

HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY: ACCESSORY BUILDING DESIGN. NOTWITHSTANDING THE NUMBER OF BUILDINGS SHOWN ON THE REZONING PLAN. THE TOTAL UMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED: (I) ON THE PORTIONS OF THE SITE ZONED MUDD-O AND DEVELOPED FOR COMMERCIAL AND RESIDENTIAL USES SHALL NOT EXCEED 6 ND THE NUMBER OF BUILDINGS WITHIN SUCH PORTION OF THE SITE ZONED MUDD-O AND DEVELOPED FOR RESIDENTIAL USES SHALL NOT EXCEED 612: AND (II) ON THE PORTIONS OF THI SITE ZONED UR-2(CD) AND DEVELOPED FOR RESIDENTIAL USES SHALL NOT EXCEED <del>50.</del>75. ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN NY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS. COLOR: ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING. OTHER THAN ARKING 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 THE PRINCIPAL BUILDINGS CONSTRUCTED WITHIN SUCH DEVELOPMENT AREAS TO WHICH THE ACCESSORY STRUCTURE/BUILDING (OTHER THAN PARKING STRUCTURES) RELATE.

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 IN THE REZONING PLAN. AS SUCH, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION STANDARDS, FAR REQUIREMENTS, AND OTHER SIMILAR ZONING STANDARDS WILL OT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS AND OTHER SITE ELEMENTS LOCATED ON THE SITE NOR BETWEEN THE AREAS ZONED MUDD-O AND UR-2(CD). FURTHERMORE, HE PETITIONER AND/OR OWNERS 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 IN ECTION(23)BELOW AS TO THE SITE AS A WHOLE AND NOT INDIVIDUAL PORTIONS OR LOTS LOCATED THEREIN.

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 ATURE 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.

EXISTING DEVELOPMENT. THE SITE IS CURRENTLY DEVELOPED WITH A COMBINATION OF RETAIL. OFFICE AND RESIDENTIAL USES. AFTER THE SITE IS REZONED TO ALLOW EDEVELOPMENT, THE EXISTING USES MAY REMAIN AND MAY CONTINUE TO BE USED AS CONSTRUCTED WITHOUT COMPLYING WITH THE STANDARDS OF THE REZONING PLAN AND THE MUDD AND UR-2 ZONING DISTRICTS. THE USES LOCATED IN THE TWO COMMERCIAL BUILDINGS LOCATED ALONG SOUTH BOULEVARD MAY UNDERGO CHANGE OF USES WITHOUT COMPLYING WITH THE STANDARDS OF THE REZONING PLAN AND MUDD ZONING DISTRICT STANDARDS. NORMAL REPAIR AND MAINTENANCE OF THE EXISTING BUILDINGS IS ALLOWED.

# STATEMENT OF OVERALL DESIGN INTENT.

IS INTENDED THAT THE SITE PLAN FOR THE SITE PROVIDE A HORIZONTAL MIX AND SOME VERTICAL MIX OF USES THAT INCLUDES OFFICE. RETAIL. EDEE. SERVICE USES AND/OR VARYIN YPES AND/OR LEVELS OF RESIDENTIAL USES IN A MANNER THAT CREATES A UNIFIED DEVELOPMENT PATTERN WITH GENERALLY COORDINATED OR COMPLIMENTARY STREETSCAPE ELEMENTS. LANDSCAPING. OPEN SPACES AND QUALITY BUILDING MATERIALS. THE SITE PLAN FOR THE SITE WILL SEEK TO EMPHASIZE PEDESTRIAN CONNECTIONS BETWEEN USES AND CREATE A STRONG LINK BETWEEN THE COMMERCIAL USES PROPOSED ALONG SOUTH BOULEVARD AND THE RESIDENTIAL USES LOCATED ON THE INTERIOR OF THE SITE AS WELL AS CONNECTIONS TO THE NEW BERN RAPID TRANSIT STATION AND THE SEDGEFIELD NEIGHBORHOOD. THE REDEVELOPMENT OF THE SITE WILL EMPHASIZE THE PRESERVATION OF TH XISTING TREE CANOPY FOUND ALONG THE EXISTING PUBLIC STREETS AND LOOK FOR WAYS TO ENHANCE THE TREE CANOPY. THE SITE PLAN WILL ALSO CREATE A MORE ROBUST NETWORK OF STREETS (PUBLIC AND PRIVATE) BY ADDING NEW STREETS TO THE EXISTING NETWORK. THE SITE PLAN WILL ALSO CREATE A SERIES OF IMPROVED OPEN SPACE AREAS WITHIN THE SITE. A VARIETY OF RESIDENTIAL BUILDING STYLES. TYPES AND BUILDING MATERIAL PALETTES WILL BE UTILIZED THROUGHOUT THE SITE TO CREATE AN INTERESTING ANI UNIQUE RESIDENTIAL COMMUNITY. LONG EXPANSES OF BLANK WALLS WILL BE LIMITED, AND WHERE THEY ARE NECESSARY WILL BE TREATED WITH A COMBINATION OF ARCHITECTURAL XPRESSIONS SUCH AS CHANGES IN MATERIALS, FENESTRATION, WINDOWS, BUILDING SETBACK AND LANDSCAPING, BUILDING RECESSES OR PROJECTIONS, ARTWORK, DISPLAY CASES R OTHER SIMILAR ITEMS.

# OPTIONAL PROVISIONS FOR MUDD-O AREAS.

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE PORTIONS OF THE SITE DESIGNATED MUDD-O ON THE TECHNICAL DATA SHEET:

1. TO ALLOW VEHICULAR PARKING, MANEUVERING AND SERVICE BETWEEN THE PROPOSED BUILDINGS WITHIN DEVELOPMENT AREA A AND: (I) ELMHURST ROAD; AND (II) HAVERFORD PLACE, IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN

TO ALLOW THE EXISTING SURFACE PARKING AREAS LOCATED BETWEEN THE EXISTING BUILDING LOCATED ON DEVELOPMENT AREA B AND: (I) SOUTH BOULEVARD, ( HAVERFORDELMHURST PLACE, AND (III) MARSH ROAD TO REMAIN UNTIL THE BUILDING(S) LOCATED ON DEVELOPMENT AREA B IS REMOVED AND NEW BUILDING(S) CONSTRUCTED

TO ALLOW THE EXISTING STREETSCAPE TREATMENTS, SIGNAGE, ACCESSORY DRIVE-THROUGH WINDOW(S), PARKING AREAS, BUILDINGS AND OTHER SITE ELEMENTS WITHIN DEVELOPMENT AREA B TO REMAIN AS CURRENTLY CONSTRUCTED UNTIL DEVELOPMENT AREA B IS REDEVELOPED AS ALLOWED BY THE REZONING PLAN. ONCE DEVELOPMENT AREA B IS REDEVELOPED ONLY ONE USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW WILL BE ALLOWED WITHIN DEVELOPMENT AREA B AS DESCRIBED BELOW.

TO ALLOW ONE NEW USE WITH AN ACCESSORY DRIVE-THROUGH WINDOWS TO BE CONSTRUCTED ON DEVELOPMENT AREA B AS PART OF THE REDEVELOPMENT CONTEMPLATED BY THI REZONING PLAN. A RESTAURANTAN EDEE WITH AN ACCESSORY DRIVE-THROUGH WINDOW, OTHER THAN A "LIMITED SERVICE RESTAURANTEDEE" AS DEFINED BELOW, WILL NOT BI ALLOWED. A "LIMITED SERVICE RESTAURANTEDEE" IS AAN: RESTAURANTEDEE WITH NO MORE THAN 3,000 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) THE NEW ALLOWED ACCESSORY DRIVE-THROUGH WINDOWS WILL NOT BE ALLOWED BETWEEN THE PROPOSED BUILDING AND THE ABUTTING PUBLIC STREETS, THE ACCESSOR DRIVE-THROUGH WINDOWS WILL CIRCULATE WITHIN THE BUILDING DEVELOPED ON THE PARCEL.

\_\_\_\_\_\_ : TO ALLOW MODIFICATIONS TO THE STREETSCAPE TREATMENTS CALLED FOR BY THE NEW BERN TRANSIT STATION AREA PLAN AS PART OF THE MUDD REQUIREMENTS ALONG THE FOLLOWING STREETS: POINDEXTER DRIVE, HAVERFORD PLACE, OAKCREST PLACE, BERKSHIRE ROAD, ARDMORE ROAD, ELMHURST ROAD AND LAWNDALE ROAD. THE MODIFICATIONS MAY INCLUDE CHANGES TO THE LOCATION OF REQUIRED SIDEWALKS, ON-STREET PARKING, PLANTING STRIP AND STREET TREES FOR THE PURPOSE OF SAVING THE EXISTING TREES LOCATED ALONG THE STREETS MENTIONED ABOVE. THE VARIOUS POSSIBLE STREETSCAPE TREATMENTS FOR THE STREETS HEARE INDICATED ON SHEET RZ-3.0 AND RZ-3.1 OF THE REZONING PLAN. ADDITIONAL CHANGES TO THESE PROPOSED STREETSCAPE TREATMENTS MAY BE APPROVED BY THE PLANNING DIRECTOR IN CONSULTATION WITH THE TREE ORDINANCE STAFF AND CDOT

#### TO ALLOW UP TO ONE (1) DETACHED SIGN AND TWO (2) WALL SIGNS LOCATED ON THE SITE TO ROTATE.

. TO ALLOW ONE SHOPPING CENTER IDENTIFICATION SIGN PER STREET FRONT WITHIN DEVELOPMENT AREA A AND B WITH A MAXIMUM HEIGHT OF 16 FEET AND CONTAINING UP TO 64 SQUARE FEET OF SIGN AREA.

. TO ALLOW IDENTIFICATION SIGNS FOR THE RESIDENTIAL PORTIONS OF THE SITE TO BE LOCATED ON THE DETACHED SHOPPING CENTER SIGNS

TO ALLOW ONE (1) DETACHED IDENTIFICATION SIGN FOR EACH BUILDING LOCATED WITHIN DEVELOPMENT AREAS A AND B. THESE DETACHED IDENTIFICATION SIGNS MAY BE UP TO <del>OUR (4) FEET HIGH AND CONTAIN UP TO 30 SQUARE FEET OF SIGN AREA.J: —</del>TO ALLOW DIRECTORY, DIRECTIONAL AND INSTRUCTIONAL SIGNS UP TO FOUR (4) FEET HIGH AND CONTAINING UP TO 16 SQUARE FEET OF SIGN AREA

TO ALLOW WALL SIGNS TO HAVE UP TO 230 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 AND B.

ELEVATION OF THE BUILDING TO HAVE COPY AREA EQUALAND WINDOW BOXES AT STREET LEVEL TO HAVE NON-PRODUCT, NON-TENANT SPECIFIC OR TENANT IDENTIFYING GRAPHIC IMAGES APPLIED TO 100% OF THE EXTERNAL GLAZING OF THE WINDOW AND TO ALLOW ALL OTHER WINDOW SIGNS ON DEVELOPMENT AREA A AND B TO HAVE A TOTAL SIGN COPY AREA NOT EXCEEDING 50% OF THE EXTERNAL GLAZING OF THE WINDOW OR DOOR ONTO WHICH THE SIGN(S) ARE LOCATED. -GLAZING OF THE WINDOW. THESE WINDOWS AND GRAPHIC IMAGES WILL BE PART OF THE REQUIRED STREET WALL TREATMENT ALONG POINDEXTER AVENUE. THE BUILDING WALL ALONG POINDEXTER ROAD WILL BE CONSTRUCTED WITH OPENINGS FOR WINDOWS AS GENERALLY DEPICTED ON THE REZONING PLAN, THE WINDOWS PLACED IN THE OPENINGS WILL BE OUTFITTED WITH "CLEAR GLASS", AND THE GRAPHIC IMAGES WILL BE APPLIED TO THE WINDOW SO THAT LIGHT MAY PASS THROUGH THE WINDOW.

TO ALLOW THE BUILDING CONSTRUCTED AT THE CORNER OF SOUTH BOULEVARD AND POINDEXTER ROAD TO HAVE WINDOWS LOCATED ON THE LEFT AND RIGHT SIDE OF THE OF THE ENTRANCE FEATURE LOCATED ALONG SOUTH BOULEVARD (AREAS A AND C. AS IDENTIFIED ON THE BUILDING ELEVATION INCLUDED WITH THE REZONING PLAN) TO HAVE NON-PRODUCT NON-TENANT SPECIFIC OR TENANT IDENTIFYING IMAGES THAT COVER 100% OF THE WINDOW UP TO A HEIGHT OF 13 FEET ABOVE THE FINISHED FLOOR ELEVATION OF THE BUILDING (WINDOWS OR THE PORTIONS OF THE WINDOWS LOCATED MORE THAN 13 FEET ABOVE THE FINISHED FLOOR ELEVATION OF THE BUILDING WILL NOT HAVE ANY GRAPHICS APPLIED T <u>HEM AND WILL HAVE "CLEAR GLASS"). THESE WINDOWS WILL BE CONSTRUCTED AS REAL WINDOWS WITH "CLEAR GLASS".</u>

AREA OF THE SIGN MAY BE UP TO 150 SQUARE FEET IF ATTACHED TO THE BUILDING AS A WALL SIGN OR UP TO 32 SQUARE FEET AND IF DETACHED UP TO 12 SEVEN (7) FEET HIGH IF CONSTRUCTED AS A DETACHED SIGN. THE SIGN AREA OF THE SEDGEFIELD NEIGHBORHOOD IDENTIFICATION SIGN IS IN ADDITION TO THE TENANT AND IDENTIFICATION SIGNAGE ALLOWED BY THESE OPTIONAL PROVISIONS AND THE ORDINANCE.

. TO ALLOW THE <del>USES</del>BUILDINGS LOCATED WITHIN DEVELOPMENT AREA C AND D TO HAVE ONE DETACHED SIGN PER STREET FRONT WITH UP TO 25 SQUARE FEET OF SIGN AREA AND UI TO FOUR (4) FEET HIGH.

NOTE: THE OPTIONAL PROVISIONS REGARDING SIGNS ARE 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

. TO NOT REQUIRE DOORWAYS TO BE RECESSED INTO THE FACE OF THE BUILDING(S) WHEN THE ABUTTING SIDEWALK AND AMENITY ZONE WIDTH IS GREATER THAN <del>EIGHT (8) FEET.</del>12 FEET AND TO NOT REQUIRE DOORWAYS TO BE RECESSED WHEN THE DOOR WAY IS NOT ORIENTED TO A PUBLIC STREET (E.G. INTERIOR PARKING AREAS).

p. TO ALLOW THE EXISTING SIDEWALKS AND PLANTING STRIPS ALONG SOUTH BOULEVARD, MARSH ROAD AND ELMHURST ROAD ABUTTING DEVELOPMENT AREA B TO REMAIN UNTIL DEVELOPMENT AREA B IS REDEVELOPED.

