

DEVELOPMENT DATA	
TAX PARCELS	04308801, 04306202, 04323294, 04324101
EXISTING ZONING	04308801 I-1, 04306202 I-1, R-4, 04323294 R-4, 04324101 I-1 (CD)
PROPOSED ZONING	MX-3 INNOVATIVE & MUDD-O
TOTAL OPEN SPACE	APPROXIMATELY 151 ACRES
TOTAL ACRES	APPROXIMATELY 395 ACRES
MUDD VILLAGE	
RETAIL	271,500 SF
OFFICE	528,000 SF
RESIDENTIAL	1,788 UNITS
OPEN SPACE	23.6 ACRE
MX COMMUNITY	
MX COMPONENT 1	224 RESIDENTIAL LOTS/UNITS 24.2 ACRE OPEN SPACE
MX COMPONENT 2	71 SINGLE FAMILY DETACHED 75x125 LOTS 4.1 ACRE OPEN SPACE
MX COMPONENT 3	517 RESIDENTIAL LOTS/UNITS (WITH OPTIONS AS OUTLINED IN THE DEVELOPMENT STANDARDS) 18.4 ACRE OPEN SPACE
MX COMPONENT 4	18 RESIDENTIAL LOTS/UNITS 5.0 ACRE OPEN SPACE
MX COMPONENT 5	NO DWELLING UNITS 69.0 ACRE OPEN SPACE
MX COMPONENT 6	174 RESIDENTIAL LOTS/UNITS 1.6 ACRE OPEN SPACE
MX COMPONENT 7	100 RESIDENTIAL LOTS/UNITS 183,000 SF OFFICE OR RETAIL (WITH OPTIONS AS OUTLINED IN THE DEVELOPMENT STANDARDS AND AS DEPICTED IN THE SCHEMATIC OPTIONS ON SHEET L1.2)

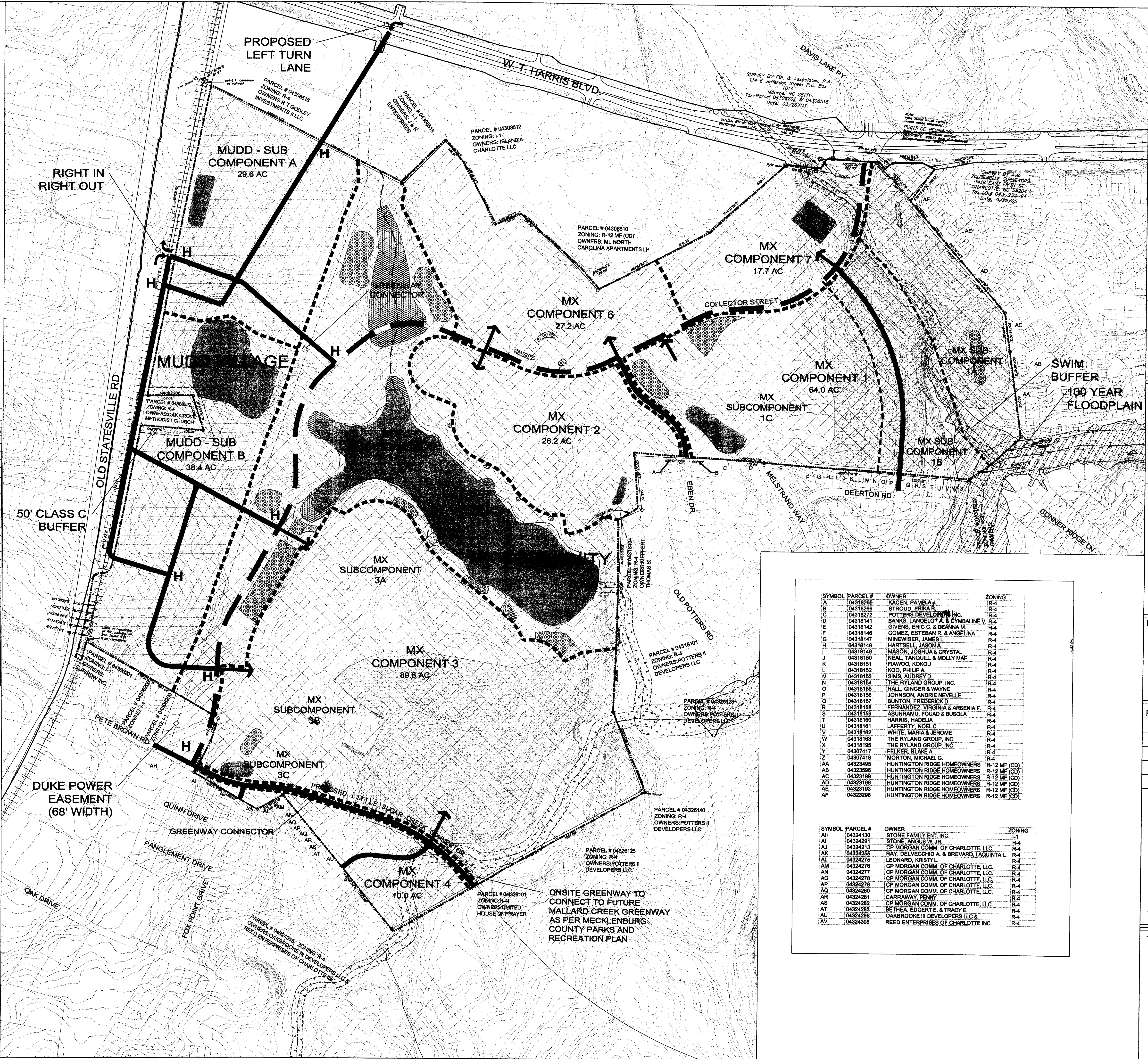
*NOTE: SEE DEVELOPMENT STANDARDS FOR ACTUAL AND COMPLETE BREAKDOWN OF ENTITLEMENTS AND CONVERSION RIGHTS.

KEY

MX COMMUNITY
MUDD VILLAGE
MONUMENT SIGN

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



SYMBOL	PARCEL #	OWNER	ZONING
A	04318285	KACEN, FAMELA J.	R-4
B	04318286	STROUD, ERIKA R.	R-4
C	04318272	POTTERS DEVELOPERS INC.	R-4
D	04318141	BANKS, LANCELOT A. & CYMBALINE V.	R-4
E	04318142	GIVENS, ERIC C. & DEANNA L.	R-4
F	04318146	GOMEZ, ESTEBAN R. & ANGELINA	R-4
G	04318147	MINEWISER, 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	FIAMMO, KOKOU	R-4
L	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	ASUNRAMU, FOJAD & BUSOLA	R-4
T	04318160	HARRIS, HADELA	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	04323506	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	04323288	HUNTINGTON RIDGE HOMEOWNERS	R-12 MF (CD)

SYMBOL	PARCEL #	OWNER	ZONING
AH	04324130	STONE FAMILY ENT. INC.	I-1
AI	04324291	STONE, ANGUS W. JR.	R-4
AJ	04324213	CP MORGAN COMM. OF CHARLOTTE, LLC.	R-4
AK	04324285	RAY, DELVECHIO A. & BREVARD, LAQUINTA L.	R-4
AL	04324275	LEONARD, KRISTY	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	OAKBROOKE III DEVELOPERS LLC &	R-4
AV	04324309	REED ENTERPRISES OF CHARLOTTE INC.	R-4

GRIFFITH LAKES

Charlotte
Mecklenburg
County,
North Carolina

2007-090

PETITIONER:

GRIFFITH EQUITIES, LLC

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

PREPARED BY:

HadenStanziale
planning
landscape architecture

421 Penman Street
Suite 300
Charlotte, NC 28203
704-373-0534
704-342-0251 fax
www.hadenstanziale.com

PETITIONER'S AGENT:

