

**BUILDING ELEVATIONS** 

SCHEMATIC





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



SCHEMATIC BUILDING ELEVATIONS













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

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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
  SPACE
- 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 STREET NETWORK.
- iv. ARCHITECTURAL TREATMENT SHALL CONTINUE ON ALL SIDES OF A BUILDING EXCEPT AS SPECIFICALLY NOTED OTHERWISE.
- v. 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. <u>FACADE COMPOSITION</u>

- 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:

- i. WINDOWS AND DOORS SHALL BE PROVIDED FOR AT LEAST 25% 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 PRIVATE STREET
- 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 STONE.

### FAÇADE ARTICULATION:

FACADES OVER 75 FEET IN LENGTH SHALL INCORPORATE WALL PROJECTIONS OR RECESSES A MINIMUM OF 12 INCHES 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:

- i. STREET FRONTING FACADES SHALL BE ARTICULATED AND DESIGNED TO CREATE ADDITIONAL VISUAL INTEREST BY VARYING ARCHITECTURAL DETAILS, BUILDING MATERIALS, THE ROOF LINE, AND BUILDING OFFSETS.
- ii. 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.
- iii. FIRST STORY FACADES OF ALL BUILDINGS ALONG PRIMARY AND SECONDARY STREETS SHALL INCORPORATE COLUMNS, AWNINGS, ARCADES, PORCHES, STOOPS, WINDOWS, DOORS, OR OTHER ARCHITECTURAL ELEMENTS.
- iv. 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 DETAILS.
- ii. 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.
- x. 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.
- (i. 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 STONE, OR NATURAL STONE TO CONTRAST WITH FACADE MATERIALS.

# <u>ROOFS</u>

- i. 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.
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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.
- i. ALONG THE EXISTING PUBLIC STREETS ABUTTING DEVELOPMENT AREAS C THROUGH L THE PETITIONER WILL PRESERVE A MINIMUM OF 50% OF THE EXISTING STREET TREES ALONG EACH BLOCK FACE 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 ARBORIST/URBAN FORESTRY OR A PRIVATE ARBORIST AT THE TIME DEVELOPMENT ALONG EACH BLOCK FACE OCCURS.