1. TO <del>DELAY THE WIDENING OF SOUTH BLVD. TO THE CROSS-SECTION INDICATED ON THE REZONING PLAN UNTIL DEVELOPMENT AREA B IS REDEVELOPED.</del> ALLOW WITHIN DEVELOPMENT , AREA A ALONG POINDEXTER ROAD "TRELLISES" TO BE LOCATED WITHIN THE 20 FOOT SETBACK, ACROSS THE SIDEWALK AND IN THE RIGHT-OF-WAY. IF THE PROPOSED TRELLISES DO , ENCROACH INTO THE RIGHT-OF-WAY FOR POINDEXTER ROAD THE PETITIONER WILL REQUEST AN ENCROACHMENT AGREEMENT FROM COOT TO ALLOW THE TRELLISES WITHIN THE RIGHT-OF-WAY. CDOT HAS INDICATED THAT AN ENCROACHMENT AGREEMENT TO ALLOW THE TRELLISES IN THE RIGHT-OF-WAY CAN BE ISSUED IF THE DESIGN OF THE TRELLISES ADDRESSES SECURITY, MAINTENANCE AND OTHER APPLICABLE CDOT CRITERIA FOR NON-STANDARD ITEMS IN THE RIGHT-OF-WAY.

TO ALLOW WITHIN DEVELOPMENT AREA A ALONG POINDEXTER ROAD "TRELLISES" TO BE LOCATED WITHIN THE 20 FOOT SETBACK AND CROSS THE SIDEWALK. THE PARKING STRUCTURE CONSTRUCTED ON DEVELOPMENT AREA B ADJACENT TO NEW PUBLIC STREET B (THE EXTENSION OF HAVERFORD PLACE FROM ELMHURST ROAD TO MARSH ROAD) TO NOT HAVE GROUND ACTIVE USES. THE STREET LEVEL OF THE PARKING STRUCTURE WILL BE DESIGNED WITH SOME OR ALL OF THE FOLLOWING ELEMENTS TO AVOID SOLID EXPANSES OF WALLS OVER 20 FEET IN LENGTH: OPENINGS WITH DECORATIVE SCREENING, LANDSCAPING, ARCHITECTURALLY ARTICULATED FACADES AND DISPLAY AREAS. THE OPENINGS LOCATED ON THE FIRST FLOOR AND AT THE STREET LEVEL OF THE PARKING STRUCTURE ADJACENT TO PUBLIC STREET B WILL BE DESIGNED AS AN INTEGRAL PART OF THE OVERALL BUILDING DESIGN. ANY OPENINGS AT THE STREET LEVEL WILL BE DESIGNED SO THAT CARS PARKED INSIDE ARE SCREENED FROM THE NEW PUBLIC STREET. PARKING LOCATED ON ALL LEVELS OF THE PARKING STRUCTURE WILL BE SCREENED AS REQUIRED BY THE ORDINANCE. 

#### PERMITTED USES, DEVELOPMENT AREA LIMITATIONS, AND TRANSFER & CONVERSION RIGHTS:

a. FOR EASE OF REFERENCE. THE REZONING PLAN SETS FORTH 12 DEVELOPMENT AREAS AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AS DEVELOPMENT AREAS A, B, C, D, E, F. G. H. I. J. K. AND L (EACH A "DEVELOPMENT AREA" AND COLLECTIVELY THE "DEVELOPMENT AREAS")

D. SUBJECT TO THE RESTRICTIONS, LIMITATIONS, AND TRANSFER/CONVERSION RIGHTS LISTED BELOW, THE PRINCIPAL BUILDINGS CONSTRUCTED WITHIN DEVELOPMENT AREAS A AND B ON THE SITE MAY BE DEVELOPED: (I) WITH UP TO 98.000 SQUARE FEET OF GROSS FLOOR AREA OF RETAIL. RESTAURANTEATING DRINKING ENTERTAINMENT ESTABLISHMENT (EDEE). AND PERSONAL SERVICES USES: (II) WITH UP TO 100,000 SQUARE FEET OF GROSS FLOOR AREA OF OFFICES USES, TOGETHER WITH ACCESSORY USES IN THE MUDD-O ZONING DISTRICT: OR (III) UP TO 150 RESIDENTIAL DWELLING UNITS IF THE 100,000 SQUARE FEET OF GROSS FLOOR AREA OF OFFICE USES ARE NOT CONSTRUCTED;; TOGETHER WITH ACCESSORY USES IN THE MUDD-O ZONING DISTRICT. THE PETITIONER RESERVES THE RIGHT TO CONVERT ALLOWED COMMERCIAL SQUARE FOOTAGE INTO ADDITIONAL RESIDENTIAL DWELLINGS UNITS AT THE RATE OF ONE ADDITIONAL RESIDENTIAL UNIT FOR EVERY 1.000 GROSS SQUARE FEET OF ALLOWED NON-RESIDENTIAL SQUARE FOOTAGE UP TO MAX OF 50 DWELLINGS UNITS. THI ADDITIONAL RESIDENTIAL DWELLING UNITS MAY BE ADDED TO DEVELOPMENT AREAS A. B. C. AND D. 

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 GROSS 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. IF NO RESIDENTIAL DWELLING UNITS ARE CONSTRUCTED WITHIN DEVELOPMENT AREA B AND SUBJECT TO THE RESTRICTIONS, LIMITATIONS, AND CONVERSATION RIGHTS LISTED ABOVE. DEVELOPMENT AREAS C THROUGH L MAY BE DEVELOPED WITH UP TO 980 RESIDENTIAL DWELLINGS UNITS, TOGETHER WITH ACCESSORY USES IN THE MUDD-O AND UR-2 ZONING

d.IF RESIDENTIAL DWELLINGS UNITS ARE CONSTRUCTED WITHIN DEVELOPMENT AREA B THEN TOTAL NUMBER OF RESIDENTIAL DWELLING UNITS THAT MAY BE CONSTRUCTED IN DEVELOPMENT AREAS C THROUGH L WHEN ADDED TO THE NUMBER OF RESIDENTIAL DWELLING UNITS CONSTRUCTED ON DEVELOPMENT AREA B MAY NOT EXCEED 1.050 DWELLING UNITS (ANY ADDITIONAL RESIDENTIAL UNITS CONSTRUCTED WITHIN DEVELOPMENT AREA BA, B, C OR D AS A RESULT OF CONVERTING ALLOWED NON-RESIDENTIAL SQUARE FOOTAGE INTO RESIDENTIAL UNITS WILL NOT BE COUNTED TOWARD THE 1,050 RESIDENTIAL DWELLING UNIT LIMIT)

e, SUBJECT TO THE RESTRICTIONS, LIMITATIONS, AND CONVERSATION RIGHTS LISTED ABOVE, THE FOLLOWING DEVELOPMENT AREAS MAY NOT BE DEVELOPED WITH MORE RESIDENTIAL DWELLING UNITS THAN ARE LISTED IN THIS SECTION: (I) DEVELOPMENT AREA I MAY NOT CONTAIN MORE THAN 60 RESIDENTIAL DWELLING UNITS: (II) DEVELOPMENT AREA J MAY NOT CONTAIN MORE THAN 72 RESIDENTIAL DWELLING UNITS; (III) DEVELOPMENT AREA K MAY NOT CONTAIN MORE THAN 36 RESIDENTIAL DWELLING UNITS; AND (IV) DEVELOPMENT AREA G MAY NOT CONTAIN MORE THAN 72 RESIDENTIAL DWELLING UNITS. THESE RESIDENTIAL DWELLING UNIT LIMITATIONS FOR THESE DEVELOPMENT AREAS ARE ALSO NOTED ON SHEET RZ-1.0 OF THE REZONING PLAN.

UP TO ONE USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW MAY BE CONSTRUCTED WITHIN DEVELOPMENT AREA B AS ALLOWED BY THE OPTIONAL PROVISIONS ABOVE. RESTAURANTAN EDEE WITH AN ACCESSORY DRIVE-THROUGH WINDOW, OTHER THAN A "LIMITED SERVICE RESTAURANTEDEE" AS DEFINED BELOW, WILL NOT BE ALLOWED. A "LIMITED SERVICE RESTAURANTEDEE" AS DEFINED BELOW, WILL NOT BE ALLOWED. A "LIMITED SERVICE RESTAURANTEDEE" AS DEFINED BELOW, WILL NOT BE ALLOWED. A "LIMITED SERVICE RESTAURANTED S SERVICE RESTAURANTEDEE" IS AN: RESTAURANTEDEE WITH NO MORE THAN 3,000 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). 

g. PARKING WILL NOT BE ALLOWED WITHIN A DEVELOPMENT AREA AS A PRINCIPLE USE. PARKING AREAS CONSTRUCTED WITHIN EACH DEVELOPMENT AREA WILL BE CONSTRUCTED AS PART OF AN ALLOWED NON-RESIDENTIAL OR RESIDENTIAL USE

TRANSPORTATION IMPROVEMENTS AND ACCESS:

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: SHEET RZ-<del>F - 1 ARE</del>3.1 IS TO BE USED IN CONJUNCTION WITH THE FOLLOWING NOTES TO DETERMINE THE EXTENT OF THE PROPOSED IMPROVEMENTS (REFERENCE TO A NUMBER OR

# **ILIST OF IMPROVEMENTS TO BE FORTHCOMING AS APPLICABLE**

a. AT THE INTERSECTION OF SOUTH BOULEVARD AND POINDEXTER DRIVE (INTERSECTION #3 ON FIGURE 14): (I) EXTEND THE EXISTING RAISED MEDIAN ON SOUTH BOULEVARD (WITHIN THE EXISTING MARKED-OUT PAVEMENT) A MINIMUM OF 50 FEET SOUTH OF THE PROPOSED RI/RO DRIVEWAY

TO BE LOCATED BETWEEN POINDEXTER DRIVE AND ELMHURST ROAD TO ELIMINATE LEFT-IN AND LEFT-OUT MOVEMENTS; (II) AS PART OF THE EXTENSION OF THE EXISTING RAISED MEDIAN ON SOUTH BOULEVARD, CONSTRUCT A MID-BLOCK PEDESTRIAN CROSSING (THE DESIGN AND LOCATION OF PEDESTRIAN CROSSING TO BE DETERMINED IN CONSULTATION WITH CDOT DURING THE BUILDING PERMIT PROCESS);

(III) EXTEND THE EXISTING WESTBOUND LEFT TURN LANE STORAGE (PAVEMENT RE-MARK) ON POINDEXTER DRIVE FROM ITS CURRENT 90 FEET TO 250 FEET OF STORAGE; AND

(IV) EXTEND THE EXISTING SOUTHBOUND LEFT TURN LANE ON SOUTH BOULEVARD FROM 80 FEET TO 150 FEET OF STORAGE

LETTER WHEN DESCRIBING AN IMPROVEMENT CORRESPONDS TO THE NUMBER OR LETTER FOUND ON FIGURE <del>[\_\_\_\_\_] AND [\_\_\_\_\_]</del>14 FOR THE PROPOSED IMPROVEMENT).

b. AT THE INTERSECTION OF SOUTH BOULEVARD AND ELMHURST ROAD (INTERSECTION #4 ON FIGURE 14):

(III) INSTALL A 10-FOOT WIDE HIGH-VISIBILITY CROSSWALK ON ELMHURST ROAD AT THE INTERSECTION.

(I) CONSTRUCT A SOUTHBOUND LEFT TURN LANE WITH 100 FEET OF STORAGE AND AN APPROPRIATE TAPER\* (II) CONSTRUCT A MID-BLOCK PEDESTRIAN CROSSING ON SOUTH BOULEVARD SOUTH OF THE INTERSECTION\* (THE DESIGN AND LOCATION OF THE PEDESTRIAN CROSSING TO BE DETERMINED IN CONSULTATION WITH CDOT DURING THE BUILDING PERMIT PROCESS); AND

\*THIS LEFT TURN LANE AND MID-BLOCK PEDESTRIAN CROSSING WILL BE IMPLEMENTED/CONSTRUCTED BY: (I) HOLDING THE EXISTING CURB LINE ON THE WEST SIDE OF SOUTH BLVD.: (II) SHIFTING THE NORTH AND SOUTH BOUND LANES ON SOUTH BLVD. TOWARD THE SITE; AND (III) BY UTILIZING THE FUTURE BIKE LANE (IMPLEMENTED BY THE PETITIONER'S REQUIRED STREETSCAPE IMPROVEMENTS TO SOUTH BLVD.) ALONG THE SITE'S FRONTAGE AS PART OF THE NORTHBOUND THROUGH LANES. THIS CONSTRUCTION WILL ALSO REQUIRE THAT PORTIONS OF THE NORTH AND SOUTH BOUND THROUGH LANES ON SOUTH BLVD. BE 10 FEET IN WIDTH AS GENERALLY DEPICTED ON SHEET RZ-3.1.

. CONSTRUCT A NEW PUBLIC STREET EXTENDING FROM ELMHURST ROAD TO MARSH ROAD AT THE REAR OF DEVELOPMENT AREA B AS GENERALLY DEPICTED ON THE REZONING PLAN. I. AT THE INTERSECTION OF SOUTH BOULEVARD AND MARSH ROAD (INTERSECTION #5 ON FIGURE 14): (I) CONSTRUCT A WESTBOUND RIGHT TURN LANE ON MARSH ROAD WITH 200 FEET OF STORAGE (TO THE PROPOSED FULL MOVEMENT ACCESS (NEW PUBLIC STREET) FOR

DEVELOPMENT AREA B ON MARSH ROAD); AND (II) EXTEND THE EXISTING WESTBOUND LEFT TURN LANE STORAGE ON MARSH ROAD FROM 190 FEET TO 300 FEET BY RE-MARKING THE EXISTING PAVEMENT

STANDARDS, PHASING AND OTHER PROVISIONS. I. CDOT STANDARDS. ALL OF THE FOREGOING PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT (AS IT RELATES TO THE ROADWAY ROVEMENTS WITHIN ITS 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

# . PHASING [TO BE DETERMINED IF APPLICABLE]

IMPROVEMENTS LISTED IN SECTION 4.I. A. THROUGH D.

PUBLIC SECTOR PROJECT SUPPORT.

NOTWITHSTANDING THE COMMITMENTS OF THE PETITIONER TO PROVIDE FOR THE ROADWAY IMPROVEMENTS DESCRIBED IN SECTION 4.1 ABOVE, THE FOLLOWING PROVISIONS SHA PERMIT DEVELOPMENT TO TAKE PLACE PRIOR TO COMPLETION OF ALL OF THE ABOVE-REFERENCED IMPROVEMENTS.

