

4 CONTEXT SITE PLAN
NO SCALE

**Mosaic Village II
Development Standards
03/25/2019**

Rezoning Petition No. 2018-149

Site Development Data:
- **Acres:** 4.134 acres
- **Tax Parcel #:** 071-01-911, 071-01-919, 071-01-920, 071-01-922, 071-01-923, 071-01-925, 071-01-926, 071-01-921 (Joinder: Paul Edwin Clouer), 071-01-915, 071-01-917, 071-01-933 (Joinder: Mosaic Village Holdings, LLC)
- **Existing Zoning:** B-1, B-1 (PED-O), R-8, R-8 (CD)
- **Proposed Zoning:** MUDD(O); with five (5) year vested rights.
- **Existing Uses:** Office, Retail, Residential (Single Family & Multi-Family)
- **Proposed Uses:** Uses allowed in the MUDD(O) District for Development Areas A, B, C & D as more specifically described below in Section 3.

-Maximum Development Levels: In accordance with the transfer/conversion rights and the other provisions of Section 3 below: (i) up to 170 single family (attached and/or multi-family residential dwelling units; (ii) indoor community uses of up to 5,000 square feet of gross floor area; (iii) up to 190,000 square feet of gross floor area for visual and performing arts and related uses, and (iv) up to 190,000 square feet of gross floor area of office, multi-family, retail, restaurant, personal services and other similar commercial uses in each case as more particularly described below in Section 3; all together with accessory uses as permitted in the MUDD(O) district, as applicable; Transfer/conversion of (ii) indoor community uses of up to 5,000 square feet of gross floor area and (iii) up to 190,000 square feet of gross floor area for visual and performing arts may be converted to up to a total of 25,000 square feet of gross floor area for office and/or retail, restaurant or other similar uses as permitted in the MUDD(O) district.

-Maximum Building Height:
- A maximum building height (as measured per Ordinance) of up to (6) Six Stories (existing) shall apply to buildings within Development Area A;
- A maximum building height (as measured per Ordinance) of up to 86.5' feet shall apply to building within Development Area B;
- A maximum building height (as measured per Ordinance) of up to 86.5' feet shall apply to building within Development Area C;
- A maximum building height (as measured per Ordinance) of up to 40' feet shall apply to building within Development Area D;
- Height to be measured as described in the Ordinance and shall not include building service or architectural accent features such as towers and parapet features, it being understood that (i) the service features and other architectural accent features are yet to be determined and may be higher than the maximum height of the building to which such features are attached but excluding occupied space which shall be subject to the above referenced building height limitations.

-Parking: As required by the Ordinance for the MUDD(O) zoning classifications.

SITE LEGEND	
	AMENITY AREA (NEW & EXISTING)
	MULTI-USE PATH MUP
	COVERED BIKE STORAGE
	PROPERTY LINE
	SETBACK LINE
	DEVELOPMENT AREA

Amenity & Open Space Calculations	
The following represent the existing and proposed Open Space that the developer that must provide to satisfy the PED-O for the MUDD-O rezoning area.	
4.134 AC	Total Rezoning Site Area.
2,718 GSF	A2 Development Area 'A' [Public Open Space - Existing Open Space/Amenity Area]
809 GS	B1 Development Area 'B' [Public Open Space - Proposed Open Space/Amenity Area]
798 GSF	B2 Development Area 'B' [Public Open Space - Proposed Open Space/Amenity Area]
712 GSF	C1 Development Area 'C' [Public Open Space - Proposed Open Space/Amenity Area]
5,037 GSF	Public Open Space Provided
4,774 GSF	Public Open Space Required
Public Open Space as calculated per Ordinance: 1 sq. ft./100 sq. ft. gross floor area or 1 sq. ft./200 sq. ft. lot area, whichever is greater.	
Lot Area Calculation: 4.134 AC = 180,077.04 Sq. Ft. / 200 Sq. Ft. = 900.38 Sq. Ft.	
Floor Area Calculation: Development Areas A,B,C&D [(A) 255,430 + (B) 100,000 + (C) 90,000 [Future Max] + (D) 32,000 [Future Max] 477,430 Sq. Ft. / 100 Sq. Ft. = 4,774 Sq. Ft. [Minimum Public Opn Space Required]	

Public Urban Open Space is defined as an area that is:
(1) Accessible and open to the public.
(2) Improved with seating, plantings, or other amenities.
(3) Visible and accessible from the street or public pedestrian areas.
(4) Located on the ground floor or no more than five (5) feet above or five (5) feet below ground level.
(5) Out of doors, or in the open air (may be under a roof or canopy).

All required open space shall be located behind the sidewalk and on private property.

Open space requirements are based on the type of use, the lot size, and the gross square footage of building floor area.

Transportation Notes [Refer to Development Standards for complete list of Petitioner Commitments]	
1.	The proposed zoning district has a setback measured from the back of existing or proposed future curb line.
2.	The location of the existing Duckworth Ave. back of curb shall remain as is and shall serve as future back of curb.
3.	Petitioner to coordinate final West Trade Street Future Back of Curb location with CATS Gold Line Streetcar Project Manager
4.	Petitioner to dedicate fee simple conveyance of all required rights-of-way to the City of Charlotte prior to the issuance of the site's first building Certificate of Occupancy. The right-of-way shall be set at two feet beyond the back of the required sidewalks for Development Areas B, C & D, per the Development Standards.
5.	All Transportation Improvements shall be approved and constructed with each Phase of site development and before each site's first building Certificate of Occupancy is issued, per the Development Standards.
6.	Petitioner shall provide a (12) foot Multi-Use Path (MUP) and a (4) foot MUP Amenity Area, per the Development Standards.

