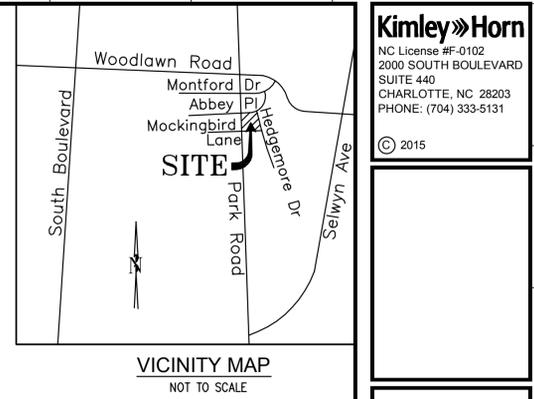


LEGEND	
	POTENTIAL INTERNAL PRIVATE STREET DESIGNED TO PUBLIC STANDARDS
	BUILDING/PARKING ENVELOPE
	SETBACK/BUFFER LINE
	FULL MOVEMENT ACCESS POINTS
	SITE/BUILDING ACCESS POINTS INTO DEVELOPMENT
	OPTIONAL RIGHT IN/RIGHT OUT MOVEMENT ACCESS POINTS



**ZONING CODE SUMMARY**  
 PROJECT NAME: PARK ROAD REDEVELOPMENT  
 OWNER: PARK CHARLOTTE, LLC  
 CLIENT NAME: GRUBB PROPERTIES, PHONE# (704) 372-5616  
 PLANS PREPARED BY: KIMLEY-HORN AND ASSOCIATES PHONE# (704)333-5131  
 TAX PARCEL ID: 17514401, 17514402  
 STREET ADDRESS: PARK ROAD AT ABBEY PLACE  
 EXISTING ZONING: O-1  
 PROPOSED ZONING: MUDD-O  
 PROPOSED USE: MIXED USE: RETAIL/OFFICE/MULTIFAMILY  
 PROPOSED BUILDING HEIGHT: AS ALLOWED BY THE APPLICABLE ZONING DISTRICT  
 EXISTING LOT SIZE: ±10.66 ACRES  
 JURISDICTION: CITY OF CHARLOTTE

**SETBACKS**  
 YARD REQUIREMENTS: AS ALLOWED BY THE APPLICABLE ZONING DISTRICT

**PARKING SUMMARY**  
 PARKING REQUIREMENT: AS ALLOWED BY THE APPLICABLE ZONING DISTRICT

**TREE NOTE**  
 FINAL AREAS OF TREES TO BE PRESERVED ON-SITE ARE DEPENDANT ON EXTENT OF REQUIRED OFFSITE IMPROVEMENTS. FINAL AREAS WILL BE DETERMINED DURING DESIGN REVIEW

**DRIVEWAY ACCESS NOTE**  
 A PRIVATE STREET CONNECTION IS REQUIRED BETWEEN HEDGEMORE DRIVE AND MOCKINGBIRD LANE IN COMPLIANCE WITH BLOCK SPACING REQUIREMENTS

**Kimley-Horn**  
 NC License #F-0102  
 2000 SOUTH BOULEVARD  
 SUITE 440  
 CHARLOTTE, NC 28203  
 PHONE: (704) 333-5131  
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NO.	DATE	REVISIONS
A	9/28/15	REVISED PER CITY COMMENTS

CLIENT: **GRUBB PROPERTIES**  
 4500 CAMERON VALLEY PARKWAY  
 SUITE 350  
 CHARLOTTE, NORTH CAROLINA 28211

PROJECT: **PARK ROAD REDEVELOPMENT**  
 PARK RD AT ABBEY PLACE  
 CHARLOTTE, NC

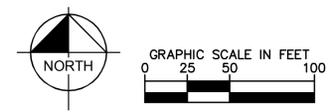
TITLE: **TECHNICAL DATA SHEET**

DESIGNED BY: TEB  
 DRAWN BY: DMH  
 CHECKED BY: ECH  
 DATE: 09/28/2015  
 PROJECT#: 017079000

RZ-1

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PETITION NO. 2015-120



**PARK ABBEY DEVELOPMENT STANDARDS**  
**REZONING PETITION NO. 2015-120**  
**GRUBB PROPERTIES - PETITIONER**  
9/25/15

**SITE DEVELOPMENT DATA:**

- ACREAGE: 1.106 ACRES
- TAX PARCELS: 175-144-03, 175-144-04, 175-14C-03
- EXISTING ZONING: O-1
- PROPOSED ZONING: MUDD-O WITH FIVE (5) YEAR VESTED RIGHTS
- EXISTING USES: OFFICE
- PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT
- MAXIMUM DEVELOPMENT (SUBJECT TO CONVERSION RIGHTS AS DEFINED HEREIN):
  - a. UP TO 600,000 SQUARE FEET OF COMMERCIAL USES (INCLUSIVE OF 228,324 SQUARE FEET OF EXISTING OFFICE USES).
  - b. UP TO 450 RESIDENTIAL UNITS.

