

LEGEND

- EXISTING PROPERTY/PROJECT BOUNDARY: Solid black line
- FUTURE PROPERTY LINE: Dashed black line
- DEVELOPMENT AREA: Solid grey fill
- PROPOSED RW: Diagonal hatched pattern
- RW TO BE DEDICATED: Cross-hatched pattern

REZONING PETITION NO. 2017-016

SITE DEVELOPMENT DATA:

- ACREAGE: ± 13.18 ACRES
- TAX PARCEL #: 163-03-224, 163-03-238, 163-03-243, 163-03-245, 163-03-244, 163-03-223 AND A PORTION OF 163-03-235
- EXISTING ZONING: B-1(CD), O-1, O-2 AND R-4
- PROPOSED ZONING: MUDD-O AND NS
- EXISTING USES: VACANT, RESIDENTIAL, RETAIL AND COMMERCIAL/OFFICE
- PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD-O ZONING DISTRICT FOR DEVELOPMENT AREAS A, B & C AND E AS DEPICTED ON THE TECHNICAL DATA SHEET RZ-1 (COLLECTIVELY THE 'MUDD-O AREA'), AND THE NS ZONING DISTRICT FOR DEVELOPMENT AREA D AS DEPICTED ON THE TECHNICAL DATA SHEET RZ-1 (THE 'NS AREA') (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 2).
- MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE.
- PARKING: PARKING WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

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REVISIONS

REV	DATE	COMMENT	BY
1	12/19/16	PER STAFF COMMENTS	GPP

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: NOC152096
 DRAWN BY: PMK
 CHECKED BY: GPP
 DATE: 12/19/2016
 SCALE: 1" = 60'
 CAD I.D.: RZ

