

SITE INFORMATION
SITE ADDRESS:

100 BLOCK SCALEBARK ROAD
CHARLOTTE, NC 28209

PROPERTY OWNER(S):

CROSLAND GREENS LLC
227 W TRADE STREET #800
CHARLOTTE, NC 28202

CROSLAND CENTRE ASSOCIATES
125 SCALEBARK ROAD
CHARLOTTE, NC 28209

BROWN CRAIG INC
8300 FAIRVIEW ROAD
CHARLOTTE, NC 28226

CROSLAND INC
227 W TRADE STREET #800
CHARLOTTE, NC 28202

TAX PARCEL ID #:

14905101, 14905111, 14905112, 14905113, 14905114, 14905115, 14905201, 14905202, 14905203, 14905204, 14905205, 14905206, 14905207, 14905208, 14905209, 14905210, 14905211, 14905304, 14905413, 14905414, 14905415, 14905416, 14905417, 14905418, 14905419, 14905420, 14905421, 14905422, 14905423, 14905424, 14905425, 14905426, 14905427, 14905428, 14905429, 14905430, 14905431, 14905432, 14905433, 14905434, 14905435, 14905436, 14905437, 14905438, 14905439, 14905440, 14905441, 14905442, 14905443, 14905444, 14905456, 14905457, 14905458, 14905459, 14905460, 14905461, 14905462, 14905463, 14905464, 14905465, 14905467, 14905468, 14905471, 14905473

EXISTING ZONING:

GENERAL BUSINESS DISTRICT "B-2" AND MULTI-FAMILY RESIDENTIAL DISTRICT "R-17MF"

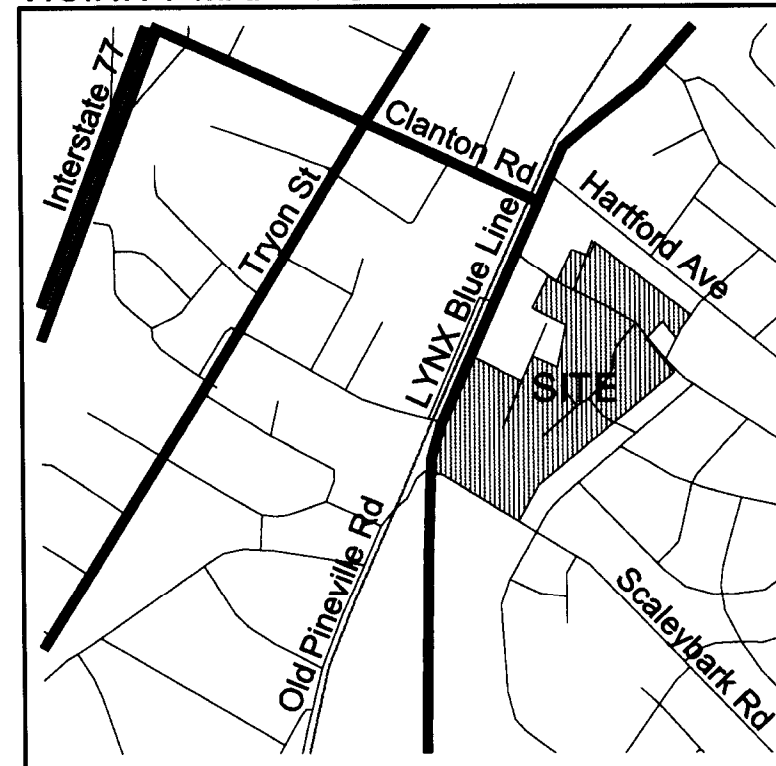
TOTAL SITE SF (ACREAGE):

+/- 1,585,396 SF (36.4 AC)

REGULATED AREA PLAN:

SCALEBARK STATION AREA PLAN (2008)

VICINITY MAP - NOT TO SCALE



FOR PUBLIC HEARING
PETITION NO. 2009-036

ADJACENT OWNERS

- 1 LABROS POULOS
400 HARTFORD AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 2 VICTOR VERDERY IVEY
3409 ANSON STREET
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 3 CROSLAND GREENS LLC
227 W TRADE STREET #800
CHARLOTTE, NC 28202
EXISTING ZONING: R-17MF
EXISTING USE: MULTI-FAMILY
- 4 E JUSTIN ZAKOCS
15014 LISHA LANE
CHARLOTTE, NC 28277
EXISTING ZONING: R-17 MF
EXISTING USE: SINGLE FAMILY
- 5 EMILIE M KNIGHT
351 HOLLIS ROAD
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY

- 6 MARY J LERIS
310 HOLLIS ROAD
CHARLOTTE, NC 28209
EXISTING ZONING: R-17
EXISTING USE: MULTI-FAMILY
- 7 JAMES & VIRGINIA POUTIER
2026 LILLY MILL ROAD
CHARLOTTE, NC 28210
EXISTING ZONING: R-17 MF
EXISTING USE: SINGLE FAMILY
- 8 JAMES & VIRGINIA POUTIER
2026 LILLY MILL ROAD
CHARLOTTE, NC 28210
EXISTING ZONING: R-17 MF
EXISTING USE: SINGLE FAMILY
- 9 MICHAEL & ANN GILL
3510 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 10 PATRICK O'SHAUGHNESSY
3516 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY

- 11 ROBERT B MCLEAN
4137 PINEVIEW ROAD
CHARLOTTE, NC 28211
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 12 VERONICA JELLEY
3528 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 13 BERNARD R VETTER
3534 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 14 VIRGINIA RUTH MARPLE
3540 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 15 LILIAN GARCIA
3600 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY

- 16 MIKE & CHRISTINA PISTOLIS
3612 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 17 JOHN R FOSTER
3518 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 18 DESPINA GROMBAS
3624 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 19 HELEN GILBERT DAVIS
3630 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 20 ELLEN V STRATTON
3638 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY

- 21 JAY D & ROSA G HARTLEY
436 HEMINGFORD GREY
FORT MILL, SC 29708
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 22 PAMELA M JOHNSON
3708 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 23 MICHAEL J PRESSLEY
3714 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 24 THOMAS J HOOVER
3720 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 25 DAVID & ROSA G HARTLEY
436 HEMINGFORD GREY
FORT MILL, SC 29708
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY

- 26 JAMES D DEMOPOULOS
4009 SOUTH BOULEVARD
CHARLOTTE, NC 28209
EXISTING ZONING: I-2
EXISTING USE: COMMERCIAL
- 27 SANDRA HAYDEN
3220 CONWAY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 28 STEPHEN R MILLER
PO BOX 98
BETHANIA, NC 27010
EXISTING ZONING: I-2
EXISTING USE: COMMERCIAL
- 29 ADELPHIA PROPERTIES LLC
4009 SOUTH BOULEVARD
CHARLOTTE, NC 28209
EXISTING ZONING: I-2
EXISTING USE: COMMERCIAL
- 30 SB INVESTMENTS LLC
821 BAXTER STREET STE. 318
CHARLOTTE, NC 28202
EXISTING ZONING: I-2
EXISTING USE: WAREHOUSE

- 31 JEFFREY & ANN DAVIS
3727 WEONA AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: B-2
EXISTING USE: WAREHOUSE
- 32 C D & C INC
122 CHEROKEE ROAD
CHARLOTTE, NC 28207
EXISTING ZONING: I-2
EXISTING USE: COMMERCIAL
- 33 AUTOZONE INC
PO BOX 2188
MEMPHIS, TN 38101
EXISTING ZONING: B-2
EXISTING USE: COMMERCIAL
- 34 ANTHOULA COPPIS
4918 HARDWICKE ROAD
CHARLOTTE, NC 28211
EXISTING ZONING: B-2
EXISTING USE: VACANT
- 35 NICK C COPPIS
4918 HARDWICKE ROAD
CHARLOTTE, NC 28211
EXISTING ZONING: I-2
EXISTING USE: COMMERCIAL

- 36 ROBERT CLAY SPARROW
18341 ROYAL OAKS ROAD
CHARLOTTE, NC 28278
EXISTING ZONING: R-4
EXISTING USE: VACANT
- 37 W J BRASWELL
3715 WEONA AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: B-2
EXISTING USE: WAREHOUSE
- 38 WILLIAM AND CHARLOTTE TYSON
6255 PRICE POINT
DENVER, NC 28037
EXISTING ZONING: B-2
EXISTING USE: WAREHOUSE
- 39 PLAYER FAMILY ASSOCIATES
5401 HARDISON ROAD
CHARLOTTE, NC 28209
EXISTING ZONING: B-2/O-2
EXISTING USE: COMMERCIAL
- 40 D A CAPITAL LLC
8420 FALLSDALE DRIVE
CHARLOTTE, NC 28211
EXISTING ZONING: B-2
EXISTING USE: WAREHOUSE

- 41 ROBERT CLAY SPARROW
18341 ROYAL OAKS ROAD
CHARLOTTE, NC 28278
EXISTING ZONING: R-4
EXISTING USE: VACANT
- 42 ROBERT CLAY SPARROW
300 HARTFORD AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-17 MF
EXISTING USE: VACANT
- 43 ROBERT CLAY SPARROW
18341 ROYAL OAKS ROAD
CHARLOTTE, NC 28278
EXISTING ZONING: R-17 MF
EXISTING USE: VACANT
- 44 ROBERT CLAY SPARROW
18341 ROYAL OAKS ROAD
CHARLOTTE, NC 28278
EXISTING ZONING: R-17 MF
EXISTING USE: VACANT
- 45 FAY SINKOE & SHEILA GOTTLIEB
2139 CLOISTER DRIVE
CHARLOTTE, NC 28211
EXISTING ZONING: B-S/R17 MF
EXISTING USE: COMMERCIAL

- 46 HOWARD JACK
134 HARTFORD AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 47 HARRY AND VASILIKE LAINIS
1808 SUMMEY AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 48 CAROL R MILLER
208 HARTFORD AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 49 ARTHUR FRANKLIN JR
418 DOLPHIN STREET
SUNSET BEACH, NC 28468
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 50 ANTHONY J QUARTAPPELLA
210 HARTFORD AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY

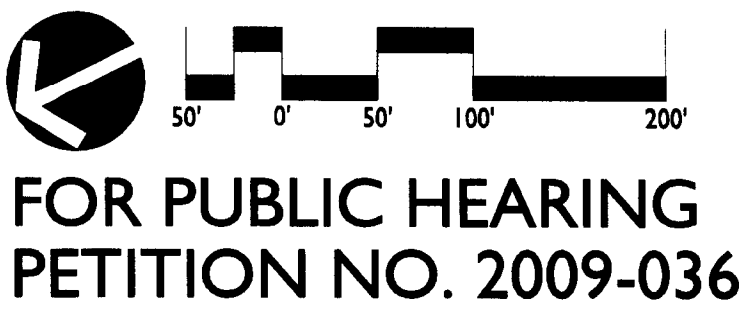
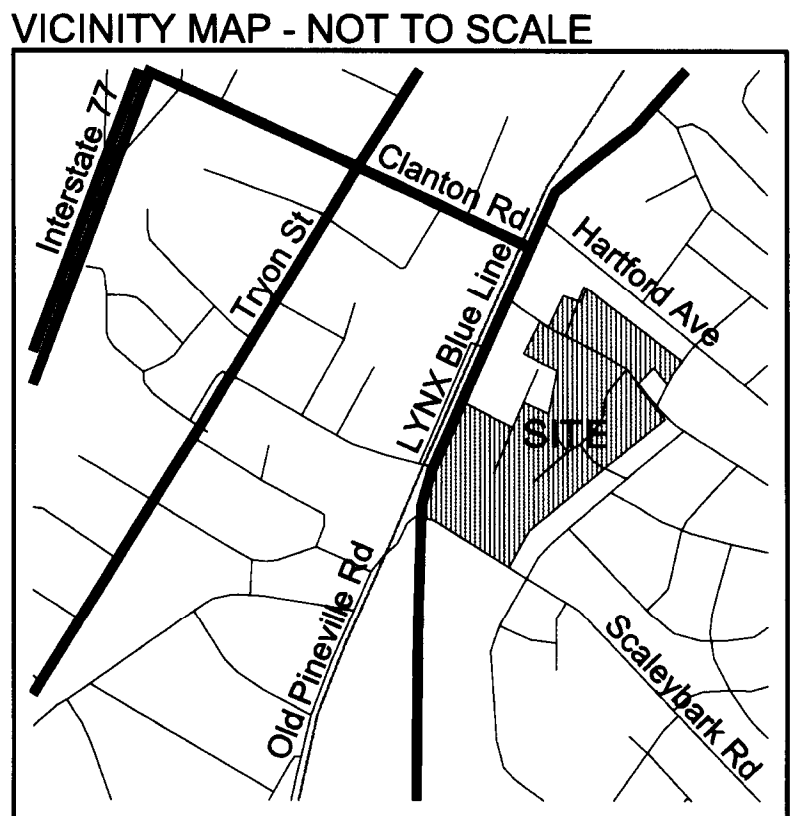
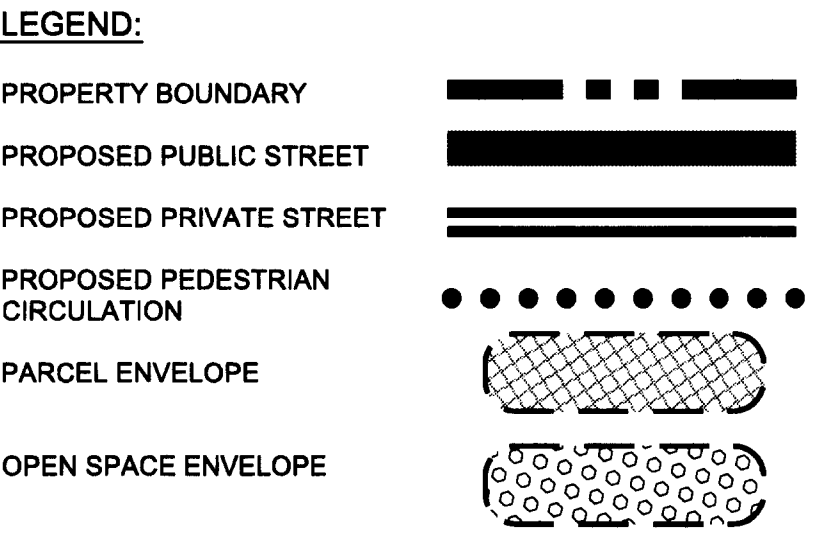
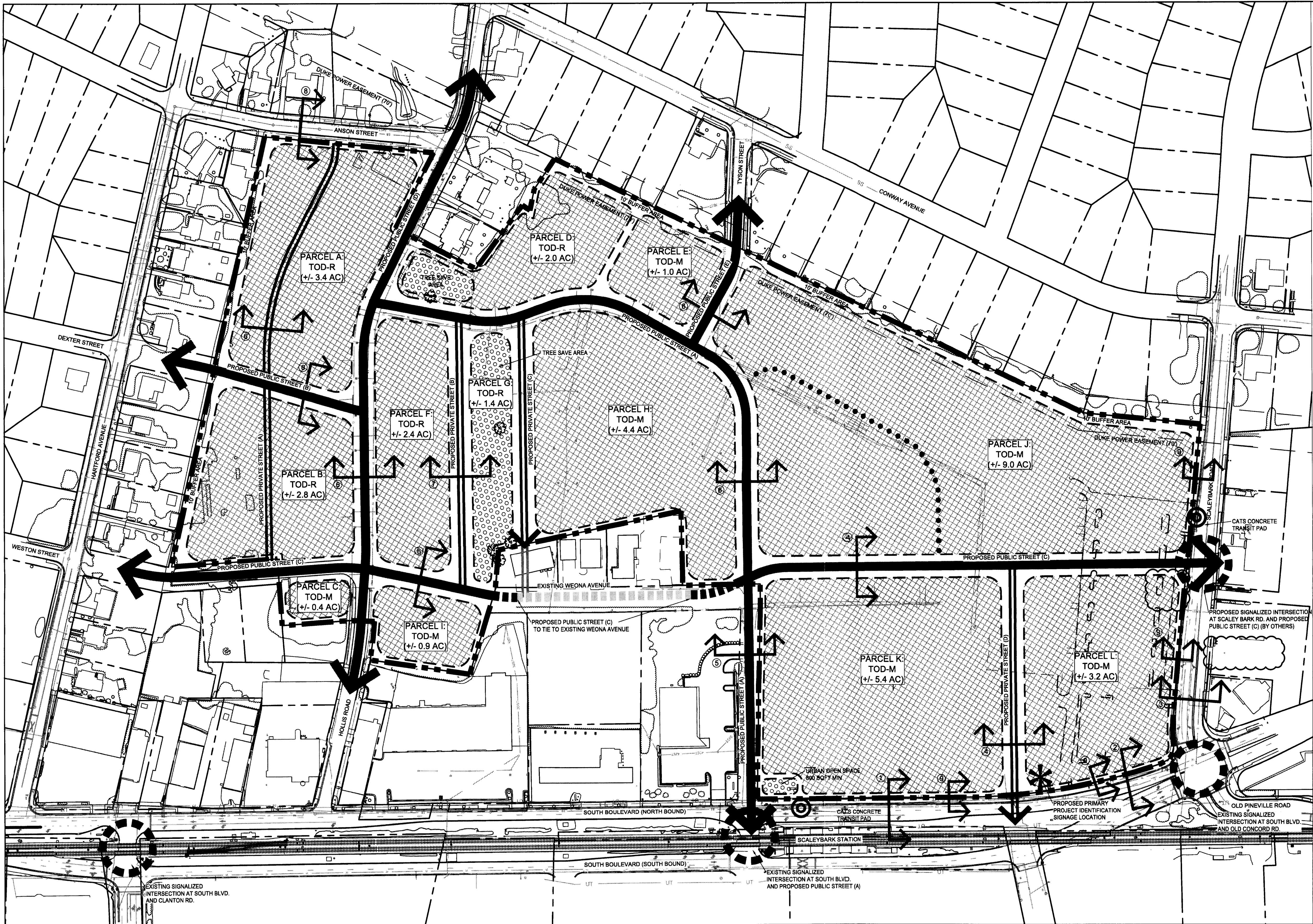
- 51 ROBERT & STAVROULA ECONOMOS
6828 ALEXANDER COURT
CHARLOTTE, NC 28270
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 52 RUTH SUAREZ HONEYCUTT
300 HARTFORD AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 53 AMANDA PRIEST
304 HARTFORD AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 54 JOSEPH AND MAYSE KEITH MCBRAVER
318 HARTFORD AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 55 DIMITRIOS P ROUSIS
318 HARTFORD AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY

- 56 KHU TUAN TRAN AND OANH HOANG PHAM
1100 CEDARLA COURT
BETHANIA, NC 27010
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 57 NICKOLAOS & NOULA KASTANAS
328 HARTFORD AVENUE
CHARLOTTE, NC 28209
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY
- 58 LINDA MARIE GEORGE
PO BOX 11803
CHARLOTTE, NC 28220
EXISTING ZONING: R-4
EXISTING USE: SINGLE FAMILY

CROSLAND GREENS
TRANSIT ORIENTED DEVELOPMENT
CROSLAND GREENS, LLC; CHARLOTTE, NC
EXISTING CONDITIONS

REVISIONS:
04/17/09 - REVISIONS PER STAFF COMMENTS

DATE: 02/23/09
DESIGNED BY: WFB
CHECKED BY: CHK
SCALE: 1" = 100'
PROJECT #: 1007160
SHEET #:



SITE DEVELOPMENT SUMMARY:

