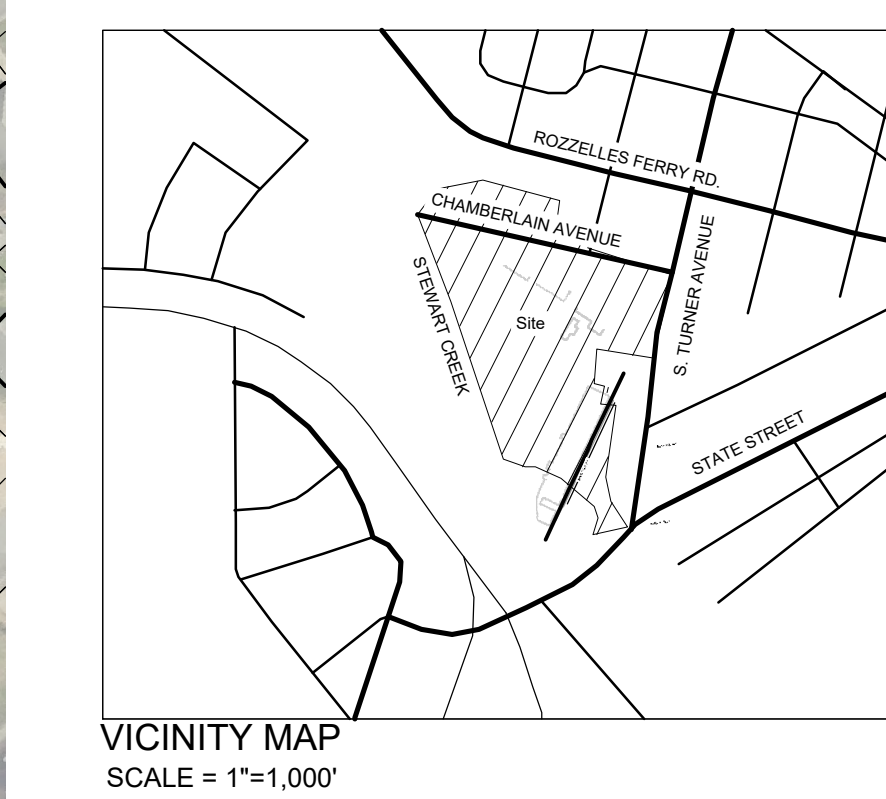




ADJACENT OWNERSHIP LISTINGS	
1. MICHAEL AND KATHERINE IOIACONO Tax # 07111311 Zoning: R-8 Existing Use: Single Family	22. WIKOFF COLOR CORP Tax # 07111410 Zoning: I-2 Existing Use: Single Family
2. JOHN AND CARRIE DAY Tax # 07111306 Zoning: R-8 Existing Use: Single Family	23. BRYANT AND NANCY CUTTER Tax # 07111415 Zoning: I-2 Existing Use: Single Family
3. MARY ANN HUGHEY Tax # 07111305 Zoning: R-8 Existing Use: Single Family	24. ADENYI A ADEYGA Tax # 07110111 Zoning: R-8 Existing Use: Single Family
4. RYAN COX AND KARLI NELSON Tax # 07111313 Zoning: R-8 Existing Use: Single Family	25. CITYSIDE PROPERTIES LLC Tax # 07110402 Zoning: I-1 Existing Use: Single Family
5. 2517 ROZZELLES FERRY LLC Tax # 07111312 Zoning: R-8 Existing Use: Single Family	26. CAROLINA URBAN PROPERTIES LTD Tax # 07110403 Zoning: I-1 Existing Use: Warehouse
6. DEVONA ALLGOOD Tax # 07111303 Zoning: R-8 Existing Use: Single Family	27. CAROLINA URBAN PROPERTIES LTD Tax # 07110404 Zoning: I-1 Existing Use: Warehouse
7. MEGAN FOX Tax # 07111302 Zoning: R-8 Existing Use: Single Family	28. CAROLINA URBAN PROPERTIES LTD Tax # 07110405 Zoning: I-1 Existing Use: Warehouse
8. WESLEY AND STEPHANIE VANDER LUGT Tax # 07111301 Zoning: R-8 Existing Use: Single Family	29. SAVONA LLC Tax # 07111417 Zoning: I-1 Existing Use: Warehouse
9. TAH 2015-1 BORROWER LLC Tax # 07111208 Zoning: R-8 Existing Use: Single Family	30. 1800 CAMDEN ROAD STE 107-230 Tax # 07110551 Zoning: I-1 Existing Use: Warehouse
10. TAH 2015-1 BORROWER LLC Tax # 07111207 Zoning: R-8 Existing Use: Single Family	31. SAVONA LLC Tax # 07110501 Zoning: I-2 Existing Use: Office
11. CHRISTOPHER JOEL Tax # 07111206 Zoning: R-8 Existing Use: Single Family	32. COMMUNITY BUILDING INVESTMENTS LLC Tax # 07107214 Zoning: I-2 Existing Use: Office
12. WILLIAM AND WINFREE BRISLEY Tax # 07111205 Zoning: R-8 Existing Use: Single Family	33. MECKLENBURG COUNTY C/O REAL ESTATE FINANCE DEPT Tax # 07111416 Zoning: I-2 Existing Use: Single Family
13. D A HERS COLBERT AND SARAH BROADIE Tax # 07111204 Zoning: R-8 Existing Use: Single Family	34. RAILROAD CO SEABOARD COAST LINE Tax # 07112132 Zoning: I-2 Existing Use: Single Family
14. ANDREW NEVILLE Tax # 07111203 Zoning: R-8 Existing Use: Single Family	35. RAILROAD CO SEABOARD COAST LINE Tax # 07112206 Zoning: R-5 Existing Use: Single Family
15. KIMBERLY NORTON NICHOLAS KRECKER Tax # 07111202 Zoning: R-8 Existing Use: Single Family	36. MECKLENBURG COUNTY Tax # 07114340 Zoning: I-1 Existing Use: Single Family
16. GREGORY AND TRACEY MOTLEY Tax # 07111201 Zoning: R-8 Existing Use: Single Family	37. MECKLENBURG COUNTY Tax # 07114338 Zoning: I-1 Existing Use: Single Family
17. GREGORY AND TRACEY MOTLEY Tax # 07111214 Zoning: B-2 Existing Use: Single Family	38. MECKLENBURG COUNTY REAL ESTATE FINANCE DEPT Tax # 07112205 Zoning: R-5 Existing Use: Public Park
18. GREGORY MOTLEY Tax # 07111213 Zoning: I-1 Existing Use: Single Family	
19. GREGORY MOTLEY Tax # 07111212 Zoning: I-1 Existing Use: Single Family	
20. GREGORY AND TRACEY MOTLEY Tax # 07111211 Zoning: I-1 Existing Use: Single Family	
21. GARDNER LAND TRUST CATHERINE HUNTER Tax # 07111110 Zoning: R-8 Existing Use: Single Family	



KEY MAP

SEAL

## REZONING PETITION NO. 2016-112

## SAVONA REZONING

ARGOS REAL ESTATE ADVISORS,  
INC.  
1101 S. BLVD., SUITE 100  
CHARLOTTE, NC 28203

LANDDESIGN PROJ# 1017332

### REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	SUBMITTAL 2	08-13-18
3	SUBMITTAL 3	10-15-18
4	SUBMITTAL 4	01-14-19
5	SUBMITTAL 5	05-13-19
6	SUBMITTAL 6	06-24-2019
7	SUBMITTAL 7	07-10-2019

