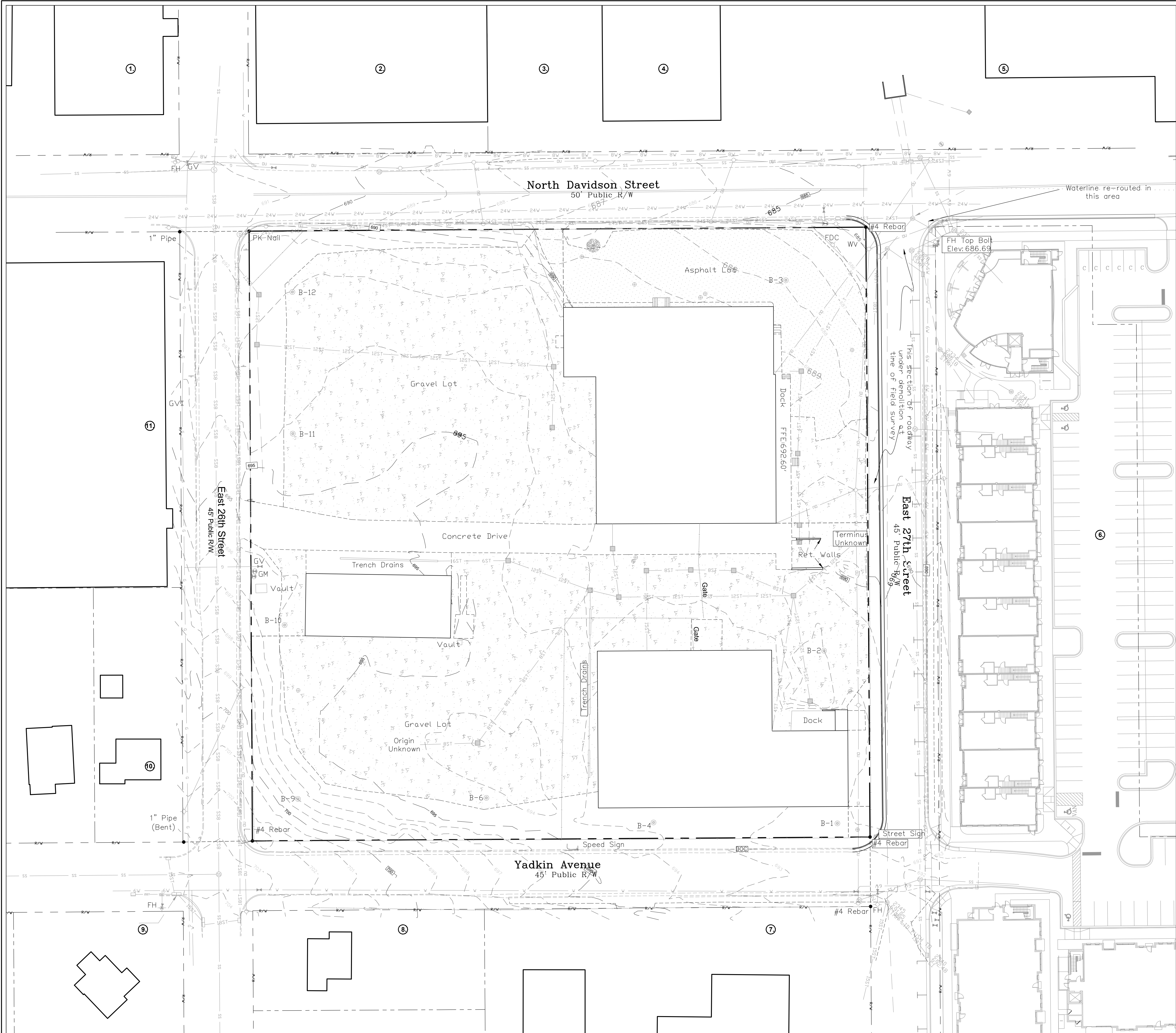


Drawing name: N:\2016\14326\CAD\Enblid\Zoning\Plan\14326\_Enblid\_Zoning\_Plan.dwg EX-1.0 Apr 24, 2015 11:46am by mmmwarp



SITE INFORMATION

SITE ADDRESS: 628 EAST 27th STREET  
CHARLOTTE, NC 28205

PROPERTY OWNER(S): NODA AT 27TH ST LLC  
4806 ROZZELLES FERRY RD  
CHARLOTTE NC 28216

TAX PARCEL ID #: 08305501

EXISTING ZONING: MUDD-O

TOTAL SITE SF (ACREAGE): ±3.627 AC

AREA PLANS:

THE BLUE LINE EXTENSION TRANSIT STATION AREA PLAN

SITE SURVEY PROVIDED BY:

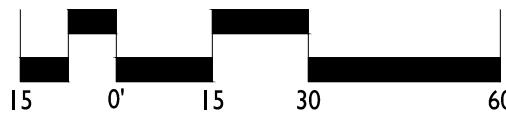
LANDDESIGN SURVEYING  
223 N. GRAHAM ST  
CHARLOTTE NC 28202  
074.376.7777

SURVEY OF PROPERTY 6 PROVIDED BY:

COLE JENEST & STONE  
200 SOUTH TRYON STREET, SUITE 1400  
CHARLOTTE NC 28202  
704.376.1555

ADJACENT PROPERTY OWNERS

- |   |   |
|---|---|
| 1. PIN# 08305311<br>CHARLOTTE INDUSTRIAL LLC<br>102 TOWTON CT<br>WAXHAW NC 28173<br>EXISTING ZONING: I-2<br>EXISTING USE: WAREHOUSE                 | 7. PIN# 08305811<br>BURR WOLFF SAFETY-KLEEN CORP<br>PO BOX 27713<br>HOUSTON, TX 77227<br>EXISTING ZONING: I-1<br>EXISTING USE: OFFICE                         |
| 2. PIN# 08305206<br>TRI C INVESTMENTS<br>2315 N DAVIDSON ST<br>CHARLOTTE NC 28205<br>EXISTING ZONING: I-2<br>EXISTING USE: WAREHOUSE                | 8. PIN# 08305801<br>HOMES BY POLARIS LLC<br>13000 SOUTH TRYON ST<br>STE F 217<br>CHARLOTTE NC 28278<br>EXISTING ZONING: R-5<br>EXISTING USE: SINGLE FAMILY    |
| 3. PIN# 08305208<br>INC TEXTILE RUBBER & CHEMICAL CO<br>11300 TIARCO DR<br>DALTON, GA 30720<br>EXISTING ZONING: I-2<br>EXISTING USE: VACANT         | 9. PIN# 08305901<br>STEPHEN & TAMARA BOINEAU<br>2222 YADKIN AVE<br>CHARLOTTE, NC 28206<br>EXISTING ZONING: R-5<br>EXISTING USE: SINGLE FAMILY                 |
| 4. PIN# 08305207<br>TNC GENERAL LATEX & CHEMICAL CO<br>2321 N DAVIDSON ST<br>CHARLOTTE, NC 28205<br>EXISTING ZONING: I-2<br>EXISTING USE: WAREHOUSE | 10. PIN# 083059408<br>CHRISTOPHER NEEDHAM &<br>GEORGE COURLAS<br>P O BOX 9423<br>CHARLOTTE NC 28299<br>EXISTING ZONING: R-5<br>EXISTING USE: SINGLE FAMILY    |
| 5. PIN# 08305104<br>GAMBILLS LLC<br>115 EAST PARK AVE<br>CHARLOTTE, NC 28203<br>EXISTING ZONING: I-2<br>EXISTING USE: WAREHOUSE                     | 11. PIN# 08305409<br>2226 PROPERTIES (CHARLOTTE) LLC<br>1415 STUART ENGALS BLVD<br>MOUNT PLEASANT SC 29464<br>EXISTING ZONING: I-1<br>EXISTING USE: WAREHOUSE |
| 6. PIN# 08305739<br>THE VYNE APAQRTMENTS LLC<br>1001 ELIZABETH AVE APT 1B<br>CHARLOTTE, NC 28204<br>EXISTING ZONING: MUDD-O<br>EXISTING USE: VACANT |   |



DATE: OCTOBER 3, 2014  
DESIGNED BY: AJM  
DRAWN BY: AJM  
CHECKED BY: NLD  
SCALE: 1"=30'  
PROJECT #1014336

REVISIONS:

01/05/2015	- REVISION PER RE-ZONING COMMENTS
03/13/2015	- REVISION PER RE-ZONING COMMENTS
03/23/2015	- REVISION PER RE-ZONING COMMENTS
04/24/2015	- REVISION PER RE-ZONING COMMENTS

NoDa 27th

MULTI-FAMILY DEVELOPMENT

EXISTING CONDITIONS

SHEET #:

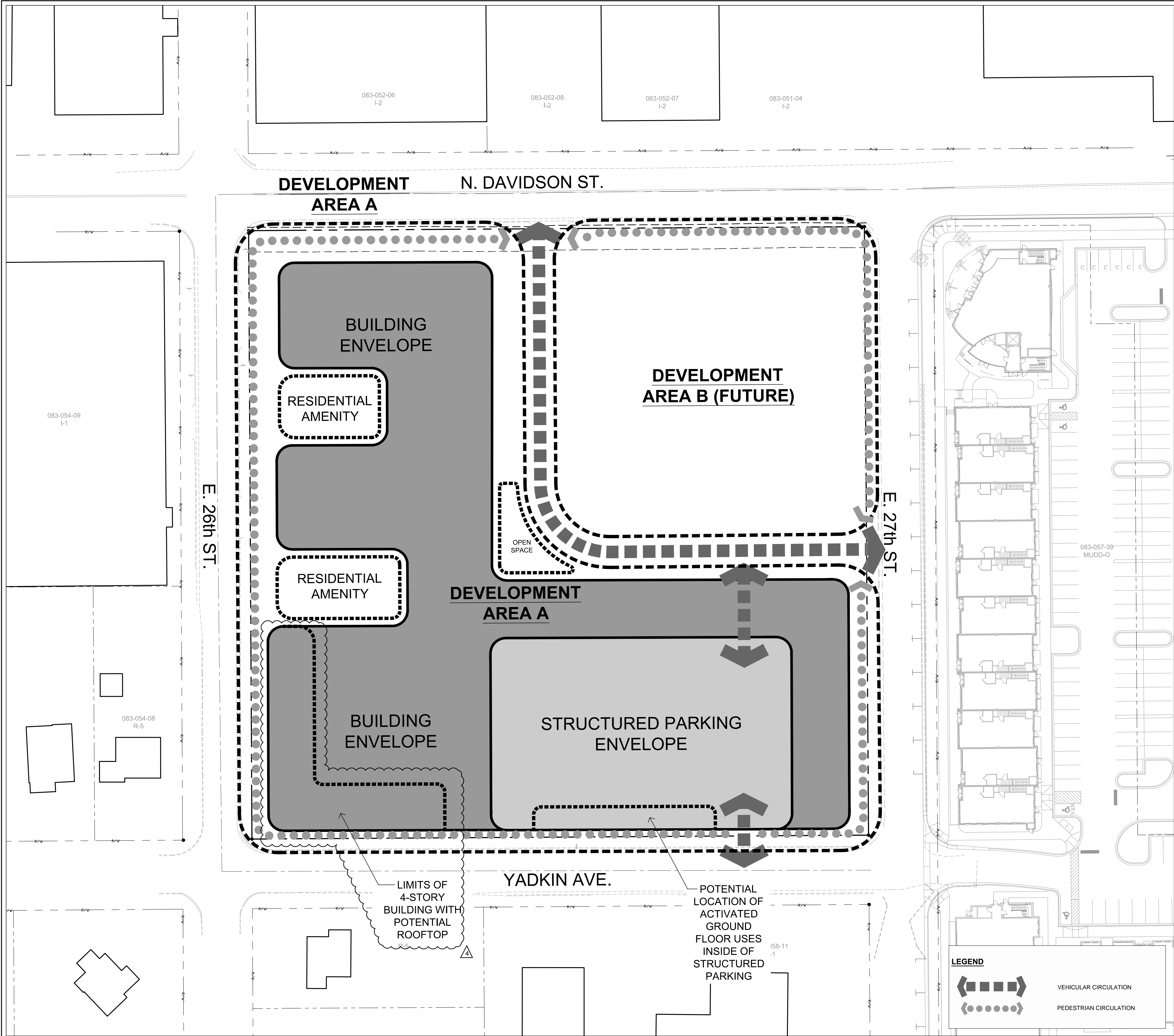
EX-1.0

PETITION NO. 2015-001

LandDesign

223 N Graham Street Charlotte, NC 28202  
V: 704.333.0325 F: 704.332.3246  
www.LandDesign.com

Drawing name: N:\2014\14306\09\Exhibit\Zoning\Plan\0306\_Rezoning.dwg 2:10 Apr 28, 2015 9:21am by: mrcwarp



Site Development Data:

Acreage: ± 3.627 acres  
Tax Parcel #s: 083-055-01  
Existing Zoning: MUDD-O by Rezoning Petition No. 2008-070  
Proposed Zoning: TOD-MO  
Existing Uses: Retail and warehouse uses.  
Proposed Uses: Residential dwellings units; and non-residential uses as permitted by right, under prescribed conditions and by the Optional provisions on Z3.0 together with accessory uses, as allowed in the TOD-M zoning district (as more specifically described and restricted below in Section 3).

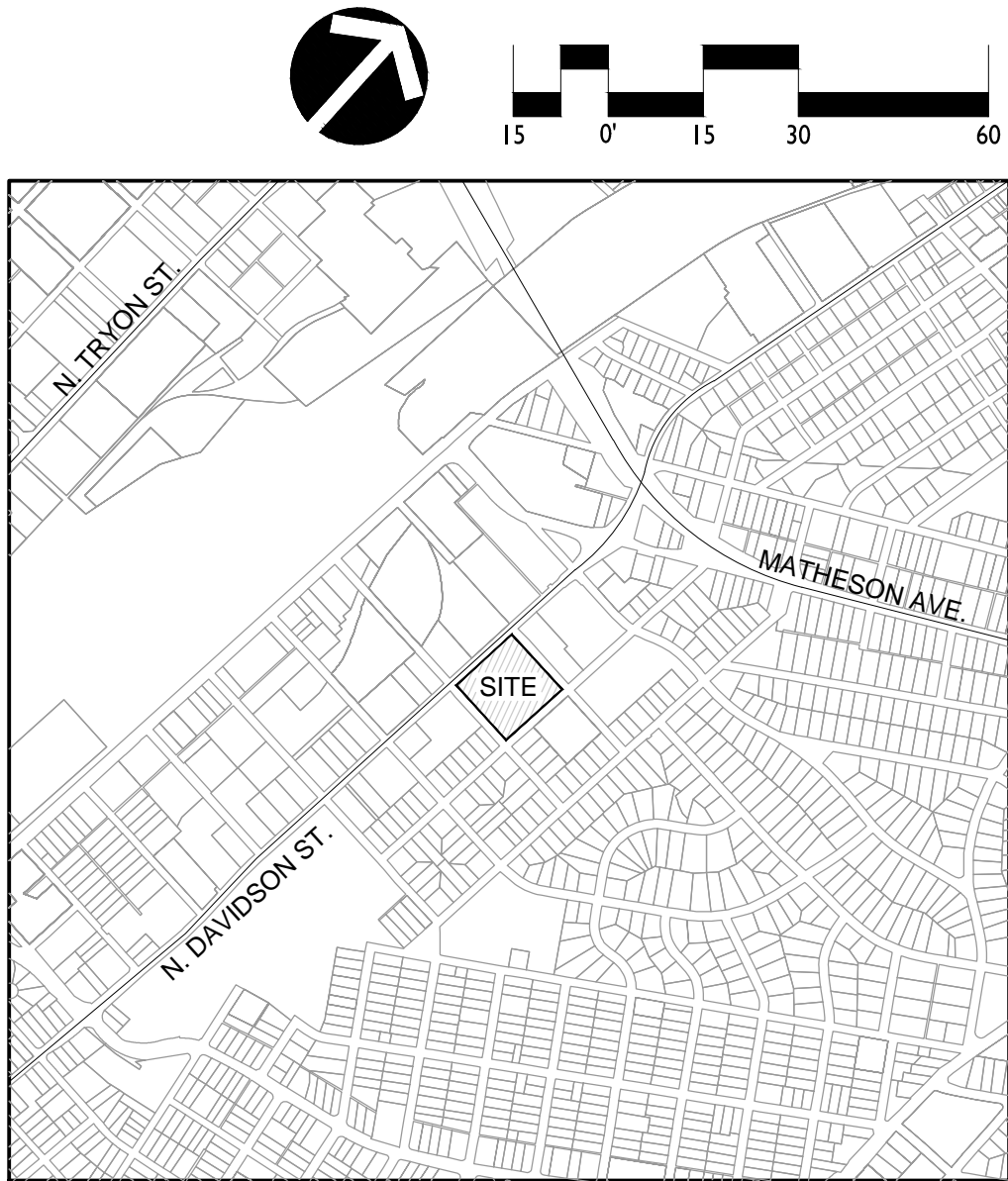
Maximum Gross Square feet of Development: In Development Area A up to 250 residential dwelling units and up to 7,500 square feet of gross floor area of non-residential uses as permitted by right and under prescribed conditions in the TOD-M zoning district subject to the limitations described in on Z3.0. In Development Area B residential and non-residential uses as permitted by right and under prescribed conditions in the MUDD zoning district.

