

VICINITY MAP - 1"=2000'

**Site Data**

Site Area: +/- 37.54 Ac.  
 Parcels to be Rezoned: 047-421-02, 047-421-01, 047-421-06  
 Current Zoning: RE-3 (O)  
 Proposed Zoning: RE-3 (O) SPA

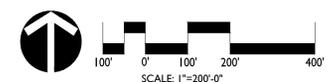
Existing Uses:	Vacant
Proposed Uses:	Residential and non-residential uses as allowed in the RE-3(O) zoning district (as more specifically described and restricted in Section 3. (See Development Standards Sheet RZ-3.)
Number of Residential Units by Housing Type:	Up to 300 multi-family dwelling units on Parcels A & C
Square footage of non-Residential Uses by Type:	75,000 sf retail, restaurant and other uses as allowed in the RE-3 district on Parcel A and B. 200 Room Hotel on Parcel A or B.** (**subject to the conversion rights specified in the development standards)  100,000 sf retail with 100 room hotel based on conversion of 100 rooms to retail
Maximum Building Height	A maximum building height of 60 feet and six (6) stories as allowed by the Ordinance, provided hotel uses may be located in buildings of up to 68 feet in height. Building height to be measured as required by the Ordinance.

**Parking Ratios:**

Use:	Required Parking:
Retail	1 Space per 250 gross square feet
Restaurant	1 Space per 125 gross square feet
Hotel	1 Space per Room
Multi-Family Units	1.5 Spaces per Dwelling Unit

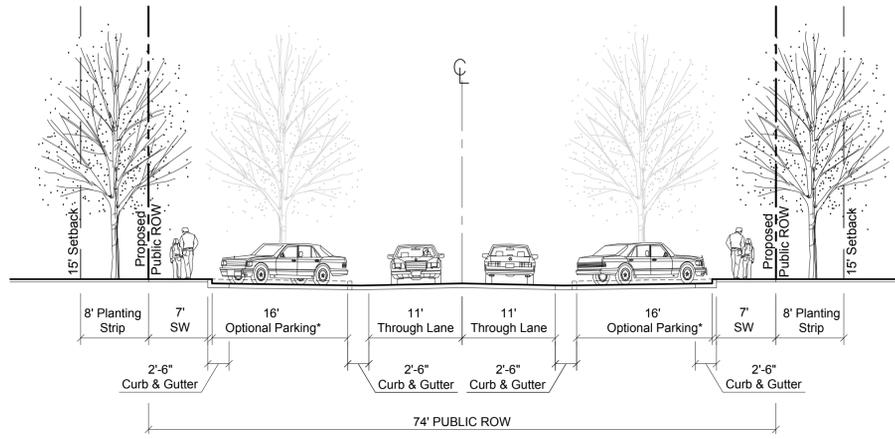
**Legend**

- Property Line
- Setback
- 2' Contours
- 10' Contours
- Existing Vegetation



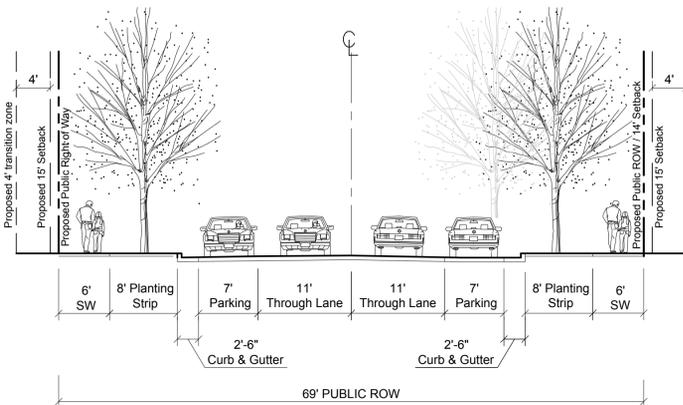
REVISIONS:  
 08/22/2016 REVISED PER CITY COMMENTS  
 09/19/2016 REVISED PER CITY COMMENTS  
 10/24/2016 REVISED PER CITY COMMENTS  
 11/23/2016 REVISED PER CITY COMMENTS  
 01/19/2017 REVISED PER CITY COMMENTS