(i) THE PETITIONER HAS THE RIGHT TO CONSTRUCT UP TO THE MAXIMUM AMOUNT OF LAND USE DENSITIES SHOWN BELOW BY CONSTRUCTING THE IMPROVEMENTS LISTED IN SECTION 4.I. A. AND B. ABOVE:

.. UP TO 70,000 SQUARE FEET OF GROSS FLOOR AREA OF THE ALLOWED NON-RESIDENTIAL USES AND UP TO 525 RESIDENTIAL DWELLINGS UNITS MAY BE DEVELOPED AND OCCUPIED ON THE SITE UPON SUBSTANTIAL COMPLETION OF THE IMPROVEMENTS LISTED IN SECTION 4.I. A. AND B. ABOVE AS GENERALLY DEPICTED ON SHEET RZ-3.1 FIGURE 14.

(ii)THE PETITIONER HAS THE RIGHT TO CONSTRUCT UP TO THE MAXIMUM AMOUNT OF LAND USE DENSITIES SHOWN BELOW BY CONSTRUCTION OF ALL THE IMPROVEMENTS LISTED IN 4

UP TO 198,000 SQUARE FEET OF GROSS FLOOR AREA OF THE ALLOWED NON-RESIDENTIAL USES AND UP TO 1,050 RESIDENTIAL DWELLINGS UNITS (SUBJECT TO THE LIMITATIONS AND CONVERSION RIGHTS OF SECTION 3 ABOVE, WHICH COULD RESULT IN 50 MORE UNITS) MAY BE DEVELOPED AND OCCUPIED ON THE SITE UPON THE SUBSTANTIAL COMPLETION OF ALL TH

SUBSTANTIAL COMPLETION. REFERENCE TO "SUBSTANTIAL COMPLETION" FOR CERTAIN IMPROVEMENTS AS SET FORTH IN THE PROVISIONS OF SECTION 4.II ABOVE SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS SET FORTH IN SECTION 4.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.

I. 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 ACQUISITION OF ANY SUCH LAND. IN SUCH EVENT, THE PETITIONER SHALL REIMBURSE THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR THE COST OF ANY SUCH ACQUISITION 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 COOT 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 AND THE PLANNING DIRECTOR: PROVIDED, HOWEVER, THE PROPOSED ALTERNATE TRANSPORTATION IMPROVEMENTS PROVIDE (IN THE AGGREGATE) COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS IDENTIFIED IN THIS PETITION.

#### III. ACCESS, AND PEDESTRIAN CIRCLATION AND PEDESTRIAN ACCESS EASEMENT CIRCULATION.

a. ACCESS TO THE SITE WILL BE FROM SOUTH BOULEVARD, POINDEXTER DRIVE, MARSH ROAD, ELMHURST ROAD, HAVERFORD PLACE, BERKSHIRE ROAD, LAWNDALE ROAD, OAKCREST PLACE, AND ARDMORE ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. THE NUMBER AND LOCATION OF THE ACCESS POINTS TO DEVELOPMENT AREAS A, B AND C FROM SOUTH BOULEVARD AND THE INTERNAL PUBLIC STREETS ARE GENERALLY DEPICTE ON THE REZONING PLAN.

. THE NUMBER AND LOCATION OF ACCESS POINTS TO THE INTERNAL PUBLIC STREETS, OTHER THAN <del>SOUTH BOULEVARD</del>THE ACCESS LOCATIONS INDICATED FOR DEVELOPMENT AREAS A B, AND C ON THE REZONING PLAN, WILL BE DETERMINED DURING THE BUILDING PERMIT PROCESS AND THEREAFTER ADDITIONAL OR FEWER DRIVEWAYS AND ADDITIONAL PRIVATE STREETS MAY BE INSTALLED OR REMOVED WITH APPROVAL FROM APPROPRIATE GOVERNMENTAL AUTHORITIES SUBJECT TO APPLICABLE STATUTES, ORDINANCES AND REGULATIONS.

THE PRIVATE STREETS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET WILL BE DESIGNED TO MEET A PUBLIC STREET CROSS-SECTION AS DEFINED IN CITY OF CHARLOT SUBDIVISION ORDINANCE. THE DETERMINATION OF WHICH STREET CROSS-SECTION WILL BE USED WILL BE DETERMINED DURING THE SUBDIVISION REVIEW PROCESS. A PUBLIC ACCES EASEMENT WILL BE PROVIDED ON EACH OF THESE PRIVATE STREETS. THE PUBLIC ACCESS EASEMENT WILL PROHIBIT THE PRIVATE STREETS FROM BEEN CLOSED OR GATED AND WILL REQUIRE THAT THE PRIVATE STREETS BE KEPT OPEN TO ALLOW THE PUBLIC TO USE THE STREET FOR INGRESS AND EGRESS. THE PETITIONER RESERVES THE RIGHT TO RELOCATE THE PRIVATE STREETS AND THE PUBLIC ACCESS EASEMENTS ILLUSTRATED ON REZONING PLAN AS LONG AS THE NEW LOCATIONS COMPLY WITH THE STREET NETWORK STANDARDS OF THE SUBDIVISION REGULATIONS. THE PUBLIC ACCESS EASEMENT WILL BE DOCUMENTED ON APPLICABLE APPROVED SUBDIVISION PLATS WHICH WILL INCLUDE A PROVISION STATING THAT THE EASEMENT CAN BE MODIFIED AS PERMITTED HEREIN AND ELIMINATED UPON COMPLIANCE WITH APPLICABLE PROVISIONS OF THE SUBDIVISION ORDINANCE. THIS PROVISION AN PROVISIONS TO BE INCLUDED ON THE SUBDIVISION PLAT ARE NOT INTENDED TO CREATE PRIVATE EASEMENTS RIGHTS THAT MAY BE ENFORCED BY INDIVIDUAL LAND OWNERS, BUT RATHER ARE INTENDED TO COMPLY WITH PUBLIC REQUIREMENTS OF THE SUBDIVISION ORDINANCE. THE PROPOSED PRIVATE STREETS MAY BE CONVERTED TO PUBLIC STREETS AN DEDICATED TO THE CITY OF CHARLOTTE

A SIDEWALK NETWORK AS GENERALLY DEPICTED BY THE PEDESTRIAN CIRCULATION PLAN SET FORTH ON SHEET RZ-1.1. OF THE REZONING PLAN WILL BE PROVIDED. THE MINIMUM WIDTH OF THE SIDEWALKS INDICATED WILL BE SIX (6) FEET.

». <del>The</del>f. A portion of the existing undeveloped and unopened right-of-way located within development area L will be <del>abandoned by the petitioner. As part (</del> THE ABANDONMENT OF THIS RIGHT-OF-WAY THE PETITIONER WILL ESTABLISH A 30 FOOT WIDE PEDESTRIAN ACCESS EASEMENT IN ITS PLACE TO ALLOW THE CITY OR ANOTHER PUBL ENTITY TO CONSTRUCT AN ACCESSIBLE PEDESTRIAN CONNECTION FROM POINDEXTER ROAD TO IDEAL WAY. IF AFTER 10 YEARS THE PEDESTRIAN ACCESS EASEMENT HAS NOT BEE IMPROVED THE PETITIONER MAY ABANDON THE PEDESTRIAN ACCESS EASEMENT OR SOONER IF THE CITY OR COUNTY PARKS AND RECREATION INDICATES THEY NO LONGER NEED OF WANT THE PEDESTRIAN ACCESS EASEMENT. IMPROVED TO PUBLIC STREETS STANDARDS AS PART OF THE REDEVELOPMENT OF DEVELOPMENT AREA L AS GENERALLY DEPICTED C THE REZONING PLAN. THE PETITIONER WILL CONSTRUCT A PUBLIC STREET WITHIN THE EXISTING RIGHT-OF-WAY LOCATED WITHIN DEVELOPMENT AREA L FROM POINDEXTER DRIVE 1 AS CLOSE TO THE EDGE OF THE PERMANENT CONSERVATION EASEMENT FOR SEDGEFIELD-DAIRY BRANCH AS IS POSSIBLE WITHOUT DISTURBING THE CONSERVATION EASEMENT. TH PETITIONER WILL BE ALLOWED TO USE THIS PORTION OF THE NEW PUBLIC STREET TO PROVIDE DRIVEWAYS TO THE BUILDING AND USES CONSTRUCTED ON DEVELOPMENT AREA L. T CONSTRUCTION AND IMPROVEMENT OF THIS UNOPENED RIGHT-OF-WAY TO PUBLIC STREET STANDARDS IS NOT A SUBDIVISION REQUIREMENT BUT IS RATHER A COMMITMENT OF THE REDEVELOPMENT OF THIS PORTION OF THE SITE. THEREFORE, THE PETITIONER IS NOT REQUIRED TO IMPROVE THE ENTIRE LENGTH OF THE UNOPENED RIGHT-OF-WAY AS IS TYPICALL REQUIRED BY THE SUBDIVISION REGULATIONS

THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING AYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

. 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, IF ANY) WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRECAST CONCRETE, SYNTHETIC STONE STUCCO, CEMENTATIOUS SIDING (SUCH AS HARDIEHARDY-PLANK), EIFS OR WOOD. VINYL AS A BUILDING MATERIAL WILL NOT BE ALLOWED EXCEPT ON WINDOWS AND SOFFITS;

b. NOTWITHSTANDING ANYTHING TO THE CONTRARY SET FORTH IN THESE DEVELOPMENT STANDARDS. NEW BUILDINGS CONSTRUCTED WITHIN DEVELOPMENT AREA A ABUTTING SOUTH BOULEVARD WILL BE DESIGNED SO THAT NO PARKING. MANEUVERING FOR PARKING WILL BE ALLOWED BETWEEN THE PROPOSED BUILDING(S) AND SOUTH BOULEVARD AND

c. A 15 FOOT BUILDING SEPARATION WILL BE PROVIDED BETWEEN THE TWO BUILDINGS CONSTRUCTED IN DEVELOPMENT AREA A THAT ABUT SOUTH BOULEVARD AS GENERALLY DEPICTED ON THE REZONING PLAN.

THE BUILDING CONSTRUCTED WITHIN DEVELOPMENT AREA A AT THE CORNER OF SOUTH BOULEVARD AND POINDEXTER DRIVE WILL HAVE AT LEAST ONE OPERABLE BUILDING ENTRANCE FROM THE BUILDING TO THE SIDEWALK ALONG SOUTH BOULEVARD. 

THE STREET WALL OF THE BUILDING CONSTRUCTED WITHIN DEVELOPMENT AREA A ABUTTING POINDEXTER ROAD WILL BE TREATED TO CREATE AN INTERESTING PEDESTRIAI EXPERIENCE BY THE USE OF COMBINATIONS OF THE FOLLOWING FEATURES: (I) TRELLISES EXTENDING OVER THE SIDEWALK AREA; (II) WINDOWS WITH APPLIED GRAPHICS IMAGES (NOT SIGNS); (III) INTERNALLY ILLUMINATED WINDOW BOXES WITH APPLIED GRAPHICS IMAGES; (IV) VERTICAL ELEMENTS SUCH AS ART WORK AND/OR DECORATIVE GARDEN AND LANDSCAPI ELEMENTS: (V) DECORATIVE LIGHTING ELEMENTS: AND (VI) LANDSCAPE AND GARDEN AREAS AS GENERALLY DEPICTED ON THE BUILDING ELEVATION ON SHEET RZ-4.0 OF THE REZONING 

THE BUILDING CONSTRUCTED ON DEVELOPMENT AREA B WILL BE DESIGNED SO THE PORTION OF THE BUILDING FACING MARSH ROAD AND ELMHURST ROAD WILL HAVE AT LEAST 35% OF THE BUILDING STREET FRONTAGE DEVOTED TO ACTIVE USES SUCH AS: WINDOWS THAT ALLOW VISIBILITY INTO THE RETAIL OR OFFICE SPACE, DOORS THAT PROVIDE ACCESS INTO THE RETAIL OR OFFICE SPACE; AND DISPLAY WINDOWS WITH A MINIMUM DEPTH OF THREE (3) FEET.

(43.) IF A USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW IS CONSTRUCTED WITHIN DEVELOPMENT AREA B AS ALLOWED BY THE OPTIONAL PROVISIONS ABOVE, THE ACCESSORY DRIVE-THROUGH WINDOW WILL NOT BE ALLOWED TO CIRCULATE BETWEEN THE PROPOSED BUILDING AND THE ABUTTING PUBLIC STREETS.

NEW BUILDINGS WITHIN DEVELOPMENT AREAS A AND B WILL NOT ORIENT THE SERVICE SIDE OF SUCH BUILDINGS TO SOUTH BOULEVARD.

∔ 🕽 HE SERVICE AREAS OF THE NEW BUILDINGS CONSTRUCTED WITHIN DEVELOPMENT AREAS A AND B WILL BE SCREENED FROM THE ADJOINING STREETS WITH WALLS DESIGNED TO OMPLEMENT THE BUILDING ARCHITECTURE OF THE ADJACENT BUILDINGS. ARCHITECTURAL FEATURES SUCH AS, BUT NOT LIMITED TO, BANDING, MEDALLIONS, CHANGES IN COLOR OF DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

FAREAS MAY BE LOCATED ADJACENT AND BETWEEN THE ALLOWED RESIDENTIAL BUILDINGS OR BEHIND THE ALLOWED RESIDENTIAL BUILDINGS. WHEN PARKING AREAS LOCATED ADJACENT AND/OR BETWEEN THE ALLOWED RESIDENTIAL BUILDINGS THE WIDTH OF THE PARKING AREA ALONG THE PUBLIC STREET MAY NOT EXCEED 70 LINEAR FEET.

> 🗱 IF GARAGES ARE CONSTRUCTED ON THE SITE THEY MAY NOT BE ORIENTED TOWARD THE EXISTING OR PROPOSED PUBLIC OR PRIVATE STREETS. EXCEPT WHEN THE GARAGE LOCATED BEHIND THE PRINCIPAL STRUCTURE IN WHICH CASE THEY MAY FACE PUBLIC OR PRIVATE STREETS.

