BALLANTYNE REIMAGINED
REZONING PACKAGE
Charlotte, North Carolina

VISION STATEMENT

A Visionary Community, Reimagined for the Future

Ballantyne offers a vibrant community connecting employment, housing and lifestyle conveniences. For more than two decades, this unique regional asset has provided economic opportunity through responsive mixed-use, neighborhood-oriented development. To ensure Ballantyne remains an economic engine for the Charlotte region, the reimagined Ballantyne galvanizes a thriving core of residential, retail and business. The reimagined Ballantyne will redefine what it means to connect people and gathering places seamlessly through a multimodal, innovative transportation network, signature green space and community amenities. Ballantyne Reimagined, a diverse cultural and entertainment center, will continue to inspire and enhance the quality of life for area residents, businesses and our entire region.

PETITIONER	Northwood Development 11605 N. Community House Rd. Suite 600 Charlotte, NC 28277 Contact: Clifton Coble (704) 248-2000
LAND PLANNER	LandDesign, Inc. 223 North Graham St. Charlotte, NC 28202 Contact: Nate Doolittle (704) 333-0325
MASTER PLANNER	Sasaki 64 Pleasant St. Watertown, MA 02472 (617) 926-3300
ATTORNEY	Moore & Van Allen Law Firm Suite 4700 100 North Tryon St. Charlotte, NC 28202 Contact: Jeff Brown (704) 331-1000
TRANSPORTATION	Design Resource Group 2459 Wilkinson Blvd #200 Charlotte, NC28208 Contact: Randy Goddard (704) 343-0608

SHEET INDEX:

1. Sheet RZ-1 - Cover Sheet, Vision Statement & Sheet Index
2. Sheet RZ-2 - Context Map
3. Sheet RZ-3 - Site Area / Rezoning History
4. Sheet RZ-4A - Technical Data Sheet
5. Sheet RZ-4B - Technical Data Sheet Charts
6. Sheet RZ-5 - Conceptual Development Phases & Character Images
7. Sheet RZ-6A-D - Development Standards and Transportation Notes
8. Sheet RZ-7A - Conceptual Proposed Street & Bicycle / Pedestrian Network
9. Sheet RZ-7B - Conceptual Proposed Cross Sections
10. Sheet RZ-7C - Conceptual Proposed Frontages
11. Sheet RZ-8A - Conceptual Proposed Environmental Commitments
12. Sheet RZ-8B - Proposed Environmental Commitments Notes
13. Sheet RZ-9 - Transportation Improvements
14. Sheet RZ-10A - Existing Development & Included Parcel Data
15. Sheet RZ-10B - Rezoning Boundary Metes and Bounds Map
16. Sheet RZ-11 - Adjacent Parcel Data

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

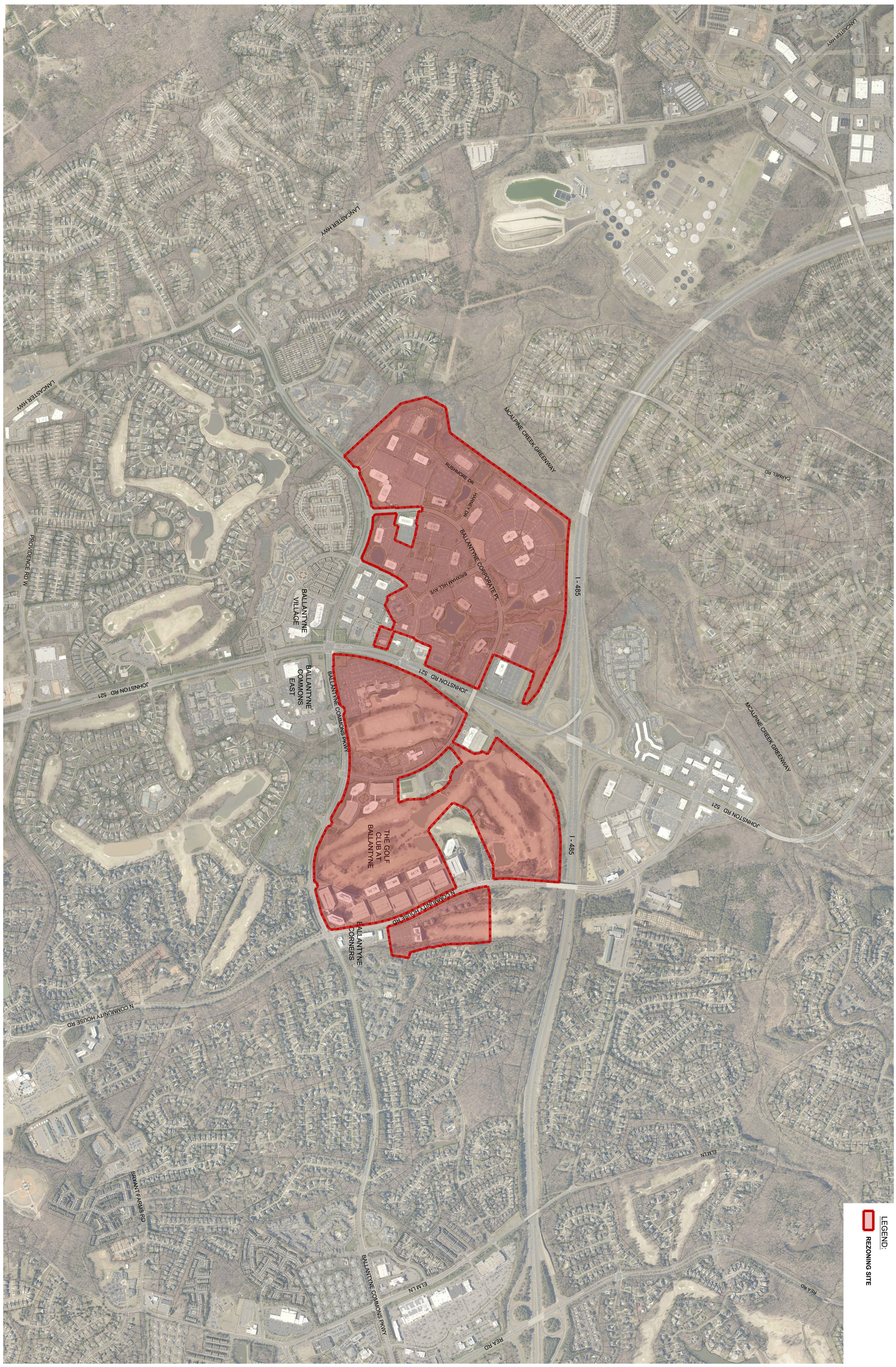
NORTHWOOD OFFICE
SASAKI
Moore & Van Allen

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC
COVER SHEET

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: N.T.S.
PROJECT #: 1018459

SHEET #:
RZ-1.0



DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: 1" = 700'
PROJECT #: 1018459

SHEET #:
RZ-2.0

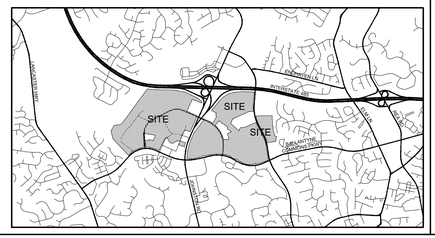
REVISIONS:

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

CONTEXT MAP

Moore & Van Allen
SASAKI
NORTHWOOD OFFICE

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



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

NORTHWOOD OFFICE
SASAKI
Moore & VanAllen

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

SITE AREA & REZONING HISTORY

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LBM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: 1" = 300'
PROJECT #: 1018459

SHEET #:
RZ-3.0

SITE DATA:

PROPOSED REZONING SITE:
±453.04 ACRES

EXISTING ZONING: O-3, BP(CD)
PROPOSED ZONING: MUDD-O

PROPOSED ENTITLEMENT LEVELS:
SEE SHEET RZ-5.0B

LEGEND:

- DEVELOPMENT AREA A
- DEVELOPMENT AREA B
- DEVELOPMENT AREA C
- DEVELOPMENT AREA D

I - 485

I - 485

DEVELOPMENT AREA D1
MAX BUILDING HEIGHT: 200'
(NO MORE THAN 150' WITHIN 300' SETBACK)
NOTE: SEE GENERAL DEVELOPMENT STANDARDS SECTION XX FOR MAX HEIGHT INCREASE WITH TRANSIT

MAX BUILDING HEIGHT: 150' WITHIN 300' SETBACK

300' HEIGHT SETBACK

RUSHMORE DR

HARNEY DR

BALLANTYNE CORPORATE PL

DEVELOPMENT AREA D2
MAX BUILDING HEIGHT: 200'
(NO MORE THAN 150' WITHIN 300' SETBACK)
NOTE: SEE GENERAL DEVELOPMENT STANDARDS SECTION XX FOR MAX HEIGHT INCREASE WITH TRANSIT

MAX BUILDING HEIGHT: 150' WITHIN 300' SETBACK

DEVELOPMENT AREA D3
MAX BUILDING HEIGHT: 200'
(NO MORE THAN 150' WITHIN 300' SETBACK)
NOTE: SEE GENERAL DEVELOPMENT STANDARDS SECTION XX FOR MAX HEIGHT INCREASE WITH TRANSIT

MAX BUILDING HEIGHT: 150' WITHIN 300' SETBACK

DEVELOPMENT AREA D4
MAX BUILDING HEIGHT: 200'
NOTE: SEE GENERAL DEVELOPMENT STANDARDS SECTION XX FOR MAX HEIGHT INCREASE WITH TRANSIT

DEVELOPMENT AREA D5
MAX BUILDING HEIGHT: 200'
NOTE: SEE GENERAL DEVELOPMENT STANDARDS SECTION XX FOR MAX HEIGHT INCREASE WITH TRANSIT

JOHNSTON RD

DEVELOPMENT AREA A
MAX BUILDING HEIGHT: 300'

DEVELOPMENT AREA B
MAX BUILDING HEIGHT: 300'

DEVELOPMENT AREA C1
MAX BUILDING HEIGHT: 300'
(NO MORE THAN 150' WITHIN 300' SETBACK)

300' HEIGHT SETBACK

MAX BUILDING HEIGHT: 150' WITHIN 300' SETBACK

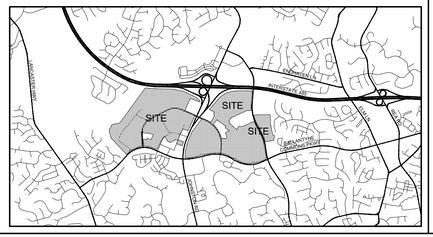
BALLANTYNE COMMONS PKWY

N COMMUNITY HOUSE RD

DEVELOPMENT AREA C2
MAX BUILDING HEIGHT: 90'
(NO MORE THAN 50' WITHIN 100' SETBACK)

100' HEIGHT SETBACK

150' 0' 150' 300' 600'



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

NORTHWOOD OFFICE

SASAKI

Moore & Van Allen

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

TECHNICAL DATA SHEET

REVISIONS:

DATE: 10.6.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: 1" = 300'
PROJECT #: 1018459

SHEET #:
RZ-4.0A

Table III b. cont						
B. Proposed New Development and Existing Built Development Expansion Levels (Combined)*; NOTE [ ] items reflects levels for only Phase I or II as applicable						
	Total Thru Phase I			**Total Thru Phase II**		
Non-Residential Uses *	West	East	Total	West	East	Total
New Office Uses **s.f. = square feet of gross floor area**			0		400,000 s.f [400,000 s.f]	400,000 s.f [400,000 s.f]
Non-Office Commercial Uses **(Retail, EDEE & Personal Services)**		300,000 [300,000 s.f.]	300,000 [300,000 s.f.]		300,000 s.f	300,000 s.f.
Hospitality/Hotel Uses			0			
Other Misc. Uses**						
Total			300,000 s.f.			700,000 s.f.

	Total Thru Phase I			**Total Thru Phase II**		
Residential Uses *	West	East	Total	West	East	Total
Multi-Family Units		1,200 units [1,200 units]	1,200 units [1,200 units]		2,200 units [1,000 units]	2,200 units [1,000 units]
Single-Family Attached/Detached Units					300 units [300 units]	300 units [300 units]
Total Units						2,500 units

* Subject to transfer/conversion rights per Section III of Development Standards

** See provisions of Section I.I.13 regarding development of certain other permitted MUDD uses not falling within the categories of civic, recreational, religious institution, congregate care & other similar uses. See also Section II.a.10. regarding certain vertical integrated non-office commercial uses.

Table III b. cont	
C. Proposed New Development Levels - Phase III **(NOTE: subject to full transportation study & triggering events such as transit, major regional road improvements and/or transportation innovations)**	
Non-Residential Uses	**Phase III**
Office Uses	800,000 s.f.
Non-Office Commercial Uses **(Retail, EDEE & Personal Services)**	50,000 s.f
Hospitality/Hotel Uses	220 rooms
Other Misc. Uses	
Total	

Residential Uses	**Phase III**
Multi-Family Units	1,500
Single-Family Attached/Detached Units	
Total Units	

* Subject to transfer/conversion rights per Section III of Development Standards

CONVERSION TABLE

	Beginning MUDD Total (Phase 1 and Phase 2 Development Levels - does not include Built Development Levels)			**Date of Conversion**	**Description**	**Amended MUDD Total**		
Non-Residential Uses	**West**	**East**	**Total**			**West**	**East**	**Total**
Office Uses	0	400,000	400,000					
Non-Office Commercial Uses (Retail, EDEE & Personal Services)	0	300,000	300,000					
Hospitality/Hotel Uses	0	0	0					
Other Misc. Uses	0	0	0					
Residential Uses	**West**	**East**	**Total**			**West**	**East**	**Total**
Multi-Family Units	0	2,200	2,200					
Single-Family Attached/Detached Units	0	300	300					

Conversion Summary:
Conversion of non-office commercial uses (retail, EDEE, and Personal Services) to office use: 1 sq ft for 1 sq ft, not to exceed listed developemnt levels by 75,000 square feet of gross floor area
Conversion of office uses to non-office commercial uses (retail, EDEE, and Personal Services): 1 sq ft for 1 sq ft, not to exceed listed developemnt levels by 75,000 square feet of gross floor area
Conversion of residential units to hotel rooms: 1 unit for 1 room, up to maximum of 200 hotel rooms
Conversion of hotel rooms to residential units: 1 room for 1 unit, up to maximum of 200 hotel rooms
Conversion of hotel room or residential unit to commercial use (office, retail, EDEE and Person Services uses): 1 hotel room/ residential unit to 500 square feet of gross floor area of such commercial uses, up to max 200 hotel rooms or residential units
Conversion of commercial use (office, retail, EDEE and Person Services uses) to a hotel room or residential unit to: 500 square feet of gross floor area of such commercial uses to 1 hotel room/ residential unit, up to max 100,000 sqaure feet commercial use (200 hotel rooms or residential units)

TRANSFER of DEVELOPMENT LEVELS

	Entitlements by Area								
	Not to Exceed	**East** (Includes Phase 1 and Phase 2 Development Levels - does not include Existing Built Devleopment Levels)	**Date of Transfer**	**Description**	**Resulting East Levels**	**West** (Includes Phase 1 and Phase 2 Development Levels - does not include Existing Built Devleopment Levels)	**Date of Transfer**	**Description**	**Resulting West Levels**
Office Uses	400,000	400,000				0			
Non-Office Commercial Uses **(Retail/EDEE & Personal Services)**	300,000	300,000				0			
Hospitality/Hotel Uses	0	0				0			
Other Misc. Uses	0	0				0			
Multi-Family Units	2,200	2,200				0			
Single-Family Attached/Detached Units	300	300				0			

Transfer of Development Levels between East Area and West Area:
Commercial and Residential Uses: Receiving area shall not be increased by more than 25% from the original development levels in rezoning.

To the extent of any discrepency between the provisions of the tables above and the provisions of the development standards, the development standards will control.