Rezoning Transportation Advisory Information

The following are requirements of the developer that must be satisfied prior to driveway permit approval.

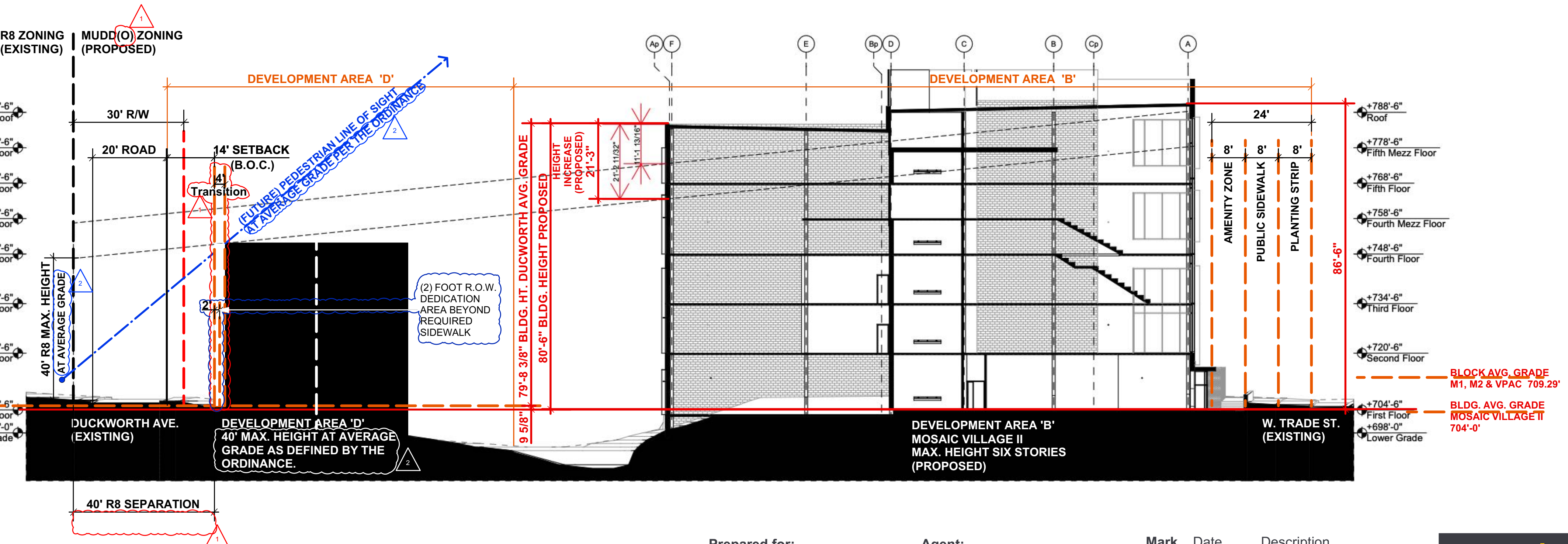
- According to the City of Charlotte's Driveway Regulations, CDOT has the authority to regulate/approve all private street/driveway and public street connections to the right-of-way of a street under the regulatory jurisdiction of the City of Charlotte.
- Adequate sight triangles must be reserved at the existing/proposed street entrance(s). Two 35' x 35' sight triangles (and two 10' x 70' sight triangles on North Carolina Department of Transportation on NCDOT maintained streets) are required for the entrance(s) to meet requirements. All proposed trees, berms, walls, fences, and/or identification signs must not interfere with sight distance at the entrance(s). Such items should be identified on the site plan.
- The proposed driveway connection(s) to public streets will require a driveway permit(s) to be submitted to CDOT (and the North Carolina Department of Transportation on NCDOT maintained streets) for review and approval. The exact driveway location(s) and type/width of the driveway(s) will be determined by CDOT during the driveway permit process. The locations of the driveway(s) shown on the site plan are subject to change in order to align with driveway(s) on the opposite side of the street and comply with City Driveway Regulations and the City Tree Ordinance.
- All proposed commercial driveway connections to a future public street will require a driveway permit to be submitted to CDOT for review and approval.
- Any fence or wall constructed along or adjacent to any sidewalk or street right-of-way requires a certificate issued by CDOT.
- A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed existing City maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to the construction/installation of the non-standard item(s). Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.

MAXIMUM HEIGHT
Per The Ordinance:
The vertical distance
between the average grade
at the base of a structure
and the highest part of the
structure, but not including
sky lights, and roof
structures for elevators,
stairways, tanks, heating,
ventilation and
air-conditioning equipment,
or similar equipment for the
operation and maintenance
of a building.

DUCKWORTH STREET
AVG. GRADE
MOSAIC VILLAGE II
704.8' (704'-9 5/8")

3 SITE SECTION
NO SCALE

This Drawing is the property
of Shook Kelley, Inc. and is
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used for the project and site
specifically identified herein
and is not to be used on any
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written request of Shook
Kelley, Inc.



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Mark	Date	Description
△	01/14/2019	Rezoning Revision #1
△	03/25/2019	Rezoning Revision #2

shook kelley[™]

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West End Investments, LLC
Mosaic Village II

1607 West Trade St.
Charlotte, NC 28216

:A 11/21/2018 Rezoning Submittal
Project ID: 18046.001

**Average Grades
& Site Section
2018-149**

M2 Zoning Plan.vwx
RZ3

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-A maximum building height (as measured per Ordinance) of up to 40' feet shall apply to building within Development Area D;
-Height to be measured as described in the Ordinance and shall not include building service or architectural accent features such as towers and parapet features, it being understood that (i) the service features and other architectural accent features are yet to be determined and may be higher than the maximum height of the building to which such features are attached but excluding occupied space which shall be subject to the above referenced building height limitations.