KENNEDY COVINGTON
ATTORNEYS AT LAW
HEARST TOWER, 47TH FLOOR
214 NORTH TRYON STREET
CHARLOTTE, NC 28202
PH (704) 331-7471

ISSUE:

REZONING PETITION

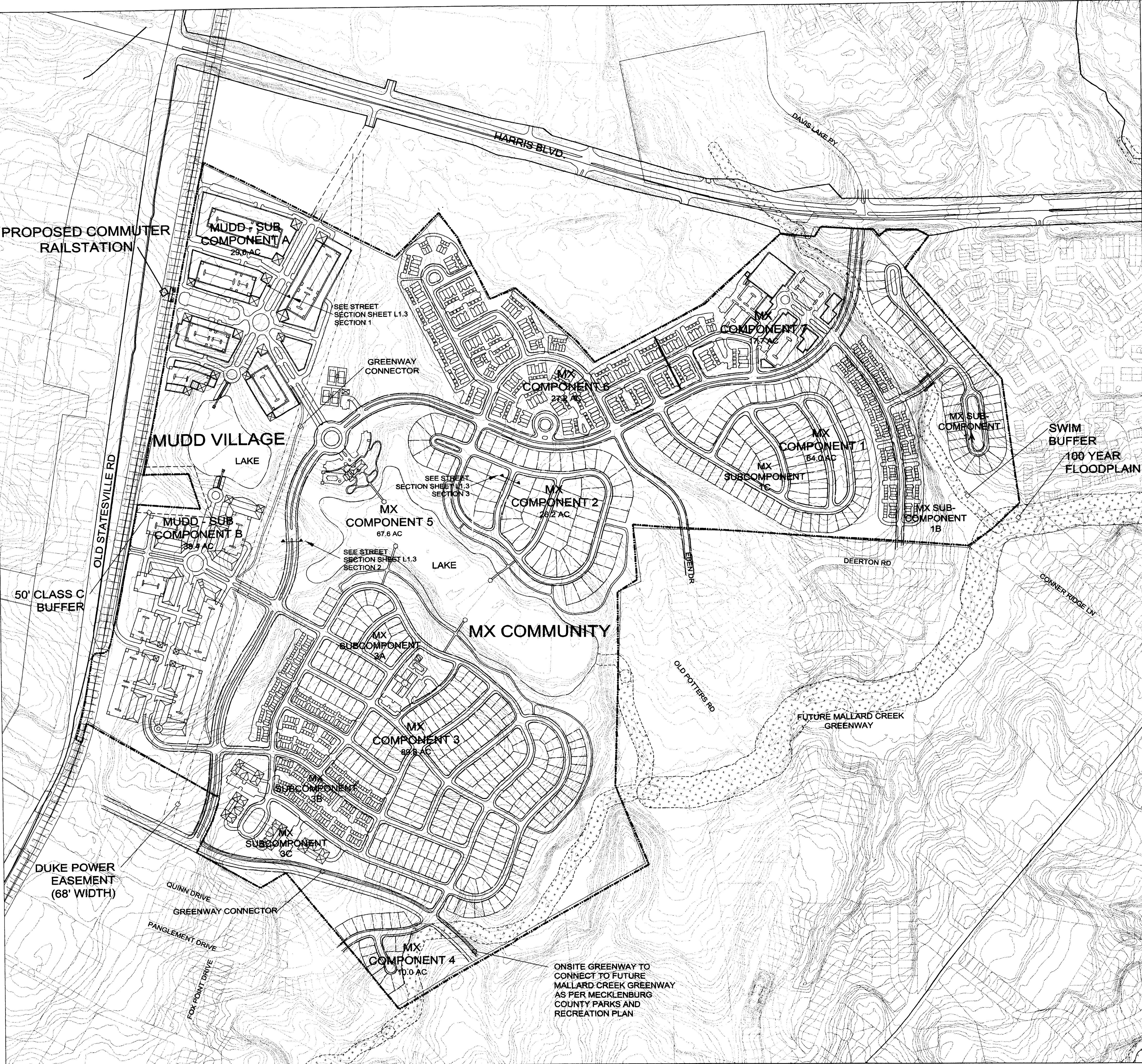
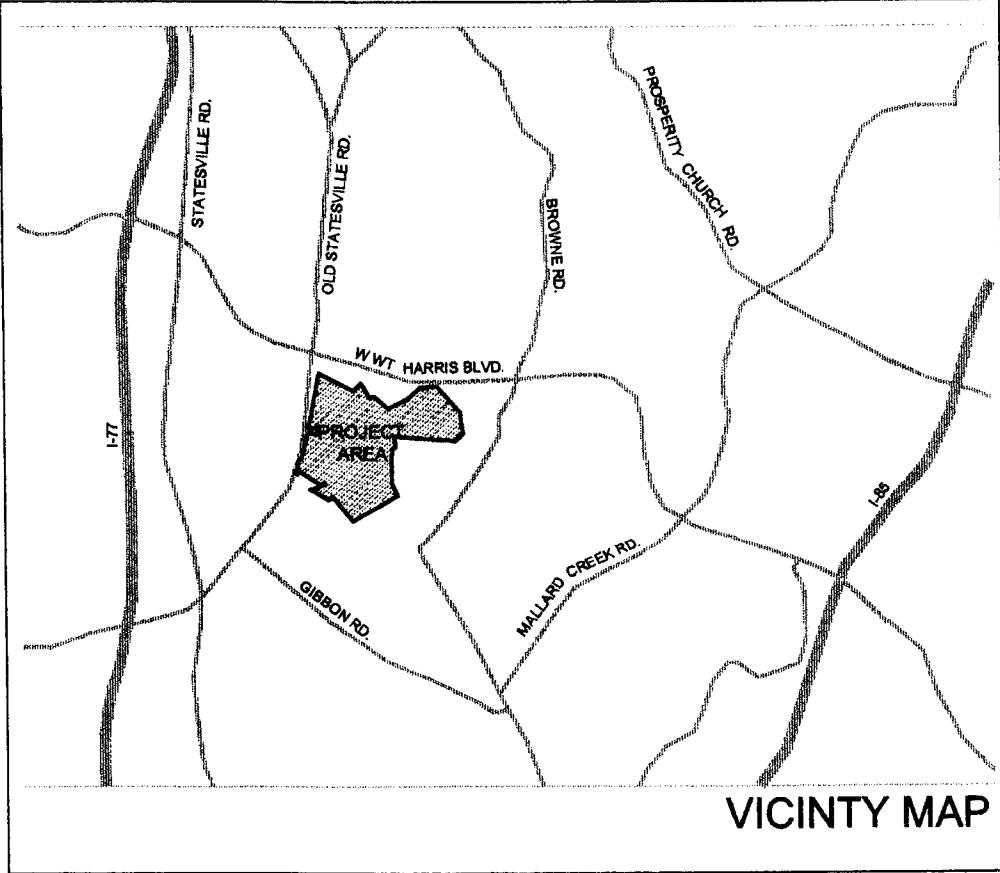
REVISIONS:

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

0' 150' 300' 600' NORTH
SCALE: 1"=300'

TITLE:

TECHNICAL
DATA SHEET
L1.0



Griffith Lakes

Charlotte
Mecklenburg
County,
North Carolina

PETITIONER:
GRIFFITH EQUITIES, LLC

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

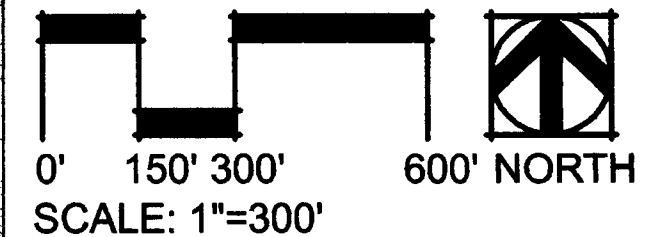
PREPARED BY:
HadenStanziale
planning
landscape architecture
421 Penman Street Suite 300 Charlotte, NC 28203 704.373.0534 704.342.0251 fax www.hadenstanziale.com