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

NORTHWOOD OFFICE
SASAKI
Moore & VanAllen

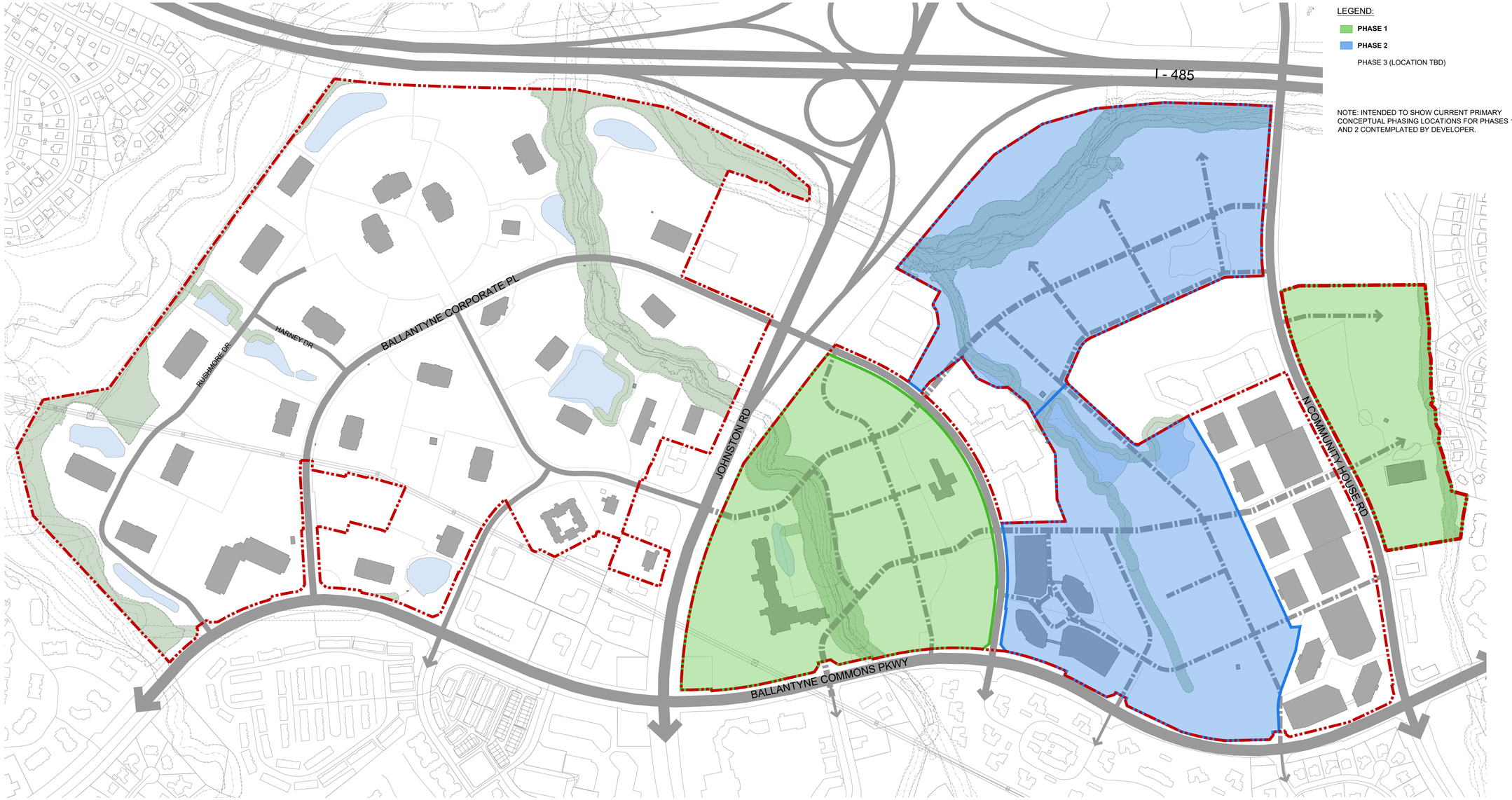
Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

TECHNICAL DATA SHEET CHARTS

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: N.T.S.
PROJECT #: 1018459

SHEET #:
RZ-4.0B

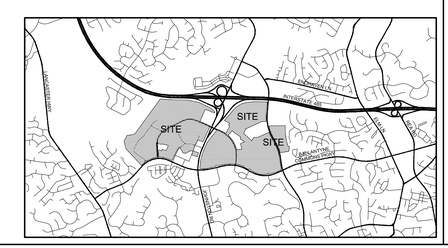


LEGEND:

- PHASE 1
- PHASE 2
- PHASE 3 (LOCATION TBD)

NOTE: INTENDED TO SHOW CURRENT PRIMARY CONCEPTUAL PHASING LOCATIONS FOR PHASES 1 AND 2 CONTEMPLATED BY DEVELOPER.

150' 0' 150' 300' 600'



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

NORTHWOOD OFFICE
SASAKI
Moore & VanAllen

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

CONCEPTUAL DEVELOPMENT PHASES & CHARACTER IMAGES

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: 1" = 300'
PROJECT #: 1018459

SHEET #:
RZ-5.0

GENERAL DEVELOPMENT STANDARDS FOR BALLANYNE REIMAGINED 2019
REZONING PETITION #2019-115
[October 15, 2019]

Site Development Data – Master Plan Site:

--**Acreage:** ± 455 acres
--**Tax Parcel #s:** See Sheet RZ-10.0
--**Existing Zoning:** BP(CD) and O-3(CD)
--**Proposed Zoning:** MUDD-O, with five (5) year vested rights in these Development Standards.
--**Existing Uses:** Portions of Master Plan Site are currently developed for office/commercial uses, parking, open space, golf course and other similar uses.
--**Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD-O zoning district (as more specifically described below).

--**Maximum Gross Square feet of Development (e.g. development levels):** Set forth in Section III below.
--**Maximum Building Height:** Set forth in Sheet RZ-5.0 with respect to each Development Area and in the Optional Provisions set forth below. Height will be measured as defined by the Ordinance as modified by the Optional Provisions below and otherwise in the Rezoning Plan.
--**Parking:** As specified in the MUDD parking and loading standards of the Ordinance as may be modified by the Optional Provisions below.

I. Community Context, Vision & General Provisions:

a. Community Context: Prior Ballantyne Rezonings. As reflected on Sheet RZ-3.0, original Ballantyne was first rezoned by the Mecklenburg County Commission on October 18, 1993 (Pet. #93-23(c), as amended by Pet. #94—23(c) and 96 (c)and other administrative amendments, collectively the "Original Ballantyne Rezoning"), and related to ±2,010 acres developed over time as a major master planned community. In 2011, the ±520 acre portion of Original Ballantyne Rezoning represented by the Corporate Park was rezoned (Pet.#2011-044, as amended, the "2011 Ballantyne Rezoning"), and certain portions of the Original Ballantyne Rezoning were included and others not included in the 2011 Ballantyne Rezoning as generally depicted on Sheet RZ-3.0.

b. Excluded Parcels; Rezoning Super-cedes Earlier Rezonings as to Rezoning Site. As generally depicted on Sheet RZ-3, portions of 2011 Ballantyne Rezoning are excluded from this Rezoning and all portions of the Original Ballantyne Rezoning not included in the 2011 Ballantyne Rezoning are likewise not included in this Rezoning; those parcels that are excluded from this Rezoning are the "Excluded Parcels." Only those parcels expressly set forth on Sheet RZ-10 as being included in this Rezoning (the "Rezoning Site" or "Site") shall be governed by the Rezoning Plan, and other parcels shall remain bound by either the Original Ballantyne Rezoning or the 2011 Ballantyne Rezoning, as applicable. Furthermore, as to the Rezoning Site, this Rezoning Plan super-cedes all prior rezoning petitions and amendments including as applicable the Original Ballantyne Rezoning and the 2011 Ballantyne Rezoning. It is understood that an administrative site plan amendment may be required to confirm the resulting 2011 Ballantyne Rezoning parcels and applicable development rights thereunder.

c. Rezoning Plan Description. The following items form the rezoning plan (the "Rezoning Plan") for Rezoning Petition #2019-115 (the "Petition" or "Rezoning Petition") filed by Northwood

Development LLC, as Petitioner (hereinafter the "Petitioner" along with successors and assigns, and any other parties described below) for the Rezoning Site:

- Sheet RZ-1.0 – Cover Sheet, Vision Statement and Sheet Index
- Sheet RZ-2.0 – Context Map
- Sheet RZ-3.0 - Site Area/Rezoning History
- Sheet RZ-4.0A - Technical Data Sheet identifying Development Areas within Rezoning Site
- Sheet RZ-4.0B – Technical Data Sheet Charts
- Sheet RZ-5.0 - Conceptual Development Phases & Character Images
- Sheet RZ 6.0 – Development Standards & Transportation Notes
- Sheet RZ-7.0A – Existing Street & Bike/Ped Network
- Sheet RZ-7.0B – Conceptual Proposed Street, Bike/Ped Network
- Sheet RZ-7.0C. – Conceptual Proposed Cross-Sections
- Sheet RZ-8.0A – Environmental Commitments on open space & related matters
- Sheet RZ-8.0B - Proposed Environmental Commitments Notes
- Sheet RZ-10.0A – Existing Development & Included Parcel Data
- Sheet RZ-10-0B – Existing Development & Building Data
- Sheet RZ-11.0 – Transportation Improvements Map/Drawings
- Sheet RZ 12.0 - Adjacent Parcels Data

Each of the above Sheet RZ items are referred to herein as a "Sheet" or collectively the "Sheets", and sub-sheets such as Sheets 4.0.A and 4.0.B may be referred to together as Sheet 4.0.

d. Zoning Classifications/Ordinance. Development of the Rezoning 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-O zoning classification for the Rezoning Site shall govern all development taking place on the Rezoning Site, subject to the Optional Provisions provided below.

e. Development Areas; Aspirational/Contemplated Phasing.

1. For ease of reference and as an organizing principle associated with the master planned nature of the development associated with the Rezoning Plan, a series of four (4) development areas (along with sub-areas) are generally depicted on Sheet RZ-4.0 (each a "Development Area" and collectively the "Development Areas"). The exact boundaries of the Development Areas may be subject to modifications to account for Development/Site Elements (as defined below) and other modifications needed to fulfill the design and development intent of the Rezoning Plan. Any such minor changes may be requested and processed through an administrative amendment per Section 6.207 of the Ordinance.

2. The overall development will be phased only in connection with transportation improvements described in Section V, but on an aspirational level, it is contemplated that as generally depicted on Sheet RZ-5.0 the initial phase(s) of development will focus on Development Area A with the creation of the urban residential, retail/EDEE/personal services mixture of uses, along with substantial open space areas, to add to the existing office based uses within the Rezoning Site, and on Development Area C2 which is contemplated to contain retail/EDEE/personal services uses, including possibly a grocery use all with convenient access to Community House Road. It is contemplated that the next phases of development will focus largely on Development Areas B and C1 with additional residential,

retail/EDEE/personal services and some office based development, along with substantial open space areas. While the above describes the aspirational/contemplated nature of the development phasing, it is understood that development of the permitted uses can occur on other portions of the Rezoning Site, including those portions located west of Highway 521, as the Petitioner responds and adjusts to market conditions, demand, development constraints and other factors.

f. Graphics and Alterations/Modifications/Planning Director Authority.

1. Any schematic depictions, as applicable, of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets/roads, greenway and trail network, creeks, open space and other development matters and site elements (collectively the "Development/Site Elements") that may be set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards (collectively the "Development Standards"). The layout, locations, sizes and formulations of the Development/Site Elements that may be depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Except as otherwise expressly set forth in the Development Standards, including, without limitation this subsection I.h., 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.

2. Since the project has not undergone the design development and construction phases and given the long term master planned nature of this Rezoning Petition, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements shown on the Rezoning Plan upon initial approval or as the same may be amended from time to time as provided in this Rezoning Plan. 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 do not materially change the overall design intent that may be depicted on the Rezoning Plan; or
(iii) *minor* modifications to move structures that may be graphically depicted on the Rezoning Plan (as the same may be amended) closer to adjacent properties in a residential zoning district or abutting a residential use located along the external boundary of the Rezoning Site but no closer than the "external building line" indicated on the Sheets (in this case the external setbacks or buffer areas or other stated distance constraints set forth on the Rezoning Plan; or
(iv) modifications to allow *minor* increases or decreases in the mass of the buildings, to the extent such mass of buildings are in fact shown on the Rezoning Plan (as amended) that do not materially change the design intent depicted on or described in the Rezoning Plan but only to the extent such massing is set forth on the Rezoning Plan as described above, it being understood that increases or decreases in mass of buildings located on the internal portions of the Rezoning Site may be permitted.

3. The Planning Director, or designee, will determine if such *minor* modifications described in subsection 2 above are allowed per this amended process and shall deliver written

notice of such determination to Petitioner, or owner of the applicable parcel in question. If the Planning Director, or designee, determines that the alteration does not meet the criteria described above, Petitioner, or owner of the applicable parcel in question, shall then follow the administrative amendment process per Section 6.207 of the Ordinance or seek a site plan amendment or rezoning; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

4. Furthermore and in addition to the foregoing, at any time the Petitioner, or assigns, may seek approval of the development sought by filing of a site plan amendment rezoning pursuant to the requirements of Section 6.207 of the Ordinance.

g. Number of Buildings Principal and Accessory. Given the master planned nature of the Rezoning, there is not a limitation on the number of buildings permitted on the site. Development will be governed by the development levels set forth in Section III below.

h. Planned/Unified Development. The Rezoning Site and each Development Area and parcel created therein shall be viewed as a planned/unified development plan as to the Development/Site Elements as may be generally depicted on the Rezoning Plan and shall be viewed with Excluded Parcels as described on Sheet RZ-3.0, as a planned/unified development; as such, except where design guidelines or standards are set forth in the Rezoning Plan, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located within the Rezoning Site and as to the applicable adjacent Excluded Parcels. Furthermore, the Petitioner and/or owner of the applicable portion of the Rezoning Site reserve the right to subdivide portions or all of the Rezoning Site and create lots within the interior of the portion of the Rezoning Site without regard to any such internal separation standards and FAR requirements; provided, however, all such separation standards along the exterior boundary of the Rezoning Site (except along the Excluded Parcels) shall be adhered to. In addition, any FAR requirements, if applicable, will be regulated by any development limitations set forth in this Rezoning Plan for the Rezoning Site taken as a whole and not individual portions or lots located therein.

i. Five Year Vested Rights. Per 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 & its timing, and the level of investment, among other factors, this Petition includes vesting of the Rezoning Plan and the Rezoning Site for a five (5) year period, but such provisions shall not limit any other vested rights at common law or otherwise.

j. Special Definitions & Clarifications. In addition to certain defined terms set forth in the Development Standards, the following apply to certain definitions:

1. **[Active Open Space.** References to the term "Active Open Space" or "active open space" (whether capitalized or not) shall contain features that characterize active or usable open space areas such as: landscaping, lawns, gardens, benches and other seating areas, pedestrian and bicycle paths, trails, art features, water features/fountains, parks, dog parks, fishing ponds, accessible creeks, streams and storm water ponds, putting greens, golf courses, amphitheaters, and/or other types of formal or informal recreational facilities and/or other similar facilities and improvements.]

2. **Blank Wall, Ground Floor**. The horizontal linear dimension of contiguous building wall that does not contain fenestration, doors, or decorative elements such as banding,

medallions, artwork such as murals and mosaics, change in wall plane of at least three inches, or other architectural or material embellishment. Any wall less than five feet in height is not considered to be a blank wall.

3. **Blank Wall, Upper Floor**. The horizontal or vertical linear dimension of contiguous building wall that does not contain fenestration, doors, or decorative elements such as banding, medallions, artwork such as murals and mosaics, change in wall plane of at least three inches, or other architectural or material embellishment. Any wall with a minimum dimension of less than five feet (5') (height or width) is not considered to be a blank wall.

4. **Commercial Uses**. References to the term "commercial uses" or "Commercial Uses" (whether capitalized or not) shall mean office uses, retail uses, EDEE uses and Personal Services uses, and the term "non-office commercial uses" or "Non-office Commercial Uses") (whether capitalized or not) shall mean retail uses, EDEE uses and Personal Services uses.

5. **Development**. References to "Development" and/or "development" (whether capitalized or not) shall mean and refer to Existing Built Development, Existing Built Development Expansion and/or New Development, as defined below, as the context dictates.]

6. **Development Levels**. Reference is made to Section III below and to Sheet RZ-4.0, for the permitted uses and development levels permitted within the Development Areas which shall govern the total maximum development level of gross floor area for all such listed uses, subject to the conversion rights set forth in Section III, and the provisions of Section I.l.15 of these Development Standards.

7. **Existing Built Development.** Existing Built Development means buildings, structures, parking, pavement, and related built improvements in existence as of the date of the rezoning approval as generally depicted on Sheet RZ-10 (and shall include interior alterations or improvements and exterior expansions that do not constitute Existing Built Development Expansion nor New Development, each as defined below).

8. **Existing Built Development Expansion.** Existing Built Development Expansion shall mean an exterior addition and/or expansion to Existing Built Development that materially increases the building footprint, pavement and/or parking areas, but shall not include interior renovations, exterior façade improvements, repairs, and/or upgrade expansions of less than 5% of the associated building footprint or less than 20% of the parking area.

9. **Gross Floor Area Clarification.** When determining the maximum development levels set forth in this Rezoning Plan, the term gross floor area shall be defined as set forth in the Ordinance except that it shall also exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, and outdoor dining and gathering areas whether on the roof of the building or at street level.

10. **I-485 Frontage**. Except as may be expressly set forth in the Rezoning Plan, the frontage of the Rezoning Site with I-485 shall not be deemed public street frontage for design or other types of zoning regulations (*Optional Provision* as needed)].

11. **Limited Service Restaurant**. A "Limited Service Restaurant" or "limited service restaurant" (whether capitalized or not) shall mean a restaurant with no more than 3,000 square

feet of gross floor area serving primarily items that do not require on-premise cooking of food (other than heating, micro-wave cooking or similar process and the baking of premixed dough).\

12. **Multi-Family Stacked Unit.** Stacked unit design refers to multi-family residential designed as a structure with multiple dwelling units accessed by one or more common entryways so that units may have individual entrances for ground floor units.

