

VICINITY MAP
NTS

SITE DEVELOPMENT DATA

Site Acreage:	+/- 89.50 Ac.
Tax Parcels:	231-131-06 231-131-07
Proposed Zoning:	MUDD-O; and MX-2 Innovative with five (5) year vested rights.
Existing Zoning:	R-3 and R-3 (CD) by Rezoning Petition No. 2011-021
Existing Uses:	Vacant and two single-family homes.
Proposed Uses:	Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD-O zoning district and the MX-2 Innovative zoning district (as designated in Section 3 of development standards notes).
Maximum Gross Square Feet of Development:	(i) within the MUDD-O zoning district: up to 560,000 square feet of gross floor area of office, retail, restaurant, personal services and other commercial uses (as designated in Section 3 of development standards notes); hotel uses for up to 150 rooms; up to 471 residential dwelling units of all types; and (ii) within the MX-2 Innovative zoning district: up to 90 detached, attached, duplex, triplex, and quadraplex dwelling units.
Maximum Building Height:	As allowed by the Ordinance in the area zoned MX-Innovative. In the area zoned MUDD-O, building height will be limited to 95 feet (for the purposes of this height limit, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment will not be considered for the calculation of allowed building height when located on a multi-story office building, otherwise building height will be measured as defined by the Ordinance).
Parking:	As required by the Ordinance for the MX-2 Innovative portion of the Site and as specified in Table 12.202 "Minimum Required Off-Street Parking Spaces by Use" of the Off-Street Parking and Loading Section of the Ordinance for the portion of the Site zoned MUDD-O.

SITE LEGEND

SITE ACCESS

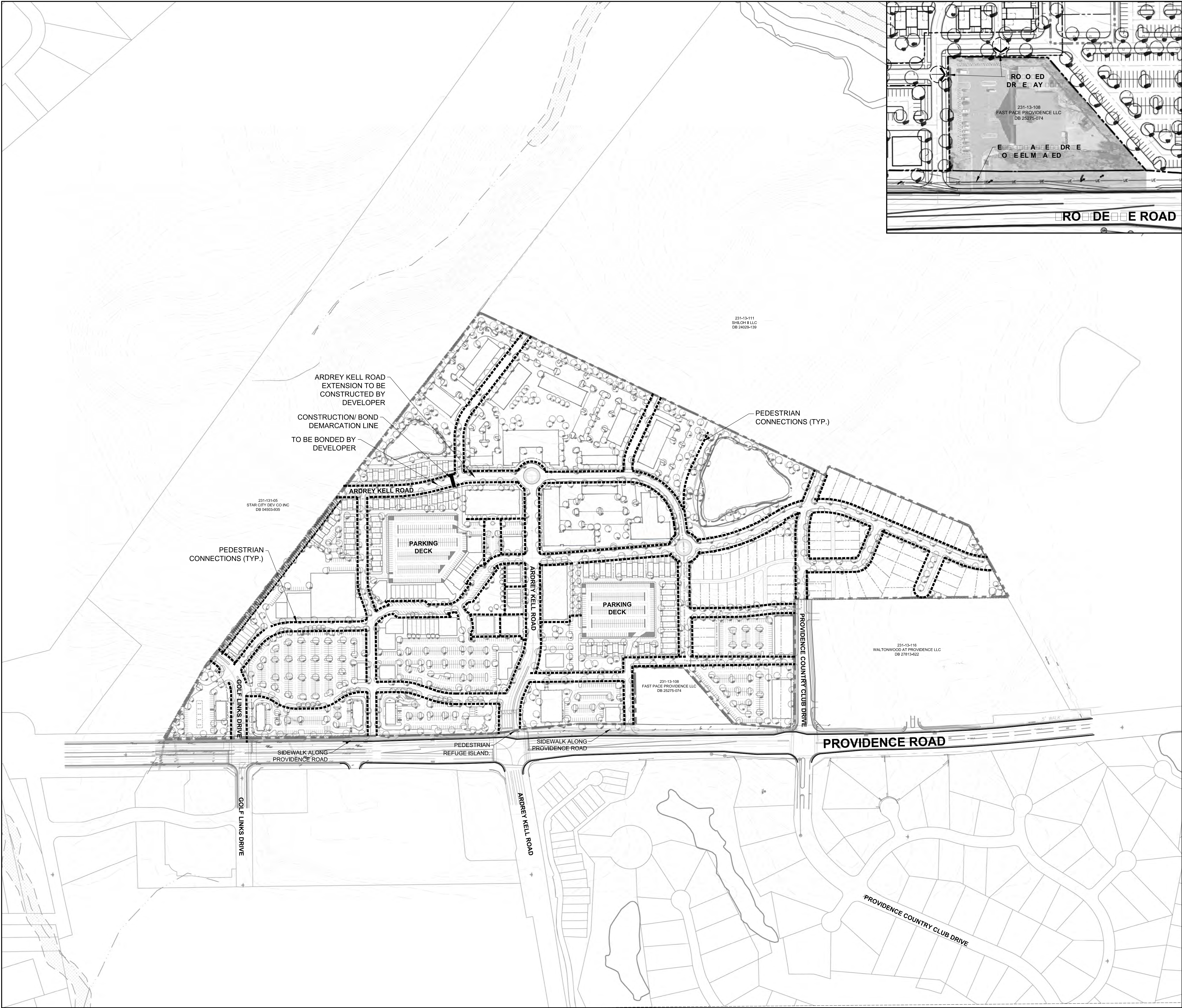
PUBLIC STREET

PRIVATE STREET

ZONING LINE

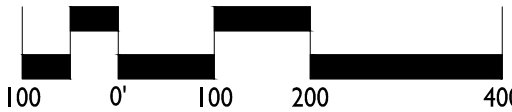
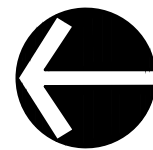
DEVELOPMENT AREA

BUILDING EDGE



SITE LEGEND

----- PEDESTRIAN CONNECTIONS



REVISIONS:
11.01.13 - REVISE PER STAFF COMMENTS
12.01.13 - REVISE PER STAFF COMMENTS
12.20.13 - REVISE PER STAFF COMMENTS
01.17.14 - REVISE PER STAFF COMMENTS
02.17.14 - REVISE PER STAFF COMMENTS
03.21.14 - REVISE PER STAFF COMMENTS

DATE: 07/20/13
DESIGNED BY: KST
DRAWN BY: MB
CHECKED BY: KST
QC BY: KST/MB
PROJECT #: 1013058

SHEET #:
RZ-2

MATTHEWS FARM
REZONING PETITION No. 2013-085
PROVIDENCE ROAD FARMS, LLC
SCHEMATIC SITE PLAN

Providence Road Farms, LLC
Development Standards
03/21/14
Rezoning Petition No. 2013-085 (Waverly Mixed Use Community)

Site Development Data:

- Acreage: ± 89.5 acres
--Tax Parcel #: 231-131-06 and 07
--Existing Zoning: R-3 and R-3(CD) by Rezoning Petition No. 2011-021
--Proposed Zoning: MUDD-O, and MX-2 Innovative with five (5) year vested rights.
--Existing Uses: Vacant and two single-family homes.
--Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD-O zoning district and the MX-2 Innovative zoning district (as more specifically described below in Section 3).
--Maximum Gross Square feet of Development: (i) within the MUDD-O zoning district: up to 560,000 square feet of gross floor area of office, retail, restaurant, personal services and other commercial uses (as more specifically described below in Section 3); hotel uses for up to 150 rooms; up to 471 residential dwelling units of all types; and (ii) within the MX-2 Innovative zoning district: up to 90 detached, attached, duplex, triplex, and quadruplex dwelling units.
--Maximum Building Height: As allowed by the Ordinance in the area zoned MX-Innovative. In the area zoned MUDD-O, building height will be limited to 95 feet (for the purposes of this height limit, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment will not be considered for the calculation of allowed building height when located on a multi-story office building; otherwise building height will be measured as defined by the Ordinance).
--Parking: As required by the Ordinance for the MX-2 Innovative portion of the Site; and as specified in Table 12.202 "Minimum Required Off-Street Parking Spaces by Use" of the Off-Street Parking and Loading Section of the Ordinance for the portion of the Site zoned MUDD-O.