🖟 THE BUILDINGS LOCATED ON DEVELOPMENT AREAS B THROUGH L WILL HAVE AT LEAST ONE ENTRANCE FROM EACH BUILDING TO THE ABUTTING PUBLIC STREET

m.BUILDINGS CONSTRUCTED WITHIN DEVELOPMENT AREA G. THAT ARE LOCATED WITHIN 150 FEFT OF THE NORTHEASTERN PROPERTY BOUNDARY OF DEVELOPMENT AREA G. (TH COMMON PROPERTY LINE WITH THE FOUR LOTS FRONTING ON POINDEXTER DRIVE BETWEEN LAWNDALE ROAD AND ELMHURST ROAD (500, 510, 516 AND 520 POINDEXTER DRIVE) THE "NORTHEASTERN PROPERTY BOUNDARY") MAY NOT HAVE BALCONIES OR DECKS ABOVE THE FIRST FLOOR THAT ARE ORIENTED TOWARD THE NORTHEASTERN PROPERTY BOUNDARY

( m) METER BANKS, TRANSFORMERS AND SIMILAR UTILITY STRUCTURES WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE LEVEL.

ABOVE GROUND BACK FLOW PREVENTERS AND TRANSFORMERS WILL NOT BE LOCATED WITHIN THE OPEN SPACE AREAS OR WITHIN THE REQUIRED URBAN OPEN SPACE UNLESS THEY ARE REQUIRED TO SERVE THE OPEN SPACE AREAS IN WHICH THEY ARE LOCATED. ABOVE GROUND BACK FLOW PREVENTERS AND TRANSFORMERS THAT ARE LOCATED WITHIN THE OPEN SPACE AREAS AS ALLOWED BY THIS SECTION WILL BE SCREENED.

ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE LEVEL AT THE RIGHT-OF-WAY LOCATION.

6. STREETSCAPE, LANDSCAPING AND BUFFER:

a. ALONG SOUTH BOULEVARD. A 24 FOOT SETBACK AS MEASURED FROM THE BACK OF THE PROPOSED CURB LINE WILL BE PROVIDED. AND NO BUILDINGS. PARKING OR MANEUVERING FOR PARKING WILL BE ALLOWED WITHIN THIS SETBACK EXCEPT AS ALLOWED IN CONNECTION WITH THE EXISTING BUILDINGS PRIOR TO REDEVELOPMENT.

b. THE PETITIONER WILL IMPROVE THE SITE'S FRONTAGE ON SOUTH BOULEVARD AS PER THE CROSS-SECTION INDICATED ON SHEET RZ-3.1 (THE LANDSCAPE MEDIAN WILL BE INSTALLED BY OTHERS). AS PART OF THE SOUTH BOULEVARD IMPROVEMENTS THE PETITIONER WILL PROVIDE A PEDESTRIAN REFUGE ISLAND ALONG DEVELOPMENT AREA A'S SOUTH BOULEVARD FRONTAGE AND A SECOND PEDESTRIAN REFUGE ISLAND ALONG DEVELOPMENT AREA B'S SOUTH BOULEVARD FRONTAGE. THE SOUTH BOULEVARD STREET FRONTAGE WILL BE IMPROVED AS EACH OF THESE DEVELOPMENT AREAS IS REDEVELOPED.

2. ALONG THE OTHER PUBLIC STREETS A SETBACK AS INDICATED ON THE REZONING PLAN WILL BE PROVIDED.

d. ALONG THE SITE'S INTERNAL PUBLIC 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

e. THE STREETSCAPE TREATMENTS ALONG STREETS OTHER THAN SOUTH BOULEVARD WILL BE AS INDICATED ON SHEET RZ-3.0 AND RZ-3.1 OF THE REZONING PLAN.

f. Along the existing public streets abutting development areas c through L, the petitioner will preserve a minimum of 50% of the existing <del>street</del>-trees alon EACH BLOCK FACE LOCATED ON PRIVATE PROPERTY AND WITHIN 15 FEET OF THE RIGHT-OF-WAY OF THE EXISTING PUBLIC STREETS, THAT ARE DEEMED TO BE IN GOOD HEALTH BY TH CITY ARBORIST/URBAN FORESTRY STAFF OR A PRIVATE ARBORIST AT THE TIME DEVELOPMENT ALONG EACH BLOCK FACE OCCURS.

. ANY EXISTING TREES LOCATED WHOLLY OR PARTLY WITHIN THE EXISTING RIGHT-OF-WAY OF THE EXISTING PUBLIC STREETS ("STREET TREES") MAY NOT BE REMOVED WITHOUT A PERMIT FROM THE CITY URBAN FORESTRY STAFF. THE CITY URBAN FORESTRY STAFF WILL DETERMINE HEALTH AND CONDITION OF THE EXISTING STREET TREES AND SUBJECT TO TH STANDARDS OF THE TREE ORDINANCE WILL ALSO DETERMINE WHICH OF THE EXISTING STREET TREES MAY BE REMOVED. 

h. ANY OF THE EXISTING STREET TREES IN THE RIGHT-OF-WAY OR WITHIN 15 FEET OF THE RIGHT-OF-WAY OF THE EXISTING PUBLIC STREETS THAT ARE PRESERVED MAY BE USED TO MEET THE PERIMETER TREE PLANTING REQUIREMENTS OF THE TREE ORDINANCE.

HI.THE PETITIONER WILL PROVIDE A SIX (6) FOOT OPAQUE FENCE WITHIN A 10 FOOT LANDSCAPE BUFFER IN DEVELOPMENT AREAS I, J, K AND G THAT ABUT EXISTING SINGLE-FAMIL' HOMESZONING ALONG THE PERIMETER OF THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. 

# **ENVIRONMENTAL FEATURES**

a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

b. THE LOCATION OF THE EXISTING PERMANENT CONSERVATION EASEMENT FOR SEDGEFIELD-DAIRY BRANCH HAS BEEN REFERENCED AND GENERALLY DEPICTED ON THE REZONING PLAN WITHIN DEVELOPMENT AREA L. A COPY OF THE STORM DRAINAGE/CONSERVATION EASEMENT CAN BE FOUND AT THE REGISTER OF DEEDS BOOK 17591 PAGE 165-186.

FOR SEDGEFIELD-DAIRY BRANCH WILLMAY BE PART OF APPLIED TOWARD THE REQUIRED TREE SAVE AREA FOR THE SITE 

# PLAZAS AND OPEN SPACE:

THE PETITIONER WILL PROVIDE A MINIMUM OF TWO (2) ACRES OF USEABLE OPEN SPACE WITHIN DEVELOPMENT AREAS E THROUGH L (THE OPEN SPACE MAY BE LOCATED THROUGHO THESE DEVELOPMENT AREAS OR GROUPED TOGETHER, BUT AT LEAST TWO (2) ACRES MUST BE PROVIDED IN THE AGGREGATE. THESE TWO ACRES OF OPEN SPACE WILL BE IN ADDITION TO ANY MINIMUM OPEN SPACE REQUIREMENTS OF THE LIR-2 ZONING DISTRICT). ONLY OPEN SPACE WITH A MINIMUM OF 50 FEET OR MORE OF FRONTAGE ON A PUBLIC STREET MAY BE USED TO MEET THIS REQUIREMENT. THE OPEN SPACE AREAS WILL BE DESIGNED AS SIGNIFICANT PEDESTRIAN FOCAL POINTS AND AS AMENITIES FOR THIS PORTION OF THE SITE AND MAY BE PASSIVE OR ACTIVE OPEN SPACE. EACH OPEN SPACE AREAS WILL BE IMPROVED AT A MINIMUM WITH SEATING AREAS, PATHWAYS, LIGHTING AND LANDSCAPING: ADDITIONAL FEATURES SUCH AS BUT NOT LIMITED TO: WATER FEATURES, SPECIALTY GRAPHICS, SPECIALTY PAVING, SIGNAGE (E.G. WAYFIND, DIRECTIONAL, SPECIAL EVENT), ART WORK AND OTHE

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### PLAZAS AND OPEN SPACE (CONTINUED):

ELEMENTS MAY ALSO BE PROVIDED. STORM WATER AND WATER QUALITY STRUCTURES MAY BE LOCATED WITHIN THE OPEN SPACE AREAS. HOWEVER, IF WATER QUALITY AND STORM WATER DETENTION STRUCTURES ARE LOCATED WITHIN THE OPEN SPACE AREAS THE WATER QUALITY AND STORM WATER DETENTION STRUCTURES MUST BE DESIGNED AS "WET PONDS" AND TREATED AS AN AMENITY THAT IS USABLE AND ACCESSIBLE.

THE SITE WILL INCLUDE A SERIES OF PUBLICLY ACCESSIBLE OPEN SPACES AND PLAZA AREAS AS FOCAL POINTS. THESE FOCAL POINTS WILL INCLUDE SOME COMBINATION (A MINIMUM OF TWO) OF THE FOLLOWING: LANDSCAPING, MONUMENTATION, WATER FEATURE, SEATING AREAS AND/OR ART WORK FEATURES.

SPECIALTY PAVERS, STAINED AND PATTERNED CONCRETE/PAVING OR OTHER SIMILAR MEANS WILL BE USED TO CALL ATTENTION TO AMENITY AREAS, GATHERING SPACES, PLAZAS

THE PETITIONER WILL PROVIDE URBAN OPEN SPACE WITH DEVELOPMENT AREA A AS GENERALLY DEPICTED ON SHEET RZ-1.1 OF THE REZONING PLAN. THE OTHER DEVELOPMENT AREAS ZONED MUDD(O) WILL PROVIDE URBAN OPEN SPACE AS REQUIRED BY THE ORDINANCE AS THOSE DEVELOPMENT AREAS ARE REDEVELOPED.

#### PHASING OF OPEN SPACE WITHIN THE UR-2(CD) DEVELOPMENT AREAS.

a. A MINIMUM OF ONE (1) ACRE OF THE OPEN SPACE AS REFERENCED ABOVE MUST BE IN PLACE (IMPROVED AND ACCESSIBLE) WHEN FOUR (4) OF THE EIGHT (8) DEVELOPMENT AREAS ZONED UR-2(CD) ARE DEVELOPED AND HAVE RECEIVED CERTIFICATES OF OCCUPANCY FOR ALL THE BUILDINGS APPROVED WITHIN THESE DEVELOPMENT AREAS. NO ADDITIONAL BUILDING PERMITS FOR BUILDINGS LOCATED IN OTHER DEVELOPMENT AREAS (THE FIFTH THROUGH EIGHTH DEVELOPMENT AREAS) ZONED UR-2(CD) MAY BE ISSUED UNTIL THIS ONE (1) ACRE OF OPEN SPACE IS IMPROVED AND ACCESSIBLE. THE SECOND ACRE MUST BE IMPROVED AND ACCESSIBLE WHEN THE FINAL CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE LAST BUILDING APPROVED FOR THE SEVENTH DEVELOPMENT AREA ZONED UR-2(CD). A BUILDING PERMIT FOR BUILDINGS LOCATED WITHIN THE EIGHTH DEVELOPMENT AREA ZONED UR-2(CD) WILL NOT BE ISSUED UNTIL A MINIMUM OF 2 ACRES OF OPEN SPACE IS IMPROVED AND ACCESSIBLE.

SIGNAGE AS ALLOWED BY THE ORDINANCE AND BY THE OPTIONAL PROVISIONS LISTED ABOVE MAY BE PROVIDED. THE SITE WILL BE VIEWED AS A PLANNED/UNIFIED DEVELOPMENT AS DEFINED BY THE ORDINANCE, CONSEQUENTLY SHOPPING CENTER SIGNS MAY BE LOCATED THROUGHOUT THE PORTION OF THE SITE DESIGNATED MUDD-O AS ALLOWED BY THE ORDINANCE. IN ADDITION USES AND BUSINESS LOCATED ON THE INTERIOR OF THE SITE MAY BE IDENTIFIED ON THE ALLOWED SHOPPING CENTER/DEVELOPMENT SIGNS (I.E. THE MULTI-FAMILY DWELLING DEVELOPMENTS MAY BE IDENTIFIED ON THE SIGNS ALLOWED ALONG SOUTH BOULEVARD). THE ALLOWED SIGNS MAY CONTAIN BUSINESS AND IDENTIFICATION SIGNAGE FOR ANY OF THE BUSINESSES OR TENANTS LOCATED ON THE SITE.

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

ON PREMISES DIRECTIONAL AND INSTRUCTIONAL SIGNS MAY BE LOCATED THROUGHOUT THE SITE PER THE STANDARDS OF THE ORDINANCE.

ORDINANCE MAY BE PROVIDED THROUGHOUT THE SITE.

PARKING AREAS.

ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND

DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC AND PRIVATE STREETS, WILL BE LIMITED TO 25 FEET IN HEIGHT IN THE PORTIONS OF THE SITE USED FOR NON-RESIDENTIAL USES AND 20 FEET IN HEIGHT IN THE PORTIONS OF THE SITE USED FOR RESIDENTIAL USES.

#### 12. CATS BUS STOP:

THE PETITIONER WILL ADD TO ONE OF THE EXISTING CATS BUS STOPS ALONG THE SITE'S FRONTAGE ON SOUTH BOULEVARD A CONCRETE PAD FOR A BENCH (LAND DEVELOPMENT STD. 60.02A). THE LOCATION OF THE EXISTING BUS STOP ALONG SOUTH BOULEVARD MAY BE ADJUSTED TO ACCOMMODATE THE LOCATION OF THE PROPOSED DRIVEWAY: THE NEW LOCATION WILL BE COORDINATE WITH CATS DURING THE URBAN REVIEW PROCESS FOR THE SITE. THE CONCRETE PAD FOR A BENCH WILL BE INSTALLED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING WITHIN THE DEVELOPMENT AREA ADJACENT TO THE BUS STOP WHERE THE PAD FOR THE BENCH IS ADDED.

#### 13. REDEVELOPMENT PHASING (DEMOLITION OF EXISTING BUILDINGS):

THE REDEVELOPMENT OF THE SITE WILL OCCUR OVER A NUMBER OF YEARS; THEREFORE, THE DEMOLITION OF THE EXISTING RESIDENTIAL BUILDINGS LOCATED ON THE SITE WILL ALSO OCCUR OVER A PERIOD OF YEARS AND IS NOT ANTICIPATED TO OCCUR AT ONCE BUT WILL TYPICALLY OCCUR AS PART OF THE REDEVELOPMENT OF EACH DEVELOPMENT AREA. HOWEVER, IN ORDER TO: (I) REPLACE AND REBUILD EXISTING UTILITIES (WATER, SEWER, GAS, POWER, CABLE, ETC.); (II) COMPLY WITH THE REQUIREMENTS OF THE POST CONSTRUCTION STORM ORDINANCE (PCSO); (III) COMPLY WITH THE TREE ORDINANCE; (IV) COMPLY WITH THE SUBDIVISION REGULATIONS; (V) COMPLY WITH OTHER DEVELOPMENT REGULATIONS; AND (VI) REMEDY SAFETY AND BUILDING CODE ISSUES, THE REMOVAL OF THE EXISTING BUILDINGS IN MULTIPLE DEVELOPMENT AREAS MAY BE NECESSARY AND ALLOWED.

