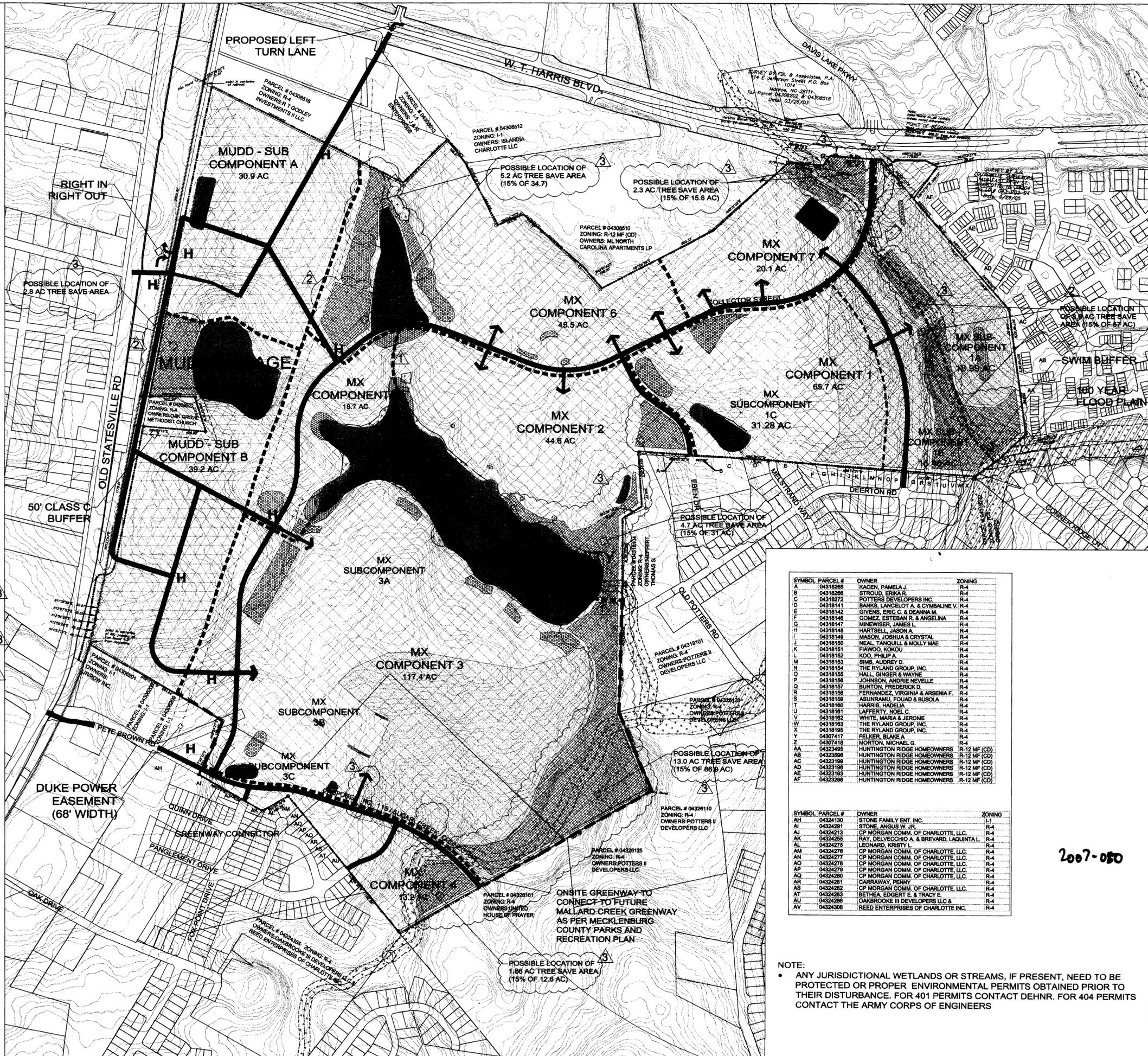


DEVELOPMENT DATA	
TAX PARCELS	04308801, 04308802, 04322294, 04324101
EXISTING ZONING	04308801 R-1, 04308802 H1, R-4, 04322294 R-4, 04324101 H1 (CD)
PROPOSED ZONING	MX3 INNOVATIVE & MUDD-CO
TOTAL OPEN SPACE	APPROXIMATELY 152 ACRES (132 AC LAND & 20 AC WATER)
TOTAL ACRES	APPROXIMATELY 395 ACRES
MUDD VILLAGE	
RETAIL	271,500 SF
OFFICE	528,000 SF
RESIDENTIAL	1,788 UNITS*
OPEN SPACE	23.6 ACRES (19 AC LAND & 4.6 AC WATER)
MX COMMUNITY	
MX COMPONENT 1	224 RESIDENTIAL LOTS/UNITS 24.2 ACRE OPEN SPACE
MX COMPONENT 2	66 SINGLE FAMILY DETACHED 75x125 LOTS 21.4 ACRE OPEN SPACE (14.8 AC LAND & 6.6 AC WATER)
MX COMPONENT 3	523 RESIDENTIAL LOTS/UNITS** (WITH OPTIONS AS OUTLINED IN THE DEVELOPMENT STANDARDS)
MX COMPONENT 4	42.3 ACRE OPEN SPACE (3.3 AC LAND & 39.0 WATER) 18 RESIDENTIAL LOTS/UNITS***
MX COMPONENT 5	NO DWELLING UNITS 6.8 ACRE OPEN SPACE
MX COMPONENT 6	14.3 ACRE OPEN SPACE (12.9 AC LAND & 1.4 AC WATER) 174 RESIDENTIAL LOTS/UNITS
MX COMPONENT 7	15.9 ACRE OPEN SPACE (13.1 AC LAND & 2.8 AC WATER) 106 RESIDENTIAL LOTS/UNITS
TREE SAVE AREA	36 ACRES (15% OF 238.4 ELIGIBLE ACRES****)
* ALTERNATIVE MUDD SUB COMPONENT B = 1524 UNITS	
** ALTERNATIVE MX COMPONENT 3 = 238 RESIDENTIAL LOTS/UNITS	
*** ALTERNATIVE MX COMPONENT 4 = 20 SF LOTS (40 MF UNITS)	
**** ELIGIBLE ACRES = TOTAL ACRES - ROW - EASEMENTS - LAKES	

NOTE: SEE DEVELOPMENT STANDARDS FOR ACTUAL AND COMPLETE BREAKDOWN OF ENTITLEMENTS AND CONVERSION RIGHTS.

KEY

- MX COMMUNITY
- MUDD VILLAGE
- MONUMENT SIGN **H**
- STORMWATER MASTER PLAN**
- WATER QUALITY BMP/VOLUME PEAK CONTROL
- WATER QUALITY BMP
- WETLAND ENHANCEMENT /PRESERVATION /RESTORATION
- STREAM RESTORATION
- 100-YR FLOOD PLAIN
- SWIM BUFFER
- STORMWATER IN THIS AREA IS DISCHARGED DIRECTLY INTO THE FLOODPLAIN OF MALLARD CREEK
- TREE SAVE AREA



SYMBOL	PARCEL #	OWNER	ZONING
B	04318265	KADEN, PAMELA J.	R-4
B	04318266	STROUD, ERIKA R.	R-4
C	04318272	POTTERS DEVELOPERS INC.	R-4
C	04318141	BANKS, LANCELOT A. & CHRYSLINE V.	R-4
E	04318142	GIVENS, ERIC C. & DEANNA M.	R-4
F	04318146	GOMEZ, ESTEBAN R. & ANGELINA	R-4
G	04318147	MINNEISER, JAMES L.	R-4
H	04318148	HARTSELL, JASON A.	R-4
I	04318149	MASON, JOSHUA & CRYSTAL	R-4
J	04318150	NEAL, TANQUILL & MOLLY MAE	R-4
K	04318151	FIAMRO, KOKOU	R-4
K	04318152	KOO, PHILIP A.	R-4
M	04318153	SIMS, AUDREY D.	R-4
N	04318154	THE RYLAND GROUP, INC.	R-4
O	04318155	HALL, GINGER & WAYNE	R-4
P	04318156	JOHNSON, ANDRIE NEVELLE	R-4
Q	04318157	BUNTON, FREDERICK D.	R-4
R	04318158	FERNANDEZ, VIRGINIA & ARSENIA F.	R-4
S	04318159	ASUNRAMI, FOUAD & BUSOLA	R-4
T	04318160	HARRIS, HADELIA	R-4
U	04318161	LAFFERTY, NOEL C.	R-4
V	04318162	WHITE, MARIA & JEROME	R-4
W	04318163	THE RYLAND GROUP, INC.	R-4
X	04318165	THE RYLAND GROUP, INC.	R-4
Y	04307417	FELKER, BLAKE A.	R-4
Z	04307418	MORTON, MICHAEL G.	R-4
AA	04323495	HUNTINGTON RIDGE HOMEOWNERS	R-12 MF (CD)
AB	04323598	HUNTINGTON RIDGE HOMEOWNERS	R-12 MF (CD)
AC	04323199	HUNTINGTON RIDGE HOMEOWNERS	R-12 MF (CD)
AD	04323198	HUNTINGTON RIDGE HOMEOWNERS	R-12 MF (CD)
AE	04323193	HUNTINGTON RIDGE HOMEOWNERS	R-12 MF (CD)
AF	04323298	HUNTINGTON RIDGE HOMEOWNERS	R-12 MF (CD)