1) TAX PARCEL ID #:
14905101, 14905111, 14905112, 14905113, 14905114, 14905115, 14905201, 14905202, 14905203, 14905204, 14905205, 14905206, 14905207, 14905208, 14905209, 14905210, 14905211, 14905304, 14905413, 14905414, 14905415, 14905416, 14905417, 14905418, 14905419, 14905420, 14905421, 14905422, 14905423, 14905424, 14905425, 14905426, 14905427, 14905428, 14905429, 14905430, 14905431, 14905432, 14905433, 14905434, 14905435, 14905436, 14905437, 14905438, 14905439, 14905440, 14905441, 14905442, 14905443, 14905444, 14905445, 14905456, 14905457, 14905458, 14905459, 14905460, 14905461, 14905462, 14905463, 14905464, 14905465, 14905467, 14905468, 14905471, 14905473

2) DEVELOPMENT IS LOCATED WITHIN THE FOLLOWING DISTRICTS:
SCALEYBARK STATION AREA PLAN (2008)

3) TOTAL SITE SF (ACREAGE): +/- 1,585,396 SF (36.4 AC)

4) EXISTING ZONING & USES: GENERAL BUSINESS DISTRICT "B-2"
MULTI-FAMILY RESIDENTIAL DISTRICT
"R-17MF"

5) PROPOSED ZONING & PERMITTED USES:
TRANSIT ORIENTED DEVELOPMENT (OPTIONAL) "TOD-MO" AND "TOD-RO"
-OFFICE
-RETAIL
-CIVIC
-MULTI-FAMILY RESIDENTIAL
-SINGLE-FAMILY DETACHED RESIDENTIAL

6) PARCELS:

Parcel	TOD-R	TOD-M	Area
A	TOD-R	+/- 150,095 SF	(3.4 AC)
B	TOD-R	+/- 120,519 SF	(2.8 AC)
C	TOD-R	+/- 17,591 SF	(0.4 AC)
D	TOD-R	+/- 86,711 SF	(2.0 AC)
E	TOD-M	+/- 44,766 SF	(1.0 AC)
F	TOD-R	+/- 102,560 SF	(2.4 AC)
G	TOD-R	+/- 62,819 SF	(1.4 AC)
H	TOD-M	+/- 190,109 SF	(4.4 AC)
I	TOD-M	+/- 39,435 SF	(0.9 AC)
J	TOD-M	+/- 350,543 SF	(9.0 AC)
K	TOD-M	+/- 234,719 SF	(5.4 AC)
L	TOD-M	+/- 140,974 SF	(3.2 AC)
TOTAL:		+/- 1,585,396 SF	(36.4 AC)

7) DIMENSIONAL REQUIREMENT:
MINIMUM SETBACK REQUIREMENTS:
ALONG SOUTH BLVD.: 24 FEET FROM BACK OF CURB
ALONG ALL OTHER STREETS: 16 FEET FROM BACK OF CURB
MINIMUM SIDE YARD REQUIREMENTS: 0 FEET
MINIMUM REAR YARD REQUIREMENTS: 0 FEET
BUILDING HEIGHT REQUIREMENTS:
BASE HEIGHT: 40 FEET
MAXIMUM HEIGHT: 120 FEET
HEIGHT INCREASE: ONE ADDITIONAL FOOT OF HEIGHT FOR EVERY 10 FEET OF ADDITIONAL DISTANCE THE PORTION OF THE BUILDING IS FROM THE EDGES OF NEARBY SINGLE-FAMILY ZONING DISTRICTS.

8) PROPOSED DWELLING UNITS PER ACRE:
MINIMUM DENSITY SHALL COMPLY WITH THE ORDINANCE

9) PROPOSED FLOOR AREA RATIO:
MINIMUM DENSITY SHALL COMPLY WITH THE ORDINANCE

10) PROPOSED URBAN OPEN SPACE:
MINIMUM URBAN OPEN SPACE FOR PUBLIC AND PRIVATE AREAS SHALL COMPLY WITH SECTION 9.1208(12) OF THE ZONING ORDINANCE AS APPROVED AND AMENDED MARCH 19, 2009

PARKING REQUIREMENTS:
MINIMUM PARKING PER THE ORDINANCE

GENERAL NOTES:
*PROPERTY BOUNDARY SURVEY PROVIDED BY:
ESP ASSOCIATES, PA
P.O. BOX 7030
CHARLOTTE, NC 28241
803.802.2440

TREE SURVEY PROVIDED BY:
FREELAND & ASSOCIATES, INC.
323 WEST STONE AVENUE
GREENVILLE, SC 29609
864.271.4924

ADJACENT PARCEL INFORMATION & TREE COVER PROVIDED BY:
2004 MECKLENBURG COUNTY AERIAL DATA.

* THE INFORMATION WAS RECEIVED IN NOVEMBER 2006.

CROSLAND GREENS MIXED-USE VILLAGE DEVELOPMENT STANDARDS

I. GENERAL PROVISIONS

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION FILED BY CROSLAND GREENS, LLC (THE "PETITIONER" OR "DEVELOPER") TO ACCOMMODATE DEVELOPMENT OF A MIXED USE, PEDESTRIAN-FRIENDLY VILLAGE TYPE COMMUNITY TO BE KNOWN AS CROSLAND GREENS ON AN APPROXIMATELY 36.4 ACRE SITE GENERALLY LOCATED AT THE NORTHEASTLY CORNER OF THE INTERSECTION FORMED BY SOUTH BOULEVARD AND SCALEYBARK ROAD (THE "SITE"). DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (AS AMENDED BY CITY COUNCIL ON MARCH 19TH 2009 (THE "ORDINANCE"), UNLESS THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE TRANSIT ORIENTED MIXED USE (TOD-M) AND TRANSIT ORIENTED RESIDENTIAL DISTRICT (TOD-R) ZONING CLASSIFICATIONS, SUBJECT TO THE OPTIONAL PROVISION PROVIDED BELOW, SHALL GOVERN DEVELOPMENT TAKING PLACE ON THOSE PORTIONS OF THE GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET.

II. PERMITTED USES AND BUILDING AREA RESTRICTIONS.

1. THIS PROPOSAL IS INTENDED TO ACCOMMODATE A MIXED USE DEVELOPMENT PRINCIPALLY OF RESIDENTIAL, RETAIL/RESTAURANT, CIVIC AND OFFICE USES WHICH WILL BE INTERCONNECTED WITH OPEN SPACE, PEDESTRIAN FEATURES AND VEHICULAR LINKAGES.
2. THE SITE MAY BE DEVOTED TO ANY OF THE FOLLOWING USES:
- NON-RESIDENTIAL USES AS ALLOWED IN THE TOD-M AND TOD-R ZONING DISTRICTS;
 - RESIDENTIAL USES AS ALLOWED IN THE TOD-M AND TOD-R ZONING DISTRICTS;
 - ASSOCIATED SURFACE AND STRUCTURED PARKING FACILITIES; AND
 - ACCESSORY USES AND STRUCTURES ALLOWED IN THE TOD-M AND TOD-R ZONING DISTRICT.
3. THE SITE WILL CONSIST OF 12 PARCELS AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AS PARCELS A, B, C, D, E, F, G, H, I, J, K, AND L (EACH A "PARCEL" OR "COMPONENT", AND COLLECTIVELY THE "PARCELS" OR "COMPONENTS").
4. IT IS UNDERSTOOD THAT THE COMMON BOUNDARIES BETWEEN EACH OF THE PARCELS (AND THE RIGHTS AND RESTRICTIONS PERTAINING TO ALL SUCH PARCELS), MAY BE ADJUSTED UPON THE MUTUAL AGREEMENT OF THE OWNERS OF SUCH PARCELS, SUBJECT TO THE APPROVAL OF THE PLANNING DIRECTOR. THE ZONING BOUNDARIES INDICATED MAY NOT SHIFT AND WILL BE MAINTAINED, UNLESS AMENDED AS ALLOWED FOR BY CHAPTER SIX (6) OF THE ORDINANCE
5. THE FOLLOWING USES WILL BE PERMITTED ON PARCELS A, B, D, AND F:
- RESIDENTIAL USES AND OPEN SPACE; AND
 - ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE RESIDENTIAL AND OPEN SPACE USES IN THE TOD-R ZONING DISTRICT.
6. THE FOLLOWING USES WILL BE PERMITTED ON AND ALLOCATED TO PARCELS C, E, H, AND I
- RESIDENTIAL, RETAIL, RESTAURANT, OFFICE AND CIVIC; AND
 - ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE USES IN THE TOD-M ZONING DISTRICT.
7. THE FOLLOWING USES WILL BE PERMITTED ON AND ALLOCATED TO PARCEL G:
- PUBLIC OPEN SPACE; AND
 - ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE OPEN SPACE USES IN THE TOD-R ZONING DISTRICT.
8. THE FOLLOWING USES WILL BE PERMITTED ON AND ALLOCATED TO PARCELS J, K AND L:
- RESIDENTIAL, OFFICE, RETAIL, RESTAURANT, CIVIC, AND PUBLIC OPEN SPACE USES;
 - ASSOCIATED STRUCTURED AND SURFACE PARKING FACILITIES; AND
 - ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE USES IN THE TOD-M ZONING DISTRICT.
9. THE FOLLOWING ADDITIONAL PROVISIONS SHALL GOVERN USES ON THE SITE:
- THE FOLLOWING USES WILL NOT BE PERMITTED ON THE SITE: GASOLINE SALES FACILITIES, AUTOMOBILE SERVICE STATIONS, AUTOMOBILE SALES, BOARDING HOUSES, COMMERCIAL ROOMING HOUSES, SINGLE ROOM OCCUPANCY RESIDENCES (SRO), AND CAR WASHES.

III. UNIFIED DEVELOPMENT; SETBACKS; YARDS; OPEN SPACE AREAS AND PARKING

1. EXCEPT AS SET FORTH IN SECTION IV, BELOW, SETBACKS AND YARDS SHALL BE PROVIDED IN ACCORDANCE WITH THE ORDINANCE AND THE ADOPTED SCALEYBARK TRANSIT STATION AREA PLAN. THE PROPOSED SETBACKS ARE ALSO SPECIFIED ON THE SHEET 2-3.0 TYPICAL STREET CROSS SECTIONS.
2. PARKING MAY BE PROVIDED BY WAY OF SURFACE OR STRUCTURED PARKING FACILITIES LOCATED ON THE SITE, SUBJECT TO COMPLIANCE WITH THE MAXIMUM AND MINIMUM PARKING RATIO REQUIREMENTS FOR RETAIL AND/OR RESTAURANT, RESIDENTIAL, OFFICE, CIVIC AND OTHER NON-RESIDENTIAL USES AS SET FORTH IN SECTION 9.1208.(6) OF THE ORDINANCE. PARALLEL AND ANGLED PARKING WILL BE PROVIDED ALONG INTERNAL STREETS AS INDICATED ON THE SHEET 2-3.0 TYPICAL STREET CROSS SECTIONS.
3. SINCE DEVELOPMENT OCCURRING ON THE SITE IS PART OF A UNIFIED MASTER PLANNED DEVELOPMENT, THE URBAN OPEN SPACE REQUIREMENTS ESTABLISHED AND DEFINED UNDER SECTION 9.1208.(12) OF THE ORDINANCE MAY BE SATISFIED WITH REFERENCE TO ALL PARCELS OF THE SITE TAKEN TOGETHER. BY WAY OF EXAMPLE, OPEN SPACE LOCATED ON PARCEL G MAY BE USED TO SATISFY THE URBAN OPEN SPACE REQUIREMENTS ASSOCIATED WITH PARCEL A.
4. TO THE EXTENT NECESSARY THE PROVISIONS OF THIS SECTION III SHALL CONSTITUTE A PORTION OF THE OPTIONAL PROVISIONS UNDER THE TOD-RO AND TOD-M APPLICATION SET FORTH IN SECTION 4 BELOW.

IV. OPTIONAL DEVELOPMENT PROVISIONS

1. SIGNAGE STANDARDS (SECTION 9.1209.(7)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW MODIFICATIONS TO THE TOD-M AND TOD-R SIGNAGE STANDARDS TO PERMIT AN EXCITING AND UNIQUE SIGNAGE SYSTEM ON THE SITE. ACCORDINGLY, AS PART OF THIS TOD-OPTIONAL APPLICATION, THE PETITIONER REQUESTS THE FOLLOWING MODIFICATIONS FROM THE TOD-M SIGNAGE PROVISIONS:
- IN ADDITION TO THE OTHER SIGNS PERMITTED UNDER THIS SECTION IV(1), PETITIONER SHALL BE ENTITLED TO TWO (2) DETACHED, GROUND-MOUNTED PROJECT IDENTIFICATION SIGNAGE LOCATED ON THE EXTERIOR OF THE SITE. IN THE ADDITIONAL LOCATION GENERALLY DEPICTED ON THE REZONING PLAN, THE PRIMARY PROJECT IDENTIFICATION SIGN ALONG SOUTH BOULEVARD MAY BE UP TO 30 FEET IN HEIGHT AND 150 SQUARE FEET IN SIGNAGE AREA SIZE. THE OTHER DETACHED THIS PROJECT IDENTIFICATION SIGN LOCATED ALONG SCALEYBARK ROAD SHALL BE LIMITED TO 20 FEET IN HEIGHT AND 100 SQUARE FEET IN SIGNAGE AREA SIZE. THESE PROJECT IDENTIFICATION SIGNS MAY NOT BE LOCATED WITHIN THE PUBLIC RIGHTS-OF-WAY, SIGHT DISTANCE TRIANGLES OR REQUIRED SETBACKS. MATERIALS WHICH MAY BE INCLUDED AS PART OF THESE SIGNS INCLUDES: (I) MASONRY TO MATCH ARCHITECTURAL STYLE OF BUILDINGS LOCATED ON THE SITE (I.E. BRICK, STONE, GRANITE, ETC.), (II) TILE (CERAMIC, PORCELAIN, ETC.), (III) PRECAST CONCRETE, (IV) METAL PANELS AND CANOPIES, (V) FABRIC, (VI) GROUND AND/OR WALL LIGHTING AND (VII) VEGETATION.
 - IN ADDITION TO THE OTHER SIGNS PERMITTED UNDER THIS SECTION IV(1), PETITIONER SHALL BE ENTITLED TO ONE (1) ROOF MOUNTED PROJECT IDENTIFICATION SIGN ON PARCEL L AT THE CORNER OF SOUTH BOULEVARD AND SCALEYBARK ROAD. THE MAXIMUM HEIGHT OF THE SIGN WILL BE NO GREATER THAN 10 FEET ABOVE THE PARAPET OF THE BUILDING THE EXPOSED SURFACE OF THE SIGN FOR THE SIGN WILL NOT EXCEED MORE THAN THREE (3) FEET ABOVE THE PARAPET OF THE BUILDING. THE LOCATION OF THE SIGN MAY BE ON THE ROOF TOP OF A NON-RESIDENTIAL STRUCTURE WITHIN PARCEL L. THE MAXIMUM SIGN SURFACE AREA WILL BE LIMITED TO 10% OF THE AREA OF THE BUILDING WALL TO WHICH THE SIGN IS ORIENTED OR 200 SQUARE FEET WHICHEVER IS LESS. THIS ROOF SIGN MAY ONLY BE USED TO IDENTIFY THE NAME OF THE PROJECT WITH NO ADDITIONAL REFERENCE TO AMENITIES WITHIN THE BUILDING WALL TO WHICH THE SIGN IS ORIENTED OR 200 SQUARE FEET WHICHEVER IS LESS.

IV. OPTIONAL DEVELOPMENT PROVISIONS (CONT)

- THIS ROOF SIGN MAY ONLY BE USED TO IDENTIFY THE NAME OF THE PROJECT WITH NO ADDITIONAL REFERENCE TO AMENITIES WITHIN THE PROJECT OR OTHER MARKETING RELATED MESSAGING (I.E. PHONE NUMBERS, WEBSITE, ETC.). TENANT IDENTIFICATION SIGNAGE FOR INDIVIDUAL TENANTS OR USES WILL NOT BE ALLOWED ON THIS SIGN. AT LEAST 50% OF THE PROPOSED SIGNAGE AREA WILL BE COMPOSED OF INDIVIDUAL LETTERING. THE OTHER 50% WILL BE COMPOSED OF GRAPHICS INCLUDING IDENTIFICATION ART AS WELL AS THREE-DIMENSIONAL ELEMENTS. THE INDIVIDUAL LETTERING AND ACCOMPANYING GRAPHICS MUST BE MOUNTED ON A FRAME THAT IS OPEN AND DOES NOT HAVE A SOLID BACKGROUND. MATERIALS WHICH MAY BE INCLUDED AS PART OF THESE SIGNS INCLUDES: (I) MASONRY TO MATCH ARCHITECTURAL STYLE OF BUILDINGS LOCATED ON THE SITE (I.E. BRICK, STONE, GRANITE, ETC.), (II) TILE (CERAMIC, PORCELAIN, ETC.), (III) PRECAST CONCRETE, (IV) METAL PANELS AND CANOPIES, (V) FABRIC, (VI) GROUND AND/OR WALL LIGHTING AND (VII) VEGETATION.
- IF A UNIQUE THREE-DIMENSIONAL SIGN IS UTILIZED THE PLANNING DIRECTOR MAY ALTER THE SIGN DIMENSIONS BEYOND THE MINIMUMS.
 - THE PROPOSED ROOF SIGN MAY BE INTEGRATED INTO THE SCREENING OF THE ROOF TOP MECHANICAL EQUIPMENT.
 - IMAGES OF EXISTING ROOF SIGNS AS WELL AS AN ARTIST'S RENDERING OF A CONCEPT OF THE ROOF SIGN ARE ATTACHED ON SHEET 2-3.3. THESE IMAGES AND THE ABOVE STANDARDS WILL BE USED BY THE PLANNING DIRECTOR TO REVIEW AND APPROVE THE DRAWINGS FOR THE PROPOSED ROOF SIGN FOR THE PURPOSE OF ASSURING THAT THE SIGN IS SIMILAR IN STYLE AND THEME AS THE ATTACHED IMAGES.
 - CONCEPTUAL ILLUSTRATIVE ELEVATIONS OF THE TWO DETACHED SIGNS AND THE PROPOSED ROOF SIGN AND THE OVER STREET PROJECT IDENTIFICATION SIGNS HAVE BEEN INCLUDED ON SHEET 2-3.1 AND 2-3.2 CONCEPTUAL SIGNAGE AND BUILDING ELEVATIONS AS EXAMPLES OF THE PROPOSED SIGNS. THESE ILLUSTRATIVE ELEVATIONS ARE SCHEMATIC IN NATURE AND MAY BE ALTERED AND MODIFIED AS PART OF THE DEVELOPMENT PROCESS.

- IN ADDITION TO THE OTHER SIGNS PERMITTED UNDER THIS SECTION IV(1), THE PETITIONER SHALL BE ENTITLED TO ONE GROUND MOUNTED OR MONUMENT STYLE IDENTIFICATION SIGN FOR EACH OF THE SIGNS THAT ARE LOCATED ON THE SITE. THE SIGN SHALL BE 15,000 SQUARE FEET OR MORE AND MAY BE UP TO FIVE (5) FEET IN HEIGHT AND 20 SQUARE FEET IN SIZE. IN ADDITION, WAY FINDING AND DIRECTIONAL SIGNS MAY BE PERMITTED IN ACCORDANCE WITH ORDINANCE REQUIREMENTS FOR THE TOD-M AND TOD-R DISTRICTS.
- IN ADDITION TO THE OTHER SIGNS PERMITTED UNDER THIS SECTION IV(1), THE PETITIONER SHALL BE ALLOWED TO PLACE PROJECT IDENTIFICATION SIGNS OVER THE INTERIOR PUBLIC AND PRIVATE STREETS. NO MORE THAN FIVE OF THESE TYPE SIGNS MAY BE INSTALLED ON THE SITE. THESE PROPOSED SIGNS WILL BE SUBJECT TO THE APPROVAL OF AN ENCROACHMENT AGREEMENT AND THE APPROVAL OF THE CITY DEPARTMENT OF TRANSPORTATION.
- THE SIGN LOCATIONS GENERALLY DEPICTED ON THE REZONING PLAN ARE CONCEPTUAL IN NATURE. THE LOCATIONS OF THE SIGNS MAY BE ALTERED.