# GEFIELD NEIGHBORHOOD

MIXED-USE DEVELOMARSH PROPERTIES | CHARLOT SCHEMATIC SITE SECTION

**sions:** 15/2014 Revised per Staff Comment<sup>3</sup>

> CHECKED BY: RJP Q.C. BY: RJP SCALE: I" = 30'-0" PROJECT #: 1012267

# MULTI-FAMILY DESIGN GUIDELINES

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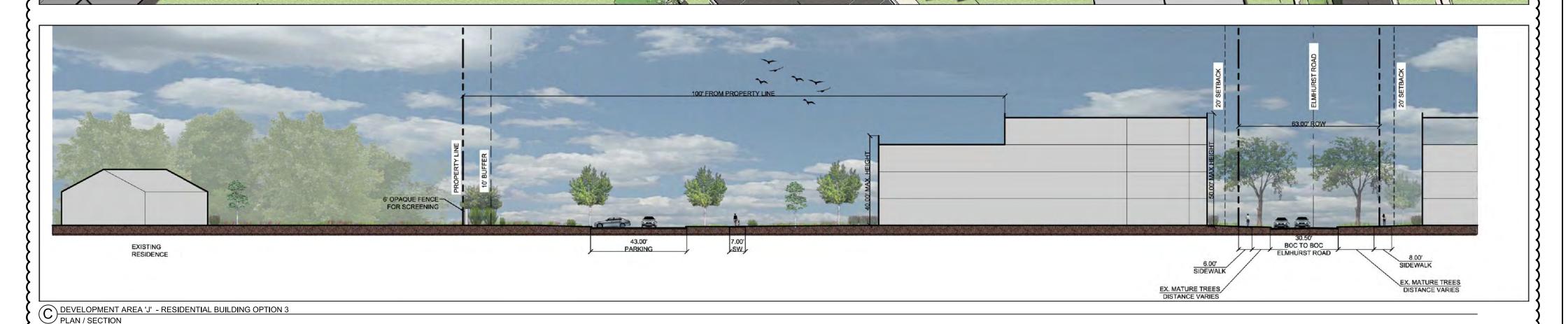
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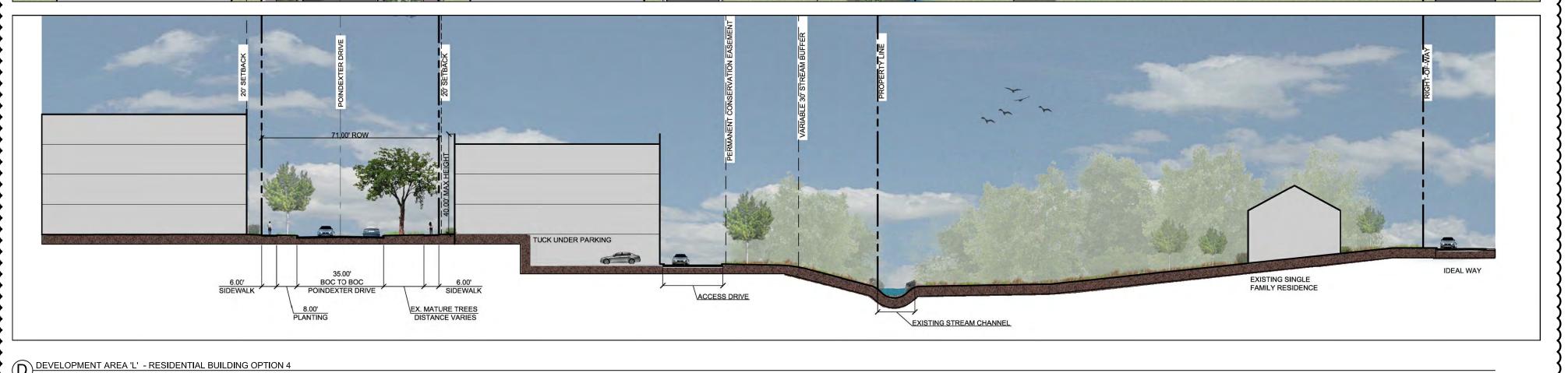
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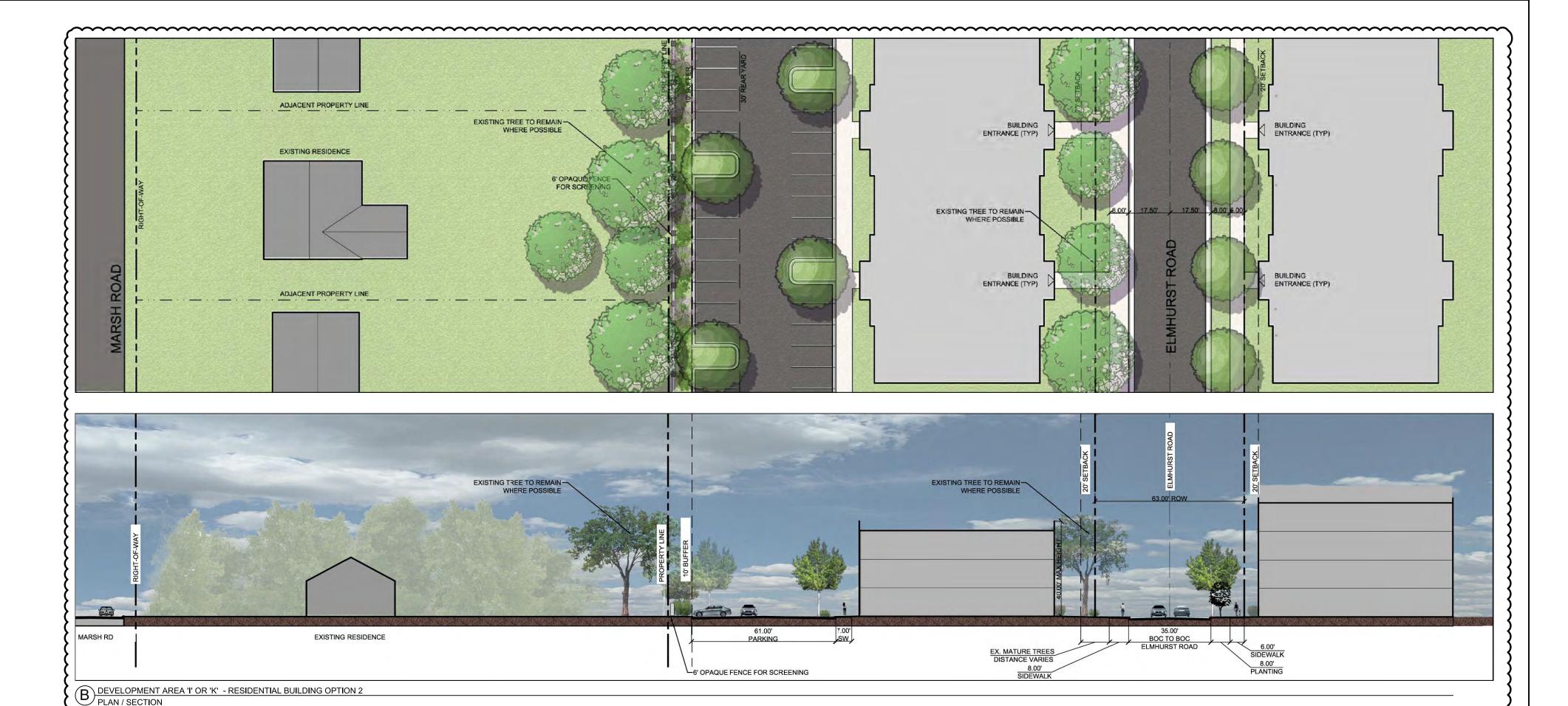
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ノ PLAN / SECTION