SYMBOL	PARCEL #	OWNER	ZONING
AH	04324130	STONE FAMILY ENT. INC.	H-1
AI	04324291	STONE, ANGUS W. JR.	R-4
AJ	04324213	CP MORGAN COMM. OF CHARLOTTE, LLC	R-4
AK	04324258	RAY, DELVECOCHO A. & BREVARD, LAQUINTAL	R-4
AL	04324275	LEONARD, KRISTY L.	R-4
AM	04324276	CP MORGAN COMM. OF CHARLOTTE, LLC	R-4
AN	04324277	CP MORGAN COMM. OF CHARLOTTE, LLC	R-4
AO	04324278	CP MORGAN COMM. OF CHARLOTTE, LLC	R-4
AP	04324279	CP MORGAN COMM. OF CHARLOTTE, LLC	R-4
AQ	04324280	CP MORGAN COMM. OF CHARLOTTE, LLC	R-4
AR	04324281	CARRAWAY, PENNY	R-4
AS	04324282	CP MORGAN COMM. OF CHARLOTTE, LLC	R-4
AT	04324283	BETHEA, EDGERT E. & TRACY E.	R-4
AU	04324286	OAKBROOKS III DEVELOPERS LLC &	R-4
AV	04324306	REED ENTERPRISES OF CHARLOTTE, INC.	R-4

NOTE:
 • ANY JURISDICTIONAL WETLANDS OR STREAMS, IF PRESENT, NEED TO BE PROTECTED OR PROPER ENVIRONMENTAL PERMITS OBTAINED PRIOR TO THEIR DISTURBANCE. FOR 401 PERMITS CONTACT DEHNR. FOR 404 PERMITS CONTACT THE ARMY CORPS OF ENGINEERS

GRIFFITH LAKES

Charlotte
 Mecklenburg
 County,
 North Carolina

PETITIONER:
GRIFFITH EQUITIES, LLC
 1944 BRUNSWICK AVE.
 CHARLOTTE, N. C. 28207
 704-352-7173

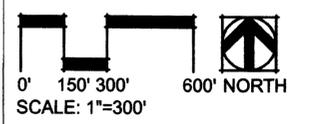
PREPARED BY:
HadenStanziale
 planning
 landscape architecture
 421 Peeman Street 704.373.0034
 Suite 300 704.342.0251 fax
 Charlotte, NC 28203 www.hadenstanziale.com

PETITIONER'S AGENT:
KING & SPALDING, LLP
 ATTORNEYS AT LAW
 301 McCULLOUGH DRIVE, 4TH FLOOR
 CHARLOTTE, NC 28262
 PH (704) 503-2564

ISSUE: REZONING PETITION

REVISIONS:	No.	Date	Work Done
	1	6/18/07	REVISED BOUNDARIES OF COMPONENTS
	2	6/18/07	ADDED TREE SAVE AREA
	3	8/21/07	ADDED TREE SAVE AREAS REDUCED MX7 SQ. FOOTAGE

Date: 03/26/07
 Project No.: 06334
 Checked By: KWC
 Drawn By: CAT, JAG



TITLE: TECHNICAL DATA SHEET L1.0

GRIFFITH LAKES

Charlotte
Mecklenburg
County,
North Carolina

PETITIONER:
GRIFFITH EQUITIES, LLC

1944 BRUNSWICK AVE.
CHARLOTTE, N. C. 28207
704-382-7173

PREPARED BY:
HadenStanziale
planning
landscape architecture

421 Peewee Street
Suite 300
Charlotte, NC 28203

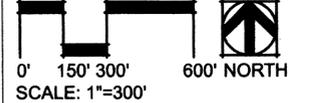
704.373.0534
704.342.0251 fax
www.hadenstanziale.com

PETITIONER'S AGENT:
KING & SPALDING, LLP
ATTORNEYS AT LAW
301 McCULLOUGH DRIVE, 4TH FLOOR
CHARLOTTE, NC 28262
PH (704) 503-2564

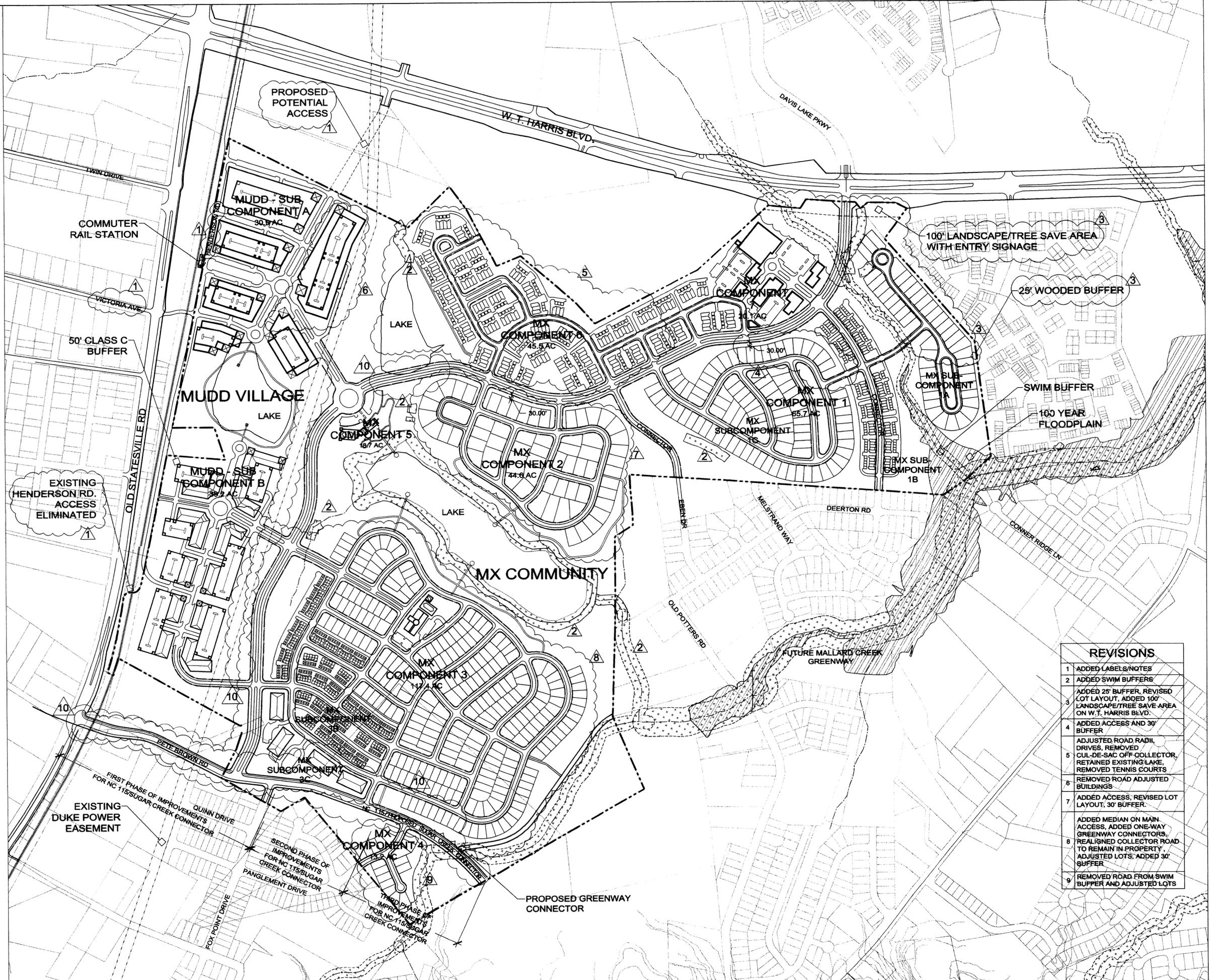
ISSUE:
REZONING PETITION

REVISIONS:		
1-9	6/18/07	SEE CHART
10	8/20/07	T15 CONNECTOR ALIGNMENT, ACCESS TO MX 3, REMOVED GREENWAY ALONG DUKE R.O.W. COLLECTOR ROAD @ DAM

No.	Date	Work Done
Date:	03/26/07	
Project No.:	06334	
Checked By:	KWC	
Drawn By:	CAT, JAG	



TITLE:
**SCHEMATIC
PLAN
L1.1**



REVISIONS		
1	ADDED LABELS/NOTES	
2	ADDED SWIM BUFFERS	
3	ADDED 25' BUFFER, REVISED LOT LAYOUT, ADDED 100' LANDSCAPE/TREE SAVE AREA ON W.T. HARRIS BLVD.	
4	ADDED ACCESS AND 30' BUFFER	
5	ADJUSTED ROAD RADII, DRIVES, REMOVED CUL-DE-SAC OFF-COLLECTOR, RETAINED EXISTING LAKE, REMOVED TENNIS COURTS	
6	REMOVED ROAD ADJUSTED BUILDINGS	
7	ADDED ACCESS, REVISED LOT LAYOUT, 30' BUFFER.	
8	ADDED MEDIAN ON MAIN ACCESS, ADDED ONE-WAY GREENWAY CONNECTORS.	
9	REALIGNED COLLECTOR ROAD TO REMAIN IN PROPERTY, ADJUSTED LOTS, ADDED 30' BUFFER	
10	REMOVED ROAD FROM SWIM BUFFER AND ADJUSTED LOTS	

GRIFFITH LAKES

Charlotte
Mecklenburg
County,
North Carolina

PETITIONER:
GRIFFITH EQUITIES, LLC

1944 BRUNSWICK AVE.
CHARLOTTE, N. C. 28207
704-332-7173

PREPARED BY:
HadenStanziale
planning
landscape architecture

421 Penman Street 704.373.0534
Suite 300 704.342.0251 fax
Charlotte, NC 28203 www.hadenstanziale.com

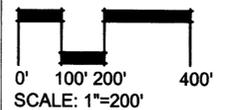
PETITIONER'S AGENT:
KING & SPALDING, LLP
ATTORNEYS AT LAW
301 McCULLOUGH DRIVE, 4TH FLOOR
CHARLOTTE, NC 28262
PH (704) 503-2564