13. **New Development. "**New Development" means development, redevelopment and/or replacement of buildings, structures, parking, pavement and related improvements that does not constitute either Existing Built Development nor Existing Built Development Expansion.

14. **Open Space**. References to the term "open space" or "Open Space" (whether capitalized or not) shall have the meaning ascribed to such term in the Ordinance but for further clarification shall include passive and active open space such as parks, golf courses, athletic fields, nature trails, bike/scooter paths, walkways, food court areas, outdoor dining areas, greenways, buffers, gathering places, amphitheaters, outdoor performance spaces, preserves, floodplains, streams, storm water ponds and facilities, plazas, tree save areas, wildlife hubs and habitats, and other similar open and unobstructed areas of land or water.

15. **[Other Permitted MUDD Uses**. Reference in the Development Standards and Sheet RZ-5.0 to other MUDD permitted uses that are not set forth within the categories of commercial uses, hotel/hospitality uses and residential uses set forth in *Table III.c.* shall mean and refer to all uses permitted by right or under prescribed conditions in the MUDD zoning district other than the enumerated categories above and those MUDD uses expressly prohibited in Section III.b. below, together with all permitted accessory uses; for clarity, these other permitted MUDD uses shall include, without limitation: schools, religious institutions, congregate care facilities, and similar uses; recreation (indoor and outdoor) uses including but not limited to gyms, YMCAs, fitness facilities, athletic facilities indoor and outdoor, play areas, dog parks, parks, golf courses and similar uses; civic, social service, or fraternal uses, galleries, museums, theater, amphitheater/outdoor performance facilities; community gardens, urban farms, farmers markets, areas used for food truck and mobile food vending, kiosks, shipping container structures or other similar "tactical urbanism type permitted structures as well as parking for such uses, and/or similar uses as described herein. Given the nature of these uses, it is understood that there shall be no development level limits on these uses EXCEPT that (i) each indoor recreation use/facility of greater than 120,000 sf of gross floor area shall count against the development levels for commercial uses set forth for the Rezoning Site; provided, further, however, it is understood that indoor recreation uses associated with schools, religious institutions or the like shall be excluded from the above-referenced exception.]

16. **Personal Services Establishment.** An establishment that provides frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, electronics repair shops, nail salons, laundromats, health clubs, dry cleaners, and tailors.

17. **Prominent Entrance.** A building entrance that is visually distinctive from the remaining portions of the facade where it is located.

i. For nonresidential, mixed-use, and multi-family stacked units, entrances that contain at least three of the following are considered a prominent entrance:

decorative pedestrian lighting/sconces; architectural details carried through to upper stories; covered porches, canopies, awnings or sunshades; archways; transom or sidelight windows; terraced or raised planters; common outdoor seating enhanced with specialty details, paving, landscaping, or water features; double doors; stoops or stairs.
ii. For multi-family attached units, entrances that contain one or more of the following features are considered a prominent entrance: porches, raised steps and stoops with or without roof overhangs, decorative railings.

II. MUDD Optional Provisions:

a. Optional Provisions for All MUDD-O Zoned Development Areas. These Development Standards, including without limitation this Section II.a and portions of Section VI., set forth certain *Optional Provisions* which apply to the Rezoning Site and which allow variations from the minimum standards for development under MUDD. These Optional Provisions are identified in various portions of the Development Standards with reference to "*Optional Provision(s)*". Each such Optional Provision shall not be limited by the provisions related to other Optional Provisions:

1. To allow during the staging and phasing of development on the Site, surface parking in lieu of parking decks on portions of the Site on an interim basis may be allowed provided that such surface parking areas will meet all required minimum setbacks, streetscape and screening requirements and such interim period shall last for up to 36 months per location or development site, and such time may be extended by the Planning Director based on a showing of delays in the phase of development beyond the reasonable control of Petitioner, or assigns [*deviates from provisions of MUDD prohibiting parking between the building and street such as MUDD Section 9.8507(2) Parking and Loading Standards, among others*.]

2. To encourage engaging places with a variety of experiential uses often that operate on a more temporary basis (*not to exceed six months per location*) such as mobile food vending and tactical urbanism type uses within portions of the Active Open Space areas on the Site, surface parking on an interim basis for temporary uses including gravel and composition surfaces but not adhering to the standards for permanent parking contained in the Ordinance may be allowed provided that such interim surface parking areas will meet all required minimum setbacks [*deviates from provisions of MUDD prohibiting parking between the building and the street such as MUDD Section 9.8507(2) Parking and Loading Standards among others contained in Chapter 12 of the Ordinance*

3. [To allow vehicular parking, maneuvering, valet and ride-share services (including without limitation, drop off areas, servicing areas and related parking areas) and service between and to the side of the proposed buildings associated with New Development (See Section II.a.4. for Existing Built Development) and Existing Built Development Expansion, and adjacent streets, subject to compliance with applicable design guidelines associated with the applicable use set forth in Section VI of these Development Standards. *(See MUDD Section 9.8507.(2) Parking and Loading Standards of the Ordinance among other provisions.)*

4. [To allow deviations from MUDD standards with respect to Existing Built Development as generally depicted on Sheet RZ-10.0, including without limitation, existing, modified, enhanced and/or expanded vehicular parking, maneuvering, valet and ride-share services (including drop-off areas, servicing areas and related parking areas) and service between and to the side of existing buildings and adjacent streets, blank wall treatments and

the like, all without creating any non-conforming use/structure concerns. *(See MUDD Section 9.8507(2) Parking and Loading Standards, MUDD Section 9.8506(2) Street Walls, MUDD Section 9.8506(2)(b) Screening, among other provisions.)]*

5. Subject to the limitations set forth in Section III.b. below, to allow accessory drive-thru windows in accordance with the following standards: *(See Section 9.8504 Accessory Uses.):*

i. Drive-thru windows shall only be permitted as accessory to a grocery store, dry cleaner, financial institution, limited service restaurant and/or similar and shall not be located between the building and the primary public street. Drive-thru lanes and one bail out lane are permitted between the building and other streets with screening achieved through a combination of low landscape solid walls ranging from 36 to 42 inches in height articulated no less than every 20 feet and landscaping.

ii. Multilane drive-thrus shall not face the primary street unless canopied and with an articulated building edge.

iii. No more than two (2) uses with accessory drive-thru windows per block face are permitted and the uses with accessory drive-thru windows may not be located adjacent to each other on the same block unless they share central parking facilities.

iv. When multiple drive-thru lanes are provided, any canopies over them shall be designed so that they are integrated with the overall architectural design of the primary buildings and appear to be an extension of the primary building mass, cornice and or roof type with similar architect design. Material deviations are permitted, however shall be complimentary.

6. To allow certain deviations from MUDD standards with respect to certain large format uses within Development Area C2 for non-office commercial uses, and as to all Development Areas for indoor recreation uses (unrelated to civic uses) each of greater than 40,000 square feet of gross floor area, per the following: *(See MUDD Section 9.8506.(2)(a) Street Walls; and MUDD 9.8506.(2)(b) Screening of the Ordinance among other provisions.)*

i. Non Primary Street/Non-Four Lane Boulevard facing side and rear facades can utilize landscaping with an installed height of ½ the height of the first story of and plant grouping gaps no larger than 20 feet to address blank walls.

ii. Parking fields will be minimized to no more than 2 full bays of parking between the building and the Primary Street/Non-Four Lane Boulevard, and larger parking areas may be provided to the side or rear of the building. Deviations from this standard may be allowed with enhanced pedestrian connections through parking areas.

iii. A Primary Pedestrian Entrance will be located facing the Primary Street/Non-Four Lane Boulevard, or located on a street facing corner. Only one primary pedestrian entrance is required for the building (not one for each street)

7. To allow height of buildings to exceed the 120 foot height limit of MUDD in the amounts and manner described on Sheet RZ-5.0.

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

NORTHWOOD OFFICE
SASAKI
Moore & VanAllen

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

DEVELOPMENT STANDARDS & TRANSPORTATION NOTES

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: N.T.S.
PROJECT #: 018459

SHEET #:
RZ-6.0A

8. To not require doorways to be recessed into the face of buildings when the abutting sidewalk width is greater than ten (10) feet. An eight (8) foot sidewalk clear zone shall be maintained *(See MUDD Section 9.8506.(2)(h) Building Entrances of the Ordinance among other provisions.)*

9. To allow required long term bike, scooter and similar parking spaces for the uses to be located within the parking decks and between buildings and streets constructed within the Site. *(See Section 9.8507.(7) Bicycle Parking of the Ordinance among other provisions.)*

10. To allow buildings to use limited instances (as defined below) of window like openings with non-clear glazing to help break up building facades and meet blank wall requirements within Development Areas B, C1 and C2, and along Limited Access Road frontages (as defined in Section VI.c. below) in all Development Areas. The intent of this provision is to allow wall treatments other than windows with clear glass to be used to meet the fenestration standards in instances ("Limited Instances") when the use or uses located within the building are for areas related to storage rooms, bathrooms, mechanical electrical and plumbing equipment areas and alike and are not related to active retail/EDEE customer floor areas or active office areas. *(See Section 9.8506(2)(a) Street Walls of the Ordinance among other provisions.)*

11. To allow deviations and/or adjustments from the setbacks of MUDD or those contained in the Rezoning Plan upon the reasonable approval of the Planning Director in connection with the installation of light rail transit service and/or express bus service to the Rezoning Site.

NOTE: FOLLOWING PROVISIONS ON SIGNAGE MAY BE ADJUSTED IN CONNECTION WITH REVIEW OF NEW PROPOSED SIGNAGE ORD. PROVISIONS

12. [To allow each office building on the Site to have one ground mounted detached sign, each with up to 50 square feet of sign area and up to seven (7) feet in height. *(See Section 9.8506.(2)(c) Signs of the Ordinance among other provisions.)]*

13. [To allow detached ground mounted identification signs for each building provided that (i) these detached identification signs shall not exceed five (5) feet in height nor greater than 36 square feet of sign area and (ii) this Optional Provision exception may not be used in combination with Optional Provision 11. above. *(See Section 9.8506.(2)(c) Signs of the Ordinance among other provisions.)]*

14. [To allow wall signs to have up to 200 square feet of sign surface area per walls or 10% of the wall area to which they are attached, whichever is less. The sign area of the wall signs may be increased by 10% if individual letters are used. *(See Section 9.8506.(2)(c) Signs of the Ordinance among other provisions.)]*

15. [To allow temporary signs and/or banners, for a period not to exceed six (6) months, when located along public or private streets with up to 150 square feet of sign face area and with a maximum height of seven (7) feet. *(See Section 9.8506.(2)(c) Signs of the Ordinance among other provisions.)]*

16. [To allow any of the detached signs allowed by the Ordinance or these Optional Provisions to be placed within the setback when building and/or parking setback is a minimum

of 35' provided that the sign shall be a minimum 5' from the back of sidewalk. *(See Section 9.8506.(2)(c) Signs of the Ordinance among other provisions.)]*

17. [To allow projecting and blade signs and to allow such signs to encroach up to six (6) feet (2 feet above Ordinance) into public street setbacks and to project up to eight (8) feet from a building wall (4 feet above Ordinance).]

18. [To allow use of LED, dynamic video images or changeable copy signage, digital signage, art light projections and public art related signage; provided, however, such signs shall be limited, in the aggregate of all such signs, to 800 square feet of sign area per Development Area in the East Areas and 800 square feet of sign area for the West Area, and art light projections shall be limited, in the aggregate of all such projections, to 800 square feet of projection area per Development Area in the East Areas and 800 square feet of projection area for the West Area; in being understood, however, that: (i) signage associated with amphitheater facility and other performance venues described herein and in sub-section 21 below and signage that uses LED technology as a light source without the other projections or signage described above shall be excluded from the size limitations, and (ii) the size limitations described above may be increased upon the approval of the Planning Director, or designee. [*Above provisions deviate from certain signage standards of MUDD.]*

19. [To allow public art installations and displays to be installed on a permanent or temporary basis within the setbacks and yard requirements of the Ordinance subject to site distance clearance and other public safety based regulations; it is understood that public art installations and displays will not count towards any signage requirements or restrictions under the Ordinance or herein.]

20. [To allow a variety of signs to be installed in connection with the amphitheater or other entertainment venues on the Rezoning Site, which shall include directional signage, LED, dynamic video images or changeable copy signage, digital signage, art light projects and public art related signage and these signs shall not count toward the aggregate size limitations set forth above or in the Ordinance.]

21. [As an alternative or supplement to the signage related Optional Provisions set for the above, Petitioner may set forth a master signage package for the Rezoning Site that provides for flexibility appropriate to a mixed use integrated development of the kind contemplated by this Rezoning.]

22. **[**Recognizing that the vision for the redevelopment of the Rezoning Site will include infill of undeveloped land, the existing golf course and existing surface parking areas, it will be important to phase all new infrastructure and development in order to keep all existing uses and businesses functioning; for this reason, modifications and adjustments to future road improvements and existing parking areas will need to be accommodated. This redevelopment will occur over many phases and will require new uses and new infrastructure being installed without interrupting existing parking areas and buildings. Accordingly, this *Optional Provision* provides that notwithstanding any other provisions in the Rezoning Plan to the contrary: (i) best practices will be considered to meet street connectivity requirements within each development phase, but existing buildings and existing parking areas associated with Existing Built Development and/or Existing Built Development Expansion shall not be required to be removed, (ii) in no event shall Existing Built Development or Existing Built Development Expansion be required to be removed for New Development, nor should

Existing Built Development or Existing Built Development Expansion prohibit New Development from occurring, and (iii) stub roads for future streets may be provided.**]**

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

III. Permitted Uses, Development Level Limitations, Transfer & Conversion Rights:

a. Permitted Uses Generally. The Rezoning Site may contain and may be developed with uses permitted by right and under prescribed conditions in the MUDD-O zoning district together with accessory uses as allowed in the MUDD-O zoning district, in accordance with the Optional Provisions set forth above but except as expressly limited by the provisions of Sections III.b. and c. below.

b. Prohibited Uses. No gas/convenience store uses will be allowed on the Rezoning Site and no more than one (1) fast food restaurant with drive-thru window facility will be allowed on the Rezoning Site, which, if developed, would be located within Development Area C2 (in each such event this use with drive-thru facility will adhere to the following design standards:

i. Drive-thru windows shall only be permitted as accessory to a grocery store, dry cleaner, financial institution, limited service restaurant and/or similar and shall not be located between the building and the primary public street. Drive-thru lanes and one bail out lane are permitted between the building and other streets with screening achieved through a combination of low landscape solid walls ranging from 36 to 42 inches in height articulated no less than every 20 feet and landscaping.

ii. Multilane drive-thrus shall not face the primary street unless canopied and with an articulated building edge.

iii. No more than two (2) uses with accessory drive-thru windows per block face are permitted and the uses with accessory drive-thru windows may not be located adjacent to each other on the same block unless they share central parking facilities.

iv. When multiple drive-thru lanes are provided, any canopies over them shall be designed so that they are integrated with the overall architectural design of the primary buildings and appear to be an extension of the primary building mass, cornice and or roof type with similar architect design. Material deviations are permitted, however shall be complimentary.

c. Development Levels for Transportation Purposes for Phase I & Phase II Development. Development levels for permitted uses are set forth in *Table III.c.* below for the purposes of regulating traffic/transportation related aspects that may result from New Development or Existing Built Development Expansions taking place on the Rezoning Site and as more particularly set forth in Section V. below.

It is understood that Existing Built Development containing uses as allowed under this Section III currently exist on the Site. Accordingly, except as relates to the conversion rights set forth below, such Existing Built Development is not considered for transportation analysis purposes since it is already built and in place per earlier entitlement and is allowed under the MUDD-O rezoning contemplated herein. Furthermore, New Development and/or Existing Built Development Expansion that replaces in whole or part Existing Built Development will not be deemed to increase the

development levels referenced in this Rezoning Plan, including without limitation Table III.c. below, as to the amount of the New Development and/or Existing Built Development Expansion that merely replaces Existing Built Development; it being understood that such offsets against Existing Built Development upon replacement will use the same ratios of square footage, units and rooms set forth below in Sections III. e. f. and g. below regarding conversion of uses.