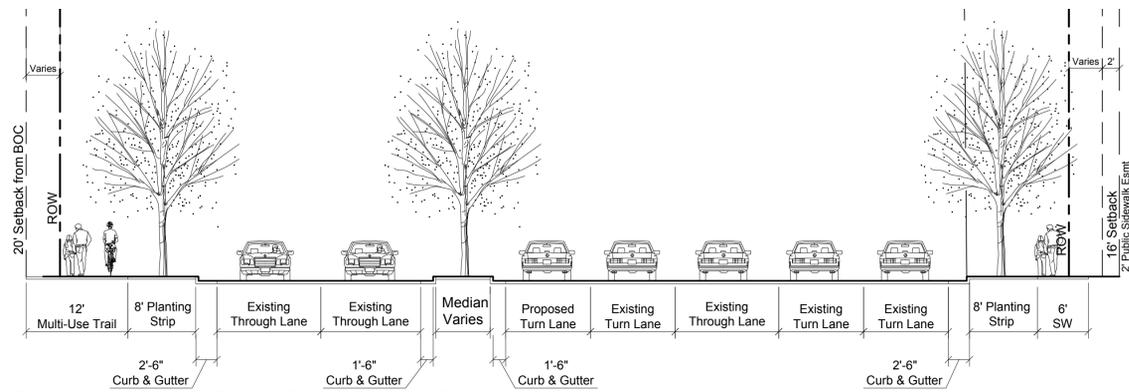
**Heritage Pond Drive Extension (Section 'A')**

Note: Local Residential Wide Street w/ Curb Extension (CLDSM U-03)

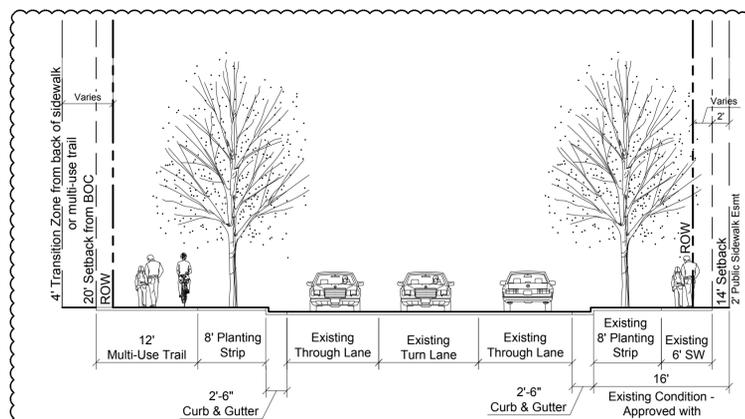


**Alexander Village Main Dr Extension (Section 'B')**

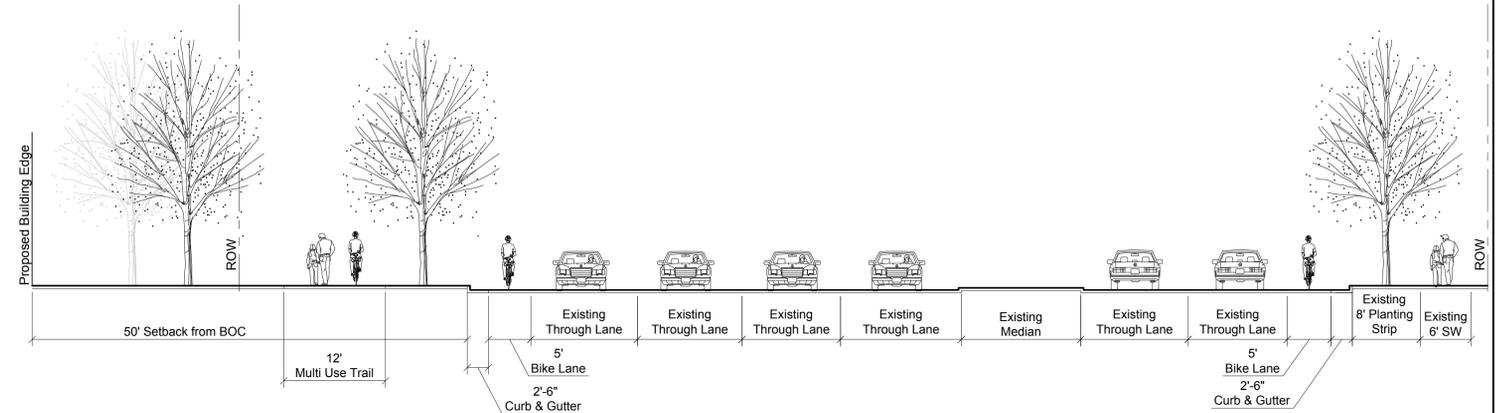
Note: Local Office / Commercial Wide Street (CLDSM U-05)