ISSUE:
REZONING PETITION

REVISIONS:

1.	6/18/07	ADDED BMP NOTES
2.	6/18/07	REVISED LAYOUT OF BANK AND ADDED STACKING NOTES

No.	Date	Work Done
Date:	3/26/07	
Project No.:	06334	
Checked By:	KWC	
Drawn By:	CAT	

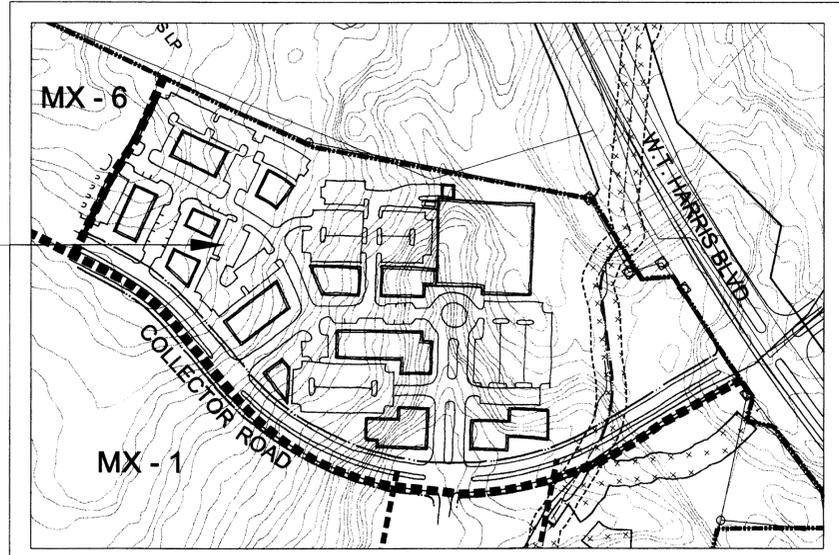


TITLE:
**SCHEMATIC
OPTIONS
L1.2**

MX COMPONENT 7

MX COMPONENT 7
CONCEPTUAL SCHEMATIC ALTERNATIVE A

BMP IN MX COMMUNITY TO BE INTEGRATED INTO THE DESIGN OF THIS COMPONENT

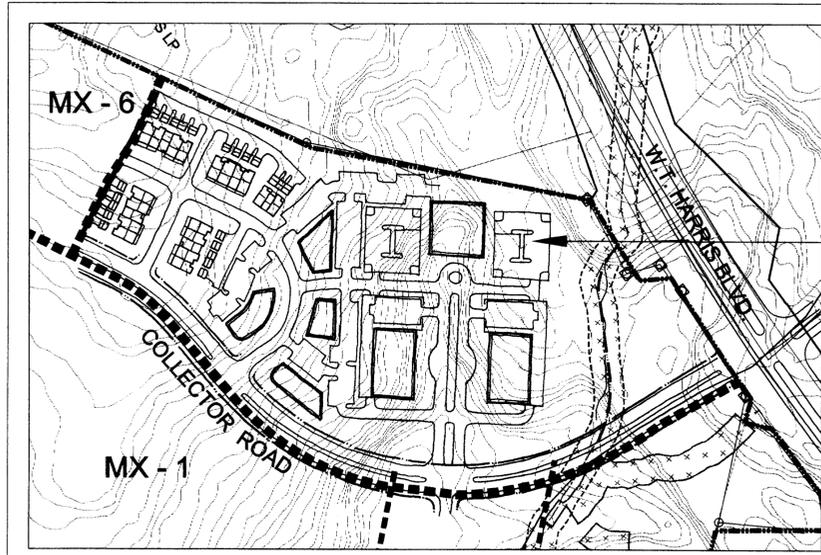


SCALE: 1" = 200'

MX COMPONENT 7

MX COMPONENT 7
CONCEPTUAL SCHEMATIC ALTERNATIVE C

BMP IN MX COMMUNITY TO BE INTEGRATED INTO THE DESIGN OF THIS COMPONENT

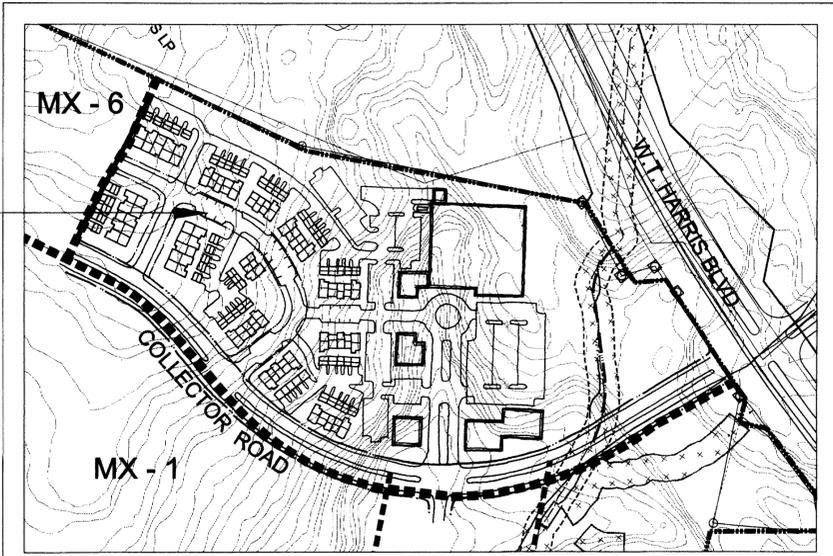


SCALE: 1" = 200'

MX COMPONENT 7

MX COMPONENT 7
CONCEPTUAL SCHEMATIC ALTERNATIVE B

BMP IN MX COMMUNITY TO BE INTEGRATED INTO THE DESIGN OF THIS COMPONENT

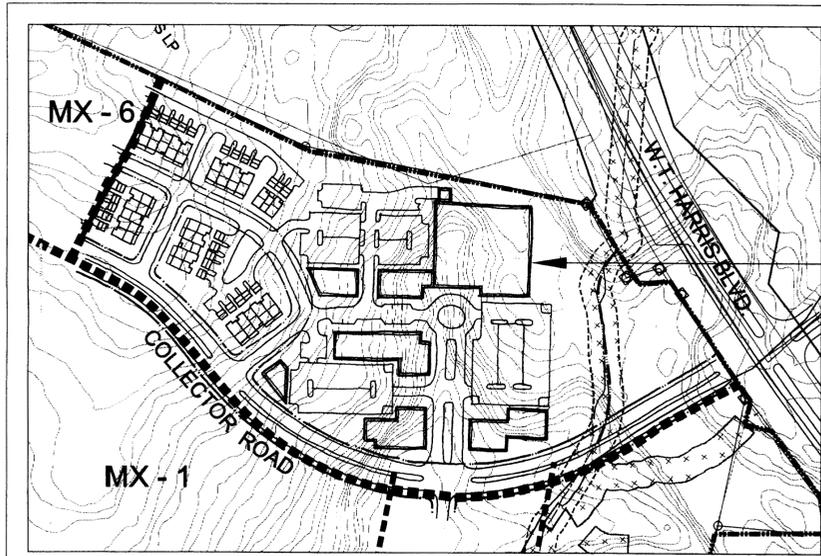


SCALE: 1" = 200'

MX COMPONENT 7

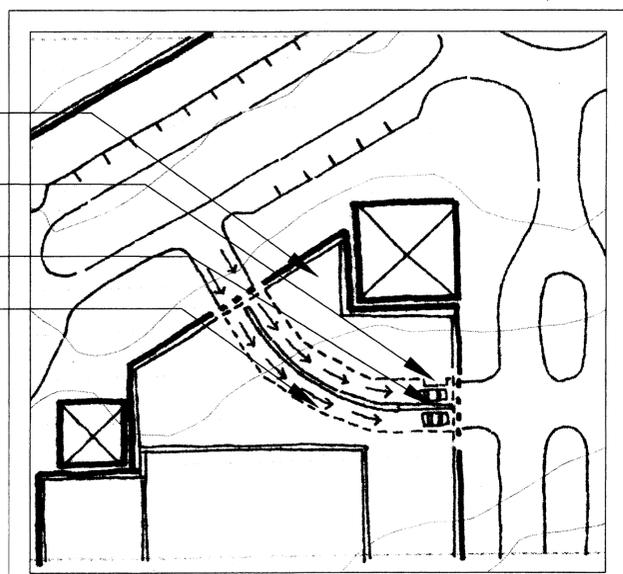
MX COMPONENT 7
CONCEPTUAL SCHEMATIC ALTERNATIVE C

BMP IN MX COMMUNITY TO BE INTEGRATED INTO THE DESIGN OF THIS COMPONENT



SCALE: 1" = 200'

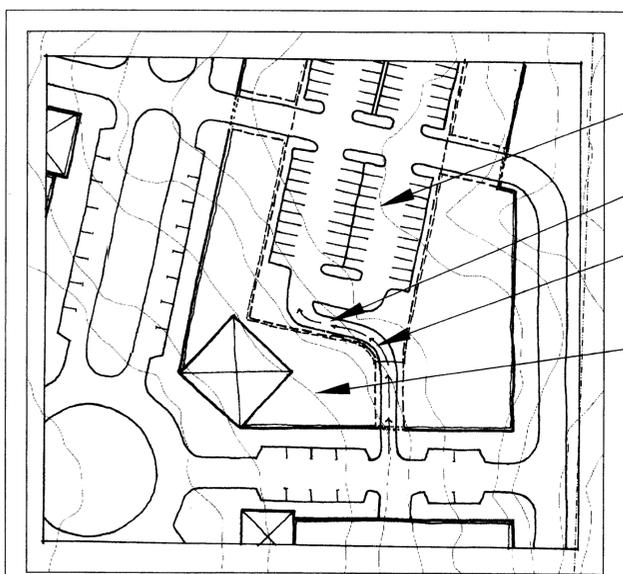
BANK
DRIVE-UP
ATM
STACKING FOR 6 CARS PER WINDOW
MUDD OPTIONAL PROVISIONS
3.F. BANK DRIVE-THRU