COMMERCIAL REZONING PLAN

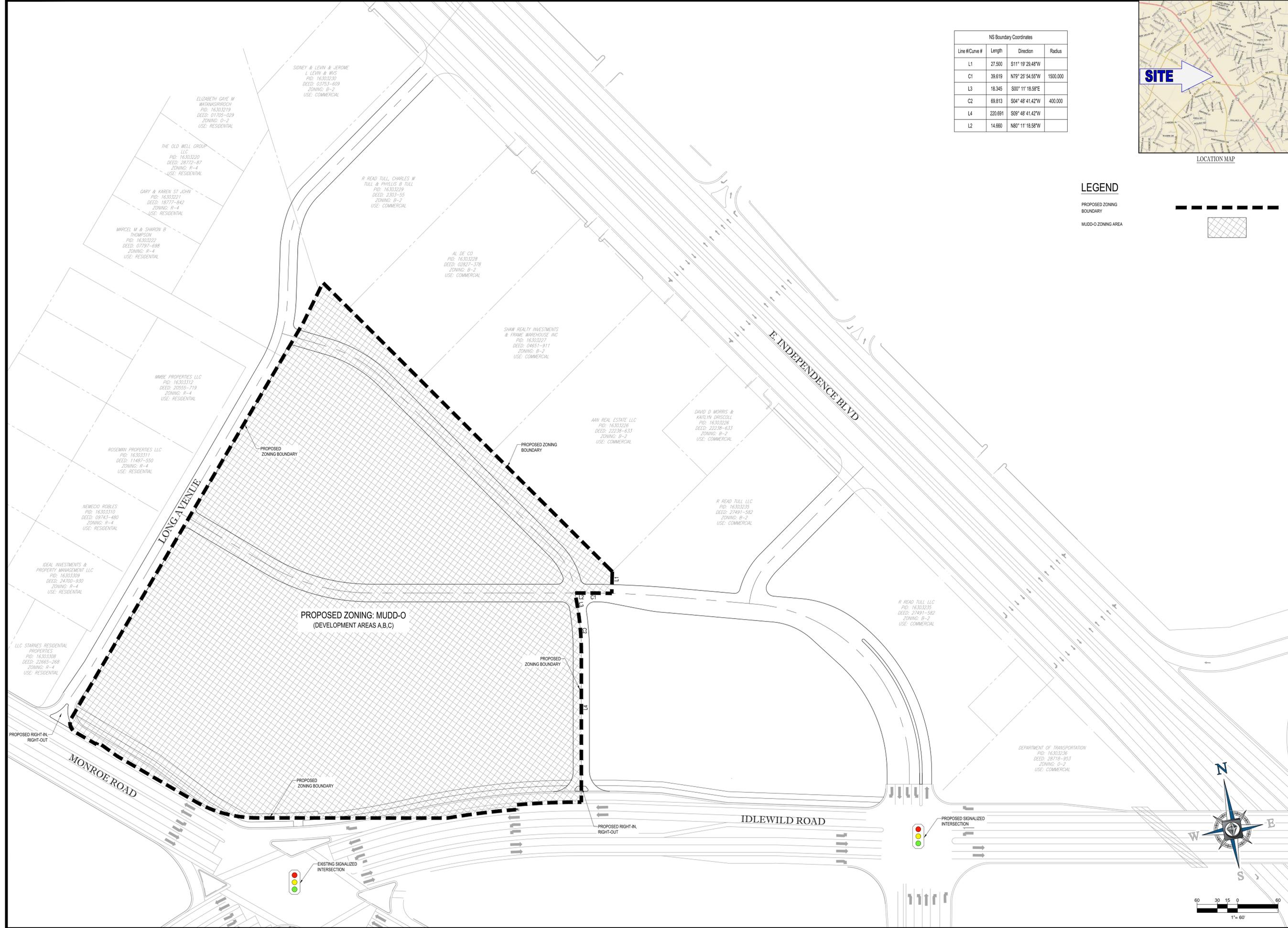
FOR **SELWYN PROPERTY GROUP**

BOHLER ENGINEERING NC, PLLC
 1927 S. TRYON STREET, SUITE 310
 CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
 NC@BohlerEng.com

SunCap PROPERTY GROUP

SHEET TITLE: **TECHNICAL DATA SHEET**

SHEET NUMBER: **RZ-1**

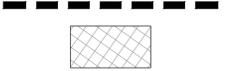


NS Boundary Coordinates			
Line #/Curve #	Length	Direction	Radius
L1	27.500	S11° 19' 29.48"W	
C1	39.619	N79° 25' 54.55"W	1500.000
L3	18.345	S00° 11' 18.58"E	
C2	69.813	S04° 48' 41.42"W	400.000
L4	220.691	S09° 48' 41.42"W	
L2	14.660	N80° 11' 18.58"W	



LEGEND

- PROPOSED ZONING BOUNDARY
- MUDD-O ZONING AREA



BOHLER ENGINEERING NC, PLLC
 1927 S. TRYON STREET, SUITE 310
 CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
 NC@BohlerEng.com

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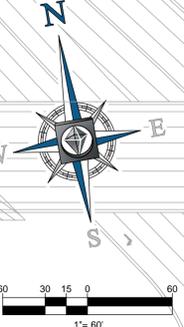
COMMERCIAL REZONING PLAN
 FOR
SELWYN PROPERTY GROUP