**Proposed Senator Royall Dr (Section 'D')**

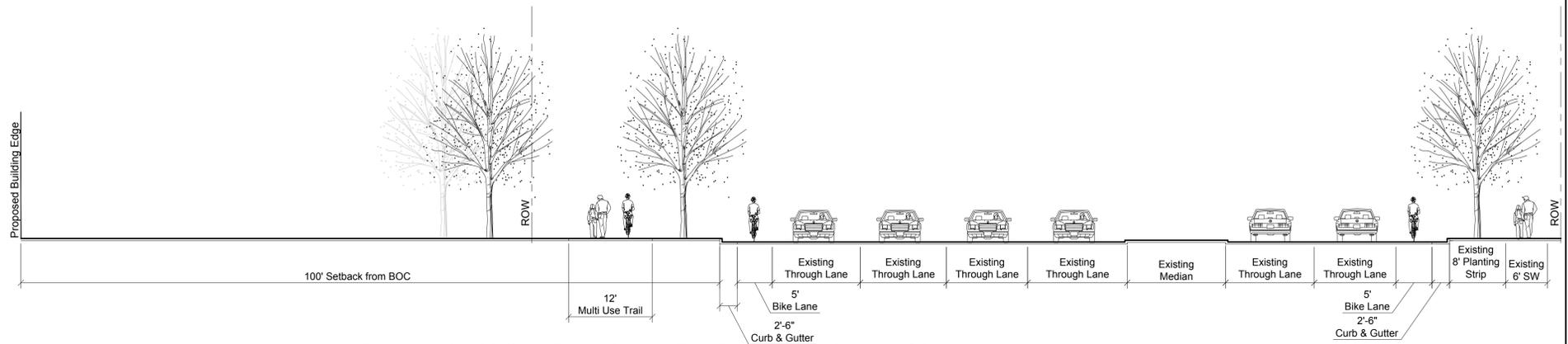


**Proposed Senator Royall Dr (Section 'E')**



**Proposed W. Mallard Creek Church Rd - Parcel A (Section 'C1')**

Note: Multi-Use path is matching section provided by UCP for Mallard Creek Church Road Frontage.



**Proposed W. Mallard Creek Church Rd - Parcel B (Section 'C2')**

Note: Multi-Use path is matching section provided by UCP for Mallard Creek Church Road Frontage.



Site Development Data:

- Acreage: ± 37.54
- Tax Parcel #: 047-421-02, 047-421-01, and 047-421-06
- Existing Zoning: RE-3(O)
- Proposed Zoning: RE-3(O)SPA
- Existing Uses: Vacant
- Proposed Uses: Residential and non-residential uses as allowed in the RE-3(O) zoning district (as more specifically described and restricted below in Section 3).
- Maximum Amount of Development: Up to 300 multi-family dwelling units, up to 75,000 square feet of gross floor area of non-residential uses, and a hotel with up to 200 rooms, subject to the conversion rights described below, together with accessory uses as allowed in the RE-3 district (as more specifically described and restricted below in Section 3).
- Maximum Building Height: A maximum building height of 60 feet and six (6) stories as allowed by the Ordinance, provided hotel uses may be located in buildings of up to 68 feet in height. Building height to be measured as required by the Ordinance.
- Parking: Parking as required by the Ordinance.

1. General Provisions:

- a. **Site Location.** These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Crescent Communities to accommodate development of a pedestrian-friendly multi-use development on an approximately 37.54 ± acre Site located along W. Mallard Creek Church Road at Senator Royall Drive (the "Site").
- b. **Zoning Districts/Ordinance.** Development of the Site will be governed by the attached Technical Data Sheet and Schematic Site Plan and these Development Standards (together with the site plan referred to as the "Rezoning Plan") as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan and the Supplemental Sheets establish more stringent standards, the regulations established under the Charlotte Zoning Ordinance (the "Ordinance") for the RE-3 Conditional District zoning district classification, subject to the Optional Provisions provided below, shall govern all development taking place on Parcel A, Parcel B, and Parcel C of the Site.

- c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Permissible Building Areas (as defined below) 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. minor and don't materially change the overall design intent depicted on the Rezoning Plan.
- The Planning Director, or designee 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 shall not exceed eight (8) as to Parcel A, five (5) as to Parcel B, and fourteen (14) as to Parcel C. The Petitioner reserves the right to combine buildings on each of the parcels to have a lesser number of buildings than is illustrated on the Schematic Site Plan. Accessory building and structures located on each of the Parcels shall not be considered in any limitation on the number of buildings on each of the Parcels.