1. General Provisions:

- a. **Site Location.** These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets RZ-4, RZ-5, RZ-6 and RZ-7 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Providence Road Farms, LLC ("Petitioner") to accommodate development of mixed use commercial and residential community on an approximately 89.5 acre site located south of I-485 and east of Providence Road (the "Site").

- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance ("Ordinance"). Unless the Rezoning Plan establishes more stringent standards, (i) the regulations established under the Ordinance for the MUDD-O zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Optional Provisions provided below; and (ii) the regulations established under the Ordinance for the MX-2 Innovative zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Innovative Provisions provided below.

- c. **Graphics and Alterations/Modifications.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. But since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements shown on the Rezoning Plan as long as such alterations or modifications take place in accordance with the following provisions and other provisions of this Section 1.e:

- (i) such alterations or modifications do not increase the number of buildings except in accordance with Section 1.d. below; (ii) such alterations or modifications do not increase the number of dwelling units by more than five (5) units or 10% of the total approved, whichever is less, except in accordance with applicable conversion rights set forth in these Development Standards; (iii) the alterations or modifications do not increase the number of driveways to throughfares except in accordance with Section 4.III.b.; (iv) such alterations or modifications do not reduce the number of parking spaces below minimum standards of the Ordinance for the applicable zoning district; (v) such alterations or modifications do not reduce buffers or yard requirements, except in the context of the planned/unified development provisions of Section 1.e. below; (vi) such alterations or modifications do not move structures closer to adjacent properties in a residential district or when abutting a residential use, except that this limitation shall only apply to those principal use structures that are located along the exterior portions of the Site and such movements of those principal structures are allowed if they are minor in nature and do not materially change the design intent depicted on or described in the Rezoning Plan; (vii) such alterations or modifications do not reduce open space required by the Ordinance for the applicable zoning district or the Development Standards; (viii) such alterations or modifications do not change owner occupied units to rental units if such a requirement is set forth on the Rezoning Plan (it is acknowledged that such a requirement is not set forth on the Rezoning Plan as initially before City Council for approval); (ix) such alterations or modifications do not increase the mass of the buildings located on the Site except to extent expressly permitted by the provisions of the Development Standards (including without limitation the Optional Provisions hereof) or other portions of the Rezoning Plan and except for minor increases that do not materially change the design intent depicted on or described in the Rezoning Plan; (x) such alterations or modifications comply with the setback, yard and buffer requirements set forth on this Rezoning Plan, except in the context of the planned/unified development provisions of Section 1.e.; and (xi) such alterations or modifications are otherwise expressly permitted by the terms of these Development Standards (including without limitation the Optional Provisions set forth herein) or other portions of the Rezoning Plan, or are minor in nature and do not materially change the design intent generally depicted on the Rezoning Plan, but this item (xi) shall not apply if in conflict with one or more of items (i) through (x) above.

Determinations of compliance with the provisions set forth above shall be made by the Planning Director, subject to Petitioner's right to appeal such determinations to the Zoning Administrator and thereafter as applicable to the Zoning Board of Adjustment. Alterations or modifications to the Rezoning Plan, that are not expressly permitted in this Section 1.e or in other portions of these Development Standards or the Rezoning Plan, will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

- d. **Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed: (i) on the portions of the Site zoned MUDD-O and developed for commercial uses shall not exceed 32 and the number of buildings within such portion of the site zoned MUDD-O and developed for the residential uses shall not exceed 45; and (ii) on the portions of the Site zoned MX-2 Innovative and developed for the residential uses shall not exceed 95. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building. Other than parking structures, the size of accessory structures/buildings located within the portion of the Site zoned MUDD-O will be limited to 20% of the building area of the principal buildings constructed within such Development Areas to which the accessory structure/building (other than parking structures) relate.

- e. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site nor between the areas zoned MUDD-O and MX-Innovative. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide the portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in the Ordinance below as to the Site as a whole and/or individual portions or lots located thereon.

- f. **Five Year Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any other vested rights whether at common law or otherwise.

2. Optional Provisions for MUDD-O Areas and Innovative Provisions for MX-2 Area.

- I. The following optional provisions shall apply to the portions of the Site designated MUDD-O on the Technical Data Sheet:

- a. Except as specifically restricted in Sections 5 and 6, to allow vehicular parking, maneuvering and service between the proposed buildings and: (i) Providence Road; (ii) Ardrey Kell Road (extension); (iii) Golf Links Drive and (iv) the interior public streets, in the manner generally depicted on the Rezoning Plan.

- b. To allow within Development Areas A and F, a surface parking lot in lieu of a parking deck in the areas generally depicted for a parking deck on Sheet RZ-2 Schematic Site Plan; such surface parking areas will meet all required minimum setbacks, streetscape and screening requirements.

- c. To allow up to six (6) uses in total with an accessory drive-through windows to be located within Development Areas A, B, C, D, and E.

- d. To allow along Providence Road ground mounted shopping center/development identification signs up to 20 feet in height and containing up to 150 square feet of sign area. The number and locations of these shopping center/development identification signs will be limited as follows: (i) one on each side of Ardrey Kell Road extension at its intersection with Providence Road; (ii) one on each side of Golf Links Drive at its intersection with Providence Road; and (iii) one at the intersection of Providence County Club Drive and Providence Road. These signs may be used to identify any of the uses located on the Site except for any uses located within Development Area B, C, D and Area E.

- e. To allow one (1) detached ground mounted identification sign for each building located within Development Areas B, C, D, and E. These detached identification signs may be up to five (5) feet high and contain up to 36 square feet of sign area.

- f. To allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less, within Development Areas A, B, C, D, E, F, and G.

- g. To allow the uses within Development Area I to have ground mounted detached signs with up to 36 square feet of sign area and up to five (5) feet in height.

- h. To allow the multi-tenant office buildings constructed within Development Areas A, F, and G to have one ground mounted detached sign each with up to 36 square feet of sign area and up to five (5) feet in height.

- i. To allow special event signs and banners along Private Streets #1, 3, and 4 and at the intersection of Providence Road and Ardrey Kell Road. The banners located at the intersection of Providence Road and Ardrey Kell Road will be attractive, well-designed professionally fabricated banners made of fabric or plastic of any type; paper banners will not be allowed; and no more than four (4) banners will be allowed at a time at this intersection.

- j. To allow any of the detached signs allowed by the Ordinance or these Optional Provisions to be placed within the landscape setback provided along Providence Road or landscape areas indicated on the Rezoning Plan.