PETITIONER'S AGENT:
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CHARLOTTE, NC 28202
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REZONING PETITION

REVISIONS:		

No.	Date	Work Done
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Project No.:	06334	
Checked By:	KWC	
Drawn By:	CAT	



TITLE:
**SCHEMATIC
PLAN
L1.1**

GRIFFITH
 LAKES

Charlotte
 Mecklenburg
 County,
 North Carolina

PETITIONER:
 GRIFFITH EQUITIES, LLC

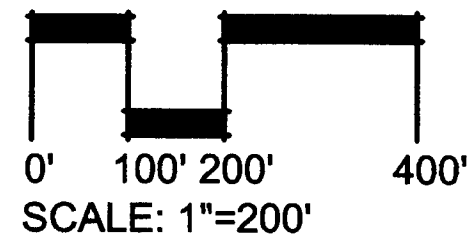
1944 BRUNSWICK AVE.
 CHARLOTTE, N. C. 28207
 704-332-7173

PREPARED BY:
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 planning
 landscape architecture
 421 Penman Street Suite 300 Charlotte, NC 28203
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PETITIONER'S AGENT:
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 CHARLOTTE, NC 28202
 PH (704) 331-7471

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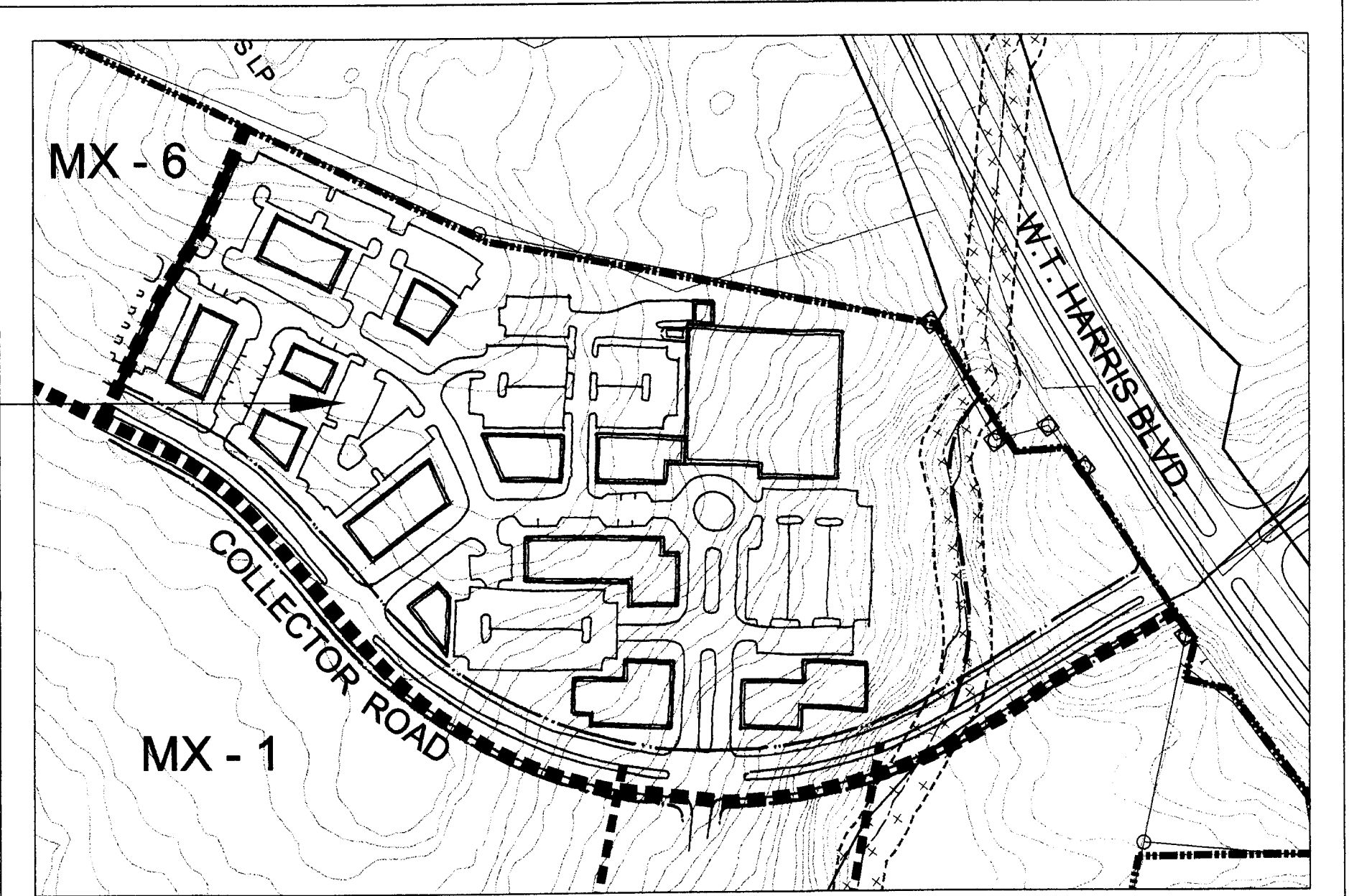


