

SITE DEVELOPMENT SUMMARY:

1)TAX PARCEL ID #:

149**05**101, 14905111, 14905112, 14905113, 14905114, 14905115, 14905201, 14905202, 14905203, 14905204, 14905205, 14905206, 14905207, 14905208, 14905209, 14905210, 14905211, 14905304, 14905413, 14905414, 14905415, 14905416, 14905417, 14905418, 14905419, 14905420, 14905421, 14905422, 14905423, 14905424, 14905425, 14905426, 14905427, 14905428, 14905429, 14905430, 14905431, 14905432, 14905433, 14905434, 14905435, 14905436, 14905437, 14905438, 14905439, 14905440, 14905441, 14905442, 14905443, 14905444, 14905456, 14905457, 14905458, 14905459, 14905460, 14905461, 14905462, 14905463, 14905464, 14905465, 14905467, 14905468, 14905471, 14905473

2)DEVELOPMENT IS LOCATED WITHIN THE FOLLOWING DISTRICTS: SCALEYBARK STATION AREA PLAN (2008)

+/- 1,585,396 SF (36.4 AC) 3)TOTAL SITE SF (ACREAGE):

GENERAL BUSINESS DISTRICT "B-2" 4)EXISTING ZONING & USES: MULTI-FAMILY RESIDENTIAL DISTRICT

"R-17MF"

5)PROPOSED ZONING & PERMITTED USES: TRANSIT ORIENTED DEVELOPMENT (OPTIONAL) "TOD-MO" AND "TOD-RO"

-RETAIL -CIVIC

-MULTI-FAMILY RESIDENTIAL
-SINGLE-FAMILY DETACHED RESIDENTIAL

6)PARCELS:

+/- 150.095 SF (3.4 AC) +/- 120,519 SF (2.8 AC) TOD-R TOD-M /- 17,591 SF (0.4 AC) /- 86,711 SF (2.0 AC) TOD-R /- 44,766 SF (1.0 AC) TOD-M TOD-R +/- 102,560 SF (2.4 AC) TOD-R +/- 62,819 SF (1.4 AC) +/- 190,109 SF (4.4 AC) +/- 39,435 SF (0.9 AC) +/- 350,543 SF (9.0 AC) TOD-M TOD-M +/- 234,719 SF (5.4 AC) TOD-M +/- 140,974 SF (3.2 AC) +/- 1,585,396 SF (36.4 AC)

7)DIMENSIONAL REQUIREMENT:

MINIMUM SETBACK REQUIREMENTS: ALONG SOUT H BLVD.: ALONG ALL OTHER STREETS: MINIMUM SIDE YARD REQUIREMENTS MINIMUM REAR YARD REQUIREMENTS:

BUILDING HEIGHT REQUIREMENTS: BASE HEIGHT MAXIMUM HE GHT: HEIGHT INCREASE:

24 FEET FROM BACK OF CURB 16 FEET FROM BACK OF CURB 0 FEET 0 FEET

40 FEET 120 FEET ONE ADDITIONAL FOOT OF HEIGHT FOR EVERY 10 FEET OF ADDITIONAL DISTANCE THE PORTION OF THE BUILDING IS FROM THE EDGES OF NEARBY SINGLE-FAMILY ZONING

DISTRICTS.

8)PROPOSED DWELLING UNITS PER ACRE:
MINIMUM DENSITY SHALL COMPLY WITH THE ORDINANCE

9)PROPOSED FLOOR AREA RATIO:
MINIMUM DENSITY SHALL COMPLY WITH THE ORDINANCE

10)PROPOSED URBAN OPEN SPACE:
MINIMUM URBAN OPEN SPACE FOR PUBLIC AND PRIVATE AREAS SHALL COMPLY WITH SECTION 9.1208(12) OF THE ZONING ORDINANCE AS APPROVED AND AMENDED MARCH 19, 2009

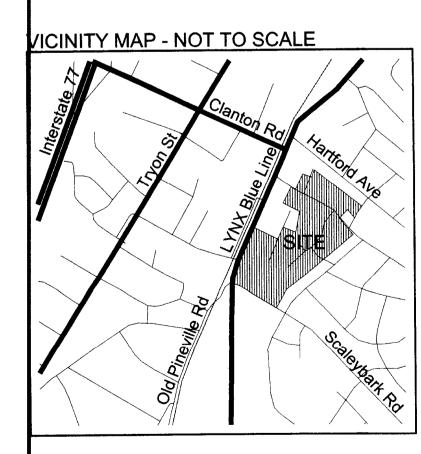
PARKING REQUIREMENTS:
MINIMUM PARKING PER THE ORDINANCE

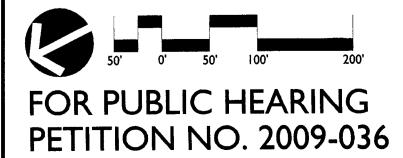
GENERAL NOTES:
*PROPERTY BOUNDARY SURVEY PROVIDED BY:
ESP ASSOCIATES PA P.O. BOX 7030 CHARLOTTE, NC 28241 803.802.2440

TREE SURVEY PROVIDED BY: FREELAND & ASSIDCIATES, INC. 323 WEST STONE AVENUE GREENVILLE, SC 29609 864.271.4924

ADJACENT PARCEL INFORMATION & TREE COVER PROVIDED BY: 2004 MECKLENBURG COUNTY DELD DATA.