2. Optional Provisions:

- a. The Petitioner seeks the Optional provision to allow retail sales uses over 10,000 square feet on Parcel A and Parcel B subject to the restrictions below.
- b. The Petitioner seeks the Optional provision to provide a 50 foot landscape setback as measured from the future back of curb along Parcel A's frontage along W. Mallard Creek Church Road as generally depicted on the Rezoning Plan.
- c. The Petitioner seeks the Optional Provision to provide 15 and 16 foot setbacks along the new internal public streets as indicated on the Rezoning Plan.
- d. The Petitioner seeks the Optional provision to allow parking and maneuvering for parking to be located between the proposed buildings and W. Mallard Creek Church Road and Alexander Village Main Drive as generally depicted on the Rezoning Plan. These proposed parking and maneuvering areas will be screened from W. Mallard Creek Church Road and Alexander Village Main Drive.

3. Permitted Uses, Development Area Limitations and Conversion/Transfer Rights:

- a. Parcels A and B of the Site may be devoted to uses allowed in the RE-3 zoning district including, without limitation, retail (including grocery), restaurant (EDEE) uses and hotel uses along with accessory uses, subject to the restrictions listed below.
- i. Parcels A and B of the Site may collectively be developed with up to 75,000 square feet of gross floor area of retail and restaurant (EDEE) uses as well as other uses as allowed by the RE-3 zoning district, including residential units with associated accessory uses as allowed by the conversion option below (see below for **conversion area** for the allowed multi-family development may be constructed on Parcel A). A hotel containing up to 200 rooms may also be located on Parcel A or B. In the event the hotel is not developed or a hotel with a lesser number of hotel rooms is developed, additional retail, restaurants, and other non-residential uses allowed in the RE-3 district will be allowed in lieu of hotel rooms. In such an event, an additional 250 square feet of gross floor area may be developed for each hotel room that is not constructed up to a maximum of 25,000 square feet of additional floor area. Furthermore, uses shown within development areas A and B may be adjusted with corresponding alterations in the specific design lay-out shown therein as long as the overall design intent is maintained.
- ii. Additional residential units may be constructed by reducing the amount of allowed non-residential square footage. Up to 10 additional residential units may be constructed on the Site by reducing the total amount of allowed non-residential square footage by 1,000 gross square feet. If this conversion factor is exercised at total of 310 residential units may be constructed on the Site.
- iii. Only two (2) retail uses over 20,000 square feet of gross floor area will be allowed on Development Areas A and B. If a grocery store is one of the uses that exceeds 20,000 square feet of gross floor area it may not exceed 50,000 square feet of gross floor area; all other allowed uses that propose to exceed 20,000 square feet of gross floor area may not exceed 35,000 square feet of gross floor area.
- iv. No more than two uses may include accessory drive-through window facilities within the Site. The drive-through facilities may be located either on Parcel A or Parcel B.
- v. Drive-through service windows shall be limited to the following uses: financial institutions, pharmacies, drive cleaners, and restaurants (EDEE) provided that such restaurants (EDEE) will be limited to a maximum of 3,500 square feet of gross floor area (restaurants (EDEE) without an accessory drive-through window are not subject to this square footage restriction).
- vi. The number of drive-through lanes will be limited to one for uses allowed to have an accessory drive-through window except financial institutions (e.g. banks) which may have up to four (4) drive-through lanes including a lane for a drive up automatic teller machine (ATM) if an ATM is provided.

- vii. The following uses will not be allowed on Parcels A and B: theaters, motion picture, manufacture of electronic, computing and communications equipment and related devices; stadiums and arenas; automobile service stations with or without a convenience store, and vehicle leasing offices.

- b. Parcel C of the Site may be developed with up to 300 multi-family dwelling units along with associated accessory uses which are permitted under the Ordinance of all types in the RE-3 Zoning District. This parcel may be developed in multiple phases.

For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, and all loading dock areas (open or enclosed).

4. Transportation Improvements/Development Allocations:

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:

- a. **Public Street abutting Parcel A and certain Senator Royall Drive Improvements and** **W. Mallard Creek Church Road (Project #2).** Up to 40,000 square feet of gross floor area of retail and restaurant (EDEE) uses and up to 200 hotel rooms, or a lesser amount of hotel rooms and a greater amount of retail and restaurant (EDEE) uses as allowed by the conversion rights above, on Parcel A or Parcel B, in the aggregate, upon the construction of: (i) an additional 200 foot north bound left turn lane on Senator Royall Drive at its intersection with W. Mallard Creek Church Road (the existing median in Senator Royall Drive must maintain a minimum width of eight (8) feet) only at the pedestrian crossing at Mallard Creek Church Road; (ii) channelized north bound dual right turn lanes with protected traffic signal phasing on Senator Royall Drive and its intersection with W. Mallard Creek Church Road; (iii) at the intersection of W. Mallard Creek Church Road & I-85 Southbound Ramps (signalized) modify the existing southbound combined left-thru-right lane on I-85 southbound ramp to a left-through lane, and construct a 2nd southbound right-turn lane with a minimum of 800 feet of storage and an appropriate bay taper, with channelized dual right turn lanes with protected traffic signal phasing at the southbound I-85 exit ramp at W. Mallard Creek Church Road; (iv) on W. Mallard Creek Church Road at the I-85 southbound ramp, extend existing right-turn lane from 210 feet to a minimum of 525 feet of storage; (v) sidewalk as required along Parcel B frontage on Senator Royall Drive, and (vi) along Parcel B frontage on W. Mallard Creek Church Road a five (5) foot bike lane, curb and gutter, an eight (8) foot planting strip and a 12 foot multi-use trail. (The Petitioner will be responsible for traffic signal modifications at Senator Royall Drive at W. Mallard Creek Church Road if CDOT review of the intersection improvements determines that traffic signal modifications are required to accommodate safe pedestrian movements in all four directions as a result of the required northbound approach laneage.