By way an examples only: (i) in the event that a building of 150,000 square feet of gross floor area of office uses in existence as of the date of approval of this Rezoning (hence constituting Existing Built Development) is demolished in its entirety and is replaced with a new building consisting of 200,000 square feet of gross floor area of office uses and 200 multi-family units (i.e. New Development), only 50,000 square feet of office uses and 200 multi-family units shall be accounted for as New Development for the purposes of this Section III (including Table III.c. below) and the transportation related analysis set forth in Section V; (ii) in the event a building of 100,000 square feet of gross floor area of office uses in existence as of the date of approval of this Rezoning (hence constituting Existing Built Development) is demolished in its entirety and is replaced with 200 multi-family units, only 100 multi-family units of the New Development shall be accounted for as New Development for the purposes of this Section III (including Table III.c. below) and the transportation analysis set forth in Section V since 100,000 square feet of gross floor area of the Existing Built Development office uses are offset against the New Development at a ratio of 1,000 square feet per multi-family unit; (iii) in the event a building of 120,000 square feet of gross floor area of office uses is redeveloped as Existing Built Development Expansion so as to result in at total of 125,000 square feet of gross floor area with 110,000 square feet of gross floor area of office uses and 15,000 square feet of gross floor area of retail/EDEE uses, then only 5,000 square feet of such retail/EDEE uses shall be accounted for as New Development for the purposes of this Section III (including Table III.c. below) and the transportation analysis set forth in Section V since 120,000 square feet of office uses of Existing Built Development are offset against 110,000 of office uses and 10,000 square feet of retail/EDEE uses; and (iv) in the event that a building of 100,000 square feet of office uses in existence as of the date of approval of the Rezoning (i.e. constituting Existing Built Development) is demolished, the amount of New Development available for the purposes of this Section III (including Table III.c) and the transportation analysis of Section V shall be increased by amount equivalent for commercial uses, residential uses and hotel uses as set out in the applicable conversions of Sections III. e, f and g below.

When referencing development levels for New Development and Existing Built Development Expansion in *Table III.c.* below, it is understood that those permitted uses not falling within the category of uses listed below shall be accounted for as "Other Uses" as set forth in *Table III.c.*

Furthermore, ground floor retail/EDEE and Personal Services uses integrated into a mixed use, multi-story office building with the Rezoning Site shall not be included in the maximum New Development level or Existing Built Development Expansion for retail/EDEE or Personal Services uses, up to a maximum amount of gross floor area of such uses so excluded of 60,000 square feet.

It is further acknowledged that the actual development levels allowed may be increased or decreased above or below the development levels reflected in *Table III.c.* below in accordance with the conversion rights set forth in Sections III.e.-III.f. below up to the maximum conversion amounts set forth in such sections. Conversions may include each of Existing Built Development, Existing Built Development Expansion and New Development, but as described above only the net increase in overall development levels beyond the Existing Built Development levels shall count toward limits on the development levels set forth herein.

Table III c.

Proposed New Development and Existing Built Development Expansion Levels (Combined)*; NOTE [ ] items reflects levels for only Phase I or II as applicable

	Total Thru Phase I	Total Thru Phase II
New Non-Residential Uses *	Total	Total
New Office Uses s.f. = square feet of gross floor area	0	400,000 s.f. [400,000 s.f.]
New Non-Office Commercial Uses (Retail, EDEE & Personal Services)	300,000 s.f. [300,000 s.f.]	300,000 s.f.
New Hospitality/Hotel Uses	0	
Other Misc. Uses **		
Total	300,000 s.f.	700,000 s.f.

	Total Thru Phase I	Total Thru Phase II
Residential Uses *	Total	Total
Multi-Family Units	1,200 units [1,200 units]	2,200 units [1,000 units]
Single-Family Attached/Detached Units		300 units [300 units]
Total Units		2,500 units

* Subject to conversion rights per Section III of Development Standards

** See provisions of Section I.l.15 regarding development of certain other permitted MUDD uses not falling within the categories set forth above for uses such as civic, recreational, religious institution, congregate care & other similar uses. See also above provision of this Section III.c. regarding exclusion of certain vertical integrated non-office commercial uses.

d. Aspirational Phase III Development. Reference is made to Table III.d. below that sets forth aspirational development levels beyond Phase I Development and Phase II Development (the "Phase III Development"). It is expressly understood that no permits nor certificates of occupancy may be issued with respect to the Phase III Development without BOTH (i) the occurrence of a major transportation improvement event or events and/or a transportation technological transformation event or events that significantly alter the transportation/congestion management environment for the Rezoning Site, each as determined by CDOT (each a "Major Transportation Event"), such Major Transportation Events could include, by way of illustration only, delivery to the Rezoning Site of light rail transit service, true bus rapid transit service (but beyond express bus service provided by the planned I-485 managed lanes project) or some other major widening or flyover transportation improvement, again as reasonably determined by CDOT. And in each such instance of a Major Transportation Event additional transportation analysis reasonably acceptable to CDOT and NCDOT, as applicable, shall be provided to demonstrate verification of the benefit of each such Major Transportation Event(s) and suitable transportation adequacy levels associated with the Phase III Development.

Table III.d.

New Development & Existing Development Expansion Levels (combined)* - Phase III (NOTE: subject to full transportation study & triggering events such as transit, major regional road improvements and/or major transportation innovations) [sf references square feet of gross floor area]	
Non-Residential Uses	**Phase III**
Office Uses	800,000 s.f.
Non-Office Commercial Uses (Retail, EDEE & Personal Services)	50,000 s.f.
Hospitality/Hotel Uses	220 rooms
Other Misc. Uses **	

Residential Uses [units references dwelling units]	**Phase III**
Multi-Family Units	1,500 units
Single-Family Attached/Detached Units	
Total Units	1,500 units

* Subject to transfer rights per Section III of Development Standards

** See provisions of Section I.l.15 regarding development of certain other permitted MUDD uses not falling within the categories above but including uses such as civic, recreational, religious institution, congregate care & other similar uses. See also above provisions of this Section III.c. regarding exclusion of certain vertical integrated non-office commercial uses.

e. Process & Record-keeping for Development Levels. Given the master planned nature of the development contemplated for the Rezoning Site, Petitioner, or assigns, and owners of portions of the Rezoning Site, will follow a process for recording entitlement taking place in accordance with the Rezoning Plan as part of a written summary table and report (the "Entitlement Summary"), a sample copy of the same being set forth as a Table/Chart on Sheet RZ-4.0, filed in connection with urban review and similar site plan submittals for specific development taking place within Development Areas and the Rezoning Site as a whole. Such Entitlement Summary shall also reflect adjustments to applicable development levels allowed based on approved Site Plan Amendments and approved Administrative Site Plan Amendments.

The Petitioner shall provide written notice to the Planning Director, or designee, of one to two individuals who are designated and charged for keeping the Entitlement Summary up to date on a timely basis for the Site (the "Recording Parties" and each a "Recording Party"). Errors resulting from failure of a Recording Party to keep the Entitlement Summary up to date accurately on a timely basis shall be remedied promptly with reasonable cooperation of the Planning Department, but the Planning Department shall not be responsible for updating the Entitlement Summary. Any failure of a Recording Party to keep the Entitlement Summary up to date may adversely affect development levels and rights as well as the timing when at odds with the actual approved entitlements. As indicated above, the Entitlement Summary shall be updated as development receives MUDD-O approvals, subdivision approvals, planned multi-family approvals and building permits, as applicable.

f. Conversion of Commercial Uses. Retail, EDEE, and Personal Services uses ("non-office commercial uses"), whether related to Existing Built Development Levels or Existing Built Development Expansion/New Development Levels set forth in *Table III.c.* above, may exceed the

applicable development level specifications set forth by up to 75,000 square feet of gross floor area and office commercial uses may exceed the applicable development level specifications by up to 75,000 square feet of gross floor area by converting non-office commercial uses into office commercial uses and vice versa at a ratio of 1.0 square foot of gross floor area of such uses so converted. In such event the total gross floor area of commercial uses (office and non-office) allowed for the applicable Phase of Development shall not exceed the total specified amount as a result of such conversions, rather only the mix of such uses shall change but not by greater than the limits set forth above; the conversions described above are in addition to other conversions set forth herein, and the conversions properly exercised and those remaining shall be set forth as part of the Conversions Levels on the Entitlement Summary and related Chart described on Sheet RZ-4.0.

g. Conversion of Hotel Rooms & Residential Units. Additional hotel rooms beyond the Existing Built Development Levels, or the Existing Built Development Expansion/New Development Levels set forth in *Table III.c.* above may be developed within the Rezoning Site by converting residential dwelling units into hotel rooms at the rate of one (1) residential unit so converted into one (1) hotel room, up to a maximum of 200 new hotel rooms created in the aggregate by such conversions; and additional residential dwelling units may be developed by converting hotel rooms, whether set forth as Existing Built Development Levels or Existing Built Development Expansion/New Development Levels set forth in *Table III.c.* above, into residential dwelling units at the rate of one (1) hotel room so converted into one (1) residential dwelling unit up to a maximum of 200 residential dwelling units created by such conversion in the aggregate. The conversions described above are in addition to other conversions set forth herein, and the conversions properly exercised and those remaining shall be set forth as part of the Transfers/Conversions Levels on the Entitlement Summary and related Chart described on Sheet RZ-4.0.

h. Conversion of Hotel Rooms/Residential Units & Commercial Uses. Additional hotel rooms and/or residential dwelling units may be developed within the Rezoning Site by converting commercial uses (e.g. office, retail, EDEE and Personal Services uses), whether related to Existing Built Development Levels, or to Existing Built Development Expansion/New Development Levels set forth in *Table III.c.* above, into hotel rooms and/or residential dwelling units at the rate of 500 square feet of gross floor area of such commercial uses so converted for one (1) hotel room added or for one (1) residential dwelling unit added, up to a maximum of 300 hotel rooms or residential dwelling units created in the aggregate by such conversion, and additional commercial uses may be developed by converting hotel rooms and/or residential dwelling units into commercial uses at the rate of one (1) hotel room or one residential dwelling unit so converted into 500 square feet of gross floor area of commercial uses so created up to a maximum of 300 hotel rooms and/or residential dwelling units so converted in the aggregate. The conversions described above are in addition to other conversions set forth herein, and the conversions properly exercised and those remaining shall be set forth as part of the Transfers/Conversions Levels on the Entitlement Summary and related Chart described on Sheet RZ-5.0.

i. Written Notices & Records for Conversions & Transfers; Administrative Amendments. Prior to any conversions of entitlement pursuant to subsections f., g. and h. above, the Petitioner or owner of the portion of the Development Areas involved in the conversion or transfer under notice shall provide to the Planning Department a written notice for such conversion and transfer as well as an updated Entitlement Summary in accordance with subsection b. above, including the applicable Conversions Levels. Furthermore, the results of such conversions and transfers shall be evidenced by an update of the applicable tracking summary for the applicable area involved as described above in subsection e.

IV. Commitments regarding Infrastructure & Civic/Community Uses & Services

In addition to the transportation provisions set forth below in Section V below, the following provisions of this Section IV relate to certain civic/community uses, services and improvements. It is contemplated that the following provisions and possible funding aspects will be documented in a separate Development Agreement instrument.

a. Parks & Recreation Greenway Dedications & Improvements. The Petitioner, or assigns, recognizes that transformative communities with exceptional livability are benefitted by quality parks, recreation facilities, open space, trails and when feasible connections to public greenway systems. Accordingly, the Petitioner, or assigns, provides the following commitments in connection with such parks, recreation facilities, open space, trails and connection to the Mecklenburg County greenway system:

1. Continuation of Park/Open Space Areas. To help support parks, open space uses and services, the Petitioner, or assigns, will provide for and maintain the system of privately owned but accessible to the public pocket parks and active green space within the Rezoning Site as generally depicted on Sheet RZ-9.0, subject to adjustments as long as a [minimum of 100 acres of the Rezoning Site remains Open Space and a minimum of thirty-five percent (35%) of the Open Space thereof remains Active Open Space. Petitioner agrees to provide pedestrian connections linking the park/open space areas substantially similar to the manner generally depicted on Sheet RZ-9.0 but as the same may be adjusted as set forth above. Petitioner, or assigns, shall bear the cost of maintaining the above-described areas. It is understood that many of the above described areas exist today (but may be improved) and others will be installed or upgraded as development occurs within the Rezoning Site, subject to adjustments as described above and subject to the greenway connection timing referenced in item 2 below.

2. New Connection to Greenway. Sheet RZ-9.0 sets forth the proposed location of the area on the Rezoning Site that will be connected to the Mecklenburg County greenway system. This connection to the greenway system, including the installation of the associated bridge connection, will be installed by the Petitioner within three (3) years of approval of the Rezoning, subject to circumstances beyond the reasonable control of the Petitioner. Petitioner, or assigns, may retain naming rights to the bridge/greenway connection as part of its installation. Petitioner, or assigns, will provide for trails and pedestrian connections in locations generally depicted on the Rezoning Plan in a manner reasonably consistent with development plans for the Rezoning Site and as development occurs on the Rezoning Site, and shall provide for the greenway connection described above in a timely manner. The cost of installation of greenway trails and improvements off-site (other than as described above) shall be borne by Park & Rec or others. Once installed, Petitioner, or assigns, shall maintain the trails and pedestrian connections on the Rezoning Site, and the greenway connection off of the Rezoning Site shall be maintained by Park & Rec or others. Petitioner shall permit parking for greenway connection access on weekends and holidays on existing nearby parking spaces subject to customary provisions for security and safety.**]**

b. Public Gathering & Amphitheater Improvements. As part of the vision for Ballantyne Reimagined as a community and cultural gathering hub for south Charlotte, the Petitioner, or assigns, commits to install the amphitheater as generally depicted on Sheet RZ-6.0 within six (6) years of approval of the Rezoning, subject to circumstances beyond the reasonable control of the Petitioner.

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

NORTHWOOD OFFICE
SASAKI
Moore & Van Allen

DEVELOPMENT STANDARDS & TRANSPORTATION NOTES

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: N.T.S.
PROJECT #: 018459

SHEET #:
RZ-6.0B

c. Affordable & Workforce Housing. The Petitioner, or assigns, recognizes that transformative communities with exceptional livability are benefitted by a variety of housing opportunities at "diverse price points" to promote a vibrant community accessible to residents who will make up the broad-based workforce associated with the community vision. Accordingly, Petitioner, or assigns, agrees to the following commitments:

1. **Phase I Affordable/Workforce Housing Commitment**.

(a) 96 workforce housing residential rental units (the "Phase I Housing Commitment") will be provided prior to the issuance of certificates of occupancy for greater than 1,200 new residential dwelling units as part of the new residential development allowed in the Phase I Development (equating to 8% of such residential development in Phase I), subject to and in accordance with the provisions contained in this sub-section c. The Phase I Housing Commitment will be subject to and based on approval by applicable governmental entities of appropriate tax credit housing grants pursuant to North Carolina Housing Finance Agency, other possible public funding support in the form of tax increment grants and/or other such workforce housing funding vehicles ("Tax Credit/Housing Support Vehicles") associated with such commitment.

(b) The Phase I Housing Commitment will provide that the 96 designated workforce/affordable housing rental units maintain monthly rents that are income restricted for households earning 80% or less of the area median income, for a period of not less than 30 years after initial occupancy, or some other metric mutually acceptable to the Petitioner, or assigns, and the City of Charlotte Neighborhood Development Department.

(c) Petitioner, or assigns, including without limitation experienced providers of workforce/affordable housing, will use diligent good faith efforts to comply with the Phase I Housing Commitment (including approval of an appropriate Tax Credit/ Housing Support Vehicle(s) prior to the earlier of: (i) issuance of certificates of occupancy for greater than 1,200 new residential dwelling units as part of the Phase I Development and (ii) five (5) years of approval of the Rezoning; if after exercise of such good faith efforts, Petitioner, or assigns, is unable to so comply, Petitioner shall set aside for a period of five (5) years up to 2 acres of land within the Rezoning Site as may be needed to support future development of the Phase I Housing Commitment; and if after such 5-year period and after further good faith efforts to so provide for the Phase I Housing Commitment, the Petitioner, or assigns, is unable to do so, the set aside land shall be free for development without regard to the Phase I Commitment.

2. **Phase II Affordable/Workforce Housing**.

(a) Petitioner, or assigns, including without limitation experienced providers of workforce housing, commit that 8% of the total number of residential dwelling units built in connection with Phase II and future phases (the "Additional Phases Housing Commitment") will consist of residential rental dwelling units that maintain monthly rents that are income restricted for households earning 80% or less of the area median income, for a period of not less than 30 years after initial occupancy, or some other metric mutually acceptable to the Petitioner, or assigns, and the City of Charlotte Neighborhood Development Department.

(b) It is understood that the Additional Phases Housing Commitment will be subject to and based upon approval of applicable Tax Credit/Housing Support Vehicle(s). Furthermore, it is understood that the implementation of the Phase II Housing Commitment shall be based on overall housing delivery of 80 rental residential dwelling units, such that 80 such workforce/affordable rental housing units shall be under development prior to the issuance of certificates of occupancy for greater than 2,200 residential dwelling units as part of the new residential development allowed in the Phase II Development and Phase I Development combined. If Petitioner, or assigns, is unable, after good faith diligent efforts, to comply with the Phase II Housing Commitment prior to the earlier of: (i) issuance of certificates of occupancy for greater than 2,200 residential dwelling units as described herein or (ii) eleven (11) years after the Rezoning approval, Petitioner shall provide for the same type of set aside of land under the same conditions as set forth for the Phase I Housing Commitment.]