--**Parking:** As required by the Ordinance for the MUDD(O) zoning classifications.

1. **General Provisions:**
a. Site Location/Development Areas. These Development Standards, the technical Data Sheet and other graphics set forth on attached RZ Sheets, form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Mosaic Village II Rezoning Petition filed by West End Investments, LLC ("Petitioner") to accommodate development of mixed-uses on an approximately 4.134 acre site located along the CATS Gold Line at West Trade Street adjacent to the historic J.C. Smith University 5-Points, as generally depicted on the Rezoning Plan (the "Site"), such development to form a second phase of the original existing Mosaic Village I as described in Section 1.e. below.
For ease of reference, the Rezoning Plan sets forth three (4) development areas as generally depicted on **Sheets RZ1 & RZ2** as Development Areas A, B, C and D (each a "Development Area" and collectively 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"). Unless the Rezoning Plan establishes more stringent standards, (i) the regulations established under the Ordinance for: (i) the MUDD(O) zoning district shall govern development taking place within Development Areas A, B, C and D.

c. **Graphics and Alterations/Modifications.** The conceptual depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Development Areas (as defined below) 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 nor deemed by Planning Staff as so minor as not to require an administrative amendment, 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 documentation 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, as indicated above, there may be instances where minor modifications that don't materially change the overall design intent depicted on the Rezoning Plan such as minor modifications to the Development Areas (as defined below) or the Development/Site Elements, may be allowed by the Planning Staff/Planning Director, in their discretion, without requiring the administrative amendment process per Section 6.207 of the Ordinance; in other instances modifications shall be reviewed and approved as allowed by Section 6.207.

d. **Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed 8. 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, and the number of accessory buildings (not including non-building structures) on the Site shall not exceed 8 and any such accessory buildings shall not exceed a height of 25 feet.

e. **Planned/Unified Development.** The Site together with Development Area A, the existing Mosaic Village 1, as generally depicted on **Sheets RZ1 & RZ2**, shall be viewed in the aggregate as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning. 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 Development/Site Elements located on the Site. The Petitioner and/or owner(s) 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 3 below as to the Site and in the applicable rezoning plan, taken as a whole and not individual portions or lots located therein.

f. **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, 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. **Gross Floor Area Clarification.** When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, balconies, ground/street level outdoor dining areas and exterior special event dining in above ground areas, and all gathering areas whether on the roof of the building or at street level.

h. **Project Phasing.** Development taking place on the Site may occur in phases and in such event, except as expressly required in this Rezoning Plan or by the Ordinance, certain streetscape and related improvements and improvements associated with the Multi-Use Path to be developed through Development Areas B & C may take place in connection with the phase of development to which such improvements relate as described herein (such as completion of the Multi-Use Path within Development Area D prior to Area D Development Delivery Date).

i. **Definition of Multi-Use Path (MAP) and MAP Amenity Area.** For the purposes of the Rezoning Plan, references to the term "Multi-Use Path (or MAP)" shall mean the (12) foot wide portion of the Site located through Development Areas B & D that will serve to connect Duckworth Avenue at Auten St. to W. Trade Street and the CATS Gold Line. The MAP Amenity Area shall mean the (4) foot wide portion of the Site, reserved for landscape, adjacent to the MAP.

2. **Optional Provisions.**
The following Optional Provisions shall apply to Development Areas A, B, C and D:

a. **Future Internal Driveways.** To the extent an Optional Provision is needed for clarity, internal driveways shall be treated as private driveways for all purposes of the Rezoning Plan, and as such parking shall be allowed between such driveways and buildings located within the MUDD(O) zoned Development Areas A, B, C and D. Future Internal Driveways will meet all required minimum setbacks, streetscape and screening requirements and may vary in location from those generally depicted on the Rezoning Plan subject to approval of CDOT and the Charlotte Fire Department.

b. **Interim Surface Parking Between Building and Duckworth Ave. Phasing Conditions.** To allow during the construction staging and subsequent phasing of development on the Site, surface parking on the portion of the Site along Duckworth Ave. within Development Areas C & D, at the back of the existing VPAC Building within Area C, on an interim basis may be allowed without regard to locations between buildings and streets/driveways, provided that such surface parking areas beyond the construction staging period will meet all required minimum setbacks, streetscape and screening requirements. Driveways during phases of the development may vary in location from those generally depicted on the Rezoning Plan subject to approval of CDOT and the Charlotte Fire Department.

c. **Temporary Signs.** In addition to other signs permitted in this Section 2 and otherwise in the Rezoning Plan, to allow Temporary signs and/or banners along W. Trade St. with up to 64 square feet of sign face area and with a maximum height of seven (7) feet. A total of two (2) Temporary Planned Development signs may be erected along the Site's frontage on W. Trade St. (an increase of two (2) feet above the Ordinance requirements).