-MAXIMUM BUILDING HEIGHT: UP TO 120 FEET AS ALLOWED BY THE ORDINANCE IN THE MUDD ZONING DISTRICT (FOR THE PURPOSES OF THIS HEIGHT LIMIT, ARCHITECTURAL FEATURES, SUCH AS PARAPETS, SPIRES, MANSARDS, DOMES AND DORMERS), ROOF TOP MECHANICAL EQUIPMENT, AND SCREENS OR DEVICES USED TO SCREEN ROOF TOP STRUCTURES OR EQUIPMENT WILL NOT BE CONSIDERED FOR THE CALCULATION OF ALLOWED BUILDING HEIGHT WHEN LOCATED ON A MULTI-STORY OFFICE BUILDING).

-PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD ZONING DISTRICT.

**I. GENERAL PROVISIONS:**

- a. **SITE DESCRIPTION:** THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET FORM THE REZONING PLAN (HEREAFTER COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY GRUBB PROPERTIES ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A MIXED USE COMMERCIAL AND RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 10.6 ACRE SITE BOUNDED BY PARK ROAD, ABBEY PLACE, MOCKINGBIRD LANE AND THE "SITE".
- b. **INTENT:** THIS REZONING IS INTENDED TO ACCOMMODATE DEVELOPMENT ON THE SITE IN A MANNER CONSISTENT WITH THE OBJECTIVES SET FORTH IN THE PARK WOODLAWN SMALL AREA PLAN. DEVELOPMENT OF THE SITE SHALL INCLUDE A HORIZONTALLY-INTEGRATED MIXTURE OF USES, POTENTIALLY INCLUDING OFFICE, RETAIL, HOTEL, AND RESIDENTIAL USES. THE BUILDINGS CONSTRUCTED WITHIN DEVELOPMENT AREAS MAY BE DEVELOPED: (1) WITH UP TO 600,000 SQUARE FEET OF GROSS FLOOR AREA OF COMMERCIAL, NON-RESIDENTIAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS; AND (2) UP TO 450 RESIDENTIAL DWELLING UNITS, ALONG WITH ANY ACCESSORY USES ALLOWED IN THE MUDD ZONING DISTRICT. IN THE EVENT THAT 600,000 SQUARE FEET OF COMMERCIAL USES ARE NOT CONSTRUCTED ON THE SITE, UNUSED COMMERCIAL SQUARE FOOTAGE MAY BE CONVERTED TO RESIDENTIAL DWELLING UNITS AT THE RATE OF ONE (1) RESIDENTIAL DWELLING UNIT PER 1,000 SQUARE FEET OF COMMERCIAL SQUARE FOOTAGE SO CONVERTED. THUS, THE TOTAL NUMBER OF RESIDENTIAL DWELLING UNITS ALLOWED ON THE SITE MAY EXCEED 450 IF UNUSED COMMERCIAL SQUARE FOOTAGE IS CONVERTED IN ACCORDANCE WITH THE ABOVE RATIO. ANY SUCH CONVERSION SHALL TAKE INTO ACCOUNT ANY REDUCTION IN COMMERCIAL SQUARE FOOTAGE RESULTING FROM THE CONVERSION OF COMMERCIAL SQUARE FOOTAGE INTO HOTEL ROOMS AS PERMITTED IN THE FOLLOWING PARAGRAPH.
- c. **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.

- 1. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING CLASSIFICATION FOR THE PORTION OF THE SITE SO DESIGNATED ON THE REZONING PLAN SHALL GOVERN ALL 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 AND OUTDOOR DINING AREAS WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE OR THESE DEVELOPMENT STANDARDS.
- d. **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, SETBACKS, 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. FURTHERMORE, THE PETITIONER AND/OR OWNER OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE AND CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REFERENCE TO ANY APPLICABLE SEPARATION STANDARDS, INCLUDING PUBLIC/Private STREET FRONTAGE REQUIREMENTS AND FAR REQUIREMENTS, PROVIDED, HOWEVER, THAT 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 IV BELOW AS TO THE SITE AS A WHOLE AND NOT INDIVIDUAL PORTIONS OR LOTS LOCATED THEREIN.
- e. **EXISTING DEVELOPMENT:** ALL EXISTING INFRASTRUCTURE, STRUCTURES, USES AND PARKING AREAS ON THE SITE MAY BE MAINTAINED AND CONTINUED UNTIL SUCH TIME AS THE PARTICULAR INFRASTRUCTURE, STRUCTURE, USE OR PARKING AREA IS REDEVELOPED.
- f. **FIVE YEAR-VESTED RIGHTS:** PURSUANT TO THE PROVISIONS OF SECTION 1.110 OF THE ORDINANCE AND N.C.G.S. SECTION 160A-38.1, DUE TO THE MASTER PLANNED LARGER 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.