TITLE:
 SCHEMATIC
 OPTIONS
 L1.2

MX COMPONENT 7

MX COMPONENT 7

CONCEPTUAL SCHEMATIC ALTERNATIVE A

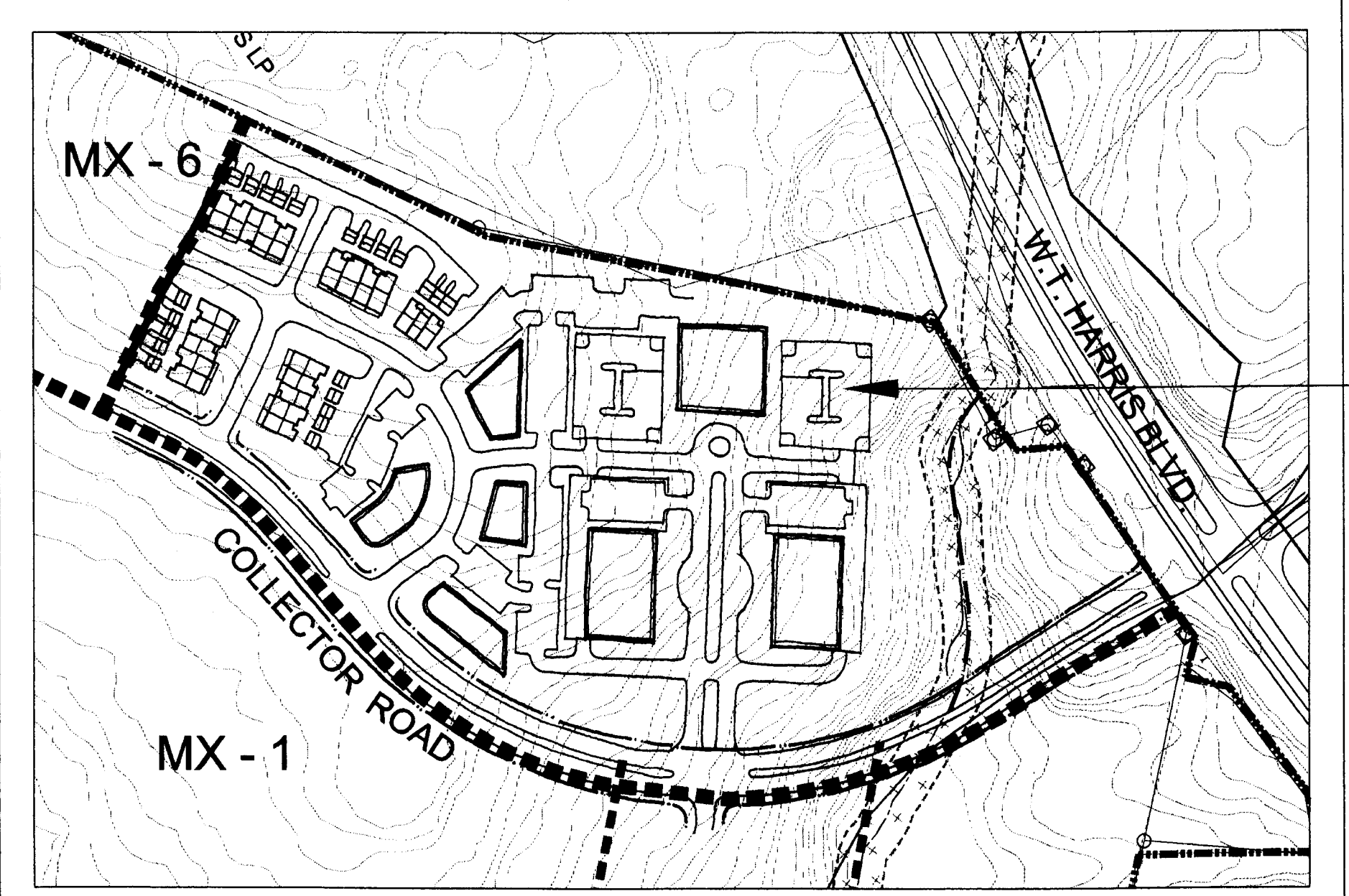


SCALE: 1" = 200'

MX COMPONENT 7

MX COMPONENT 7

CONCEPTUAL SCHEMATIC ALTERNATIVE C

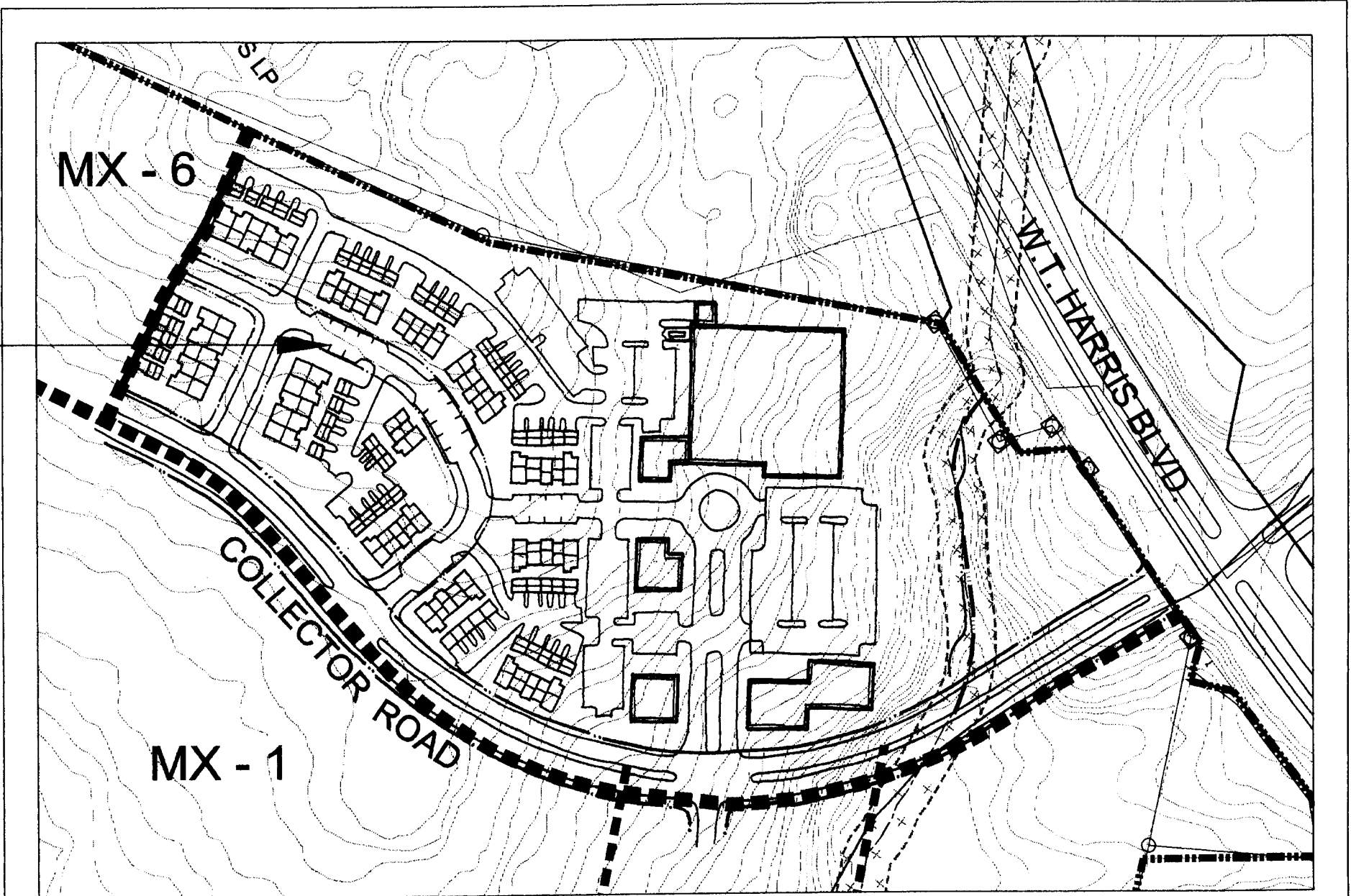


SCALE: 1" = 200'