SEDGEFIELD MULTI-FAMILY DESIGN GUIDELINES

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SEDGEFIELD NEIGHBORHOOL

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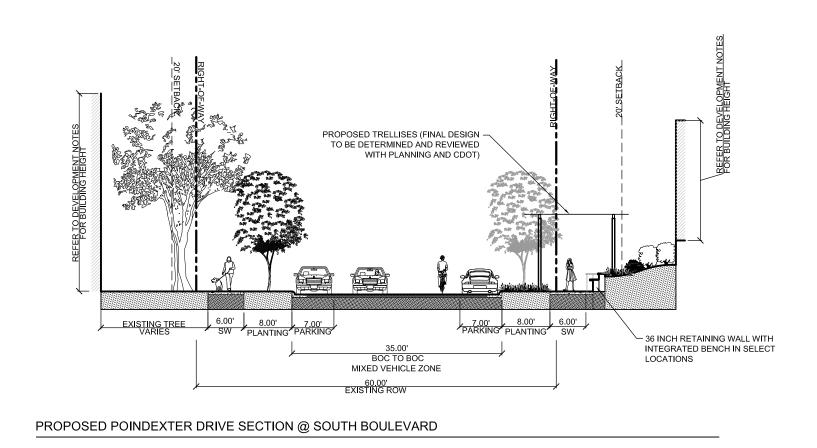
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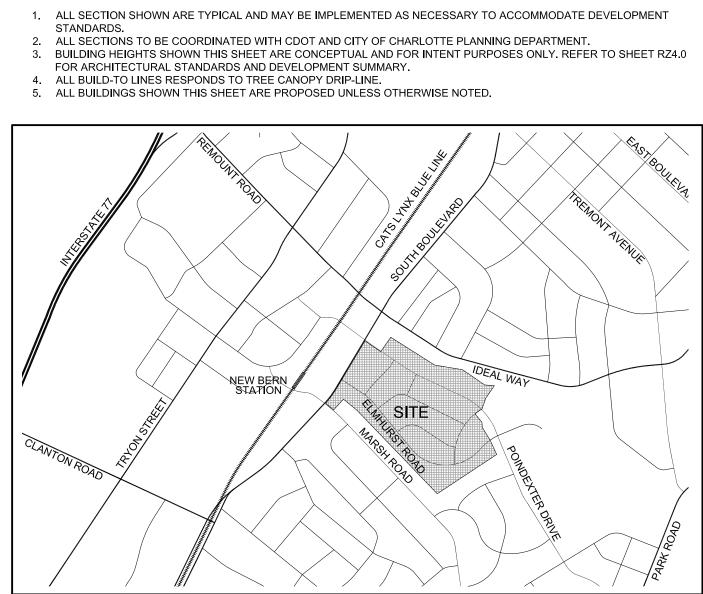
**evisions:** 08/15/2014 Revised per staff comment<sup>3</sup>