With the agreement of NCDOT and CDOT, the improvements at I-85 and W. Mallard Creek Church Road can be modified to coordinate these improvements with others that may also be responsible for similar improvements.

If the amount of square footage proposed to be developed on Parcel B exceeds 40,000 square feet of gross floor area then roadway improvements required below for Parcel A must also be constructed.

- b. **Public Street abutting Parcel A and certain Senator Royall Drive Improvements (Project #3).** Up to 50,000 square feet of gross floor area of retail and restaurant (EDEE) uses on Parcel A, and up to 60 residential units upon the construction of: (i) the public street along the southern boundary of Parcel A; (ii) channelized north bound dual right turn lanes with protected traffic signal phasing on Senator Royall Drive and its intersection with W. Mallard Creek Church Road; (iii) an additional 200 foot north bound left turn lane on Senator Royall Drive at its intersection with W. Mallard Creek Church Road (the existing median in Senator Royall Drive must maintain a minimum width of eight (8) feet) only at the pedestrian crossing at Mallard Creek Church Road; (iv) a 100 foot right turn lane on W. Mallard Creek Church Road for the right-in right-out access located west of the intersection of Senator Royall Drive and W. Mallard Creek Church Road; (v) modifications to the median associated with the left turn lane from eastbound W. Mallard Creek Church Road to northbound Senator Royall Drive by shortening the left turn taper so the proposed right-in right-out drive to Mallard Creek Church Road from Parcel A is located outside of the left turn taper; (vi) a 12 foot multi-use trail as required along Parcel A frontage on Senator Royall Drive, and (vii) along Parcel A frontage on W. Mallard Creek Church Road a five (5) foot bike lane, curb and gutter, an eight (8) foot planting strip and a 12 foot multi-use trail. The Petitioner will be responsible for traffic signal modifications at Senator Royall Drive at W. Mallard Creek Church Road if CDOT review of the intersection improvements determines that traffic signal modifications are required to accommodate safe pedestrian movements in all four directions as a result of the required northbound approach laneage.

If the amount of square footage proposed to be developed on Parcel A exceeds 50,000 square feet of gross floor area then roadway improvements required above for Parcel B must also be constructed.

- c. **Public Streets Abutting Parcel C and Improvements at I-85 southbound ramp at W. Mallard Creek Church Road (Project #4).** Up to 300 multi-family dwelling units allowed on Parcel C upon the construction of: (i) the public street shown on Parcel C (the extension of Heritage Pond Drive); (ii) the extension of the existing southbound outside travel lane on Senator Royall Drive to the extension of Heritage Pond Drive (as illustrated on Exhibit 1 on Sheet RZ-2A of the Rezoning Plan); (iii) improve Senator Royall Drive to include an eight (8) foot raised landscape median with up to three (3) pedestrian refuge islands, one located at Alexander Village Main Drive, one at Heritage Pond Drive, and one additional pedestrian refuge island to be determined during the permitting process if widening of Senator Royall Drive is not required; and (iv) a 12 foot multi-use trail as may be required along Parcel C frontage on Senator Royall Drive.

The improvements proposed along Senator Royall Drive and the intersection of Senator Royall Drive and Mallard Creek Church Road are illustrated on Exhibit 1 located on Sheet RZ-2A of the Rezoning Plan.