2. WALL SIGNS (SECTION 9.1209.(7)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW WALL SIGNS ALONG SCALEYBARK ROAD THAT HAVE A SIGN FACE AREA OF UP TO 10% OF THE BUILDING WALL AREA TO WHICH THE SIGN(S) IS ATTACHED, UP TO A MAXIMUM OF 200 SQUARE FEET.

3. STREET WALLS (SECTION 9.1209.(1)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW THE PROPOSED BUILDINGS WITHIN PARCEL K OR L THAT INCLUDE A RETAIL, PERSONAL SERVICE OR INDOOR RECREATION TENANT OR USER/OWNER WITH MORE THAN 15,000 SQUARE FEET OF GROSS FLOOR AREA (AS DEFINED BELOW), TO HAVE BUILDING WALLS ALONG SOUTH BOULEVARD AND SCALEYBARK ROAD THAT ARE LESS THAN 50% OF THE LENGTH OF THE FIRST FLOOR AT A STREET LEVEL FRONTAGE WITH USES THAT ARE VISIBLE FROM THE STREET. THE PETITIONER WILL TREAT THESE BUILDING FACADES WITH OTHER DESIGN ELEMENTS TO ENLIVEN AND ANIMATE THE STREETScape. ONE SUCH TREATMENT COULD BE A "GREEN WALL". THESE WALLS WILL MEET THE REQUIREMENTS OF SECTION 9.1209.(1)(G) OF THE ORDINANCE REGARDING "GREEN WALLS". IN THE EVENT THAT THE TENANT, USER/OWNER OF THE 15,000 SQUARE FOOT SPACE IS NOT OCCUPYING SUCH SPACE THE REUSE OF THE SPACE WITH A NEW USER OR USERS THAT OCCUPY LESS THAN 15,000 SQUARE FEET WILL BE ALLOWED WITHOUT MODIFICATION TO THE STREET WALLS.

4. BUILDING ENTRANCES AND ORIENTATION (SECTION 9.1209.(4)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW BUILDINGS WITHIN PARCELS K OR L THAT INCLUDE A RETAIL, PERSONAL SERVICE OR INDOOR RECREATION TENANT OR USER/OWNER WITH MORE THAN 15,000 SQUARE FEET OF GROSS FLOOR AREA (AS DEFINED BELOW), TO NOT HAVE AN OPERABLE PEDESTRIAN ENTRANCE ALONG SCALEYBARK ROAD OR SOUTH BOULEVARD. IN THE EVENT THAT THE TENANT, USER/OWNER OF THE 15,000 SQUARE FOOT SPACE IS NOT OCCUPYING SUCH SPACE THE REUSE OF THE SPACE WITH A NEW USER OR USERS THAT OCCUPY LESS THAN 15,000 SQUARE FEET WILL BE ALLOWED WITHOUT THE ADDITION OF OPERABLE PEDESTRIAN ENTRANCES ALONG SCALEYBARK ROAD OR SOUTH BOULEVARD.

5. STRUCTURED PARKING FACILITIES (SECTION 9.1208.(6)(J)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW STRUCTURED PARKING FACILITIES LOCATED ON EITHER PARCEL K OR L AND WITH FRONTAGE ON PRIVATE STREET D TO NOT PROVIDE LESS THAN 50% OF THE LINEAR STREET LEVEL FRONTAGE WITH CIVIC, INSTITUTIONAL OR RESIDENTIAL USES. THE MINIMUM 35% OF THE LINEAR STREET LEVEL FRONTAGE OF A STRUCTURED PARKING FACILITY CONSTRUCTED ON EITHER PARCEL K OR L WILL BE OCCUPIED WITH STREET LEVEL, OFFICE, CIVIC, INSTITUTIONAL OR RESIDENTIAL USES. SEE SHEET 2-3.1 AND 2-3.2 FOR CONCEPTUAL ELEVATIONS OF THIS PROPOSED TREATMENT.

6. PARKING STANDARDS: PARKING BETWEEN STREET AND BUILDINGS (SECTION 9.1208.(6)(C)). DUE TO THE SIZE OF THE PROJECT AND THE TIMING AND COST ASSOCIATED WITH THE CONSTRUCTION OF PARKING STRUCTURES CONTEMPLATED UPON FULL BUILD-OUT, THE PETITIONER SEEKS THE OPTIONAL PROVISIONS TO ALLOW INTERIM SURFACE PARKING LOTS TO BE LOCATED IN AN ESTABLISHED SETBACK OR BETWEEN (I) A PERMITTED USE AND BUILDING AND (II) A STREET. SURFACE PARKING LOTS WILL BE REQUIRED TO BE MINIMUM 20 FEET WIDE AND LOCATED TO THE SCALEYBARK TRANSIT STATION AREA PLAN. IN ADDITION SURFACE PARKING LOTS WITH FRONTAGE ON SOUTH BOULEVARD OR SCALEYBARK ROAD WILL PROVIDE A SETBACK OF 54 FEET FROM THE BACK OF THE FUTURE CURB OF SOUTH BOULEVARD OR SCALEYBARK ROAD. THESE INTERIM SURFACE PARKING LOTS MAY ONLY BE ESTABLISHED ON PARCELS J, K, AND L.

THE TERM "INTERIM" FOR THE PURPOSES OF THIS REQUEST SHALL BE DEFINED TO MEAN A MINIMUM OF FIVE (5) YEARS AND A MAXIMUM OF 15 YEARS FROM THE DATE THE SURFACE PARKING AREA IS COMPLETED IN ACCORDANCE WITH THE FOLLOWING PROVISIONS. PRIOR TO THE PASSAGE OF FIVE (5) YEARS FROM COMPLETION OF AN APPLICABLE SURFACE PARKING AREA, THE PETITIONER MAY REQUEST A FIVE YEAR EXTENSION FROM THE PLANNING DIRECTOR WHICH SHALL BE GRANTED IF THE PETITIONER DEMONSTRATES AND PROVIDES REASONABLE EVIDENCE THAT DUE TO MARKET CONDITIONS THE ELIMINATION OF SURFACE PARKING AREAS IS NOT ECONOMICALLY FEASIBLE. A MAXIMUM OF TWO FIVE (5) YEAR EXTENSIONS MAY BE REQUESTED AND GRANTED. EACH FIVE YEAR EXTENSION MUST BE REQUESTED SEPARATELY TOGETHER WITH REASONABLE EVIDENCE JUSTIFYING THE EXTENSION. AFTER THE TIME PERIOD DEFINED ABOVE HAS EXPIRED, INCLUDING APPROVED EXTENSIONS, THE PETITIONER WILL BRING THE SURFACE PARKING AREAS INTO COMPLIANCE WITH THE ORDINANCE.

7. PARKING STANDARDS: PARKING AREAS THAT COVER MORE THAN 35% OF THE TOTAL LOT WIDTH (SECTION 9.1208.(6)(G)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW SURFACE PARKING TO THE SIDE OF THE PRIMARY STRUCTURES ON PARCEL H TO COVER MORE THAN 35% OF THE TOTAL LOT WIDTH ALONG PROPOSED PUBLIC STREET A. THE SURFACE PARKING LOT WILL NOT EXCEED 60% OF THE TOTAL LOT WIDTH ALONG PROPOSED PUBLIC STREET A.

8. MANEUVERING FOR LOADING SPACE IN RIGHT-OF-WAY OF PROPOSED PRIVATE STREET D (SECTION 9.1208.(7)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW LOADING DOCKS TO BE DESIGNED THAT REQUIRE VEHICLES TO MANEUVER WITHIN THE RIGHT-OF-WAY OF PROPOSED PRIVATE STREET D, IN ORDER TO BE LOADED OR UNLOADED ON PARCEL L. THESE DOCKS WILL INCLUDE A RETAIL, PERSONAL SERVICE OR INDOOR RECREATION TENANTS OR USER/OWNER WITH MORE THAN 15,000 SQUARE FEET OF GROSS FLOOR AREA (AS DEFINED BELOW). MANEUVERING FOR THE LOADING SPACE THAT MANEUVERS IN PRIVATE STREET D. IN THE EVENT THAT THE TENANT, USER/OWNER OF THE 15,000 SQUARE FOOT SPACE IS NOT OCCUPYING SUCH SPACE THE REUSE OF THE SPACE WITH A NEW USER OR USERS THAT OCCUPY LESS THAN 15,000 SQUARE FEET WILL BE ALLOWED WITHOUT THE REMOVAL OF THE LOADING SPACE THAT MANEUVERS IN PRIVATE STREET D.

9. FLOOR AREA RATIO (FAR) (SECTION 9.1208.(5)(B)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW INDIVIDUAL PHASES OF THE PROJECT TO NOT MEET THE MINIMUM FAR AND/OR DENSITY REQUIREMENTS UNDER THE TOD-M AND TOD-R ZONING DISTRICTS AS LONG AS THE PETITIONER CAN DEMONSTRATE VIA A PROPOSED MASTER PLAN HOW THE ENTIRE PROJECT WILL MEET THE MINIMUM FAR AND/OR DENSITY REQUIREMENTS WHEN CONSTRUCTION OF THE SITE IS COMPLETED.

10. FRONT-LOADED GARAGES, PARKING PADS AND DRIVEWAYS FOR INDIVIDUAL UNITS (SECTION 9.1208.(7)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW INDIVIDUAL UNITS WITH FRONT LOADED GARAGES ONLY WITHIN PARCEL A BETWEEN PROPOSED PRIVATE STREET A AND THE NORTHERN BOUNDARY OF THE SITE AS MORE SPECIFICALLY INDICATED ON THE TECHNICAL DATA SHEET. THE DRIVEWAYS TO THESE UNITS WILL BE A MINIMUM OF 20 FEET IN LENGTH AS MEASURED FROM THE BACK OF THE SIDEWALK. WHERE POSSIBLE THE PETITIONER WILL CONSOLIDATE AND PROVIDE SHARED DRIVEWAYS. THE GARAGES FOR THESE UNITS' DWELLINGS WILL BE FLUSH WITH THE UNIT OR RECESSED BEHIND THE DWELLING UNITS' PRINCIPAL BUILDING WALL.

IV. OPTIONAL DEVELOPMENT PROVISIONS (CONT)

11. RETAIL SALES ESTABLISHMENTS WITH MORE THAN 30,000 SQUARE FEET OF GROSS FLOOR AREA PER FLOOR, PER SINGLE TENANT (SECTION 9.1208.(9)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW ONE SINGLE TENANT RETAIL SALES ESTABLISHMENT WITH MORE THAN 30,000 BUT LESS THAN 60,000 SQUARE FEET OF GROSS FLOOR AREA TO BE ESTABLISHED ON PARCEL K OR L AND SUCH ESTABLISHMENT SHALL NOT BE REQUIRED TO HAVE AT LEAST 75% OF THE FIRST FLOOR STREET FACADE OF THE BUILDING CONSTRUCTED WITH CLEAR GLASS WINDOWS AND DOORS NOR TO HAVE AT LEAST ONE ENTRANCE PER STREET FRONTAGE. IN ADDITION TO THE SINGLE TENANT RETAIL ESTABLISHMENT DESCRIBED ABOVE, A SINGLE TENANT RETAIL ESTABLISHMENT OF 60,000 OR MORE SQUARE FEET OF GROSS FLOOR AREA SHALL BE PERMITTED PROVIDED THAT IT COMPLIES WITH THE DESIGN STANDARDS AND REQUIREMENTS OF THE ORDINANCE.

FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH ABOVE, THE TERM "GROSS FLOOR AREA" OR "GFA" SHALL MEAN AND REFER TO THE SUM OF THE GROSS HORIZONTAL AREAS OF EACH FLOOR OF A PRINCIPAL BUILDING, AND ANY ACCESSORY BUILDINGS OR STRUCTURES ON THE SITE MEASURED FROM THE OUTSIDE OF THE EXTERIOR WALLS OR FROM THE CENTER LINE OF PARTY WALLS, PROVIDED, HOWEVER, SUCH TERM SHALL EXCLUDE ANY SURFACE OR STRUCTURED PARKING FACILITIES, OR RELATED ACCESS AREAS, AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS AND MAINTENANCE CRAWL SPACES) PROVIDED, AREAS DEVOTED TO OUTDOOR DINING ARE NOT INTENDED TO BE INCLUDED IN THE CALCULATION OF GROSS FLOOR AREA (BUT ANY SUCH OUTDOOR DINING AREAS SHALL BE CONSIDERED FOR PARKING PURPOSES)

12. BUFFER STANDARDS (SECTION 9.1208.(9)). AS A RESULT OF THE DUKE POWER DESIGN CRITERIA, FOR LANDSCAPING UNDER UTILITY LINES, WHICH DOES NOT ALLOW SHRUBS AND TREES TO BE LOCATED WITHIN 50 FEET OF UTILITY TRANSMISSION TOWERS, THE PETITIONER SEEKS THE OPTIONAL PROVISION TO OMIT THE REQUIRED SHRUBS AND TREES WITHIN 50 FEET OF THE DUKE POWER TRANSMISSION TOWERS. THESE UTILITY LINES AND TRANSMISSION TOWERS ARE LOCATED ALONG THE EASTERN BOUNDARY OF THE SITE AS INDICATED ON THE TECHNICAL DATA SHEET.

13. BUFFER STANDARDS (SECTION 9.1208.(9)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO REDUCE THE REQUIRED 10 FOOT BUFFER ALONG THE NORTHERN BOUNDARY OF PARCELS A AND B TO TWO FEET WITH A MINIMUM OF A SOLID SIX FOOT TALL FENCE OR WALL TO BE INSTALLED WHEN SINGLE-FAMILY DETACHED HOMES ARE DEVELOPED ON PARCEL A OR B. THE FENCE OR WALL USED IN THIS BUFFER WILL BE CONSTRUCTED IN A DURABLE FASHION OF BRICK, STONE, OTHER MASONRY MATERIALS, BRICK COLUMNS WITH WOOD PILLARS, METAL, VINYL OR OTHER MATERIALS SPECIFICALLY DESIGNED AS FENCING MATERIALS OR ANY COMBINATION THEREFORE. THE FINISHED SIDE OF THE FENCE OR WALL MUST FACE THE ABUTTING PROPERTY. UP TO 25% OF THE WALL OR FENCE SURFACE MAY BE LEFT OPEN.

14. MINIMUM REAR YARD (SECTION 9.1208.(2)(A)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO REDUCE THE REQUIRED 30 FOOT REAR YARD TO 10 FEET ALONG THE NORTHERN BOUNDARY OF PARCEL A AND B WHEN SINGLE-FAMILY DETACHED HOMES ARE DEVELOPED ON PARCELS A OR B.

15. ENCROACHMENTS INTO REQUIRED SETBACKS (SECTION 9.1208.(1)(A) 2). THE PETITIONER WILL PROVIDE A 22 FOOT SETBACK ALONG ALL STREETS CLASSIFIED AS LOCAL RESIDENTIAL STREET WIDE BY THE APPROVED SCALEYBARK TRANSIT STATION AREA PLAN, BUT IN ACCORDANCE WITH THE SCALEYBARK STATION AREA PLAN, PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW THE FOLLOWING ITEMS TO ENCROACH INTO THE LAST SIX (6) FEET OF THIS SETBACK, INCLUDING STEPS, OPEN PORCHES AND BAY WINDOWS AS LONG AS SUCH ENCROACHMENTS AT GRADE DO NOT REDUCE THE WIDTH OF THE REQUIRED SIDEWALK. THIS OPTIONAL PROVISION IS IN ADDITION TO THE ALLOWED ENCROACHMENTS ALLOWED BY SECTION 9.1208.(1)(G) OF THE ORDINANCE.

16. REQUIRED SETBACK OF 30 FEET WHEN ABUTTING SINGLE-FAMILY ZONING (SECTION 9.1208.(1)(A) 1). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO REDUCE THE 30 FOOT SETBACK REQUIRED ALONG A PORTION OF ANSON STREET TO 22 FEET FROM THE BACK OF CURB.

17. SCALEYBARK AVENUE STREETScape REQUIREMENTS (SECTION 9.1209.(8)(A)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO MODIFY THE WIDTH OF THE AMENITY ZONE ALONG SCALEYBARK AVENUE FROM 16 FEET TO 8 FEET. THE 8 FEET REMOVED FROM THE AMENITY ZONE WILL BE ADDED TO AREA BETWEEN THE SIDEWALK AND THE BUILDING SETBACK LINE. THE PROPOSED 24 FOOT SETBACK WILL NOT BE REDUCED. THIS PROPOSED STREETScape TREATMENT IS SPECIFICALLY SHOWN ON SHEET 2-3.0 TYPICAL STREET CROSS SECTIONS IN CROSS SECTION NUMBER 3.

18. SOUTH BLVD. AND WHITTON STREET STREETScape REQUIREMENTS (SECTION 9.1209.(8)(A)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO PROVIDE TREES IN TREE GRATES ALONG SOUTH BLVD. AND WHITTON STREET AS GENERALLY SHOWN ON CROSS SECTION 4 AND 5 ON SHEET 2-3.0 TYPICAL STREET CROSS SECTIONS.

19. REQUIRED STREET TREES AND SIDEWALKS. THE PETITIONER SEEKS THE OPTIONAL PROVISION TO REQUEST A DELAY IN THE INSTALLATION OF REQUIRED STREET TREES AND SIDEWALKS ON EACH PARCEL AS DEVELOPMENT OCCURS ON THE PARCEL. THE DELAY IN THE INSTALLATION WILL ALLOW CONSTRUCTION TO OCCUR WITHIN THE SURFACE PARKING AREAS REQUESTED AND SYSTEM SIDEWALKS THAT SHOULD HAVE BEEN PREVIOUSLY INSTALLED. THE PETITIONER WILL COORDINATE THE TIMING OF THE INSTALLATION OF THESE REQUIRED STREETScape ELEMENTS WITH URBAN FORESTRY, CITY ENGINEERING AND THE PLANNING DEPARTMENT. ALL REQUIRED STREET TREES AND SIDEWALKS WILL BE INSTALLED ON EACH PARCEL PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE APPLICABLE PARCEL.

20. THE PROVISIONS OF SECTION III, TO THE EXTENT NECESSARY CONSTITUTE ACCEPTABLE VARIATIONS (AND OPTIONAL PROVISIONS) FROM THE TOD-M AND TOD-R MINIMUM STANDARDS.