Maximum Building Height: Within Development Area A: building height will be limited to five (5) stories and 55 & 60 feet as: (i) described below; (ii) allowed by the Optional provisions; and (iii) generally depicted on the Rezoning Plan. Within Development Area A, a maximum building height of 55 feet will be established and measured from proposed grade at the base of the building at the intersection of Yadkin Avenue and E. 26th Street and Yadkin Avenue and E. 27th Street; and a maximum building height of 60 feet will be established and measured from proposed grade at the base of the building at the intersection N. Davidson Street and E. 26th Street (for the purposes of these height limits, parapet walls (five (5) feet or less), roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment, spires, mansards, domes, or other architectural features will not be considered for the calculation of allowed building height).  
- Within Development Area B, the maximum allowed building height will be 60 feet as allowed by the Optional provisions below (for the purposes of these height limits, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment, spires, mansards, domes, or other architectural features will not be considered for the calculation of allowed building height, otherwise building height will be measured as defined by the Ordinance).

Parking: Parking as required by the Ordinance for Development Area A for the allowed non-residential uses and a minimum of one (1) parking space per bedroom for the residential dwelling units constructed. Parking for Development Area B will comply with the minimum parking requirements of the MUDD zoning district as allowed by the Optional provisions below.

Open Space: Open space as required by the Ordinance will be provided.

NOTE:  
THE REZONING PLAN IS ILLUSTRATIVE IN NATURE AND IS INTENDED TO DEPICT BUILDING, PARKING AND CIRCULATION RELATIONSHIPS.