**II. OPTIONAL PROVISIONS FOR THE MUDD-O AREA:**

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY:

- a. TO ALLOW OFF-STREET, SURFACE LEVEL, VEHICULAR PARKING AND MANEUVERING AREAS BETWEEN EXISTING BUILDINGS AND PUBLIC AND PRIVATE STREETS.
- b. TO ALLOW SHORT-TERM SURFACE LEVEL PARKING AND DRIVES WITHIN AREAS BETWEEN PUBLIC OR PRIVATE STREETS AND BUILDINGS IN ORDER TO ACCOMMODATE PICK-UP AND DROP OFF AREAS; AND SERVICE AREAS FOR USES SUCH AS MAIL DELIVERY, LOADING AND DELIVERY.
- c. TO ALLOW UP TO THREE VALET PARKING SERVICE AREAS BETWEEN BUILDINGS AND A STREET.
- d. TO ALLOW ALL WALL MOUNTED AND DETACHED GROUND MOUNTED SIGNAGE FOR EXISTING BUILDINGS TO REMAIN. EXISTING WALL SIGNS MAY BE UPDATED AS LONG AS THEIR OVERALL SIZE IS NOT INCREASED.
- e. TO ALLOW WALL SIGNS HAVING UP TO 300 SQUARE FEET OF SIGN SURFACE AREA PER WALL OR 15% OF THE WALL AREA TO WHICH THEY ARE ATTACHED, WHICHEVER IS LESS (EXCLUSIVE OF ANY EXISTING WALL MOUNTED SIGNAGE TO REMAIN).
- f. TO INCENTIVIZE THE INTEGRATION OF STREET LEVEL RETAIL USES INTO THE GROUND LEVELS OF OFFICE OR MULTI-FAMILY BUILDINGS, TO ALLOW 45 SQUARE FEET OF SIGNAGE FOR EACH SUCH STREET LEVEL RETAIL USE IN ADDITION TO ANY OTHER SIGNAGE ALLOWED.
- g. TO ALLOW TEMPORARY SIGNS AND BANNERS NOT TO EXCEED 100 SQUARE FEET IN SIGN AREA. ANY SUCH SIGNS OR BANNERS WILL BE PROFESSIONALLY FABRICATED BANNERS MADE OF FABRIC OR PLASTIC OF ANY TYPE. PAPER BANNERS WILL NOT BE ALLOWED, AND NO MORE THAN TWO (2) BANNERS WILL BE ALLOWED AT A TIME.
- h. TO ALLOW ALONG PARK ROAD, TWO (2) GROUND MOUNTED SIGNS UP TO 15 FEET IN HEIGHT AND CONTAINING UP TO 150 SQUARE FEET OF SIGN AREA.
- i. TO ALLOW ONE (1) DETACHED GROUND MOUNTED SIGN FOR EACH BUILDING WITH REGARD TO DEVELOPMENT AREAS A AND D. THESE SIGNS ARE IN ADDITION TO ANY GROUND MOUNTED SIGNS ALONG

PARK ROAD AS PERMITTED IN THE PRECEDING PARAGRAPH. THESE DETACHED SIGNS MAY BE UP TO FIVE (5) FEET IN HEIGHT AND CONTAIN UP TO 60 SQUARE FEET OF SIGN AREA AND MAY NOT BE LOCATED ON PARK ROAD.

TO ALLOW UP TO TWO ATTACHED ELECTRONIC SIGNS (VIDEO OR LED SCREEN) WITH A MAXIMUM SIZE OF 450 SQUARE FEET EACH. DESIGN AND LOCATION OF THESE SIGNS SHALL BE REVIEWED AND APPROVED BY THE PLANNING DIRECTOR PRIOR TO APPLICATION FOR SIGN PERMITS.

NOTE: THE OPTIONAL PROVISIONS ABOVE REGARDING CERTAIN SIGNS ARE ADDITIONS/MODIFICATIONS TO THE STANDARDS FOR SIGNS IN THE MUDD ZONING DISTRICT AND ARE TO BE USED WITH THE REMAINDER OF MUDD STANDARDS FOR SIGNS NOT MODIFIED BY THESE OPTIONAL PROVISIONS.