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DRAWN BY:  
CHECKED BY:

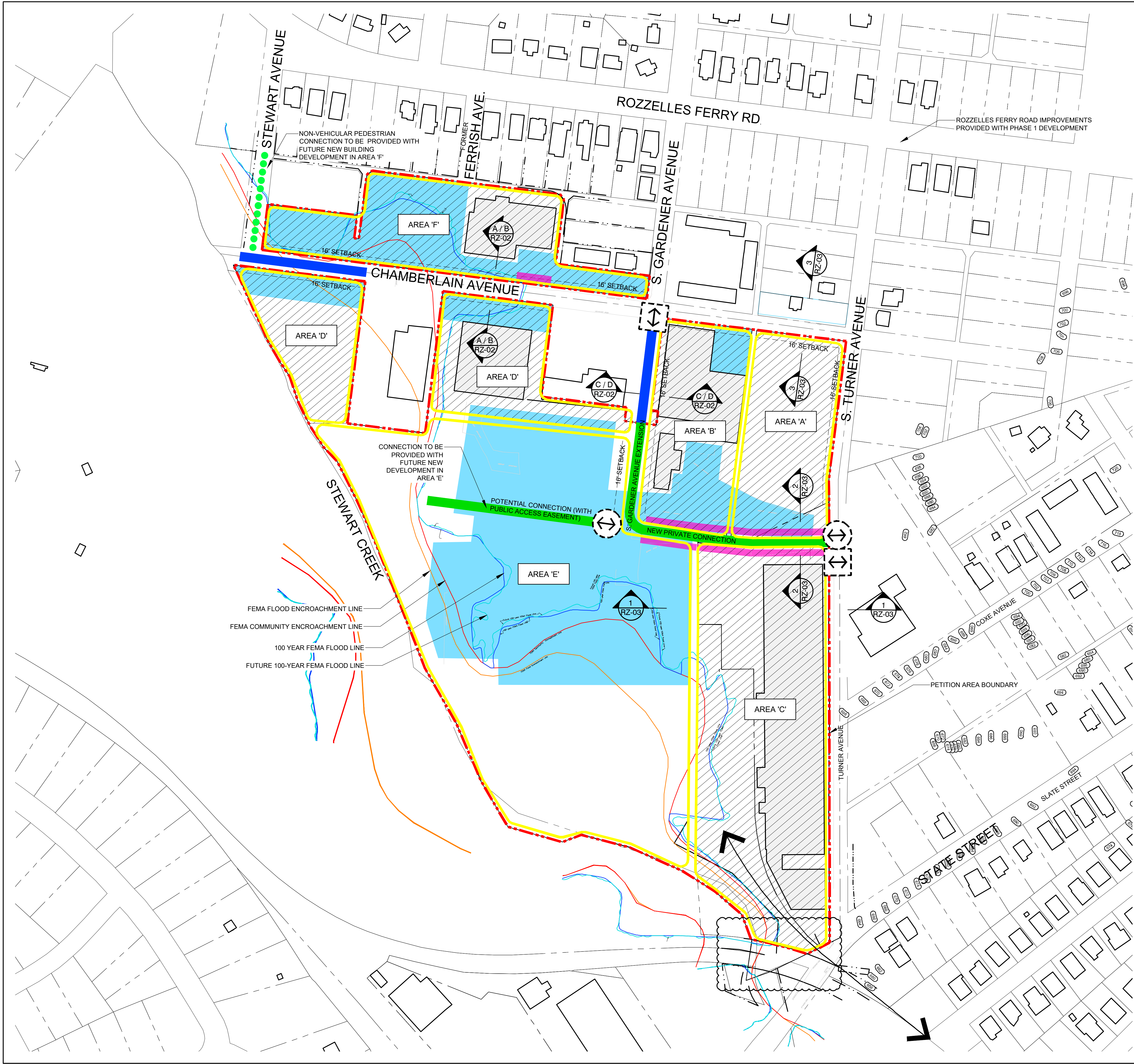
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HORZ: 1"=100'  
0 50' 100' 200'

EXISTING CONDITIONS

SHEET NUMBER

RZ-00





SITE DEVELOPMENT DATA

- Acreage: ± 27.65 acres
- Tax Parcels: 071-114-03, 071-114-12, 071-114-17 and 071-112-09
- Existing Zoning: I-1 and I-2
- Proposed Zoning: MUDD-O with five (5) year vested rights.
- Existing Uses: Industrial
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district.
- Maximum Development (subject to conversion rights as defined herein):
  - a. up to 290,000 square feet of commercial and/or office uses, however retail uses shall not exceed 45,000 square feet total, and
  - b. Up to 240 residential units.
- Maximum Building Height: Up to eight (8) stories for buildings internal to the Site, and further limited to a maximum of four (4) stories around the perimeter of the Site, in the areas as indicated on the Rezoning Plan as the Perimeter Height Zone Area.
- Parking: As required by the Ordinance for the MUDD zoning district.

LEGEND

- NEW PUBLIC STREET CONNECTIONS / EXTENSION (WITH PUBLIC RIGHT OF WAY)
- PRIVATE VEHICULAR/ PEDESTRIAN CONNECTIONS (WITH PUBLIC ACCESS EASEMENT)
- FUTURE ACCESS POINTS (WITH PUBLIC ACCESS EASEMENT)
- EXISTING ACCESS/CONNECTIONS
- POTENTIAL FUTURE PRIVATE TROLLEY CONNECTION
- PERIMETER ZONE - REDUCED BUILDING HEIGHT (4 STORIES MAX.)
- EXISTING PARKING FIELDS FOR EXISTING BUILDINGS ADAPTIVE RE-USE OR RE-USE IN PRIMARILY AS-IS CONDITION
- NEW FLEXIBLE FRONTAGE ZONE
- NON-VEHICULAR CONNECTION

REZONING  
PETITION NO.  
2016-112

SAVONA  
REZONING

ARGOS REAL ESTATE ADVISORS,  
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CHECKED BY:

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VERT: N/A  
HORZ: 1"=100'  
0 50' 100' 200'

REZONING PLAN AND  
TECHNICAL DATA SHEET

SHEET NUMBER

RZ-01



REZONING  
PETITION NO.  
2016-112

SAVONA  
REZONING

ARGOS REAL ESTATE ADVISORS,  
INC.

1101 S. BLVD., SUITE 100

CHARLOTTE, NC 28203

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DESIGNED BY:

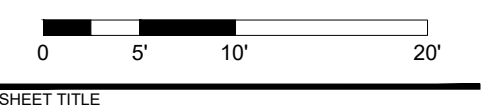
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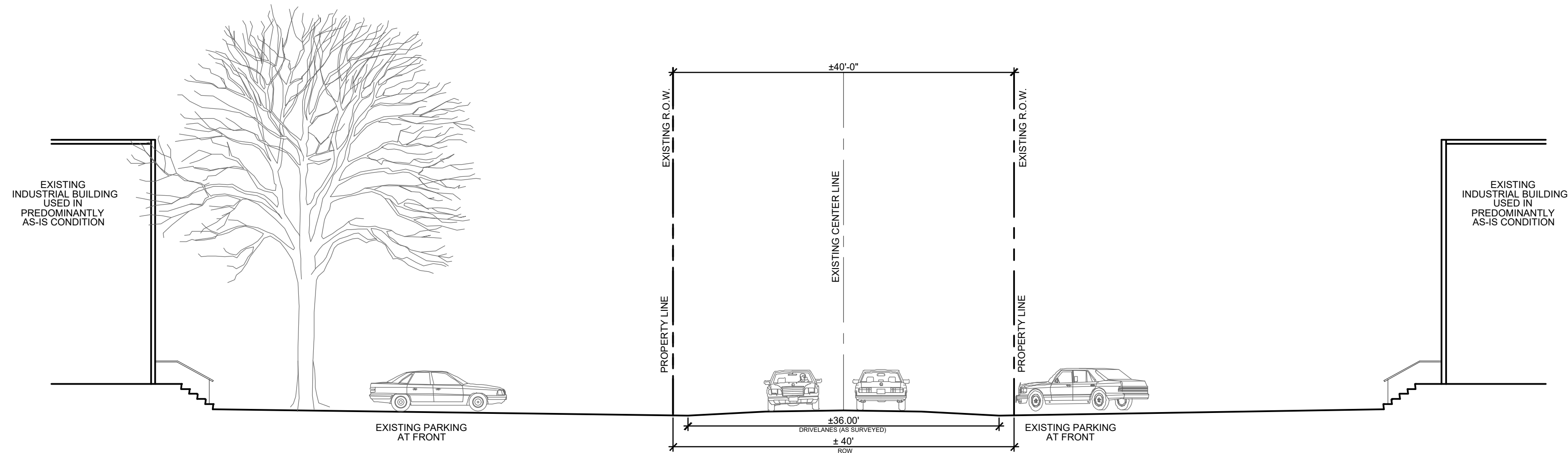


SHEET TITLE

STREET SECTIONS

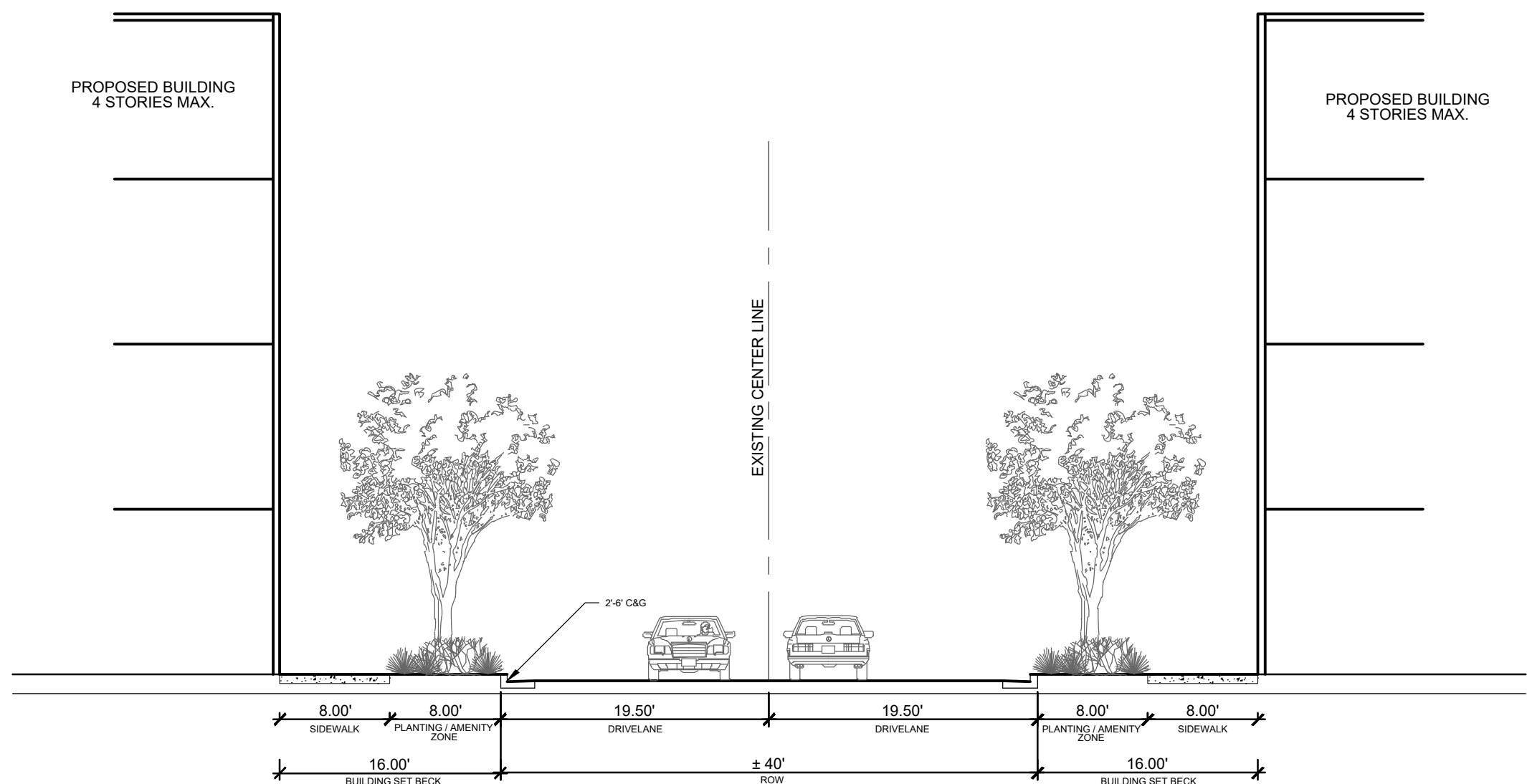
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RZ-02