> CHECKED BY: RJP Q.C. BY: RJP SCALE: I" = 30'-0" PROJECT #: 1012267

DEVELOPMENT AREA 'I' OR 'K' - RESIDENTIAL BUILDING OPTION 1

PLAN / SECTION



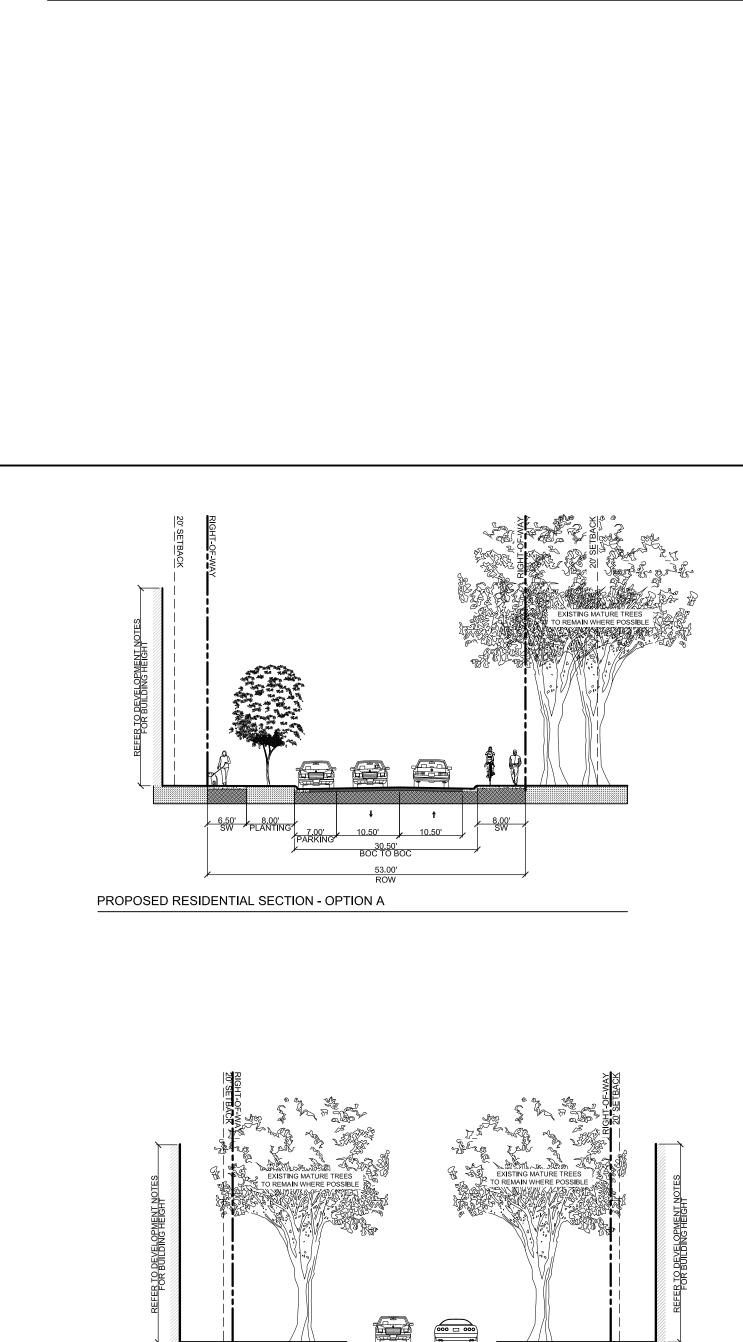


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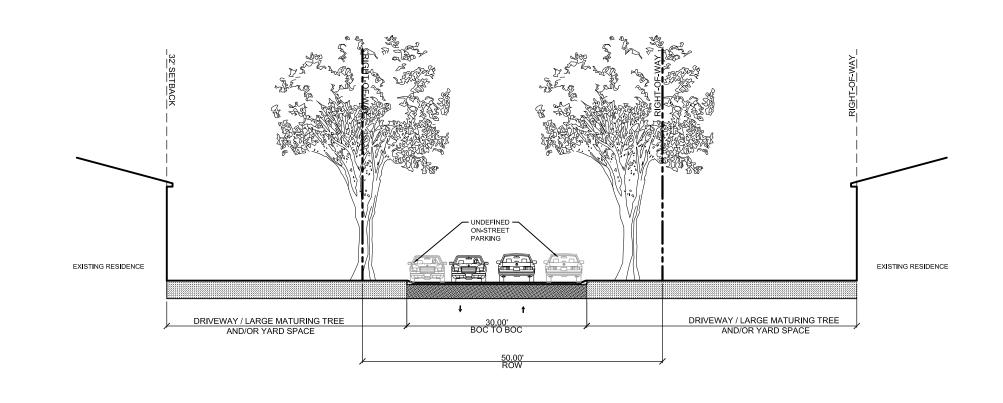
SECTIONS

EXISTING RESIDENCE

**EXISTING TYPICAL SECTION - VARIATION 01** 

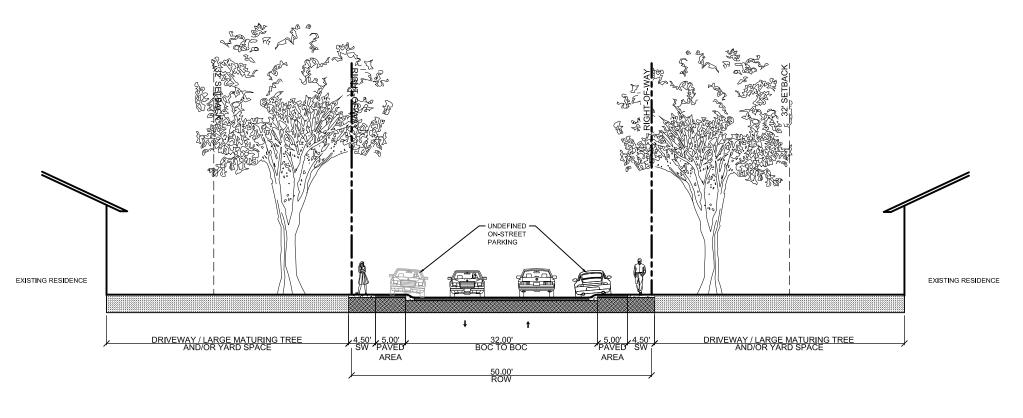


22.00' 4.00'
ASPHALT PAVING SW



EXISTING RESIDENCE

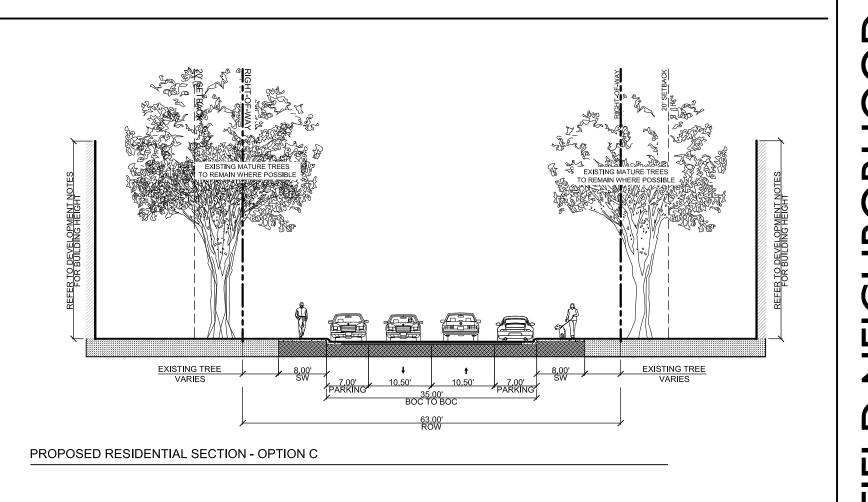
EXISTING TYPICAL SECTION - VARIATION 02



EXISTING TYPICAL SECTION - VARIATION 03

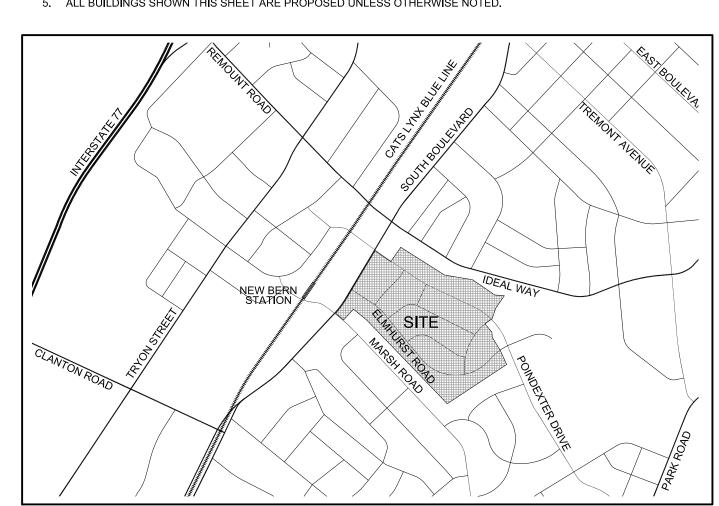
6.00' EXISTING TREE 7.00' 10.50' 10.50' EXISTING TREE 6.00' VARIES SW PROPOSED RESIDENTIAL SECTION - OPTION B

PROPOSED RESIDENTIAL SECTION - OPTION E





- ALL SECTION SHOWN ARE TYPICAL AND MAY BE IMPLEMENTED AS NECESSARY TO ACCOMMODATE DEVELOPMENT STANDARDS.
   ALL SECTIONS TO BE COORDINATED WITH CDOT AND CITY OF CHARLOTTE PLANNING DEPARTMENT.
   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.
   ALL BUILDINGS SHOWN THIS SHEET ARE PROPOSED UNLESS OTHERWISE NOTED.