3. **[Phase III Development Affordable/Workforce Housing**. Reference is made to Section V regarding the conditional allowance of Phase III Development upon the occurrence of a Major Transportation Event (including, for instance, as defined in Section V the delivery of light rail transit service to the Rezoning Site and additional transportation analysis reasonably acceptable to CDOT and/or NCDOT providing written verification of the transportation mitigation benefits of such Major Transportation Event). While the additional Phase III Development may not be built without the occurrence of such a Major Transportation Event and acceptable analysis of the transportation benefits, Petitioner, or assigns, will work in good faith with City of Charlotte Neighborhood Development Department to provide additional commitments to workforce housing at levels up to 10% of the total number of Phase III Development residential units and otherwise on the same basis as described above for Phase I Development and Phase II Development.]

d. CATS Infrastructure & Transit Services. As part of the multi-model transportation mobility plans for the Rezoning Site, Petitioner, or assigns, shall coordinate with CATS on the following items such as bus stops and where appropriate pads for bus stop structures. Furthermore Petitioner shall cooperate in good faith with CATS in connection with consideration of extension of light rail service to Ballantyne.

e. [Job Training Support. Petitioner, or assigns, commits to work in good faith with representatives of the City Neighborhood and Business Services and the leadership for the P.I.E.C.E. program or similar job training program to consider appropriate goals associated with good faith commitments for participation in the P.I.E.C.E. job training related program or other similar job training program in connection with certain identified public infrastructure construction related work.**]**

f. Administrative Amendments regarding Commitments for Civic/Community Uses & Services. It is acknowledged that given the master planned nature and long timeline of development for the Rezoning Site, changes in the various civic services/community uses described in subsections IV.a., b, c., d. and e. above, may take place over time or commitments regarding the same may be met on property beyond the Rezoning Site or by parties other than Petitioner, or assigns, with the approvals of the applicable governmental authorities authorized for such services/community uses. In such event, the Petitioner, or assigns, with the written approval by the applicable governmental authorities, may request an administrative amendment to the Rezoning Petition to address the changes associated with the civic services/community uses in question.

V. Transportation/Roadway Improvements & Implementation.

a. Transportation Framework & General Provisions. The following provisions of this Section V.a. set forth the overall methodology/framework for the roadway improvements to be installed in connection with development of the Rezoning Site as well as other general provisions governing the transportation components of the Rezoning Plan.

1. [Transportation Network. Due to the master planned nature of the development of the Rezoning Site which will occur over many years, the applicable transportation network generally depicted on Sheet RZ-10.0 will be implemented over time and may adapt to the timing of development, availability of public and private funding and other factors. Sections V.b. and c. below set forth a description of the roadway improvements to be installed in connection with certain phases of development of the Rezoning Site, but the exact locations and alignments of the roadway improvements set forth on Sheet RZ-10.0 and described below could change, per the provisions of this Section V. The provisions of this Section V shall govern to the extent of a conflict between the graphic depictions of Sheet RZ-10.0 and the provisions of this Section V.**]**

2. [Multiple Phases & Transportation Analysis; Adjustments/Sub-phases; Completion of Improvements Prior to Certificates of Occupancy. The transportation improvements required for the Rezoning Site will be accomplished in multiple phases, including "Phase I Improvements", "Phase II Improvements" and "Phase III Improvements," as defined below (each being a "major phase"), or "sub-phases" of such major phases. The development levels for the major phases of the development are described on Sheet RZ-11.0. It is understood that upon installation of the Phase I Improvements (as defined below) and the Phase II Improvements (as defined below) the entire Phase I Development (as defined below) level as to the Phase I Improvements and the Phase II Developments (as defined below) level as to the Phase II Improvements may be developed in accordance with the provisions herein. Adjustments, however, to the mix and amount of such development levels and the accompanying roadway improvements associated with development for such major phases or sub-phases may be permitted in accordance with the provisions of this Section V. Such adjustments and/or sub-phases shall be allowed administratively subject to the reasonable review and approval by CDOT (and/or as applicable NCDOT) of appropriate transportation analysis in the form of existing or future transportation impact studies or technical transportation memoranda (hereinafter "transportation analysis"), such approvals not to be unreasonably withheld or delayed to the extent that such transportation analysis is conducted in accordance with applicable standards/guidelines of CDOT and/or NCDOT, as the case may be. Such adjustments and/or sub-phases resulting from the reasonable approval of appropriate transportation analysis may result in more or fewer transportation improvements, in alternative improvements being deemed suitable to address transportation adequacy and/or in increases or decreases in the applicable levels of development. Approval by NCDOT as referenced herein shall only be applicable to the extent necessary per customary approval practice of NCDOT. All roadway improvements for each major phase, or sub-phase, are required to be completed prior to the issuance of the first certificate of occupancy for development within each major phase, or each sub-phase, as applicable, that is approved by CDOT (or as applicable NCDOT) per appropriate transportation analysis.**]**

3. [Phase I Development/Sub-phases & Phase I Improvements – See Description in Section V.b. Reference is made to Sheet RZ-10.0 and *Table III.b.* for the development levels allowed for Phase I (the "Phase I Development") and the roadway improvements required in connection with such development (the "Phase 1 Improvements") per that certain Traffic

Impact Study prepared by Design Resource Group, last updated as of _____, 2019 (the "Phase I & II Traffic Impact Study"). The Phase I Improvements are more particularly described in Section V.b. below and may be subject to alteration and to sub-phasing through administrative approvals as described above.]

4. [Phase II Development/Sub-phases & Phase II Improvements – See Description in Section V.c. Reference is made to Sheet RZ-10.0 and *Table III.b.* for development levels associated with Phase II development (the "Phase II Development") and the roadway improvements required in connection with such development (the "Phase II Improvements"). The required Phase II Improvements are more particularly described in the Phase I & II Traffic Impact Study and in Section V.c. below. The Phase II Development and Phase II Improvements may be subject to alteration and to sub-phasing through administrative approvals as described above]

5. [Phase III Development/Sub-phases & Phase III Improvements – See Description in Section V.d. Reference is made to subsection V.d. for possible Phase III Development beyond the Phase I Development and Phase II Development (referenced as the "Phase III Development") subject in all respects to Major Transportation Events and further transportation analysis as described below.**]**

6. [Impact of Permitted Uses/Development Levels & Transportation Adequacy Assessments. The levels of development associated with the Phase I Development, the Phase II Development and the Phase III Development, as well as sub-phases of such major phases, are intended to reflect limitations on allowed development levels tied to certain required roadway improvements; provided, however, such development levels and associated roadway improvements may be adjusted, at the request of Petitioner, or assigns, with reference to the varying traffic impact of such permitted uses based on appropriate transportation analysis approved by CDOT (and, as applicable, NCDOT). By way of illustration only, the amount of residential dwelling units allowed as part of the Phase I Development associated with the required implementation of the Phase I Improvements may be increased above the limits listed for Phase I Development residential use provided that there is a reduction in other permitted development levels associated with Phase I Development so as to account for such increase.]

7. [Completion of Improvements by Others. The listing of required roadway improvements associated with Phase I Development in Section V.b. below, and Phase II Development in Section V.c. below are not intended to suggest that they must be completed by Petitioner; rather such roadway improvements, whether associated with a major phase or a sub-phase, may be completed by Petitioner, or assigns, or by others, such as governmental bodies by way of a public private partnerships, Community Investment Plan funding (e.g. CIP), direct investment by City or State or otherwise. Accordingly, references to "Petitioner," or "Petitioner or assigns" in this Section V may include such other third parties, and a listing of required improvements needed to allow certain development to take place does not mean that the Petitioner is exclusively responsible for such improvements. The applicable requirements, however, must be satisfied prior to issuance of the applicable certificates of occupancy associated with such development regardless of which party is involved in such development or commits to make such improvements, unless adjusted in accordance with the provisions of this Section V.]

8. [Communication; Record-Keeping/Tracking. Petitioner, or assigns, and/or such other individual developers/owners, shall provide such communication and approvals related

to the improvements to be done and completed as CDOT shall reasonably request so as to properly track the roadway improvements and associated development levels for record keeping purposes. CDOT, Planning Director, or designee, and Petitioner, its successors and assigns, may mutually agree on appropriate notice and record-keeping procedures in the future as part of an administrative amendment.]

9. [CDOT/NCDOT Standards; Local Streets Per Subdivision Ordinance. All of the roadway improvements contemplated by the Rezoning Plan, as may be adjusted from time to time as provided herein, will be subject to the standards and criteria of CDOT and/or NCDOT, as applicable, related to such roadway improvements within their respective road system authority.]

10. [Thoroughfare Improvements. Development along existing roadways having a "Thoroughfare" designation must be improved to applicable "Thoroughfare" standards along the frontage being developed; provided, however, if such roadways associated with the development are within an identified and budgeted community improvement project of the City or NCDOT (as applicable), Petitioner, or assigns, may elect to contribute the estimated cost of the applicable improvements toward funding of the approved community improvement project.]

11. [Substantial Completion. Reference to term "substantial completion" for certain improvements as set forth in the provisions of this Section V shall mean a determination by CDOT that the applicable roadway improvements are deemed "substantially complete" for the purpose of the issuance of certificates of occupancy for building(s) on the Rezoning Site in connection with development/improvements phasing. The Petitioner, or assigns, may be asked to post a letter of credit or a bond for any improvements not in place at the time of any such substantial completion to secure completion of the applicable improvements in instances where CDOT has deemed certain improvements as substantially complete.]

12. [Alternative Improvements; Design Changes. The Phase I Improvements, Phase II Improvements, and Phase III Improvements and other roadway improvements deemed necessary as described herein, are anticipated to take place over the long term development horizon contemplated by this Rezoning Plan. As a result, changes in circumstances or conditions (e.g. increased transit service and the like) may affect the ability or advisability of the construction of the roadway improvements. In addition, certain design changes or alternative roadway improvements may make sense under future circumstances. Accordingly, it understood that the roadway improvements may be altered with alternate improvements, design changes or other adjustments upon approval by CDOT (and, as applicable, NCDOT). The above-referenced adjustments or design changes may be approved administratively upon CDOT's approval and shall be documented in accordance with the process set forth in Section III.c. of these Development Standards.]

13. [Right-of-Way Dedications for Areas within Rezoning Site. Except as otherwise set forth in this paragraph, Petitioner, and assigns, agree to dedicate, without compensation, the applicable right-of-way for certain expressly identified public arterial streets located land situated within the Rezoning Site as generally depicted on Sheet RZ-10, upon the earlier of (i) the commencement of construction of the applicable required roadway improvements being undertaken by Petitioner, or assigns, or (ii) the commencement of construction of required roadway improvements being undertaken by other parties such as the City.]

14. [Right-of-way Availability. It is understood that some of the public roadway improvements referenced in this Section V may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, as specified and administered by the City of Charlotte right-of-way acquisition process as administered by the City of Charlotte Engineering & Property Management Department, the Petitioner, or assigns (or third parties), are 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 may agree to proceed with acquisition of any such land. In such event, Petitioners, or assigns (or third parties), 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 roadway improvements referenced in this Section V are delayed because of delays in the acquisition of additional right-of-way as contemplated herein, then the applicable responsible party may contact CDOT and the Planning Director, or designee, regarding an appropriate infrastructure mitigation phasing plan that appropriately matches the scale of the development proposed. Upon approval of such mitigation phasing plan, CDOT, in its discretion, may inform applicable authorities that it is comfortable with allowing the issuance of certificates of occupancy for the applicable buildings in light of approved infrastructure mitigation phasing plan. If so, the Petitioner, or assigns (or third parties) shall seek to complete the applicable roadway improvements and may have to post a letter of credit/bond for any such improvements to secure completion of the applicable improvements.

It is understood that the above provisions are not to be construed as a limitation on the general rights of the City or State of North Carolina, in its discretion, to acquire or condemn right of way needed for installation of public streets, which, unless agreed otherwise, shall not require reimbursement by the Petitioner, or assigns.]

b. Description of Phase I Roadway Improvements. As part of the Phase I Development, the following Phase I Improvements will be constructed in accordance with the implementation provisions set forth in Section V.a. above, including those dealing with sub-phasing of such improvements and adjustments in permitted development levels/roadway improvements based on differing transportation impact for such permitted uses; it being understood that upon completion of the Phase I Improvements described below all of the Phase I Development may be developed without any further transportation analysis:.

[LISTED IMPROVEMENTS TO COME FROM TIA UPON COMPLETION AND APPROVAL]

c. [Phase II Development & Phase II Improvements. As part of the Phase II Development, the following Phase II Improvements will be constructed in accordance with the implementation provisions set forth in Section V.a. above, including those dealing with sub-phasing of such improvements and adjustments in permitted development levels/roadway improvements based on differing transportation impact for such permitted uses; it being understood that upon completion of the Phase II Improvements described below all of the Phase II Development may be developed without any further transportation analysis:**]**

[LISTED IMPROVEMENTS TO COME FROM TIA UPON COMPLETION AND APPROVAL]

d. [Aspirational Phase III Development & Major Transportation Events. Reference is made to Section III.d and *Table III.d.* above for aspirational development levels beyond the Phase I Development and Phase II Development, referenced as the Phase III Development. Those provisions provide for aspirational additional development levels but it is expressly understood that no permits nor certificates of occupancy may be issued with respect to the Phase III Development without BOTH (i) the occurrence of a Major Transportation Improvement Event as described in Section III.d above as determined by CDOT and (ii) in each such instance of a Major Transportation Event additional transportation analysis reasonably acceptable to CDOT and NCDOT, as applicable, to demonstrate verification of the benefit of each such Major Transportation Event(s) and suitable transportation adequacy levels associated with the Phase III Development.

VI. Design Standards/Guidelines Applicable to Rezoning Site. The following sets forth certain design standards for specific types of conditions and building types/uses and they are in addition to and will control in the event of a conflict or discrepancy with those standards/guidelines set forth in other provisions of the Rezoning Plan or in the MUDD district provisions of the Ordinance *(as an Optional Provision)*. The following provisions are subject to the application of any applicable MUDD *Optional Provisions* set forth in the Rezoning Plan, and where any such design standards or provisions conflict with the provisions of MUDD, such provisions in the Rezoning Plan shall control and shall be deemed *Optional Provisions*.

a. Limited Application of Standards to Existing Built Development. Only the provisions of Section VI.d. regarding setbacks and Section VI.e. regarding height shall apply to Existing Built Development, all other provisions of this Section VI shall not so apply.

b. Application of Standards to Existing Built Development Expansion and New Development. The following standards of this Section VI shall apply to Existing Built Development Expansions and New Development, provided that:

1. As to Existing Built Development Expansion, the applicable design standards set forth in this Section VI shall only apply to the portion of the Existing Built Development undergoing the expansion as described in the definition of Existing Built Development Expansion above in Section I.

2. In connection with Existing Built Development, Existing Built Development Expansion, and New Development, parking and maneuvering may remain between the building(s) and the street in the manner set forth in the Optional Provisions of Sections II.a, b and c above.

c. Frontage Types for Certain Design Standards. The dimensional and design standards of Sections VI.d. as to Existing Built Development, and Sections VI.f, g, h, and i. below for Existing Built Development Expansion and New Development (subject to Section VI. b. above) are determined with reference to the following public street frontage types:

1. **Main Street - Street Classification and Frontage Type.** This is the primary street at the core of redevelopment in Development Area A to foster a high level of commercial and residential activity with emphasis on the pedestrian environment.

2. **Four Lane (or greater) Boulevard - Street Classification and Frontage Type.** A right-of-way with a minimum of two (2) lanes of travel for each direction and center space.

3. **Limited Access Road - Street Classification and Frontage Type.** I-485 and/or similar roadways designated for high speed traffic which have limited or no access to adjacent parcels.

4. **Primary Street – Street Classification and Frontage Type.** A frontage along an Avenue (as defined in the City of Charlotte Urban Street Design Guidelines or similar provisions) or Collector Street (as defined in the City of Charlotte Urban Street Design Guidelines or similar provisions) or a publicly accessible open space, park, plaza or path.

5. **Secondary Street – Street Classification and Frontage Type.** A frontage that does not meet the criteria of a Main Street, Four Lane Boulevard, Limited Access Road or Primary Frontage.

Application to Lots with Multiple Frontages. The following establishes criteria for with multiple frontages.

1. When a lot has two (2) frontages, at least one (1) frontage shall be a Primary Street frontage type or Main Street frontage type. If neither frontage meets the criteria listed for Primary Street frontage, one (1) frontage shall be designated as a Primary Street frontage type.

2. When a lot has three (3) frontages, at least one (1) frontage shall be designated as a Primary Street frontage type or Main Street frontage. If no frontage meets the criteria listed for a Primary Street frontage, one (1) frontage shall be designated as a Primary Street frontage.

3. When a lot has four (4) frontages, at least one (1) frontage shall be designated as Primary Street frontage type or Main Street frontage. If less than two (2) frontages meet the criteria for Primary Street frontage, additional Primary Street frontages shall be designated to meet this minimum.

d. Setbacks. The following establishes setbacks for Existing Built Development, Existing Built Development Expansion, and New Development) based on the applicable street frontages; provided, however, variations and adjustments to the following setback standards and those contained in the MUDD provisions of the Ordinance may be allowed upon the reasonable approval of the Planning Director in connection with light rail transit service and/or express bus service to the Rezoning Site.