DRAWING NOT TO SCALE

GROUND FLOOR OF PARKING DECK
DRIVE THRU
STACKING FOR 5 CARS PER WINDOW
DRUG STORE/PHARMACY

MUDD OPTIONAL PROVISIONS
3.G. DRUG STORE/PHARMACY DRIVE THRU WINDOW



DRAWING NOT TO SCALE

GRIFFITH LAKES

Charlotte
Mecklenburg
County,
North Carolina

PETITIONER:
GRIFFITH EQUITIES, LLC

1944 BRUNSWICK AVE.
CHARLOTTE, N. C. 28207
704-333-7179

PREPARED BY:
Hadenstanziale
planning
landscape architecture

421 Penman Street 704.373.0534
Suite 300 704.342.0251 fax
Charlotte, NC 28203 www.hadenstanziale.com

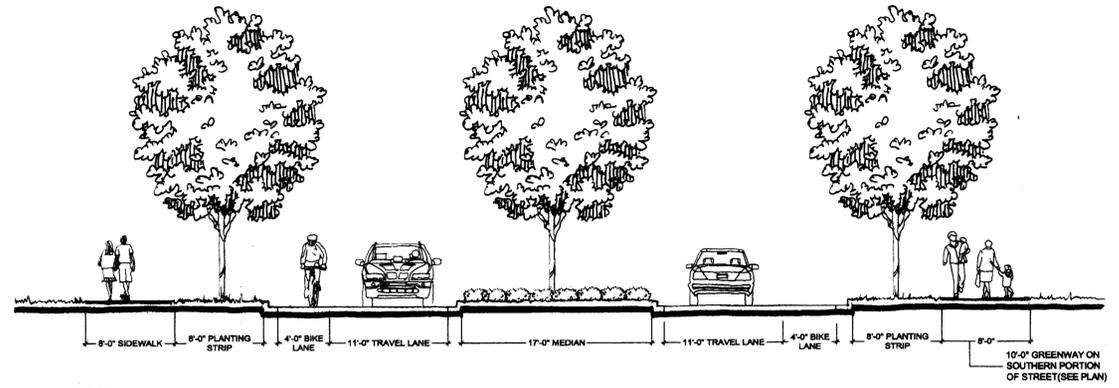
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301 McCULLOUGH DRIVE, 4TH FLOOR
CHARLOTTE, NC 28262
PH (704) 503-2564

ISSUE:
REZONING PETITION

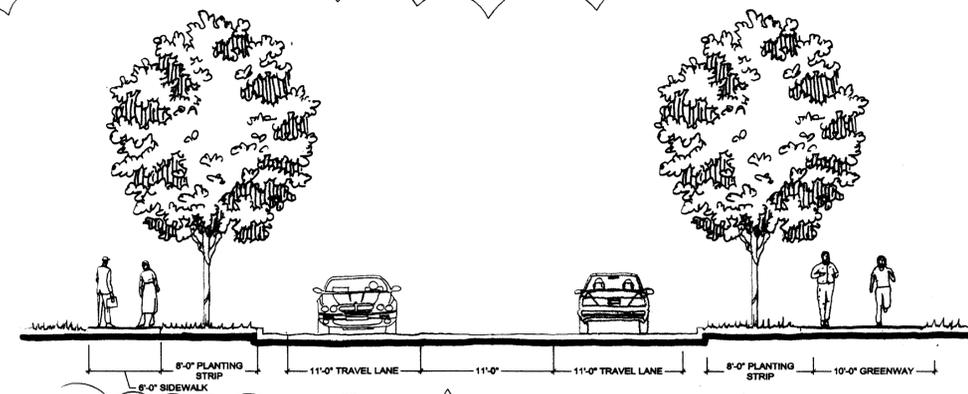
REVISIONS:		
1	6/18/07	MODIFIED/ADDED STREET SECTIONS
2	8/21/07	MODIFIED/ADDED STREET SECTION NOTES

No.	Date	Work Done
Date:	03/26/07	
Project No.:	06334	
Checked By:	KWC	
Drawn By:	CAT, TB, JAG	

TITLE:
**ROADWAY SECTIONS
L1.3**

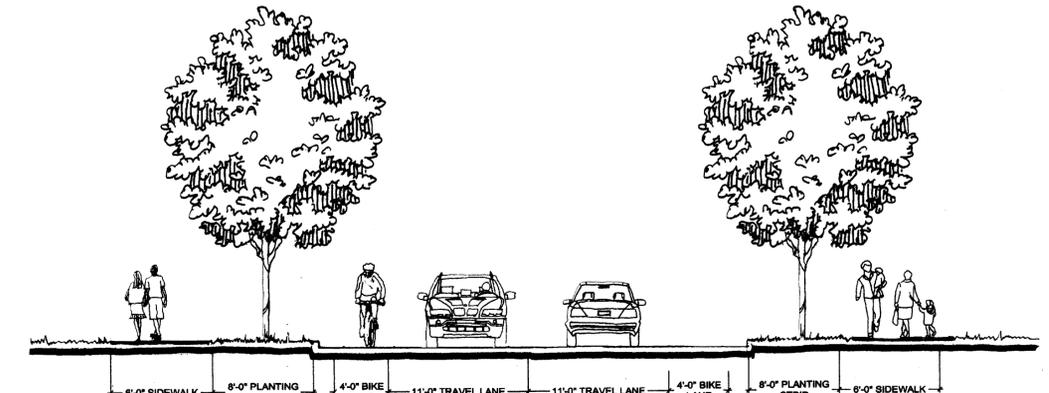


1 COLLECTOR
NTS

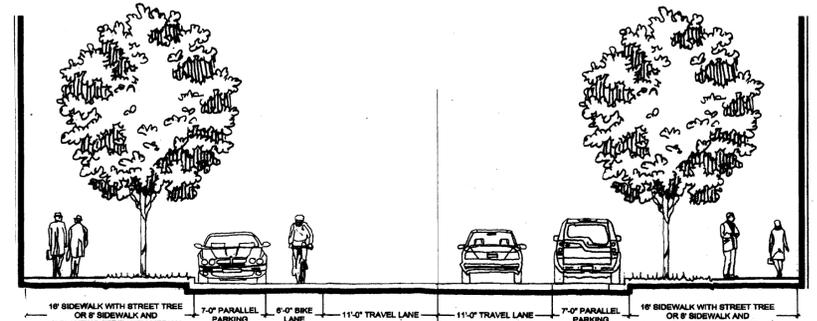


2 SUGAR CREEK / N.C. 115 CONNECTOR
NTS

NOTE:
- IF A BERM IS LOCATED ON EITHER SIDE OF THE STREET, THE BERM SHALL BE 36" WIDE, 8" HIGH WITH MAXIMUM CROSS SLOPES OF 3:1
- TAPERS AND TURN LANES REQUIRED AT OLD STATESVILLE ROAD ARE NOT SHOWN IN THIS SECTION

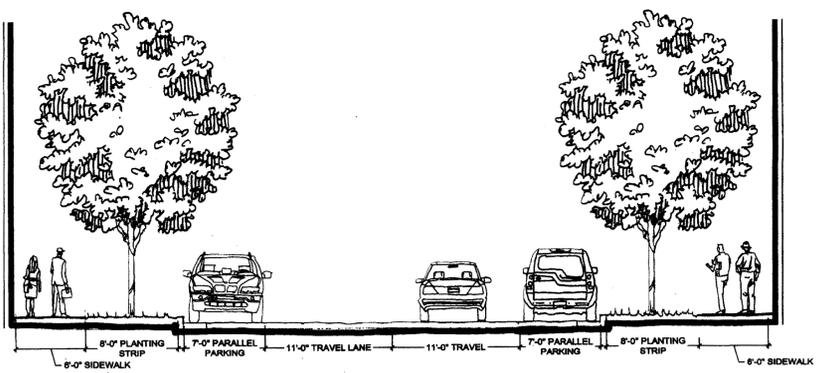


3 CONNECTOR STREET
NTS



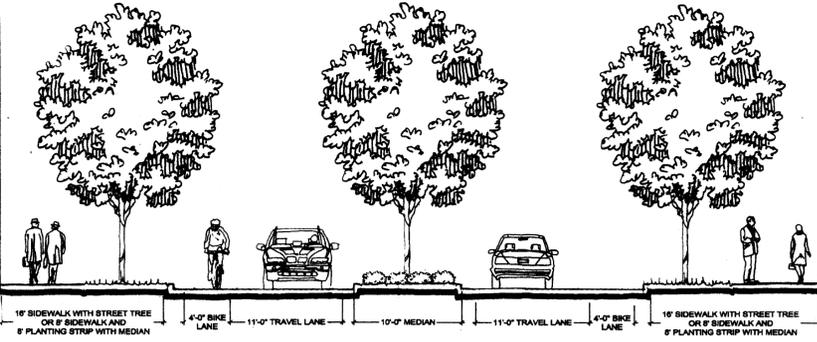
4 MUDD STREET SECTION WITH BIKE LANES / MUDD STREET SECTION WITH OUT BIKE LANES
NTS

NOTE:
DIAGONAL PARKING MAY BE SUBSTITUTED FOR PARALLEL PARKING ON MUDD STREETS. SIZE OF DIAGONAL PARKING TO MEET CITY STANDARDS EITHER STREET CONFIGURATION MAY CONTAIN A MEDIAN, MINIMUM MEDIAN SIZE 10'