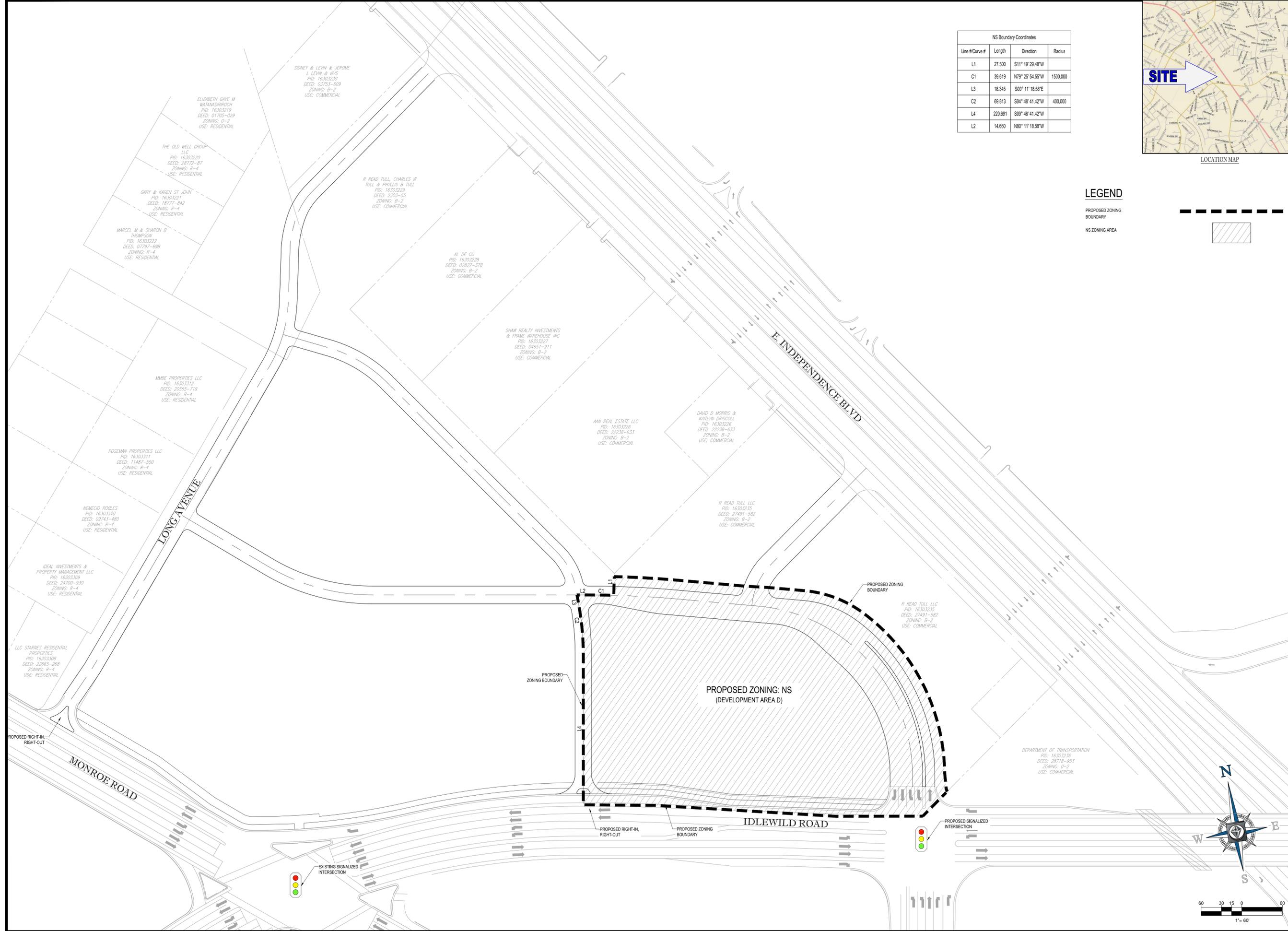
BOHLER ENGINEERING NC, PLLC
 NCBELS P-1132
 1927 S. TRYON STREET, SUITE 310
 CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
 NC@BohlerEng.com

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SHEET TITLE:
MUDD-O ZONING AREA

SHEET NUMBER:
RZ-3





NS Boundary Coordinates			
Line #/Curve #	Length	Direction	Radius
L1	27.500	S11° 19' 29.48"W	
C1	39.619	N79° 25' 54.55"W	1500.000
L3	18.345	S00° 11' 18.58"E	
C2	69.813	S04° 48' 41.42"W	400.000
L4	220.691	S08° 48' 41.42"W	
L2	14.660	N80° 11' 18.58"W	