V. DESIGN AND PERFORMANCE STANDARDS

1. BUILDINGS LOCATED WITHIN EACH PARCEL WILL MEET THE MAXIMUM HEIGHT REQUIREMENTS OF THE TOD-M AND TOD-R ZONING DISTRICTS. BUILDING HEIGHT WILL BE MEASURED AS DEFINED IN THE ORDINANCE PROVIDED THE FOLLOWING WILL NOT BE INCLUDED IN THE CALCULATION OF MAXIMUM BUILDING HEIGHT SKYLIGHTS, AND ROOF STRUCTURES FOR ELEVATORS, STAIRWAYS, TANKS, HEATING, VENTILATION AND AIR-CONDITIONING EQUIPMENT, OR SIMILAR EQUIPMENT FOR THE OPERATION AND MAINTENANCE OF A BUILDING AND ANY DEVICE USED TO SCREEN SUCH STRUCTURES AND EQUIPMENT.
2. STREETS WITHIN THE SITE MAY BE EITHER PUBLIC OR PRIVATE AS INDICATED ON THE TECHNICAL DATA SHEET. REGARDLESS OF WHETHER THE INTERNAL STREETS ARE PUBLIC OR PRIVATE, THEY SHALL REMAIN OPEN AND ACCESSIBLE TO THE PUBLIC. THIS DOES NOT PRECLUDE THE PETITIONER FROM TEMPORARILY CLOSING A PRIVATE STREET FOR, BUT NOT LIMITED TO, SPECIAL EVENTS, FARMERS MARKETS, FESTIVALS, CONCERTS, BLOCK PARTIES OR OTHER SIMILAR EVENTS.
3. A BUFFER AS PER THE REQUIREMENT OF SECTION 9.1208.(9) OF THE ORDINANCE WILL BE PROVIDED ALONG THE NORTHERN AND EASTERN BOUNDARIES OF THE SITE ABUTTING THE EXISTING SINGLE-FAMILY HOMES AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET, SUBJECT TO THE OPTIONAL PROVISIONS IN SECTION IV ABOVE.
4. THE PETITIONER SHALL MAKE GOOD FAITH DILIGENT EFFORTS TO SAVE THE EXISTING TREES LOCATED WITHIN THE TREE SAVE AREAS IDENTIFIED ON THE TECHNICAL DATA SHEET. ADDITIONAL TREE SAVE AREAS, TO THE EXTENT REQUIRED BY THE ORDINANCE, WILL BE IDENTIFIED DURING THE DESIGN DEVELOPMENT PHASES OF THE PROJECT. TREES WITHIN THESE ADDITIONAL TREE SAVE AREAS WILL ALSO BE PRESERVED.
5. A UNIFIED STREETScape TREATMENT WILL BE IMPLEMENTED THROUGHOUT THE SITE, INCLUDING THE SITE'S FRONTAGE ON SOUTH BOULEVARD AND SCALEYBARK ROAD. THE PROPOSED STREETScape TREATMENT IS SPECIFIED ON SHEET 2-3.0 TITLED TYPICAL STREET CROSS SECTIONS. SUBJECT, HOWEVER, TO ANY CONFLICTS WITH EXISTING UTILITY EASEMENTS LOCATED WITHIN SUCH AREAS.
6. ON A PORTION OF PROPOSED PRIVATE STREET D THE PETITIONER MAY HAVE A GAP IN THE SPACING OF STREET TREES. THIS GAP WILL OCCUR ON ONE SIDE OF THE STREET FOR A LENGTH OF 120 FEET. ON STREET PARKING ALONG PRIVATE STREET D MAY EITHER BE PARALLEL OR ANGLED PARKING

V. DESIGN AND PERFORMANCE STANDARDS (CONT)

7. THE PETITIONER WILL CONSTRUCT PUBLIC STREET C (WEONA AVENUE) TO THE MAIN STREET STANDARDS CALLED FOR IN THE SCALEYBARK STATION AREA PLAN.
8. THE PETITIONER RESERVES THE RIGHT TO SUBSTITUTE A BIO-SWALE/RAIN GARDEN FOR THE TYPICAL EIGHT FOOT PLANTING STRIP ALONG BOTH SIDES OF ANY OF THE PROPOSED PRIVATE STREETS. THE PETITIONER WILL CONSULT WITH CITY ENGINEERING STORM WATER SERVICES ON THE DESIGN OF THE PROPOSED BIO-SWALE/RAIN GARDEN DURING THE LAND DEVELOPMENT REVIEW PROCESS.
9. THE PROJECT DEVELOPS, PEDESTRIAN SCALE LIGHTING WILL BE INSTALLED ALONG BOTH INTERIOR STREETS AND STREETS THAT BORDER THE SITE.
- ALL FREESTANDING LIGHTING AND ALL EXTERIOR LIGHTING ON BUILDINGS WILL BE FULLY SHIELDED AND FULL CUT-OFF TYPE FIXTURES 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 20 FEET.
10. ALL DUMPSTERS, LOADING AREAS AND SERVICE AREAS WILL BE SCREENED IN ACCORDANCE WITH SECTION 12.303 OF THE ORDINANCE.
11. OFF-STREET VEHICULAR AND BICYCLE PARKING WILL BE PROVIDED WHICH MEETS OR EXCEEDS THE RATIO REQUIREMENTS OF THE ORDINANCE.
12. SIDEWALK AND PLANTING STRIPS ALONG INTERNAL STREETS MAY BE INSTALLED IN PHASES IN ASSOCIATION WITH NEARBY DEVELOPMENT AND AS THE PROJECT DEVELOPS.
13. 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.
14. AT LEAST ONE ACRE, IN THE AGGREGATE, OF PUBLIC OPEN SPACE AS DEFINED BY THE TOD PROVISIONS OF THE ORDINANCE WILL BE PROVIDED WITHIN PARCELS J, K AND L. THIS PUBLIC OPEN SPACE MAY INCLUDE THE LAND UNDER THE DUKE POWER UTILITY EASEMENT LOCATED ALONG THE EASTERN BOUNDARY OF THE SITE. THIS ONE ACRE OF PUBLIC OPEN SPACE WILL BE IMPROVED IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE.
15. THE PETITIONER WILL PROVIDE A MINIMUM OF 800 SQUARE FEET OR URBAN OPEN SPACE ON PARCEL K ALONG SOUTH BOULEVARD ACROSS FROM THE EXISTING RAPID TRANSIT STATION, AS GENERALLY DEPICTED ON SHEET 2-1.0.
16. THE PETITIONER SHALL INSTALL TWO (2) CONCRETE WAITING PADS ON THE SITE; ONE ALONG SOUTH BOULEVARD AND ONE ALONG SCALEYBARK ROAD IN THE AREAS GENERALLY INDICATED THE TECHNICAL DATA SHEET. THESE PROPOSED WAITING PADS WILL BE CONSTRUCTED PER THE CHARLOTTE-MECKLENBURG LAND DEVELOPMENT STANDARDS (60.024 OR 60.028). THE APPROPRIATE STANDARD AND FINAL LOCATIONS OF SUCH PADS WILL BE COORDINATED WITH CHARLOTTE AREA TRANSIT SYSTEM DURING THE PLAN REVIEW PROCESS.
17. THE PETITIONER WILL EXPLORE OPPORTUNITIES TO CONSOLIDATE AND PLACE UNDERGROUND EXISTING UTILITIES WITHIN EACH OF THE RESPECTIVE PARCELS. THE PETITIONER WILL OWN AND OPERATE THESE EXISTING UTILITIES. IN LOCATIONS AND CIRCUMSTANCES WHERE THE PETITIONER FINDS THE COSTS AND FEASIBILITY OF CONSOLIDATING OR PLACING EXISTING UTILITIES UNDERGROUND REASONABLE, THE UTILITIES WILL BE PLACED UNDERGROUND OR CONSOLIDATED. ALL NEW UTILITY LINES WILL BE PLACED UNDERGROUND AS REQUIRED BY SECTION 12.509 OF THE CITY ZONING REGULATIONS.

VI. ACCESS POINTS

1. THE TOTAL NUMBER OF INGRESS/EGRESS POINTS TO THE SITE SHALL BE LIMITED TO THE NUMBER SHOWN ON THE TECHNICAL DATA SHEET, EXCEPT TO THE MORE ACCESS POINTS ARE PERMITTED BY CDOT. THE EXACT LOCATIONS MAY VARY SOMEWHAT FROM THOSE DEPICTED BASED UPON FINAL DESIGN AND LOCAL REQUIREMENTS AS REGULATED BY CDOT.
2. THE EXISTING ACCESS POINTS TO THE SITE MAY CONTINUE TO BE USED UNTIL THE NEW ACCESSES HAVE BEEN COMPLETED. AS EACH PARCEL WITH EXISTING DRIVEWAYS IS REDEVELOPED EXISTING DRIVEWAYS WILL BE REMOVED OR RECONSTRUCTED TO MEET CURRENT DRIVEWAY STANDARDS AND THE CONDITIONS OF THIS CONDITIONAL PLAN.

VII. ROADWAY IMPROVEMENTS AND PHASING

1. THE PETITIONER HAS REQUESTED AN AGREEMENT IN PRINCIPLE WITH THE CITY OF CHARLOTTE TO CONSTRUCT PUBLIC STREET C BETWEEN SCALEYBARK ROAD AND ITS INTERSECTION WITH PROPOSED PUBLIC STREET C BEFORE A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE SECOND BUILDING CONSTRUCTED ON PARCEL J.
2. IF DEVELOPMENT ON PARCEL K OR L PRECEDES THE DEVELOPMENT OF THE SECOND BUILDING ON PARCEL J THE PETITIONER WILL CONSTRUCT PUBLIC STREET C FROM SCALEYBARK ROAD TO ITS INTERSECTION WITH PROPOSED PUBLIC STREET C CONCURRENTLY WITH THE DEVELOPMENT OCCURRING ON PARCEL K OR L. THIS PORTION OF PUBLIC STREET C WILL BE CONSTRUCTED AND OPEN TO TRAFFIC BEFORE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING CONSTRUCTED ON PARCEL K OR L.
- IT IS UNDERSTOOD THAT A PORTION OF THE PUBLIC STREET C MAY UTILIZE A PORTION OF EXISTING WEONA AVENUE AT THE PETITIONER'S DISCRETION.
- PL TO THE EXTENT CONSISTENT WITH PETITIONERS DEVELOPMENT AND BUILDING PLANS, THE PETITIONER (A) WILL DURING THE SUBDIVISION AND TOD REVIEW PROCESS WORK WITH THE CITY DEPARTMENT OF TRANSPORTATION ON AN ACCEPTABLE SOLUTION TO THE ALIGNMENT OF PROPOSED PUBLIC STREET C AND EXISTING WEONA AVENUE AND (B) SEEK TO DESIGN THE INTERSECTION OF PUBLIC STREET C WITH SCALEYBARK AVENUE TO ALIGN WITH THE EXISTING OPPOSING DRIVEWAY ON THE SOUTH SIDE OF SCALEYBARK AVENUE.
3. ONCE PUBLIC STREET C IS CONSTRUCTED AND OPEN FROM ITS INTERSECTION WITH SCALEYBARK ROAD TO ITS INTERSECTION WITH PUBLIC STREET A AND EITHER (I) THE ISSUANCE OF AT LEAST TWO CERTIFICATES OF OCCUPANCY FOR TWO BUILDINGS ON PARCEL J OR (II) THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ONE BUILDING ON EITHER PARCEL K OR L HAVE OCCURRED, THEN THE CITY WILL SIGNALIZE THE INTERSECTION OF SCALEYBARK ROAD AND PUBLIC STREET C. THE SIGNAL MAY BE INSTALLED SOONER THAN ABOVE IF APPROVED BY CDOT.
4. AS PART OF THE DEVELOPMENT OF PARCELS A AND B, THE PETITIONER WILL CONSTRUCT OR IMPROVE PUBLIC STREET B AND A PORTION OF PUBLIC STREET C TO THE PROPERTY LINE. (I) THE CITY AND THE PETITIONER HAVE A DEVELOPMENT AGREEMENT IN PLACE THAT CALLS FOR THE EXTENSION OF THESE ROADS TO HARTFORD AVENUE AND (II) GENERAL OBLIGATION TRANSPORTATION BONDS FOR THE REIMBURSEMENT OF CERTAIN INFRASTRUCTURE COSTS HAVE BEEN APPROVED, THEN THE PETITIONER WILL ALSO CONSTRUCT THE EXTENSION OF THESE ROADS FOR A RIGHT-OF-WAY OF 50 FEET TO THE EXTENT APPROPRIATE RIGHT-OF-WAY IS AVAILABLE.
5. THE PORTION OF PUBLIC STREET A FROM ITS INTERSECTION WITH PUBLIC STREET C TO PROPOSED PUBLIC STREET E WILL BE CONSTRUCTED AS DEVELOPMENT OCCURS ON THE PORTION OF PARCEL J THAT FRONTS PUBLIC STREET A, OR WHEN DEVELOPMENT OCCURS ON PARCEL H, WHICH EVER OCCURS FIRST.
6. THE OTHER STREETS SHOWN ON THE SITE PLAN WILL BE CONSTRUCTED OR IMPROVED AS DEVELOPMENT OCCURS ON THE ABUTTING PARCELS.
7. THE PETITIONER WILL RELOCATE THE EXISTING CURB AND GUTTER ALONG THE SITE'S PARCEL L FRONTAGE ON SOUTH BOULEVARD TO ALLOW THE CONSTRUCTION OF A FIVE (5) FOOT BIKE LANE.
8. THE PETITIONER WILL RELOCATE THE EXISTING CURB ALONG THE SITE'S FRONTAGE ON ANSON STREET AS NECESSARY TO PROVIDE PROTECTED PARKING.

VIII. SCREENING, LANDSCAPING, AND OPEN SPACE AREAS

1. SCREENING WILL CONFORM TO THE APPLICABLE STANDARDS OF THE ORDINANCE.
2. LANDSCAPING SHALL SATISFY THE REQUIREMENTS OF THE ORDINANCE FOR THE TOD-MO AND TOD-RO ZONING DISTRICTS AND THE CITY OF CHARLOTTE TREE ORDINANCE.
3. THE PROPOSED INTERIM SURFACE PARKING AREAS WILL BE SCREENED FROM ABUTTING PROPERTY AND FROM PUBLIC VIEW FROM A PUBLIC STREET WITH A MINIMUM OF TWO ROWS OF EVERGREEN SHRUBS PLANTED PER THE REQUIREMENTS OF SECTION 12.303.(2)(X) OF THE ORDINANCE.
4. SINCE DEVELOPMENT OCCURRING ON THE SITE IS PART OF A UNIFIED MASTER PLANNED DEVELOPMENT, THE URBAN OPEN SPACE REQUIREMENTS ESTABLISHED AND DEFINED UNDER SECTION 9.1208.(12) OF THE ORDINANCE MAY BE SATISFIED WITH REFERENCE TO ALL PARCELS OF THE SITE TAKEN TOGETHER. BY WAY OF EXAMPLE, OPEN SPACE LOCATED ON PARCEL J THAT EXCEEDS THE URBAN OPEN SPACE REQUIREMENTS FOR PARCEL J MAY BE USED TO SATISFY THE URBAN OPEN SPACE REQUIREMENTS ASSOCIATED WITH PARCEL K. TO THE EXTENT NECESSARY THE PROVISIONS OF THIS SUBSECTION SHALL CONSTITUTE A PORTION OF THE OPTIONAL PROVISIONS UNDER THE TOD-MO OR TOD-RO APPLICATION SET FORTH IN SECTION IV ABOVE.
5. URBAN OPEN SPACE WILL BE PROVIDED THROUGHOUT THE SITE AND CENTRALLY LOCATED.
6. ALL ROOF-MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE.

IX. SIGNS

1. EXCEPT AS SET FORTH IN SECTION IV REGARDING THE OPTIONAL PROVISIONS, SIGNAGE WITHIN THE COMPONENTS OF THE SITE SHALL CONFORM TO THE STANDARDS OF THE ORDINANCE FOR THE TOD-M AND TOD-R ZONING DISTRICTS.
2. X. STORM WATER MANAGEMENT AND WATER QUALITY DEVELOPMENT ON THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE (PCCO) EFFECTIVE AS OF THE DATE OF APPROVAL OF THIS PETITION. ALL EXISTING POST-CONSTRUCTION BUFFERS HAVE BEEN INDICATED ON THE TECHNICAL DATA SHEET 2-1.0
3. THE PETITIONER SHALL INVESTIGATE DURING PLAN REVIEW IF THE OPEN CHANNEL LEADING TO SLOAN STREET NEEDS TO HAVE A PCCO STREAMSIDE BUFFER.
4. XI. SOLID WASTE MANAGEMENT PLAN
1. THE PETITIONER SHALL SUBMIT TO THE MECKLENBURG COUNTY SOLID WASTE DEPARTMENT A SOLID WASTE MANAGEMENT PLAN PRIOR TO INITIATING DEMOLITION AND/OR CONSTRUCTION ACTIVITIES. THE SOLID WASTE MANAGEMENT PLAN WILL INCLUDE, AT A MINIMUM, THE PROCEDURES THAT WILL BE USED TO RECYCLE ALL CLEAN WOOD, METAL, AND CONCRETE GENERATED DURING DEMOLITION AND CONSTRUCTION ACTIVITIES. ADDITIONALLY, THE SOLID WASTE MANAGEMENT PLAN WILL SPECIFY THAT ALL LAND CLEARING AND INERT DEBRIS SHALL BE TAKEN TO A PROPERLY PERMITTED FACILITY. THE PLAN SHALL ALSO INCLUDE A REQUIREMENT THAT A MONTHLY REPORTING OF ALL TONNAGE DISPOSED AND RECYCLED WILL BE MADE TO THE MECKLENBURG COUNTY SOLID WASTE PROGRAM. THE REPORT SHALL INCLUDE THE IDENTIFICATION AND LOCATION OF ALL FACILITIES RECEIVING DISPOSED OR RECYCLED MATERIALS.
5. XII. GROUNDWATER
1. THE PETITIONER WILL COORDINATE CHANGE(S) AROUND OF USES AND REDEVELOPMENT PLANS FOR THE SITE WITH THE COUNTY GROUNDWATER & WATER RESOURCES AND THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES DIVISION OF WASTE MANAGEMENT. DURING THE DEVELOPMENT (DENR) INFORMATION REGARDING TAX PARCEL # 149-054-67 AND HAS BEEN IN CONTACT WITH DENR. A LETTER OF NO FURTHER ACTION REGARDING THIS PARCEL HAS BEEN ISSUED BY DENR AND HAS BEEN RECEIVED BY THE PETITIONER.

XIII. HOUSING

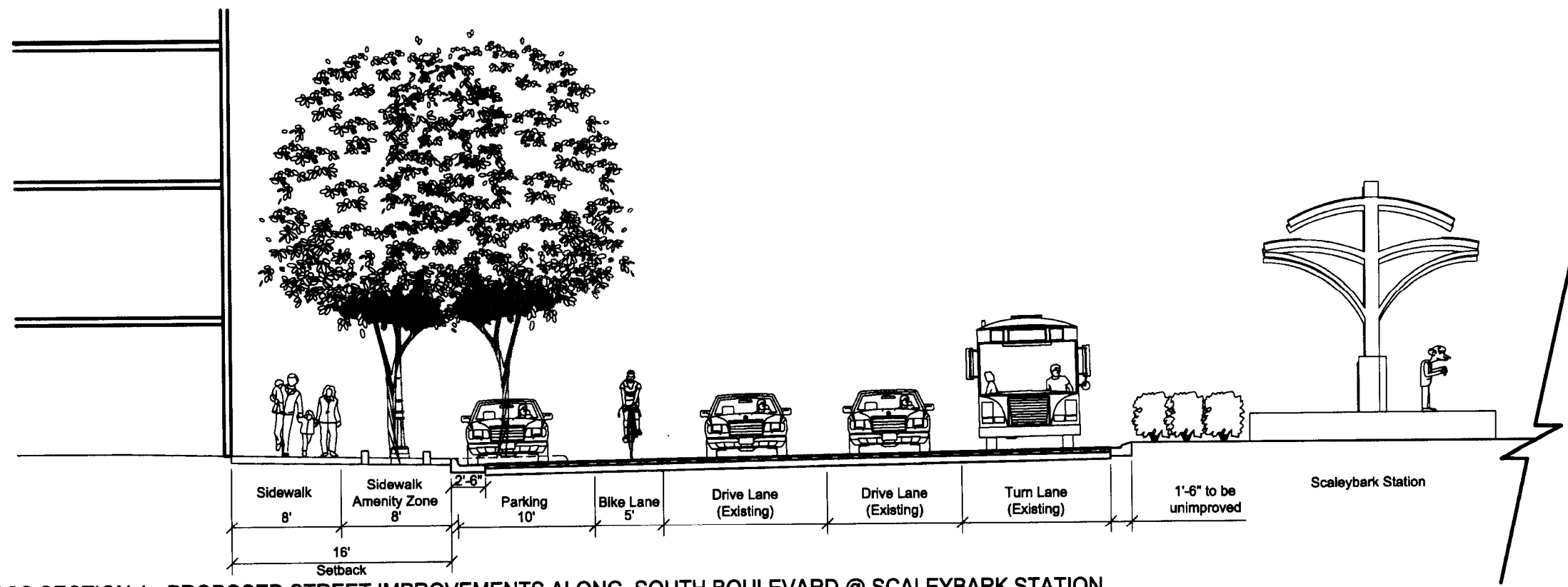
1. AS PART OF THE DEVELOPMENT OF THE SITE, IT IS CURRENTLY CONTEMPLATED THAT THE PETITIONER WILL PROVIDE A VARIETY OF HOUSING TYPES AT A VARIETY OF PRICE POINTS. ADDITIONALLY, THE PETITIONER SHALL CONSIDER OPPORTUNITIES TO INCLUDE RESIDENTIAL UNITS THAT ARE LOW TO MODERATE INCOME UNITS IN ACCORDANCE WITH CITY POLICY. THE PETITIONER WILL ADOPT AFFORDABLE HOUSING POLICIES, SUBJECT IN ALL RESPECTS TO PROJECTIONS OF FEASIBILITY AND AVAILABILITY OF APPROPRIATE FINANCING AND DEVELOPMENT CONSTRAINTS.