Note: The optional provisions regarding signs are additions/modifications to the standards for signs in the MUDD(O) district and are to be used with the remainder of MUDD(O) standards for signs not modified by these optional provisions.

d. **Recessed Doors.** On condition that the door swing will not encroach into the sidewalk doorways shall not be required to be recessed into the face of buildings when abutting required Open Space or amenity area sidewalks 8 feet or greater.

e. **Bike Parking. Parking within MUP Amenity Area.** To allow required long-term bike parking spaces for the uses located on the Site within Development Areas B to be located within the 4' MUP Amenity Area constructed below the building portion of Development Area B at street level. Bike parking at this location will provide the most direct covered access to the Multi-Use Path, proposed Community Room, and MUDD(O) uses within Development Area B.

f. **Encroachments into Side Yard Separation.** To allow balconies located above the first floor of the building between Development Areas B and C to encroach up to four (4) feet into the assumed side yard separation to Development Area C as generally depicted on the Rezoning Plan subject to approval of the Charlotte Fire Department.

g. The petitioner will implement an 8' (eight foot) planting strip and 6' (six foot) sidewalk along the Duckworth Ave. frontage prior to receipt of Certificate of Occupancy for Buildings within each separate phase of Development Area 'D' construction along Duckworth Ave. per Transportation Phasing Improvements, 4.c. below.

h. The petitioner will implement an 8' (eight foot) planting strip and 8' (eight foot) sidewalk along the W. Trade St. frontage prior to receipt of Certificate of Occupancy for the first building within Development Area B' along W. Trade St.

3. **Permitted Uses, Development Area Limitations, Transfer & Conversion Rights:**
a. In addition to other development permitted on the Site as described in this Section 3 and in accordance with and subject to the restrictions, limitations, and transfer/conversion rights listed below and other provisions of the Rezoning Plan, the principal buildings constructed on the Site may be developed with:

- (i) indoor community uses of up to 5,000 square feet of gross floor area to be located in Development Area B (with interior access to office lobby and site access to the Multi-Use Path with transfer/conversion rights, per (vii) below)
- (ii) up to 20,000 square feet of gross floor area for visual and performing arts and related uses (as existing in Development C building area or as future development within Development Areas B and C with transfer/conversion rights, per (vii), below)
- (iii) up to 100,000 square feet of gross floor area of office, retail, restaurant, visual & performing arts as allowed in the MUDD(O) district (not including such uses that are accessory in nature) located in Development Area B;
- (iv) up to 90,000 square feet of gross floor area of office, retail, restaurant, visual & performing arts and/or residential housing of up to 90 multi-family residential dwelling units as allowed in the MUDD(O) district (not including such uses that are accessory in nature) located in Development Area C;

(v) residential housing of up to 80 units of single family (attached) and/or multi-family residential dwelling units, which may be located in Development Area D;

(vi) Structured parking, as allowed by the Ordinance may be located in Development Areas C & D.

(vii) Transfer/conversion of (ii) Indoor community uses of up to 5,000 square feet of gross floor area and (iii) up to 20,000 square feet of gross floor area for visual and performing arts may be converted to up to a total of 25,000 square feet of gross floor area for office and/or retail, restaurant or other similar uses as permitted in the MUDD(O) district.

Note: Existing Residential, Retail, Classroom, Office or any other uses, as previously constructed as part of the Mosaic I development within Development Area A, is to be exempt from the requirements of this rezoning. Any new uses proposed shall follow the requirements of the MUDD(O) standards as modified by the rezoning.

The development limitations referenced in this Section 3.a. for all of the above together with secondary and accessory uses permitted in the MUDD(O) zoning district as to Development Areas A, B, C and D, do not reflect common areas/transitional area spaces, structured parking or accessory uses related to principal uses and as such shall be excluded from the calculation of the above listed development limitations.

SEE TABLE 1 BELOW FOR DEVELOPMENT AREAS SUMMARY (text of this Section shall control in event of a conflict)

a. Notwithstanding the provisions of Section 3.a above, community and visual and performing arts uses may be reduced and converted into office, retail and/or restaurant uses at a rate of one (1) square foot of gross floor of such uses up to a total of 25,000 square feet, provided that such additional office uses shall be permitted uses as described in Section 3.a. above.

b. All Uses, as allowed by The Ordinance, for the MUDD Zoning District may be located in Development Areas A, B, C & D.

c. The height of principal buildings on the Site shall be as described in the Development Data portion above under "Maximum Building Heights".

4. **Transportation Improvements and Access:**
a. **Proposed Improvements:** The Petitioner shall provide or cause to be provided on its own, or in cooperation with other parties who may implement portions of the improvements set forth below, for the following improvements as generally depicted on **Sheet RZ1 & RZ2:**

1. **12' (Twelve Foot) Multi-Use Path (MUP).**
• (Twelve Feet) 12'-wide ADA accessible multi-use path with 4' (four foot) which connects the eastern side of the Duckworth Ave. public sidewalk at Auten St. to the western side of the public sidewalk at W. Trade St. Construction and future maintenance of the Multi-Use Path will be by the Petitioner. The MUP shall be substantially completed in conjunction with the development of the Site for Development Area B and prior to issuance of the first certificate of occupancy for the first new building within Site Development Area B.

2. **4' MUP Amenity Area.**
• (Four Feet) 4'-wide Landscape Area Amenity Area adjacent to the south side of the Multi-Use Path. Actual height and allowance for perpendicular crossing of the Landscape MUP Amenity Area within and between Development Areas B and C and within Development Area D in relation to the Multi-Use Path shall be based on final design, review and coordination with CDOT. Construction and future maintenance of the Landscape MUP Amenity Area will be by the Petitioner. 4' MUP Amenity Area to include pedestrian scale lighting per The Ordinance and Section 12.2 of the Development Standards. The MUP Amenity Area shall be substantially completed in conjunction with the development of the Site for Development Area B and prior to issuance of the first certificate of occupancy for the first new building within Site Development Area B.

3. **Auten St. Roadway Abandonment**
• Under separate application, the Petitioner shall seek abandonment of the dead-end portion of Auten St. within Development Area D in order to better accommodate design and construction of the required Multi-Use Path. A separate Subdivision Ordinance Street Exception approval has been previously approved in connection to the Abandonment application.