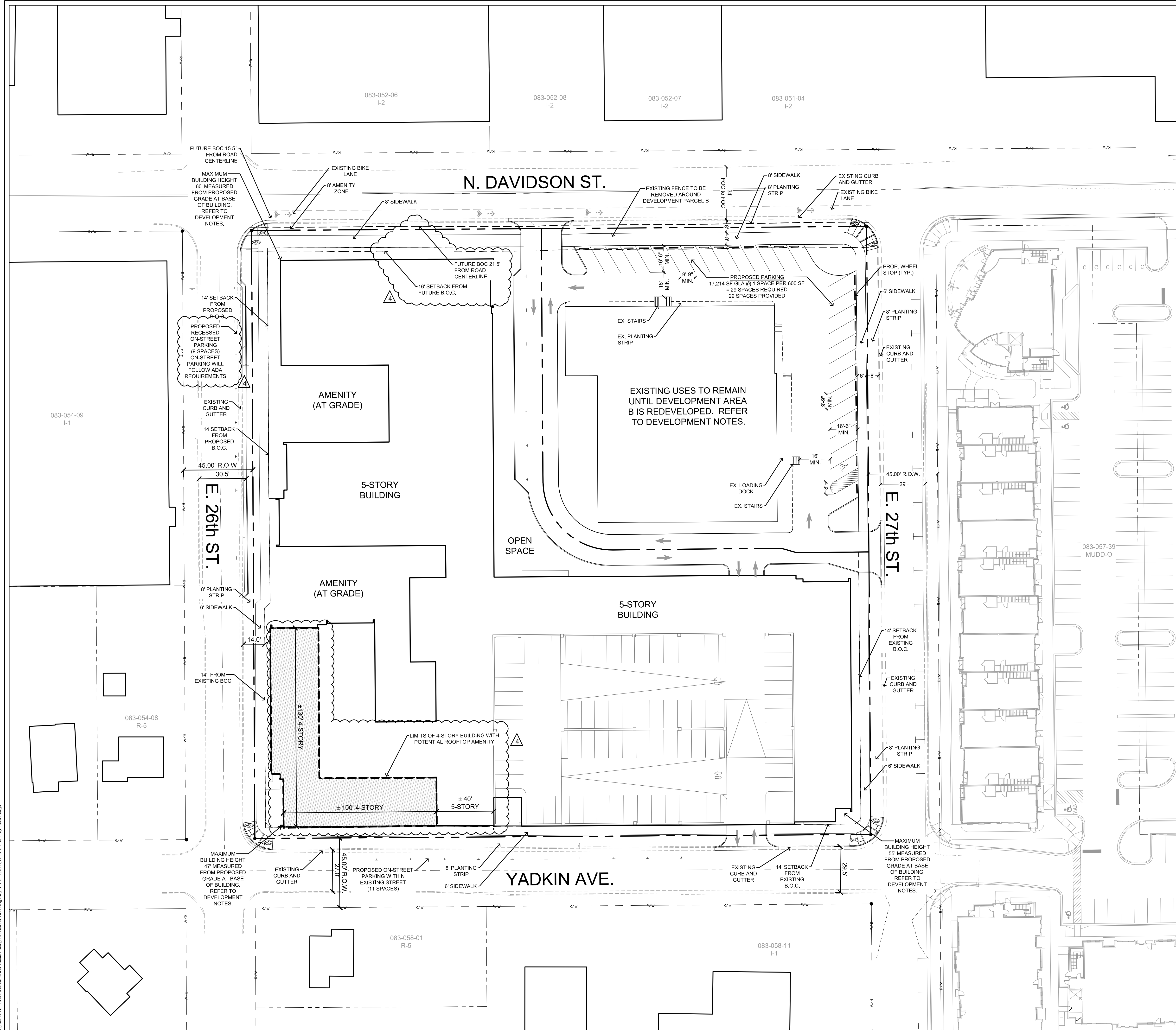
**LEGEND**

VEHICULAR CIRCULATION

PEDESTRIAN CIRCULATION



Drawing name: N:\2016\14306\09\Exhibit\Zoning\Plan\0306\_Zoning.dwg 2:2.0 Apr 28, 2015 9:21 am by: mrcwarp



Site Development Data:

Acreage: ± 3.627 acres  
Tax Parcel #s: 083-055-01  
Existing Zoning: MUDD-O by Rezoning Petition No. 2008-070  
Proposed Zoning: TOD-MO  
Existing Uses: Retail and warehouse uses.  
Proposed Uses: Residential dwellings units; and non-residential uses as permitted by right, under prescribed conditions and by the Optional provisions on Z3.0 together with accessory uses, as allowed in the TOD-M zoning district (as more specifically described and restricted below in Section 3).

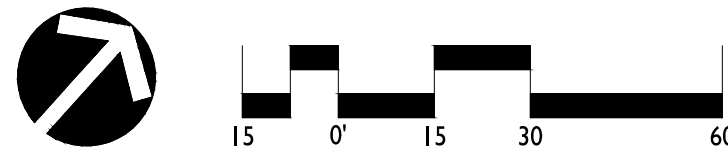
Maximum Gross Square feet of Development: In Development Area A up to 250 residential dwelling units and up to 7,500 square feet of gross floor area of non-residential uses as permitted by right and under prescribed conditions in the TOD-M zoning district subject to the limitations described in on Z3.0. In Development Area B residential and non-residential uses as permitted by right and under prescribed conditions in the MUDD zoning district.

Maximum Building Height: Within Development Area A: building height will be limited to five (5) stories and 55 & 60 feet as: (i) described below; (ii) allowed by the Optional provisions; and (iii) generally depicted on the Rezoning Plan. Within Development Area A, a maximum building height of 55 feet will be established and measured from proposed grade at the base of the building at the intersection of Yadkin Avenue and E. 26th Street and Yadkin Avenue and E. 27th Street; and a maximum building height of 60 feet will be established and measured from proposed grade at the base of the building at the intersection N. Davidson Street and E. 26th Street (for the purposes of these height limits, parapet walls (five (5) feet or less), roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment, spires, mansards, domes, or other architectural features will not be considered for the calculation of allowed building height).  
- Within Development Area B, the maximum allowed building height will be 60 feet as allowed by the Optional provisions below (for the purposes of these height limits, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment, spires, mansards, domes, or other architectural features will not be considered for the calculation of allowed building height, otherwise building height will be measured as defined by the Ordinance).

Parking: Parking as required by the Ordinance for Development Area A for the allowed non-residential uses and a minimum of one (1) parking space per bedroom for the residential dwelling units constructed. Parking for Development Area B will comply with the minimum parking requirements of the MUDD zoning district as allowed by the Optional provisions below.

Open Space: Open space as required by the Ordinance will be provided.

NOTE:  
THE REZONING PLAN IS ILLUSTRATIVE IN NATURE AND IS INTENDED TO DEPICT BUILDING, PARKING AND CIRCULATION RELATIONSHIPS.