LEGEND



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 CAD I.D.: RZ

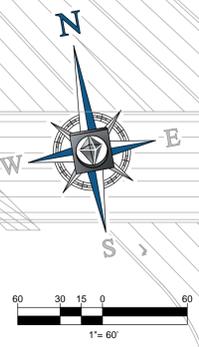
COMMERCIAL REZONING PLAN
 FOR
SELWYN PROPERTY GROUP

BOHLER ENGINEERING NC, PLLC
 NCBELLS P-1132
 1927 S. TRYON STREET, SUITE 310
 CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
 NC@BohlerEng.com

SunCap PROPERTY GROUP

SHEET TITLE:
NS ZONING AREA

SHEET NUMBER:
RZ-4





NOTE: THIS IS SCHEMATIC IN NATURE AND SUBJECT TO FUTURE DESIGN MODIFICATION AND REFINEMENTS AS DESCRIBED WITHIN SECTION 1 OF THE DEVELOPMENT STANDARDS.

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REVISIONS

REV	DATE	COMMENT	BY
1	12/19/16	PER STAFF COMMENTS	GPP

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: NCC152096
 DRAWN BY: PMK
 CHECKED BY: GPP
 DATE: 12/19/16
 SCALE: 1" = 60'
 CAD I.D.: RZ

PROJECT:
COMMERCIAL REZONING PLAN
 FOR
SELWYN PROPERTY GROUP

BOHLER ENGINEERING NC, PLLC
 1927 S. TRYON STREET, SUITE 310
 CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
 NC@BohlerEng.com

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SHEET TITLE:
SCHEMATIC SITE PLAN

SHEET NUMBER:
RZ-5



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REVISIONS

REV	DATE	COMMENT	BY
1	12/19/16	PER STAFF COMMENTS	GPP

NOT APPROVED FOR CONSTRUCTION

PROJECT No: NOC152096
 DRAWN BY: GPP
 CHECKED BY: GPP
 DATE: 12/19/16
 SCALE: RZ
 CAD I.D.: RZ

PROJECT:
COMMERCIAL REZONING PLAN
 FOR
SELWYN PROPERTY GROUP
 LOCATION OF SITE

BOHLER
 ENGINEERING NC, PLLC
 NOBELS P-1132
 1927 S. TRYON STREET, SUITE 310
 CHARLOTTE, NC 28203
 Phone: (980) 272-3400
 Fax: (980) 272-3401
NC@BohlerEng.com

SunCap
 PROPERTY GROUP

SHEET TITLE:
CONCEPTUAL RENDERING
 SHEET NUMBER:
RZ-6

Note:
 The schematic rendering is illustrative for the proposed development and is included to reflect the intent of the streetscape. The schematic rendering is illustrating an open space feature at the corner of Monroe Road and Idlewild, accessory outdoor gathering space on Idlewild Road with building details that enhance the pedestrian experience at the corner, limited parking between the building and the street and a double row of trees on Monroe Road. The actual buildings constructed on the site may vary from this illustration provided that design intent is preserved.

Selwyn Property Group
Development Standards
12/19/2016
Rezoning Petition No. 2017-016

Site Development Data:

--**Acreage:** ± 13.18 acres

--**Tax Parcel #:** 163-03-224, 163-03-238, 163-03-243, 163-03-245, 163-03-244, 163-03-223 and a portion of 163-03-235

--**Existing Zoning:** B-1(CD), O-1, O-2 and R-4

--**Proposed Zoning:** MUDD-O and NS

--**Existing Uses:** Vacant, Residential, Retail and Commercial/Office

--**Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD-O zoning district for Development Areas A, B & C and E as depicted on the Technical Data Sheet RZ-1 (collectively the "MUDD-O Area"), and the NS zoning district for Development Area D as depicted on the Technical Data Sheet RZ-1 (the "NS Area") (as more specifically described and restricted below in Section 2).

--**Maximum Building Height:** As allowed by the Ordinance.

--**Parking:** Parking will be provided as required by the Ordinance.