4. The location of the Duckworth Ave. future back of curb may remain as is. The location of the West Trade St. future back of curb is to be determined by the CATS Gold Line Streetcar project. Petitioner to coordinate West Trade St. Future Back of Curb with CATS Gold Line Streetcar Manager.

5. The petitioner will implement an 8' (eight foot) planting strip and 6' (six foot) sidewalk along the Duckworth Ave. frontage per the Optional Provisions noted in 2.h. above and with the Transportation Phasing Improvements, noted below in 4.c.

6. The petitioner will implement an 8' (eight foot) planting strip and 8' (eight foot) sidewalk along the W. Trade St. frontage per the Optional Provisions noted in 2.h. above.

7. Based on existing site grades along W. Trade St., the Petitioner will coordinate final engineering and design to maintain necessary site steps and retaining wall structures within the 8' (eight foot) Amenity Area beyond the 16' (sixteen foot) planting and sidewalk areas and per final coordination with CATS Gold Line Streetcar Project. Necessary site steps and retaining wall structures within the 8' Amenity Areas shall be substantially completed in conjunction with the development of the Site for Development Area B and prior to issuance of the first certificate of occupancy for the first new building within Site Development Area B.

8. Based on existing site grades along W. Trade St. and final coordination with the CATS Gold Line Streetcar Project, the Petitioner will coordinate final engineering and design to implement one (1) accessible on-street parking space along W. Trade St. frontage, complying to PROWAG Guidelines. The (1) accessible parking space shall be substantially completed in conjunction with the development of the Site for Development Area B and prior to issuance of the first certificate of occupancy for the first new building within Site Development Area B.

9. The Petitioner will dedicate to the City of Charlotte, right-of-way conveyance of a 2' (two foot) setback behind the future sidewalk area along Development Area 'D', Development Area 'C' and portion of Development Area 'B'. Right-of-way conveyance shall be completed prior to release of the first building Certificate of Occupancy for building construction within Development Areas B, C or D. The dedicated 2' setback within Development Areas B & C, shall be included within the required 8' Amenity Area.

10. The Petitioner will coordinate final engineering and design to implement up to (four) on-street parking spaces along the W. Trade St. frontage per final coordination with the CATS Gold Line Streetcar Project. The on-street parking spaces shall be substantially completed in conjunction with the development of the Site for Development Area B and prior to issuance of the first certificate of occupancy for the first new building within Site Development Area B.

Prepared for:

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Mark Date Description

01/14/2019 Rezoning Revision #1
03/25/2019 Rezoning Revision #2

1. **CDOT Standards.** The proposed improvements will be subject to the standards and criteria of CDOT. 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 W. Trade-Five Points area, by way of a private/public partnership effort or other public sector project support in connection to the CATS Gold Line improvements, but shall be substantially completed in accordance with subsection c. below.

c. **Transportation Improvements Phasing.** Transportation improvements listed above, will be substantially completed in conjunction with the development of the Site for Development Areas B, C & D and prior to issuance of the first certificate of occupancy for the first new building(s) on the Site within each separate phase of Development for Areas B, C & D permitted by this plan and per the Optional Provisions noted above. Per 4.a.5, above, Implementation of the 8' (eight foot) planting strip and 6' (six foot) sidewalk along the Duckworth Ave. frontage shall be allowed to be constructed separately with each of the (2) Development Areas D, Phases D1 & D2, as noted on the Site Plan. The 8' (eight foot) planting strip and 6' (six foot) sidewalk within Phase D1 shall be substantially completed in conjunction with the development of the Site for Development Area D [Phase D1] and prior to issuance of the first certificate of occupancy for the first new building within Site Development Area D [Phase D1]. The 8' (eight foot) planting strip and 6' (six foot) sidewalk within Phase D2 shall be substantially completed in conjunction with the development of the Site for Development Area D [Phase D2] and prior to issuance of the first certificate of occupancy for the first new building within Site Development Area D [Phase D2].

d. **Substantial Completion.** Reference to "substantial completion" or "substantially completed" for certain improvements as set forth in the provisions of Section 3. above shall mean completion of the transportation improvements in accordance with the standards set forth in Sections 3.a., 3.b. & 3.c. above.

e. **Access to Site.** Vehicular access to the Site will be from W. Trade St. via the existing parking deck entry within Development Area A and via driveway access from Duckworth Ave. as generally depicted on the Rezoning Plan as well as internally through Development Areas A, B, C and D and subject to adjustments as set forth below.

f. **Driveways/Pedestrian Connections.** Subject to the Optional Provisions set forth above, the private driveways generally depicted on the Rezoning Plan will be designed as indicated on the Rezoning Plan and treated as driveways. Driveway and pedestrian connections generally depicted on the Rezoning Plan from adjoining properties may be allowed in the location(s) shown on the Rezoning Plan subject to development issues and other constraints reasonably determined by Petitioner.

g. **Alignment/Locations of Driveways.** The exact alignment, dimensions and locations of the access points to the Site, the driveways on the Site and Multi-Use Path cross-sections on the Site may be modified from the elements shown on the Rezoning Plan provided that the overall design intent is not materially altered.