- d. **Contribution of Funds by the Petitioner in Lieu of Certain Roadway Improvements.** If agreed to by NCDOT and CDOT, the Petitioner will contribute to CDOT and/or NCDOT a total of \$350,000 (the amount of the total contributed to each department will be determined based on input from CDOT and NCDOT) prior to the issuance of the first certificate of occupancy of the residential units allowed on Parcel C in lieu of the following roadway improvements: (i) an additional southbound right turn lane with 250 feet of storage on the I-85 southbound ramp at W. Mallard Creek Church Road, and channelized dual right turn lanes with protected traffic signal phasing at the southbound I-85 exit ramp at W. Mallard Creek Church Road; (ii) a 100 foot right turn lane with appropriate taper from westbound Research Drive to northbound David Taylor Drive including a raised right turn channelized median with a pedestrian refuge (if NCDOT has jurisdiction over this improvement and a fee in lieu is not acceptable to NCDOT for this improvement, the improvement will be constructed, and the fee in lieu contributed by the Petitioner will be reduced by the estimated cost of this improvement (\$152,831); and (iii) modifications to the median associated with the left turn lane from eastbound Mallard Creek Church Road to northbound Senator Royall Drive by shortening the left turn taper so the proposed right-in right-out drive to Mallard Creek Church Road from Parcel A is located outside of the left turn taper. CDOT in conjunction with NCDOT may utilize these funds toward a larger interchange improvement project at the interchange of Mallard Creek Church Road and I-85.

Dedication of 30 feet of Right-of-Way along the Western Edge of Parcel A and B.

The Petitioner will dedicate a 30 feet of right-of-way along a portion of the western edge of Parcel A and B as generally indicated on the Sheet RZ-1 of Rezoning Plan. This right-of-way will be dedicated as development occurs on each Parcel and prior to issuance of first certificate of occupancy for the first building on each Parcel.

5. Timing of Completion of Road Improvements and Right-of-Way:

- a. The roadway improvements referenced in Section 4 a - c. above must be substantially completed prior to the issuance of the first certificate of occupancy for the first space/unit located with the referenced development, subject to the ability of the Petitioner to post a letter of credit or a bond for any improvements not in place at the time the first certificate of occupancy is issued.
- b. Petitioner shall dedicate and convey all public street rights of way to the City prior to the issuance of the certificate of occupancy for the first building associated with the applicable phase of the development.
- c. It is understood that some of the roadway improvements referenced in Section 4 may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, 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, and to the extent that the applicable area in which the right of way is located is within the City of Charlotte, then CDOT, the City of Charlotte Engineering Division or other applicable agency or department agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency or department for the cost of any such acquisition proceedings including compensation paid by the applicable agency or department for any such land and the expenses of such proceedings.

proceedings.

6. Access and Right-of-way Dedication:

- a. The Petitioner will provide along the Site's W. Mallard Creek Church Road frontage a five (5) foot bike lane, curb and gutter, an eight (8) foot planting strip and a 12 foot multi-use trail. These improvements will be installed along the Site's W. Mallard Creek Church Road frontage as development occurs on each of the Parcels abutting W. Mallard Creek Church Road.
- b. All new streets shall be designed per CDOT and Subdivision standards.
- c. A 12 foot multi-use trail will be constructed along the western side of Senator Royall Drive as part of the development of Parcel A and C, provided, however, the width of the multi-use path may be reduced to less than eight (8) feet, with the approval of CDOT, in certain "pinch point" locations between the pond on the Site and Senator Royall Drive.

If necessary stairs will be constructed to connect the proposed buildings within Parcel A that abut the proposed 12 foot multi-use path as generally depicted on the rezoning plan.

- d. Vehicular access to the Site shall be provided as generally depicted on the Technical Data Sheet (Sheet RZ-1). The number and locations of driveways connecting to the interior public streets is not limited by what is indicated on the Technical Data Sheet; the location and number will be determined during the land development process.

- e. The placements and configurations of these vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the CDOT and/or the North Carolina Department of Transportation ("NCDOT").

7. Streetscape, Landscaping Open Space and Screening:

- a. Necessary setbacks and streetscape treatment along Senator Royall and the proposed new public streets will be constructed as generally depicted on the Rezoning Plan, and as modified by the Optional Provisions.
- b. A network of streets and pedestrian walkways or paths will be provided in the manner generally depicted on the Technical Data Sheet. Pedestrian and vehicular connections shall be created along all internal streets. Where internal sidewalks are located between buildings and parking bays, a sidewalk at least six (6) feet in width shall be provided with either curb or wheelstops (or seven (7) feet if no curb or wheel stops are provided).
- c. Each of the Parcels will include improved open space areas as generally indicated on the Schematic Site Plan. These open space areas will be improved with landscaping, walkways, seating areas and other amenities appropriate to the type of open space provided.

- d. A sidewalk or path of eight (8) feet wide will be developed throughout the Site that links each of the Parcels as generally illustrated on the Schematic Plan. Links from adjoining properties to this sidewalk/path as generally illustrated on the Schematic plan will be allowed to provide for an eventual connection to the Greenway located within the University Research Park. The existing multi-use path sections for Alexander Village Way and Heritage Pond Drive will be maintained.