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

- k. To not require doorways to be recessed into the face of buildings when the abutting sidewalk width is greater than six (6) feet.

- l. To allow required long term bike parking spaces for the uses located within Development Areas A, F and G to be located within the parking decks constructed on the Site.

- m. To allow the required six (6) foot sidewalk along Providence Road to meander within the 29 foot landscape setback provided along Providence Road and to allow the eight (8) foot wide planting strip to be reduced to no less than four (4) feet in width as long as an eight (8) foot wide planting strip is provided along no less than 65% of the Site's frontage along Providence Road. Provided, however, if during design/development phases existing utilities, roadway improvements and site grade related issues prevent an eight (8) foot planting strip from being provided along 65% of the Providence Road frontage, the percentage may be reduced but in no event below 55%.

II.

- a. The Petitioner hereby seeks the following Innovative Development Standards in connection with development taking place within Development Area H, the MX-2 Community, to accommodate a variety of setback and yard widths and other development elements so as to allow for a pedestrian friendly neo-traditional residential development:

- i. A minimum lot size for single-family detached lots of 3,800 square feet; provided, however, lots that abut Tax Parcel # 231-131-11 (the "Exterior Lots") will be a minimum of 4,500 square feet.
ii. A minimum lot width of 35 feet, except for the Exterior Lots which will have a minimum lot width of 40 feet.
iii. A minimum side yard of 3.75 feet, only for lots that have vehicular access from an alley. (This standard may be modified as described below in section 2.II.b.)
iv. A minimum front setback of 5 feet as measured from the proposed right-of-way of public streets or the back of the sidewalk, whichever is greater.
v. A minimum rear yard of 20 feet except for the Exterior Lots which will have a 30 foot rear yard.
vi. A maximum building height of 40 feet as measured at the side yard; and
vii. The ability to allow single-family lots to front on private streets.

- In addition, the Petitioner reserves the right to modify the innovative provisions described above or seek other innovative development standards in the future pursuant to the applicable process set forth in the Ordinance.

3. Permitted Uses, Development Area Limitations, Transfer & Conversion Rights and Outparcel Restrictions:

- a. For ease of reference, the Rezoning Plan sets forth nine (9) development areas as generally depicted on the Technical Data Sheet as Development Areas A, B, C, D, E, F, G, H and I (each a "Development Area") and collectively the "Development Areas").

- b. Subject to the restrictions, limitations, and transfer/conversion rights listed below, the principal buildings constructed within Development Areas A, B, C, D, E, F and G on the Site may be developed: (i) with up to 560,000 square feet of gross floor area of uses permitted by right and under prescribed conditions, (ii) a hotel with up to 150 rooms, and (iii) up to 96 residential dwelling units, together with accessory uses and uses under prescribed conditions in the MUDD-O zoning district.

For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), 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 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, areas used for building and equipment access (such as stairs, elevator shafts, vestibules, roof top equipment rooms and maintenance crawl spaces), all loading dock areas (open or enclosed), outdoor coolers and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

- c. Subject to the restrictions, limitations, and transfer/conversion rights listed below, Development Area I may be developed for up to 375 residential dwellings units, together with accessory uses in the MUDD-O zoning district.

- d. Subject to the restrictions, limitations, and transfer/conversion rights listed below, Development Area H may be developed for up to 90 detached, attached, duplex, triplex, and quadruplex dwelling units, together with accessory uses and uses under prescribed conditions in MX-2 Innovative zoning district.

- e. The total square feet of gross floor area devoted to office uses and other commercial uses such as retail, restaurant and personal services uses shall be interchangeable provided that:

- (i) the total square feet of gross floor area of all such office and other commercial uses does not exceed 560,000 square feet of gross floor area;

- (ii) the total square feet of gross floor area of all office uses does not exceed 330,000 square feet of gross floor area; and

- (iii) the total square feet of gross floor area for non-office commercial uses such as retail, restaurant and personal services uses shall not exceed 230,000 square feet of gross floor area; furthermore

- (iv) office uses may exceed the limitations described in item (ii) above and non-office commercial uses may exceed the limitations described in item (iii) above up to an amount not to exceed 10% of the stated amounts by converting office uses into non-office commercial uses such as retail, restaurant and personal services at a ratio of 1.5 square feet of gross floor area of office uses for every 1 square foot of gross floor area of such non-office uses so converted and vice-versa, subject to the limitation described in item (i) above.

- f. Additional hotel rooms may be developed within the area of the Site zoned MUDD-O by converting residential dwelling units into hotel rooms at the rate of one (1) residential unit so converted into two (2) hotel rooms, up to a maximum of 30 hotel rooms created by such conversion, and additional residential dwelling units may be developed by converting hotel rooms into residential dwelling units at the rate of two (2) hotel rooms so converted into one (1) residential dwelling unit up to a maximum of 25 residential dwelling units created by such conversion.

- g. If less than 150 hotel rooms are constructed within the portion of the Site zoned MUDD-O, then subject to taking into account the number of hotel rooms converted to residential dwelling units as described above in Subsection 3.f., the permissible gross floor area described in Subsection 3.b. above may be increased at the rate of 1,000 square feet of gross floor area for each hotel room not constructed up to a maximum increased gross floor area of 50,000 square feet, such floor area being allocated among office uses and other non-office commercial uses such as retail, restaurant and personal services uses at a ratio of 1 square foot of office uses to 1.5 square feet of non-office commercial uses. By way of example only, if 15 hotel rooms were converted, the 15,000 square feet of gross floor area the permitted for commercial uses could be used for an increase of up to 15,000 square feet of gross floor area of office uses or 10,000 square feet of gross floor area of non-office commercial uses, or some combination following the same ratio.

- h. Entitlement for up to 30 residential dwelling units may be transferred from Development Area I to Development Areas A, F and G.

- i. Up to six (6) uses, in total, with an accessory drive-through window may be developed within Development Areas A, B, C, D and E, subject to the following restrictions and the design guidelines set forth in Section 5 below:

- (i) No more than two restaurants in total with accessory drive-through windows may be located within Development Areas B, C, D and E;

- (ii) Only one such use with an accessory drive-through window may be located within Development Area A, and must be located in the building located in the southeast quadrant of the intersection of Private Street 3 and Private Street 4, and such allowed use will be restricted to a "Limited Service Restaurant," which shall mean a restaurant with no more than 3,000 square feet of gross floor area serving primarily items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food (other than heating); the drive-through lane for this Limited Service Restaurant will not be allowed to circulate between the building and the abutting Private Streets;

- (iii) No more than two banks/financial institutions with accessory drive-through windows may be located within Development Areas B, C, D and E; provided, however, the Petitioner reserves the right to construct a multi-tenant building with a Limited Service Restaurant (as defined above) in lieu of one of the allowed banks/financial institutions with an accessory drive-through window. Only one use in the multi-tenant building will be allowed to have a drive-through window.

- j. Only one gas station with or without a convenience store will be allowed on the Site. The gas station with or without a convenience store may only be developed within Development Areas B.

4. Transportation Improvements and Access:

I. Proposed Improvements:

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

The following Transportation Improvements are also illustrated on figure 10.1 located on Sheet RZ-3B of the Rezoning Plan. Figure 10.1 on Sheet RZ-3B is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number when describing an improvement corresponds to the number found on Figure 10.1 on Sheet RZ-3B for the proposed improvement).