1. General Provisions:

a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Selwyn Property Group ("Petitioner"), as amended, to accommodate the redevelopment of certain land and improvements thereon containing approximately 13.18 acres located at the intersection of Idlewild Road and Monroe Road to permit a new mixed use development (the "Site"); it is understood that the Site includes both the MUDD-O Area and the NS Area, each as generally depicted on the Technical Data Sheet RZ-1. As described in the Site Development Data above, the MUDD-O Area shall consist collectively of Development Areas A, B, C and E as depicted and the NS Area shall consist collectively of Development Area D as generally depicted on the Technical Data Sheet RZ-1. Each of the referenced Development Areas may be referred to as a "Development Area" or collectively as the "Development Areas."

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") for the applicable districts. Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the MUDD-O zoning classification shall govern the MUDD-O Area and those within the NS zoning classification shall govern the NS Area, each as generally depicted on the Technical Data Sheet RZ-1.

c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, 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:

- 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 but no closer than the "external building line" (in this case the yards) indicated on the Rezoning Plan; or
- 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 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.** The total number of principal buildings to be developed on the Site shall not exceed seven (7). 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 located on Development Area to which such improvements 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 Development/Site Elements located within the Site. Furthermore, the Petitioner and/or owner of the portion of the Site reserve the right to subdivide the portions or all of the Site within the Development Areas and create lots within the interior of the portion of the Site within such Development Areas without regard to any such internal separation standards than those expressly set forth and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site and those expressly described in the Rezoning Plan shall be adhered to. In addition, all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan as to the Site as a whole and not individual portions or lots located therein. Without limiting the foregoing and notwithstanding the graphics contained on the Rezoning Plan, it is expressly acknowledged that the NS Area (i.e. Development Area D) may be divided into two (2) parcels to permit multiple uses, including without limitation co-branded uses, in lieu of the single use generally depicted on the graphics on Sheet RZ-3. Similarly, other Development Areas may be divided into two (2) parcels to facilitate the permitted uses for the Site.

f. **Personal Services.** The terms "personal service uses" and/or "personal services" (whether capitalized or not) will mean and refer to uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but

the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spas, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and the like.

g. **EDEE Uses.** References to the term “EDEE” shall mean “Eating Drinking Entertainment Establishments” as defined in the Ordinance and shall include without limitation restaurants

h. **Limited Service Restaurant.** A “Limited Service Restaurant” or “limited service restaurant” (whether capitalized or not) shall mean 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 and the baking of premixed dough).

2. **Optional Provisions.**

The following optional provisions shall apply to the MUDD-O Area portion of the Site only:

a. To allow wall signs to have up to 220 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.

b. To allow one detached ground mounted sign per street front with a maximum height of 20 feet and containing up to 150 square feet of sign area.

c. To allow, free-standing single-use buildings, to have a detached sign up to four (4) feet high with up to 32 square feet of sign area.

d. To allow up to two uses with accessory drive-through windows in the configuration and with vehicular storage in the MUDD-O Area as generally depicted on the Rezoning Plan; provided, however, no more than one (1) EDEE with an accessory drive-through window will be allowed in the MUDD-O Area, except that such limitation shall not apply to a Limited Service Restaurant (as defined above) (NOTE: these provisions do not apply to the NS Area).

e. To not require doorways to be recessed into the face of the building(s) when the width of the sidewalk is at least 10 feet and to not required doorways to be recessed when sliding glass doors are used to provide access.

f. To not require surface and structure parking areas, outdoor dining areas (at grade or otherwise), and loading dock areas (open or enclosed) to be counted as part of the allow Gross Floor Area (floor area as defined by the Ordinance) for the Site.

g. To allow parking and maneuvering between the buildings located in Development Areas A and B and Idlewild Road and Monroe Road, as generally depicted on the Rezoning Plan.

h. To allow windows and window boxes located on the building within Development Area A that face Monroe and Idlewild Road to have graphic images (not signs) applied to 100% of the glazing of the window or window box. These windows and graphic images may be used to meet the Street Wall requirements of the Ordinance and will be generally located at the ground floor level of the building to help enhance the pedestrian environment at the base of the building. This optional provision does not prohibit the installation of Window Signs as allowed by Ordinance as part of the images applied to the windows or window boxes.