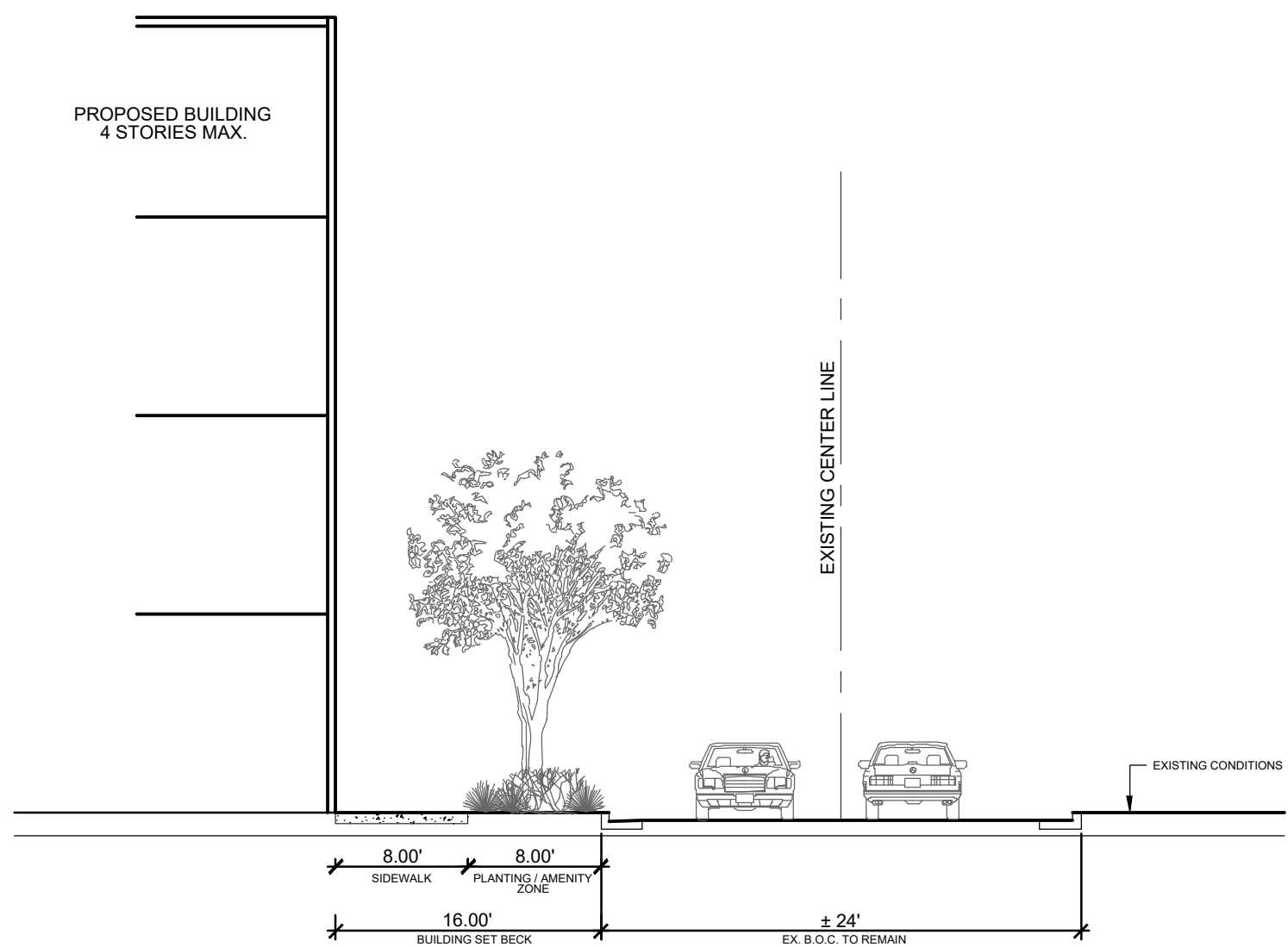
TYPICAL CHAMBERLAIN AVENUE - WEST OF S. GARDNER AVE.  
EXISTING CONDITIONS  
SCALE: 1" = 10'-0"

A



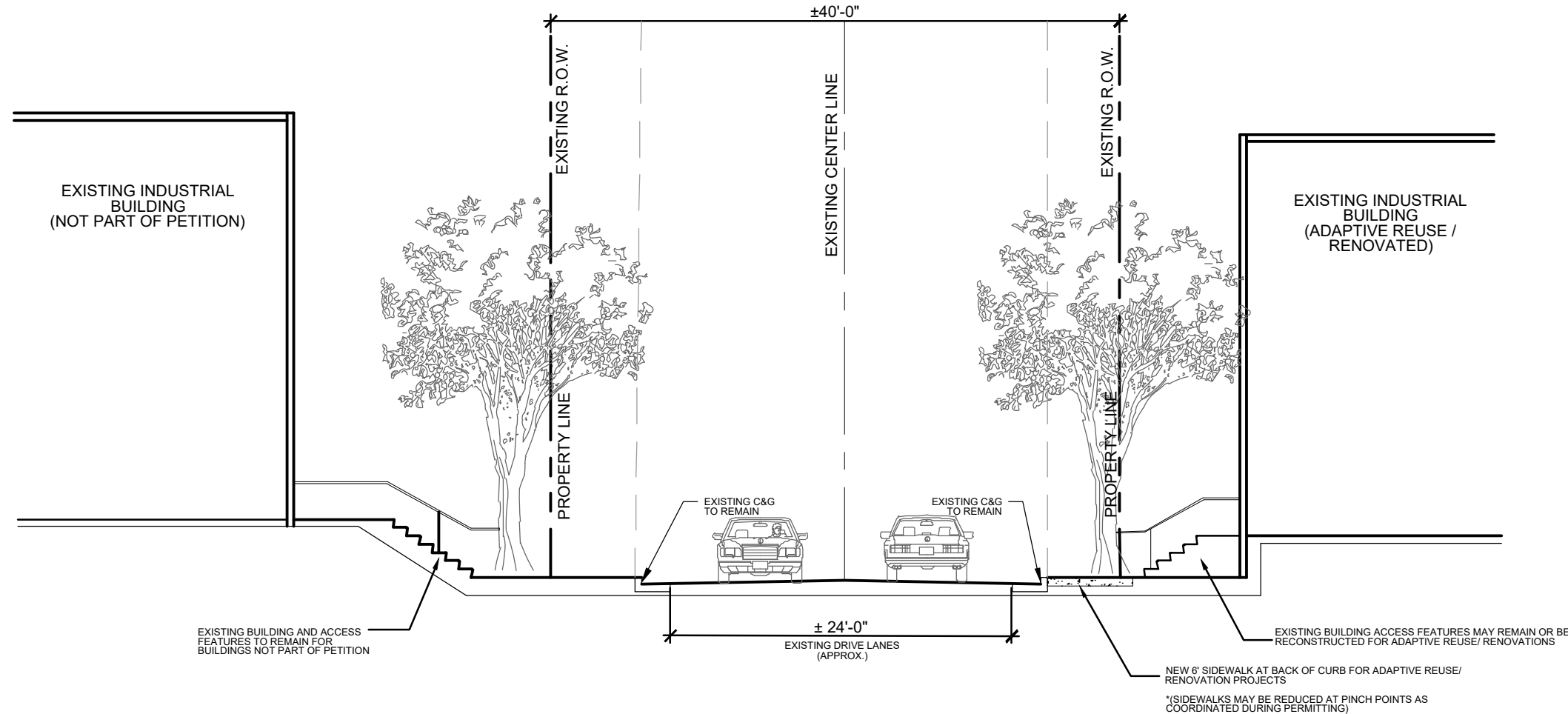
TYPICAL CHAMBERLAIN AVENUE - WEST OF S. GARDNER AVE.  
PROPOSED CONDITIONS  
SCALE: 1" = 10'-0"