- a. At the intersection of Providence Road at I-485 Eastbound Ramps (Intersection #2):

- Restripe the existing shared eastbound left-through lane to become a shared left-through/right lane on I-485 Eastbound Ramp; and
- Extend the existing eastbound right-turn lane on I-485 Eastbound Ramp by 260 feet to include a total of 150 feet of storage.

- b. At the intersection of Providence Road at Ardrey Kell Road (Intersection #3):

- Convert the existing inside right-turn lane on the eastbound approach of Ardrey Kell Road to an eastbound through lane;
- Construct the westbound approach on Ardrey Kell Road Extension to provide dual left-turn lanes with a minimum of 150 feet of storage, one through lane, one exclusive right-turn lane that extends to Intersection # 9;
- Construct a northbound right-turn lane on Providence Road with a minimum of 150 feet of storage; and
- Construct an additional northbound through lane on Providence Road that begins south of Providence Country Club Drive to extend through Ardrey Kell Road to the three existing northbound lanes north of Ardrey Kell Road.

- c. At the intersection of Providence Road at Providence Country Club Drive (Intersection #4):

- Restripe the existing northbound right-turn lane to become a shared through/right lane on Providence Road.

- d. At the intersection of Providence Road at Golf Links Drive (Intersection # 5):

- Install a full-movement traffic signal upon demonstration of meeting applicable MUTCD signal warrants;
- The proposed signal will be installed with the construction of the full movement intersection;
- Construct a southbound left-turn lane on Providence Road with a minimum of 150 feet of storage; and
- Construct the westbound approach on Access 1 to provide a through/right-turn lane with an exclusive left-turn lane with a minimum of 275 feet of storage.

- e. At the proposed unsignalized intersection at north end of the Site (Intersection #9):

- Construct a single lane on all four approaches with two-way stop-controlled operations with stop control on the eastbound and westbound approaches.

- f. At Ardrey Kell Road Extension at the proposed traffic signal (Intersection #10):

- Install a traffic signal with full pedestrian accommodations upon meeting the applicable MUTCD signal warrants;
- The Petitioner will provide a signal warrant analysis (including pedestrian warrants/considerations) to CDOT for review and approval upon completion of the construction of the dense multi-use area of the Site;
- Construct a single lane on the northbound, southbound and westbound approaches; and
- Construct a through/right-turn lane with an exclusive left-turn lane with a minimum 150 feet of storage on the eastbound approach.

- g. At Ardrey Kell Road Extension at the proposed roundabout (Intersection # 11):

- Construction of a single-lane roundabout.

- h. Ardrey Kell Road Construction/Bond Demarcation Line:

- As shown on Sheet RZ-2, the Petitioner will construct Ardrey Kell Road Extension from Providence Road east to the proposed roundabout, and then to the north to extend just past the private driveway that connects to the improvements to be constructed within Development Area I to the east (resulting in construction of approximately 350 feet of Ardrey Kell Road Extension north of the roundabout) as illustrated on Sheet RZ-2 up to the demarcation line of the limits of construction. The remainder of Ardrey Kell Road Extension north to the edge of the property line will be bonded by the Petitioner for future construction which shall take place when development occurs on the parcel to the north of the Site (Parcel # 231-131-05). However, if the residential dwellings units located within Development Area A or I, located along Ardrey Kell Road beyond the demarcation line illustrated on Sheet RZ-2, are constructed then Ardrey Kell Road will be extended to the northernmost property line.

II. Standards, Phasing and Other Provisions.

a. CDOT/NCDOT Standards:

All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road jurisdiction. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

b. Phasing:

Notwithstanding the commitments of the Petitioner to provide for the roadway improvements described in Section 4.1 above, the following provisions shall permit development to take place prior to completion of all of the above-referenced improvements.

- (i) The Petitioner has the right to construct up to the maximum amount of land use densities shown below by constructing the appropriate driveway connection to Providence Road without being required to construct the remainder of the required transportation improvements listed above in Section 4.I. a - h until the development density levels shown below are exceeded:

- A. Up to 35,000 square feet of gross floor area of medical office and/or general office uses may be developed and occupied within Development Area G and up to 20 residential units may be developed and occupied within Development Area H upon substantial completion of the driveway connection to Providence Road via Providence Country Club Drive as generally depicted as Intersection # 4 on figure 10.1 on Sheet RZ-3B.

- B. Up to 25,000 square feet of gross floor area of retail, restaurant and/or personal services uses may be developed and occupied within Development Areas A, D, E and F upon substantial completion of the construction of the driveway connection to Providence Road by way of Ardrey Kell Road Extension as generally depicted as Intersection #3 on figure 10.1 on Sheet RZ-3B.

- C. Up to 25,000 square feet of gross floor area of retail, restaurant and/or personal services uses may be developed and occupied within Development Areas A, B and C upon the substantial completion of construction of the driveway connection to Providence Road by way of the fourth leg of its intersection at Golf Links Drive as generally depicted as Intersection # 5 on figure 10.1 on Sheet RZ-3B.

- (ii) The Petitioner will be allowed to obtain a certificate of occupancy for any or all of the remaining allowed square footage, units, and hotel rooms allowed on the Site upon the substantial completion of the improvements listed above in Section 4.I.a - h. of these Development Standards.

- c. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.1 and in Section 4.II. b. above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.a. above provided, however, in the event certain non-essential roadway improvements (as specifically determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

- d. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, as specified by the City of Charlotte right-of-way acquisition process as administered by the City of Charlotte Engineering & Property Management Department, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein above, then the Petitioner will contact the Planning Department and CDOT regarding an appropriate infrastructure phasing plan that appropriately matches the scale of the development proposed to the public infrastructure mitigations. If after contacting the Planning Department and CDOT to determine the appropriate infrastructure phasing plan, delays in the acquisition of additional right-of-way extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, the Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

- e. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, Planning Director, and as applicable, NCDOT; provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

III. Access.

- a. Access to the Site will be from Providence Road, the proposed extension of Ardrey Kell Road and future streets as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

- b. The total number of access points to Ardrey Kell extension will be limited to 15. The number and location of access points to the internal public streets, other than Ardrey Kell Road, will be determined during the building permit process and thereafter additional or fewer driveways and/or private streets may be installed or removed with approval from appropriate governmental authorities subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations.

- c. The three public streets indicated within Development Area I will be designed as public streets with angled parking that may not exceed 60 degrees.

- d. The private streets generally depicted on the Technical Data Sheet will be designed to meet any of the public street cross-sections as defined in City of Charlotte Subdivision Ordinance. The determination of which street cross-section will be used will be determined during the subdivision review process.

- e. Those streets expressly designated as Private Streets on the Rezoning Plan shall be kept open to the public for vehicular and pedestrian use except on a temporary basis due to repairs, emergency, community events and the like.

- f. Vehicular access to the residential dwellings located within Development Areas A and F shall be from a private alley or a private street.