XIV. PLAN REVIEW

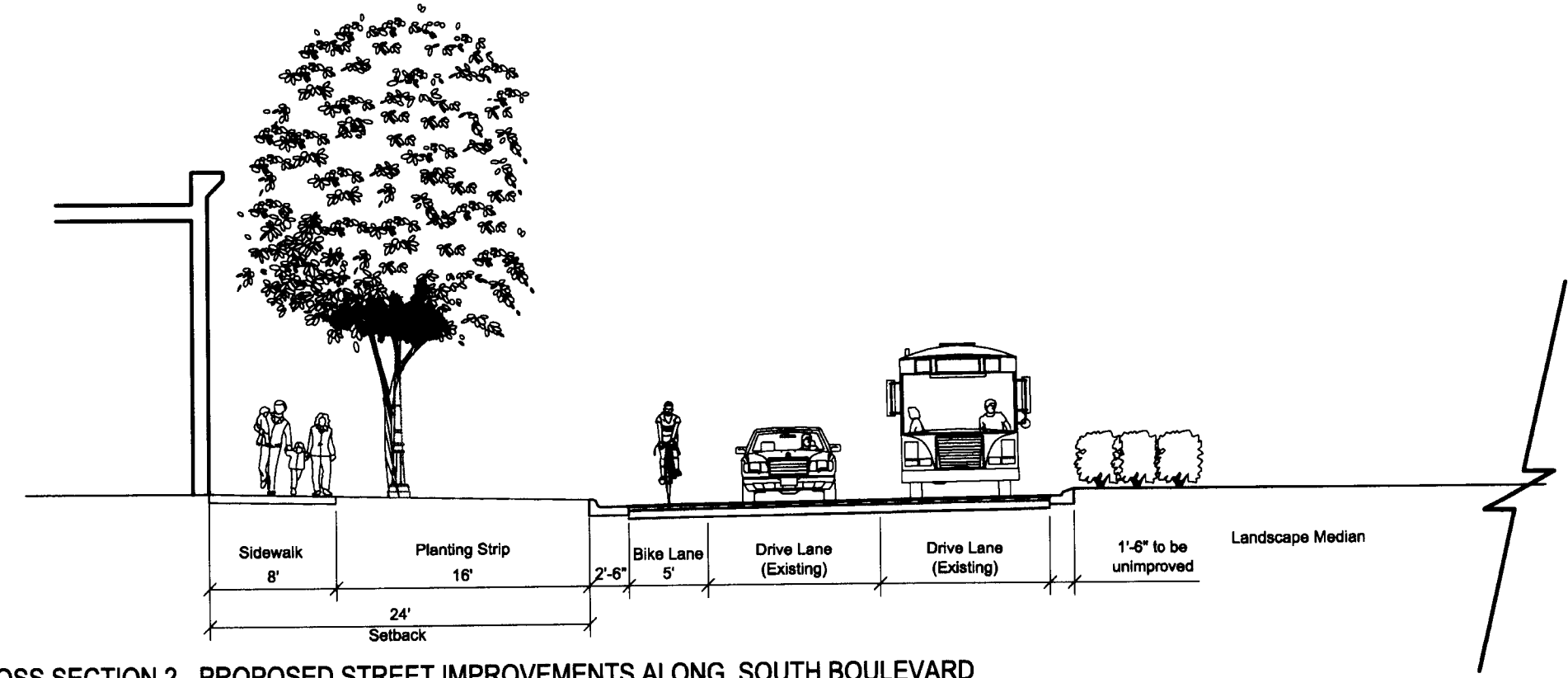
1. ALL DEVELOPMENT OCCURRING ON THE SITE SHALL SATISFY THE REQUIREMENTS FOR PLAN REVIEW IMPOSED BY SECTION 9.1213 PRELIMINARY REVIEW OF THE ORDINANCE.

XV. AMENDMENTS TO REZONING PLAN

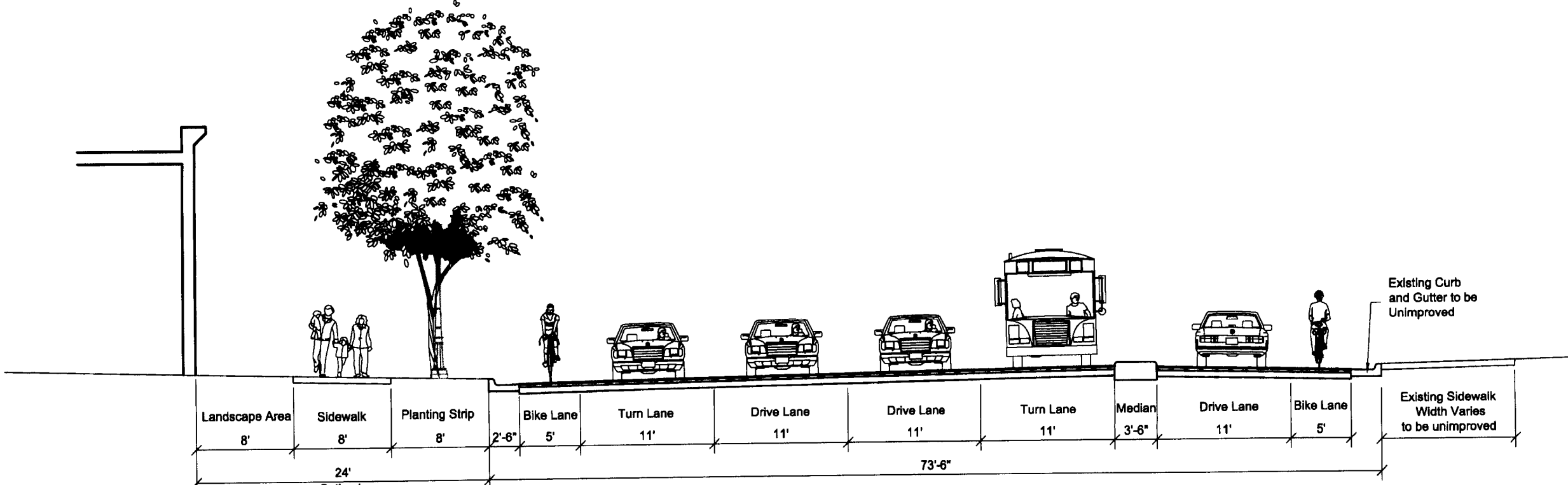
1. FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL OR PARCELS INVOLVED, IN ACCORDANCE WITH CHAPTER SIX OF THE



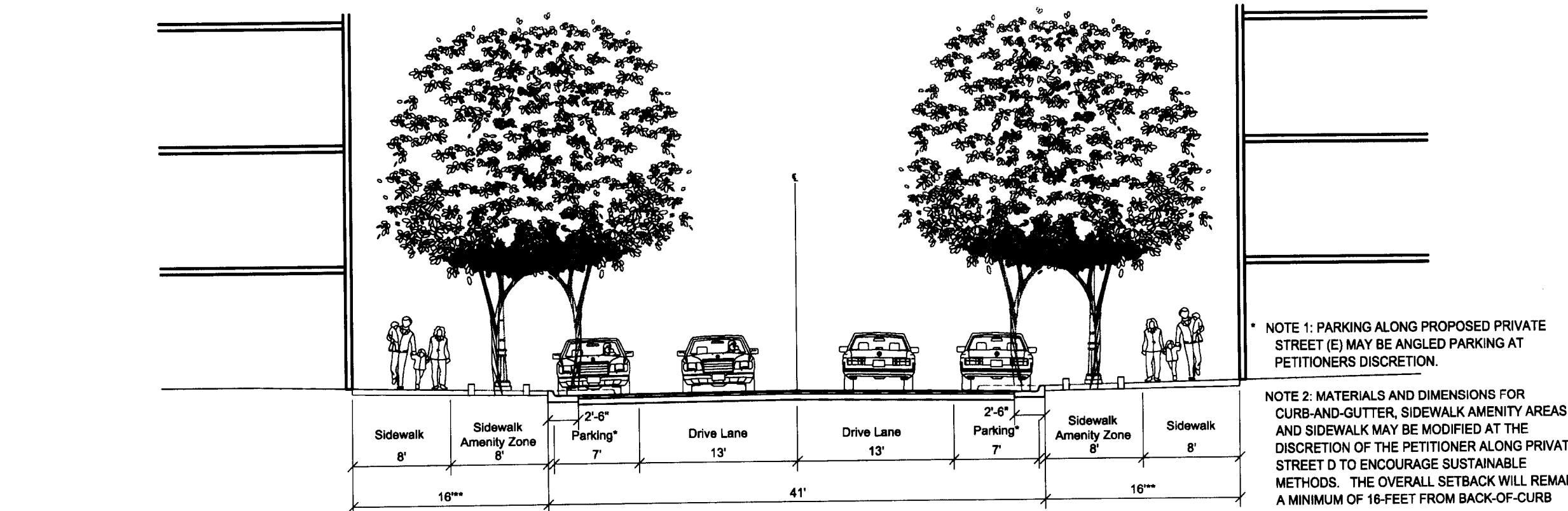
CROSS SECTION 1 - PROPOSED STREET IMPROVEMENTS ALONG SOUTH BOULEVARD @ SCALEYBARK STATION



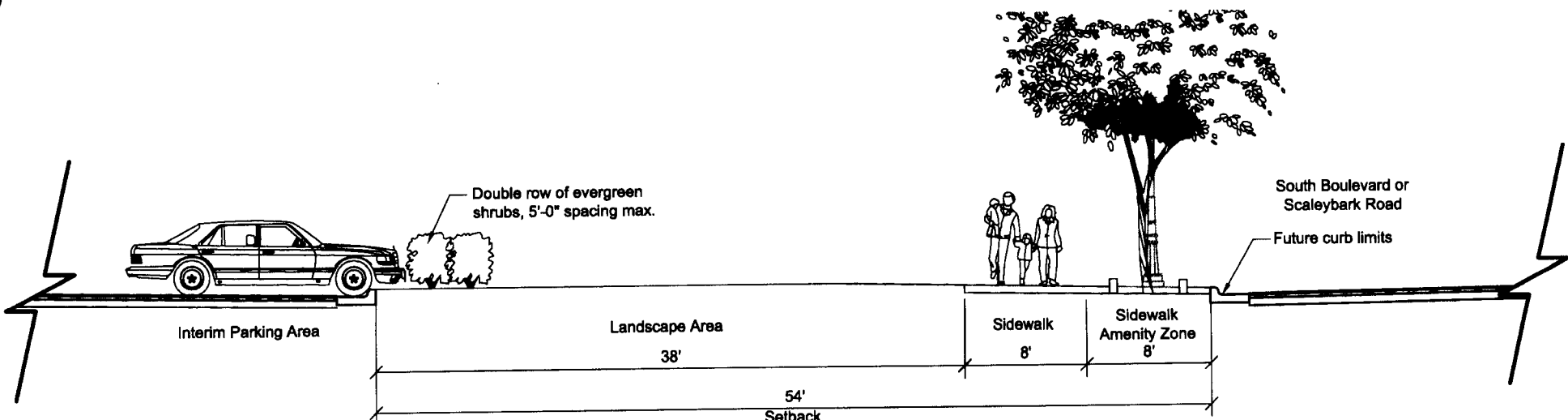
CROSS SECTION 2 - PROPOSED STREET IMPROVEMENTS ALONG SOUTH BOULEVARD



CROSS SECTION 3 - PROPOSED STREET IMPROVEMENTS ALONG SCALEYBARK ROAD

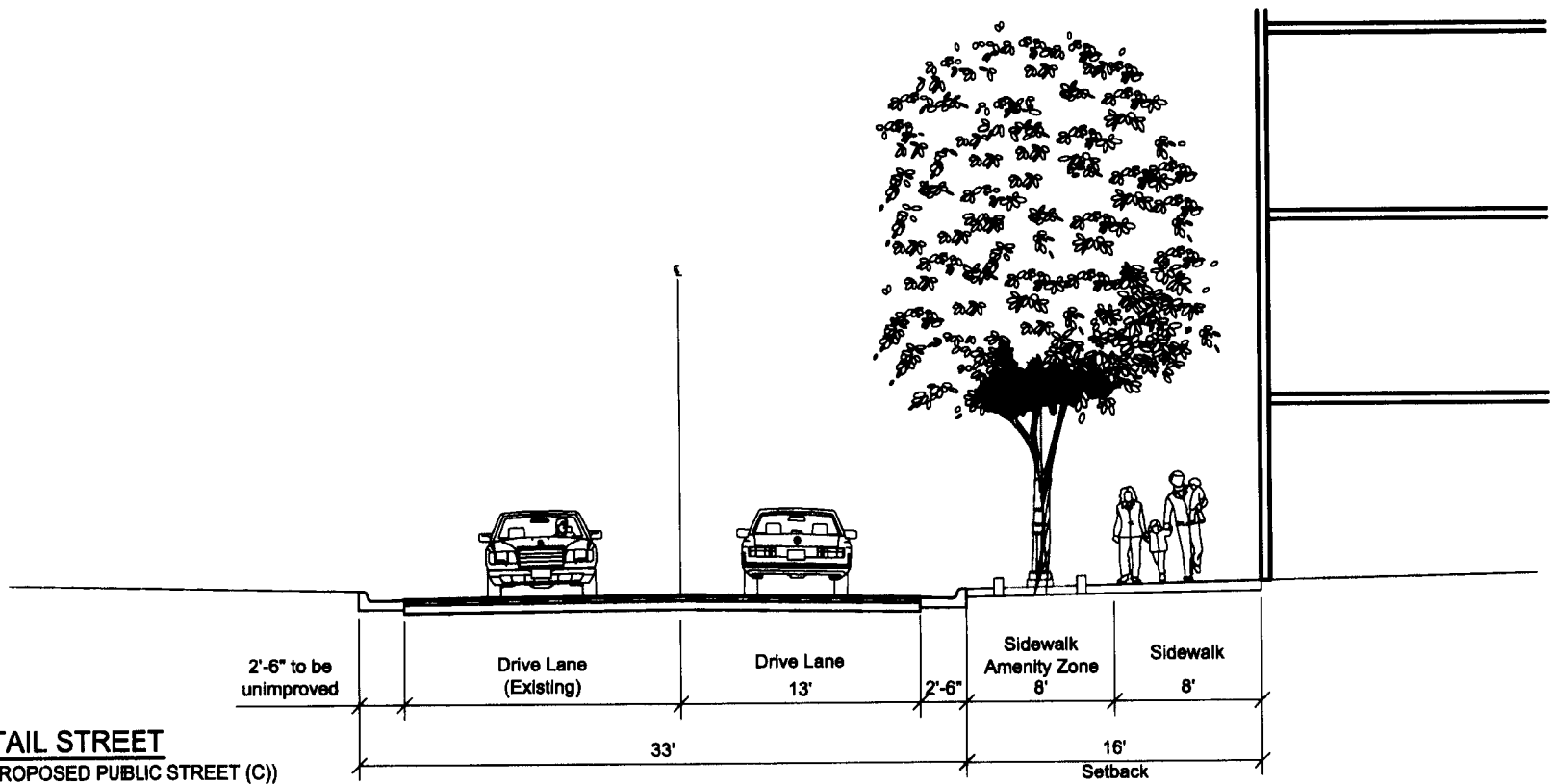


CROSS SECTION 4 - PROPOSED RETAIL STREET
- PROPOSED PUBLIC STREET (C) (SCALEYBARK RD. TO PROPOSED PUBLIC STREET (A))
- PRIVATE STREET (D)

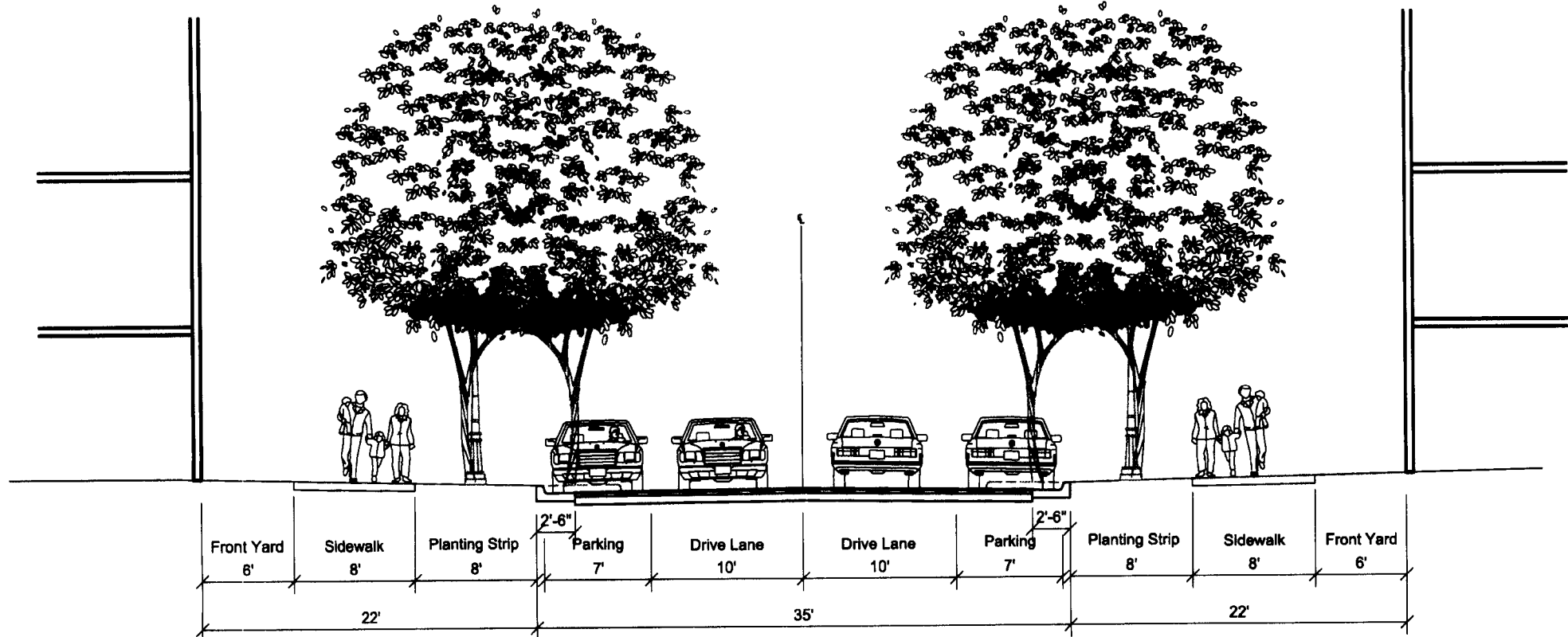


CROSS SECTION 9 - PROPOSED INTERIM PARKING AREAS
- APPLICABLE TO SOUTH BOULEVARD AND SCALEYBARK ROAD ONLY
- ALLOWED FOR PARCELS J, K AND L ONLY