### REVIEW BY PLANNING AND CDOT OF DEVELOPMENT AREAS ZONED UR-2(CD):

THE DEVELOPMENT PLANS FOR THE PORTION OF THE SITE ZONED UR-2(CD) WILL BE SUBMITTED TO THE PLANNING DEPARTMENT AND CDOT FOR REVIEW FOR COMPLIANCE WITH THE DESIGN GUIDELINES, STREETSCAPE TREATMENTS AND STANDARDS ESTABLISHED BY THE REZONING PLAN.

### AMENDMENTS TO THE REZONING PLAN:

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.

## 44.16. BINDING EFFECT OF THE REZONING APPLICATION:

. 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 AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

**DEVELOPMENT STANARDS** 

REVISIONS: 1. 08/15/2014 REVISED PER STAFF COMMENTS. 2. 10/24/2014 REVISED PER STAFF COMMENTS.

PROPOSED RESIDENTIAL SECTION - OPTION A

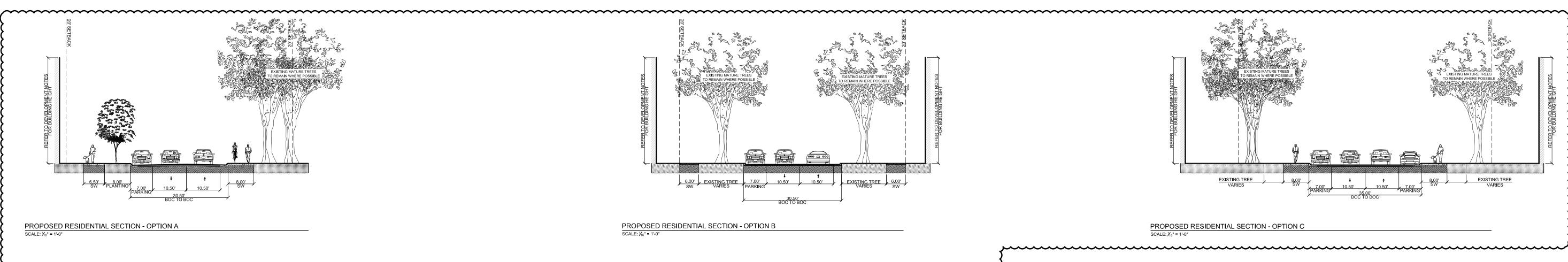
6.00' EXISTING TREE VARIES

PROPOSED RESIDENTIAL SECTION - OPTION D

SCALE: 1/16" = 1'-0"

10.50' 10.50'

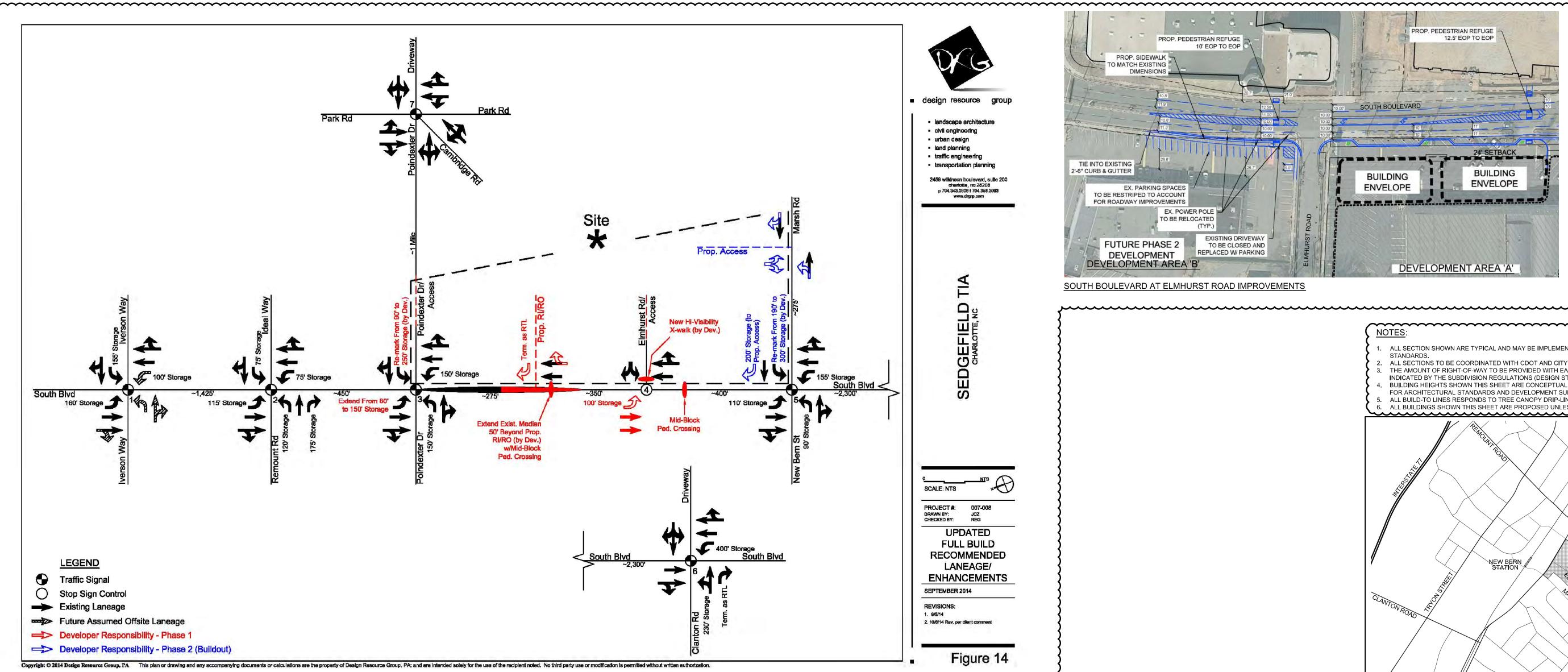
PROPOSED RESIDENTIAL SECTION - OPTION E SCALE: 1/16" = 1'-0"

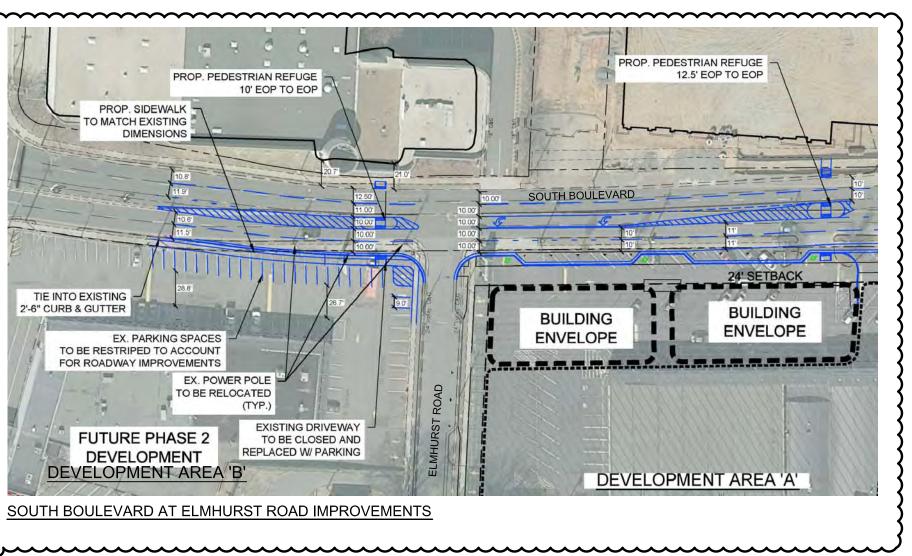


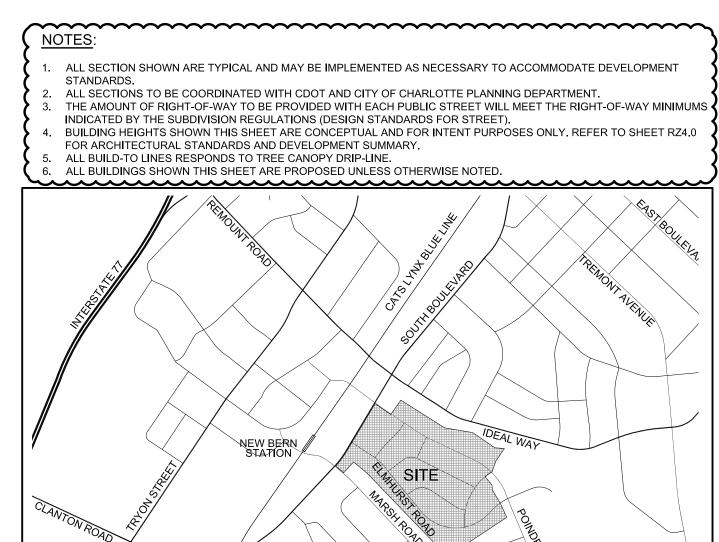
. ALL SECTION SHOWN ARE TYPICAL AND MAY BE IMPLEMENTED AS NECESSARY TO ACCOMMODATE DEVELOPMENT STANDARDS. 2. ALL SECTIONS TO BE COORDINATED WITH CDOT AND CITY OF CHARLOTTE PLANNING DEPARTMENT. 3. THE AMOUNT OF RIGHT-OF-WAY TO BE PROVIDED WITH EACH PUBLIC STREET WILL MEET THE RIGHT-OF-WAY MINIMUMS INDICATED BY THE SUBDIVISION REGULATIONS (DESIGN STANDARDS FOR STREET). BUILDING HEIGHTS SHOWN THIS SHEET ARE CONCEPTUAL AND FOR INTENT PURPOSES ONLY. REFER TO SHEET RZ4.0 FOR ARCHITECTURAL STANDARDS AND DEVELOPMENT SUMMARY.
 ALL BUILD-TO LINES RESPONDS TO TREE CANOPY DRIP-LINE. 6. ALL BUILDINGS SHOWN THIS SHEET ARE PROPOSED UNLESS OTHERWISE NOTED. 

SECTIONS

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### **MULTI-FAMILY DESIGN GUIDELINES.**

### a. **GENERAL SITE CONSIDERATIONS**

- ORIENT BUILDINGS TOWARDS PUBLIC AND PRIVATE STREETS TO REINFORCE THE STREET SCAPE. ORIENT BUILDINGS IN A WAY TO ENCLOSE AND DEFINE PUBLIC SPACE, OPEN SPACE AND GREEN
- BUILDING FEATURES SUCH AS PORCHES, PATIOS, STOOPS, FRONT WALKWAYS AND CENTRALIZED DOORWAYS OR BREEZEWAYS SHALL FRONT THE PUBLIC OR PRIVATE STREETS, EXCEPT WHERE ENDS OF BUILDINGS FRONT THESE STREETS. WHEN ENDS OF BUILDINGS FRONT STREETS, WALKWAYS WILL BE PROVIDED TO CLEARLY CONNECT THE BUILDING ENTRANCES WITH THE
- ARCHITECTURAL TREATMENT SHALL CONTINUE ON ALL SIDES OF A BUILDING EXCEPT AS

SPECIFICALLY NOTED OTHERWISE. GROUND FLOOR ÉLÉVATIONS SHALL BE TRÉATED WITH A COMBINATION OF FENÉSTRATION, CLÉAF GLASS, PROMINENT ENTRANCES, PORCHES, STOOPS, CHANGE IN MATERIALS, BUILDING STEP BACKS, ART WORK AND LANDSCAPING. BLANK WALLS CANNOT BE ADDRESSED WITH LANDSCAPE ELEMENTS ONLY.

ALL BUILDING ENTRANCES WILL BE CONNECTED TO THE STREET NETWORK SUBJECT TO GRADE AND ADA STANDARDS (PRIVATE PATIOS WILL NOT BE CONSIDERED A BUILDING ENTRANCE).

### b. **FACADE COMPOSITION**

- THE PRINCIPAL ENTRANCE OF A BUILDING SHALL BE ARTICULATED AND EXPRESSED IN GREATER ARCHITECTURAL DETAIL THAN OTHER BUILDING ENTRANCES.
- WINDOWS SHALL BE VERTICALLY SHAPED WITH A HEIGHT GREATER THAN THEIR WIDTH. HOWEVER, IN INSTANCES OF LARGE, FEATURE WINDOWS, FENESTRATIONS MAY BE USED TO PROVIDE A SIMILAR VERTICAL APPEARANCE. SQUARE WINDOWS MAY BE USED AS A SECONDARY DESIGN ELEMENT.

### FACADES SHALL INCORPORATE WINDOWS AND DOORS AS FOLLOWS:

- WINDOWS AND DOORS SHALL BE PROVIDED FOR AT LEAST 2540% OF THE TOTAL FACADE AREA ALONG THE PRIMARY AND SECONDARY STREETS, WITH EACH FLOOR CALCULATED INDEPENDENTLY. THE MAXIMUM CONTIGUOUS AREA WITHOUT WINDOWS OR DOORS ON ANY FLOOR SHALL NOT EXCEED 10 FEET IN HEIGHT AND 20 FEET IN LENGTH.
- THE ABOVE REQUIREMENT MAY BE REDUCED WHERE A FACADE IS NOT VISIBLE FROM A PUBLIC OR
- THE FACADES OF FIRST/GROUND FLOOR OF THE BUILDINGS ALONG PUBLIC AND PRIVATE STREETS SHALL INCORPORATE A MINIMUM OF 25% MASONRY MATERIALS SUCH AS BRICK, STUCCO OR

## **FAÇADE ARTICULATION:**

FACADES OVER 75 FEET IN LENGTH SHALL INCORPORATE WALL PROJECTIONS OR RECESSES A MINIMUM OF 12 INCHESTHREE FEET IN DEPTH. THE COMBINED LENGTH OF SAID RECESSES AND PROJECTIONS SHALL CONSTITUTE AT LEAST 20% OF THE TOTAL FACADE LENGTH FOR FACADES OVER 75 FEET IN LENGTH. PATIOS AND BALCONIES ARE ACCEPTABLE PROJECTIONS.