- e. Public Urban Open Space as required by the Ordinance will be provided within Parcel A and Parcel B at the intersection of Senator Royall Drive and Alexander Village Main Drive as generally depicted on the Rezoning Plan.

The Petitioner will construct at the intersection of Senator Royall and W. Mallard Creek Church Road within the proposed setback areas entrance features to help define the development, the research park and that help create a presence at the intersection.

8. Additional Streetscape & Architectural Standards:

- a. Setbacks, Side Yards, Rear Yards, and Building Heights
  - i. The setback along the future public streets will be at a minimum 15 feet from the back of the curb (or as indicated below) when residential uses are constructed along the future public streets a four (4) foot transition zone will be provided as indicated below. The setback along Senator Royall Drive will be 20 feet as measured from the future back of curb for Parcel A, and 20 feet plus a four (4) foot transition zone as measured from the future back of curb for Parcel C (the last four (4) feet of this setback will be a transition zone as described below), and 16 feet as measured from the future back of curb for Parcel B. The setback for Parcel C along existing Alexander Village Main Drive will be 14 feet as measured from the back of curb.
  - ii. The residential buildings within Parcel C will have a four (4) foot transition zone between the sidewalk or a multi-use trail provided along public or any required private network streets. The principle building will not be allowed to be located in the four (4) foot transition zone, however, stoops, porches, steps, rails, and similar items may be located within the transition zone.
  - iii. The Site may be considered a unified development plan and as such internal separation standards such as buffers, side and/or rear yards may be eliminated, subject to the normally required Staff review and approval process.
  - iv. Building heights shall not exceed 60 feet or 6 stories, whichever is less, except that hotel uses may be located in buildings of up to 68 feet.
  - v. Within the applicable landscape setback off of W. Mallard Creek Church Road as generally depicted on the Rezoning Plan, the Petitioner will create and attractive landscape treatment composed of new large and small maturing trees, evergreen and deciduous shrub, and areas of seasonal color. Existing trees within the landscape setback may be preserved when the existing trees enhance the appearance of the landscape setback. A 12 foot multi-use trail will be included within landscape setback area, and the trail may be located in the right-of-way of W. Mallard Creek Church Road

- b. Performance Standards/Graphics
  - i. Buildings fronting on Senator Royall Drive will be articulated such that expanses of solid walls exceeding 20 linear feet will be provided with either horizontal and vertical variations in wall planes, materials and/or building color. Retaining walls located along Senator Royall Drive five (5) feet or greater in height will meet the requirement for solid walls indicated above.
  - ii. Non-residential facades fronting on public streets shall include a minimum of 40% transparent glass between zero feet (0') and ten feet (10') on the first floor. Shadow boxes or window graphics may be utilized behind transparent glass to screen bathrooms, back of house or kitchens, but not exceed more than 40% of the total required building transparency requirement.
  - iii. All buildings must be sited maintaining pedestrian interconnectivity between buildings and through parking areas. This will be done by providing a minimum of a six (6) foot sidewalk between buildings and through parking areas and connecting each building to the sidewalk network that will be provided throughout the Site.

The development depicted on the Technical Data Sheet (RZ-1) is schematic in nature and intended to describe the general arrangement of uses on the Site. Once a specific development plan is proposed, it is understood that the Petitioner will submit specific site improvements to the RE-3 review process including: building layout, parking and circulation, open space, architecture elevations, signage, etc.

- c. Architectural and Design Controls

- i. Buildings fronting on Senator Royall Drive will be articulated such that expanses of solid walls exceeding 20 linear feet will be provided with either horizontal and vertical variations in wall planes, materials and/or building color. Retaining walls located along Senator Royall Drive five (5) feet or greater in height will meet the requirement for solid walls indicated above.
- ii. Non-residential facades fronting on public streets shall include a minimum of 40% transparent glass between zero feet (0') and ten feet (10') on the first floor. Shadow boxes or window graphics may be utilized behind transparent glass to screen bathrooms, back of house or kitchens, but not exceed more than 40% of the total required building transparency requirement.
- iii. All buildings must be sited maintaining pedestrian interconnectivity between buildings and through parking areas. This will be done by providing a minimum of a six (6) foot sidewalk between buildings and through parking areas and connecting each building to the sidewalk network that will be provided throughout the Site.

- iv. All buildings located within the Site will be architecturally integrated to complement one another by using similar or compatible architectural styles, building materials, landscape elements, plants and signage treatments to create a unified and cohesive development. In addition, buildings located on Parcels A and B must be designed using a similar: (i) architectural style, (ii) building materials, (iii) colors and (iv) signage so that development on these Parcels creates a cohesive whole and not a series of buildings with unrelated and wholly dissimilar architectural styles, building materials, colors and signage.