MX COMPONENT 7

MX COMPONENT 7

CONCEPTUAL SCHEMATIC ALTERNATIVE B

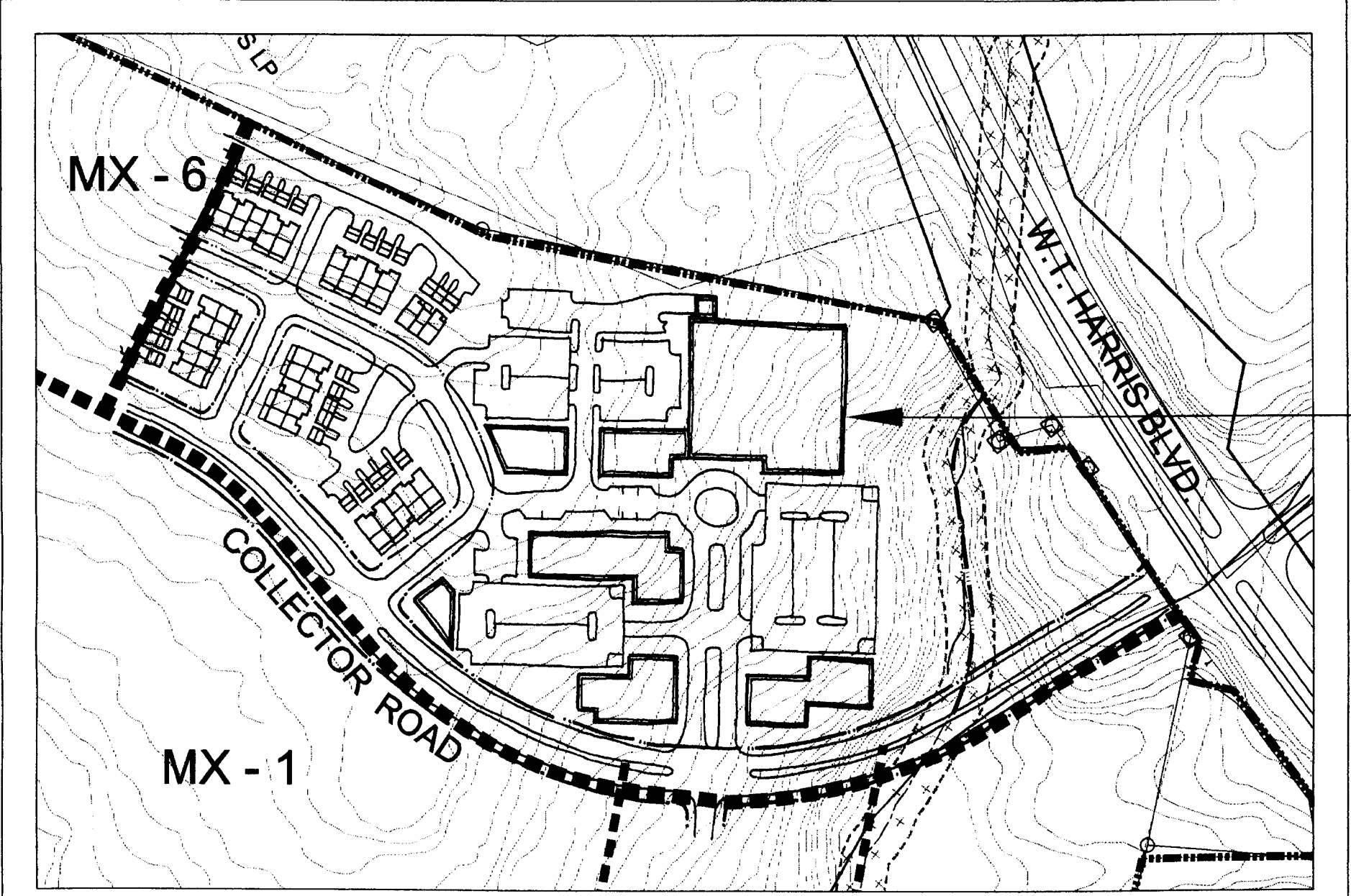


SCALE: 1" = 200'

MX COMPONENT 7

MX COMPONENT 7

CONCEPTUAL SCHEMATIC ALTERNATIVE D

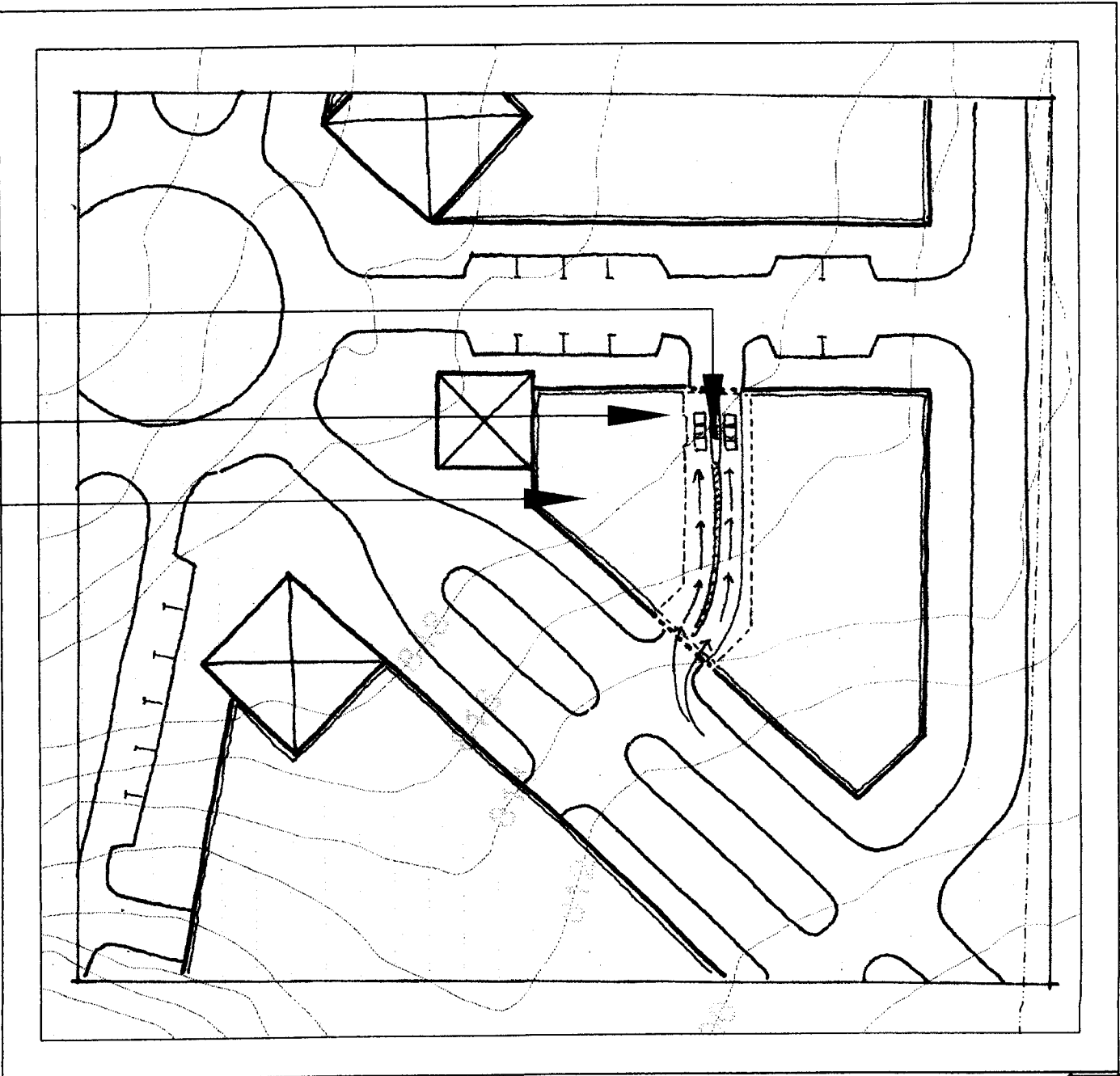


SCALE: 1" = 200'