- g. To better integrate the existing day care center located on Tax Parcel # 231-131-08 adjacent to the Site (the "Daycare Facility"), the Petitioner has designed the adjacent private streets to allow access to and from Providence Road and to from the Daycare Facility as generally depicted on Sheet RZ-2. In the event, however, that easement arrangements with the Day Care Facility are not completed, the Petitioner acknowledges that the current right-in-right-out access from Providence Road to the Day Care Facility may remain and in such event CDOT or NCDOT may not permit Private Street #3 to access Providence Road in the manner generally depicted on the Rezoning Plan. Furthermore, if Private Street #3 does not connect to Providence Road the Petitioner reserves the right to seek connectivity to Day Care Facility in accordance with the rezoning petition associated with the Day Care Facility.

- h. The Petitioner reserves the right to request the installation of pavers and/or stamped or colored asphalt within the Site's public streets in order to designate and define pedestrian cross-walks. The Petitioner will coordinate the design of any decorative pavement elements proposed within the public right-of-way with CDOT during the driveway permit process. Furthermore, the Petitioner understands that they would be needed to obtain an encroachment agreement for any decorative pavers and/or stamped pavement proposed in the public right-of-way.

- i. The location of pedestrian cross-walks generally depicted on Sheet RZ-4 are subject to approval by CDOT to ensure public safety considerations.

- j. The alignment of the internal public and private streets, vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT's final approval, to accommodate minor changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards and industry best practices so long as the street network set forth on the Rezoning Plan is not materially altered.

5. Design Guidelines:

I. Statement of Overall Design Intent.

It is intended that site plan for the Site provide a horizontal mix of uses that includes office, retail, service uses and varying levels of residential uses in a manner that creates a unified development pattern with generally coordinated streetscape elements, landscaping, open spaces and quality building materials. Where opportunities exist, a vertical mix of uses will be encouraged but not required. The majority of the main street building facades along Ardrey Kell Road and Private Street 1 that are visible at ground level to site visitors, residents and adjacent neighbors shall incorporate high levels of design detail, articulation and quality materials. The site plan for the Site will seek to emphasize pedestrian connections between uses and create a strong link between the commercial core of the development and adjacent uses. Long expanses of blank walls will be limited, and where they are necessary will be treated with a combination of architectural expressions such as changes in materials, fenestration, windows, building setback and landscaping, artwork, display cases or other similar items. The Providence Road corridor will be treated with a range of edge treatments that seek to establish a sense of entry on Providence Road and seek to deter the eye from service areas or parking lots. Ardrey Kell Road and Private Street 1 shall be established as the "main streets" with principle building orientation and elevated attention to the public realm. Focal points will be developed at both Golf Links Drive and Ardrey Kell Road to identify the community and serve as a gateway into it.

II. General Design Guidelines.

- a. The principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings (other than structured parking facilities) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast stone, precast concrete, synthetic stone, stucco, cementitious siding (such as hardi-blank), EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits.

- b. The Site will include a series of publicly accessible open spaces and plazas as focal points. These focal points will include some combination of landscaping, monumentation, water feature, seating areas and/or art work features.

- c. Streetscape treatment will be a unifying element through the use of consistent paving, lighting, landscaping, and when provided site furnishings throughout the Site.

- d. Specialty pavers, stained and patterned concrete/paving or other similar means will be used to call attention to amenity areas, gathering spaces, plazas and as method of way finding.

- e. The Petitioner has established a set of building orientation and fenestration diagram for Development Areas A, E, F, G and I as set forth on Sheet RZ-4 of the Rezoning Plan (the "Orientation/Fenestration Diagram"). The Orientation/Fenestration Diagram create certain design standards for how various buildings within each of these Development Areas shall address the following site elements: (i) public streets; (ii) private streets; (iii) open space areas; and (iv) parking areas. Without limiting the authority granted to the Planning Director/Planning Department by the Zoning Ordinance, at the request of the Petitioner the Planning Director/Planning Department may allow minor modifications various aspects of the Orientation/Fenestration Diagram as long as the overall intent is preserved.

- f. Circulation paths will be provided along the Site's Public and Private Streets from parking areas and decks to building entries and areas of interest.

- g. Along Ardrey Kell Road and Private Street 1 provide visual interest at pedestrian levels by using architectural features that reflect the character of the overall Site. Where appropriate integrate the use of arcades, display windows, awnings, insets, balconies, window projections and other architectural elements to provide a sense of scale.

- h. Petitioner shall seek to provide special architectural attention at the ground level to the corner of buildings located at street intersections along Ardrey Kell Road, including for example iconic elements, permanent artistic elements, architectural detailing, differing materials or design of materials or corner entrances, where feasible.

- i. Buildings greater than 100' in length and that abut Private Street 1 and Ardrey Kell Road shall incorporate at the ground level architectural elements such as columns, pilasters, fenestration, or other types of architectural treatments in

III. Providence Road Design Guidelines.

- a. The Petitioner shall create an appropriately landscaped corridor along Providence Road utilizing plantings to draw attention to areas of visual interest and deter from highlighting back of house and service areas. This shall include use of a combination of varied wall heights, plant materials, monumentation, artwork or other vertical elements as generally depicted on Sheet RZ-5.
- b. A 29 foot landscape setback area along Providence Road, as measured from the back of the existing curb or the back of the future curb of Providence Road, as applicable, will be provided, and no buildings, parking or maneuvering for parking will be allowed within this setback. This 29 foot landscape setback area will be landscaped with a variety of landscape materials (trees, shrubs, ornamental grasses, grass, and/or areas of seasonal color), a minimum of 25 shrubs and five (5) trees per hundred linear feet will be provided as well as a low wall as described below. Subject to the constraints presented by the provisions of the Tree Ordinance and by overhead or underground utility conflicts, a minimum of three (3) of the required five (5) trees per 100 linear feet will be large maturing trees. A low wall (2.0' to 2.5' high) will be provided within portions of the landscape setback that abut parking areas that are over 150 linear feet in length, and in these instances such low wall will be added to the landscape setback for at least 50% of the length of the parking area. This landscape setback area and associated treatments are generally depicted on Sheet RZ-5 of the Rezoning Plan
- c. A six (6) foot wide sidewalk will be provided within this 29 foot landscape setback; this sidewalk will be allowed to meander within the landscape setback to avoid existing and relocated utility poles. An eight (8) foot wide planting strip will be provided along at least 65% of the Site's Providence Road frontage provided that the width of such planting strip may be reduced to no less than a width of four (4) feet to avoid existing and relocated utility poles. Provided, however, if during design/development phases existing utilities, roadway improvements and site grade related issues prevent an eight (8) foot planting strip from being provided along 65% of the Providence Road frontage, the percentage may be reduced but in no event below 55%. This landscape setback area and associated treatments are generally depicted on Sheet RZ-5 of the Rezoning Plan.
- d. The Petitioner will provide an additional landscape area of approximately 25 feet x 17 feet in size within the area located approximately at the mid-point of the surface parking area adjacent to the Providence Road landscape area within Development Areas C and D as generally depicted on Sheet RZ-5.