SECTIONS

2014-064

PETITION NO.

6.00' EXISTING TREE VARIES

PROPOSED RESIDENTIAL SECTION - OPTION D

### SITE DEVELOPMENT DATA:

--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

ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).

--MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: (I) WITHIN THE MUDD-O ZONING DISTRICT: (A) UP TO 198,000 SQUARE FEET OF GROSS FLOOR AREA OF OFFICE, RETAIL, RESTAURANT, PERSONAL SERVICES AND OTHER COMMERCIAL USES (AS MORE SPECIFICALLY DESCRIBED BELOW IN SECTION 3): AND (B)II) WITHIN THE MUDD-O AND UR-2(CD) ZONING DISTRICTS

AND CONVERSION RIGHTS DESCRIBED BELOW.

IAXIMUM 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 THE 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 THE 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 60 FEET; AND (IV) WITHIN DEVELOPMENT AREA D THE MAXIMUM BUILDING HEIGHT WILL BE 60 (FOR THE PURPOSES OF THIS HEIGHT LIMIT, ROOF TOP MECHANICAL EQUIPMENT, SCREENS OR DEVICES USED TO SCREEN ROOF TOP STRUCTURES OR EQUIPMENT, SPIRES, MANSARDS, DOMES, DORMERS, OR OTHER ARCHITECTURAL FEATURES WILL NOT BE CONSIDERED FOR THE

UP TO 6401,050 RESIDENTIAL DWELLING UNITS<del>: AND (II) WITHIN THE UR-2(CD) ZONING DISTRICT: UP TO 560 RESIDENTIAL DWELLING UNITS</del>, SUBJECT TO THE TRANSFER-LIMITATIONS

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<del>, AND UR-2(CD) ZONING DISTRICTS</del> ZONING DISTRICT. WITHIN THE AREAS ZONED UR-2(CD) A MINIMUM OF 1.3 SPACES PER RESIDENTIAL DWELLING UNIT WILL BE PROVIDED INCLUDING THE ON-STREET PARKING SPACES AS ALLOWED BY THE ORDINANCE.

# 1. GENERAL PROVISIONS:

a. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND SCHEMATIC SITE PLAN, AND RELATED GRAPHICS FORM THE REZONING PLAN (COLLECTIVELY REFERRED 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").

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 FOR 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.

c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS 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 THE 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 FLEXIBILITY 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:

i. -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,

iii. - 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 iv.- 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 RF7ONING PLAN

THE 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.

d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY; ACCESSORY BUILDING DESIGN. 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 6 AND THE NUMBER OF BUILDINGS WITHIN SUCH PORTION OF THE SITE ZONED MUDD-O AND DEVELOPED FOR RESIDENTIAL USES SHALL NOT EXCEED 6; AND (II) ON THE PORTIONS OF THE SITE ZONED UR-2(CD) AND DEVELOPED FOR RESIDENTIAL USES SHALL NOT EXCEED 50. 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, SIDE AND REAR YARDS, 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 UR-2(CD). FURTHERMORE, THE 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 SECTION 2 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 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.

G. EXISTING DEVELOPMENT. THE SITE IS CURRENTLY DEVELOPED WITH A COMBINATION OF RETAIL, OFFICE AND RESIDENTIAL USES. AFTER THE SITE IS REZONED TO ALLOW REDEVELOPMENT, 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.

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:

. –MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN; OR

a. 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.

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

c. 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.

d. 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 THE REZONING PLAN. A RESTAURANT WITH AN ACCESSORY DRIVE-THROUGH WINDOW, OTHER THAN A "LIMITED SERVICE RESTAURANT" AS DEFINED BELOW, WILL NOT BE ALLOWED. A "LIMITED SERVICE RESTAURANT" IS A: RESTAURANT 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 ACCESSORY DRIVE-THROUGH WINDOWS WILL CIRCULATE WITHIN THE BUILDING DEVELOPED ON THE PARCEL.

e. 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 IS 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

f. TO ALLOW <del>A MODIFICATION TO THE STREET CROSS-SECTION FOR SOUTH BOULEVARD AS CALL FOR BY THE NEW BERN TRANSIT STATION AREA PLAN TO NOT REQUIRE THE INSTALLATION OF A MEDIAN ALONG THE SITE'S FRONTAGE ON SOUTH BOULEVARD AND TO IMPROVE SOUTH BOULEVARD AS INDICATED ON THE CROSS-SECTION ON SHEET RZ-3.1.DETACHED AND WALL SIGNS LOCATED ON THE SITE TO ROTATE.</del>

g. 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.