- v. The buildings constructed on the Site will use a variety of building materials. The building materials used on the buildings constructed on Parcels A, B will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementations siding (such as hardi-plank), stucco, EIFS or wood. At least 30% of each building facade exclusive of windows, doors and roofs will be constructed of brick, stone, synthetic stone, precast concrete or precast stone. Vinyl as a building material may only be used on windows and soffits.

- vi. The building materials used on the buildings constructed on Parcel C will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementations siding (such as hardi-plank), stucco, or wood. At least 37% of the exterior of each building exclusive of windows, doors and roofs will be constructed of brick, stone, precast stone or precast concrete. Vinyl as a building material may only be used on windows and soffits.

- vii. All sides of the buildings to be constructed on the Site will be built using four-sided architecture.

- viii. If breezeways are included in the proposed multi-family buildings on the Site, the breezeways shall be framed with architectural elements to minimize the size of the breezeway opening and to provide the appearance of an enclosed breezeway.

- ix. The scale and massing of multi-tenant non-residential or residential buildings longer than 150 feet along a street shall be minimized by utilizing a combination of the following options: (1) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (2) building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (3) horizontal and vertical variations in wall planes; and/or (4) architectural protrusion.
- x. Residential building entrances shall be at or slightly above grade (individual unit entrances will be located a minimum of one (1) to two (2) feet above grade), and shall be highly visible and architecturally treated as prominent pedestrian entrances through a combination of at least five (5) of the following features: (1) decorative pedestrian lighting/scones; (2) architectural details carried through to upper stories; (3) covered porches, canopies, awnings or sunshades; (4) archways; (5) transom windows; (6) terraced or raised planters that can be utilized as seat walls; (7) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (8) double doors; (9) stoops or stairs; and/or (10) contrasting pavement from primary sidewalk.

- xi. Entrances will be connected via a sidewalk to adjacent public or private street sidewalks.
- xii. Ground floor of the hotel use shall be taller than and architecturally different than upper floors with more transparency than upper floors.

- xiii. Residential ground floor units with exterior outdoor spaces shall have sidewalk connections to adjacent public sidewalks.
- xiv. Between the commercial building(s) and the sidewalk there shall be a transition zone. For commercial uses the transition zone may be a wider sidewalk, artwork, outdoor dining, artwork, bike racks, and landscaping or streetscape amenities.

- xv. Non-residential buildings constructed on Parcel A and B with frontage on a private drive running off of Senator Royall Drive will have a building entrance oriented to the private drive. These building entrances will be unlocked and accessible from the outside during business hours.

- xvi. Utilities shall be screened and shall not be visible from the public street. This includes, mechanical and electrical equipment, utility meters, dumpsters, and backflow preventers. No fencing shall be located between the building and the public street.

9. Environmental Features:

- a. Development on the Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance (PCCO) and Tree 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. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

10. Signage:

- a. The detached signs installed throughout the Site will utilize similar materials and colors so as to create a unified design. In addition the signs will utilize materials and colors that re-enforce the image of the University Research Park. Signs will be integrated into the landscape setbacks with accent plants and seasonal color.
- b. The maximum height of the detached lights in Parcel A and B will be 26 feet, the maximum height of the detached lights in Parcel C will be 16 feet.

11. Lighting:

- a. All lighting fixtures located on the Site shall be full cut-off type lighting fixtures with the exception of lower, decorative lighting that is not visible from off-Site residentially zoned or used property that may be installed along the internal sidewalks.
- b. The maximum height of detached lights will not exceed 31 feet.

12. CATS Shelter Pad for a New Bus Stop Along W. Mallard Creek Church Road:

Petitioner will reserve and construct a shelter pad for a new bus stop location along W. Mallard Creek Church Road in the area generally depicted on the Rezoning Plan with the final location to be determined and confirmed by CATS during the design development phase of the project. Appropriate easements to allow for any such bus stop location not located within a public right-of-way shall be provided by Petitioner with the cooperation of CATS. Petitioner will provide funds to CATS for a bus stop shelter up to a total of \$10,000 within thirty (30) days of written notice from CATS that bus service in this location warrants such structure.

13. 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.

14. 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:  
08/22/2016 REVISED PER CITY COMMENTS  
09/19/2016 REVISED PER CITY COMMENTS  
10/24/2016 REVISED PER CITY COMMENTS  
11/23/2016 REVISED PER CITY COMMENTS  
01/19/2017 REVISED PER CITY COMMENTS