5. Setbacks and Streetscape Improvements.

a. **W. Trade St. – Development Areas B and C.** A minimum sixteen (16) foot setback will be provided along W. Trade St. as measured from the existing future back of curb in Development Areas B and C. An additional minimum eight (8) foot amenity area will be provided along West Trade St., as measured from the back of sidewalk in Development Areas B and C to generally align with the existing setbacks within Development Area A. Within the setback area of W. Trade St., an eight (8) foot planting strip, an eight (8) foot sidewalk, an eight (8) foot amenity area, (1) PROWAG accessible and up to (4) additional on-street parking spaces will be provided along the Development Areas B & C portions of W. Trade St. prior to issuance of the first certificate of occupancy for the building(s) within Development Area B, per final coordination with the CATS Gold Line Streetcar Manager.

b. **Duckworth Ave. – Development Area D.** An eight (8) foot planting strip and a six (6) foot sidewalk will be provided along Duckworth Ave. within Development Area D, measured from the existing back of curb in Development Area D. The planting strip and sidewalk within the setback area of Duckworth Ave. will be provided prior to issuance of the first certificate of occupancy for the building(s) within Development Area D, Phases D1 and D2. As Development Area D may contain phased construction, it is understood that the planting and sidewalk improvements may be constructed with each of the individual associated phases, Phases D1 and D2 but prior to the issuance of the certificate of occupancy for the building(s) for each phase within Development Area D.

c. Side Yard Separation.

(i) **Development Areas B & C:**
• A minimum 20-foot-wide building separation shall be provided along the common boundary between Development Areas B and C, as generally depicted on **Sheet RZ1 & RZ2:**

- Portions of the Multi-Use Path or required path for building egress may be located within the minimum 20-foot-wide building separation;
- A 20-foot fire lane may be located between Development Areas B and C (such fire lane to be constructed per requirements and may contain grass pavers or similar materials) per final coordination with the City Fire Marshal.

6. Parking Areas, Access and Circulation Design Guidelines.

a. Building materials associated with facades on parking structures that are generally compatible in character and quality with adjoining buildings, plazas and streetscapes will be created, taking into consideration differences associated with parking structures.

b. Parking structures shall be designed to materially screen the view of parked cars from adjacent public streets, private driveways, or publicly accessible open spaces or plazas on all levels. Screening of cars on the ground level may be accomplished primarily through the use of landscaping; and screening of cars parked on an exposed upper level will be accomplished by a wall or screen element, at least 36 inches in height, designed as part of the parking deck structure.

c. On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances and from the Multi-Use Path edge per The Ordinance.

d. Existing parking within Development Area C along Duckworth Ave., associated with the existing J.C. Smith University Visual Performing Arts Center shall remain or shall be modified as required for continuing use until such time that future development occurs within Development Area C, per allowances of the Optional Provisions noted above.

7. Pedestrian Access and Circulation Design Guidelines.

a. Within Development Areas B, C & D, along the Site's internal private driveways, the Petitioner will provide a future 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 right-of-way and Multi-Use Path as generally depicted on the Rezoning Plan.

The minimum width of these internal driveway walls will be six (6) feet.

b. Walkways through plazas or publicly accessible open space areas will be appropriately designed for the intended use and type of open space area in which they are located.

c. Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of door swings, temporary trash or similar impediments.

8. Open Space Generally.

a. The Petitioner will provide open space areas in the manner generally depicted on the Rezoning Plan for Development Area B but subject to minor adjustments needed to accommodate building, parking and service improvements. Any additional Open Space required of the Ordinance for Development Areas C & D shall be provided concurrent with that phase. These open space areas will contain landscaping, seating areas and/or hardscape elements per the Ordinance. Refer to Sheet RZ1 for Open Space Calculations.

Note: Existing Open Space, as previously constructed as part of the Mosaic I development within Development Area A, is to be counted toward the minimum requirement for Open Space relative to this rezoning.

9. General Design Guidelines – New buildings within Development Areas B, C & D.

a. General Considerations.

(i) Buildings will be oriented towards W. Trade St., Duckworth Ave. and the Multi-Use Path to reinforce the streetscape.

(ii) Architectural treatment shall continue on all sides of a building to create 4-sided architecture except as specifically noted otherwise.

(iii) Ground floor elevations shall be treated with a combination of fenestration, clear glass, prominent entrances, change in materials, building step backs, art work and landscaping. Along the public right-of-ways, blank walls greater than twenty feet (20') cannot be addressed with landscape elements only or as noted in (x), below.

(iv) Accessory structures shall be consistent with the principal building in material, texture, and color.

(v) Structured parking shall be designed per the Ordinance for MUDD(O) and per 6.b. above.

(vi) A minimum building separation of 20 feet shall be provided between the buildings in Development Areas B and C.

(vii) New dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a new dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side.

(viii) All roof mounted mechanical equipment on the new buildings and building additions to be constructed on the Site will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.

(ix) HVAC condensers shall be screened from view from adjoining public rights-of-way and abutting properties and shall not be located along the W. Trade St. or Duckworth Ave. right-of-way edge.

(x) A 40-foot portion of blank wall may be maintained and developed as part of the required long and short term bike storage along the south wall of the Mosaic II building in Development Area B along that edge of the Multi-Use Path where the MUP passes below the upper portion(s) of the building.

b. Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:

i. Buildings shall be placed so as to present a front or side façade to the existing public streets and MUP as generally depicted on the Rezoning Plan.

ii. Buildings shall front the W. Trade St. and Duckworth Ave. frontage on the Site (exclusive of driveways, pedestrian access, points, accessible open space, natural areas, and storm water facilities).

c. Building Massing and Height shall be designed to break up long monolithic building forms as follows:

i. Buildings exceeding 135 feet in length shall include modulations of the building massing/facade 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 4 feet extending through the building

d. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:

i. 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.

ii. Buildings shall be designed with a recognizable architectural base on all facades facing the existing public streets and the MUP. Such base may be executed through use of the allowed building materials or articulated architectural