CROSS SECTION 5 - PROPOSED RETAIL STREET
- PROPOSED PUBLIC STREET (A) (SOUTH BLVD... TO PROPOSED PUBLIC STREET (C))

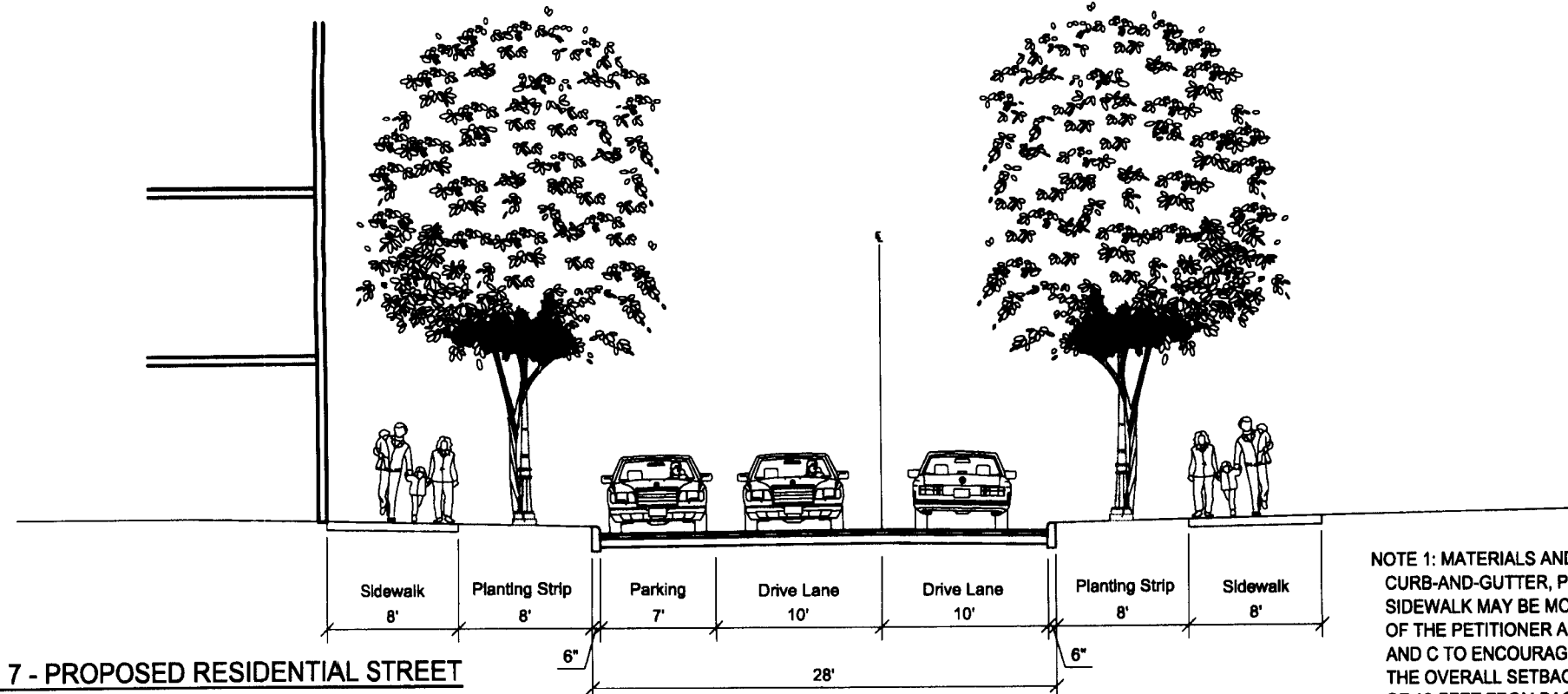


CROSS SECTION 6 - PROPOSED RESIDENTIAL STREET
- PROPOSED PUBLIC STREET (A) (PUBLIC STREET (C) TO (D))
- PROPOSED PUBLIC STREET (B)
- PROPOSED PUBLIC STREET (C) (PUBLIC STREET (A) TO HARTFORD AVE.)
- PROPOSED PUBLIC STREET (D)
- PROPOSED PUBLIC STREET (E)



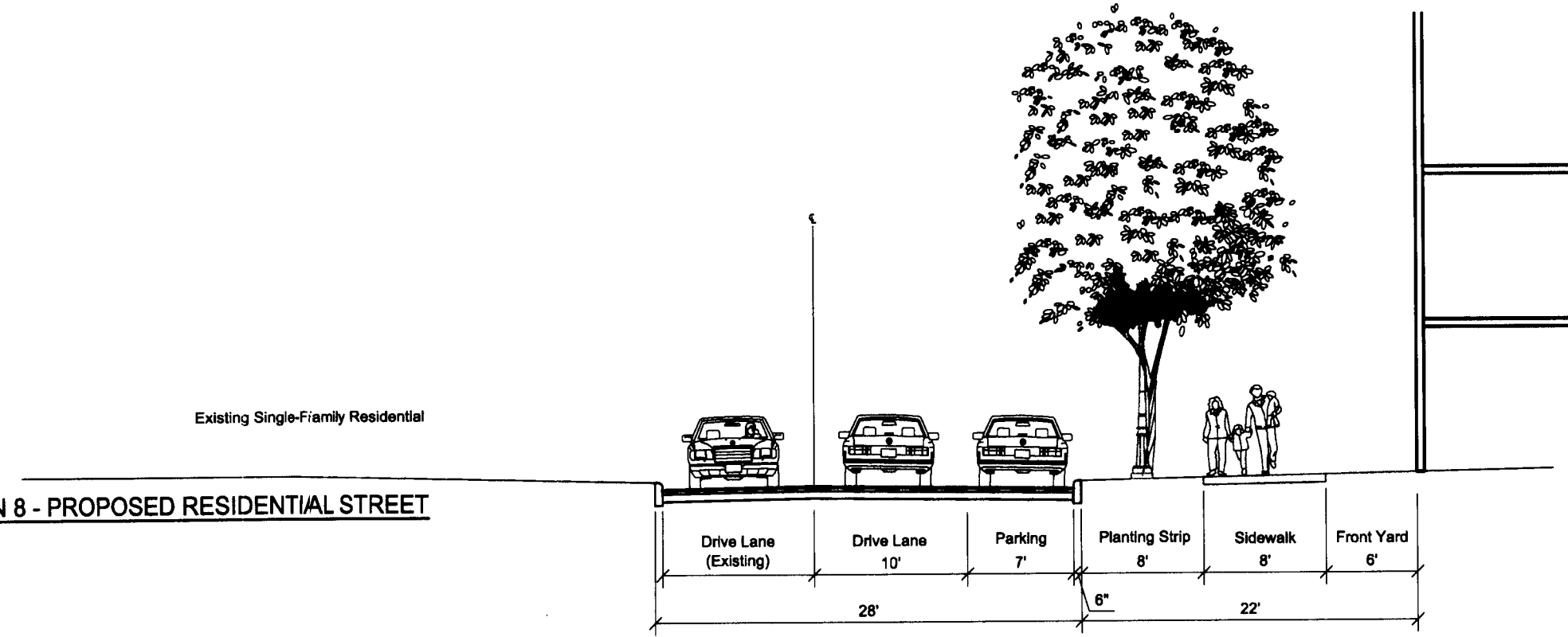
NOTE:
ITEMS WHICH MAY BE INCLUDED WITHIN THE FRONT YARD AREA INCLUDE ADDITIONAL LANDSCAPING, STEPS, OPEN PORCHES, BAY WINDOWS, AND BALCONIES. ENCROACHMENTS FOR FEATURES AT GRADE MAY NOT REDUCE THE CLEAR SIDEWALK TO LESS THAN THE REQUIRED WIDTH.

CROSS SECTION 7 - PROPOSED RESIDENTIAL STREET
- PROPOSED PRIVATE STREET (B)
- PROPOSED PRIVATE STREET (C)

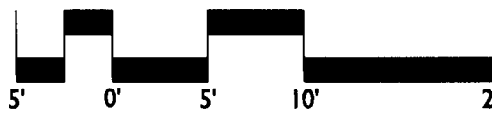
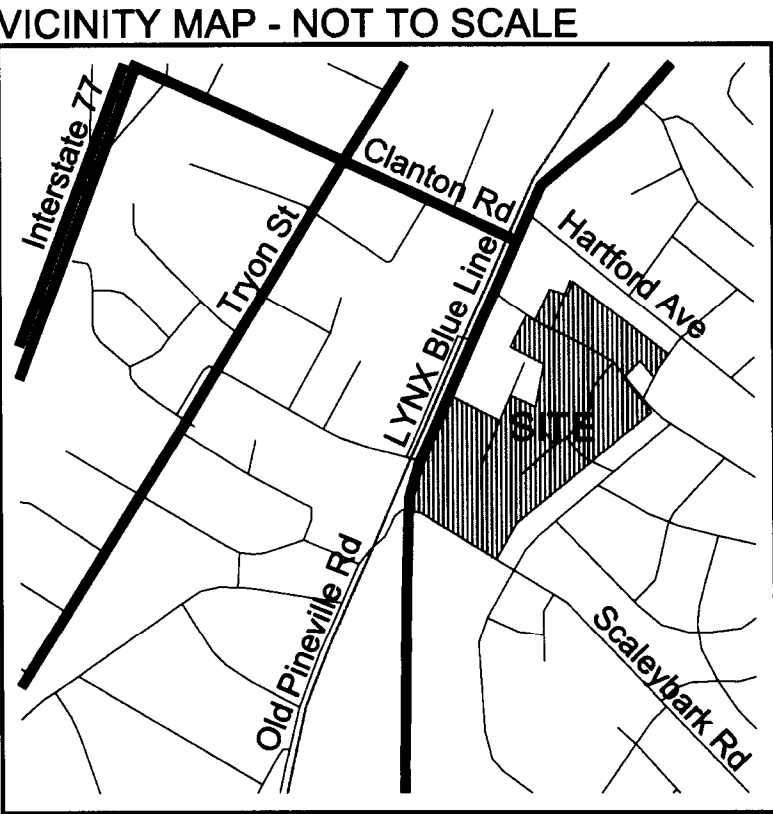


NOTE 1: MATERIALS AND DIMENSIONS FOR CURB-AND-GUTTER, PLANTING STRIP AREAS AND SIDEWALK MAY BE MODIFIED AT THE DISCRETION OF THE PETITIONER ALONG PRIVATE STREETS B AND C TO ENCOURAGE SUSTAINABLE METHODS. THE OVERALL SETBACK WILL REMAIN A MINIMUM OF 18- FEET FROM BACK-OF-CURB

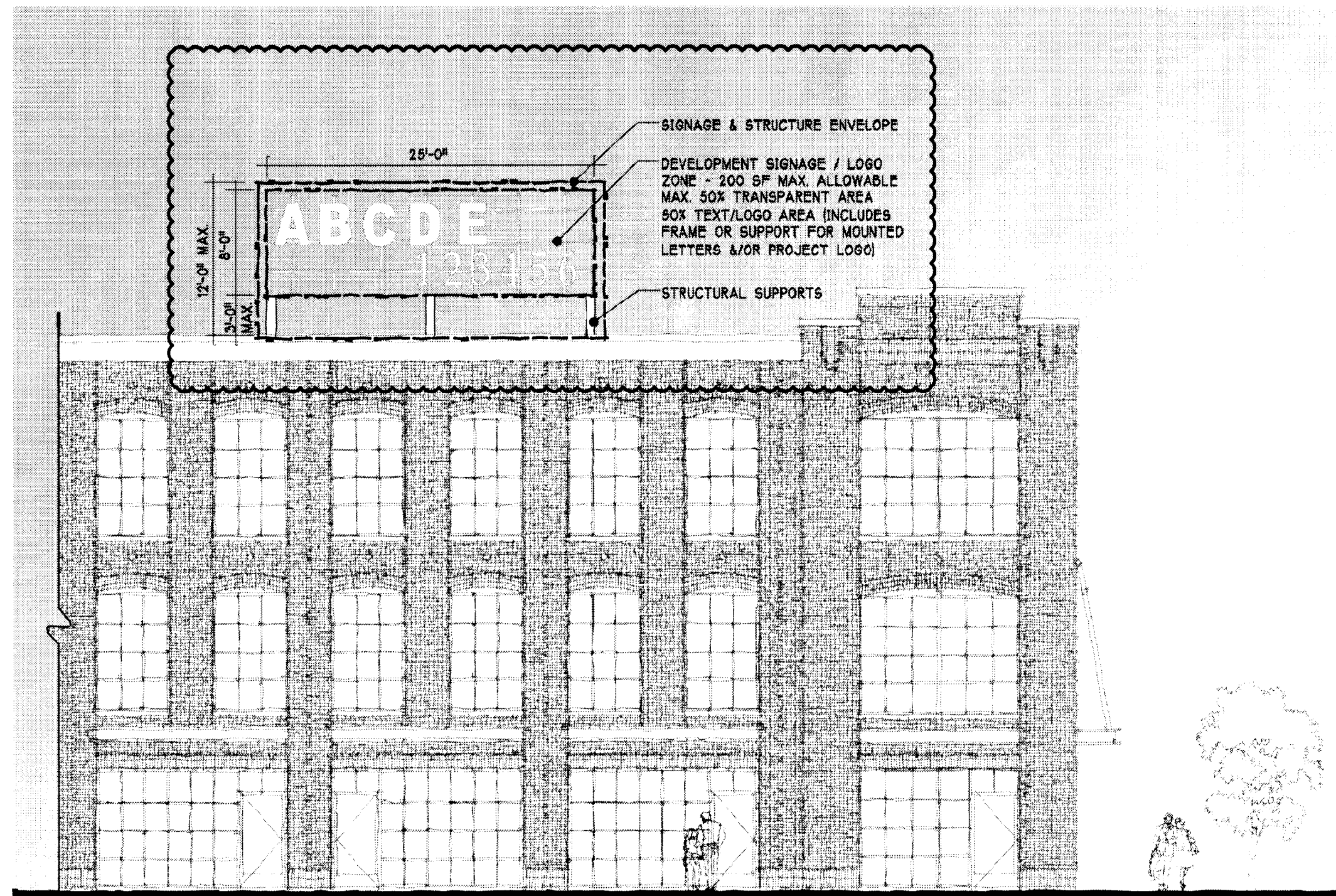
CROSS SECTION 8 - PROPOSED RESIDENTIAL STREET
- ANSON STREET



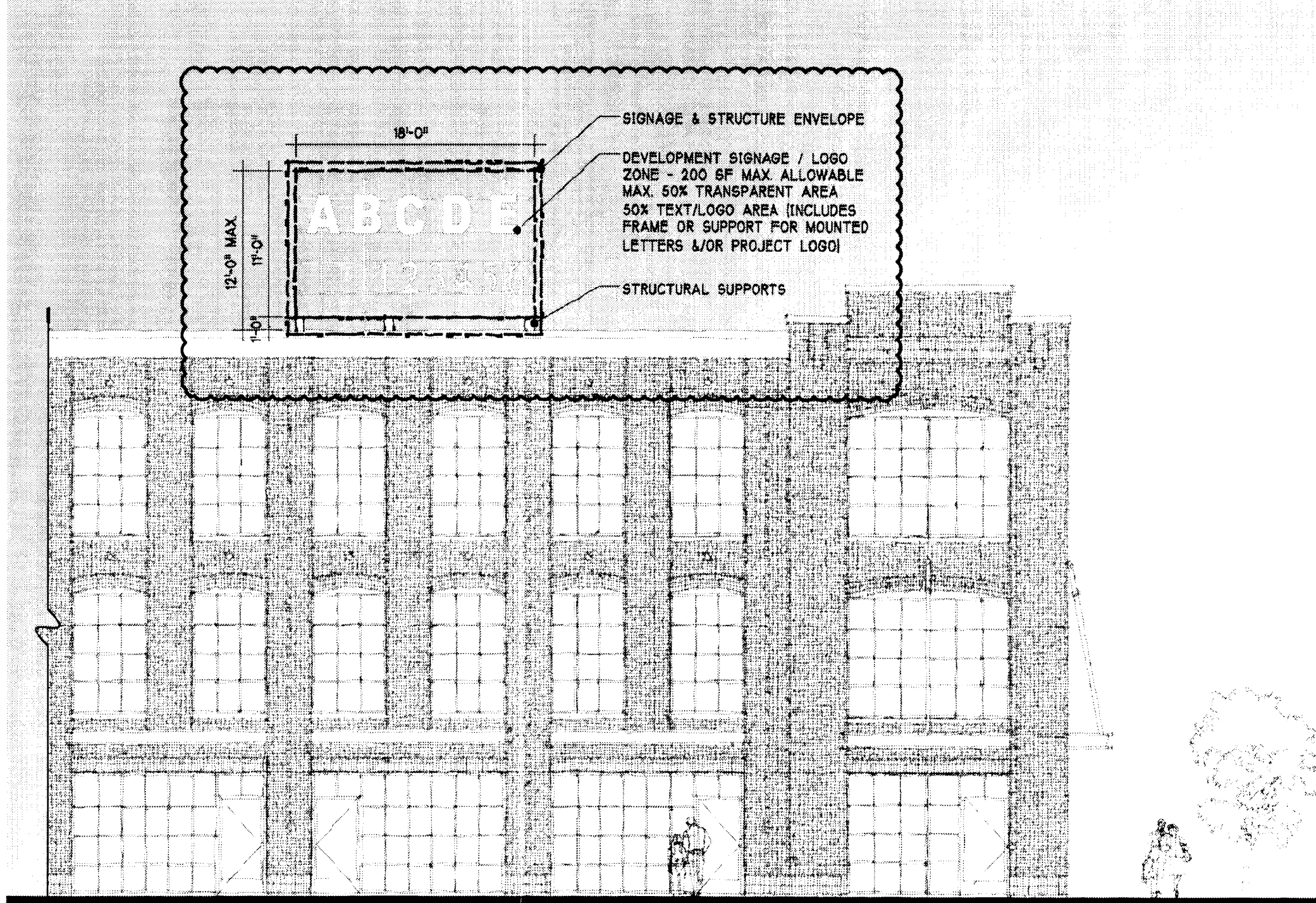
NOTE:
1. THE ILLUSTRATIVE SECTIONS ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT BUILDING, PARKING AND CIRCULATION RELATIONSHIPS.
2. PROPOSED PUBLIC STREET CROSS SECTION WIDTHS ARE DESIGNED TO MEET THE CITY OF CHARLOTTE URBAN STREET DESIGN GUIDELINES ADOPTED OCTOBER 22, 2007.