### ADDITIONAL STREET FRONTING FACADE REQUIREMENTS ON PUBLIC AND PRIVATE STREETS:

- STREET FRONTING FACADES AND END FRONTING FACADES SHALL BE ARTICULATED AND DESIGNED TO CREATE ADDITIONAL VISUAL INTEREST BY VARYING ARCHITECTURAL DETAILS, BUILDING MATERIALS, THE ROOF LINE, AND BUILDING OFFSETS.
- ON CORNER LOTS, THE ARCHITECTURAL TREATMENT OF A BUILDING'S INTERSECTING STREET FRONTING FACADES SHALL BE SUBSTANTIALLY SIMILAR, EXCEPT THAT SAID BUILDING MAY EMPHASIZE THE CORNER LOCATION BY INCORPORATING ADDITIONAL HEIGHT AT THE CORNER, VARYING THE ROOF FORM AT THE CORNER, OR PROVIDING OTHER ARCHITECTURAL EMBELLISHMENTS AT THE CORNER.
- FIRST STORY FACADES OF ALL BUILDINGS ALONG PRIMARY AND SECONDARY STREETS SHALL INCORPORATE COLUMNS, AWNINGS, ARCADES, PORCHES, STOOPS, WINDOWS, DOORS, OR OTHER ARCHITECTURAL ELEMENTS. FACADES SHALL PROVIDE VISUAL DIVISIONS BETWEEN THE FIRST AND SECOND STORIES, WHEN
- THE BUILDING HEIGHT IS MORE THAN TWO STORIES, THROUGH ARCHITECTURAL MEANS SUCH AS COURSES, AWNINGS, OR A CHANGE IN PRIMARY FAÇADE MATERIALS OR COLORS OTHER ARCHITECTURAL DETAILS.
- NO MORE THAN FOUR DIFFERENT MATERIALS, TEXTURES, COLORS, OR COMBINATIONS THEREOF MAY BE USED ON A SINGLE BUILDING. THIS REQUIREMENT SHALL NOT INCLUDE MATERIALS USED ON WINDOWS, DOORS, PORCHES, BALCONIES, FOUNDATIONS, AWNINGS OR ARCHITECTURAL
- vii. MATERIALS MAY BE COMBINED HORIZONTALLY OR VERTICALLY, WITH THE HEAVIER BELOW THE
- LIGHTER WHEN HORIZONTAL. viii. VINYL OR ALUMINUM SIDING, EXPOSED STANDARD CONCRETE MASONRY UNIT (CMU) BLOCK, CORRUGATED STEEL, PREFABRICATED METAL, EXPOSED PLYWOOD, AND EXPOSED PRESSBOARD
- ARE PROHIBITED, EXCEPT WHEN USED AS A DECORATIVE FEATURE OR ACCENT. (\*ix.) EXTERIOR MATERIALS OF BUILDINGS ALONG THE PUBLIC AND PRIVATE STREETS SHALL BE LIMITED TO BRICK, STONE, PRE-CAST CONCRETE, WOOD, STUCCO, CEMENTITIOUS SIDING, GLASS, MANUFACTURED STONE OR GRANITE.
- ACCESSORY STRUCTURES SHALL BE CONSISTENT WITH THE PRINCIPAL BUILDING IN MATERIAL TEXTURE, AND COLOR.
  - (a) FOUNDATIONS, WHERE PROVIDED, SHALL BE CONSTRUCTED AS A DISTINCT BUILDING ELEMENT THAT CONTRASTS WITH FACADE MATERIALS. EXPOSED ABOVE-GROUND

- PITCHED OR FLAT ROOFS ARE ACCEPTABLE. THE PITCH OF THE BUILDING'S PRIMARY ROOF SHALL HAVE A MINIMUM SLOPE OF 4:12. FLAT ROOFS SHALL BE SCREENED FROM THE VIEW OF PUBLIC AND PRIVATE STREETS BY A PARAPET.
- ACCESSORY FEATURES ON A ROOF SHALL BE SCREENED FROM THE VIEW OF THE PUBLIC AND PRIVATE STREETS BY A PARAPET OR OTHER ARCHITECTURAL FEATURE.
- PERMITTED SLOPED ROOF MATERIALS ARE ASPHALT SHINGLES, COMPOSITION SHINGLES, WOOD SHINGLES, TIN, STANDING SEAM METAL, AND WOOD SHAKES.
- VENTS, STACKS, AND ROOF FANS ARE TO BE PAINTED TO BLEND WITH THE ROOF COLOR AND HIDDEN FROM PUBLIC AND PRIVATE STREET VIEW TO THE GREATEST EXTENT POSSIBLE.

STONE, OR NATURAL STONE TO CONTRAST WITH FACADE MATERIALS.

#### ADDITIONAL DESIGN STANDARDS

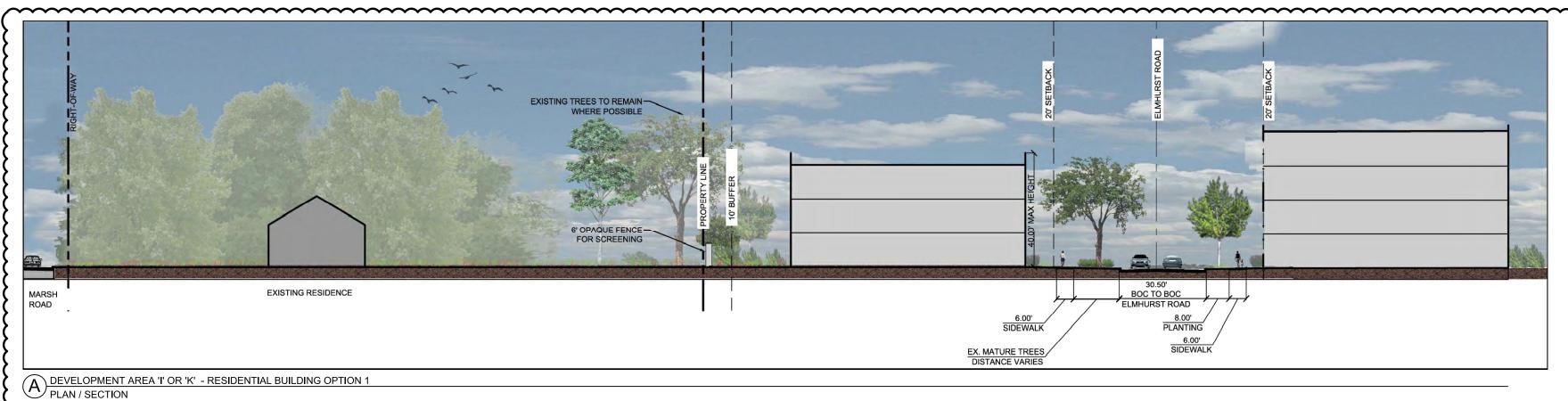
NO PARKING OR MANEUVERING FOR PARKING WILL BE ALLOWED BETWEEN THE BUILDINGS LOCATED ON DEVELOPMENT AREAS E THROUGH L AND THE ABUTTING PUBLIC STREETS. PARKING AREAS MAY BE LOCATED ADJACENT AND BETWEEN THE ALLOWED RESIDENTIAL BUILDINGS OR BEHIND THE ALLOWED RESIDENTIAL BUILDINGS. WHEN PARKING AREAS ARE LOCATED ADJACENT AND/OR BETWEEN THE ALLOWED RESIDENTIAL BUILDINGS THE WIDTH OF THE PARKING AREA ALONG THE PUBLIC STREET MAY NOT EXCEED 70 LINEAR FEET.

IF GARAGES ARE CONSTRUCTED ON THE SITE THEY MAY NOT BE ORIENTED TOWARD THE EXISTING OR PROPOSED PUBLIC OR PRIVATE STREETS, EXCEPT WHEN THE GARAGE IS LOCATED BEHIND THE PRINCIPAL STRUCTURE IN WHICH CASE THEY MAY FACE THE PUBLIC OR PRIVATE STREET.

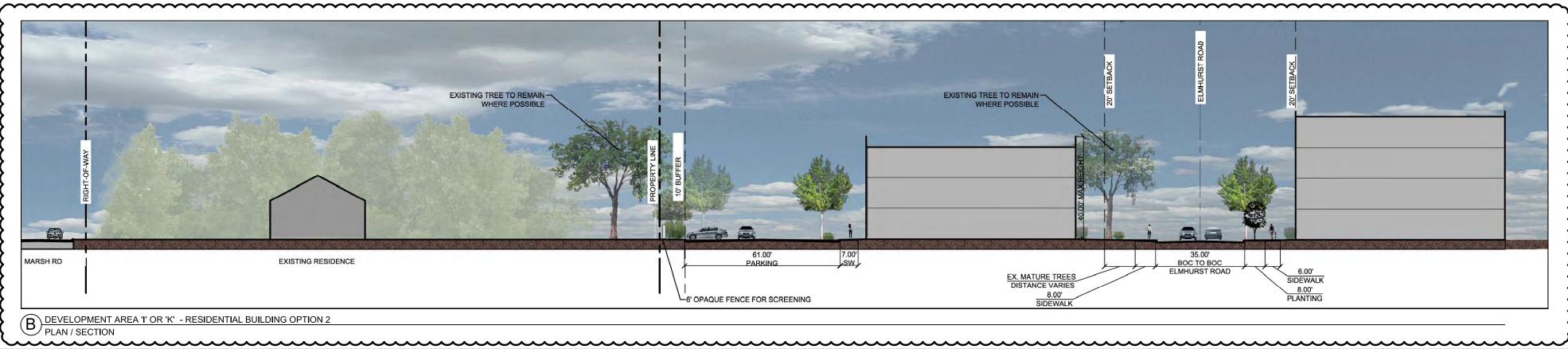
ALONG THE EXISTING PUBLIC STREETS ABUTTING DEVELOPMENT AREAS C THROUGH L THE PETITIONER WILL PRESERVE A MINIMUM OF 50% OF THE EXISTING TREES ALONG EACH BLOCK FACE LOCATED ON PRIVATE PROPERTY AND WITHIN 15 FEET OF THE RIGHT-OF-WAY OF THE EXISTING PUBLIC STREETS, THAT ARE DEEMED TO BE IN GOOD HEALTH BY THE CITY URBAN FORESTRY STAFF OR A PRIVATE ARBORIST AT THE TIME DEVELOPMENT ALONG EACH BLOCK FACE OCCURS.

ANY EXISTING TREES LOCATED WHOLLY OR PARTLY WITHIN THE EXISTING RIGHT-OF-WAY OF THE EXISTING PUBLIC STREETS ("STREET TREES") MAY NOT BE REMOVED WITHOUT A PERMIT FROM THE CITY URBAN FORESTRY STAFF. THE CITY URBAN FORESTRY STAFF WILL DETERMINE HEALTH AND CONDITION OF THE EXISTING STREET TREES AND SUBJECT TO THE STANDARDS OF THE TREE ORDINANCE WILL ALSO DETERMINE WHICH OF THE EXISTING STREET TREES MAY BE REMOVED. 



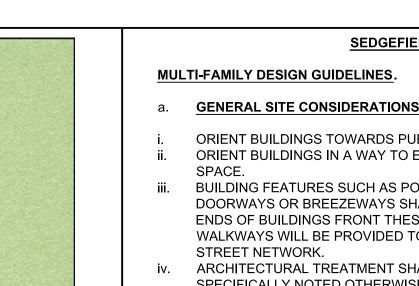






FOUNDATIONS SHALL BE COATED OR FACED IN CEMENT, STUCCO, BRICK, MANUFACTURED

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## b. **FACADE COMPOSITION**

THE PRINCIPAL ENTRANCE OF A BUILDING SHALL BE ARTICULATED AND EXPRESSED IN GREATER ARCHITECTURAL DETAIL THAN OTHER BUILDING ENTRANCES.

WINDOWS SHALL BE VERTICALLY SHAPED WITH A HEIGHT GREATER THAN THEIR WIDTH. HOWEVER. IN INSTANCES OF LARGE, FEATURE WINDOWS, FENESTRATIONS MAY BE USED TO PROVIDE A SIMILAR VERTICAL APPEARANCE. SQUARE WINDOWS MAY BE USED AS A SECONDARY DESIGN ELEMENT.

### FACADES SHALL INCORPORATE WINDOWS AND DOORS AS FOLLOWS:

WINDOWS AND DOORS SHALL BE PROVIDED FOR AT LEAST 2540% OF THE TOTAL FACADE AREA ALONG THE PRIMARY AND SECONDARY STREETS, WITH EACH FLOOR CALCULATED INDEPENDENTLY. THE MAXIMUM CONTIGUOUS AREA WITHOUT WINDOWS OR DOORS ON ANY FLOOR SHALL NOT EXCEED 10 FEET IN HEIGHT AND 20 FEET IN LENGTH.

THE ABOVE REQUIREMENT MAY BE REDUCED WHERE A FACADE IS NOT VISIBLE FROM A PUBLIC OR

THE FACADES OF FIRST/GROUND FLOOR OF THE BUILDINGS ALONG PUBLIC AND PRIVATE STREETS SHALL INCORPORATE A MINIMUM OF 25% MASONRY MATERIALS SUCH AS BRICK, STUCCO OR

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FACADES OVER 75 FEET IN LENGTH SHALL INCORPORATE WALL PROJECTIONS OR RECESSES A MINIMUM OF 12 INCHESTHREE FEET IN DEPTH. THE COMBINED LENGTH OF SAID RECESSES AND PROJECTIONS SHALL CONSTITUTE AT LEAST 20% OF THE TOTAL FACADE LENGTH FOR FACADES OVER 75 FEET IN LENGTH. PATIOS AND BALCONIES ARE ACCEPTABLE PROJECTIONS.

### ADDITIONAL STREET FRONTING FACADE REQUIREMENTS ON PUBLIC AND PRIVATE STREETS:

STREET FRONTING FACADES AND END FRONTING FACADES SHALL BE ARTICULATED AND DESIGNED TO CREATE ADDITIONAL VISUAL INTEREST BY VARYING ARCHITECTURAL DETAILS, BUILDING MATERIALS, THE ROOF LINE, AND BUILDING OFFSETS.

ON CORNER LOTS, THE ARCHITECTURAL TREATMENT OF A BUILDING'S INTERSECTING STREET FRONTING FACADES SHALL BE SUBSTANTIALLY SIMILAR, EXCEPT THAT SAID BUILDING MAY EMPHASIZE THE CORNER LOCATION BY INCORPORATING ADDITIONAL HEIGHT AT THE CORNER, VARYING THE ROOF FORM AT THE CORNER, OR PROVIDING OTHER ARCHITECTURAL EMBELLISHMENTS AT THE CORNER.

FIRST STORY FACADES OF ALL BUILDINGS ALONG PRIMARY AND SECONDARY STREETS SHALL INCORPORATE COLUMNS, AWNINGS, ARCADES, PORCHES, STOOPS, WINDOWS, DOORS, OR OTHER

FACADES SHALL PROVIDE VISUAL DIVISIONS BETWEEN THE FIRST AND SECOND STORIES, WHEN THE BUILDING HEIGHT IS MORE THAN TWO STORIES, THROUGH ARCHITECTURAL MEANS SUCH AS COURSES, AWNINGS, OR A CHANGE IN PRIMARY FACADE MATERIALS OR COLORS.
FACADES ABOVE THE FIRST STORY SHALL INCORPORATE WINDOWS, ARCHES, BALCONIES, O OTHER ARCHITECTURAL DETAILS.