1. Main Street – the minimum setback shall be 16' as measured from the back of existing or future curb.

2. Four Lane Boulevard – the minimum setback shall be 20' as measured from the back of existing or future curb.

3. Limited Access Road – the minimum setback shall be 20' as measured from the right of way.

4. Primary Street – the minimum setback shall be 20' as measured from the back of existing or future curb.

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

NORTHWOOD OFFICE

SASAKI

Moore & VanAllen

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

DEVELOPMENT STANDARDS & TRANSPORTATION NOTES

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: N.T.S.
PROJECT #: 018459

SHEET #:
RZ-6.0C

5. Secondary Street – the minimum setback shall be 16' as measured from the back of existing or future curb.

e. Maximum Building Height. The maximum building height for buildings associated with Existing Built Development, Existing Built Development Expansion, and New Development within the Site shall be as set forth on Sheet RZ-5.0. It is understood, however, that the building heights set forth on Sheet RZ-5.0 may be increased by 25% in the event light rail transit service is extended to the Site.

f. Required Height Stepback. The following establishes architectural stepback above the ground floor for Existing Built Development Expansion and New Development (subject to Section VI.b above) based on street frontages as follows:

1. Main Street – buildings over 100' tall shall have a stepback of a minimum of 10' above the ground floor and no higher than the fourth (4th) story of the building.

2. Four Lane Boulevard – Not applicable

3. Limited Access Road – Not applicable

4. Primary Street – buildings over 120' tall shall have a stepback of a minimum of 10' above the ground floor and no higher than the sixth (6th) story of the building.

5. Secondary Street – Not applicable

g. Building Articulation. As to Existing Built Development Expansion and New Development (subject to Section VI.b above), the following building articulation standards shall govern the dimensions of building façade elements, transparency, and entry features, and are intended to facilitate the enhancement of a pedestrian-oriented environment for new development excluding structured parking.

1. **Ground Floor Height.** The following establishes the minimum ground floor height based on street frontage:
   i. Main Street: 16' minimum applies to non-residential uses only
   ii. Four Lane Boulevard: 16' minimum applies to non-residential uses only
   iii. Primary Street: 14' minimum applies to non-residential uses only
   iv. Secondary Street: Not applicable
   v. Limited Access Road: Not applicable

2. **Blank Wall Area.** Subject to the provisions of Section VI.l below regarding large format uses, the following establishes the maximum horizontal and vertical blank wall area permitted based on street frontage:
   i. Main Street: 20' maximum
   ii. Four Lane Boulevard: 20' maximum
   iii. Primary Street: 20' maximum
   iv. Secondary Street: 35' maximum (*as a MUDD Optional Provision*)
   v. Limited Access Road: Not applicable

Landscaping may be used to address blank walls and/or screen services areas on Four Lane Boulevards and Secondary Streets, and blank walls created by topography; such landscaping shall be installed with a minimum height of 1/2 the height of the first story and/or in a manner that screens service areas.

If the final architectural design cannot meet the design standards for blank wall articulation, ***alternative innovative design solutions*** *may be considered for the reasonable approval of the Planning Director, or designee, under Section I.d. of these Development Standards.*

3. **Prominent Entrance Spacing.** Subject to the provisions of Section VI.l. below regarding large format uses, the following establishes the maximum distance between Prominent Entrances for buildings longer than 250' based on street frontage:
   i. Main Street: 100' maximum
   ii. Four Lane Boulevard: 150' maximum
   iii. Primary Street: 100' maximum
   iv. Secondary Street: 150' maximum
   v. Limited Access Road: Not applicable

4. **Ground Floor Transparency.** Subject to the provisions of Section VI.l. below regarding large format uses, the following establishes the minimum transparency requirements as measured between 3' and 10' from grade based on street frontage:
   i. Main Street: 60% minimum for non-residential uses/25% minimum for residential uses
   ii. Four Lane Boulevard: 40% minimum for non-residential uses/20% minimum for residential uses
   iii. Primary Street: 40% minimum for non-residential uses/20% minimum for residential uses
   iv. Secondary Street: 40% minimum for non-residential uses/20% minimum for residential uses
   v. Limited Access Road: Not applicable

h. Non-residential, Mixed-Use, and Multi-Family Stacked Design Standards. Except as set forth in Section VI.l. below, the following standards shall apply based on frontage type to Existing Built Development Expansion and New Development (subject to Section VI.b. above):

1. For buildings of 150' in length on a Main Street, Four Lane Boulevard, and/or Primary Street the following standards shall apply:

   i. facades shall be divided into shorter segments by means of modulation. Such modulation shall occur at interval of no more than 60' and shall be no less than 2' in depth;

   ii. varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions;

   iii. utilize building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses;

   iv. utilize horizontal and vertical variations in wall planes;

   v. provide architectural protrusion to accentuate enclosed balconies; and/or

   vi. a significant change in color and/or material accompanied with a minimum building articulation.

2. Arcades, galleries, colonnades, outdoor plazas, outdoor dining areas, or similar pedestrian-oriented ground floor designs may be incorporated into facades.

3. The ground floor shall be architecturally differentiated from upper stories for buildings five (5) stories and taller through treatments such as, but not limited to, taller ground floor windows, variations in building materials, increased pedestrian level detail etc.

4. All frontages, with the exception of Limited Access Road frontages, shall have a minimum of one Prominent Entrance.

5. All ground floor entrances shall include a direct pedestrian connection between the street facing doors and adjacent sidewalks.

6. Common usable open spaces, site amenity areas or courtyards can be utilized to break up the wall plane.

7. Loading docks, truck doors and service areas for new infill development shall not be oriented to and/or located between the building public streets for new development. Loading docks, truck doors and service areas shall be screened, with landscaping, screen walls or other architectural features, from public view except when topographic and/or environmental site conditions exist making such limitation impractical or if there is a demonstrated public benefit reasonably acceptable to the Planning Director to deviate from this standard.

8. Balconies will be designed so that their size and location maximize their intended use for open space. The balconies and awnings may encroach into the 4-foot setback transition zone above the first story of the building with a clearance from grade of a minimum of twelve (12) feet when the building is located along and the balcony is facing a public street.

i. Multi-Family (townhomes) and Single Family Attached and Single Family Detached Design Standards. The following design provisions shall apply to multi-family and single family attached townhomes and/or single family detached units as part of Existing Built Development Expansion and New Development (subject to Section VI.b above):

1. Vehicular entrances to garages shall be located to the rear of the building and shall not face a Main Street frontage, Primary Street frontage, or common open space. A residential alley shall not be considered a frontage.

2. Surface parking lots shall be located to the rear or side of the building.

3. The primary pedestrian entry to each dwelling unit shall face a frontage or a common open space if the open space is a minimum of 20' in depth.

4. To provide privacy, all residential entrances within 15 feet of the sidewalk must be raised from the average sidewalk grade a minimum of 12 inches, subject to applicable deviations to address site constraints.

5. Pitched roofs, if provided, shall be symmetrically sloped no less than 6:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat rood architectural style is employed.

6. Usable porches and stoops shall form a predominate feature of the building design and be located on the front and/or side of the building. Usable front porches are covered and are at least 4 feet deep. Stoops and entry-level porches may be covered but not be enclosed.

7. All corner/end units that face a public or private street should have a porch or stoop that wraps a portion of the front and side of the unit or blank wall provisions shall be implemented that limit the maximum blank wall expanse to 10 feet on all building levels and/or allows acceptable landscaping treatments along such areas.

8. Sidewalks should be provided to connect one residential entrances to sidewalks along public and private streets.

9. Buildings may orient to open space in lieu of a public street.

j. Structured Parking Design Standards. The following standards shall apply to Existing Built Development Expansion and New Development (subject to Section VI.b above) structured parking facilities:

1. Building materials associated with facades on parking structures not screened by landscaping or other buildings 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;

2. Parking structures shall be designed to materially screen the view of parked cars from adjacent public or private streets or publicly accessible open spaces or plazas. Screening of cars on the ground level and second level will be accomplished primarily through the use of decorative louvers and similar features, and/or landscaping. Cars shall not be visible from the street and/or adjacent sidewalk. Deviations are permitted along I-485 and where landscaping or walls a minimum of 42 inches tall are permitted screening.

3. Screening of cars parked on the upper level will be accomplished by a wall, at least 36 inches in height, designed as part of the parking deck structure except in Development Area A where the first two levels facing a public street shall be screened with decorative louvers or glazing.

4. Architectural detailing should minimize large expanses of horizontal openings in excess of 20 feet and should provide vertical breaks from ground level to top level every 50 feet.

5. Existing parking structures may be converted to occupiable space. The area improved shall comply with the minimum design standards set forth in the Ordinance and the *Optional Provisions*

k. ***Optional Provision*** **– Larger Format Users.** The standards of this Section VI shall not apply and the following *Optional Provision* shall apply, within Development Area C2 for non-office commercial uses, indoor recreation uses unrelated to schools or civic uses, each of greater than 40,000 sf of gross floor area:

1. Non Primary Street/Non-Four Lane Boulevard facing side and rear facades can utilize landscaping with an installed height of ½ the height of the first story of and plant grouping gaps no larger than 20 feet to address blank walls.

2. Parking fields will be minimized to no more than 2 full bays of parking between the building and the Primary Street/Non-Four Lane Boulevard, and larger parking areas may be provided to the side or rear of the building. Deviations from this standard may be allowed with enhanced pedestrian connections through parking areas.

3. A Primary Pedestrian Entrance will be located facing the Primary Street/Non-Four Lane Boulevard, or located on a street facing corner. Only one primary pedestrian entrance is required for the building (not one for each street).

VII. Lighting Standards Applicable to Rezoning Site.

a. All lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along driveways, sidewalks and park areas.

b. Detached lighting, except street lights located along public and private streets, will be limited to 26 feet in height in portions of the MUDD-O Areas used for non-residential uses and 21 feet in height for portions used for residential uses.

c. No "wall pak" lighting will be allowed, however architectural lighting on building facades, such as sconces, will be permitted and in loading dock areas or at the rear of the buildings where "wall pak" lighting that is designed as down lighting will be allowed.

VIII. Signage Standards Applicable to All MUDD-O Districts.

a. *See the Optional Provisions related to signs in Section II of these General Development Standards.*

IX. Environmental Vision Plan & Environmental Features; PCSO. Reference is made to Sheet RZ-9.0 which sets forth the Environmental vision and implementation plan for development taking place on the Rezoning Site and certain other guidelines related to environmental and sustainability aspects associated with the Rezoning Plan. The Environmental Plan provides overarching context, intent and requirements for the addressing certain environmental aspects contemplated for the Rezoning Site including open space, stormwater/PCSO, tree ordinance, and similar features.

X. CATS.

a. Petitioner, or assigns, will provide for locations within dedicated rights of way for on-street bus stops in a manner consistent with CATS guidelines upon review and approval of CATS. Petitioner, or assigns, will provide for the concrete pads associated with such bus stops and will seek

to provide for site designs that promote pedestrian connectivity to such bus stops from nearby uses. These efforts will occur during the land development process for development taking place along the applicable rights of way.

b. Petitioner, or assigns, will work with CATS in connection with 2030 Transit Plan efforts to study a rapid transit alignment to Ballantyne area and potentially the Rezoning Site.

XI. Amendments to the Rezoning Plan; Binding Effect:

a. Amendments. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable portions or parcels of the Rezoning Site affected by such amendment in accordance with the provisions the Development Standards, including without limitation Section II of these General Development Standards, and of Chapter 6 of the Ordinance, as applicable.

b. Binding Effect. If this Rezoning Petition is approved, all conditions applicable to the development of the Rezoning Site imposed under the Rezoning Plan will, unless amended in the manner provided herein, be binding upon and inure to the benefit of the Petitioner, or assigns, and subsequent owners of portions or parcels of the Rezoning Site, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns. These provisions are in addition to the other provisions of these Development Standards that reference completion of commitments by Petitioner, or assigns, or Petitioner including assigns of same.

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

NORTHWOOD OFFICE

SASAKI

Moore & VanAllen

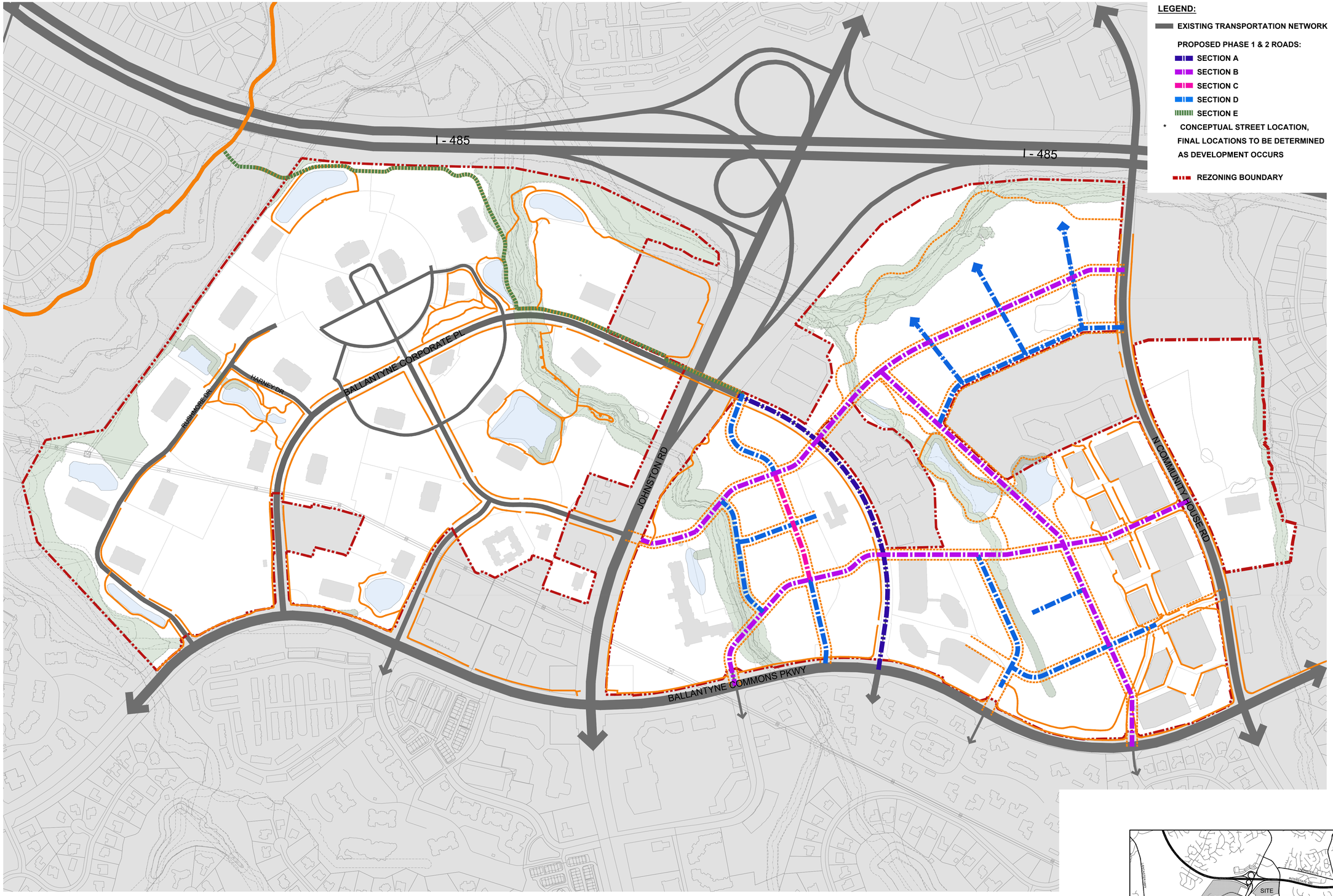
Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

DEVELOPMENT STANDARDS & TRANSPORTATION NOTES

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: N.T.S.
PROJECT #: 018459

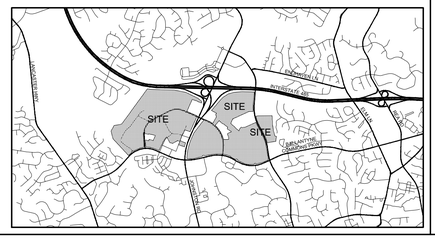
SHEET #:
RZ-6.0D



LEGEND:

- EXISTING TRANSPORTATION NETWORK
- PROPOSED PHASE 1 & 2 ROADS:
  - SECTION A
  - SECTION B
  - SECTION C
  - SECTION D
  - SECTION E
- * CONCEPTUAL STREET LOCATION, FINAL LOCATIONS TO BE DETERMINED AS DEVELOPMENT OCCURS
- REZONING BOUNDARY

150' 0' 150' 300' 600'



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

NORTHWOOD OFFICE
SASAKI
Moore & VanAllen

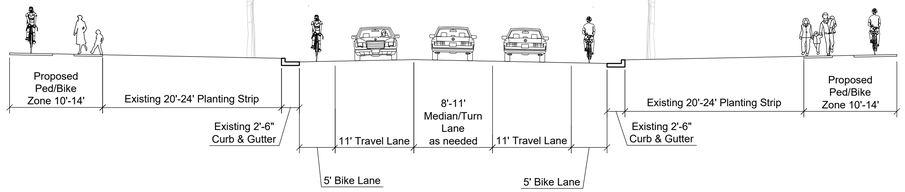
Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