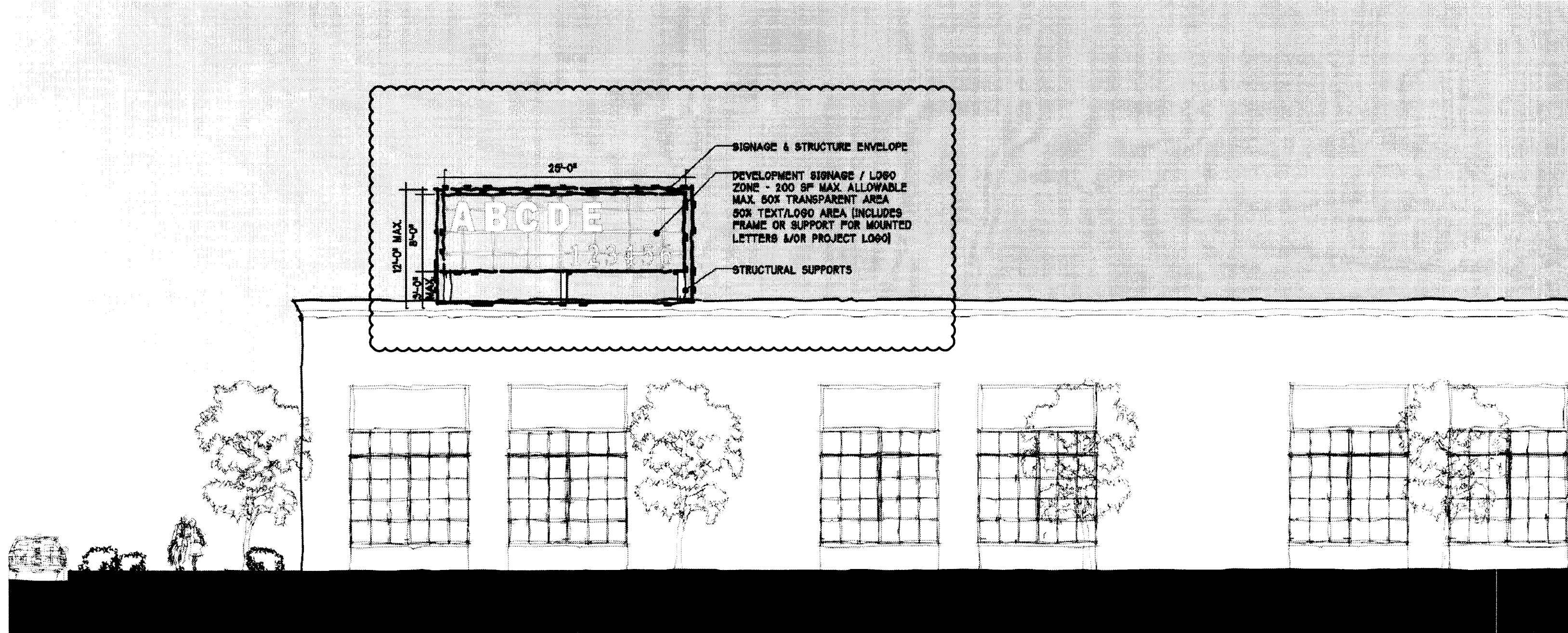
FOR PUBLIC HEARING
PETITION NO. 2009-036



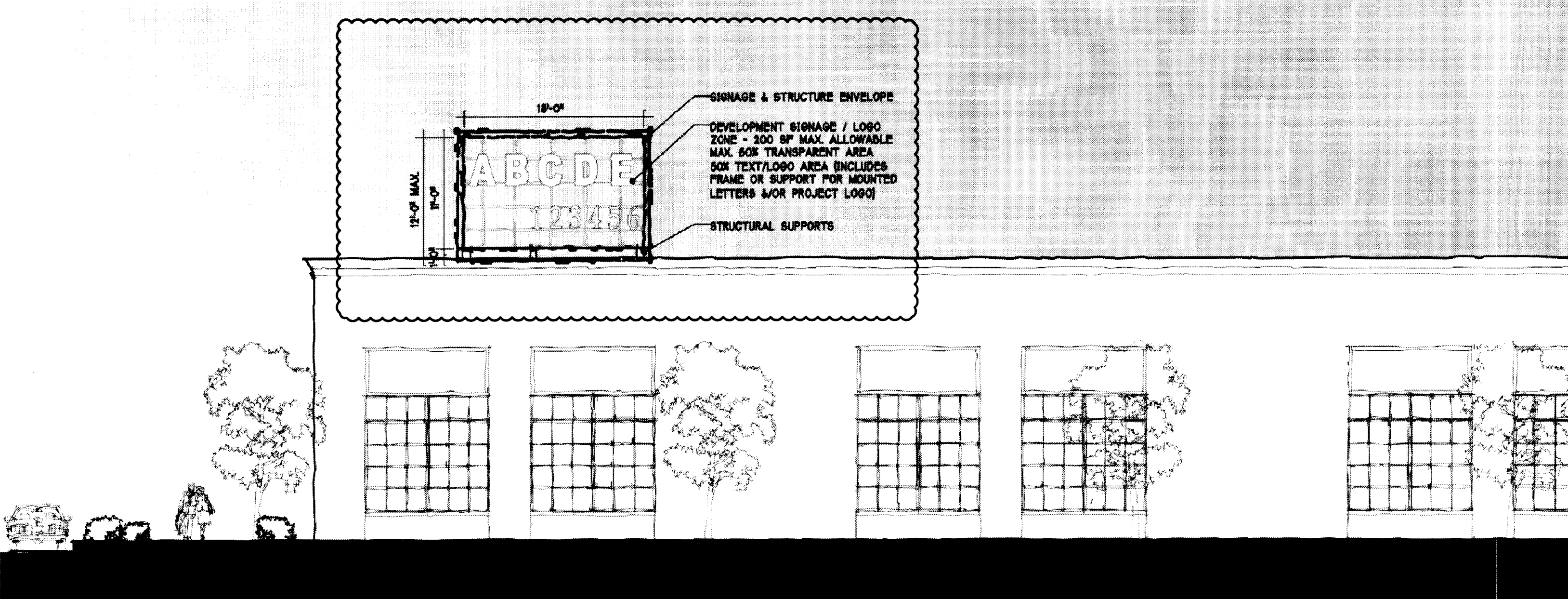
ROOF MOUNTED PROJECT IDENTIFICATION SIGNAGE AT PARCEL L: OPTION 1
NOT TO SCALE



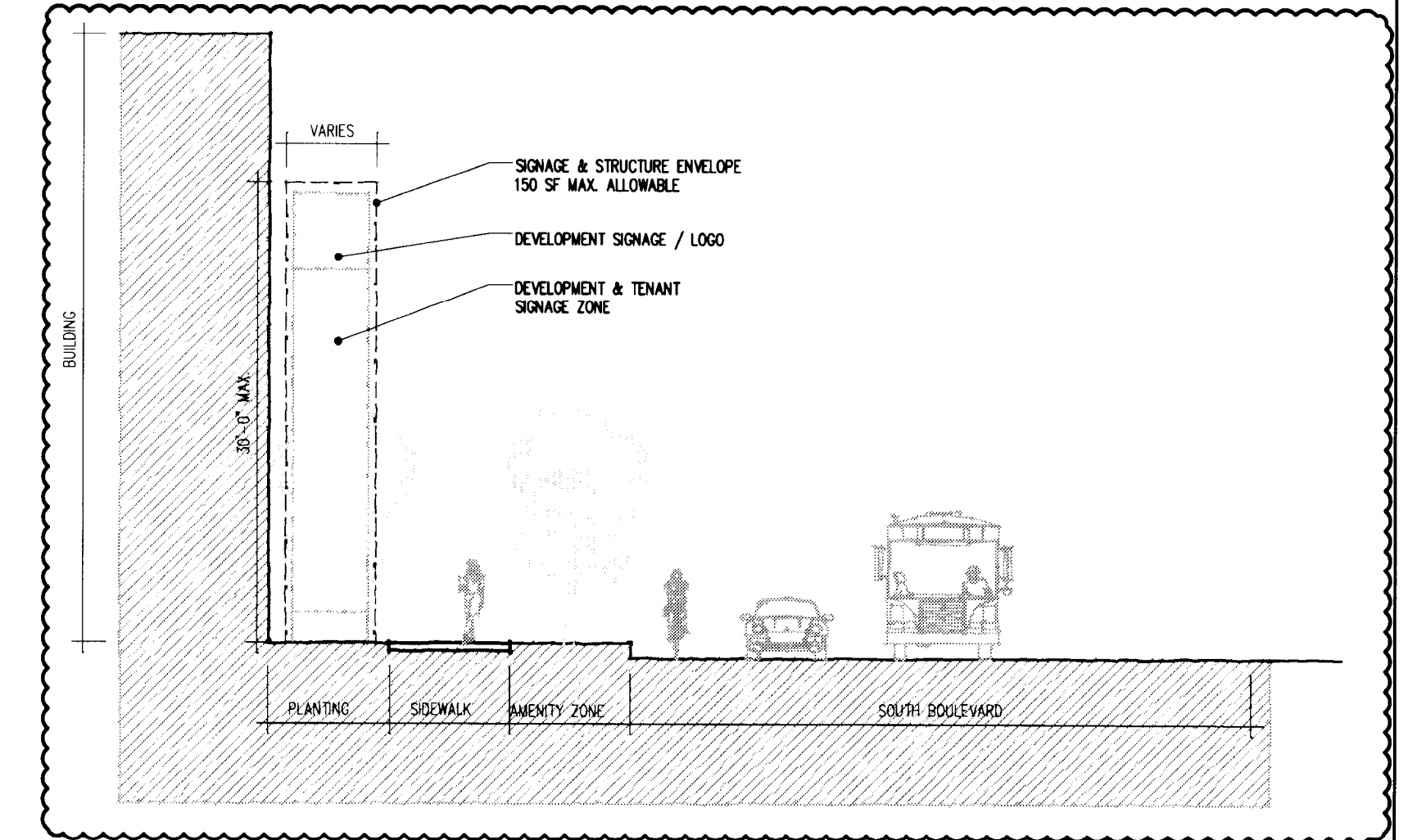
ROOF MOUNTED PROJECT IDENTIFICATION SIGNAGE AT PARCEL L: OPTION 2
NOT TO SCALE



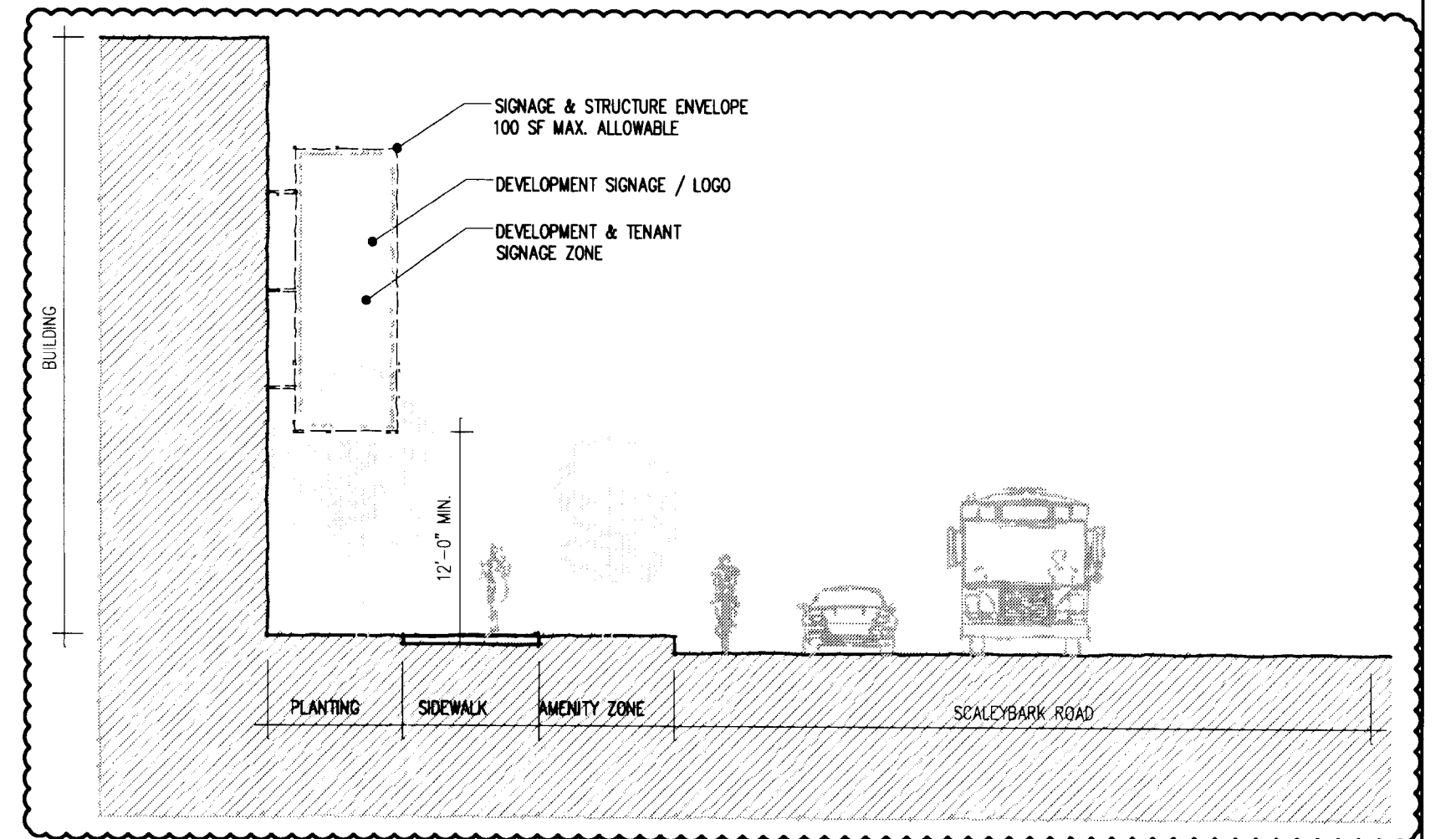
ROOF MOUNTED PROJECT IDENTIFICATION SIGNAGE AT PARCEL L: OPTION 3
NOT TO SCALE



ROOF MOUNTED PROJECT IDENTIFICATION SIGNAGE AT PARCEL L: OPTION 4
NOT TO SCALE

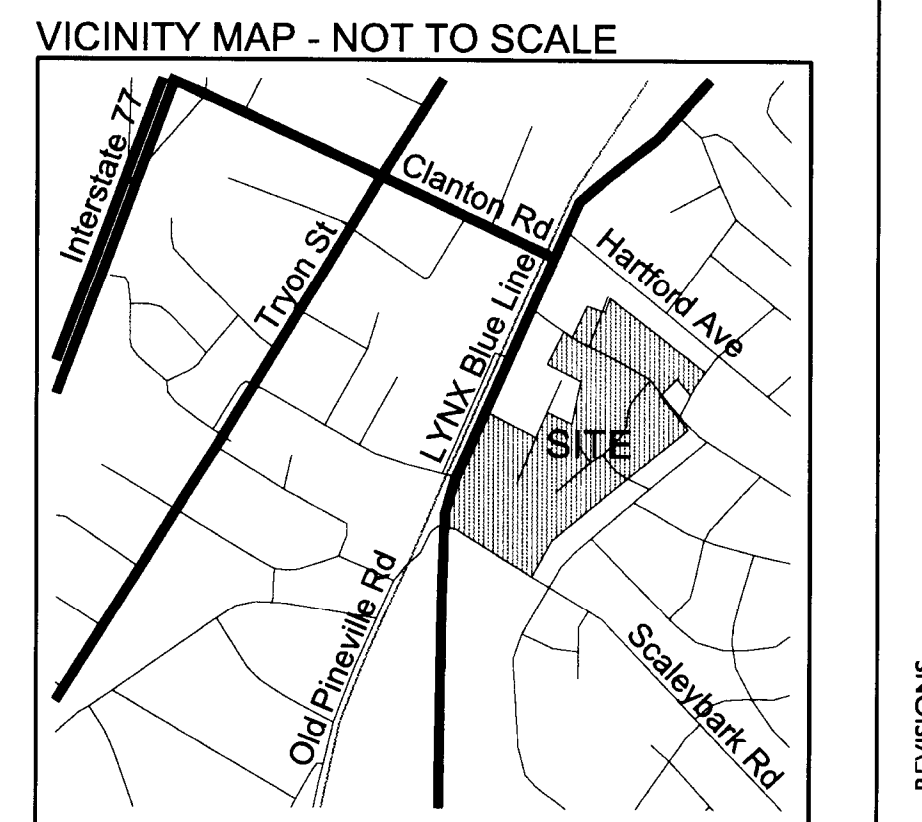


DETACHED GROUND MOUNTED PROJECT/TENANT IDENTIFICATION SIGNAGE ON SOUTH BOULEVARD
NOT TO SCALE

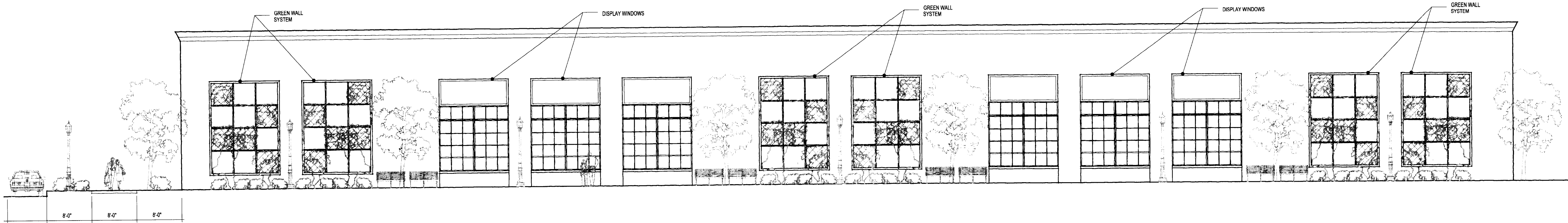


DETACHED GROUND MOUNTED PROJECT/TENANT IDENTIFICATION SIGNAGE ON SCALEYBARK ROAD
NOT TO SCALE

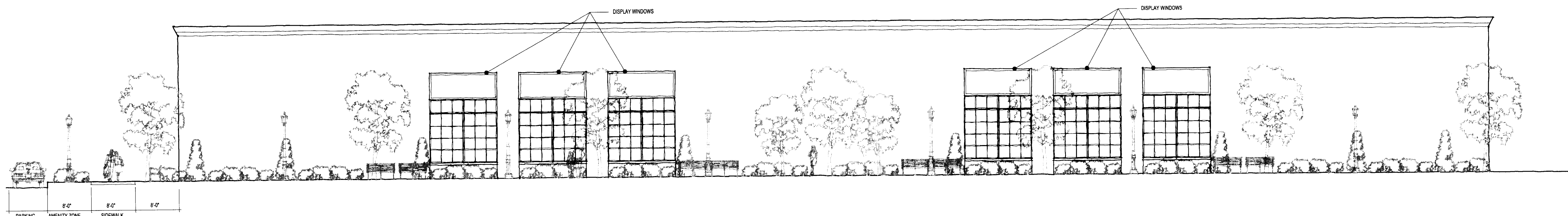
NOTE:
1. THE ILLUSTRATIVE ELEVATIONS ARE INTENDED TO DEPICT BUILDING AND SIGNAGE SCALE AND MASSING AS DESCRIBED WITHIN THE REZONING DEVELOPMENT NOTES. THESE ILLUSTRATIVE ELEVATIONS ARE SCHEMATIC IN NATURE AND MAY BE ALTERED AND MODIFIED AS PART OF THE DEVELOPMENT PROCESS.