IV. Parking Areas, Access and Circulation Design Guidelines.

- a. Building materials associated with facades on parking structures that are generally compatible in character and quality with adjoining buildings, plazas and streetscapes will be created, taking into consideration differences associated with parking structures.
- b. Parking structures shall be designed to materially screen the view of parked cars from adjacent public or private streets or publicly accessible open spaces or plazas. Screening of cars on the ground level will be accomplished primarily through the use of landscaping; and screening of cars parked on the upper level will be accomplished by a wall, at least 36 inches in height, designed as part of the parking deck structure.
- c. Along the Site's Private Streets the number of curb cuts will be limited as generally depicted to maintain a street like condition, subject to modifications reasonably needed to accommodate unusual site design conditions or elements, or development constraints.
- d. On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances.
- e. Buildings within Development Areas B, C, D and E will not primarily orient the service side of such buildings to Providence Road and solid waste/recycling areas will not be allowed to abut Providence Road unless such areas are enclosed by a wall treatment similar to the low screen wall along Providence Road.
- f. The service areas of the buildings constructed within Development Areas A and F will be screened from the adjoining streets with walls designed to complement the building architecture of the adjacent buildings. Architectural features such as, but not limited to, banding, medallions, changes in color or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- g. Surface parking areas, except the surface parking area located between Private Street 1 within Development Area A and Development Area C, shall be designed in a manner that utilizes landscape islands as required by the Tree Ordinance and public/private streets to create pockets of parking areas as generally depicted on Sheet RZ-4.

V. Pedestrian Access and Circulation Design Guidelines.

- a. Along the Site's internal private streets, the Petitioner will provide a sidewalk and a cross-walk network that links the buildings, parking areas and areas of interest on the Site with one another by way of links to sidewalks along the abutting public and private streets and/or other pedestrian features. The minimum width for these internal sidewalks will be six (6) feet, except in Development Area H where a five (5) foot sidewalk may be provided. Street trees will also be provided along the Site's internal public and private streets.
- b. Sidewalks along Ardrey Kell Road and the portion of Private Street 1 between Ardrey Kell Road and Private Street 3 shall be a minimum width of 8 feet.
- c. Walkways through plazas or publicly accessible open space areas will be appropriately designed for the intended use and type of open space area in which they are located.
- d. Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of door swings, shopping cart storage, and temporary trash or similar impediments.
- e. Within Development Area A, two (2) twenty-five foot wide pedestrian accessways from Ardrey Kell Road to the Public Plaza located along Private Street 1 shall be provided as generally depicted in the Orientation/Fenestration Diagram (Sheet RZ-4). These two (2) pedestrian accessways may be combined into one pedestrian accessway with a minimum width of 40 feet. An additional pedestrian accessway, with a minimum width of 20 feet, shall be provided to such Public Plaza from the parking area opposite the Public Plaza as generally depicted on the Orientation/Fenestration Diagram (Sheet RZ-4). This pedestrian accessway may be relocated to the northern end of the building and the two buildings combined into one building. A pedestrian accessway shall also be provided to Private Street 1 from the parking area opposite Private Street 1 as generally depicted on Sheet RZ-4.

VI. Open Space, Public Plaza and Amenity Areas.

- a. The Petitioner will provide for a "Public Plaza" to be located within Development Area A in the location generally depicted on Sheet RZ-4 of the Rezoning Plan. The Public Plaza will be designed as a significant pedestrian focal point and an amenity for that portion of the development. The Public Plaza will include features such as: water features, windows, specialty graphics, landscaping, specialty paving, seating areas, signage (e.g. wayfind, directional, special event) art work and/or other site elements that help create a vibrant Public Plaza area. Portions of the Public Plaza may be used for outdoor dining associated with restaurants. Additional open space areas will also be provided as generally illustrated on Sheet RZ-4 of the Rezoning Plan and such areas shall include at a minimum landscaping, pedestrian walkways and seating.
- b. On the ground floor of the buildings abutting the Public Plaza, the portion of the ground floor facing the Public Plaza shall have active uses (e.g. retail, office or restaurant) along the majority of its perimeter.
- c. The open space area surrounding the water quality/storm water detention pond located in Development Area H will be improved as an amenity area with seating areas, a naturalized path and landscaping as the adjacent portions of the Site are developed.

VII. Multi-Family Design Guidelines (i.e. Development Area I Design Guidelines).

- a. **General Site Considerations**
- i. Orient buildings towards primary and secondary streets to reinforce the street scape, as shown on the provided Plans.
- ii. Orient buildings in a way to enclose and define public space, open space and green space.
- iii. The Petitioner reserves the right to combine or relocate building locations so long as the street frontage requirement is met.
- iv. Building features such as porches, patios, stoops, front walkways and centralized doorways or breezeways shall front the public or private streets, except where ends of buildings front these streets. When ends of buildings front streets, walkways will be provided to clearly connect the building entrances with the street network.
- v. Architectural treatment shall continue on all sides of a building except as specifically noted otherwise.
- vi. All building entrances will be connected to the street network subject to grade and ADA standards.
- b. **Facade Composition**
- i. The Principal Entrance of a building shall be articulated and expressed in greater architectural detail than other building entrances.
- ii. Windows shall be vertically shaped with a height greater than their width.
- Facades shall incorporate windows and doors as follows:
- i. Windows and doors shall be provided for at least 25% of the total Facade area along the primary and secondary streets, with each floor calculated independently. The maximum contiguous area without windows or doors on any floor shall not exceed 10 feet in height or 20 feet in length.
- ii. The above requirement may be reduced where a Facade is not visible from a public or private street.
- iii. Facades along primary and secondary streets shall incorporate a minimum of 25% masonry materials such as brick, stucco or stone.
- Facade articulation:
- i. Facades over 75 feet in length shall incorporate wall projections or recesses a minimum of 12 inches in depth. The combined length of said recesses and projections shall constitute at least 20% of the total Facade length.
- Additional Enfronting Facade requirements on primary and secondary streets:
- i. Enfronting Facades shall be articulated and designed to create additional visual interest by varying architectural details, building materials, the roof line, and building offsets.
- ii. On corner lots, the architectural treatment of a building's intersecting Enfronting Facades shall be substantially similar, except that said building shall emphasize the corner location by incorporating additional height at the corner, varying the roof form at the corner, or providing other architectural embellishments at the corner.
- iii. First Story Facades of all buildings along primary and secondary streets shall incorporate columns, awnings, arcades, porches, stoops, windows, doors, or other architectural elements.
- iv. Facades shall provide visual divisions between the first and second stories through architectural means such as courses, awnings, or a change in primary facade materials or colors.
- v. Facades above the first Story shall incorporate windows, arches, balconies, or other architectural details.
- vi. No more than four different materials, textures, colors, or combinations thereof may be used on a single building. This requirement shall not include materials used on windows, doors, porches, balconies, foundations, awnings or architectural details.
- viii. Materials may be combined horizontally or vertically, with the heavier below the lighter when horizontal.
- ix. Vinyl or aluminum siding, exposed standard concrete masonry unit (CMU) block, corrugated steel, prefabricated metal, exposed plywood, and exposed pressboard are prohibited.
- x. Exterior materials of buildings along the primary and secondary streets shall be limited to brick, stone, pre-cast concrete, wood, stucco, cementitious siding, glass, or granite.
- xi. Accessory Structures shall be consistent with the Principal Building in material, texture, and color.
- (a) Foundations, where provided, shall be constructed as a distinct building element that contrasts with Facade materials. Exposed above-ground foundations shall be coated or faced in cement, stucco, brick, manufactured stone, or natural stone to contrast with facade materials.

c. **Roofs**

- i. Pitched roofs shall have a minimum slope of 4:12. Flat roofs shall be screened from the view of primary and secondary streets by a parapet.
- ii. Accessory features on a roof shall be screened from the view of the primary and secondary streets by a parapet or other architectural feature.
- iii. Permitted sloped roof materials are asphalt shingles, composition shingles, wood shingles, tin, standing seam metal, and wood shakes.
- iv. Vents, stacks, and roof fans are to be painted to blend with the roof color and hidden from public street view to the greatest extent possible.