CONCEPTUAL PROPOSED STREET + BICYCLE + PED NETWORK

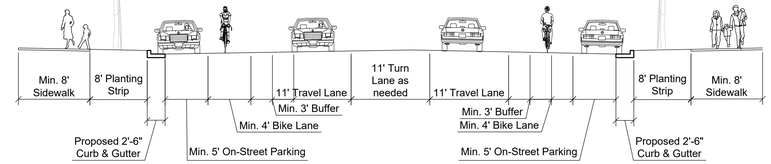
REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: 1" = 300'
PROJECT #: 1018459

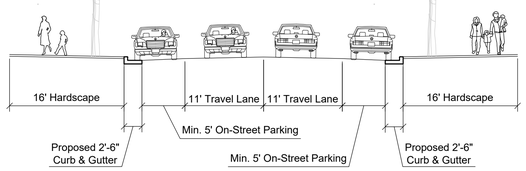
SHEET #:
RZ-7.0A



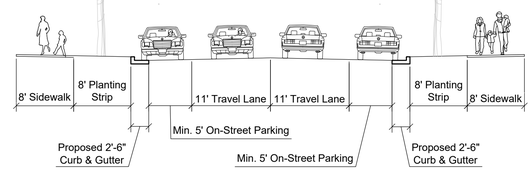
SECTION A
(refer to legend on RZ-7.0A)



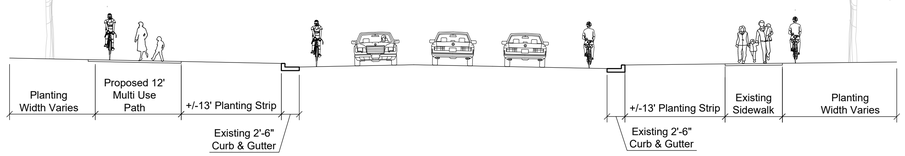
SECTION B
(ON-STREET PARKING OPTIONAL)
(refer to legend on RZ-7.0A)



SECTION C
(ON-STREET PARKING OPTIONAL)
(refer to legend on RZ-7.0A)

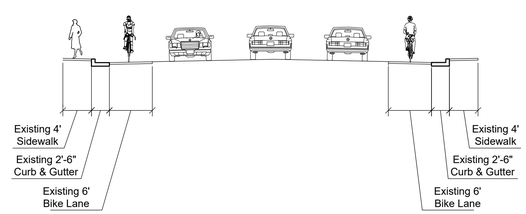


SECTION D
(ON-STREET PARKING OPTIONAL)
(refer to legend on RZ-7.0A)

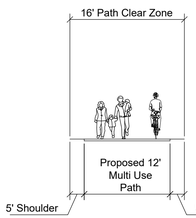


ON-STREET CONNECTION WEST OF BALLANTYNE CORPORATE PLACE BRIDGE

SECTION D
MULTI USE PATH ON-STREET GREENWAY CONNECTION
(refer to legend on RZ-7.0A)



BALLANTYNE CORPORATE PLACE BRIDGE



MULTI-USE PATH OUTSIDE OF BALLANTYNE CORPORATE PLACE RIGHT-OF-WAY

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

NORTHWOOD OFFICE
SASAKI
Moore & VanAllen

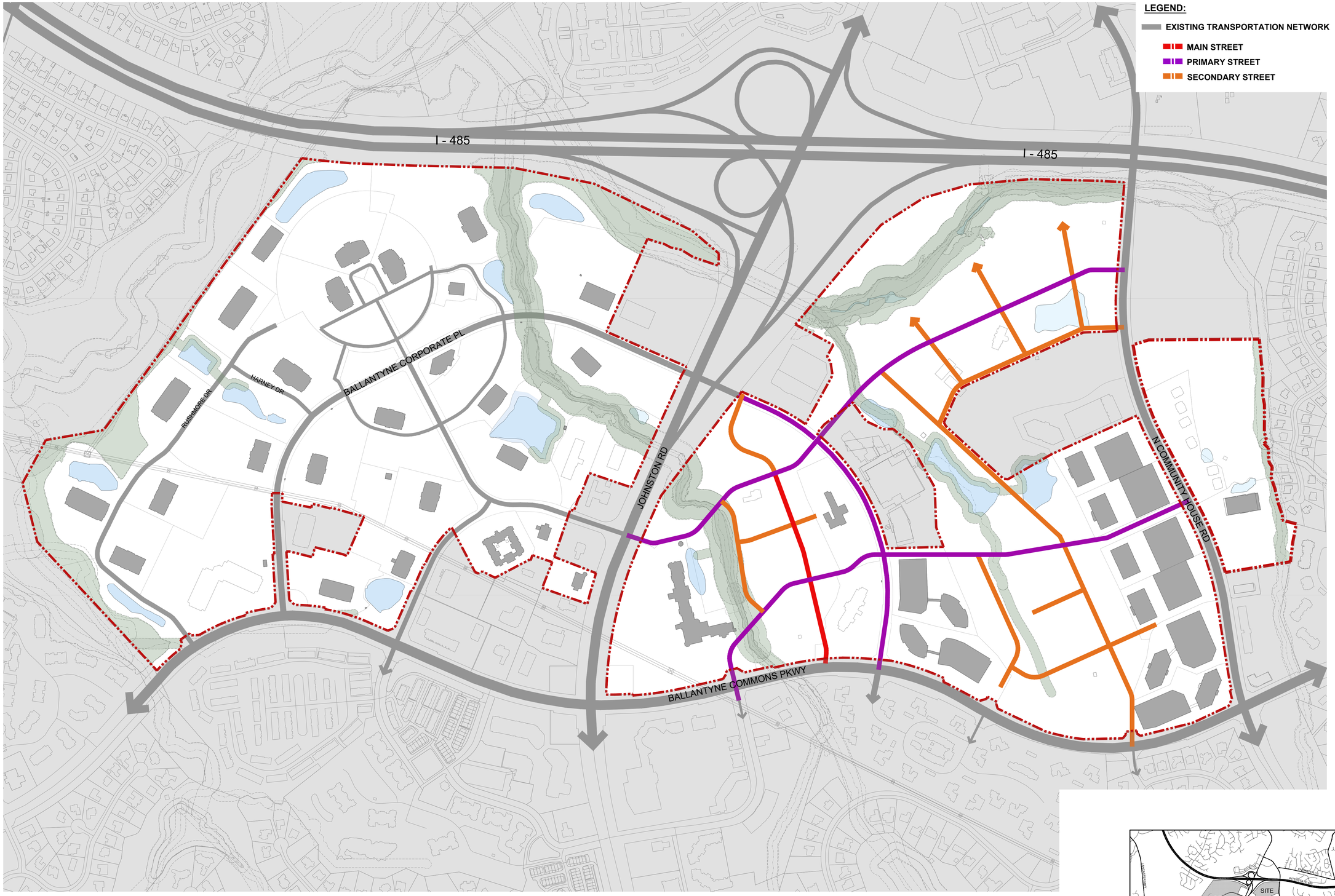
Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

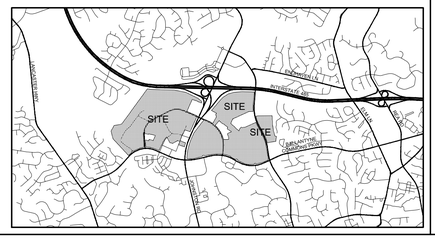
CONCEPTUAL PROPOSED CROSS SECTIONS

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: 1"=10'
PROJECT #: 018459

SHEET #:
RZ-7.0B





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

NORTHWOOD OFFICE
SASAKI
Moore & VanAllen

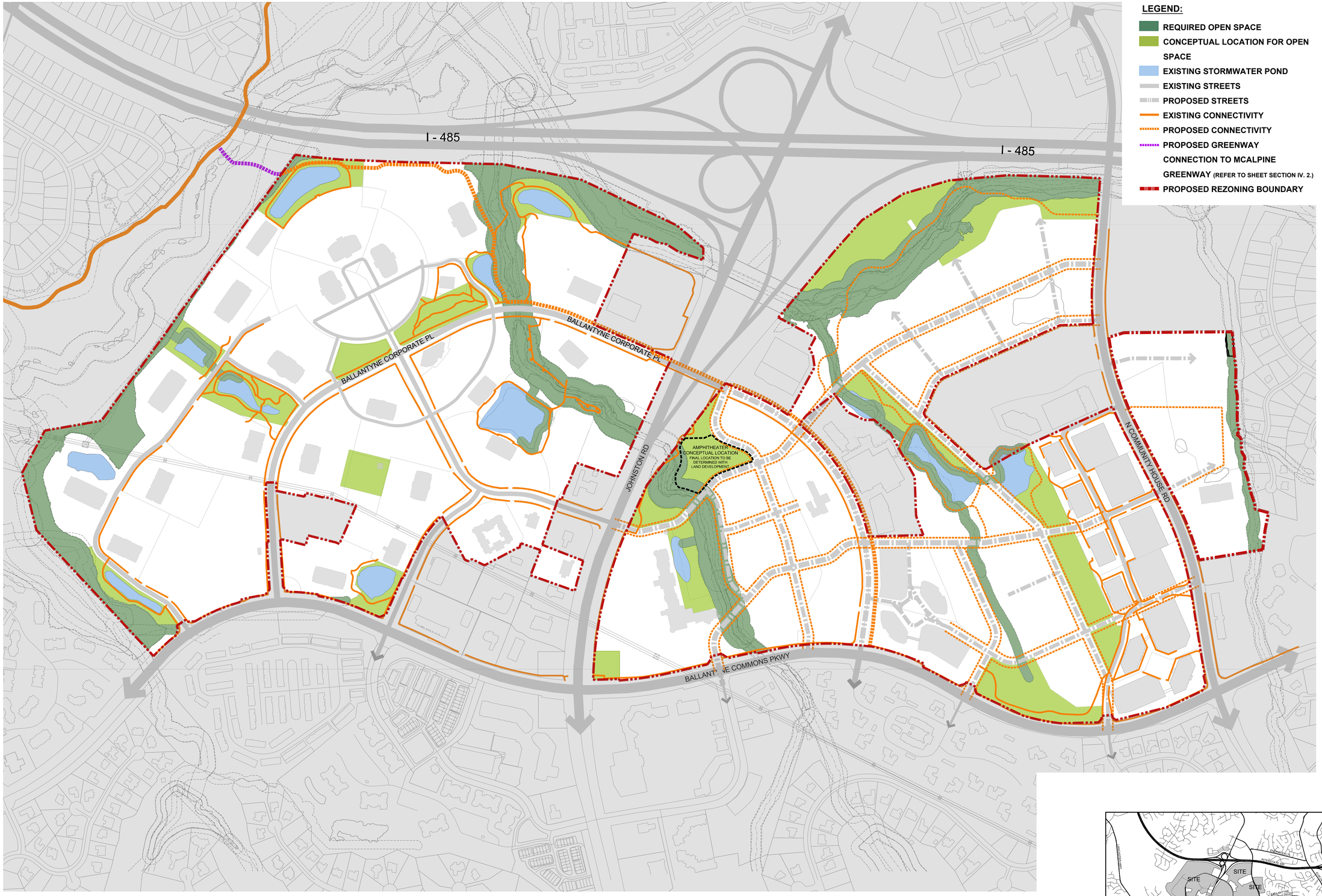
Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

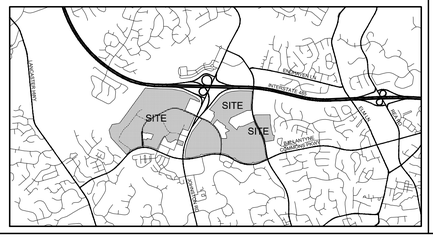
CONCEPTUAL PROPOSED FRONTAGES

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: N.T.S.
PROJECT #: 1018459

SHEET #:
RZ-7.0C





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

NORTHWOOD OFFICE
SASAKI
Moore & VanAllen

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

CONCEPTUAL PROPOSED ENVIRONMENTAL COMMITMENTS

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: 1" = 300'
PROJECT #: 1018459

SHEET #:
RZ-8.0A

ENVIRONMENTAL COMMITMENT STANDARDS:

TREE SAVE:

The Rezoning Site (as defined by this Rezoning Plan) is a master planned unified development, tree save requirements set forth in the Tree Ordinance applicable to development and redevelopment in the Rezoning Site (as defined in this Rezoning Plan) may be met using any area within the Rezoning Site (as defined in this Rezoning Plan) such that individual parcels within the Rezoning Site will not be required to provide tree save areas within such parcel boundaries provided that the overall tree save areas and requirements for overall Rezoning Site are in compliance.

STORM WATER MANAGEMENT:

For development of pervious areas within the boundaries of the Rezoning Site (as defined in this Rezoning Plan), the Post Construction Storm Ordinance (the "PCSO") shall not apply if storm water runoff from the proposed built-upon area drains to an existing bmp which has been demonstrated to have been previously master planned, designed and constructed to treat storm water runoff from the proposed built-upon-area per the 1999 NCDENR BMP design criteria for Water Quality. For development of pervious area exceeding these criteria and for redevelopment, PCSO compliance will be required. Reference is made to that certain Technical Memorandum dated as of August 30, 2011 prepared by Kimley-Horn and Associates and approved by City of Charlotte Land Development Officials and other officials responsible for the implementation of the PCSO and related storm water matters (the "Technical Memorandum"). The Technical Memorandum is intended to provide guidance in the implementation of storm water aspects and the PCSO in connection with development of the Rezoning Site and may be relied upon in connection therein by the Petitioner (its affiliates and successors and assigns).

For development within the boundaries of the Rezoning Site (as defined in this Rezoning Plan) outside of the drainage areas for existing bmp's mentioned above, PCSO compliance will be required.

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

NORTHWOOD OFFICE

SASAKI

Moore & VanAllen

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

PROPOSED ENVIRONMENTAL COMMITMENTS NOTES

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LBM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: N.T.S.
PROJECT #: 1018459

SHEET #:
RZ-8.0B

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: N.T.S.
PROJECT #: 1018459

SHEET #:
RZ-9.0

REVISIONS:

Ballantyne Reimagined

MIXED-USE REZONING

NORTHWOOD, CHARLOTTE, NC

TRANSPORTATION IMPROVEMENTS

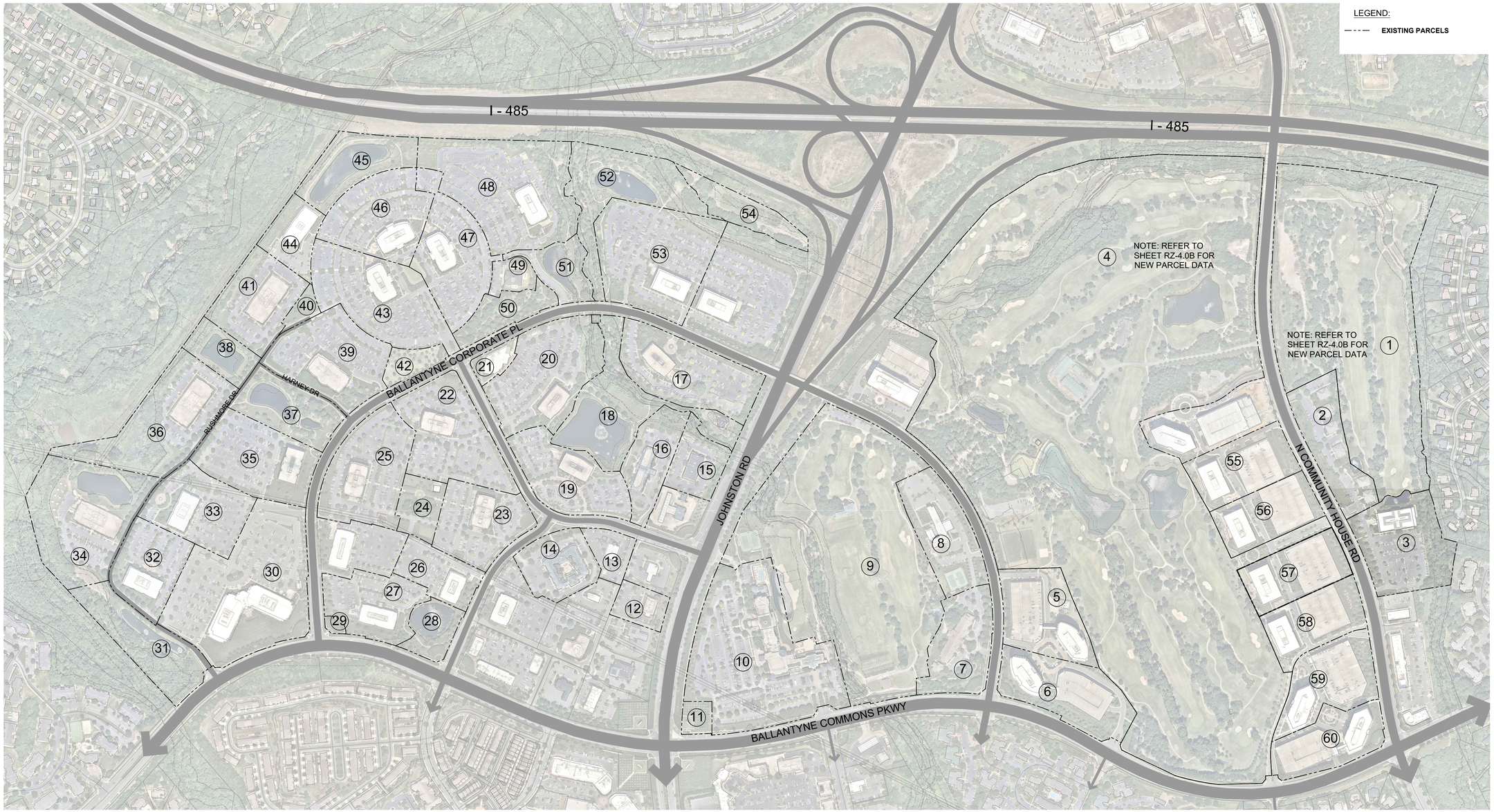
Moore & Van Allen

SASAKI

NORTHWOOD OFFICE

LandDesign

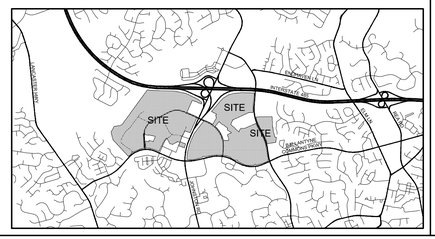
223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3246
www.LandDesign.com