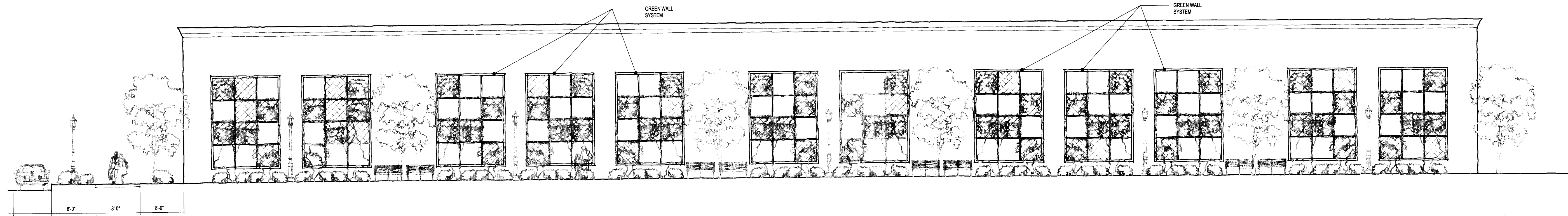
FOR PUBLIC HEARING
PETITION NO. 2009-036



CONCEPTUAL BUILDING WALL FRONTAGE FOR BUILDINGS WITHIN PARCEL K OR L
ALONG SOUTH BOULEVARD AND SCALEYBARK ROAD: OPTION 1
NOT TO SCALE

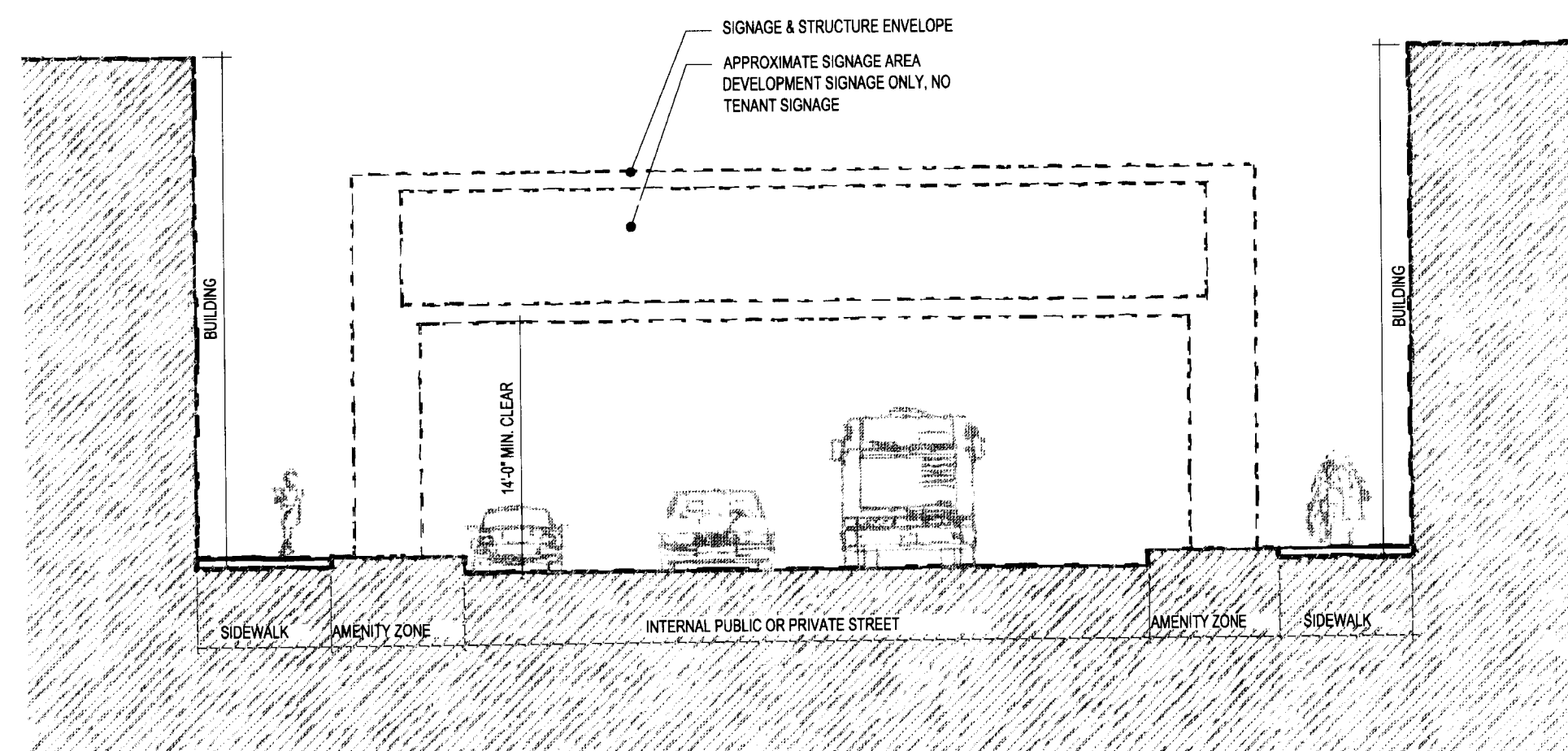


CONCEPTUAL BUILDING WALL FRONTAGE FOR BUILDINGS WITHIN PARCEL K OR L
ALONG SOUTH BOULEVARD AND SCALEYBARK ROAD: OPTION 2
NOT TO SCALE

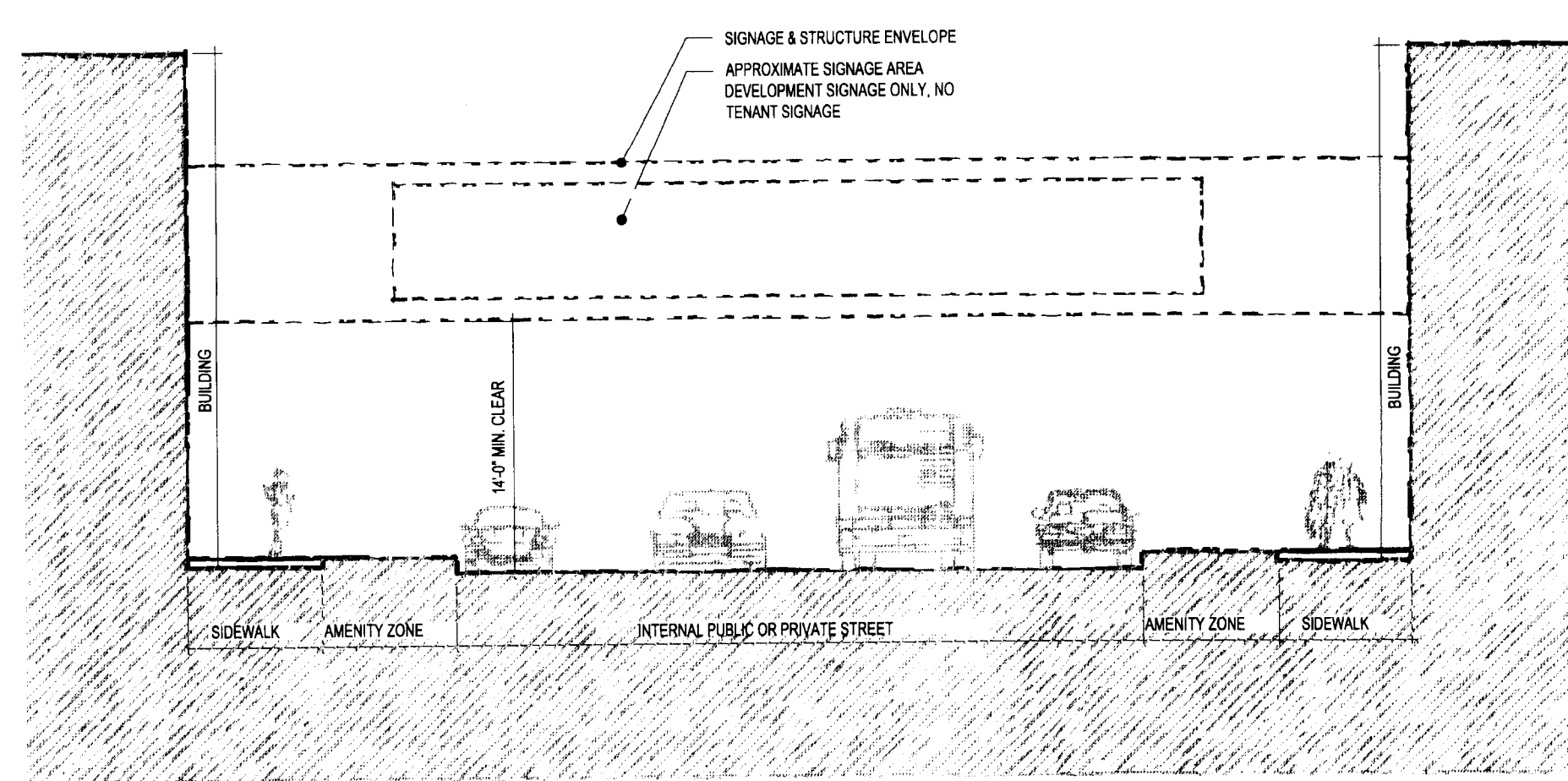


CONCEPTUAL BUILDING WALL FRONTAGE FOR BUILDINGS WITHIN PARCEL K OR L
ALONG SOUTH BOULEVARD AND SCALEYBARK ROAD: OPTION 3
NOT TO SCALE

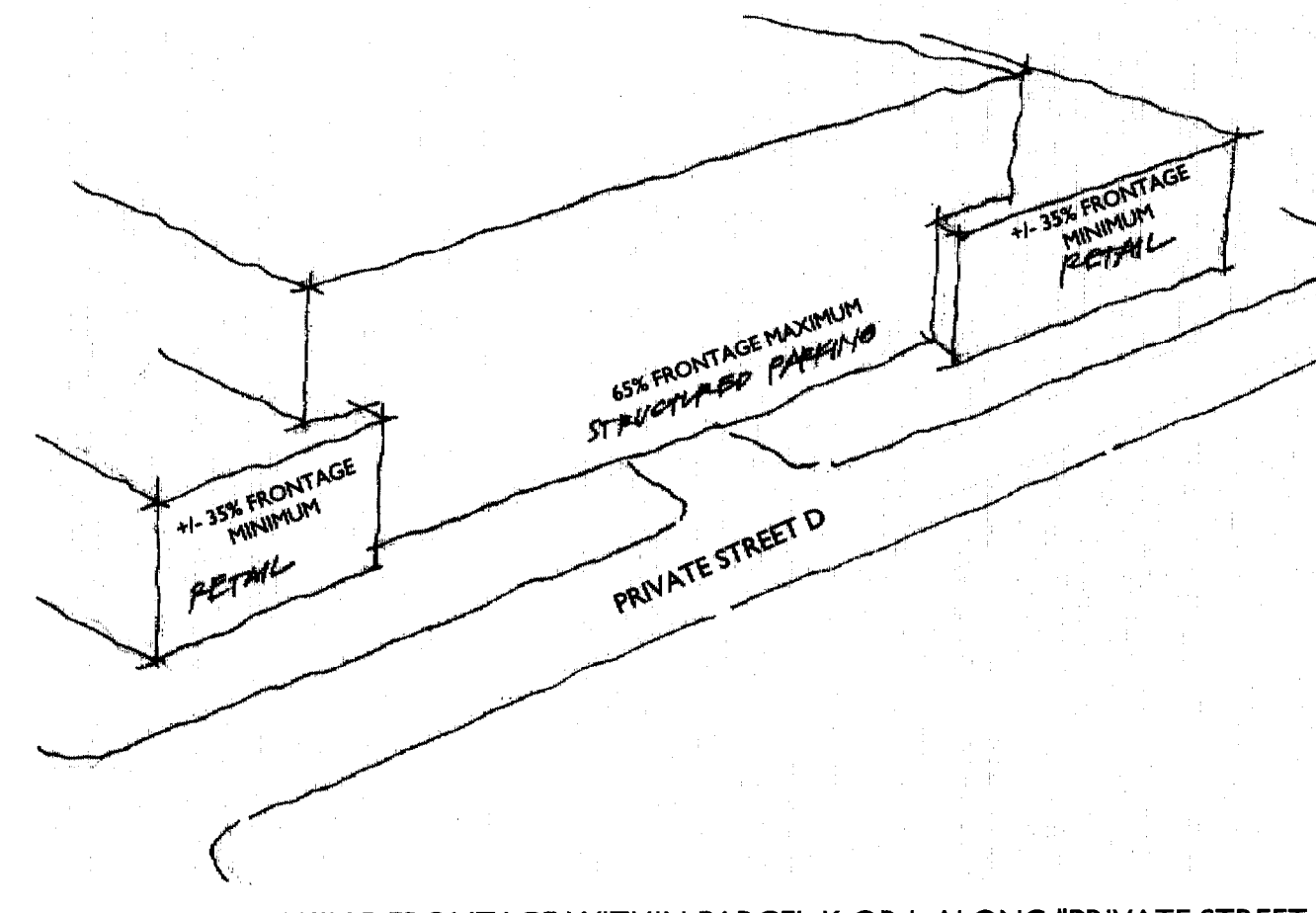
NOTE:
1. THE ILLUSTRATIVE ELEVATIONS ARE INTENDED TO DEPICT BUILDING AND SIGNAGE SCALE AND MASSING AS DESCRIBED WITHIN THE REZONING DEVELOPMENT NOTES. THESE ILLUSTRATIVE ELEVATIONS ARE SCHEMATIC IN NATURE AND MAY BE ALTERED AND MODIFIED AS PART OF THE DEVELOPMENT PROCESS.



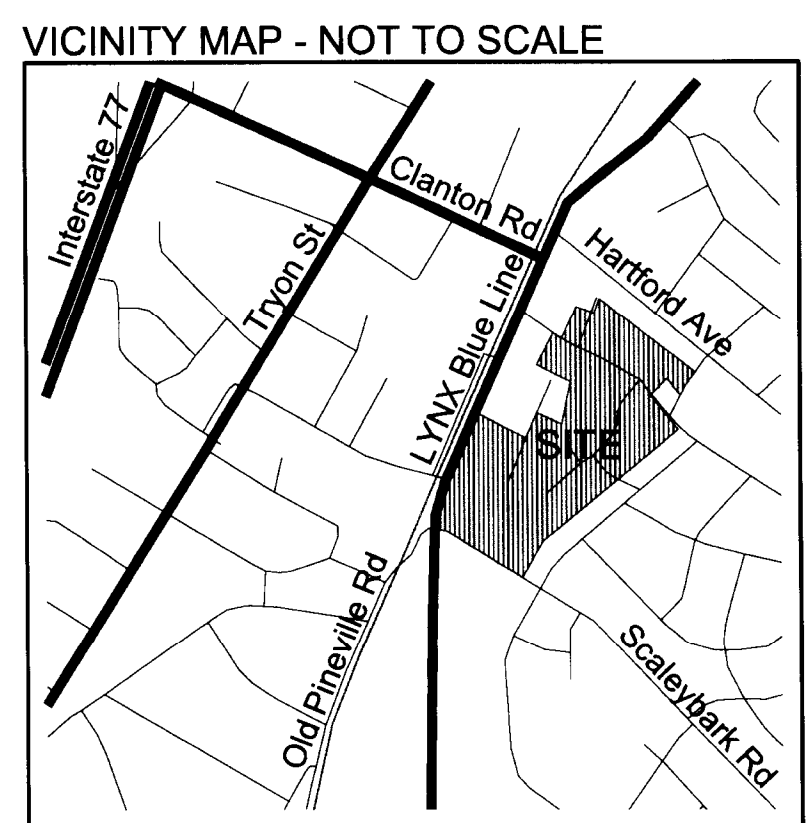
PROJECT IDENTIFICATION SIGNAGE OVER INTERIOR PUBLIC AND PRIVATE STREETS: OPTION 1
NOT TO SCALE



PROJECT IDENTIFICATION SIGNAGE OVER INTERIOR PUBLIC AND PRIVATE STREETS: OPTION 2
NOT TO SCALE



STRUCTURED PARKING FRONTAGE WITHIN PARCEL K OR L ALONG "PRIVATE STREET D"
NOT TO SCALE



FOR PUBLIC HEARING
PETITION NO. 2009-036



VICTORIA GARDENS - RANCHO CUCAMONGA, CALIFORNIA



PIKE PLACE MARKET - SEATTLE, WASHINGTON



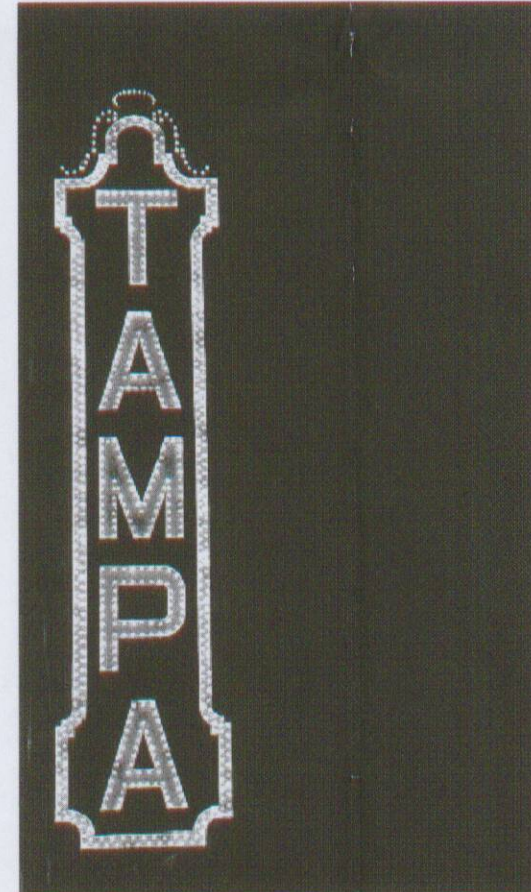
HELMS BAKERY - CULVER CITY, CALIFORNIA

ROOF MOUNTED PROJECT IDENTIFICATION SIGNAGE - IMAGERY
NOT TO SCALE

TAMPA THEATRE - TAMPA, FLORIDA



VILLAGE AT SOUTH END - CHARLOTTE, NORTH CAROLINA

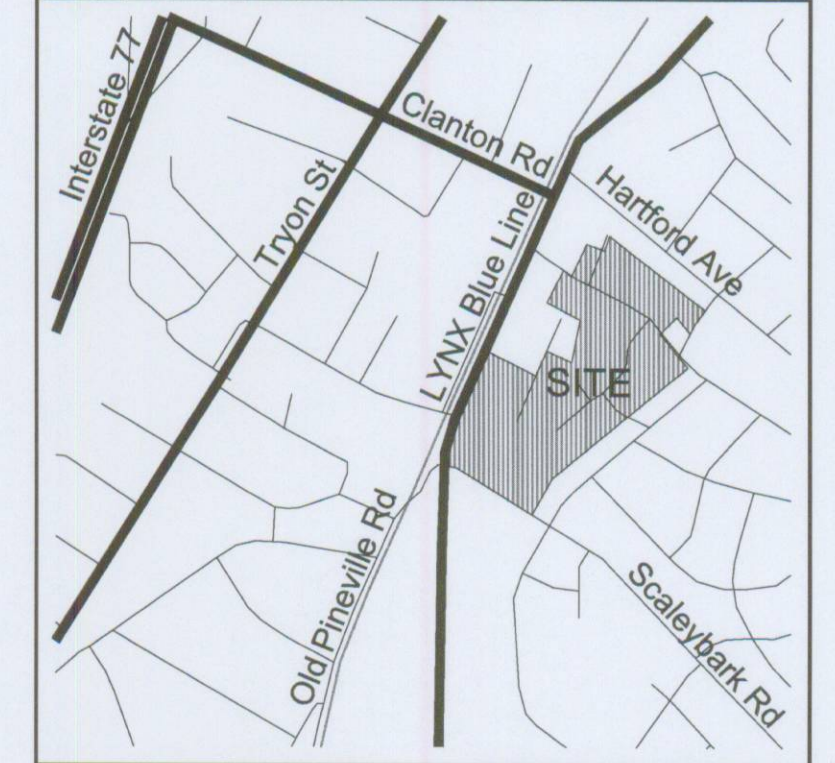


PERKIN ELMER SIGN - LOCATION UNKNOWN

WALL MOUNTED PROJECT/TENANT IDENTIFICATION SIGNAGE ON SCALEYBARK ROAD - IMAGERY
NOT TO SCALE

NOTE:
1. THE ILLUSTRATIVE ELEVATIONS ARE INTENDED TO DEPICT BUILDING AND SIGNAGE SCALE AND MASSING AS DESCRIBED WITHIN THE REZONING DEVELOPMENT NOTES. THESE ILLUSTRATIVE ELEVATIONS ARE SCHEMATIC IN NATURE AND MAY BE ALTERED AND MODIFIED AS PART OF THE DEVELOPMENT PROCESS.

VICINITY MAP - NOT TO SCALE



FOR PUBLIC HEARING
PETITION NO. 2009-036