



# DEVELOPMENT STANDARDS

## GENERAL PROVISIONS

Except as otherwise provided in this Rezoning Plan, all development standards established under the City of Charlotte Zoning Ordinance (the Ordinance) for the Commercial Center District Classification shall be applied to the rezoned area. The rezoning shall be subject to the Ordinance for the R-22MF Zoning District Classification shall be followed in connection with development taking place on Parcel B. The building configurations, placements, and sizes shown on the Rezoning Plan are schematic in nature and may be altered or modified during design development and construction document phases so long as the maximum building development boundaries established on this Rezoning Plan are not violated by final building placement. The Rezoning Plan does not constitute a guarantee of building location, parking and vehicular circulation may occur within building envelope areas.

## PERMITTED USES

- Parcel A: Commercial Center District

The total gross floor area of all structures placed on Parcel A (including detached buildings) cannot exceed 325,000 square feet in the Withrow Capital, City Fair Holding III and First Union Properties included in Parcel A and 110,000 square feet in that portion of the Raleigh property included in Parcel A, for a total of 435,000 square feet.

Parcel A may be devoted to any use (including any accessory use) which is permitted by right of current prescribed Ordinance in a Commercial Center District (CC) under the Ordinance.

No more than four (4) outparcels may be developed on Parcel A as depicted on this Rezoning Plan.

- Parcel B: R-22MF(CD)

The total number of multi-family dwelling units which may be constructed on Parcel B cannot exceed 300 units.

## BUFFERS/GREENWAYS

- That portion of the proposed greenway/buffer zone depicted on this Rezoning Plan between Parcel A and Parcel B from the point of its intersection with the greenway/natural buffer zone along Mallard Creek to the north shall be subject to the following regulations:
  - Such portion of the greenway/buffer zone shall remain as open space, except to the extent necessary to accommodate pedestrian pathways, walls, berms, fences, necessary utility lines and the public street, which connects Parcel B to US-29.
  - Grading may be performed and slopes, berms and water detention areas may be installed within this portion of the greenway/buffer zone.
  - The greenway/buffer zone shall be a minimum of 75 feet wide along the zoning line separating the Commercial Center and R-22MF Districts and lying in the Commercial Center District.
  - Where existing trees and natural vegetation have been cleared to accommodate walls, berms, fences, grading, and the installation of utility lines, the cleared, and unimproved areas will be landscaped with trees and shrubs.
  - The greenway/buffer zone may be used for stormwater detention/retention. All efforts will be made to establish a permanent retention pond(s) in the greenway/buffer zone.
- That portion of the proposed greenway/natural buffer zone depicted on this Rezoning Plan along the northern edge of Parcel B and the northern edge of Parcel A where it is contiguous with Mallard Creek shall be subject to the following regulations:
  - Such portion of the greenway/natural buffer zone shall remain in its natural state except to the extent necessary to accommodate necessary utility lines and a pathway system as recommended and as may be built by City of Charlotte according to guidelines for the Greenway System.
  - This portion of the greenway/natural buffer zone shall have a minimum width of fifty (50) feet extending from the northern edge of Parcel B and Parcel A into the respective portions of Parcel A and Parcel B. Additionally, that portion of Parcel A which lies north of Mallard Creek and is currently zoned Institutional (CO) shall be included in this portion of the greenway/natural buffer.
  - The dedication of this greenway/natural buffer zone shall not require any additional buffer areas to separate the newly created greenway from the proposed development area.
- The landscaped buffer zone depicted on this Rezoning Plan along US-29 is subject to the following regulations:
  - A landscaped buffer zone extending 50 ft. from the US-29 right-of-way which fronts along Parcel A will be retained except to the extent necessary to accommodate pedestrian pathways, up to three access point(s) along US-29 from Parcel A to Parcel B. Temporary identification signs and monument signs, two center identification signs and temporary signs (as permitted by the City of Charlotte Sign Ordinance), sidewalks, the grading and clearing of undergrowth (trees smaller than 1 inch in caliper), clearing required to meet transportation site line requirements, and the placement of trees and other plant materials required by applicable ordinances and as provided for as part of these standards where the existing foliage does not create an adequate visual screen.

- That portion of the buffer zone depicted on this Rezoning Plan along the southern property line of Parcel B from the point of its intersection with the greenway/natural buffer zone along Mallard Creek to the point of its intersection with the greenway/buffer zone separating Parcel A from Parcel B shall be subject to the following regulations:
  - Such portion of the buffer zone must remain in its natural state except to the extent necessary to accommodate utility lines, grading for slopes and berms, pedestrian pathways, and the placement of trees and other plant materials required by applicable ordinances and as provided for as part of these standards.
  - The buffer zone shall be fifty (50) feet in width, then reducing to twenty-five (25) feet in width, extending from the southern property line of Parcel B contiguous with Welwyn and as shown on the Rezoning Plan.

## LANDSCAPING

- All landscaping will meet the requirements of the City of Charlotte's Tree Ordinance.
- The landscape design within the landscaped buffer zone established within Parcel A along US-29 will continue the pattern of landscaping, including type and spacing, which has been planted along US-29 in front of University Place and generally conform with the University Place Design Guidelines.
- Landscaping within the parking areas of Parcel A shall be a minimum of 8% of such parking area.

## DEDICATION OF ADDITIONAL RIGHT-OF-WAY

- Additional right-of-way required for access/cease lanes to accommodate ingress/egress into and through Parcel A shall be dedicated at the time construction permits are issued.