- k. TO NOT REQUIRE DOORWAYS TO BE RECESSED INTO THE FACE OF BUILDINGS WHEN THE ABUTTING SIDEWALK WIDTH IS GREATER THAN TWELVE (12) FEET.
- l. TO ALLOW REQUIRED LONG TERM BIKE PARKING SPACES TO BE LOCATED WITHIN PARKING STRUCTURES.
- m. TO ALLOW DEVIATIONS FROM TYPICAL STREETSCAPE STANDARDS, INCLUDING THE ABILITY TO MEANDER SIDEWALKS OR PROVIDE BACK-OF-CURB SIDEWALKS IN ORDER TO MAINTAIN EXISTING MATURE TREES.
- n. TO ALLOW WATER QUALITY AND STORMWATER DETENTION FACILITIES TO BE LOCATED WITHIN SETBACK AREAS AND BENEATH SIDEWALKS AND PRIVATE STREETS.
- o. TO ALLOW BACKFLOW PREVENTION DEVICES TO BE LOCATED WITHIN BUILDINGS.
- p. TO PROVIDE FLEXIBILITY WITH REGARD TO THE DEFINITION OF THE "BASE" OF A BUILDING (I.E. "BASE" OF THE BUILDING MAY BE HIGHER OR LOWER THAN "THE FIRST THREE FLOORS ABOVE STREET GRADE").

**III. PERMITTED USES:**

SUBJECT TO THE MAXIMUM DEVELOPMENT PROVISIONS SET FORTH UNDER SECTION 5 BELOW, THE SITE MAY BE DEVOTED TO ANY COMMERCIAL AND RESIDENTIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH.

**IV. DEVELOPMENT AREAS AND CONVERSION RIGHTS:**

- a. THE REZONING PLAN SETS FORTH FIVE (5) DEVELOPMENT AREAS AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AS DEVELOPMENT AREAS A, B, C, D AND E (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 MAY BE DEVELOPED: (1) WITH UP TO 600,000 SQUARE FEET OF GROSS FLOOR AREA OF COMMERCIAL, NON-RESIDENTIAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS; AND (2) UP TO 450 RESIDENTIAL DWELLING UNITS, ALONG WITH ANY ACCESSORY USES ALLOWED IN THE MUDD ZONING DISTRICT. IN THE EVENT THAT 600,000 SQUARE FEET OF COMMERCIAL USES ARE NOT CONSTRUCTED ON THE SITE, UNUSED COMMERCIAL SQUARE FOOTAGE MAY BE CONVERTED TO RESIDENTIAL DWELLING UNITS AT THE RATE OF ONE (1) RESIDENTIAL DWELLING UNIT PER 1,000 SQUARE FEET OF COMMERCIAL SQUARE FOOTAGE SO CONVERTED. THUS, THE TOTAL NUMBER OF RESIDENTIAL DWELLING UNITS ALLOWED ON THE SITE MAY EXCEED 450 IF UNUSED COMMERCIAL SQUARE FOOTAGE IS CONVERTED IN ACCORDANCE WITH THE ABOVE RATIO. ANY SUCH CONVERSION SHALL TAKE INTO ACCOUNT ANY REDUCTION IN COMMERCIAL SQUARE FOOTAGE RESULTING FROM THE CONVERSION OF COMMERCIAL SQUARE FOOTAGE INTO HOTEL ROOMS AS PERMITTED IN THE FOLLOWING PARAGRAPH.
- c. IN ORDER TO ENCOURAGE THE INTEGRATION OF RETAIL USES INTO THE GROUND FLOOR LEVELS OF OFFICE OR MULTI-FAMILY BUILDINGS, THE SQUARE FOOTAGES OF ANY SUCH RETAIL SPACES SHALL NOT BE COUNTED TOWARDS THE MAXIMUM AMOUNT OF COMMERCIAL OR RETAIL SQUARE FOOTAGE ALLOWED WITHIN THE SITE.
- d. FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH IN THESE DEVELOPMENT STANDARDS (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 AND OUTDOOR DINING AREAS WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE OR THESE DEVELOPMENT STANDARDS).
- e. THE TOTAL SQUARE FEET OF GROSS FLOOR AREA DEVOTED TO OFFICE USES AND OTHER COMMERCIAL USES DOES NOT EXCEED 600,000 SQUARE FEET OF GROSS FLOOR AREA (STREET LEVEL RETAIL USES INTEGRATED INTO OFFICE OR MULTI-FAMILY BUILDINGS SHALL NOT BE SUBJECT TO THIS LIMITATION).
- f. THE TOTAL AMOUNT OF RETAIL SQUARE FOOTAGE SHALL NOT EXCEED 15,000 SQUARE FEET (STREET LEVEL RETAIL USES INTEGRATED INTO OFFICE OR MULTI-FAMILY BUILDINGS SHALL NOT BE SUBJECT TO THIS LIMITATION).
- g. IN THE EVENT THAT A HOTEL USE IS DEVELOPED, THE TOTAL ALLOWABLE SQUARE FOOTAGE FOR COMMERCIAL USES SHALL BE REDUCED BY 500 SQUARE FEET FOR EACH HOTEL ROOM THAT IS DEVELOPED.