Note: The optional provision regarding signs is an addition/modification to the standards for signs in the MUDD-O Area and is to be used with the remainder of MUDD standards for signs not modified by these optional provisions.

3. Permitted Uses & Development Area Limitation:

- a. The MUDD-O Area may be developed with up to 68,000 square feet of gross floor area of uses allowed in the MUDD-O zoning district, together with accessory uses as allowed in the MUDD-O zoning district. In addition, Development Area E within the MUDD-O Area may be developed for tree save areas, storm water/PCCO facilities and landscaped areas.
- b. Only two (2) uses with accessory drive-through windows (which may include EDEE uses, bank facilities and the like) will be allowed in the MUDD-O Area, and only one of such accessory uses may be allowed with an EDEE use, except that such limitation shall not apply to a Limited Service Restaurant (as defined above).
- c. The NS Area (i.e. Development Area D) may be developed with up to 12,000 square feet of gross floor area of uses allowed in the NS zoning district, together with accessory uses as allowed in the NS zoning district.
- d. Only one gas/convenience store use may be permitted on the Site and it shall be located only in the NS Area. As indicated, the NS Area (i.e. Development Area D) may be divided into two (2) parcels to permit multiple uses, including without limitation “co-branded” uses, in lieu of the single use generally depicted on the graphics on Sheet RZ-3. Only two (2) uses with accessory drive-through windows (which may include EDEE uses, bank facilities and the like) will be allowed in the NS Area (i.e. Development Area D).

4. Access & Transportation/Ped Improvements:

- a. Access to the Site will be from Long Avenue and Idlewild Road in the manner generally depicted on the Rezoning Plan.
- b. Petitioner shall extend Long Avenue from its existing northerly terminus to the intersection of such extended Long Avenue with the northernmost driveway within Development Area C, as generally depicted on the Rezoning Plan. Such extension of Long Avenue shall contain a “Commercial Narrow Street Section” but with six (6) foot wide sidewalks. Such extension shall be completed prior to issuance of the first CO for a building within Development Areas A, B or C.
- c. Petitioner shall extend Long Avenue beyond its terminus at the northernmost driveway within Development Area C across “off-site” property to the westerly right-of-way margin of Independence Blvd., in the manner generally depicted on the Rezoning Plan; such extension to be completed no later than prior to the issuance of the first CO associated with development of greater than 58,000 square feet of gross floor area on the MUDD-O Area of the Site, or earlier if the Petitioner so elects. Notwithstanding the foregoing, Petitioner shall be relieved of its obligation to provide for the extension of Long Avenue described in this subsection during any periods for which construction takes place within the westerly right-of-way margin of Independence Blvd. associated with the CATS Silver Transit Line.

d. Petitioner, at its election, may provide for construction of a driveway within Development Area D to allow for an additional access to the Site from the adjacent parcel in the manner generally depicted on the Rezoning Plan.

e. Petitioner shall install “Private Street A” in the location generally depicted on the Site to a “Commercial/Narrow Street Section” but with six (6) foot sidewalks and with an expanded section as such street approaches Idlewild Road, as generally depicted on the Rezoning Plan. Such “Private Street A” shall include painted/stripped “sharrows” designating the travel lanes as available for bike uses, and shall be installed prior to the first CO associated with development within the Site.

f. The placement and configuration of the vehicular access points along Idlewild Road are fixed with specific breaks in the controlled access along Idlewild Road. The Long Avenue connection to Monroe Road and the extension of Long Avenue is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by CDOT in accordance with applicable published standards.

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

h. The Petitioner will install those pedestrian features along the Site’s frontage with Monroe Road as generally depicted on the Rezoning Plan.