ATM
 DRIVE - UP
 BANK

MUDD OPTIONAL
 PROVISIONS

3.F. BANK DRIVE -UP & ATM
 STORAGE AT EACH LANE
 FOR THREE CARS

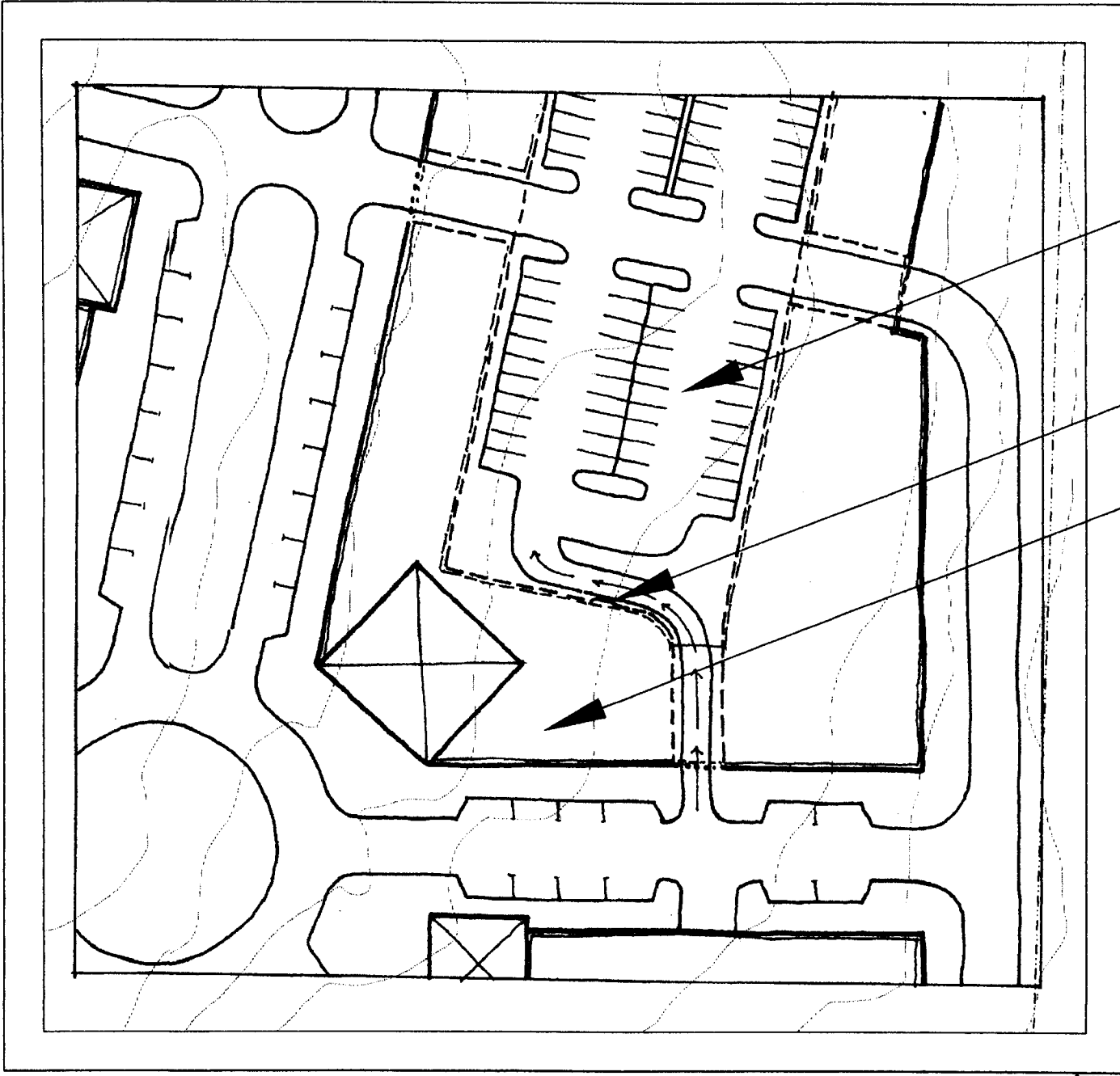


DRAWING NOT TO SCALE

GROUND FLOOR OF
 PARKING DECK
 DRIVE THRU 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
704-332-7173

PREPARED BY:

HadenStanziale
planning
landscape architecture

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Charlotte, NC 28203 704-373-0534
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PETITIONER'S AGENT:

Kennedy Covington

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214 NORTH TRYON STREET
CHARLOTTE, NC 28202
PH (704) 331-7471

ISSUE:

REZONING PETITION

REVISIONS:

No.	Date	Work Done

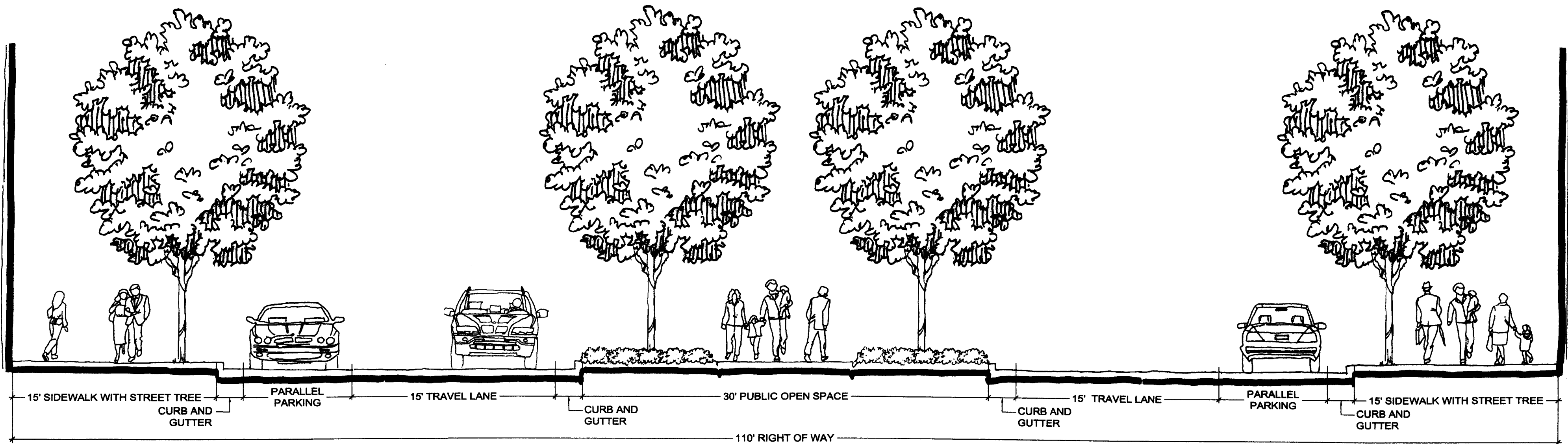
Date: 03/26/07
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Drawn By: CAT, TB, JAG

TITLE:

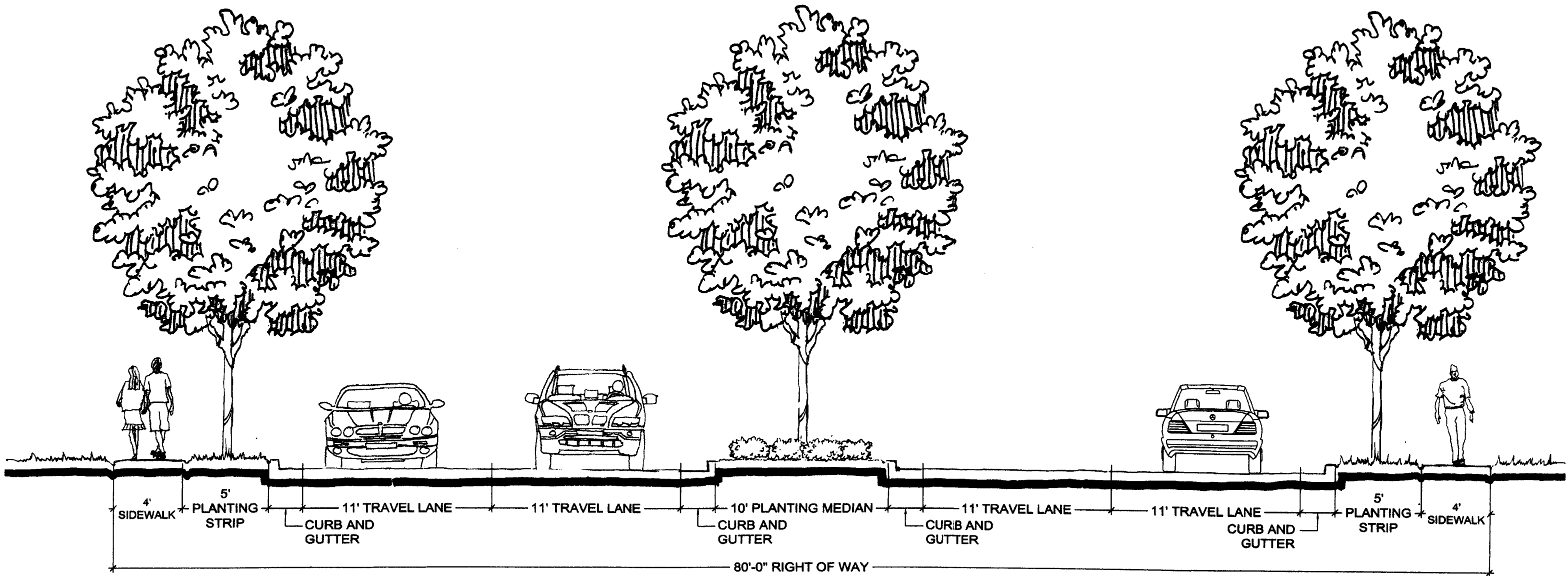
ROADWAY
SECTIONS
L1.3

MULTI STORY
BUILDING

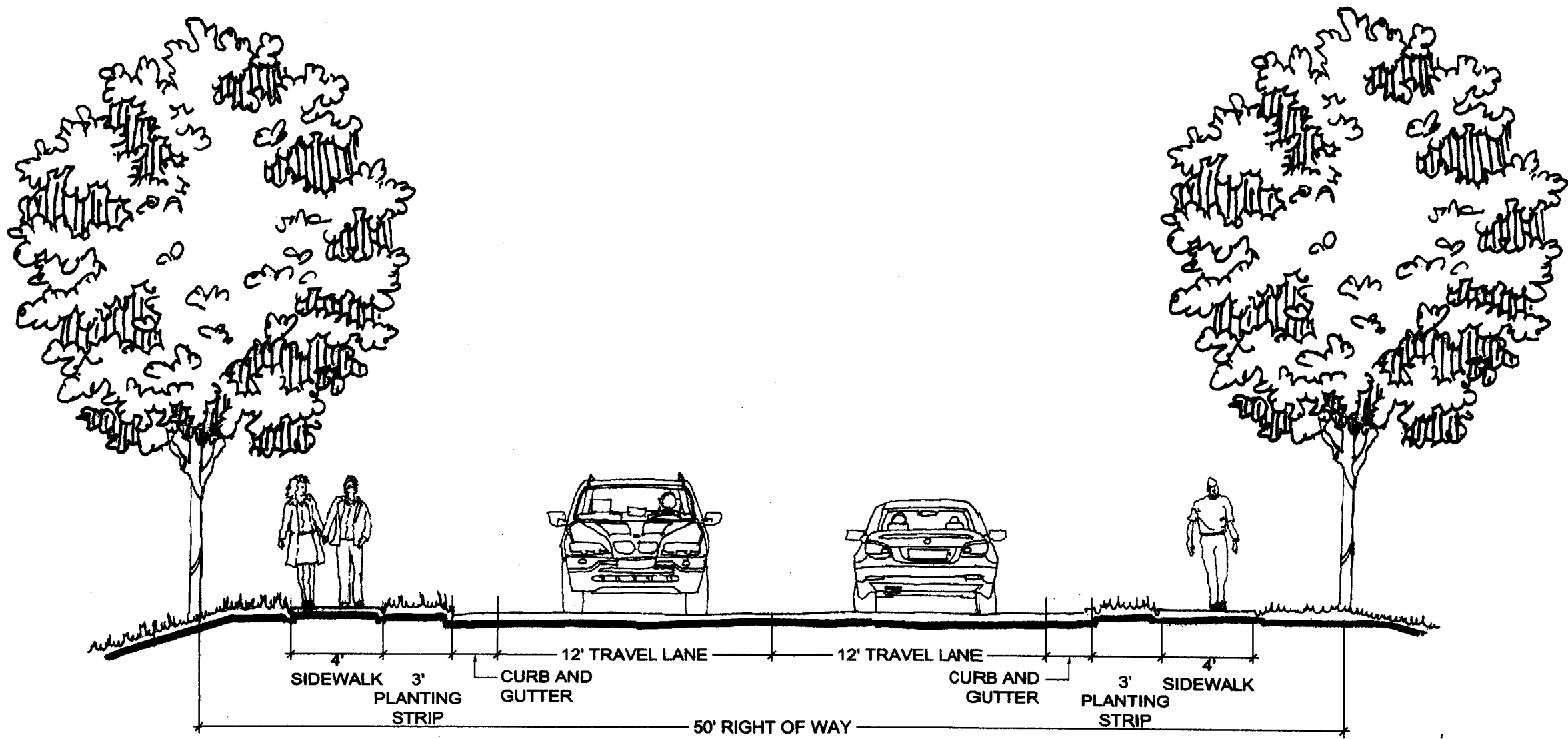
MULTI STORY
BUILDING



1 MUDD STREET SECTION (114' R.O.W.)
NTS



2 TYPICAL COLLECTOR STREET SECTION (80' R.O.W.)
NTS



3 TYPICAL RESIDENTIAL STREET SECTION (50' R.O.W.)
NTS

DEVELOPMENT STANDARDS
GRIFFITH LAKES MASTER PLANNED COMMUNITY
March 23, 2007

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.

5. Five Year Vested Rights; Unified 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, and multi-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 1104 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.(j) below; provided, however, no more than 250 multi-family dwelling units may be located within the MX Community; and
- (ii) In addition to other development permitted in this Section B.1., up to 183,000 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 (j) 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 70 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 71 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 517 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 dwelling units shall be allowed in MX Component 3; 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 174 single family detached lots and/or single family attached lots or units shall be permitted within MX Component 6, subject, however, to the conversion rights set forth in B.1(b) above; 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 183,000 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; 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 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.
- (j) Reference is made to certain alternative Schematic Site Plans for development within MX Component 7 (see Schematic Options Sheet L.1.2). 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.
- (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.(j) 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.
- (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 "secure/gated" residential communities; with respect to such communities, the following deviations from street standards set forth in the Charlotte-Mecklenburg Design Manual may apply: [TO BE FORTHCOMING].
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 parking lot lighting shall be capped and designed such that direct illumination does not extend past the MX Community. 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 sconces 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.
- (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.
- (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.

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) [When applicable, the S.W.I.M. Stream Buffer requirements shall be applied as described in the City of Charlotte Zoning Ordinance, Chapter 12. All streams draining greater than or equal to 100 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 and less than 640 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 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.]

GRIFFITH LAKES

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ISSUE:

REZONING PETITION

REVISIONS:

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

TITLE:

DEVELOPMENT
STANDARDS
L1.4

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 L1.5

percentage in light of unique, unusual or special circumstances or features as determined by the Planning Staff.

(b) The Petitioner seeks the Optional provision to allow blank building walls on those portions of buildings abutting or directly oriented to parking structures.

(c) In accordance with Section C.2. above, the Petitioner may subdivide the Site and create lots within the interior of the MUDD Village with no public street frontage, side and/or rear yards or other separation standards, as part of a unified development as described in such provisions.

(d) Streetscape treatments along public streets within the interior of the Site shall conform to the Ordinance and include a six foot sidewalk and an eight foot planting strip.

(e) The provisions of Section C.2 regarding unified master planned development and application of urban open space as part of the unified master planned development shall, to extent necessary, constitute acceptable variations from the MUDD minimum standards.

(f) A drive-through window facility limited to one drive-through window and ATM may be permitted as an accessory use to a financial institution/bank located in the MUDD Village. Such facility may include drive-through bank teller window(s) and lane(s) and shall be designed in substantially the manner set forth on the Technical Data Sheet and otherwise in compliance with applicable standards of the Ordinance, provided, however, vehicle storage of three (3) vehicles, not six (6) vehicles, shall apply with respect to such facility as part of this Optional request.

(g) A drive-through window facility associated with a drug store/pharmacy use may be permitted within the MUDD Village, provided, however, such drive-through facility shall be located to the rear of the structure and is not directly visible from public rights of way.