**V. TRANSPORTATION:**

- a. ALL PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCDOT, AS APPLICABLE, TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE BROAD SOUTH MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.
- b. **ACCESS AND INTERNAL STREETS:**
  - 1. ACCESS TO THE SITE WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN, SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.
  - 2. THE TOTAL NUMBER OF ACCESS POINTS TO PARK ROAD WILL BE LIMITED TO ONE (1).
  - 3. THE NUMBER AND LOCATION OF INTERNAL STREETS NOT DEPICTED ON THE REZONING PLAN WILL BE DETERMINED DURING THE DESIGN PROCESS AND SUBJECT TO APPROVAL FROM APPROPRIATE GOVERNMENTAL AUTHORITIES, SUBJECT TO APPLICABLE STATUTES, ORDINANCES AND REGULATIONS SUCH AS SUBDIVISION AND DRIVEWAY REGULATIONS.
  - 4. THE PETITIONER RESERVES THE RIGHT TO REQUEST THE INSTALLATION OF PAVERS AND/OR STAMPED OR COLORED ASPHALT WITHIN STREETS ABUTTING OR INTERNAL TO THE SITE IN ORDER TO DESIGNATE AND DEFINE PEDESTRIAN CROSS-WALKS. THE PETITIONER WILL COORDINATE THE DESIGN OF ANY DECORATIVE PAVEMENT ELEMENTS PROPOSED WITHIN THE PUBLIC RIGHT-OF-WAY WITH CDOT DURING THE DRIVEWAY PERMIT PROCESS. FURTHERMORE, THE PETITIONER UNDERSTANDS THAT AN ENCROACHMENT AND MAINTENANCE AGREEMENT MUST BE OBTAINED FROM CDOT BEFORE ANY DECORATIVE PAVERS AND/OR STAMPED PAVEMENT PROPOSED IN THE PUBLIC RIGHT-OF-WAY MAY BE INSTALLED.
  - 5. THE ALIGNMENT OF THE INTERNAL PUBLIC AND PRIVATE STREETS, VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER, SUBJECT TO CDOT'S FINAL APPROVAL.
- c. **SUBSTANTIAL COMPLETION:** REFERENCE TO "SUBSTANTIAL COMPLETION" FOR CERTAIN IMPROVEMENTS AS SET FORTH HEREIN SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN

ACCORDANCE WITH THE STANDARDS SET FORTH HEREIN, 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 BUILDINGS 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.

ROADWAY IMPROVEMENTS AND PHASING. PETITIONER SHALL 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:

(TO BE INCLUDED UPON COMPLETION OF TRAFFIC IMPACT ANALYSIS)