DATE: OCTOBER 3, 2014  
DESIGNED BY: AJM  
DRAWN BY: NLD  
CHECKED BY: NLD  
SCALE: 1"=30'  
PROJECT #1014336  
SHEET #:

REVISIONS:  
01/05/2015 - REVISION PER REZONING COMMENTS  
02/13/2015 - REVISION PER REZONING COMMENTS  
03/23/2015 - REVISION PER REZONING COMMENTS  
04/24/2015 - REVISION PER REZONING COMMENTS

NoDa 27th  
MULTI-FAMILY DEVELOPMENT  
SCHEMATIC SITE PLAN

PETITION NO. 2015-001

LandDesign

223 N Graham Street Charlotte, NC 28202  
V: 704.333.0325 F: 704.333.3246  
www.LandDesign.com

Z-2.0



Site Development Data:

- Acceage:** ± 3,627 acres  
--**Tax Parcel #s:** 083-055-01  
--**Existing Zoning:** MUDD-O by Rezoning Petition No. 2008-070  
--**Proposed Zoning:** TOD-MO  
--**Existing Uses:** Retail and warehouse uses.  
--**Proposed Uses:** Residential dwellings units; and non-residential uses as permitted by right, under prescribed conditions and by the Optional provisions below together with accessory uses, as allowed in the TOD-M zoning district (as more specifically described and restricted below in Section 3).  
--**Maximum Gross Square feet of Development:** In Development Area A up to 250 residential dwelling units and up to 7,500 square feet of gross floor area of non-residential uses as permitted by right and under prescribed conditions in the TOD-M zoning district subject to the limitations described in Section 3 below. In Development Area B residential and non-residential uses as permitted by right and under prescribed conditions in the TOD-M zoning district.  
--**Maximum Building Height:** Within Development Area A, building height will be limited to ~~four (4) and five (5) stories and 47, 55 & 60 feet as: (i) described below; (ii) allowed by the Optional provisions; and (iii) generally depicted on the Rezoning Plan.~~ Within Development Area A, a maximum building height of ~~55~~four (4) stories and 47 feet will be established and measured from ~~proposed~~ grade at the base of the building at the intersection of ~~Yadkin Avenue and E. 26th Street~~ and, at the intersection of ~~Yadkin Avenue and E. 27th Street~~ the maximum building height of five (5) stories and 55 feet will be established and measured from grade at the base of the building; and a maximum building height of five (5) stories and 60 feet will be established and measured from ~~proposed~~ grade at the base of the building at the intersection N. Davidson Street and E. 26th Street (for the purposes of these height limits, parapet walls (five (5) feet or less as measured from the top of the roof structure), roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment, spires, mansards, domes, or other architectural features will not be considered for the calculation of allowed building height).  
- The maximum building height, between the locations indicated and described above for maximum building height, shall not exceed: (i) 60 feet along E. 26th Street; and (ii) 62 feet along Yadkin Avenue as measured from average grade.  
- Within Development Area B, the maximum allowed building height will be 60 feet as allowed by the Optional provisions below (for the purposes of these height limits, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment, spires, mansards, domes, or other architectural features will not be considered for the calculation of allowed building height, otherwise building height will be measured as defined by the Ordinance).  
--**Parking:** Parking as required by the Ordinance for Development Area A for the allowed non-residential uses and a minimum of one (1) parking space per bedroom for the residential dwelling units constructed. Parking for Development Area B will comply with the minimum parking requirements of the MUDD zoning district as allowed by the Optional provisions below.

1. General Provisions:

- a. **Site Location.** These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets Z-1 and Z-2 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Southern Apartment Group, LLC. ("Petitioner") to accommodate the development of a residential and non-residential mixed use development on an approximately 3.627 acre site located on the east side N. Davidson Street between E. 27th Street and E. 26th Street (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 (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the TOD-MO zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

- c. **Graphics and Alterations.** 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. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

- i. expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or;  
ii. minor and don't materially change the overall design intent depicted on the Rezoning Plan; or  
iii. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks) as indicated on Sheet Z-1; or  
iv. modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process; and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance, in each instance, however, subject to the Petitioner's appeal rights set forth in 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 on the Site within Development Area A will be limited three (3) and within Development Area B will be limited to three (3). Accessory buildings and structures located on the Site (Development Area A or B) 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.

2. Optional Provisions.

I. The following optional provisions shall apply to the Development Area A of the Site:

- a. To allow 14 foot setbacks along East 27th Streets and Yadkin Avenues from the existing back of curb as generally depicted on the Rezoning Plan.

- b. To allow a 14 foot setback from: (i) the new back for curb along E. 26th Street, where the curb is relocated to allow recessed on-street; and (ii) from the existing back of curb where recessed on street parking is not provided, all as generally depicted on the Rezoning Plan.

- c. To allow the sidewalk width along East 26th Street, East 27th Street and Yadkin Avenue to be six (6) feet.

- d. To allow the setback along N. Davidson Street to be 16 feet as measured from the ~~existing~~future back of curb as generally depicted on the Rezoning Plan.

- e. To allow the building(s) constructed in Development Area A to have a maximum height of ~~four (4) and five (5) stories and 47, 55 & 60 feet as: (i) described below; (ii) allowed by the Optional provisions; and (iii) generally depicted on the Rezoning Plan.~~ Within Development Area A, a maximum building height of ~~55~~four (4) stories and 47 feet will be established and measured from ~~proposed~~ grade at the base of the building at the intersection of ~~Yadkin Avenue and E. 26th Street~~ and, at the intersection of ~~Yadkin Avenue and E. 27th Street~~ the maximum building height of five (5) stories and 55 feet will be established and measured from grade at the base of the building; and a maximum building height of five (5) stories and 60 feet will be established and measured from ~~proposed~~ grade at the base of the building at the intersection N. Davidson Street and E. 26th Street (for the purposes of these height limits, parapet walls (five (5) feet or less as measured from the top of the roof structure), roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment, spires, mansards, domes, or other architectural features will not be considered for the calculation of allowed building height). The maximum building height, between the locations indicated and described above for maximum building height, shall not exceed: (i) 60 feet along E. 26th Street; and (ii) 62 feet along Yadkin Avenue as measured from average grade.