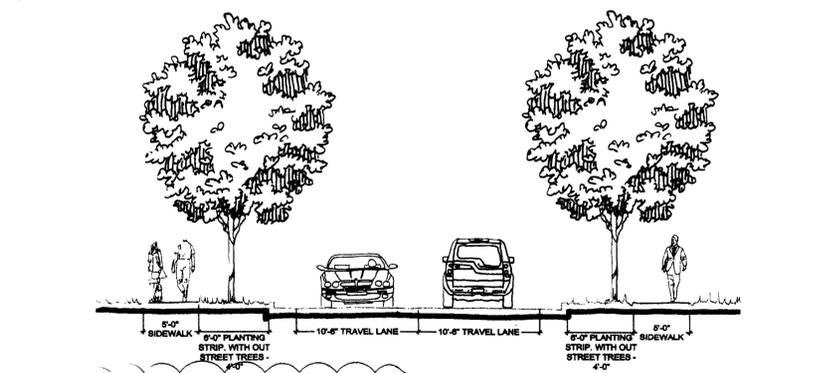


5 MUDD PRIVATE STREET
NTS

NOTE:
DIAGONAL PARKING MAY BE SUBSTITUTED FOR PARALLEL PARKING ON MUDD STREETS. SIZE OF DIAGONAL PARKING TO MEET CITY STANDARDS

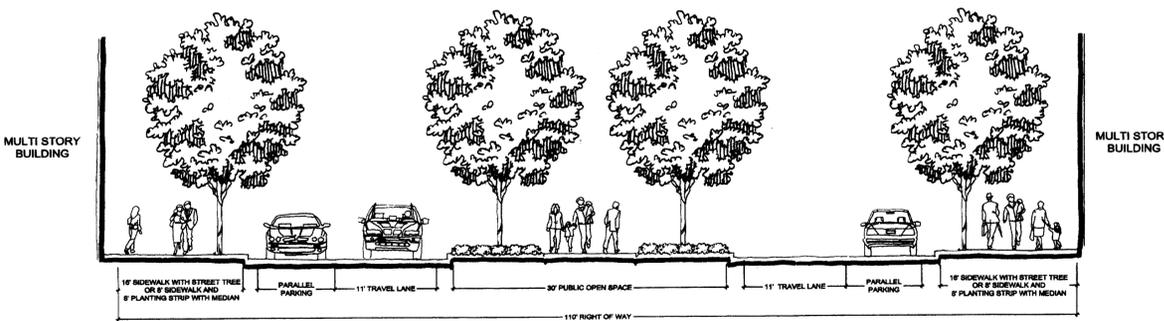


6 ENTRANCE TO MUDD FROM COLLECTOR
NTS



7 MUDD STREET SECTION WITH MEDIAN (114' R.O.W.)
NTS

NOTE:
- IN AREAS OTHER THAN SINGLE FAMILY PLANTING STRIPS SHALL BE 8' WIDE AND SIDEWALKS SHALL BE 8' WIDE
- ON PRIVATE STREETS, STREET TREES SHALL BE 40' O.C. WILL BE PLACED IN SETBACKS IF 4' PLANTING STRIP IS USED



8 PUBLIC AND PRIVATE RESIDENTIAL STREETS
NTS

NOTE:
SEE SHEET L1.6 FOR STREET TYPE LOCATIONS

A. **OVERVIEW OF MASTER PLANNED COMMUNITY & GENERAL PROVISIONS.**

- 1. Technical Data Sheet.** These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Griffith Equities, LLC to accommodate development of a master planned community on an approximately 395 acre site located generally within the southeast quadrant of the intersection formed by Harris Boulevard and Old Statesville Road (the "Site", the "Community", or "Griffith Lakes"). As generally depicted on Technical Data Sheet, the Community consists of two primary development areas known as the "MX Community" and the "MUDD Village", respectively.
- 2. Overview of MX Community.** This Rezoning Plan contemplates development of the approximately 325 acre MX Community as a residentially based community of single family detached homes, single family attached homes and multi-family homes, each designed in an environmentally sensitive manner to take advantage of the natural features of the land, most notably the approximately 26.4 acres of lake(s) that form the center piece of the MX Community. The MX Community also contemplates a mixed use commercial/residential component at the entrance to the MX Community along Harris Boulevard (see MX Component 7 described below) and community amenities such as a community clubhouse(s), recreation facilities, including swimming pool(s), tennis courts, hiking/walking trails and nature preserve, all as generally depicted on the Technical Data Sheet.
- 3. Overview of MUDD Village.** This Rezoning Plan also contemplates development over time of the approximately 70 acre MUDD Village as an urban mixed use village located adjacent and to the west of the MX Community and adjacent and to the east of the Norfolk Southern Rail Line as generally depicted on the Technical Data Sheet. It is contemplated that the MUDD Village will be connected to the MX Community by several internal streets and the MUDD Village will access Old Statesville Road by way of such internal streets and streets located on property owned by the City of Charlotte located adjacent and to the west of the Norfolk Southern Rail Line as generally depicted on the Technical Data Sheet (the "City Property"). The Charlotte-Mecklenburg Integrated Transportation Land Use Plan contemplates that the City Property will serve as a transit station (the "Transit Station") for the North Corridor Community Rail Line (the "Commuter Rail Line"). This Rezoning Plan contemplates that the MUDD Village will be designed in such a manner as to take advantage of its proximity to the Transit Station in the event that the Commuter Rail Line is completed in accordance with current or future transit plans. The MUDD Village will also be designed to take advantage of its proximity and connectivity to the MX Community and its location in a growing area of the greater Charlotte region.
- 4. General Provisions.**
 - (a) Development of the Site will be governed by the Technical Data Sheet, these Development Standards and applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Mixed Use-3 ("MX-3") District shall govern development taking place on the MX Community. The MX Community shall utilize the Innovative Provisions of the Ordinance as outlined on the Technical Data Sheet and in these Development Standards, as applicable, and this Rezoning Plan constitutes the approved MX-3 (Innovative) Site Plan; no subsequent (Innovative) Site Plan approval will be required. Unless the Technical Data Sheet or these Development Standards established more stringent standards, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD"), subject to the Optional provisions provided below, shall govern development taking place on the MUDD Village.
 - (b) The Conceptual Schematic Site Plans attached to this Rezoning Plan (the "Schematic Site Plans") depict potential developments scenarios for the Site. As such the configuration, placement and size of the site elements such as the lots, the building footprints/areas, parking areas, driveways, roads and streets, open space areas, community amenities and recreational areas generally depicted on the Schematic Site Plans are merely schematic in nature, and subject to specific design and performance standards set forth in these Development Standards, may be altered or modified during design, development and construction phases within the maximum development area boundaries established on the Technical Data Sheet for each of the MX Community and the MUDD Village. Subject to specific design and performance standards set forth in these Development Standards, the street and parking layouts may also be modified to accommodate final building location and ancillary facilities and parking spaces may be located inside or outside development area boundaries to the extent permitted by the ordinance. Without limiting the generality of the foregoing, buildings generally depicted on the Schematic Site Plans may be combined or separated within the maximum development area boundaries provided that the maximum number of buildings may not be increased above the number of buildings depicted on the Schematic Site Plans.
 - (c) The above provisions of this Section A.4 should be read in conjunction with the provisions of Section 6.207 of the Ordinance.
- 5. Five Year Vested Rights; Unlifted Development.** Due to the size of the proposed development and the anticipated build out over a number of years, this petition includes the vesting of the approved Rezoning Plan for each of the MX Community and the MUDD Village for five (5) years. Additionally, components of the overall Community generally depicted on the Schematic Site Plans, including without limitation buildings, streets and other site development elements associated therewith, may be constructed in phases over time and in any sequence as determined by the Petitioner. The development within the MX Community, the MUDD Village and the overall Community as a whole, as generally depicted on the Technical Data Sheet, shall be viewed as a unified development plan in accordance with the provisions of these Development Standards.

B. **MX COMMUNITY PROVISIONS**

The provisions set forth in this Section B shall govern development of the MX Community:

1. **Permitted Uses and Development Limitations - MX Community.**

- (a) Development of the MX Community is intended to accommodate a mixed use master plan community composed principally of residential uses, including single family attached housing, single family detached housing, single family housing along with a limited amount of retail and/or restaurant uses and office uses within the applicable Components described below. Each of these development Components will be interconnected with open space, pedestrian, bicycle, golf cart, and/or vehicular linkages. Accordingly, the MX Community may be devoted to any of the following uses:
 - (i) In addition to other development permitted in this Section B.1., up to 1,095 single family detached lots, single family attached units/lots and/or multi-family dwelling units, may be located within the MX Community, subject, however, to the conversion rights reserved for the benefit of MX Component 7 in Section B.1. (i) below; provided, however, no more than 250 multi-family for rent dwelling units may be located within the MX Community; and
 - (ii) In addition to other development permitted in this Section B.1., up to 140,000 square feet of gross floor area (as defined in this Section B.1.(b)) devoted to office (including, without limitation, medical office), retail and/or restaurant uses shall be allowed within the MX Component 7 of the MX Community, subject, however, to the conversion rights reserved for the benefit of MX Component 7 in Section B.1. (i) below;
 - (iii) In addition to other development permitted in this Section B.1., certain community amenities including clubhouses, recreation facilities (such as swimming pool(s), tennis courts, walking/hiking trails, community pavilions) and the like shall be allowed within the MX Community;
 - (iv) In addition to other development permitted in this Section B.1., associated surface and structured parking facilities shall be allowed within the MX Community; and
 - (v) Accessory uses and structures allowed in the MX-3 zoning district shall be allowed within the MX Community.