- e. **RIGHT-OF-WAY AVAILABILITY:** IT IS UNDERSTOOD THAT SOME OF THE PUBLIC ROADWAY IMPROVEMENTS REFERENCED HEREIN MAY NOT BE POSSIBLE WITHOUT THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY. IF AFTER THE EXERCISE OF DILIGENT GOOD FAITH EFFORTS, AS SPECIFIED BY THE CITY OF CHARLOTTE RIGHT-OF-WAY ACQUISITION PROCESS AS ADMINISTERED BY THE CITY OF CHARLOTTE'S ENGINEERING AND PROPERTY MANAGEMENT DEPARTMENT, 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 PROCEEDINGS INCLUDING COMPENSATION PAID BY THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR ANY SUCH LAND AND THE EXPENSES OF SUCH PROCEEDINGS. FURTHERMORE, IN THE EVENT PUBLIC ROADWAY IMPROVEMENTS REFERENCED IN SUBSECTION A ABOVE ARE DELAYED BECAUSE OF DELAYS IN THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY AS CONTEMPLATED HEREIN ABOVE, THEN THE PETITIONER WILL CONTACT THE PLANNING DEPARTMENT AND CDOT REGARDING AN APPROPRIATE INFRASTRUCTURE PHASING PLAN THAT APPROPRIATELY MATCHES THE SCALE OF THE DEVELOPMENT PROPOSED TO THE PUBLIC INFRASTRUCTURE MITIGATIONS. IF AFTER CONTACTING THE PLANNING DEPARTMENT AND CDOT TO DETERMINE THE APPROPRIATE INFRASTRUCTURE PHASING PLAN, DELAYS IN THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY EXTENDS BEYOND THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDINGS ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING DESCRIBED ABOVE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS PROVIDED, HOWEVER, PETITIONER CONTINUES TO EXERCISE GOOD FAITH EFFORTS TO COMPLETE THE APPLICABLE ROADWAY 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.
- f. **ALTERNATE IMPROVEMENTS:** CHANGES TO THE ABOVE REFERENCED ROADWAY IMPROVEMENTS CAN BE APPROVED THROUGH THE ADMINISTRATIVE AMENDMENT PROCESS UPON THE DETERMINATION AND MUTUAL AGREEMENT OF PETITIONER, CDOT, PLANNING DIRECTOR AND AS APPLICABLE, NCDOT. PROVIDED, HOWEVER, THE PROPOSED ALTERNATE TRANSPORTATION IMPROVEMENTS MUST PROVIDE (IN THE AGGREGATE) COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS IDENTIFIED IN THIS PETITION.
- g. **ALTERNATIVE COMPLIANCE:** WHILE IT IS UNDERSTOOD THAT THE IMPROVEMENTS SET FORTH ABOVE, UNLESS OTHERWISE SPECIFIED, ARE THE RESPONSIBILITY OF THE PETITIONER OR OTHER PRIVATE SECTOR ENTITY, IN EVENT THAT IT IS NECESSARY OR ADVANTAGEOUS, CDOT MAY, AT ITS DISCRETION, ACCEPT A FEE IN LIEU OF CONSTRUCTION OF CERTAIN IMPROVEMENTS, AS LONG AS SUCH FEE IS EQUAL TO THE FULL COST OF SAID IMPROVEMENTS (INCLUDING DESIGN, ACQUISITION AND CONSTRUCTION).

**VI. DESIGN GUIDELINES:**

- a. **GENERAL DESIGN GUIDELINES:**
  - 1. THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS (OTHER THAN STRUCTURED PARKING FACILITIES) WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, ARCHITECTURAL PRECAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING (SUCH AS HARDY PLANK) OR WOOD. EIFS AS A BUILDING MATERIAL WILL NOT BE ALLOWED, EXCEPT AS BACK-UP FOR ARCHITECTURAL TRIM ON STUCCO CLAD BUILDINGS. VINYL AS A BUILDING MATERIAL WILL ONLY BE ALLOWED ON WINDOWS, SOFFITS AND TRIM FEATURES.
  - 2. METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS.
  - 3. ROOFTOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE FROM PUBLIC OR PRIVATE STREETS.
  - 4. MULTI-FAMILY BUILDINGS WITH FACADES IN EXCESS OF 250 LINEAR FEET THAT FRONT ON PUBLIC OR PRIVATE STREETS SHALL BE ARTICULATED IN ONE OR MORE OF THE FOLLOWING METHODS TO VISUALLY BREAK DOWN THE BUILDINGS POTENTIALLY MONOLITHIC MASS AND ACHIEVE AN APPROPRIATE PEDESTRIAN SCALE ALONG THE STREET WALL:
    - FACADE MODULATION VARYING THE PLANE OF THE BUILDING STREET WALL TO BREAK UP THE MASS OF THE BUILDING.
    - MINIMUM WIDTH OF 15'-0" AND A MINIMUM DEPTH OF 5'-0"
    - NO SINGLE SECTION OF THE FACADE SHALL EXCEED 150'-0" IN LENGTH
    - MAY BE ACHIEVED THROUGH MULTIPLE MODULATIONS
  - 5. BUILDING MASS SEPARATION AT A DEPTH OF AT LEAST 25'-0" FROM THE STREET WALL AND A WIDTH OF AT LEAST 25'-0" OPEN TO THE SKY.
    - NO SINGLE SECTION OF THE FACADE SHALL EXCEED 150'-0" IN LENGTH
  - 6. ARCHITECTURAL FACADE VARIATIONS ALONG THE STREET WALL TO VISUALLY BREAK DOWN THE BUILDINGS MASS WITH INTERVALS NOT EXCEEDING 150'-0". THESE FACADE VARIATIONS SHALL INCLUDE AT LEAST TWO OF THE FOLLOWING TECHNIQUES:
    - VARIOUS ARCHITECTURAL STYLES
    - VARIOUS ROOF PITCHES
    - VARIOUS WINDOW ARRANGEMENT AND SIZES
    - SIGNIFICANT EXTERIOR FACADE MATERIALS CHANGES
    - OFFSET WALL PLANES
  - 7. UPON COMPLETION OF THE REDEVELOPMENT OF THE SITE, NO MORE THAN 100 SURFACE LEVEL (EXCLUSIVE OF THOSE LOCATED WITHIN A PARKING STRUCTURE) OFF-STREET PARKING SPACES SHALL BE ALLOWED THROUGHOUT THE SITE. EXISTING SURFACE PARKING AREAS WITHIN A SPECIFIC DEVELOPMENT AREA MAY REMAIN UNTIL THAT DEVELOPMENT AREA IS REDEVELOPED.
- b. **MAXIMUM BUILDINGS HEIGHTS WITHIN THE SITE SHALL NOT EXCEED 120 FEET, EXCLUSIVE OF ARCHITECTURAL FEATURES. IN ORDER TO PROVIDE FLEXIBILITY WHILE ALSO ENSURING THAT THE ENTIRE SITE (IS NOT DEVELOPED ENTIRELY WITH HIGH RISE BUILDINGS, PETITIONER AGREES THAT THE TOTAL NUMBER OF BUILDING STORIES CONSTRUCTED WITHIN DEVELOPMENT AREAS C, D AND E SHALL NOT EXCEED 28. PETITIONER SHALL BE PERMITTED TO DETERMINE THE HEIGHT AND LOCATION OF BUILDINGS THROUGHOUT THE SITE, AS LONG AS NO BUILDING EXCEEDS 120 FEET IN HEIGHT (EXCLUSIVE OF ARCHITECTURAL FEATURES) AND THE TOTAL NUMBER OF BUILDING STORIES WITHIN DEVELOPMENT AREAS C, D AND E DOES NOT EXCEED 28. FOR PURPOSES OF THIS PROVISION, ONLY PRINCIPAL BUILDINGS SHALL BE INCLUDED WHEN CALCULATING TOTAL STORIES. ANY**