PARCEL DATA:

1. NW BCP LAND LP
NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-501-50
32.74 ac
(SEE NOTE)
2. NW OFFICES ON SIX LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-501-53
4.85 AC
3. NW GIBSON BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-501-60
6.67 AC
4. NW BCP LAND LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-161-02
125.76 AC
(SEE NOTE)
5. NW BOYLE BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-161-07
5.65 AC
6. NW JJH BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-161-08
6.33 AC
7. NWBH 1 LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-165-05
5.00 AC
8. NWBH 2 LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-165-04
5.32 ac
9. NW BCP LAND LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-165-02
32.64 AC
10. NWBH 1 LP
NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-165-01
15.41 AC
11. OWNERS ASSOCIATION BALLANTYNE CORPORATE PARK
TAX PARCEL ID: 223-165-03
0.82 AC
12. NW CCR BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-156-04
1.61 AC
13. NW CCR BUILDING 2 LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-156-08
1.58 AC
14. NWBH 4 LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-156-07
3.66 AC
15. NW TATE BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-155-07
2.71 AC
16. NWBH 3 LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-155-05
3.64 AC
17. NW BALLANTYNE THREE LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-155-11
7.03 AC
18. NW BCP LAND LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-155-01
7.35 AC
19. NW BALLANTYNE ONE LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-155-04
5.62 AC
20. NW BALLANTYNE TWO LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-155-03
7.87 AC
21. YMCA OF GREAT CHARLOTTE
TAX PARCEL ID: 223-155-13
1.00 AC
22. NW BRIXHAM GREEN THREE LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID" 223-154-01
7.21 AC
23. NW BRIXHAM GREEN ONE LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-154-03
5.17 AC
24. NW BCP LAND LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-154-10
2.10 AC
25. NW BRIXHAM GREEN TWO LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-154-04
6.81 AC
26. NW MEDICAL TWO LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-154-06
3.05 AC
27. NW WINSLOW BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-154-08
4.70 AC
28. OWNERS ASSOCIATION BALLANTYNE CORPORATE PARK
TAX PARCEL ID: 223-154-07
2.13 AC
29. NW WINSLOW BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-154-09
0.24 AC
30. NW RUSHMORE ONE LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-11
13.78 AC
31. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION INC
TAX PARCEL ID: 223-151-02
5.44 AC
32. NW HALL BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-13
4.55 AC
33. NW FRENETTE BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-12
5.46 AC
34. NW RUSHMORE TWO LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-01
9.64 AC
35. NW CULLMAN PARK LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-14
6.51 AC
36. NW RUSHMORE THREE LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-32
8.49 AC
37. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC
TAX PARCEL IDI 223-151-25
4.37 AC
38. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC
TAX PARCEL ID: 223-151-20
2.30 AC
39. NW RICHARDSON BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-24
7.02 AC
40. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC
TAX PARCEL ID: 223-151-39
0.71 AC
41. NW RUSHMORE FOUR LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-33
5.15 AC
42. BALLANTYNE CORPORATE PARK OWNERS ASSOCAITION LLC
TAX PARCEL ID: 223-151-31
1.37 AC
43. NW CHANDLER BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-28
8.09 AC
44. NW RUSHMORE FIVE LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-15
2.66 AC
45. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC
TAX PARCEL ID: 223-151-35
4.38 AC
46. NW HIXON BUILDING LP
C/O NORTHWOOD INVESTORS LLC
PARCEL ID: 223-151-29
6.22 AC
47. NW SIMMONS BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-30
6.50 AC
48. NW CRAWFORD BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-26
11.16 AC
49. NW 13820 BCP LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-37
1.20 AC
50. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC
TAX PARCEL ID: 223-151-38
2.55 AC
51. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC
TAX PARCEL ID: 223-151-36
2.54 AC
52. BALLANTYNE CORPORATE PARK OWNERS ASSOCIATION LLC
TAX PARCEL ID: 223-151-09
6.80 AC
53. NW BETSILL BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-34
9.59 AC
54. NW BCP LAND LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-151-08
2.85 AC
55. NW CALHOUN BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-161-18
4.81 AC
56. NW EVERETT BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-161-09
4.41 AC
57. NW HAYES BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-161-17
4.52 AC
58. NW IRBY BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-161-16
4.54 AC
59. NW GRAGG BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-161-21
5.37 AC
60. NW GRAGG BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-161-20
4.76 AC

150' 0' 150' 300' 600'



REVISIONS:

DATE: 10.16.19
PROJECT MGR: LRM
DRAWN BY: LBM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: 1" = 300'
PROJECT #: 1018459

SHEET #:
RZ-10.0A

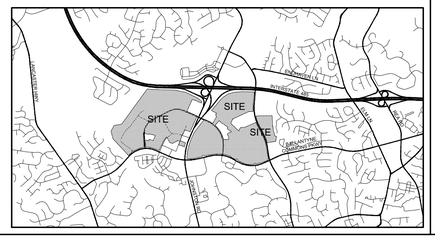
LandDesign.
223 N Graham Street Charlotte, NC 28202
V: 704.333.0325 F: 704.332.3246
www.LandDesign.com

NORTHWOOD OFFICE
SASAKI
Moore & VanAllen

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

EXISTING DEVELOPMENT & PARCEL DATA

THE ABOVE MAP DESCRIBES REZONING BOUNDARY THAT BISECTS EXISTING PARCELS.



150' 0' 150' 300' 600'

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

NORTHWOOD OFFICE
SASAKI
Moore & VanAllen

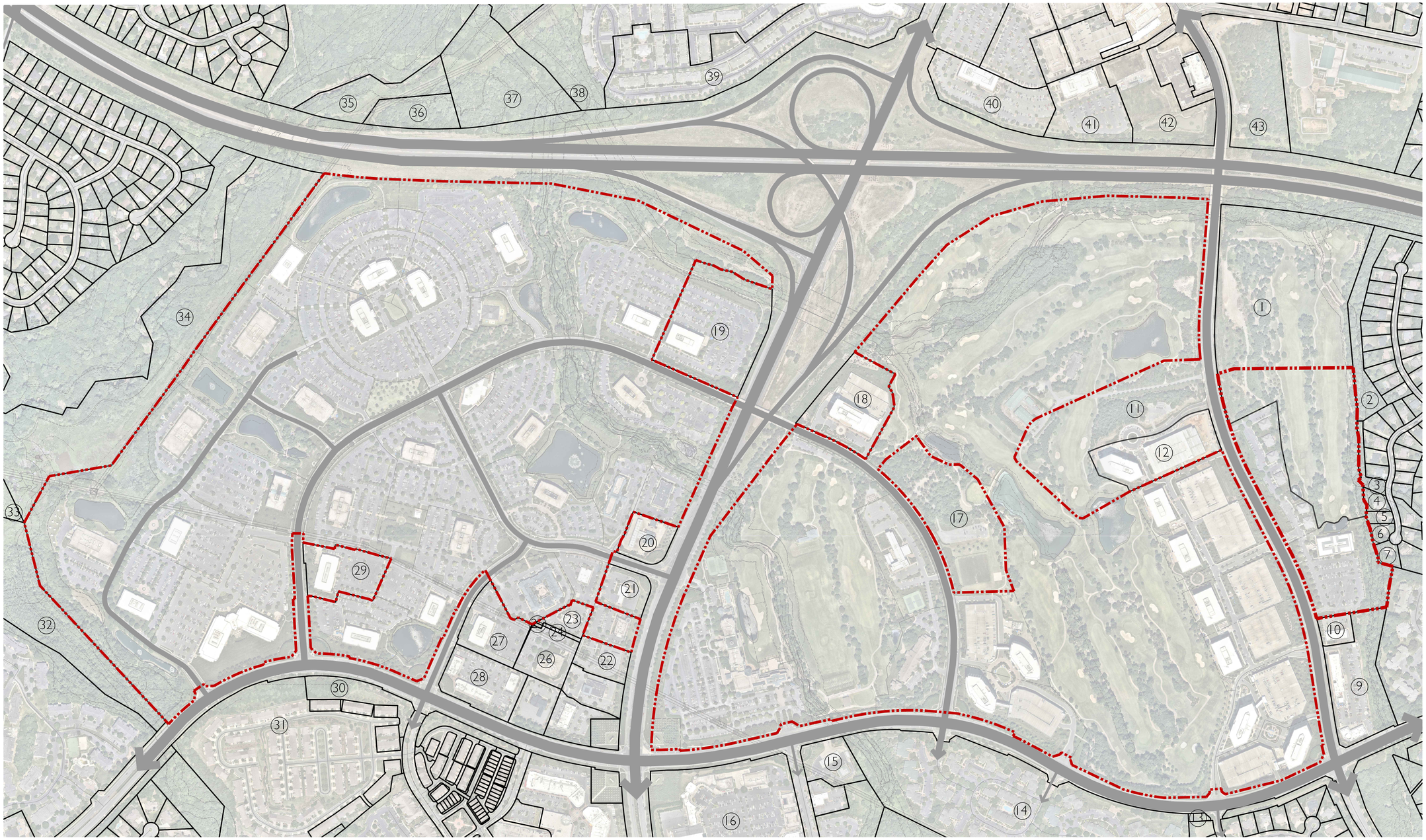
Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

REZONING BOUNDARY METES & BOUNDS

REVISIONS:

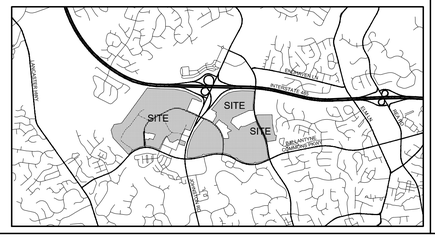
DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LBM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: 1" = 300'
PROJECT #: 1018459

SHEET #:
RZ-10.0B



1. NW BCP LAND LP
NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-501-50
32.74 AC
2. THORNHILL COMMUNITY ASSOCIATION INC
TAX PARCEL ID: 223-501-99
3.18 AC
3. THORNHILL COMMUNITY ASSOCIATION INC
TAX PARCEL ID: 223-501-49
0.58 AC
4. STACEY R ROBERTS
TAX PARCEL ID: 223-501-16
0.43 AC
5. LOIS L & KENNETH P OSTENDARP
TAX PARCEL ID: 223-501-15
0.30 AC
6. ROBIN B SMITH
TAX PARCEL ID: 223-501-14
0.38 AC
7. CHRISTINA C & LARS F WILSON
TAX PARCEL ID: 223-501-13
0.47 AC
8. CRESTMONT AT BALLANTYNE
APARTMENTS LLC
C/O GOLDBERG CO INC
TAX PARCEL ID: 223-462-97
28.07 AC
9. NORTH COMMUNITY HOUSE ROAD
PARTNERS LLC
C/O YORK DEVELOPMENT LLC
TAX PARCEL ID: 223-462-87
5.75 AC
10. NORTH COMMUNITY HOUSE ROAD
PARTNERS LLC
C/O YORK DEVELOPMENT LLC
TAX PARCEL ID: 223-462-88
0.87 AC
11. NW BCP LANDS LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-165-02
125.76 AC
12. NW BRIGHAM BUILDING LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-161-19
5.00 AC
13. PROP OWNERS ASSOCIATION
BALLANTYNE RESIDENTIAL
A W FIELDS
TAX PARCEL ID: 223-183-05
0.15 AC
14. CSP COMMUNITY OWNER LLC
TAX PARCEL ID: 223-172-01
31.70 AC
15. BBGL LLC
TAX PARCEL ID: 223-172-11
2.06 AC
16. AMCAP BALLANTYNE LLC
TAX PARCEL ID: 223-172-07
16.40 AC
17. NW BCP LANDS LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-165-02
125.76 AC
18. SPX FLOW INC
ATTN: GENERAL COUNSEL
TAX PARCEL ID: 223-161-10
5.44 AC
19. BANK OF AMERICA NATIONAL ASSOCIATION
ATTN: NC2-109
TAX PARCEL ID: 223-151-27
9.48 AC
20. BBGL LLC
TAX PARCEL ID: 223-155-06
1.87 AC
21. WACHOVIA BANK
TAX PARCEL ID: 223-156-02
1.82 AC
22. ASSOCIATION BANK OF AMERICA NATIONAL
ASSESSMENTS ATTN: CORPORATE REAL
ESTATE
TAX PARCEL ID: 223-156-05
1.62 AC
23. LAG INVESTMENTS CHARLOTTE LLC
TAX PARCEL ID: 223-156-15
1.00 AC
24. BCI PROPERTY COMPANY #21
THE BISSELL COMPANIES INC
TAX PARCEL ID: 223-156-98
25. NW RUSHMORE ONE LP
C/O NORTHWOOD INVESTORS LLC
TAX PARCEL ID: 223-156-95
0.02 AC
26. BLS PARTNERS LLC
THE BISSELL COMPANIES INC
TAX PARCEL ID: 223-156-03
2.39 AC
27. BISSELL MILLER LLC
TAX PARCEL ID: 223-156-06
3.19 AC
28. HABITANT LLC
TAX PARCEL ID: 223-156-12
3.67 AC
29. CPI/AHP HARPER MOB OWNER LLC
TAX PARCEL ID: 223-154-05
3.46 AC
30. ASSOCIATION INC BALLANTYNE
COMMONS TOWNHOMES
TAX PARCEL ID: 223-543-84
2.14 AC
31. BALLANTYNE COMMONS TOWNHOME
ASSOCIATION LLC
TAX PARCEL ID: 223-543-93
15.64 AC
32. BALLANTYNE MEADOWS HOME
ASSOCIATION INCN
TAX PARCEL ID: 223-643-49
11.45 AC
33. MECKLENBURG COUNTY
TAX PARCEL ID: 223-111-13
71.48 AC
34. MECKLENBURG COUNTY
TAX PARCEL ID: 223-151-05
28.14 AC
35. MECKLENBURG COUNTY
TAX PARCEL ID: 223-231-06
3.72 AC
36. CMH-DWH BALLANTYNE LLC
TAX PARCEL ID: 223-231-07
2.47 AC
37. HOWARD C BISSELL
TAX PARCEL ID: 223-231-05
8.89 AC
38. ATKINS CIRCLE II LLC
C/O MORGAN COMMUNITIES LLC
TAX PARCEL ID: 223-231-40
30.12 AC
39. ATKINS CIRCLE LLC
C/O MORGAN COMMUNITIES LLC
TAX PARCEL ID: 223-231-41
18.34 AC
40. TORINGDON OFFICE OWNER LLC
TAX PARCEL ID: 223-231-08
5.34 AC
41. TORINGDON OFFICE OWNER LLC
TAX PARCEL ID: 223-231-38
4.52 AC
42. TORINGDON OFFICE OWNER LLC
C/O TRINITY CAPITAL ADVISORS LLC
TAX PARCEL ID: 223-231-59
5.97 AC
43. CRP/PD ENDHAVEN OWNER LLC
TAX PARCEL ID: 223-222-98
7.45 AC

150' 0' 150' 300' 600'



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

NORTHWOOD OFFICE
SASAKI
Moore & VanAllen

Ballantyne Reimagined
MIXED-USE REZONING
NORTHWOOD, CHARLOTTE, NC

ADJACENT PARCEL DATA

REVISIONS:

DATE: 10.16.19
DESIGNED BY: LRM
DRAWN BY: LRM
CHECKED BY: LRM
Q.C. BY: NLD
SCALE: 1" = 300'
PROJECT #: 1018459

SHEET #:
RZ-11.0