For the purposes of the development limitations set forth in these development standards, the term "gross floor area" shall mean and refer to the sum of the gross horizontal areas of each floor of the principal building, measured from the outside of the exterior walls or from the centerline of party walls; provided, however, such term shall be exclusive of surface and structured parking facilities and related access areas, areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl space), service areas, mechanical and electrical rooms, and areas devoted to uses and structures accessory to residential uses on the Site such as laundry rooms, leasing offices, property management offices, pools, clubhouses, fitness areas, concierge areas, trash recycling areas and the like, it being understood residential uses shall be governed by the number of lots and/or dwelling units, not square footage. Areas devoted to outdoor dining are not intended to be included in the calculation of the square footage limitations set forth in these Development Standards, provided that any off street parking required by the Ordinance will be provided for these areas.

(b) The MX Community will consist of seven (7) components as generally depicted on the Technical Data Sheet (each being referred to as a "MX Component" and collectively referred to as the "MX Components"). It is understood that the common boundaries between each of the Components and the rights and restrictions pertaining to all such Components, may be adjusted upon the agreement of the Owners of such Components subject, however, to the reasonable approval of the Planning Director.

(c) The following uses shall be permitted on and allocated to MX Component 1:

- (i) up to 224 single detached lots and/or single family attached units/lots shall be permitted within MX Component 1; provided, however, no more than 84 single family attached units/lots shall be permitted within MX Component 1; and
 - (ii) accessory uses and structures permitted in the MX-3 zoning district.
- MX Component 1 includes three (3) "Sub-Components", namely MX Sub-Component 1A, MX Sub-Component 1B and MX Sub-Component 1C, all as generally depicted on the Technical Data Sheet.
- (d) The following uses will be permitted on and allocated to MX Component 2:
 - (i) up to 66 single family detached lots shall be permitted within MX Component 2; and
 - (ii) accessory uses and structures permitted in the MX_3 zoning district.
 - (e) The following uses shall be permitted on and allocated to MX Component 3:
 - (i) up to 523 single family detached lots, single family attached units or lots and/or multi-family dwelling units shall be permitted within MX Component 3; provided, however, no more than 200 multi-family for rent dwelling units shall be allowed in MX Component 3 and no more than 250 multi-family for rent units may be allowed within the MX Community; and
 - (ii) accessory uses and structures permitted in the MX_3 zoning district.

MX Component 3 includes three (3) "Sub-Components", namely MX Sub-Component 3A, MX Sub-Component 3B, and MX Sub-Component 3C, all as generally depicted on the Technical Data Sheet.

(f) The following uses shall be permitted on and allocated to MX Component 4:

- (i) up to 18 single family detached lots shall be permitted within MX Component 4; and
 - (ii) accessory uses and structures permitted in the MX-3 zoning district.
- (g) The following uses shall be permitted on and allocated to MX Component 5:

- (i) community amenities facilities including without limitation, clubhouses, recreational facilities such as swimming pool(s), tennis courts, hiking/biking trails, picnic areas, playgrounds, pavilions and related park facilities, dams, gazebos, and the like; and
 - (ii) accessory uses and structures permitted in the MX-3 zoning district.
- (h) The following uses shall be permitted on and allocated to MX Component 6:
- (i) up to 164 single family detached lots and/or single family attached lots or units shall be permitted within MX Component 6; and
 - (ii) accessory uses and structures in the MX zoning district.
- (i) The following uses shall be permitted on and allocated to MX Component 7:
- (i) in addition to other development permitted in this Section B.1.(i), up to 100 single family detached lots, single family attached lots or units and/or multi-family dwelling units shall be permitted within MX Component 7, subject, however, to the conversion rights set forth in this Section B.1.(i) below; provided, however, no more than 50 multi-family dwelling units shall be permitted within MX Component 7;
 - (ii) in addition to other development permitted in this Section B.1.(i), up to 140,000 square feet of gross floor area may be devoted to office (including, without limitation, medical office), and retail and/or restaurant uses, subject, however, to the conversion rights set forth in this Section B.1.(i) below; provided, however, no more than 110,000 square feet of gross floor area may be devoted to retail and/or restaurant uses within MX Component 7; and
 - (iii) accessory uses and structures permitted in the MX zoning district.

The right is reserved to increase the number of multi-family dwelling units and/or single family detached or attached lots located within MX Component 7 by up to 50 additional units/lots by converting authorized office, retail and/or restaurant area to multi-family residential units and/or single family detached or attached lots at the rate of one multi-family residential dwelling unit and/or single family detached or attached lot for each 500 square feet of office, retail, and/or restaurant area so converted, up to a maximum of 100,000 square feet so converted; provided, however, no more than a total of 250 multi-family for rent units may be built within the MX Community.

(j) Reference is made to certain alternative Schematic Site Plans for development within MX Component 7 (see Schematic Options Sheet L1.2). It is acknowledged that the potential development scenarios depicted on such Schematic Site Plans are merely examples of how development may take place within MX Component 7 and the configuration, placement and size of the site elements may be altered or modified as described in Section A.4 above. In addition, uses and related structures set forth in one development scenario may be developed as part of other development scenarios.

(k) The owners of each of the Components within the MX Community, from time to time, shall be entitled, by mutual agreement of each such owner to alter the allocation of uses and development amounts for the Components set forth above in this Section B.1 interchangeably with respect to such Components; provided, however, the Owner of MX Component 7 by itself shall be entitled to exercise the conversion options set forth in Section B.1.(i) and allocate the resulting uses with respect to the Component so owned by such Owner.

- (l) The following additional provisions shall govern uses within the MX Community:
 - (i) no gasoline sales facilities nor automobile service stations shall be permitted;
 - (ii) no car washes shall be permitted; and
 - (iii) no fast food restaurants with drive-through facilities shall be permitted; provided, however, this provision shall not be construed to prohibit drive-through facilities associated with coffee houses or restaurants that have walk up pick-up windows.

2. **Innovative Development Provisions - MX Community.**

The Petitioner hereby seeks in this Rezoning Petition the following Innovative Development Standards in connection with development taking place within the MX Community to accommodate a variety of setback and yard widths and other development elements so as to allow clustering of homes, thus preserving more open space than required by the Ordinance and promoting a diverse blend of residential housing:

- (a) A minimum lot size for single-family detached lots within the MX Community may be 4,000 s.f., provided that no more than 5% of the single-family detached lots so developed shall allow for this innovative standard.
- (b) A minimum front setback for single-family detached lots located within the MX Components 1 and 3 may be reduced to 10 feet, provided, however, no more than 35% of the single-family detached lots within such Components shall provide for this reduced front setback.
- (c) Minimum side yards within the MX Community may be reduced to zero lot line for up to 20% of the single-family detached lots located within the MX Community.
- (d) Minimum rear yards may be reduced to 20 feet for the single-family detached lots located within the MX Community but not for lots that are reverse frontage lots nor lots that abut property outside the MX Community.
- (e) Except with respect to those streets contained within the MX Community specifically identified as public on the Technical Data Sheet, streets within the MX Community may be public or private, and residential development taking place within MX Sub-Component 1A, MX Sub-Component 1C, MX Component 2 and MX Component 3 may be developed as "secured" residential communities, with respect to such communities, the following deviations from street standards set forth in the Charlotte-Mecklenburg Design Manual may apply: (i) streets may be designed to allow golf cart usage and (ii) radius restrictions for identified non-collector streets within the MX Components 2 and 3 may be less than 150 feet centerline radius.

3. **Design and Performance Standards for MX Community**

The following design and performance standards shall govern development within the MX Community:

- (a) **Areas Devoted to Non-Residential Development.**
 - (i) All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
 - (ii) Dumpster areas will be enclosed on all four sides by an opaque wall with one side being a hinged opaque gate. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.
 - (iii) Outdoor dining and courtyard areas may be located within the established setback along public streets but outside of the required setback.
 - (iv) The maximum height of any freestanding lighting fixture erected on the MX Community (other than street lights on public rights-of-way) including its base, shall not exceed 25 feet. All lighting will be capped and fully shielded to direct lighting downward and/or away from adjoining residential properties and designed such that direct illumination does not extend past boundaries of commercial uses into residential uses. Any lighting attached to a building shall be capped and downwardly directed. No wall pack light fixtures will be allowed on any structures constructed on the MX Community. However, wall-mounted decorative light fixtures such as scones are permitted.
 - (v) Bicycle parking spaces (bike racks) shall be provided in accordance with the Ordinance.
 - (vi) Utilities located within the interior of the development shall be placed underground.
 - (vii) Drive through window facilities for certain permitted accessory uses within the MX Community shall be designed substantially in the manner depicted on Sheet L1.2 and otherwise in compliance with the Ordinance; provided, however, the specific locations of such accessory uses may be shifted within the MX Community during the design, development and review process.
- (b) **Areas Devoted to Multi-Family Units and Attached Residential Homes within the MX Community**
 - (i) Buildings shall not exceed four stories and 60 feet in height at grade.
 - (ii) Utilities located along local neighborhood streets within the interior of the development shall be placed underground.
 - (c) **Landscaping.**
 - (i) The Site shall conform to the applicable provisions of the City of Charlotte Tree Ordinance.
 - (d) **Open Space.**
 - (i) Open space areas depicted on the Technical Data Sheet represent the approximate location and extent of the areas that will be maintained as open space. The exact location and extent of the open space areas will be determined through the detailed design and subsequent administrative review of development plans.
 - (e) **Signs.**
 - (i) All signs placed on the Site will be erected in accordance with the requirements of the Ordinance for the MX-3 zoning district. The Petitioner reserves the right to pursue the Planned Development Flexibility Option outlined in Section 13.110(2) of the Ordinance.
 - (f) **Parking.**
 - (i) Off-street parking and loading areas will satisfy the standards established under the Ordinance.
 - (g) **Buffers/Project Edges.**
 - (i) Buffers exclusive of SWIM or other environmental buffers and project edges will be created in accordance with the Ordinance. Required buffers and project edges on the Site may be eliminated or reduced if the adjoining parcels are rezoned or developed such that buffers or project edges are no longer required.
 - (ii) Utility installations may only cross buffer areas at interior angles measured at property lines which are not less than 75 degrees.
 - (iii) A 100 foot landscape/tree save area will run parallel to W.T. Harris Boulevard within the MX Community. Subject to and in accordance with the following standards, trees located within this landscape area shall be preserved and such area maintained as follows: (a) trees and shrubs may be hand pruned only and no heavy equipment or vehicles shall be allowed within the areas located a distance of greater than forty-five (45) feet from either side of the right-of-way of the entrance road from W.T. Harris Boulevard (it being understood that grading and the installation of signage and utilities can occur within such 45 foot-wide areas), (b) any plant material removed, shall be cut flush with the ground and no disturbance of the soil shall be permitted, except that the soil may be disturbed in connection with the installation of additional trees and shrubs and in conjunction with any utility installations or repair; (c) no tree limb removal, with the exception of dead or diseased limbs and in