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

i. 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 FOUR (4) FEET HIGH AND CONTAIN UP TO 3630 SQUARE FEET OF SIGN AREA.

j. TO ALLOW DIRECTORY, DIRECTIONAL AND INSTRUCTIONAL SIGNS UP TO FOUR (4) FEET HIGH AND CONTAINING UP TO 16 SQUARE FEET OF SIGN AREA.

k. 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.

I. TO ALLOW WINDOW SIGNS LOCATED WITHIN DEVELOPMENT AREA A THAT FACE POINDEXTER DRIVE AND ARE LOCATED 10 FEET OR MORE ABOVE THE FINISHED FLOOR ELEVATION OF THE BUILDING TO HAVE COPY AREA EQUAL TO 100% OF THE EXTERNAL GLAZING OF THE WINDOW AND TO ALLOW ALL OTHER WINDOW SIGNS ON DEVELOPMENT AREA A AND B WITH 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.

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D ALLOW A SEDGEFIELD NEIGHBORHOOD IDENTIFICATION/ENTRANCE SIGN TO BE LOCATED ON DEVELOPMENT AREA A. THE SIGN MAY BE A DETACHED SIGN OR A WALL SIGN.

AREA OF THE SIGN MAY BE UP TO 150 SQUARE FEET AND IF DETACHED UP TO 12 FEET HIGH. THE SIGN AREA OF THE SEDGEFIELD NEIGHBORHOOD IDENTIFICATION SIGN IS IN ADDITION TO THE TENANT SIGNAGE ALLOWED BY THESE OPTIONAL PROVISIONS AND THE ORDINANCE.

n. TO ALLOW THE USES WITHIN DEVELOPMENT AREA C AND D TO HAVE ONE DETACHED SIGN PER STREET FRONT WITH UP TO 25 SQUARE FEET OF SIGN AREA AND UP TO FOUR (4) FEET

n. TO ALLOW THE USES WITHIN DEVELOPMENT AREA C AND D TO HAVE ONE DETACHED SIGN PER STREET FRONT WITH UP TO 25 SQUARE FEET OF SIGN AREA AND UP 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.

0. TO NOT REQUIRE DOORWAYS TO BE RECESSED INTO THE FACE OF THE BUILDING(S) WHEN THE ABUTTING SIDEWALK WIDTH IS GREATER THAN SIXEIGHT (68) FEET.

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.

q. TO DELAY THE WIDENING OF SOUTH BLVD. TO THE CROSS-SECTION INDICATED ON THE REZONING PLAN UNTIL DEVELOPMENT AREA B IS REDEVELOPED.

r. TO ALLOW WITHIN DEVELOPMENT AREA A ALONG POINDEXTER ROAD "TRELLISES" TO BE LOCATED WITHIN THE 20 FOOT SETBACK AND CROSS THE SIDEWALK.

3. 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").

b. 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, RESTAURANT, 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; ANDOR (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. THE 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. SUBJECTIF NO RESIDENTIAL DWELLING UNITS ARE CONSTRUCTED WITHIN DEVELOPMENT AREA B AND SUBJECT TO THE RESTRICTIONS, LIMITATIONS, AND TRANSFERCONVERSATION RIGHTS LISTED BELOWABOVE, DEVELOPMENT AREAS C AND DTHROUGH L MAY BE DEVELOPED FORWITH UP TO 490980 RESIDENTIAL DWELLINGS UNITS, TOGETHER WITH ACCESSORY USES IN THE MUDD-O AND UR-2 ZONING DISTRICTDISTRICTS.

d. Subject to the restrictions, limitations, and transfer rights listed below, development areas e through L may be developed for up to 560 residential dwelling units, together with accessory uses and uses under prescribed conditions in the ur-2 zoning district. If residential dwellings units are constructed within development area be then total number of residential dwelling units that may be constructed in development areas centrough L when added to the number of residential dwelling units constructed on development area be may not exceed 1,050 dwelling units (any additional residential units constructed within development area be 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. THE PETITIONER RESERVES RIGHT TO TRANSFER UP TO 50 RESIDENTIAL DWELLING UNITS TO AND FROM THE DEVELOPMENT AREAS ZONED MUDD(O) AND THE DEVELOPMENT AREAS ZONED WIDD(O) AND THE DEVELOPMENT AREAS ZONED MUDD(O) AND THE DEVELOPMENT AREAS ZONED MUDD(O) AND THE DEVELOPMENT IN B. 2008, 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 K MAY NOT CONTAIN MORE THAN 72 RESIDENTIAL DWELLING UNITS; (III) DEVELOPMENT AREA K 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.

f. UP TO ONE USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW MAY BE CONSTRUCTED WITHIN DEVELOPMENT AREA B AS ALLOWED BY THE OPTIONAL PROVISIONS ABOVE. A RESTAURANT WITH AN ACCESSORY DRIVE-THROUGH WINDOW, OTHER THAN A "LIMITED SERVICE RESTAURANT" AS DEFINED BELOW, WILL NOT BE ALLOWED. A "LIMITED SERVICE RESTAURANT" IS A: RESTAURANT 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.

4. TRANSPORTATION IMPROVEMENTS AND ACCESS:

### I. PROPOSED IMPROVEMENTS:

PROJECT SUPPORT.

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).

[LIST OF IMPROVEMENTS TO BE FORTHCOMING AS APPLICABLE]

a. <u>CDOT STANDARDS.</u> ALL OF THE FOREGOING PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT TO THE ROADWAY IMPROVEMENTS 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 PUBLIC SECTOR

b. PHASING [TO BE DETERMINED IF APPLICABLE]

II. <u>STANDARDS, PHASING AND OTHER PROVISIONS.</u>

C. 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.

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. 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 CIRUCLATION AND PEDESTRIAN ACCESS EASEMENT.