NO MORE THAN FOUR DIFFERENT MATERIALS, TEXTURES, COLORS, OR COMBINATIONS THEREOF MAY BE USED ON A SINGLE BUILDING. THIS REQUIREMENT SHALL NOT INCLUDE MATERIALS USED ON WINDOWS, DOORS, PORCHES, BALCONIES, FOUNDATIONS, AWNINGS OR ARCHITECTURAL

vii. MATERIALS MAY BE COMBINED HORIZONTALLY OR VERTICALLY, WITH THE HEAVIER BELOW THE

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ARE PROHIBITED, EXCEPT WHEN USED AS A DECORATIVE FEATURE OR ACCENT. EXTERIOR MATERIALS OF BUILDINGS ALONG THE PUBLIC AND PRIVATE STREETS SHALL BE LIMITED TO BRICK, STONE, PRE-CAST CONCRETE, WOOD, STUCCO, CEMENTITIOUS SIDING, GLASS, MANUFACTURED STONE OR GRANITE.

ACCESSORY STRUCTURES SHALL BE CONSISTENT WITH THE PRINCIPAL BUILDING IN MATERIAL TEXTURE AND COLOR TEXTURE, AND COLOR.

(a) FOUNDATIONS, WHERE PROVIDED, SHALL BE CONSTRUCTED AS A DISTINCT BUILDING ELEMENT THAT CONTRASTS WITH FACADE MATERIALS. EXPOSED ABOVE-GROUND FOUNDATIONS SHALL BE COATED OR FACED IN CEMENT, STUCCO, BRICK, MANUFACTURED

# c. **ROOFS**

PITCHED OR FLAT ROOFS ARE ACCEPTABLE. THE PITCH OF THE BUILDING'S PRIMARY ROOF SHALL HAVE A MINIMUM SLOPE OF 4:12. FLAT ROOFS SHALL BE SCREENED FROM THE VIEW OF PUBLIC AND PRIVATE STREETS BY A PARAPET.

ACCESSORY FEATURES ON A ROOF SHALL BE SCREENED FROM THE VIEW OF THE PUBLIC AND PRIVATE STREETS BY A PARAPET OR OTHER ARCHITECTURAL FEATURE.

PERMITTED SLOPED ROOF MATERIALS ARE ASPHALT SHINGLES, COMPOSITION SHINGLES, WOOD SHINGLES, TIN, STANDING SEAM METAL, AND WOOD SHAKES. VENTS, STACKS, AND ROOF FANS ARE TO BE PAINTED TO BLEND WITH THE ROOF COLOR AND

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#### ADDITIONAL DESIGN STANDARDS

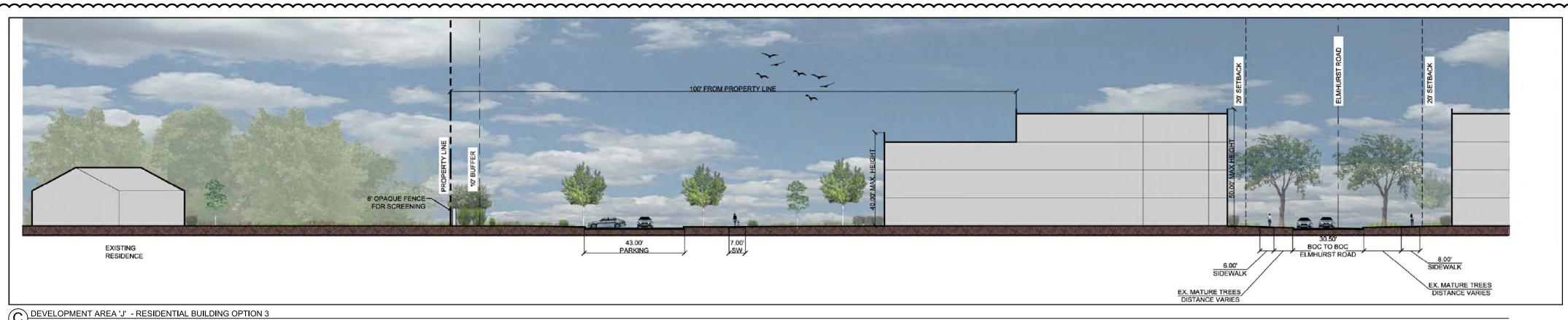
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IF GARAGES ARE CONSTRUCTED ON THE SITE THEY MAY NOT BE ORIENTED TOWARD THE EXISTING OR PROPOSED PUBLIC OR PRIVATE STREETS, EXCEPT WHEN THE GARAGE IS LOCATED BEHIND THE PRINCIPAL STRUCTURE IN WHICH CASE THEY MAY FACE THE PUBLIC OR PRIVATE STREET.

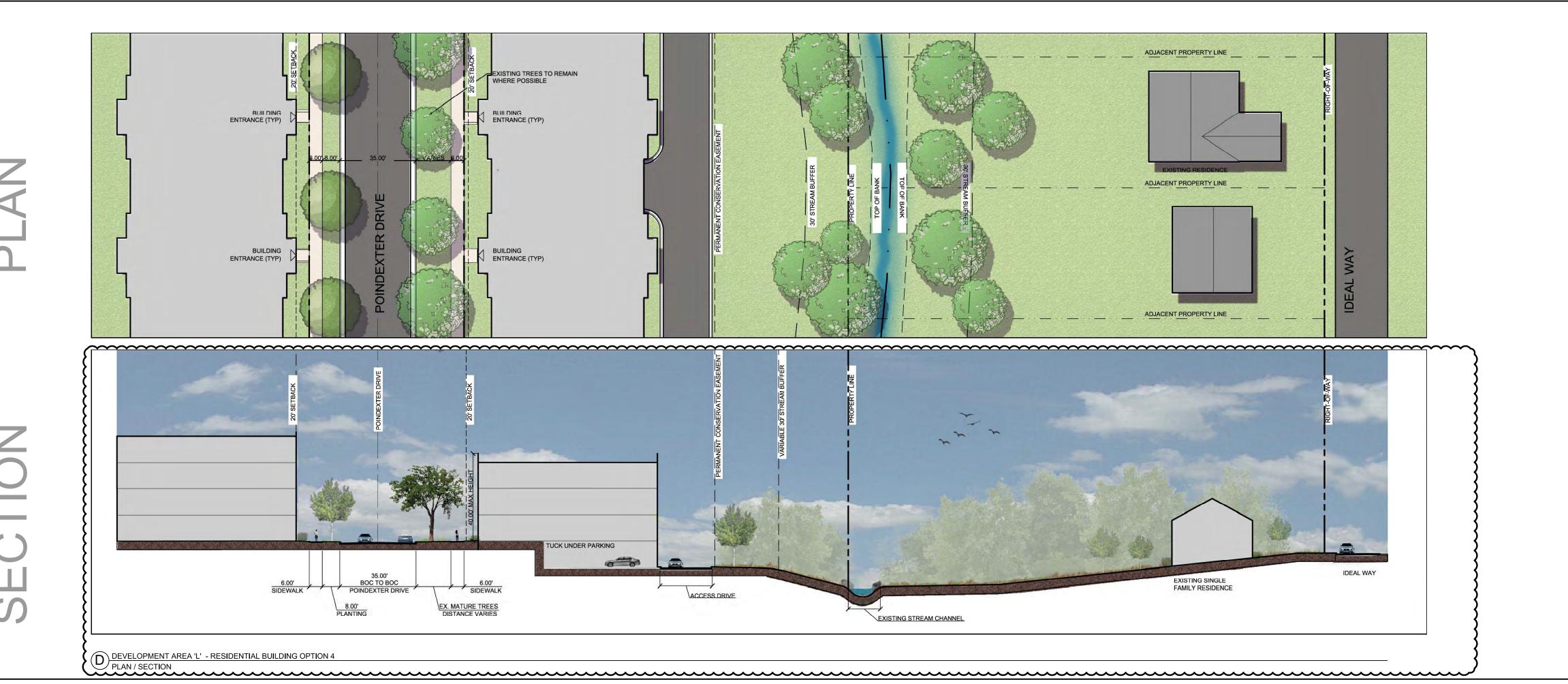
ALONG THE EXISTING PUBLIC STREETS ABUTTING DEVELOPMENT AREAS C THROUGH L THE PETITIONER WILL PRESERVE A MINIMUM OF 50% OF THE EXISTING TREES ALONG EACH BLOCK FACE LOCATED ON PRIVATE PROPERTY AND WITHIN 15 FEET OF THE RIGHT-OF-WAY OF THE EXISTING PUBLIC STREETS, THAT ARE DEEMED TO BE IN GOOD HEALTH BY THE CITY URBAN FORESTRY STAFF OR A PRIVATE ARBORIST AT THE TIME DEVELOPMENT ALONG EACH BLOCK FACE OCCURS.

ANY EXISTING TREES LOCATED WHOLLY OR PARTLY WITHIN THE EXISTING RIGHT-OF-WAY OF THE EXISTING PUBLIC STREETS ("STREET TREES") MAY NOT BE REMOVED WITHOUT A PERMIT FROM THE CITY URBAN FORESTRY STAFF. THE CITY URBAN FORESTRY STAFF WILL DETERMINE HEALTH AND CONDITION OF THE EXISTING STREET TREES AND SUBJECT TO THE STANDARDS OF THE TREE ORDINANCE WILL ALSO DETERMINE WHICH OF THE EXISTING STREET TREES MAY BE REMOVED.





PLAN / SECTION



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# SEDGEFIELD MULTI-FAMILY DESIGN GUIDELINES

#### **MULTI-FAMILY DESIGN GUIDELINES.**

### a. **GENERAL SITE CONSIDERATIONS**

- ORIENT BUILDINGS TOWARDS PUBLIC AND PRIVATE STREETS TO REINFORCE THE STREET SCAPE. ORIENT BUILDINGS IN A WAY TO ENCLOSE AND DEFINE PUBLIC SPACE, OPEN SPACE AND GREEN
- BUILDING FEATURES SUCH AS PORCHES, PATIOS, STOOPS, FRONT WALKWAYS AND CENTRALIZED DOORWAYS OR BREEZEWAYS SHALL FRONT THE PUBLIC OR PRIVATE STREETS, EXCEPT WHERE ENDS OF BUILDINGS FRONT THESE STREETS. WHEN ENDS OF BUILDINGS FRONT STREETS, WALKWAYS WILL BE PROVIDED TO CLEARLY CONNECT THE BUILDING ENTRANCES WITH THE
- ARCHITECTURAL TREATMENT SHALL CONTINUE ON ALL SIDES OF A BUILDING EXCEPT AS

SPECIFICALLY NOTED OTHERWISE. GROUND FLOOR ELEVATIONS SHALL BE TREATED WITH A COMBINATION OF FENESTRATION, CLEAR GLASS, PROMINENT ENTRANCES, PORCHES, STOOPS, CHANGE IN MATERIALS, BUILDING STEP BACKS, ART WORK AND LANDSCAPING. BLANK WALLS CANNOT BE ADDRESSED WITH LANDSCAPE ELEMENTS ONLY. ALL BUILDING ENTRANCES WILL BE CONNECTED TO THE STREET NETWORK SUBJECT TO GRADE

AND ADA STANDARDS (PRIVATE PATIOS WILL NOT BE CONSIDERED A BUILDING ENTRANCE).

### b. **FACADE COMPOSITION**

- THE PRINCIPAL ENTRANCE OF A BUILDING SHALL BE ARTICULATED AND EXPRESSED IN GREATER ARCHITECTURAL DETAIL THAN OTHER BUILDING ENTRANCES.
- WINDOWS SHALL BE VERTICALLY SHAPED WITH A HEIGHT GREATER THAN THEIR WIDTH. HOWEVER, IN INSTANCES OF LARGE, FEATURE WINDOWS, FENESTRATIONS MAY BE USED TO PROVIDE A SIMILAR VERTICAL APPEARANCE. SQUARE WINDOWS MAY BE USED AS A SECONDARY DESIGN ELEMENT.

### FACADES SHALL INCORPORATE WINDOWS AND DOORS AS FOLLOWS

- WINDOWS AND DOORS SHALL BE PROVIDED FOR AT LEAST 2540% OF THE TOTAL FACADE AREA ALONG THE PRIMARY AND SECONDARY STREETS, WITH EACH FLOOR CALCULATED INDEPENDENTLY. THE MAXIMUM CONTIGUOUS AREA WITHOUT WINDOWS OR DOORS ON ANY FLOOR SHALL NOT EXCEED 10 FEET IN HEIGHT AND 20 FEET IN LENGTH.
- THE ABOVE REQUIREMENT MAY BE REDUCED WHERE A FACADE IS NOT VISIBLE FROM A PUBLIC OR
- THE FACADES OF FIRST/GROUND FLOOR OF THE BUILDINGS ALONG PUBLIC AND PRIVATE STREETS SHALL INCORPORATE A MINIMUM OF 25% MASONRY MATERIALS SUCH AS BRICK, STUCCO OR

## **FAÇADE ARTICULATION:**

FACADES OVER 75 FEET IN LENGTH SHALL INCORPORATE WALL PROJECTIONS OR RECESSES A MINIMUM OF 12 INCHESTHREE FEET IN DEPTH. THE COMBINED LENGTH OF SAID RECESSES AND PROJECTIONS SHALL CONSTITUTE AT LEAST 20% OF THE TOTAL FACADE LENGTH FOR FACADES OVER 75 FEET IN LENGTH. PATIOS AND BALCONIES ARE ACCEPTABLE PROJECTIONS.