5. Architectural Standards:

a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, EIFS, decorative block, architectural metal panels and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings.

b. If an accessory drive-through window associated with an allowed use is constructed on the Site, the accessory drive-through window may not be located between the proposed building and Monroe Road or Idlewild Road but may be located to the rear or side of such building, except that the maneuvering lane alone for any such facilities may be located between the building and the applicable street and parking may be located to the side as generally depicted for the facility shown within Development B on the Rezoning Plan (it being understood that a drive-through facility for a fast food restaurant within Development Area D would follow the same design features.)

c. Meter banks will be screened from view from Monroe Road and Idlewild Road at grade.

d. HVAC and related mechanical equipment will be screened from public view at grade. HVAC and related mechanical equipment may not be located between the proposed buildings.

e. In the MUDD-O Area, expanses of blank walls may not exceed 20 feet in length. A blank wall is a façade that does not add to the character of the streetscape and does not contain transparent windows or door or sufficient ornamentation, decoration or articulation. When this approach is not feasible architectural elements must be used on the building façade at street level. Elements may include, but are not limited to: molding; string courses; belt courses; changes in material or color; architectural lighting; works of art; display areas, porches, or stoops.

f. The service side of the buildings within the MUDD-O Area may not be oriented to Monroe Road or Idlewild Road.

g. Buildings in Development Area B shall be designed so that the street façade along Idlewild Road includes the use of clear glass windows and doors arranged so that uses are visible from and/or accessible to the street on at least 25% of the length of the building. When this approach is not feasible, a combination of design elements may include but are not limited to the following: ornamentation, molding, string courses, changes in material or color, architectural lighting, works of art, fountains and/or pools, street furniture, stoops, landscaping and garden areas, or display areas.

6. Streetscape, Buffers, Yards and Landscaping:

a. Along the Site's frontage on Monroe Road and Idlewild Road, the Petitioner will provide an eight (8) foot planting strip and (i) a twelve (12) foot sidewalk on Monroe Road and (ii) an eight (8) foot sidewalk on Idlewild Road, as generally depicted on the Rezoning Plan.

b. Reference is made to Sheet RZ-6 for a conceptual rendering of the streetscape treatment intended for the portion of Development Area B approaching the Idlewild Road and Monroe Road intersection and the portion of Development Area located along Monroe Road. Final design features may vary from those set forth on Sheet RZ-6 provided that (i) the building fronting Idlewild Road within Development Area B shall orient to Idlewild Road substantially in the manner shown; (ii) dining and/or outdoor seating areas shall be included in the area in front of such building fronting Idlewild Road within Development Area B; (iii) sidewalks shall be provided in this area as generally depicted on the Rezoning Plan; (iv) the public gathering area depicted at the corner of Idlewild Road and Monroe Road shall be installed substantially in the manner shown along with seating areas and a public art feature; and (v) the expanded double row of trees extending along Monroe Road from its intersection with Idlewild Road to its intersection with Long Avenue shall be installed in the manner generally depicted on the Rezoning Plan.

c. The Petitioner will provide a sidewalk network that links each building on the Site to the sidewalks along Monroe Road, Idlewild Road and Long Avenue in the manner generally depicted on the Rezoning Plan. The minimum width for these internal sidewalks will be five (5) feet.

d. Screening requirements of the Ordinance will be met.

e. Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

f. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building.

7. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance.

b. The Site will comply with the Tree Ordinance.

8. Signage:

- a. Signage as allowed by the NS zoning district in the NS Area may be provided.
- b. Signage as allowed by the MUDD-O zoning district in the MUDD-O Area may be provided and as allowed in the MUDD-O Optional Provisions.
- c. Wall signs as allowed by the Ordinance may be provided.

9. Lighting:

- a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Detached lighting on the Site will be limited to 25 feet in height.

10. Amendments to the Rezoning Plan:

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

11. Binding Effect of the Rezoning Application:

- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided 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.