- f. To allow the parapet wall(s) (five (5) feet or less as measured from the top of the roof structure) constructed as part of the building(s) constructed within Development Area A which screen or may partially screen roof top mechanical equipment to not be counted toward the allowed building height.

- g. To allow the parking structure located along Yadkin Avenue to be constructed with 50% of its linear street frontage containing street level active accessory uses associated with the allowed residential uses, such as but not limited to a dog wash, bicycle repair station etc., and not with retail, office or residential uses.

- h. To allow 50% of the parking deck located along Yadkin Avenue to be wrapped with active accessory uses associated with the allowed residential uses such as but not limited to a dog wash, bicycle repair station, etc., and not with active uses such as residential, office and retail uses.

- i. To allow the building along East 26th Street and Yadkin Avenue to not provide façade variations that visually separate each individual unit in the proposed building when located across from single-family zoning.

- j. To allow the portions of the building across from single-family zoning to have more than four units share a common access to the abutting streets.

II. The following Optional Provisions shall apply to Development Area B of the Site:

- a. To allow the existing parking located in Development Area B within the established setback on N. Davidson Street and E. 27th Street to remain until Development Area B is redeveloped.

- b. To allow parking and vehicular maneuvering between the existing building located on Development Area B and N. Davidson Street and E. 27th Street as is generally depicted on the Rezoning Plan. Once the existing building located on Development Area B is demolished and Development Area B is redeveloped, Development Area B will comply with the TOD-M regulations and parking and vehicular maneuvering will not be allowed between the buildings and existing public streets.

- c. To allow uses (existing or new) located within the existing building located in Development Area B to meet the minimum parking requirements of the MUDD Zoning District.

- d. To allow the on-street parking spaces located along the Site's frontage on E. 26th Street and Yadkin Avenue to be counted toward the minimum parking requirements for Development Area B as required by the Optional provisions.

- e. To allow the building(s) constructed in Development Area B to have a maximum height of 60 feet (for the purposes of this height limit, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment, spires, mansards, domes, or other architectural features will not be considered for the calculation of allowed building height, otherwise building height will be measured as defined by the Ordinance)..

- f. To not require screening of the existing parking located within Development Area B, until Development Area B is redeveloped.

- g. To not require the installation of sidewalk connections from the existing building to the abutting streets. Sidewalk connections will be provided when Development Area B is redeveloped.

- h. To allow a 16 foot setback as measured from the existing back of curb to be provided along N. Davidson Street as generally depicted on the Rezoning Plan. When Development Area B is redeveloped a 16 foot setback as measured from the future back of curb will be provided.

3. Permitted Uses, Development Area Limitations:

- a. Subject to the restrictions and limitations listed below, Development Area A may be developed with up to 250 residential dwelling units, and up to 7,500 square feet of gross floor area non-residential uses as permitted by right and under prescribed conditions in the TOD-M Zoning district together with accessory uses as allowed in the TOD-M zoning district.

- b. The Petitioner will develop the ground floor portion of the building constructed along N. Davidson Street within Development Area A with non-residential uses (e.g. office, retail, institutional, civic, restaurants (EDEE), etc.) as allowed by the TOD-M zoning regulations. The proposed ground floor uses along N. Davidson Street may also include the leasing office associated with the allowed residential dwellings units. The leasing office associated with the residential dwellings units may not occupy more than 50% of the ground floor area of N. Davidson Street building frontage.

- c. Subject to the restrictions and limitations listed below, Development Area B may be developed with

residential and non-residential uses as permitted by right and under prescribed conditions in TOD-M zoning district together with allowed accessory uses as permitted in the TOD-M 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).

Access:

- a. Access to the Site will be from N. Davidson Street, E 27th Street and Yadkin Ave as generally depicted on the Rezoning Plan, subject to adjustments as set forth below. The Petitioner may request additional access point to E. 27th Street, Yadkin Avenue and E. 26th Street through the Administrative Amendment process of the Ordinance.

- b. The alignment of the vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

5. Streetscape, Landscaping Open Space and Screening:

- a. Along N. Davidson Street a 16 foot setback as measured from the ~~existing~~future back of curb ~~along~~for Development Area A will be provided and a 16 foot setback as measured from the existing back of curb will be provided for Development Area B, as allowed by the Optional provisions Provisions above.

- b. Along Development Area A's street frontage on E. 26th Street, E. 27th Street and Yadkin Avenue a 14 foot setback as measured from the back of the existing curb or future curb will be provided as allowed by the Optional provisions above.

- c. As part of the redevelopment of Development Area A, the Petitioner will provide the following streetscape improvements along Development Area A's frontage on N. Davidson Street: (i) an eight (8) foot amenity zone with street trees; and (ii) an eight (8) foot Sidewalk as generally depicted on the Rezoning Plan.

- d. The Petitioner will ~~resign~~may elect to modify the existing ~~bike lane~~curb line along the Site's front on Development Area A's N. Davidson Street frontage to provide parallel on-street parking as recommended by the Blue Line Extension Transit Station Area Plan, if approved by the City during the Urban Approval/Building Permit process for the Development Area A.