ABOVE GROUND LEVELS OF PARKING STRUCTURES SHALL BE INCLUDED WHEN CALCULATING TOTAL STORIES.

**VII. PARKING AREAS, ACCESS AND CIRCULATION DESIGN GUIDELINES:**

- a. BUILDING MATERIALS ASSOCIATED WITH FACADES ON PARKING STRUCTURES SHALL BE GENERALLY COMPATIBLE IN CHARACTER AND QUALITY WITH MATERIALS USED ON NEARBY BUILDINGS, PLAZAS AND STREETSCAPES, TAKING INTO CONSIDERATION DIFFERENCES ASSOCIATED WITH PARKING STRUCTURES.
- b. ON-SITE LOADING DOCKS AND WASTE AREAS SHALL BE SEPARATED AND/OR SCREENED FROM VIEW AT GROUND LEVEL FROM PRIMARY BUILDING ENTRANCES.

**VIII. PEDESTRIAN ACCESS AND CIRCULATION DESIGN GUIDELINES:**

- a. ALONG THE SITE'S INTERNAL STREETS, THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT LINKS THE BUILDINGS, PARKING AREAS AND AREAS OF INTEREST ON THE SITE WITH ONE ANOTHER BY WAY OF LINKS TO SIDEWALKS ALONG THE ABUTTING PUBLIC AND PRIVATE STREETS AND/OR OTHER PEDESTRIAN FEATURES.
- b. WHERE WALKWAYS OCCUR ALONG BUILDING WALLS, A WALKWAY WIDTH OF AT LEAST SIX (6) FEET MUST BE MAINTAINED CLEAR OF DOOR SWINGS, SHOPPING CART STORAGE, AND TEMPORARY TRASH OR SIMILAR IMPEDIMENTS.
- c. SUBJECT TO THE OPTIONAL PROVISION SET FORTH ABOVE, DEVIATIONS FROM TYPICAL SIDEWALK AND PLANTING STRIP REQUIREMENTS AND ALLOWABLE UPON APPROVAL BY CDOT AND THE PLANNING DIRECTOR, ANY CHANGES TO DIMENSIONAL REQUIREMENTS ARE ALLOWABLE ONLY IN CASES OF HARDSHIP.

**IX. OPEN SPACE AND AMENITY AREAS:**

PETITIONER SHALL PROVIDE AMENITIZED PUBLIC AND PRIVATE OPEN SPACE AREAS.

**X. ENVIRONMENTAL FEATURES:**

ALL NEW MULTIFAMILY BUILDINGS WILL BE DESIGNED TO MEET THE NATIONAL ASSOCIATION OF HOMEBUILDERS' NATIONAL GREEN BUILDING STANDARD REQUIREMENTS.