TABLE 1: DEVELOPMENT AREA SUMMARY (See Development Standards for more complete description which shall control)

	Zoning Proposed	Principle Uses Proposed	Required Front Yard to Duckworth* (Exist)	Required Side Yard to R-8* (Exist)	Required Side Yard to B-1* N/A	Fire Lane Separation Dev. B & C N/A	Max. HT (Exist.)
Development Area A	MUDD(O)	[Existing Mixed-Use] -255,430 sq. ft. Multi-Family & 80 Suites Retail/Office/Restaurant Classrooms	N/A	N/A	N/A	20'	86'-6"
Development Area B	MUDD(O)	Mixed-Use: 100,000 sq. ft. Office/Retail/Restaurant Performing Arts Community Space	NA	10'	N/A	20'	86'-6"
Development Area C	MUDD(O)	Mixed-Use: 90,000 sq. ft. Multi-family; Up to 90 RDU Office/Retail/Restaurant Performing Arts Community Space	14'(B.O.C.)	10'	10'	N/A	40'
Development Area D	MUDD(O)	Multi-family & SF [Attached] Up to 80 RDU					

**(measured per Ordinance)*

facade features and color changes.

iii. Building elevations facing the existing public streets and the MUP shall not have expanses of blank walls greater than 20 feet in all directions 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, except as otherwise noted.

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

i. 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.

ii. For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls. This standard will not apply to roofs on dormers, balconies, or other minor building elements that may have a pitched roof.

f. **Prohibited Exterior Building Materials:**
i. Vinyl siding (but not vinyl hand rails, windows or door trim).
ii. Concrete Masonry Units not architecturally finished.

g. **Conceptual Renderings.** The conceptual renderings associated with the building to be located on the Site within Development Area B, as generally depicted on Sheet RZ2, in connection with certain permitted uses of the Site are included to reflect the architectural style and quality of the building that will be constructed, it being understood that the actual building(s) so constructed and the nature/location of the building elements may vary from these illustrations as long as (i) the general architectural concept and intent shown is maintained and (ii) heights of any buildings above heights specified in the Development Data portion are not increased.

h. Streetscape Design Standards:

a. All buildings and uses developed in Areas B, C and D will meet the MUDD(O) standards of the Ordinance except as noted above in the Optional Provisions.
b. Sidewalks and planting strips shall be as prescribed by the Ordinance in coordination with Urban Forestry.
c. Screening will conform to the applicable standards of 12.303

10. Environmental Features:

a. The Petitioner shall comply with the Charlotte City Council approved and adopted Tree Ordinance and Post Construction Stormwater Ordinance. The location, size and type of stormwater 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 stormwater treatment requirements and natural site discharge points.
b. Placement of storm detention shall be allowed below grade within the Multi-Use Path as required by the final site engineering for Development Areas A, B, C & D, per 10.A, above.

RZ5.1 WEST TRADE STREET CONCEPT VIEW FROM NORTHEAST [TOWARDS I-77 & CENTER CITY]



RZ5.2 WEST TRADE STREET CONCEPT VIEW FROM EAST



RZ5.3 WEST TRADE STREET CONCEPT VIEW FROM SOUTHEAST [TOWARDS FIVE POINTS]



NOTE: "The RZ5.1, RZ5.2 AND RZ5.3 concept elevations and renderings are illustrative for the proposed Mosaic Village II building and are included to reflect an architectural style and quality of the building that will be constructed on the site. These concept elevations are illustrating the use of varied materials, rooflines, glass (either opaque or clear), wall plane variation, and massing. The actual building and the nature and location of the individual building elements constructed on the site may vary from these illustrations provided that the design intent is preserved."

- Building Placement and Site Design** - Shall focus on and enhance the pedestrian environment through the following:
- Buildings shall be placed so as to present a front or side façade to the existing public streets and MUP as generally depicted on the Rezoning Plan.
 - Buildings shall front the W. Trade St. and Duckworth Ave. frontage on the Site (exclusive of driveways, pedestrian access, points, accessible open space, natural areas, and storm water facilities).
- Building Massing and Height** - Shall be designed to break up long monolithic building forms as follows:
- Buildings exceeding 135 feet in length shall include modulations of the building massing/facade 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 4 feet extending through the building.
- 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 the existing public streets and the MUP. Such base may be executed through use of the allowed building materials or articulated architectural façade features and color changes.
 - Building elevations facing the existing public streets and the MUP shall not have expanses of blank walls greater than 20 feet in all directions 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, except as otherwise noted.
- 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 allowed is 4:12 excluding buildings with a flat roof and parapet walls. This standard will not apply to roofs on dormers, balconies, or other minor building elements that may have a pitched roof.
- Prohibited Exterior Building Materials:**
- Vinyl siding (but not vinyl hand rails, windows or door trim).
 - Concrete Masonry Units not architecturally finished.