connection with utility installations or repair; (d) weeds and vines may be removed; (e) dead or diseased trees and materials may be removed; (f) much may be applied to these areas; (g) utilities may be installed and repaired throughout said 100 foot landscape/tree save area; and (h) grading and the installation of signage can occur within such 45 foot-wide areas described in (a) above.

(iv) A 25 foot landscape/tree save area will extend along the easterly boundary of MX Sub-component 1A as shown on Sheet L1.1. This 25 foot landscape/tree save area will be maintained in accordance with the standards set forth in the preceding subparagraph (g)(iii) (without regard to the reference to the 45 foot area in such subparagraph).

4. **Design Review Committee for MX Component 7**

Prior to submission for the first building permit in connection with construction to take place on MX Component 7, the Petitioner shall establish a Design Review Committee for MX Component 7 (the "Design Review Committee"). The Design Review Committee shall have the responsibility for reviewing all development taking place within such portions of MX Component 7 to ensure compliance with this Petition, including without limitation these Development Standards, and the Ordinance. The Design Review Committee shall consist of at least three members, one member of which includes a member of the Charlotte-Mecklenburg Planning Commission Staff. The Petitioner on behalf of his successors and assigns, agrees to work in good faith with all members of the Design Review Committee to obtain their input in connection with the review described herein.

5. **Storm Water Management and Water Quality - MX Community**

- (a) [The Petitioner shall tie-in to the existing storm water system(s). The Petitioner shall have the receiving drainage system(s) analyzed to ensure that it will not be taken out of standard due to the development. If it is found that development will cause the storm drainage system(s) to be taken out of standard, the Petitioner shall provide alternate methods to prevent this from occurring.]
- (b) [The S.W.I.M. Stream Buffer requirements shall be applied as described in the City of Charlotte Zoning Ordinance, Chapter 12. All perennial and intermittent streams draining less than 40 acres shall have a minimum 30-foot vegetated buffer including a 10-foot zone adjacent to the bank. Disturbance of the buffer is allowed; however, any disturbed area must be re-vegetated and disturbance of the 10-foot zone adjacent to the bank shall require bank stabilization using bioengineering techniques as specified in the Design Manual. All streams draining greater than or equal to 50 acres and less than 300 acres shall have a 35-foot buffer with two (2) zones, including stream side and upland. Streams draining greater than or equal to 300 acres shall have a 50-foot buffer with three (3) zones, including stream side, managed use and upland. Streams draining greater than or equal to 640 acres shall have a 100-foot buffer, plus 50% of the area of the flood fringe beyond 100 feet. This buffer shall consist of three (3) zones, including stream side, managed use and upland. All buffers shall be measured from the top of the bank on both sides of the stream. The uses allowed in the different buffer zones as described in the S.W.I.M. Stream Buffer requirements in the Zoning Ordinance, Chapter 12, as well as the other provisions of the S.W.I.M. ordinance shall apply (except buffer widths).]
- (c) [Impacts to the S.W.I.M. Buffers within the project will be allowed in accordance with the buffer ordinance. Impacts to any S.W.I.M. Buffer shall require approval from the Mecklenburg County Department of Environmental Protection (MCDEP).]
- (d) [The Petitioner shall control the entire runoff volume for the post-development 1-year 24-yr storm for the single-family portion of the development that drains to Griffith Lake and for all multi-family, mixed use and commercial areas. Runoff draw down time shall be a minimum of 24 hours, but no more than 120 hours.]
- (e) [For residential areas with greater than 24% BUA, the Petitioner shall control the peak to match the predevelopment runoff rates for the 10-year and 25-year, 6-hour storms or perform a downstream analysis to determine whether peak control is needed, and if so, for what level of storm frequency.]
- (f) [For commercial areas with greater than 24% BUA, the Petitioner shall control the peak to match the predevelopment runoff rates for the 10-year, 6-hour storm and perform a downstream flood analysis to determine whether additional peak control is needed and if so, for what level of storm frequency; or if a downstream analysis is not performed, the Petitioner shall control the peak for the 10-year and 25-year, 6-hour storms.]

(g) [The use of structural water quality best management practices (BMPs) shall be incorporated into the portion of the single family development that drains to Griffith Lake and for all multi-family, mixed use and commercial areas and designed to achieve 85% Total Suspended Solids (TSS) removal for the entire post-development runoff volume generated from the first 1-inch of rainfall. BMPs shall be designed and constructed in accordance with the most recent version of the N.C. Department of Environment and Natural Resources (NCDENR) Best Management Practices Manual (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, when available).]

(h) [Pertaining to the storm water requirements: Residential Development is a development containing dwelling units with open yards on at least two sides where land is sold with each dwelling unit.]

6. **Connectivity and Access Points - MX Community.**

- (a) Vehicular connections throughout the MX Community will be provided in the manner generally depicted on the Technical Data Sheet and in conformance with the provisions of the City Code.
- (b) The placement and configuration of each access point to the MX Community are subject to any modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the North Carolina Department of Transportation or the Charlotte Department of Transportation.

7. **Tree Ordinance and Tree Survey.**

Development within the MX Community shall adhere to the requirements of the Tree Ordinance subject to the right to request and obtain variances from the requirements thereof. Tree survey submissions shall take place at the time of permitting for various portions of the MX Community. Each construction phase will adhere to 10% tree save requirements, subject to the right to request variances.

8. **CATS Access and Road Standards.**

Griffith Lakes Parkway/Davis Lakes Parkway and portions of Highway 115/Sugar Creek Extension located within the MX Community shall be constructed to standards that support use by standard 40 foot long CATS buses.

9. **Wetlands Protection; Water Supply Wells.**

- (a) Any jurisdictional wetlands or streams, if present, need to be protected or proper environmental permits obtained prior to their disturbance.
- (b) All water supply wells will be protected by flagging and fencing during Site development or abandonment per Mecklenburg County Well Regulations prior to any demolition or grading activity.

B. **MUDD VILLAGE PROVISIONS.**

2. **Permitted Uses and Development Limitations - MUDD Village.** The MUDD Village is intended to accommodate a mixed use development principally of residential, retail/restaurant, office and hotel uses which will be interconnected with open space, pedestrian features and vehicular linkages. The following provisions shall govern development within the MUDD Village:

- (a) Any of the following uses shall be allowed in the MUDD Village:
 - (i) In addition to other development permitted in this Section C.1., up to 271,500 square feet of gross floor area as defined in this Section C.1.(a) may be devoted to retail and/or restaurant uses, subject, however, to the conversion rights reserved in Section C.1. (b) below;
 - (ii) In addition to other development permitted in this Section C.1., up to 528,000 square feet of gross floor area may be devoted to office uses, subject, however, to the conversion rights reserved in Section C.1. (b) below;
 - (iii) In addition to other development permitted in this Section C.1., up to 1,788 residential dwelling units may be located within the MUDD Village, subject, however, to the conversion rights reserved in Section C.1. (b) below including without limitation those regarding permitted hotel uses allowed in MUDD Component A;
 - (iv) Associated surface and structured parking facilities, and
 - (v) Accessory uses and structures allowed in the MUDD zoning district.

For the purposes of the development limitations set forth in these Development Standards the term "gross floor area" shall mean and refer to the sum of the gross horizontal areas of each floor of the principal building, measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall be exclusive of surface and structured parking facilities and related access areas, areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl space), service areas, mechanical rooms and areas devoted to uses and structures accessory to the residential uses on the Site such as laundry rooms, leasing offices, property management offices, pools, clubhouses, fitness areas, concierge areas, trash/recycling areas and the like, it being understood that residential uses shall be governed by the number of dwelling units, not square footage. Areas devoted to outdoor dining are not intended to be included in the calculation of the square footage limitations set forth in these Development Standards, provided that any off street parking required by the Ordinance will be provided for these areas.