B



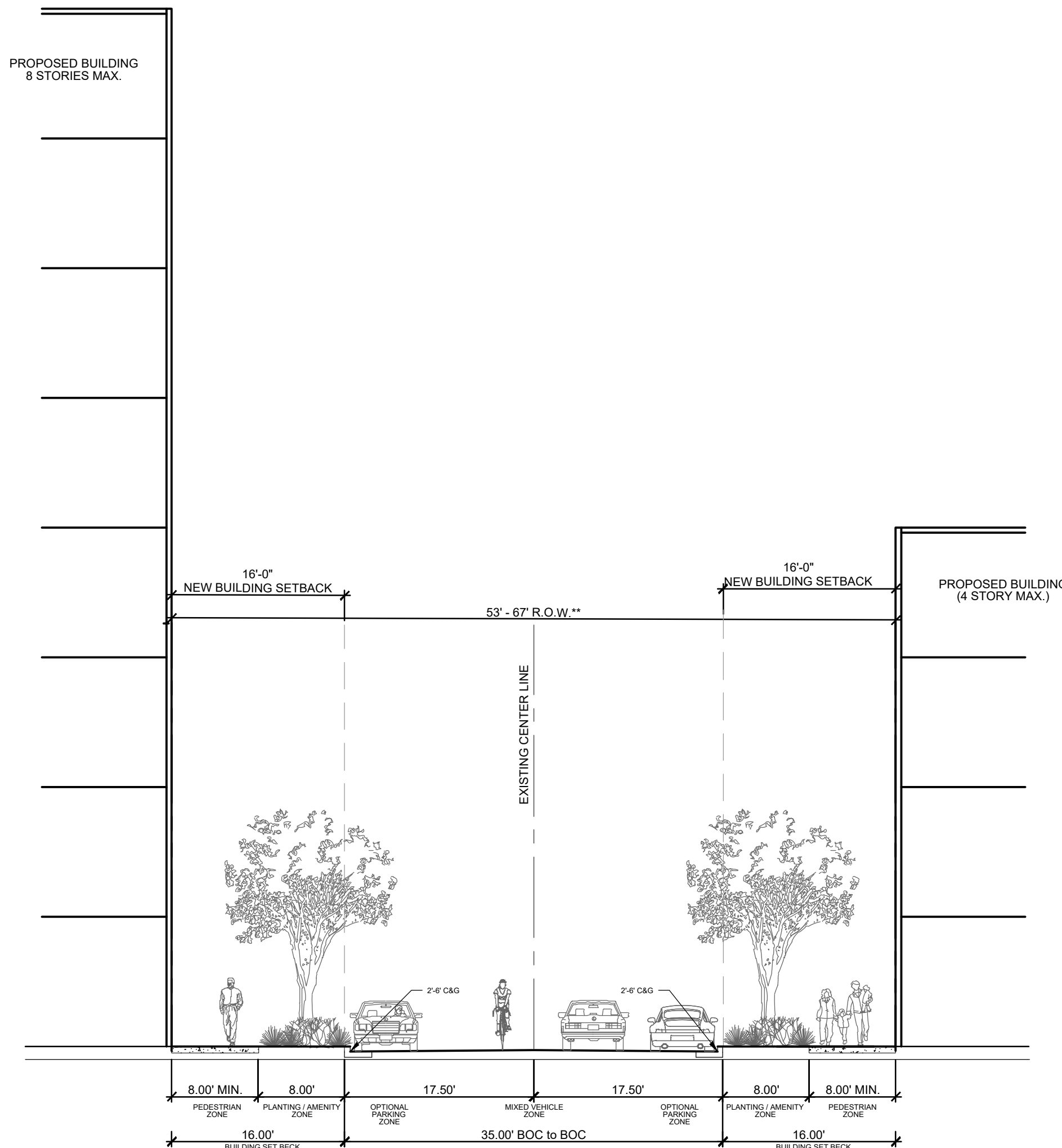
TYPICAL S. TURNER AVENUE -  
PROPOSED CONDITIONS  
SCALE: 1" = 10'-0"

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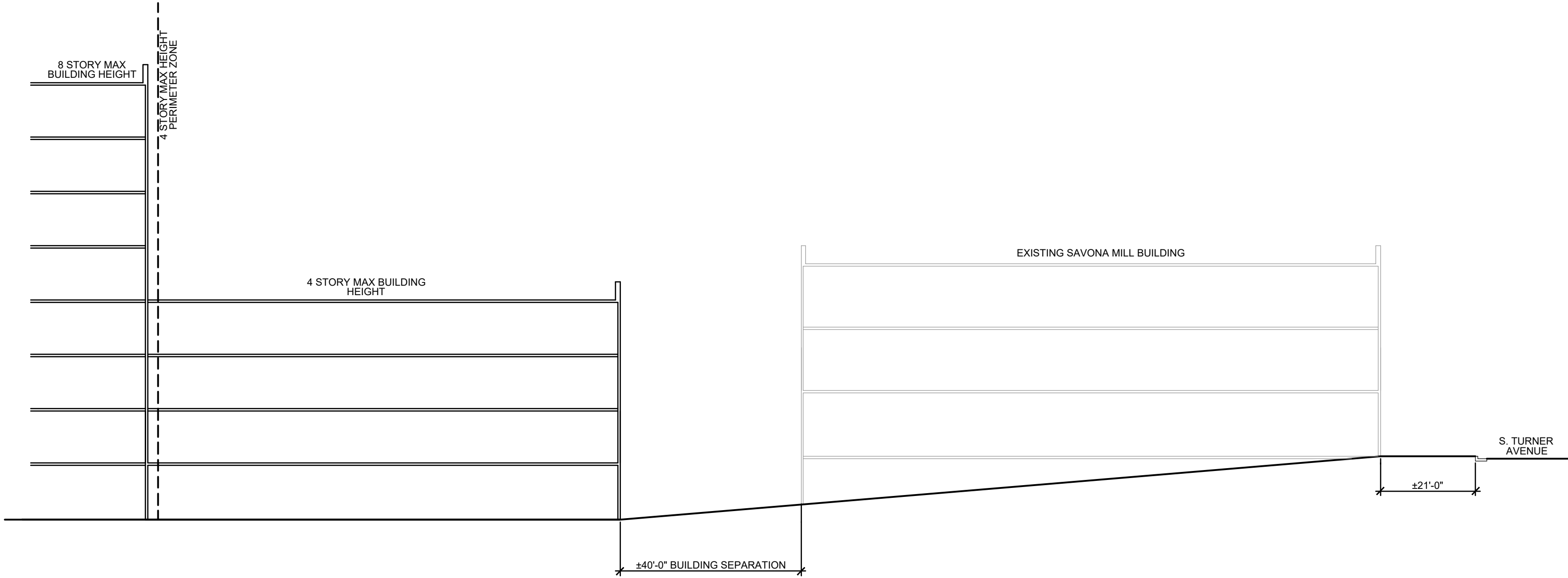
TYPICAL S. GARDNER AVENUE -  
EXISTING BUILDING AND ADAPTIVE REUSE CONDITION  
SCALE: 1" = 10'-0"