- e. As part of the redevelopment of Development Area A, an eight (8) foot planting strip and a six (6) foot sidewalk will be provided along E. 26th Street, E. 27th Street and Yadkin Avenue as generally depicted on the Rezoning Plan and as allowed by the Optional provisions above.

- f. Along Development Area B's street frontage on N. Davidson Street the Petitioner will provide the following streetscape improvements ~~along Development Area B's frontage on N. Davidson Street~~: (i) an eight (8) foot planting strip with street trees; and (ii) an eight (8) foot Sidewalk as generally depicted on the Rezoning Plan. These streetscape improvements will be provided when Development Area A is redeveloped or when the existing building in Development Area B is redeveloped whichever occurs first.

- g. Along Development Area B's frontage on E. 27th Street an eight (8) foot planting strip and a six (6) foot sidewalk will be provided when Development Area A is redeveloped or when the existing building in Development Area B is redeveloped whichever occurs first.

- h. Urban Open Space will be provided on the Site (Development Area A and B) as required by the Ordinance.

- i. The open space areas on the Site will be improved with landscaping, lighting, seating and hardscape elements.

- j. Meter banks will be screened where visible from public view at grade level.

- k. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.

6. Architectural Standards.

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious siding (such as hardi-plank), stucco, EIFS, decorative metal panels, decorative block and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings

- b. The residential buildings constructed within Development Area A will have pedestrian entrances from the building to each of the adjoining public streets.

- c. The proposed non-residential uses located on ~~ground floor~~ of the building constructed along N. Davidson Street, within Development Area A, will orient and connect a primary entrance to the sidewalk along N. Davidson Street. The entrances to the sidewalk along N. Davidson Street will be open and operable during the business hours of the associated use. This standard will also apply to Development Area B when Development Area B undergoes redevelopment that is subject to the standards of the TOD-M zoning district as described by the Optional Provisions above.

- d. The building constructed along N. Davidson Street, within Development Area A, will provide a Fenestration Area of at least 50% of the area of the building edge along N. Davidson Street. The Fenestration Area is calculated as a percentage of the wall area zone from three (3) feet above finished floor to eight (8) feet above finished floor for the length of the building. This Fenestration Area standard will also apply to Development Area B when Development Area B undergoes redevelopment that is subject to the standards of the TOD-M zoning district as described by the Optional Provisions above.

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. The fenestration area shall extend from a height of no more than three (3) feet from the exterior average grade at the base of the building to at least the height of the door head.

- e. The first floor (street level) of the proposed parking deck structure located along Yadkin Avenue will be treated with a combination of decorative grill work, active ground floor uses (as allowed by the Optional provisions) and art work. The decorative grill work, active ground floor uses and art work will be installed so that the parking deck Street Wall does not have any blank walls that exceed 20 feet in length.

- f. Art work will be part of the Street Wall treatment of the proposed parking structure located along Yadkin Avenue. The proposed Art work will be installed either: (i) as part of a partnership between the Petitioner and the Art and Science Council; or (ii) by the Petitioner. The Petitioner has discussed and will continue to discuss with the Art and Science Council the possibility of developing a partnership to create and implement the art work that will be installed on the parking deck Street Wall along Yadkin Avenue.

- g. The upper floors of the proposed parking deck elevation along Yadkin Avenue will have openings to allow air and light into the parking deck and may not be constructed as a solid wall. Cars on all levels of the structure will be screened as required by the Ordinance. The screening on the upper levels of the deck will be accomplished with either decorative grills or architectural pre-cast.

7. Parking and Maneuvering Restrictions.

- a. As allowed by the Optional Provisions above the existing parking and maneuvering for parking located in the setbacks and between the public streets and existing building on Development Area B may remain until such time as Development Area B is redeveloped.

8. Environmental Features:

- a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

- b. 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. Adjustment may be necessary to accommodate actual storm water treatment requirements and natural discharge points.

- c. The Site will comply with the Tree Ordinance.

9. Signage:

- a. Signage as allowed by the Ordinance may be provided.

10. Villa Heights Neighborhood Signage:

- a. The Petitioner will donate \$8,000 to the Villa Heights Neighborhood Association for the installation of Villa Heights neighborhood identification signage. The funds will be contributed to the Villa Heights Neighborhood Association after a building permit is issued for a the first building within Development Area A and prior to the issuance of the first certificate of occupancy for the first building constructed within Development Area A.

11. Lighting:

- a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding: low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.

- b. Detached lighting on the Site, except street lights located along public streets, will be limited to 15 feet in height.

11.12. 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.

12.1. 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.

REVISIONS:

01/05/2015 - REVISION PER REZONING COMMENTS  
03/13/2015 - REVISION PER REZONING COMMENTS  
03/23/2015 - REVISION PER REZONING COMMENTS  
06/24/2015 - REVISION PER REZONING COMMENTS

DATE: OCTOBER 3, 2014

DESIGNED BY: AJM

DRAWN BY: AJM

CHECKED BY: NLD

SCALE: 1"=30'

PROJECT #1014336

SHEET #:

Z-3.0

NoDa 27th

MULTI-FAMILY DEVELOPMENT

DEVELOPMENT NOTES

PETITION NO. 2015-001

LandDesign

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Southern Apartment Group, LLC.  
Development Standards  
02/03/15–03/23/2015 04/24/15  
Rezoning Petition No. 2015-001