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 ACCESS POINTS TO THE INTERNAL PUBLIC STREETS, OTHER THAN SOUTH BOULEVARD, 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.

C. 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 CHARLOTTE
SUBDIVISION ORDINANCE. THE DETERMINATION OF WHICH STREET CROSS-SECTION WILL BE USED WILL BE DETERMINED DURING THE SUBDIVISION REVIEW PROCESS.

d. 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.

e. THE EXISTING UNDEVELOPED AND UNOPENED RIGHT-OF-WAY LOCATED WITHIN DEVELOPMENT AREA L WILL BE ABANDONED BY THE PETITIONER. AS PART OF 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 PUBLIC ENTITY TO CONSTRUCT AN ACCESSIBLE PEDESTRIAN CONNECTION FROM POINDEXTER ROAD TO IDEAL WAY. IF AFTER 10 YEARS THE PEDESTRIAN ACCESS EASEMENT HAS NOT BEEN IMPROVED THE PETITIONER AND ABANDON THE PEDESTRIAN ACCESS EASEMENT OR SOONER IF THE CITY OR COUNTY PARKS AND RECREATION INDICATES THEY NO LONGER NEED OR WANT THE PEDESTRIAN ACCESS EASEMENT.

THE ALIGNMENT OF THE INTERNAL PUBLIC AND PRIVATE STREETS, VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN FRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY COOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

# 5. <u>ARCHITECTURAL STANDARDS</u> AND PARKING LOCATION RESTRICTIONS:

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, 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 HARDIE-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 POINDEXTER DRIVE.

THE BUILDING CONSTRUCTED WITHIN DEVELOPMENT AREA A AT THE CORNER OF SOUTH BOULEVARD AND POINDEXTER DRIVE WILL HAVE AT LEAST ONE OPERABLE BUILDING

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.

ENTRANCE FROM THE BUILDING TO THE SIDEWALK ALONG SOUTH BOULEVARD.

e. 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.

f. 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.

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

h. THE SERVICE AREAS OF THE NEW BUILDINGS CONSTRUCTED WITHIN DEVELOPMENT AREAS A AND B 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.

i. 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.

# j. IF GARAGES ARE CONSTRUCTED ON THE SITE THEY MAY NOT BE ORIENTED TOWARD THE EXISTING OR PROPOSED 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.

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

m. 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.

n. 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.

c. 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 STREET TREES ALONG EACH BLOCK FACE 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 ARBORIST/URBAN FORESTR'OR A PRIVATE ARBORIST AT THE TIME DEVELOPMENT ALONG EACH BLOCK FACE OCCURS.

g. 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.

h. 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-FAMILY HOMES ALONG THE PERIMETER OF THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.

7. 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.

c. THE SITE WILL COMPLY WITH THE TREE ORDINANCE. ALL OR SOME PORTION OF THE PERMANENT CONSERVATION EASEMENT FOR SEDGEFIELD-DAIRY BRANCH WILL BE PART OF THE REQUIRED TREE SAVE AREA FOR THE SITE.

8. PLAZAS AND OPEN SPACE:

A. THE PETITIONER WILL PROVIDE FOR SEVERALA MINIMUM OF TWO (2) ACRES OF USEABLE OPEN SPACE AREAS TO BE LOCATED WITHIN DEVELOPMENT AREA E AND F IN THE LOCATION GENERALLY DEPICTED ON SHEET RZ-1.1 OF THE REZONING PLAN. THE OPEN SPACE AREAS WITHIN DEVELOPMENT AREAS E THROUGH L (THE OPEN SPACE MAY BE LOCATED THROUGHOUT THESE DEVELOPMENT AREAS OR GROUPED TOGETHER, BUT AT LEAST TWO (2) ACRES MUST BE PROVIDED IN THE AGGREGATE). 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 THAT THIS PORTION OF THE DEVELOPMENT. THE OPEN SPACE AREAS WILL INCLUDESITE 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, 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. - ADDITIONAL OPEN SPACE AREAS WILL ALSO BE PROVIDED AS GENERALLY ILLUSTRATED ON SHEET RZ-1.1 OF THE REZONING PLAN. ELEMENTS MAY ALSO BE PROVIDED. STORM WATER AND WATER AND WATER QUALITY STRUCTURES MAY BE LOCATED WITHIN THE OPEN SPACE AREAS. HOWEVER, IF WATER QUALITY AND STORM WATER DETENTION STRUCTURES MUST BE DESIGNED AS "WE'VE PONDS" AND TREATED AS AN AMENITY THAT IS USABLE AND ACCESSIBLE.

b. THE PETITIONER RESERVES THE RIGHT TO SHIFT THE LOCATION OF THEWILL PROVIDE URBAN OPEN SPACE AREAS INDICATED WITH DEVELOPMENT AREA A AS GENERALLY DEPICTE ON SHEET RZ-1.1 TOOF THE REZONING PLAN. THE OTHER DEVELOPMENT AREAS WITHIN THE SITE SO LONG AS THE TOTAL AMOUNT OF OPEN SPACE INDICATED ON THE SHEET RZ-1.1 HOT REDUCED ZONED MUDD(O) WILL PROVIDE URBAN OPEN SPACE AS REQUIRED BY THE ORDINANCE AS THOSE DEVELOPMENT AREAS ARE REDEVELOPED.

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).