### ADDITIONAL STREET FRONTING FACADE REQUIREMENTS ON PUBLIC AND PRIVATE STREETS:

- STREET FRONTING FACADES AND END FRONTING FACADES SHALL BE ARTICULATED AND DESIGNED TO CREATE ADDITIONAL VISUAL INTEREST BY VARYING ARCHITECTURAL DETAILS, BUILDING MATERIALS, THE ROOF LINE, AND BUILDING OFFSETS.
- ON CORNER LOTS, THE ARCHITECTURAL TREATMENT OF A BUILDING'S INTERSECTING STREET FRONTING FACADES SHALL BE SUBSTANTIALLY SIMILAR, EXCEPT THAT SAID BUILDING MAY EMPHASIZE THE CORNER LOCATION BY INCORPORATING ADDITIONAL HEIGHT AT THE CORNER, VARYING THE ROOF FORM AT THE CORNER, OR PROVIDING OTHER ARCHITECTURAL EMBELLISHMENTS AT THE CORNER.
- FIRST STORY FACADES OF ALL BUILDINGS ALONG PRIMARY AND SECONDARY STREETS SHALL INCORPORATE COLUMNS, AWNINGS, ARCADES, PORCHES, STOOPS, WINDOWS, DOORS, OR OTHER
- ARCHITECTURAL ELEMENTS. FACADES SHALL PROVIDE VISUAL DIVISIONS BETWEEN THE FIRST AND SECOND STORIES, WHEN THE BUILDING HEIGHT IS MORE THAN TWO STORIES, THROUGH ARCHITECTURAL MEANS SUCH AS COURSES, AWNINGS, OR A CHANGE IN PRIMARY FACADE MATERIALS OR COLORS. FACADES ABOVE THE FIRST STORY SHALL INCORPORATE WINDOWS, ARCHES, BALCONIES, OR OTHER ARCHITECTURAL DETAILS.
- NO MORE THAN FOUR DIFFERENT MATERIALS, TEXTURES, COLORS, OR COMBINATIONS THEREOF MAY BE USED ON A SINGLE BUILDING. THIS REQUIREMENT SHALL NOT INCLUDE MATERIALS USED ON WINDOWS, DOORS, PORCHES, BALCONIES, FOUNDATIONS, AWNINGS OR ARCHITECTURAL
- vii. MATERIALS MAY BE COMBINED HORIZONTALLY OR VERTICALLY, WITH THE HEAVIER BELOW THE
- LIGHTER WHEN HORIZONTAL. viii. VINYL OR ALUMINUM SIDING, EXPOSED STANDARD CONCRETE MASONRY UNIT (CMU) BLOCK, CORRUGATED STEEL, PREFABRICATED METAL, EXPOSED PLYWOOD, AND EXPOSED PRESSBOARD
- ARE PROHIBITED, EXCEPT WHEN USED AS A DECORATIVE FEATURE OR ACCENT. (\*ix.) EXTERIOR MATERIALS OF BUILDINGS ALONG THE PUBLIC AND PRIVATE STREETS SHALL BE LIMITED TO BRICK, STONE, PRE-CAST CONCRETE, WOOD, STUCCO, CEMENTITIOUS SIDING, GLASS, MANUFACTURED STONE OR GRANITE.
- ACCESSORY STRUCTURES SHALL BE CONSISTENT WITH THE PRINCIPAL BUILDING IN MATERIAL, TEXTURE, AND COLOR.
  - (a) FOUNDATIONS, WHERE PROVIDED, SHALL BE CONSTRUCTED AS A DISTINCT BUILDING ELEMENT THAT CONTRASTS WITH FACADE MATERIALS. EXPOSED ABOVE-GROUND FOUNDATIONS SHALL BE COATED OR FACED IN CEMENT, STUCCO, BRICK, MANUFACTURED

- PITCHED OR FLAT ROOFS ARE ACCEPTABLE. THE PITCH OF THE BUILDING'S PRIMARY ROOF SHALL HAVE A MINIMUM SLOPE OF 4:12. FLAT ROOFS SHALL BE SCREENED FROM THE VIEW OF PUBLIC AND PRIVATE STREETS BY A PARAPET.
- ii. ACCESSORY FEATURES ON A ROOF SHALL BE SCREENED FROM THE VIEW OF THE PUBLIC AND PRIVATE STREETS BY A PARAPET OR OTHER ARCHITECTURAL FEATURE.
- PERMITTED SLOPED ROOF MATERIALS ARE ASPHALT SHINGLES, COMPOSITION SHINGLES, WOOD SHINGLES, TIN, STANDING SEAM METAL, AND WOOD SHAKES.
- VENTS, STACKS, AND ROOF FANS ARE TO BE PAINTED TO BLEND WITH THE ROOF COLOR AND HIDDEN FROM PUBLIC AND PRIVATE STREET VIEW TO THE GREATEST EXTENT POSSIBLE.

STONE, OR NATURAL STONE TO CONTRAST WITH FACADE MATERIALS.

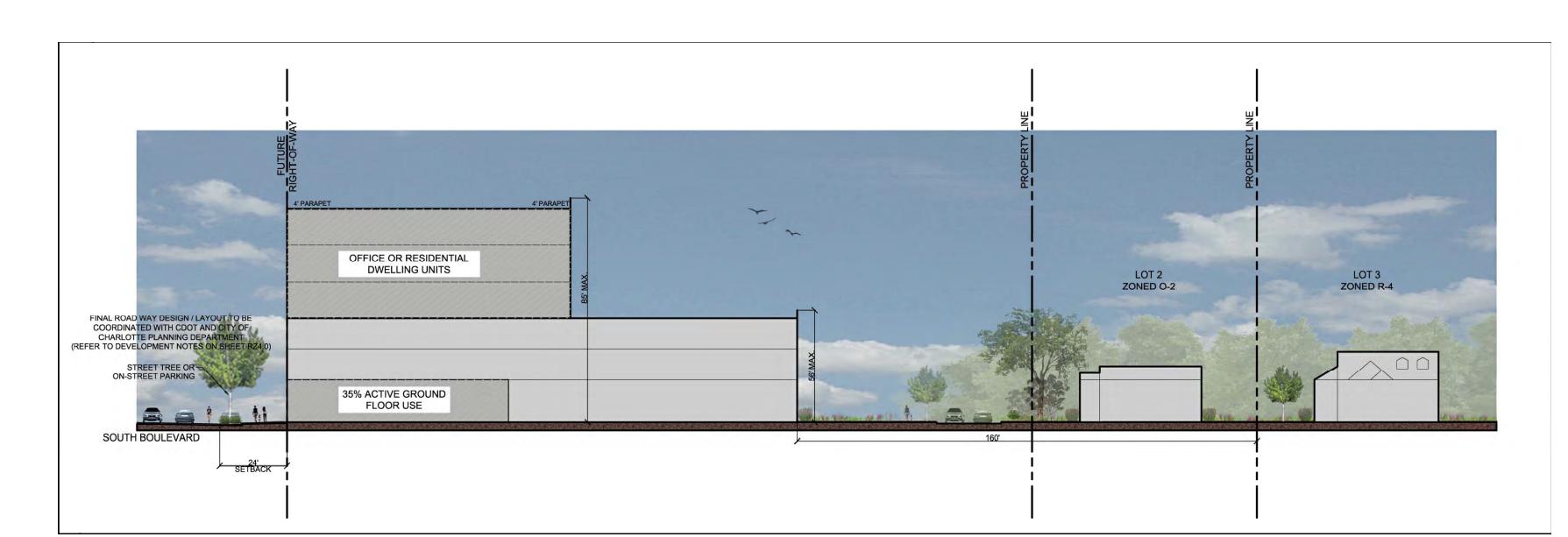
#### ADDITIONAL DESIGN STANDARDS

NO PARKING OR MANEUVERING FOR PARKING WILL BE ALLOWED BETWEEN THE BUILDINGS LOCATED ON DEVELOPMENT AREAS E THROUGH L AND THE ABUTTING PUBLIC STREETS. PARKING AREAS MAY BE LOCATED ADJACENT AND BETWEEN THE ALLOWED RESIDENTIAL BUILDINGS OR BEHIND THE ALLOWED RESIDENTIAL BUILDINGS. WHEN PARKING AREAS ARE LOCATED ADJACENT AND/OR BETWEEN THE ALLOWED RESIDENTIAL BUILDINGS THE WIDTH OF THE PARKING AREA ALONG THE PUBLIC STREET MAY NOT EXCEED 70 LINEAR FEET.

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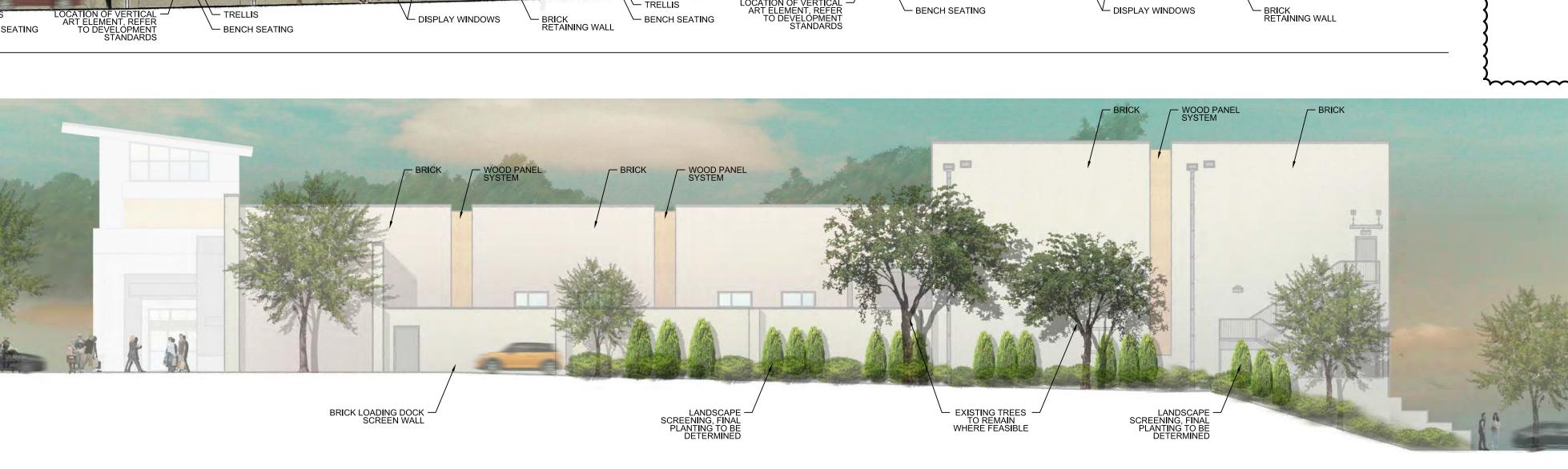
DEVELOPMENT AREA 'B' - BUILDING OPTION 5
PLAN / SECTION

**BUILDING ELEVATIONS** 

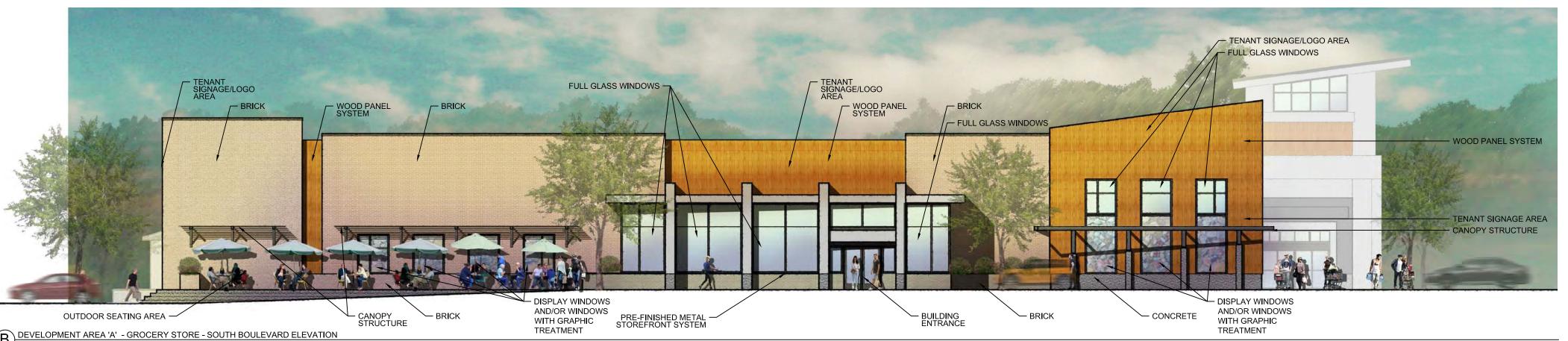
















DEVELOPMENT AREA 'A' - GROCERY STORE - VIEW LOOKING FROM SOUTH BOULEVARD AND POINDEXTER INTERSECTION SCHEMATIC PERSPECTIVE

**BUILDING ELEVATIONS** 

SCHEMATIC



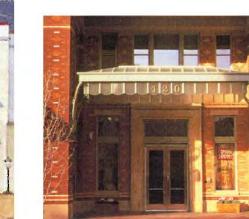


G DEVELOPMENT AREA 'A' - RETAIL SHOPS - SOUTH BOULEVARD SCHEMATIC PERSPECTIVE



LANDSCAPING PLANTERS WITH MULTIPLE ENTRIES





ARTICULATION OF ENTRY



LARGE SETBACK FROM STREET TO MAINTAIN MATURE TREES, & GOOD LANDSCAPE BUFFERS





MULTIPLE ENTRY POINTS ALONG STREETSCAPE

# LARGER APARTMENT/PARKING DECK DESIGN CONCEPTS

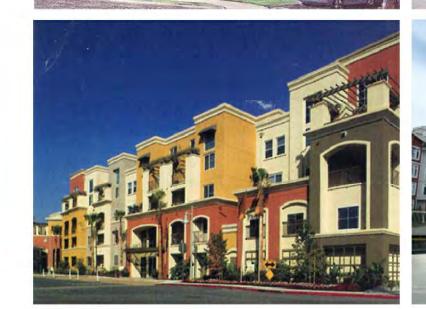




ACTIVATION OF CORNERS & STREET EDGE WITH AMENITY/PUBLIC AREAS



LARGE SETBACK FROM STREET TO MAINTAIN MATURE TREES, & GOOD LANDSCAPE BUFFERS



UNDULATION/VARIATION IN FACADE & MATERIAL TO HELP BREAK UP LARGE SCALE OF BLDG



PARKING SCREENED FROM MAIN STREETS (PODIUM & WRAPPED GARAGES)

# TOWNHOME DESIGN CONCEPTS

PORCHES & DEFINED ENTRY



LANDSCAPED AREAS AT PEDESTRIAN ENTRIES

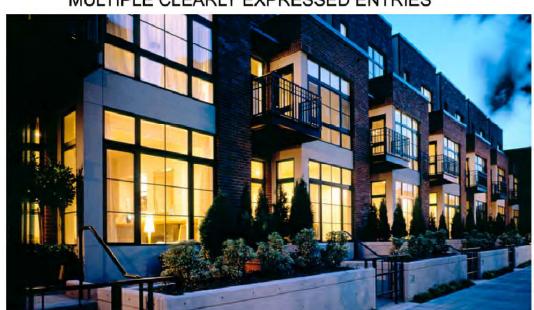


LARGE SETBACK FROM STREET TO MAINTAIN MATURE TREES, & GOOD LANDSCAPE BUFFERS



TUCK UNDER PARKING IN REAR (NOT VISIBLE FROM STREET)





INDIVIDUAL ENTRANCES & BALCONIES FACING THE STREET



TO IDENTIFY EACH UNIT & BREAK UP LARGE BLDG





TRADITIONAL ROWHOUSE STREET FRONT

2014-064 TITION NO.