6. **Parking and Maneuvering Restrictions.**

- a. Buildings constructed within Development Areas B, D and E that directly abut Providence Road, Golf Links Drive, Ardrey Kell Road extension and Private Street 5 will be designed so that no parking, maneuvering for parking areas or drive-thru lanes will be allowed between the proposed building and these abutting public or private streets.
- b. Buildings constructed within Development Areas C and D that directly abut Providence Road, Golf Links Drive and Private Street 3 will not have parking areas or maneuvering for parking areas located between the buildings and these streets, provided, however, drive thru lanes will be allowed between such buildings and these streets. If drive-thru lanes are installed between the buildings and the adjacent streets, a low wall (2.0' to 2.5' feet high) and low accent plantings will be provided between the drive thru lanes and these adjacent streets, and such wall will be constructed of building materials generally compatible with the buildings to which they relate.
- c. A low wall (2.0 to 2.5 feet high) and low accent plantings will be provided between Providence Road and any gas pumps/maneuvering area associated with a gas station with or without a convenience store constructed in Development Area B abutting Providence Road
- d. Off-street parking areas may not be located between Ardrey Kell Road and the proposed buildings, but vehicular parking and maneuvering may be located to the side or behind such buildings and behind the established setback.
- e. Along the extension of Ardrey Kell Road off-street parking areas, other than parking areas created in locations where parking structures can be constructed, will not occupy more than 45% of the linear street frontage of each block face along Ardrey Kell Road.
- f. Meter banks will be screened where visible from public view at grade level.
- g. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.

7. **Buffers:**

- a. A Class C Buffer of varying widths will be provided within the portion of the Site zoned MUDD-O that abuts Tax Parcels 231-131-05 and 11 as generally depicted on the Rezoning Plan. This Buffer may be reduced in width by 25 % by the installation of a fence or wall. This Buffer may also be eliminated when the use or zoning on the adjoining property changes to a use or zoning category that would not be required to have a buffer under the Ordinance.

8. **Environmental Features:**

- a. The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points ..

9. **Signage:**

- a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided. Because the Site will be viewed as a Planned/Unified Development as defined by the Ordinance, shopping center signs may be located throughout the portion of the Site designated MUDD-O as allowed by the Ordinance and the Optional Provisions. In addition, uses located on the interior of the Site may be identified on the allowed shopping center/development signs (by way of example, the multi-family developments and single-family developments may be identified on the signs allowed along Providence Road and Ardrey Kell extension). The allowed signs may contain identification signage for any of the uses located on the Site.
- b. Master signage and graphic systems shall be adopted.
- c. Information and Advertising Pillar Signs as defined by the Ordinance may be provided on the portion of the Site zoned MUDD-O.
- d. On premises directional and instructional signs may be located throughout the Site per the standards of the Ordinance.
- e. Temporary Banners as allowed by the Ordinance may be provided.

10. **Lighting:**

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- b. Detached lighting on the Site, except street lights located along public and private streets, will be limited to 30 feet in height in the portions of the Site used for non-residential uses and 25 feet in height in the portions of the Site used for residential uses.

11. **Miscellaneous:**

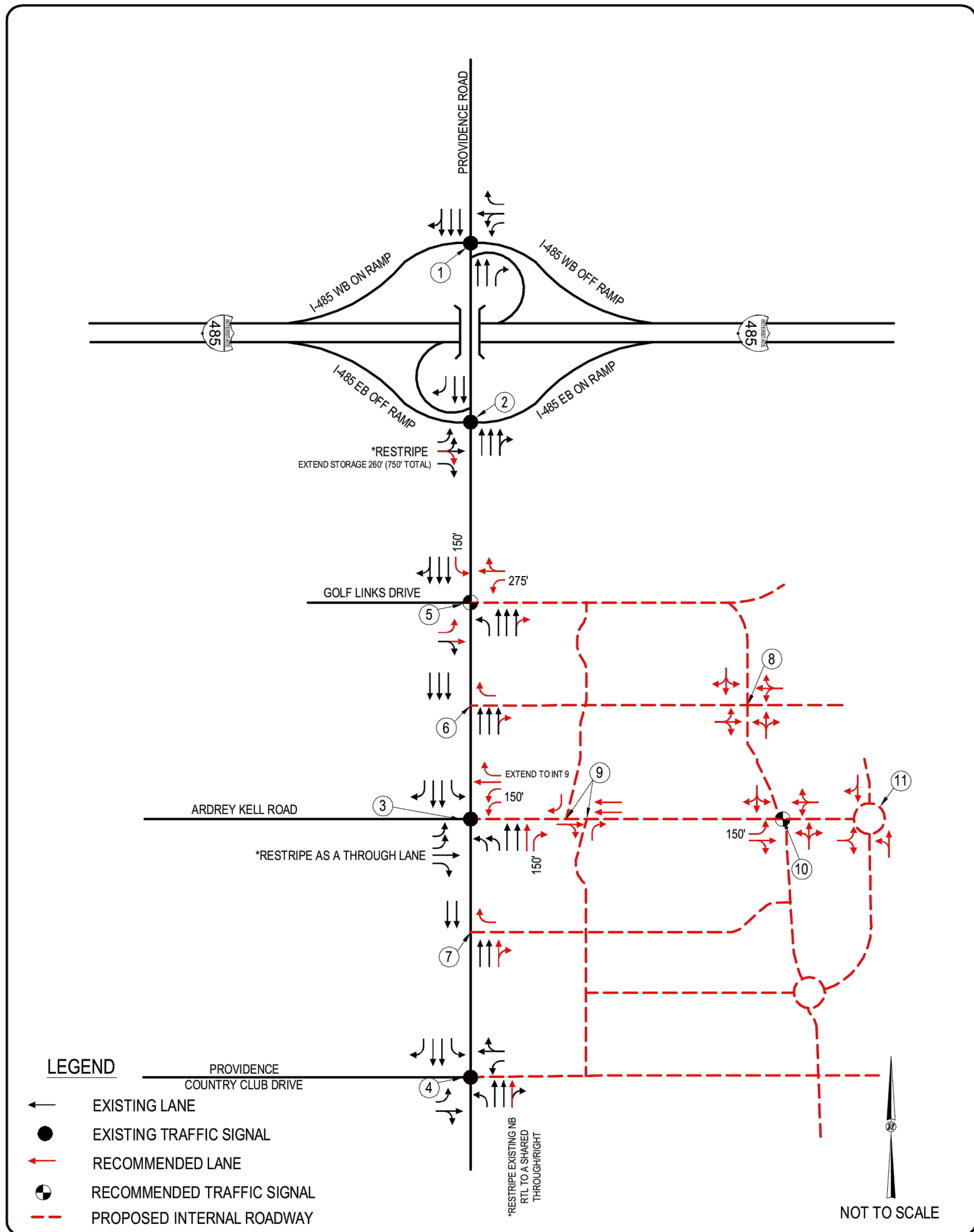
- a. The Petitioner will make available on the Site to Charlotte Area Transit System (CATS) 40 non-exclusive parking spaces for use by transit customers. The 40 parking spaces will be located within Development Area A. The Petitioner will construct a bus stop shelter waiting pad in an area near the park and ride spaces and with pedestrian access. The location of the waiting pad will be determined during the land development permitting process in consultation with CATS. The Petitioner will work with CATS to provide a bus access easement between Providence Road and the parking spaces. The Petitioner reserves the right to terminate this commitment to provide 40 park and ride spaces should CATS discontinue Express Bus service to the Site. These 40 spaces may be used to meet minimum parking requirements for the Site.