C

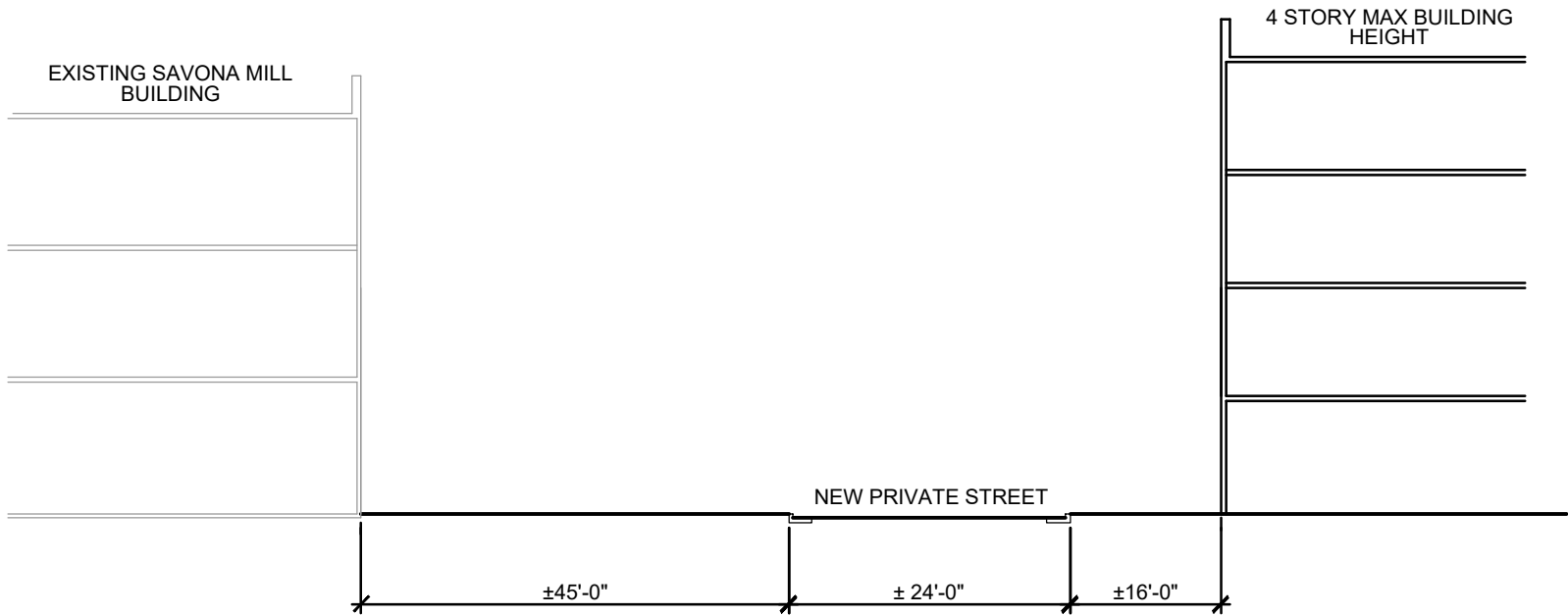


TYPICAL S. GARDENER SECTION -  
PROPOSED CONDITIONS  
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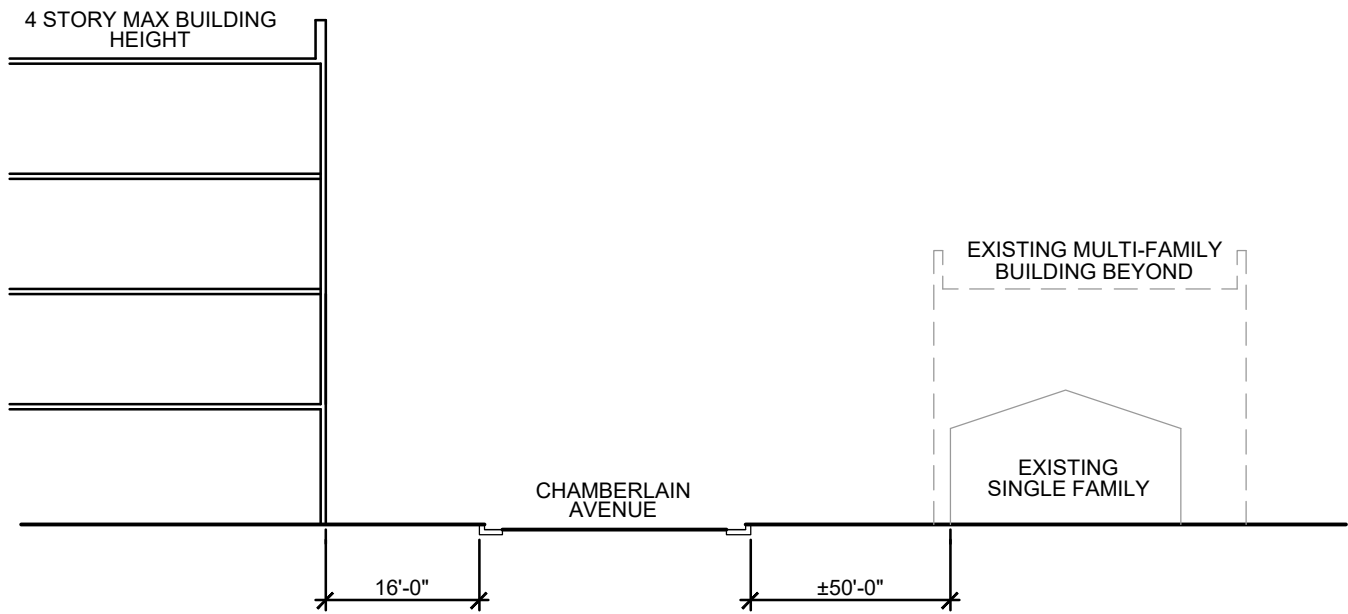
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1 BUILDING HEIGHT RELATIONSHIP AT S. TURNER AVENUE PERIMETER ZONE  
SCALE: 1" = 20'-0"



2 BUILDING HEIGHT RELATIONSHIP AT NEW PRIVATE STREET  
SCALE: 1" = 20'-0"



3 BUILDING HEIGHT RELATIONSHIP AT CHAMBERLAIN AVENUE  
SCALE: 1" = 20'-0"

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REZONING PETITION NO. 2016 - 112

DEVELOPMENT STANDARDS

ARGOS REAL ESTATE ADVISORS, INC.

July 10, 2019

Site Development Data:

--Acreage: ± 27.65 acres

--Tax Parcels: 071-114-03, 071-114-12, 071-114-17 and 071-112-09

--Existing Zoning: I-1 and I-2

--Proposed Zoning: MUDD-O with five (5) year vested rights.

--Existing Uses: Industrial

--Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district.

--Maximum Development (subject to conversion rights as defined herein):

- a. Up to 290,000 square feet of commercial and/or office uses, however retail uses shall not exceed 45,000 square feet total, and
- b. Up to 240 residential units.

--Maximum Building Height: Up to eight (8) stories for buildings internal to the Site, and further limited to a maximum of four (4) stories around the perimeter of the Site, in the areas as indicated on the Rezoning Plan as the Perimeter Height Zone Area.

--Parking: As required by the Ordinance for the MUDD zoning district.

1. General Provisions

- (a) **Site Description.** These Development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Argos Real Estate Advisors, Inc. ("Petitioner") to accommodate the redevelopment of an approximately 28-acre property generally surrounded by Stewart Avenue, Chamberlain Avenue, Turner Avenue, State Street and Stewart Creek (the "Site").
- (b) **Intent.** This Rezoning is intended to accommodate the evolution of a heavy industrial property into a vibrant mixed use community. The Petitioner seeks to preserve existing buildings and infrastructure where possible while maintaining enough flexibility to develop new improvements in a manner and at a time that is responsive to market demand. The Petitioner proposes to create an internal street network through the Site to create a more complete street network that will allow pedestrian, bicycle, and automobile traffic to travel through the Site. The Petitioner seeks to create a public realm with the pedestrian experience in mind. The overall development plan is intended to allow the Site to evolve with the surrounding area, resulting in a well-designed, quality experience for the residents, employees, and visitors, as well as the larger community. The

93294080 v11

Petitioner views the existing Savona Mill building as an asset to the development and intends to preserve the building for adaptive reuse.

- (c) **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 MUDD 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.

- (d) **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, setbacks, side and rear yards, buffers, building height separation standards, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide 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, provided, however, that all such separation standards along the exterior boundary of the Site shall be adhered to any development limitations set forth below as to the Site as a whole and not individual portions or lots located therein.

- (e) **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.

2. MUDD-O Optional Provisions

The following Optional Provisions are provided to accommodate deviations from the MUDD standards:

- (a) To allow existing structures to remain and to permit changes of use within existing buildings without having to bring buildings into full compliance with MUDD design or streetscape standards during "Adaptive Reuse of Existing Buildings" conditions, as further described below in Paragraph 2.g. and 6.b. (which requires minor building enhancements not to exceed 10% of the building facade). Such Adaptive Reuse of Existing Buildings shall not be renovated in a manner that makes them more nonconforming with MUDD design and

93294080 v11

93294080 v11

1. In Areas C and E, the Petitioner requests the opportunity to discuss approval for design flexibility with the Planning Director or its assignee related to the internal streetscape and design standards, such as the proposed Trolley connection and other similar innovative design elements that are consistent with the intent of the redevelopment.
2. If non-residential uses are not oriented to an existing or new network required street and cannot meet the design standards for blank wall articulation (for example, modular commercial, pre-existing conditions contributing to site character, and/or fire code limitations), alternative innovative design solutions may be considered for approval by the Planning Director or designee.
3. Loading/unloading and service, including refuse collection;
4. Driveway spacing;
5. Flexibility for existing grade related to the active use requirement on the ground floor of existing buildings;
6. Relief from "blank" walls provision; and
7. Relief from storefront and entrance spacing requirements.