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neighboring
concepts

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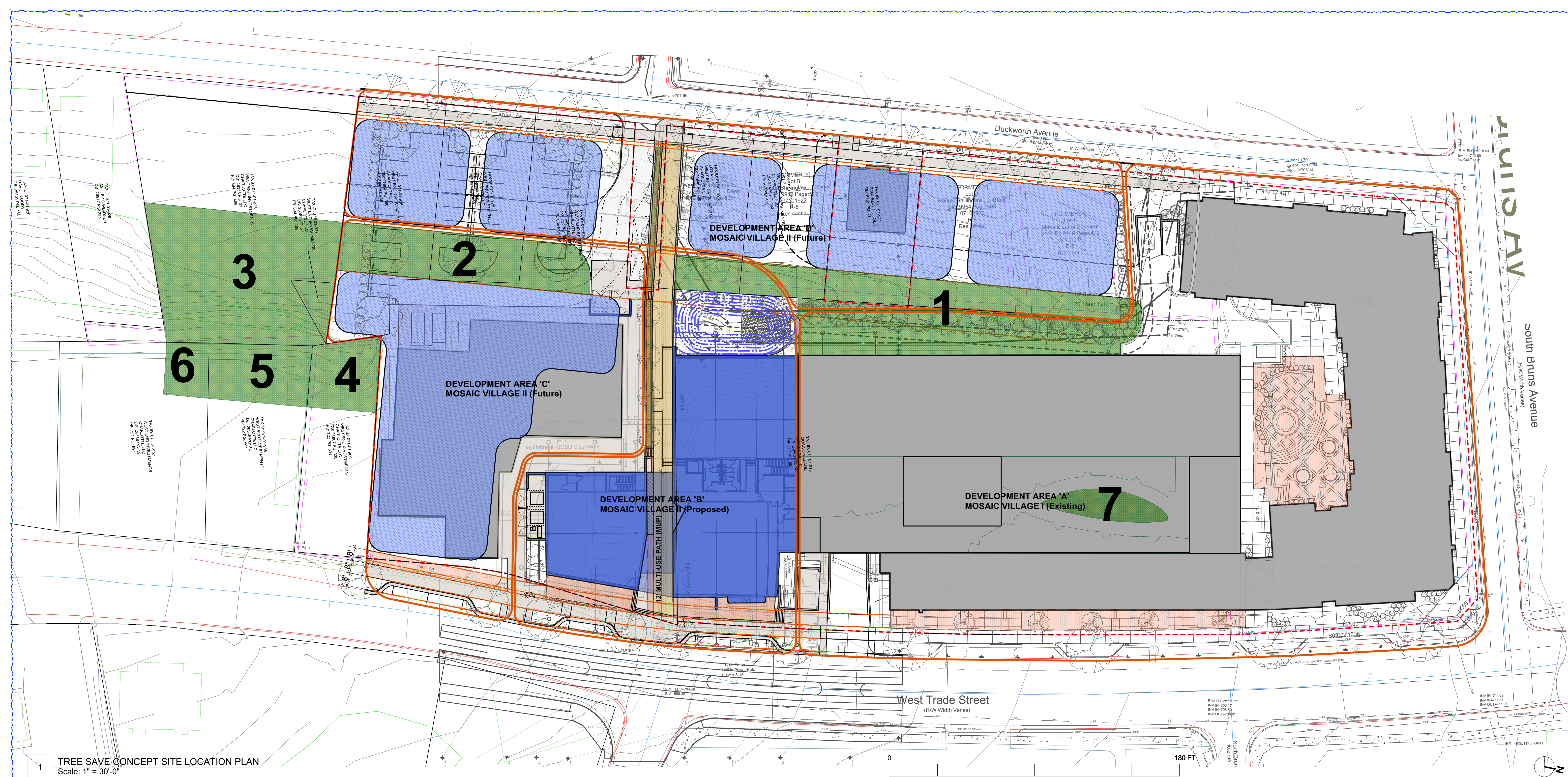
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Mark	Date	Description
△	01/14/2019	Rezoning Revision #1
△	03/25/2019	Rezoning Revision #2

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**West End Investments, LLC
Mosaic Village II**
1607 West Trade St.
Charlotte, NC 28216
:A 11/21/2018 Rezoning Submittal
Project ID: 18046.001

**Concept Renderings
2018-149**
M2 Zoning Plan.vwx
RZ5



1 TREE SAVE CONCEPT SITE LOCATION PLAN
Scale: 1" = 30'-0"

Tree Save Calculations - Typical Tree Save for 'Wedge' Area @ 15% of Total Site Area. Refer to Development Notes for Options				
4.134 AC	Total Rezoning Site Area / 15% = 0.620 AC Tree Save Required.			
0.321 AC	Additional Proposed Tree Save Area (Off-Site - Adjacent Petitioner Owned Property) / 15% = .048 AC Tree Save Required			
0.668 AC	Total Tree Save Area Required (Rezoning Area plus Additional Adjacent Petitioner Site Area)			
Proposed Tree Save Areas				
Acreage	Area	Owner/Petitioner	Remarks	Plant Area Required
0.248 AC	1	West End Investments-Charlotte Rezoning Area 2018-149	Re-Plant Area	150%
0.105 AC	2	West End Investments-Charlotte Rezoning Area 2018-149	Re-Plant Area	150%
0.208 AC	3	West End Investments-Charlotte Portions of ID 07101927 & ID 07101928	Existing Trees	15%
0.041 AC	4	West End Investments-Charlotte Portion of ID 0710909	Existing Trees	15%
0.052 AC	5	West End Investments-Charlotte Portion of Parcel ID 0710908	Existing Trees	15%
0.052 AC	6	West End Investments-Charlotte Portion of Parcel ID 0710907	Existing Trees	15%
0.024 AC	7	West End Investments-Charlotte Rezoning Area 2018-149 Natural Turf & Shrub Area (Existing)	Existing Roof Terrace	15%
0.677 AC	Total Tree Save Area Provided			

SITE LEGEND	
	AMENITY AREA (NEW & EXISTING)
	MULTI-USE PATH MUP
	COVERED BIKE STORAGE
	PROPERTY LINE
	SETBACK LINE
	DEVELOPMENT AREA
	PROPOSED TREE SAVE AREA