## PARKING

- Each of the parking areas depicted on this Rezoning Plan may be used for parking, but the minimum standards established under the Ordinance.
- Parking areas may be constructed inside and outside building envelopes.

## LIGHTING

- A lighting system will be employed uniformly throughout Parcel A and uniformly throughout Parcel B.
- All direct lighting within Parcel A shall be designed such that direct illumination does not extend past the property lines. Consideration will be given to the impact of lighting both within and without the perimeter of Parcel A. Items for consideration will include intensity, cutoff angles, color, shielding, and glare. All lighting systems shall be designed to intentionally eliminate direct glare upon adjacent streets and properties.

## SIDEWALKS

- In addition to those sidewalks which may be required under City of Charlotte Zoning Ordinance, sidewalks will be constructed within the Greenway area separating Parcel A and Parcel B in a manner which provides reasonable pedestrian connectivity back to the Greenway.

## SIGNS

- A master signage and graphics system will be adopted and implemented throughout Parcel A.
- All signs placed on Parcel A will be erected in accordance with the requirements of the City of Charlotte Sign Ordinance.
- All outparcel building and tenant identification signs or graphics will be complementary in scale and appearance to the structures which they identify, and each sign affixed to a structure will be compatible with its architectural design.
- Two permanent monument type project identification signs not to exceed thirty (30) feet in height and one outparcel sign not to exceed thirty (30) feet in height and one outparcel sign (4 ft.) in height and directional signs may be located on Parcel A.
- Project identification signs and gateway entrance features may be located at the access point to Parcel B along US-29.
- Temporary project signs may be located on Parcel A and Parcel B along US-29 within the buffer zones established on this Rezoning Plan. Temporary signs shall be removed upon the issuance of the first certificate for occupancy for space within the parcel on which the project signs are erected.

## ACCESS POINTS (Driveways)

- The number of vehicular access points to Parcel A from US-29 shall be limited to three, namely, a full access (median cut) on the southerly entrance, a right-in/right-out in the middle of Parcel A, and a full access (median cut) on the northerly entrance of Parcel A and to Parcel B, as generally shown on the Rezoning Plan.
- The number of access points to Parcel B shall be limited to the public street connecting it to US-29 as generally shown on the Rezoning Plan.
- The existing Dusted Drive in University Place will be connected with Parcel A as generally shown on the Rezoning Plan to provide vehicular access between University Place and Parcel A.
- The configurations of access points and driveways within Parcels A and B are subject to any minor modifications required to accommodate final site and architectural construction plans and designs and are further subject to approval by the North Carolina Department of Transportation and the City of Charlotte Department of Transportation.
- Standard sight distance triangles at the entrances as required by C-DOT and NC-DOT shall be reserved. All proposed trees, berms, walls, fences, and/or identification signs should not interfere with the sight distance at the entrances.

## FIRE PROTECTION

- Adequate fire protection in the form of fire hydrants will be provided in accordance with the Fire Marshal's specifications. Plans for such building will be submitted to the Fire Marshal for approval before construction of the building involved commences.

## ARCHITECTURAL CONTROLS RELATING TO PARCEL A

- The owners commit to design and construct the front and side elevations of the shopping center such that their appearance will be compatible in quality with University Place.
- The principal materials used for these front and side elevations will consist of a combination of brick, split face block, and stucco or stucco-like materials.
- The material selected for the rear of the shopping center will be painted to match the color of the predominant material used in the construction of the front and side elevations using a high-gloss finish. The color of the paint will be selected to give the appearance of a smooth surface.
- The designs of the buildings constructed within the Outparcels located in Parcel A will be compatible with the shopping center architectural design.
- No building constructed on Parcel A may contain more than one story or exceed 40 feet in height.
- All dumpster areas will be screened in accordance with the requirements of the Ordinance. Each dumpster area will be enclosed on all four sides by a fence and a hinged gate which are constructed of brick and wood unless one or more sides of the dumpster area adjoin a rear wall of the shopping center, in which case no fencing will be required.
- Petitioner will complete final architectural plans and landscape plans which will be presented to the Design Review Board for review and approval. The Design Review Board will make a diligent effort to incorporate the recommendations made by the Design Review Board.

## STORMWATER MANAGEMENT

- Stormwater runoff from Parcels A and B will be managed through a variety of proven techniques which satisfy the standards imposed by the City of Charlotte.
- Natural buffer zones will not be used for stormwater detention.

## TRAFFIC STUDY

- The owners shall prepare a traffic study, which assesses the traffic impact of the proposed retail and multifamily developments on US-29 and the access points from Parcels A and B to US-29. The traffic study will provide recommendations for additional turn lanes and access/cease lanes as recommended in such traffic study for each Parcel prior to the issuance of an occupancy permit for that parcel.

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**CAMBRIDGE PROPERTIES**  
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Project: **MALLARD POINTE SHOPPING CENTER**  
Sheet Title: **REZONING PLAN FOR PUBLIC HEARING**

ROD  
ENGINEER  
Date: 10-4-92  
Date Drawn: 10-4-92  
UNGCNOTE  
CADD OR PUBLIC HEARING  
Revisions:  
No. 1 Date 11-21-92  
No. \_\_\_\_\_ Date \_\_\_\_\_  
No. \_\_\_\_\_ Date \_\_\_\_\_  
Issue Date: 10-5-92

Project Number: 110.006  
Sheet: R22 of 2