3. Permitted Uses and Maximum Development

Subject to the Maximum Development provisions set forth herein, the Site may be devoted to any commercial and residential uses permitted by right or under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith, except for the following:

1. Car washes;
2. Automobile service stations; and
3. EDEEs with drive-through service windows.

Area A shall be further restricted to prohibit the following uses: adult establishments, nursing homes, police and fire stations, and motels.

4. Development Areas and Conversion Rights

- (a) Subject to the restrictions, limitations, and transfer/conversion rights listed below, the principal buildings constructed within Development Areas may be developed: (i) with up to 290,000 square feet of gross floor area of commercial non-residential uses permitted by right and under prescribed conditions; and (ii) up to 240 residential dwelling units.

Conversion Rights:

- i. In the event that 290,000 square feet of commercial uses are not constructed on the Site, unused commercial square footage may be converted to residential dwelling units at the rate of one (1) residential dwelling unit per 1,000 square feet of commercial square footage so converted. Thus, the total number of residential dwelling units allowed on the Site may exceed 240 if unused commercial square footage is converted in accordance with the above

LandDesign.

223 NORTH GRAHAM STREET  
CHARLOTTE, NC 28202  
704.333.0325  
WWW.LANDDESIGN.COM



KEY MAP

REAL

PROJECT

SAVONA  
REZONING

ARGOS REAL ESTATE ADVISORS,  
INC.

1101 S. BLVD., SUITE 100

CHARLOTTE, NC 28203

LANDDESIGN PROJ.# 1017332

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DESIGNED BY:  
DRAWN BY:  
CHECKED BY:

SCALE NORTH

VERT: N/A  
HORZ: N/A

SHEET TITLE

DEVELOPMENT STANDARD  
NOTES

SHEET NUMBER

RZ-N1





KEY MAP

REAL

REZONING  
PETITION NO.  
2016-112

SAVONA  
REZONING

ARGOS REAL ESTATE ADVISORS,  
INC.

1101 S. BLVD., SUITE 100

CHARLOTTE, NC 28203

LANDDESIGN PROJ# 1017332

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DESIGNED BY:  
DRAWN BY:  
CHECKED BY:

SCALE NORTH

VERT: N/A  
HORZ: N/A

SHEET TITLE  
DEVELOPMENT STANDARD  
NOTES

SHEET NUMBER

RZ-N2

which they serve are demolished and new buildings are constructed in their place, at which time such parking in that development Area shall conform to all MUDD screening and parking standards in the Ordinance and parking shall no longer be permitted between the building(s) and network-required streets for that Area unless alternative improvements are approved by the Planning Director or its assignee.

(c) **New Building Design Guidelines**

1. **Building Materials.** The new 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, architectural pre-cast concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), or wood. EIFS as a building material will not be allowed, except as back-up for architectural trim on stucco-clad buildings. Vinyl, as a building material, will only be allowed on windows, soffits, and trim features.

i. Building materials associated with façades of parking structures shall be generally compatible in character and quality with materials used on nearby buildings, plazas and streetscapes, taking into consideration differences associated with parking structures and the additional design standards in Paragraph 7, below.

2. All Permissible Parking Areas that face public and private streets adjacent to Required Opens Spaces shall be screened at a level that exceeds the Ordinance requirement. The first floors of any parking structures that face streets or require Open Spaces shall be screened from view and designed to encourage and complement pedestrian-scale activity and shall incorporate at least three (3) of the following design features:

- works of art;
- fountains and pools;
- covered porches, canopies, awnings or sunshades;
- street furniture;
- landscaping and garden areas; and/or
- architecturally articulated facades.

3. New meter banks will be screened where visible from public view at grade from public or private streets and shall be located outside of the setback.

4. New rooftop HVAC and related mechanical equipment will be screened from public view at grade from public or private streets.

5. Dumpsters, loading and services areas shall be screened from streets, common open spaces and any adjacent residential uses with materials

(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 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.

(c) Attached and detached lighting shall be downwardly directed. However, upward facing accent lighting shall be permitted.

(d) Architectural lighting may be integrated into building elements.

12. **Phasing**

Petitioner intends to develop the Site in phases and may develop individual Development Areas based on market demand. All required sidewalks, street trees and open space amenities within a particular Development Area shall be installed prior to the issuance of the first Certificate of Occupancy (this requirement shall not apply to Temporary Certificates of Occupancy) for New Buildings within the same Development Area, unless otherwise described herein. Adaptive Reuse of Existing Buildings shall not trigger installation of required sidewalks, street trees, and open space amenities unless otherwise described herein.

13. **Amendments to Rezoning Plan**

Future amendments to the Rezoning Plan 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.

14. **Binding Effect of the Rezoning Documents and Definitions**

(a) If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

(b) Throughout these Development Standards, the terms, "Petitioner" and "owner" and "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owners of the Site from time to time who may be involved in any future development thereof.

be in such condition from a structural or environmental standpoint that preservation may not be possible, as determined by a third party engineer licensed in North Carolina.

1. If any design or streetscape improvement requirements contained herein are contradictory to the requirements of historic preservation so as to affect the Mill's eligibility for historic tax credits, the requirements related to historic preservation shall prevail so as not to impact the applicability of historic tax credits. Alternative Compliance or Alternative Improvements shall be provided in coordination with the Planning Director (or its assignee) and/or CDOT.

(b) **Adaptive Reuse of Existing Buildings.** For buildings that are being adaptively reused, the Petitioner requests optional provisions (as stated in Section 2 above) to allow existing buildings to remain without triggering new building design guidelines. The following standards shall apply to all Adaptive Reuse of Existing Buildings:

1. Existing Building(s) shall be renovated with façade improvements through vision glass, doors or active outdoor spaces along 30% of the building side that fronts the public right-of-way or private street between two (2) feet and eight (8) feet of the ground floor, unless such renovations require that over 10% of the building facade be altered. In that case, only 10% of the building facade shall be renovated to include vision glass, doors or active spaces as stated herein. Further, if the building architectural or site prohibits meeting the above condition, the Planning Director or its assignee may approve alternative approaches that meet the intent of the redevelopment. Such renovations shall occur at such time that the Site's total occupancy exceeds 75% occupancy.

2. At such time as an adaptive reuse building is redeveloped with new building(s) or an existing parking area is improved or such time as the use to which that parking area serves is converted to non-industrial (i.e., commercial, office, or residential) uses, the building(s) must be built to MUDD standards and parking area must be screened per MUDD standards.

3. Expansion of adaptive reuse buildings shall be limited to minor (15%) increases for utility upfits or other similar existing building improvements required to meet accessibility requirements or building code requirements. Expansions above 15% shall require such building(s) to conform to MUDD standards.

4. Parking areas labeled as "Existing Parking Fields for Adaptive Re-Use or Re-Use in Primarily As-Is Condition" on the Rezoning Plan shall denote areas where existing parking areas and parking structures may be visible from streets or open spaces until such time as the existing buildings to

the Site with one another by way of links to sidewalks along the abutting public and private streets and/or other pedestrian features.

