

I. General Provisions

a) **Site Location.** These Development Standards form a part of the rezoning plan associated with the Rezoning Petition (the "Rezoning Plan") filed by The Housing Partnership (the "Petitioner") to accommodate development of age restricted multi-family residential dwelling units on an approximately 3.69 acre site located at the intersection of Nolley Court and Galleria Boulevard (the "Site").

b) **Zoning District/Ordinance.** Development of the Site will be governed by the accompanying Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MUDD Zoning District shall govern all development taking place on the Site, subject to the Optional Provisions below.

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:

- 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 external setbacks, side or rear yards) indicated on Sheet RZ-01; or
- modifications to allow minor increases or decreases 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 will be limited to one (1). 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).

II. MUDD-Optional Provisions

The following MUDD-O (Optional) Provisions apply:

a) To allow signs located on any building wall of a structure to have a maximum sign surface of all signs on one wall not to exceed 10% of building wall area to which the sign is attached or a maximum of 200 square feet, whichever is less.]

b) To allow a one detached ground mounted sign per street front, each with a maximum height of five (5) feet and a maximum face area of fifty (50) square feet.]

**Note:** The Optional Provisions regarding signs are an addition/modification to the standards for signs in the MUDD district and is to be used with the remainder of MUDD standards for signs not modified by these optional provisions.

III. Permitted Uses

The Site may be devoted to up to 135 multi-family residential dwelling units together with any incidental or accessory uses associated therewith as permitted by the MUDD district. To the extent permitted by law, the residential dwelling units shall be restricted to residents of at least 55 years of age.

IV. Transportation

a) **Access.** Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points generally depicted on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.

V. Architectural and Streetscape Standards

a) **Designated Exterior Building Materials.** All principal and accessory buildings abutting an existing public street shall be comprised of a minimum of 10% of that building's entire façade facing such public street using brick, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.

b) **Prohibited Exterior Building Materials.**

- Vinyl siding (but not vinyl hand rails, windows or door trim); and
- Concrete masonry units not architecturally finished.

c) **Development/Site Elements Placement.** Building placement and Site Element placement shall focus on and enhance the pedestrian environment through the following:

- Buildings shall front on Nolley Court (exclusive of driveways, pedestrian access points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities). All other streets containing less than 50% building frontage will be adequately screened with a mixture of walls and landscaping.
- Parking lots shall not be located between any building and Nolley Court. Parking lots on any other network required public street will be adequately screened from view at grade with a mixture of walls and landscaping.

d) **Building Massing Treatment.** Building massing and height shall be designed to break up long monolithic building forms as follows:

- Buildings shall include modulations of the building massing/façade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of 2 feet extending through at least a full floor.

e) **Architectural Elevation Design.** Elevations shall be designed to create visual interest as follows:

- Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
- Buildings shall be designed with a recognizable architectural base on all facades facing public streets. Such base may be executed through use of Designated Exterior Building Materials or articulated architectural façade features and color changes.
- Building elevations facing public streets shall not have expanses of blank walls greater than [100] eet and architectural features such as (but not limited to) banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

f) **Roof Form and Articulation.** Roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:

- Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers or parapets.
- For pitched roofs, the minimum pitch shall be 4:12 excluding buildings with a flat roof and parapet walls.
- Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.

g) **Service Area Screening.** Service areas such as dumpsters, refuse areas, recycling and storage shall be screened from view with materials and design to be compatible with principal structures. Such design shall include a minimum 10% Designated Exterior Building Materials

h) **Ground Floor Elevations.** Residential ground floor finish elevations shall be raised a minimum of 8" above finish grade. Building entrances should be at grade or as required for ADA compliance.

i) **Streetscape on Nolley Court.** Petitioner shall provide a six (6) foot wide sidewalk and eight (8) foot wide planting strip along the Site's Nolley Court frontage.

VI. Environmental Features

Petitioner shall satisfy the requirements of the Post Construction Controls Ordinance and City of Charlotte Tree Ordinance.

VII. Lighting

a) **Cuff-off Fixtures.** All parking area lighting fixtures will be shielded with full cut-off fixtures.

b) **Pedestrian Scale.** Pedestrian scale lighting will be provided within the site. The maximum height for Freestanding lighting including its base will not exceed twenty-six (26) feet.

VIII. Signage

The Petitioner shall limit the number of signs to one per street frontage. Signage shall comply with Ordinance standards subject to Optional Provisions set forth above.

IX. Amendments to Rezoning Plan

Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular parcel within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

X. Binding Effect of the Rezoning Documents and Definitions

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards 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 successors in interest and assigns.

Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.