12. **Amendments to the Rezoning Plan:**

- a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

13. **Binding Effect of the Rezoning Application:**

- a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.





Kimley-Horn
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**WAVERLY MIXED-USE
DEVELOPMENT**

RECOMMENDED LANEAGE

**FIGURE
10.1**

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY KIMLEY-HORN AND ASSOCIATES, INC. SHALL BE WITHOUT LIABILITY TO KIMLEY-HORN AND ASSOCIATES, INC.

MATTHEWS FARM
REZONING PETITION No. 2013-085
PROVIDENCE ROAD FARMS, LLC
DEVELOPMENT STANDARDS

REVISIONS:
07/22/13 - REUSE PER STAFF COMMENTS
11/22/13 - REUSE PER STAFF COMMENTS
12/02/13 - REUSE PER STAFF COMMENTS
12/20/13 - REUSE PER STAFF COMMENTS
01/17/14 - REUSE PER STAFF COMMENTS
03/21/14 - REUSE PER STAFF COMMENTS

DATE: 07/20/13
DESIGNED BY: KST
DRAWN BY: MB
CHECKED BY: KST
QC BY: KST
PROJECT #: 1013058
SHEET #:
RZ-3B

LandDesign
223 N Graham Street Charlotte, NC 28202
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www.LandDesign.com

Non-Residential Key

- Primary Frontage**
 - 60% Fenestration
 - Door Entry for Each Tenant
- Secondary Frontage**
 - 40% Fenestration (1/2 of which is unobstructed views)
 - Alternate Entry Permitted
 - **to be measured as an aggregate edge (not per tenant or building)
- Critical Corridor**
 - 60% Fenestration
 - Alternate Entry Permitted
- MUDD Min. Requirement**

Note:
A fenestration is an opening in the exterior building wall with windows allowing light and views between the interior and exterior and not screened from view. Glazing of windows shall be transparent under all lighting conditions; however, spandrel or colored glass may be used in the area above the height of the door head. Fenestrations shall extend from a height of no more than three feet from the exterior average grade at the base of the building to at least the height of the door head. This requirement for fenestration will be applied to the noted Percentage of linear feet of

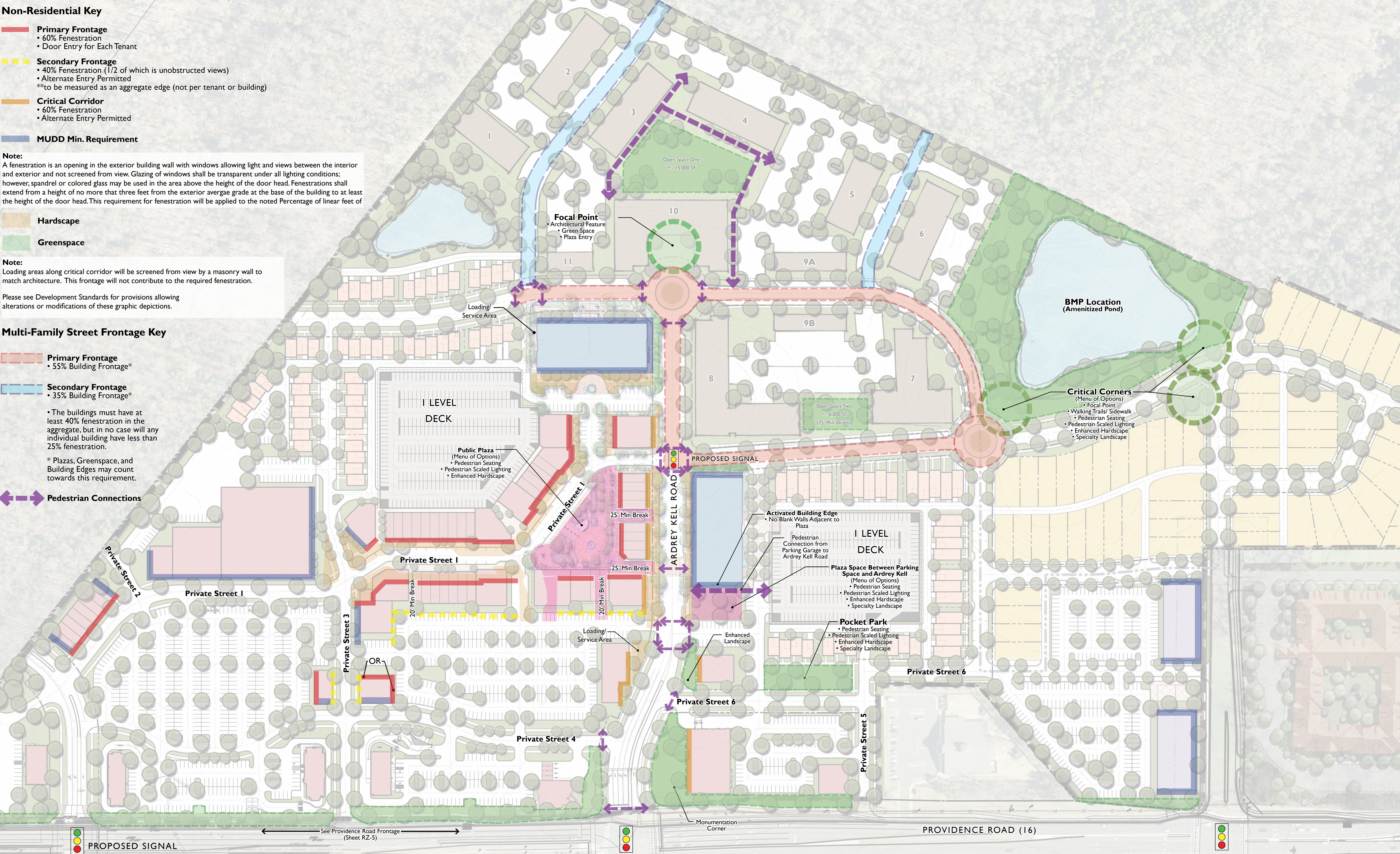
- Hardscape**
- Greenspace**

Note:
Loading areas along critical corridor will be screened from view by a masonry wall to match architecture. This frontage will not contribute to the required fenestration.

Please see Development Standards for provisions allowing alterations or modifications of these graphic depictions.

Multi-Family Street Frontage Key

- Primary Frontage**
 - 55% Building Frontage*
- Secondary Frontage**
 - 35% Building Frontage*
- The buildings must have at least 40% fenestration in the aggregate, but in no case will any individual building have less than 25% fenestration.
- * Plazas, Greenspace, and Building Edges may count towards this requirement.
- Pedestrian Connections**





Perspective



GARAGE BUILDING STREET ELEVATION

Note:
These elevations are provided to reflect the architectural style and quality of the multi-family buildings that may be constructed within Development Area I (the actual building constructed within Development Area I may vary from these illustrations as long as the general architectural concepts and intent illustrated is maintained).