(b) Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of main door swings, shopping cart storage, and temporary trash or similar impediments. Main door swings are to be distinguished from emergency exits, with emergency exits only requiring a walkway width of at least six (6) feet.

(c) Subject to the optional provision set forth above, deviations from typical sidewalk and planting strip requirements are allowable upon approval by CDOT and the Planning Director. Any changes to dimensional requirements are allowable only in cases of hardship.

9. **Open Space and Amenity Areas.**

Petitioner shall provide open spaces throughout the Site in accordance with the following standards:

(a) **Urban Open Spaces:** New development within the Site shall meet the Urban Open Space requirements of the MUDD district.

(b) **Amenitized Publicly Accessible Open Space:** Prior to the issuance of a certificate of occupancy for greater than 100,000 square feet of development throughout the Site, the Petitioner shall provide at least 10,000 square feet of amenitized, publicly accessible open spaces designed as amenity areas throughout the Site. The majority of the required open space will be at the ground level in locations that are visible and accessible from streets or sidewalks. These areas may include elements such as: water features, specialty graphics, landscaping, specialty paving, seating areas, signage, art work and/or other site elements.

10. **Signage**

(a) Because the Site will be viewed as a Planned/Unified-Development as defined by the Ordinance, signs may be located throughout the Site as allowed by the Ordinance and provisions below. The allowed signs may contain identification signage for any of the uses located on the Site.

(b) Signage types as outlined in Optional Provision Section 2.f. shall be permitted in addition to those allowed under Chapter 13 of the Ordinance.

11. **Lighting**

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's Engineering and 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, 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.

(h) **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 (or its assignee), and as applicable, NCDOT, provided, however, the proposed alternate transportation improvements must provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

(i) **Alternative Compliance.** While it is understood that the improvements set forth above, unless otherwise specified, are the responsibility of the Petitioner or other private sector entity, in any event that it is necessary or advantageous, CDOT may, at its discretion, accept a fee in lieu of construction of certain improvements, as long as such fee is equal to the full cost of said improvements (including design, acquisition and construction).

6. **Design Guidelines**

(a) The Petitioner agrees to use diligent good faith efforts to preserve the existing Savona Mill building located in Area C for adaptive reuse, unless determined to

10. The scale and massing of buildings longer than 150 feet along a network-required street or designated public open space, or any building greater than 30,000 horizontal square feet on any side, shall be minimized by utilizing at least three (3) options below:

- Provide a minimum four (4) foot step back for buildings taller than four stories above the first floor or second floor;
- Provide varied roof lines through the use of slopes, modulated building heights, gables, dormers or innovative architectural solutions;
- Utilize corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses;
- Provide architectural protrusion to accentuate enclosed balconies;
- Provide amenity landscaping, such as a sitting area with arboring; and/or
- Any other architectural improvements as allowed by the Ordinance to improve the visual aesthetics of scale and/or massing.

11. If non-residential uses are not oriented to an existing or new network required street and cannot meet the design standards for blank wall articulation (for example, modular commercial, pre-existing conditions contributing to site character, and/or fire code limitations), alternative innovative design solutions may be considered for approval by the Planning Director or designee.

12. All buildings shall comply with the height requirements established under the Ordinance for the MUDD classification.

7. **Parking Areas, Access and Circulation Design Guidelines.**

(a) Structured parking facilities, if provided, shall be designed to encourage and complement pedestrian-scale interest and activity on the ground floor and be architecturally compatible with primary buildings on all levels.

(b) Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design.

(c) If an exposed parking structure is located at a street corner, the corner of the parking structure shall be activated with a ground floor use.

(d) On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances.

8. **Pedestrian Access and Circulation Design Guidelines.**

(a) Along the Site's internal streets, the Petitioner will provide a sidewalk and a cross-walk network that links the buildings, parking areas and areas of interest on

4. In addition to proposed street locations, other potential vehicular access points which could be surface drives or entrances to structured parking facilities shall be allowed. The exact number and location of vehicular access points will be determined during the design process and thereafter with approval from appropriate governmental authorities, subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations. Petitioner, in its discretion may limit ingress and egress movements or restrict certain vehicular access points to one-way traffic if necessary.

5. The Petitioner reserves the right to request the installation of pavers and/or stamped or colored asphalt within streets abutting or internal to the Site in order to designate and define pedestrian crossings in order to enhance the pedestrian experience (including within intersections such as multimodal plazas or speed tables). 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 an encroachment and maintenance agreement must be obtained from CDOT before any decorative pavers and/or stamped pavement proposed in the public right-of-way may be installed.

6. 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.

(e) The Petitioner shall dedicate and convey a permanent greenway easement for the 0.13-acre portion of land requested in coordination with the Mecklenburg County Park and Recreation Department (MCPR), as shown on the exhibit to MCPR's Memorandum dated June 25, 2019, and shall coordinate the feasibility of a temporary construction easement for the requested 0.03-acre portion of land to accommodate and/or complement MCPR's Stewart Creek Greenway plan, where commercially reasonable and consistent with the intent of this Rezoning Plan.

(f) **Substantial Completion.** Reference to "substantially complete" for certain improvements as set forth herein shall mean completion of the roadway improvements in accordance with the standards set forth herein, however, in the event certain non-essential roadway improvements (as reasonably 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 allow applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and 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.

(g) **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced herein may not be possible without the acquisition of

complimentary to the principal structure. Dumpster enclosures will not directly abut the back of a sidewalk.

6. Backflow preventers and transformers shall be screened and located outside the setback.

7. Buildings shall be designed so that individual residential units, shops, tenants or common entrances have direct access to public or private streets, pedestrian corridors or open spaces. Building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrance through a combination of at least five (5) of the following features:

- Decorative pedestrian lighting/scones;
- Architectural details carried through to upper stories;
- Covered porches, canopies, awnings or sunshades;
- Archedways;
- Transom windows;
- Terraced or raised planters that can be utilized as seat walls;
- Common outdoor seating enhanced with specialty details, paving, landscaping or water features;
- Double doors;
- Stoops or stairs; and/or
- Contrasting pavement from primary sidewalk.

8. Streetscape treatment will be a unifying element through the use of consistent paving, pedestrian scale lighting, enhanced landscaping, site furnishings and signage. Specialty pavers, stained and patterned concrete, paving or other similar means will be used to call attention to amenity areas, gathering spaces and plazas as a method of way-finding.

9. Expanses of blank or unarticulated walls greater than 20 feet in length shall be treated with a minimum of three (3) options below:

- Provide a higher level of transparency on the ground floor, such as exaggerated or larger windows indicative of living areas or retail spaces;
- Utilize horizontal and vertical variations in wall planes;
- Provide architectural protrusion to accentuate enclosed balconies;
- Utilize corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses;
- Provide amenity landscaping, such as a sitting area with arboring; and/or
- Any other architectural improvements as allowed by the Ordinance to improve the visual aesthetics of blank or unarticulated wall.

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Existing Building (address)	Beginning SF	Expanded SF Allowance (15% max)	Actual Expansion SF	Expansion Description	Date of Expansion Permit	% of Site Total Occupancy
528 S Turner Ave	178,970	26,831				
401 S Gardner Ave	4,852	728				
411 S Gardner Ave	60,180	9,027				
2426 Chamberlain Ave	26,544	3,982				