**XI. SIGNAGE:**

- a. SIGNAGE AS ALLOWED BY THE ORDINANCE AND BY THE OPTIONAL PROVISIONS SET FORTH UNDER SECTION II ABOVE MAY BE PROVIDED, BECAUSE THE SITE WILL BE VIEWED AS A PLANNED/UNIFIED DEVELOPMENT AS DEFINED BY THE ORDINANCE, SHOPPING STRIP SIGNAGE MAY BE LOCATED THROUGHOUT THAT PORTION OF THE SITE ZONED MUDD-O AS ALLOWED BY THE ORDINANCE AND THE OPTIONAL PROVISIONS. IN ADDITION, USES LOCATED ON THE INTERIOR OF THE SITE MAY BE IDENTIFIED ON THE ALLOWED SHOPPING CENTER/DEVELOPMENT SIGNS BY WAY OF EXAMPLE, THE MULTI-FAMILY DEVELOPMENTS MAY BE IDENTIFIED ON THE SIGNS ALLOWED ALONG PARK ROAD. THE ALLOWED SIGNS MAY CONTAIN IDENTIFICATION SIGNAGE FOR ANY OF THE USES LOCATED ON THE SITE.
- b. MASTER SIGNAGE AND GRAPHICS SYSTEMS MAY BE ADOPTED.
- c. INFORMATION AND ADVERTISING PILLAR SIGNS AS DEFINED BY THE ORDINANCE MAY BE PROVIDED.
- d. ON PREMISES DIRECTIONAL AND INSTRUCTIONAL SIGNS MAY BE LOCATED THROUGHOUT THE SITE PER THE STANDARDS OF THE ORDINANCE.
- e. TEMPORARY BANNERS AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.

**XII. LIGHTING:**

- a. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.
- b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC AND PRIVATE STREETS, WILL BE LIMITED TO 20 FEET IN HEIGHT IN THE PORTIONS OF THE SITE USED FOR NON-RESIDENTIAL USES AND 25 FEET IN HEIGHT IN THE PORTIONS OF THE SITE USED FOR RESIDENTIAL USES.
- c. ATTACHED AND DETACHED LIGHTING SHALL BE DOWNWARDLY DIRECTED, HOWEVER, UPWARD FACING ACCENT LIGHTING SHALL BE PERMITTED.
- d. ARCHITECTURAL LIGHTING MAY BE INTEGRATED INTO BUILDING ELEMENTS.

**XIII. PHASING:**

PETITIONER INTENDS TO DEVELOP THE SITE IN PHASES AND MAY DEVELOP INDIVIDUAL DEVELOPMENT AREAS BASED ON MARKET DEMAND. ALL REQUIRED SIDEWALKS, STREET TREES AND OPEN SPACE AMENITIES WITHIN A PARTICULAR DEVELOPMENT AREA SHALL BE INSTALLED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY (THIS REQUIREMENT SHALL NOT APPLY TO TEMPORARY CERTIFICATES OF OCCUPANCY) FOR PRINCIPAL BUILDING WITHIN THE SAME DEVELOPMENT AREA.

**XIV. AMENDMENTS TO THE REZONING PLAN:**

FUTURE AMENDMENTS TO THE REZONING PLAN 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.

**XV. 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 OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

**XVI. VESTED RIGHTS PROVISION:**

IF THIS REZONING PETITION IS APPROVED BY THE CHARLOTTE CITY COUNCIL, PURSUANT TO SECTION 1.110 OF THE ORDINANCE, THE PETITIONER HEREBY REQUESTS A FIVE-YEAR VESTED RIGHT TO UNDERTAKE AND COMPLETE THE DEVELOPMENT OF THIS SITE UNDER THE TERMS AND CONDITIONS AS SO APPROVED, COMMENCING UPON APPROVAL OF THIS REZONING PETITION BY THE CHARLOTTE CITY COUNCIL. THE PETITIONER MAKES THIS REQUEST FOR A FIVE-YEAR VESTED RIGHT DUE TO THE SIZE AND PHASING OF THE PROPOSED DEVELOPMENT, MARKET CONDITIONS AND THE LEVEL OF INVESTMENT INVOLVED.

NO.	DATE	REVISIONS
A	9/28/15	REVISED PER CITY COMMENTS

**CLIENT: GRUBB PROPERTIES**  
4500 CAMERON VALLEY PARKWAY  
SUITE 350  
CHARLOTTE, NORTH CAROLINA 28211

**PROJECT: PARK ROAD REDEVELOPMENT**  
PARK RD AT ABBEY PLACE  
CHARLOTTE, NC

**TITLE: TITLE DEVELOPMENT STANDARDS**

DESIGNED BY: TEB  
DRAWN BY: DMH  
CHECKED BY: ECH  
DATE: 08/03/2015  
PROJECT#: 017079000