4. Design And Performance Standards-MUDD Village.

(a) The proposed buildings and development on the MUDD Village will comply with all applicable Ordinance requirements except as noted above under *Optional Development Provisions*.

(b) Streets within the MUDD Village may be either public or private. Regardless of whether the internal streets are public or private, they shall remain open and accessible to the public except as to private access for multi-family units developed on the MUDD Village.

(c) As the project develops, pedestrian scale lighting will be installed along both interior streets and streets that border the MUDD Village.

(d) All freestanding lighting and all exterior lighting on buildings will be fully shielded and downwardly directed. No wall "pak" type lighting shall be used, but attached decorative lighting fixtures such as sconces may be used. The maximum height of any freestanding lighting fixtures, including its base, shall not exceed 25 feet.

(e) All dumpsters, loading areas and service areas will be screened in accordance with Section 12.303 of the Ordinance.

(f) Off-street vehicular and bicycle parking will be provided which meets or exceeds the ratio requirements of the Ordinance.

(g) Sidewalk and planting strips along internal streets may be installed in phases in association with nearby development and as the project develops.

(h) Areas generally depicted on the Technical Data Sheet as "Open Space" will include decorative paving, benches and seating areas, landscaping features and/or other amenities such as fountains or decorative architectural features.

5. Access Points - MUDD Village.

(a) The total number of ingress/egress points to the MUDD Village shall be limited to the number shown on the Technical Data Sheet, subject to approval of additional ingress/egress points by CDOT. The exact locations may vary somewhat from those depicted based upon final design and locational requirements as regulated by CDOT.

(b) The existing access points to the Site may continue to be used until the new accesses have been completed.

6. Phasing - MUDD Village.

The MUDD Village may be constructed in multiple phases and the developer reserves the right to provide temporary interim parking for the development on other portions of the MUDD Village, subject to meeting the parking standards of the zoning ordinance.

7. Screening, Landscaping, And Open Space Areas – MUDD Village.

(a) Screening will conform to the applicable standards of the Ordinance.

(b) Landscaping shall satisfy the requirements of the Ordinance for the MUDD-O zoning district and the City of Charlotte Tree Ordinance.

(c) Since development occurring on the MUDD Village is part of a unified master planned development, the urban open space requirements established and defined under Section 9.8506(4) of the Ordinance will be satisfied with reference to all Components of the MUDD Village taken together. By way of example, open space located on MUDD Component A that exceeds the urban open space requirements for MUDD Component B may be used to satisfy the urban open space requirements associated with MUDD Component A. To the extent necessary the provisions of this subsection shall constitute a portion of the Optional Provisions under the MUDD-O application set forth in Section 5 above.

(d) All roof-mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.

8. Signs - MUDD Village.

Except as set forth in Section 3 regarding the Optional Provisions, signage within the Components of the Site shall conform to the standards of the Ordinance.

9. Storm Water Management And Water Quality - MUDD Village.

(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.]

(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.

(c) The MUDD Village will consist of two (2) "Sub-Components" - MUDD Sub-Component A and MUDD Sub-Component B as generally depicted on the Technical Data Sheet.

(d) The following additional provisions shall govern uses on the MUDD Village:

(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. Unified Development; Setbacks; Yards; Open Space Areas And Parking - MUDD Village.

(a) Except as set forth in Section 2(b), below, setbacks and yards shall be provided in accordance with the Ordinance.

(b) Each Component of the MUDD Village shall be viewed as a unified development plan as to the other Components of the MUDD Village generally depicted on the Technical Data Sheet. As such, side and rear yards and other separation standards will not be required internally between improvements located on the Site. Furthermore, the Petitioner reserves the right to subdivide the MUDD Village and create lots within the interior of the development of the MUDD Village with no public street frontage or side and/or rear yards or other separation standards as part of a unified development plan; provided, however, all such yard and separation standards along the exterior boundary of the MUDD Village shall be adhered to.

(c) Parking may be provided by way of surface or structured parking facilities located on the MUDD Village, subject to compliance with the parking ratio requirements for retail and/or restaurant, residential and hotel uses set forth on the Technical Data Sheet. Compliance with the parking ratios set forth on the Technical Data Sheet shall reflect that the number of parking spaces shall decrease proportionately with the decrease in the development based upon the applicable ratios associated with the type of uses so developed. Angled, parallel or perpendicular parking may be provided along internal streets within the MUDD Village.

(d) Since development occurring on the MUDD Village is part of a unified master planned development, the urban open space requirements established and defined under Section 9.8506(4) of the Ordinance will be satisfied with reference to all Components of the MUDD Village taken together. By way of example, open space located on MUDD Sub-Component A that exceeds the urban open space requirements for MUDD Sub-Component B may be used to satisfy the urban open space requirements associated with MUDD Sub-Component A.

(e) To the extent necessary the provisions of this Section 2 shall constitute a portion of the Optional Provisions under the MUDD-O application set forth in Section 3 below.

3. Optional Development Provisions – MUDD Village.

(a) Signage Standards. The Petitioner seeks the Optional provision to allow modifications to the MUDD signage standards to permit an exciting and unique signage system on the MUDD Village. Accordingly, as part of this MUDD-Optional application, the Petitioner requests the following modifications from the MUDD signage provisions:

[(i) In addition to the other signs permitted under this Section C.3.(a), Petitioner shall be entitled to [8] detached, ground-mounted project/tenant identification signs, in the locations generally depicted on the Rezoning Plan. The [four (4)] primary project/tenant identification signs may be up to [25] feet in height and [100] square feet in signage area size, and shall be located in the areas generally depicted on the Rezoning Plan. The other detached project/tenant identification signs shall be limited to [10] feet in height and [80] square feet in signage area size. Project/identification signs may not be located within the public rights-of-way or sight triangles.]

[(ii) In addition to the other signs permitted under this Section C.3.(a), wall mounted signage may contain a maximum sign surface per tenant of up to the lesser of 100 square feet or 5% of the building wall area associated with such tenant space provided, however, wall mounted signage may contain a maximum sign surface per tenant of up to the lesser of 200 square feet or 10% of the building wall area associated with such tenant space for tenants with over 20,000 or more gross floor area of space.]

[(iii) In addition to other signs permitted under this Section C.3.(a), up to [three (3)] commuter rail oriented advertising and/or identification signs may be permitted within the MUDD Village in the event Commuter Rail Transit Service is established adjacent to the MUDD Village; such signs may be up to 10 feet in height and 80 square feet in signage area size.]

[(iv) In addition to the other signs permitted under this Section 3(b), the Petitioner shall be entitled to one monument style building identification sign for each of the buildings proposed for the MUDD Village. These signs must be located along interior streets and may be up to 6 feet in height and 18 square feet in size. In addition, way finding and directional signs may be permitted in accordance with Ordinance requirements for the MUDD district.]

The sign locations generally depicted on the Rezoning Plan are conceptual in nature. The locations of the signs may be altered. However, in no event will the number of signs outlined on the Rezoning Plan be increased without receipt of an administrative approval from the Planning Staff as provided herein. Administrative approvals of deviations from the standards for signage set forth in this Rezoning Plan may be granted by the Planning Staff, subject to approval of a specific sign design, location and plan, for up to two (2) additional detached signs and/or a 25% increase in allowed square footage or wall space

(g) [The entire runoff volume from the southeastern portion of MX Component 3 and eastern portion of MX Component 1 shall be discharged directly into the floodplain of Mallard Creek without peak or volume control of the 1-year 24-hour storm, 10-year 6-hour storm, or 25-year 6-hour storm.]

(h) [The use of structural water quality best management practices (BMPs) shall be incorporated into the portion of the 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).]

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 obtain variances from the requirements thereof. Tree survey submittals shall take place at the time of permitting for various portions of the MX Community.

C. MUDD VILLAGE PROVISIONS.

1. 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