10. <u>SIGNAGE</u>

a. 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.

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.

VILL NOT BE ISSUED UNTIL A MINIMUM OF 2 ACRES OF OPEN SPACE IS IMPROVED AND ACCESSIBLE.

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

10.11.<u>LIGHTING:</u>

11.13. AMENDMENTS TO THE REZONING PLAN:

12.1. BINDING EFFECT OF THE REZONING APPLICATION:

a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AN PARKING AREAS.

USED FOR NON-RESIDENTIAL USES AND 20 FEET IN HEIGHT IN THE PORTIONS OF THE SITE USED FOR RESIDENTIAL USES.

12. CATS BUS STOP:

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

a. 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.

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.

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

ORHOOD

 $\bigcirc$ 

EFIELD NEIGHBOR

-USE DEVELOPMENT

PERTIES | CHARLOTTE, NORTH CAROLIN

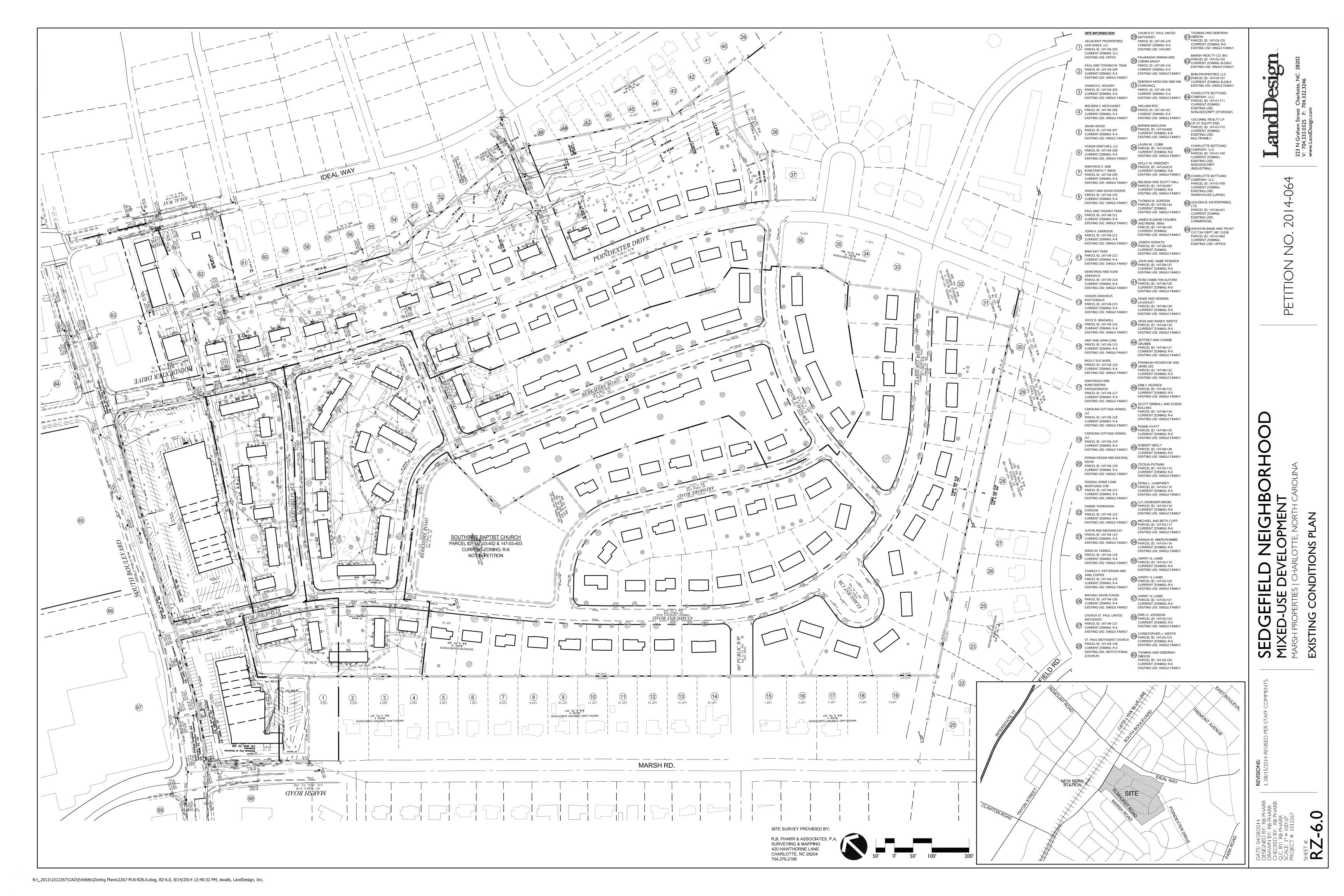
MIXED-USE DE MARSH PROPERTIES | CH

**isions:** 8/15/2014 Revised Per Staff Commen

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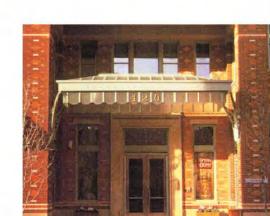




LANDSCAPING PLANTERS WITH MULTIPLE ENTRIES



BUILDING UNDULATION WITH ARTICULATED PEDESTRIAN SIDEWALK



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



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



ACTIVATION OF CORNERS & STREET EDGE WITH AMENITY/PUBLIC AREAS





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





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



TRADITIONAL ROWHOUSE STREET FRONT

TO IDENTIFY EACH UNIT & BREAK UP LARGE BLDG



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