- (b) The following conversion rights are reserved:
 - (i) The right is reserved to increase the authorized amount of office, retail and/or restaurant gross floor area by an amount which does not exceed 50,000 square feet of additional gross floor area by converting authorized residential units into additional office, retail and/or restaurant gross floor area at the rate of 500 square feet of office, retail and/or restaurant gross floor area for each residential unit so converted; up to a maximum of 100 residential units so converted;
 - (ii) The right is reserved to increase the authorized number of residential units by up to 100 additional units (the intent being to limit the total number of authorized residential units on the MUDD Village to no more than 1,888 units if all residential conversion options are exercised) by converting authorized office, retail and/or restaurant area to residential units at the rate of one residential unit for each 500 square feet of retail and/or restaurant and office area so converted;
 - (iii) The right is reserved to increase the authorized amount of retail and/or restaurant area by an amount that does not exceed 50,000 square feet of additional area by converting authorized office area into additional retail/restaurant area at the rate of 500 square feet of retail/restaurant area for 750 square feet of office area so converted.
 - (iv) The right is reserved to increase the authorized amount of office area by an amount that does not exceed 50,000 square of additional area by converting authorized retail and/or restaurant floor area into additional office area at the rate of 750 square feet of office area for 500 square feet of retail/restaurant area so converted; and
 - (v) In addition to other development permitted in this Section C.1., up to 150 hotel rooms may be constructed within the MUDD Village; provided, however, in the event of hotel development on the MUDD Village, the number of permitted residential units for the MUDD Village shall be reduced at the rate of one dwelling unit for two hotel rooms so constructed.

GRIFFITH LAKES

Charlotte
Mecklenburg
County,
North Carolina

PETITIONER:
GRIFFITH EQUITIES, LLC
1944 BRUNSWICK AVE.
CHARLOTTE, N. C. 28207
704-332-7173

PREPARED BY:
HadenStanziale
planning
landscape architecture
421 Penman Street 704.373.0534
Suite 300 704.342.0251 fax
Charlotte, NC 28203 www.hadenstanziale.com

PETITIONER'S AGENT:
KING & SPALDING, LLP
ATTORNEYS AT LAW
301 McCULLOUGH DRIVE, 4TH FLOOR
CHARLOTTE, NC 28262
PH (704) 503-2564

ISSUE: REZONING PETITION

REVISIONS:		
No.	Date	Work Done
1	6/18/07	REVISED DEVELOPMENT STANDARDS
2	8/20/07	REVISED DEVELOPMENT STANDARDS

Date: 03/26/07
Project No.: 06334
Checked By: KWC
Drawn By: CAT, JAG

TITLE: DEVELOPMENT STANDARDS L1.4

GRIFFITH LAKES

Charlotte
Mecklenburg
County,
North Carolina

OWNER:
GRIFFITH EQUITIES, LLC
1944 BRUNSWICK AVE.
CHARLOTTE, N. C. 28207
704-332-7173

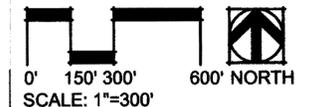
PREPARED BY:
HadenStanziale
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421 Penman Street Suite 300
Charlotte, NC 28203
704.373.0534
704.342.0251 fax
www.hadenstanziale.com

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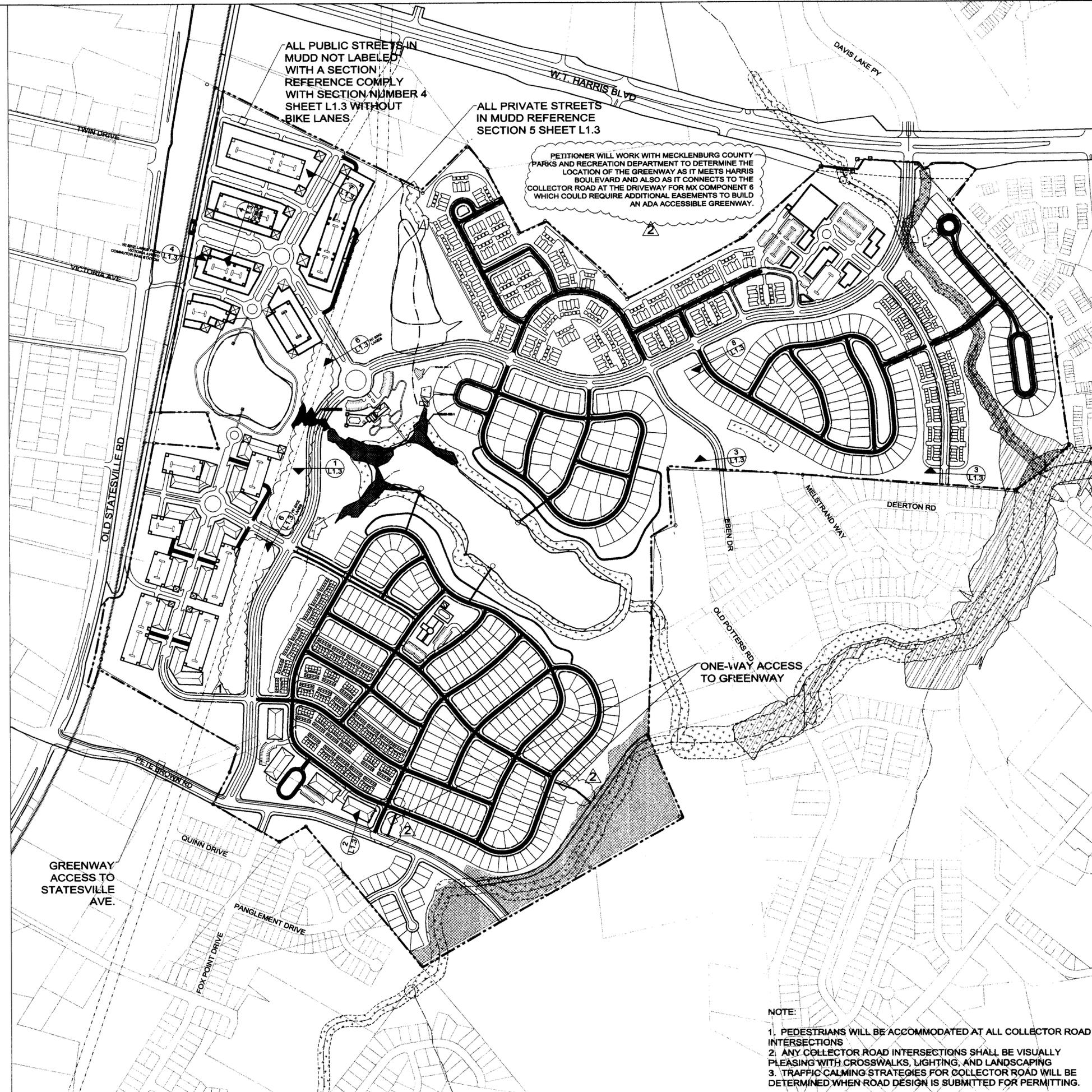
ISSUE:

REVISIONS:		
1	6/18/07	THIS IS AN ENTIRELY NEW SHEET
2	8/20/07	GREENWAY EASEMENT NOTES, REMOVED GREENWAY NOTES, REMOVED GREENWAY NOTES ALONG DUKE R.O.W.

No.	Date	Work Done
Date:	06/18/07	
Project No.:	06334	
Checked By:	KWC	
Drawn By:	CAT, JAG	



TITLE:
**STREET AND
PATH TYPES**
L1.6



ALL PUBLIC STREETS IN MUDD NOT LABELED WITH A SECTION REFERENCE COMPLY WITH SECTION NUMBER 4 SHEET L1.3 WITHOUT BIKE LANES.

ALL PRIVATE STREETS IN MUDD REFERENCE SECTION 5 SHEET L1.3

PETITIONER WILL WORK WITH MECKLENBURG COUNTY PARKS AND RECREATION DEPARTMENT TO DETERMINE THE LOCATION OF THE GREENWAY AS IT MEETS HARRIS BOULEVARD AND ALSO AS IT CONNECTS TO THE COLLECTOR ROAD AT THE DRIVEWAY FOR MX COMPONENT 8 WHICH COULD REQUIRE ADDITIONAL EASEMENTS TO BUILD AN ADA ACCESSIBLE GREENWAY.

ONE-WAY ACCESS TO GREENWAY

GREENWAY ACCESS TO STATESVILLE AVE.

- NOTE:
1. PEDESTRIANS WILL BE ACCOMMODATED AT ALL COLLECTOR ROAD INTERSECTIONS
 2. ANY COLLECTOR ROAD INTERSECTIONS SHALL BE VISUALLY PLEASING WITH CROSSWALKS, LIGHTING, AND LANDSCAPING
 3. TRAFFIC CALMING STRATEGIES FOR COLLECTOR ROAD WILL BE DETERMINED WHEN ROAD DESIGN IS SUBMITTED FOR PERMITTING.

LEGEND

AREA WITH IN WHICH A 30' EASEMENT FOR FUTURE GREENWAY WILL BE GRANTED TO MECKLENBURG COUNTY.

- PRIVATE STREET
- PRIVATE PATH

GRIFFITH LAKES

Charlotte
Mecklenburg
County,
North Carolina

PETITIONER:
GRIFFITH EQUITIES, LLC

1944 BRUNSWICK AVE.
CHARLOTTE, N. C. 28207
704-332-7173

PREPARED BY:
HadenStanziale
planning
landscape architecture

421 Penman Street Suite 300
Charlotte, NC 28203
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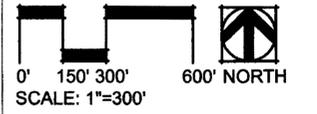
PETITIONER'S AGENT:
KING & SPALDING, LLP
ATTORNEYS AT LAW
301 McCULLOUGH DRIVE, 4TH FLOOR
CHARLOTTE, NC 28262
PH (704) 503-2564

ISSUE:
REZONING PETITION

REVISIONS:

1	6/18/07	THIS IS AN ENTIRELY NEW SHEET.
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No.	Date	Work Done
Date:	06/18/07	
Project No.:	06334	
Checked By:	KWC	
Drawn By:	CAT, JAG	



TITLE:
**SUGAR CREEK
CONNECTOR
ALTERINATE
DEVELOPMENT PLAN**

L1.7