* THE INFORMATION WAS RECEIVED IN NOVEMBER 2006.



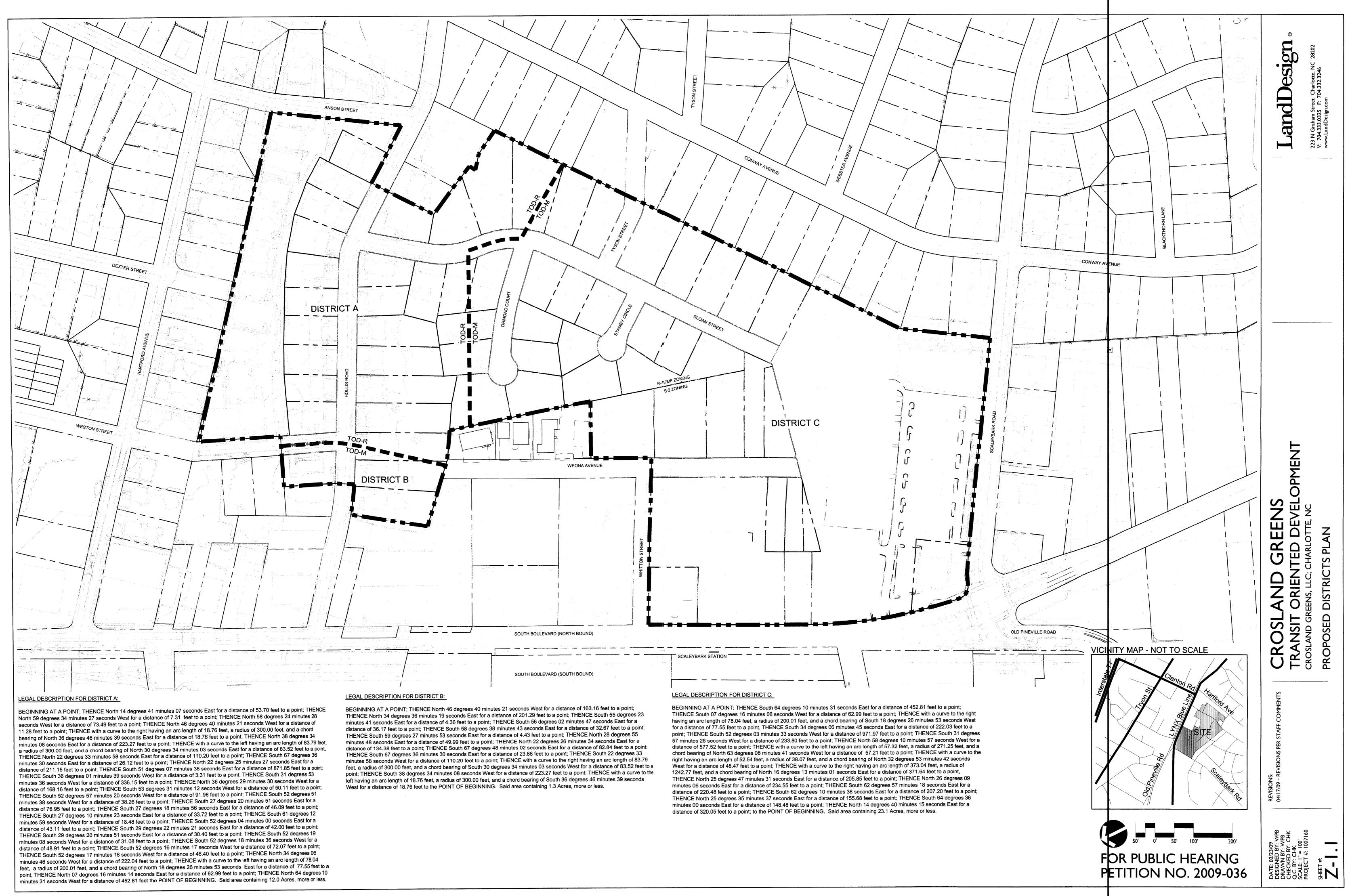


U S GREENS

STAFF STAFF STAFF

REVISIONS: 04/17/09 - REVISIONS PER S' 05/22/09 - REVISIONS PER S' 06/09/09 - REVISIONS PER S'

TECHNICAL



THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION FILED BY CROSLAND GREENS, LLC (THE "PETITIONER" OR "DEVELOPER") TO ACCOMMODATE DEVELOPMENT OF A MIXED USE, PEDESTRIAN-FRIENDLY VILLAGE TYPE COMMUNITY TO BE KNOWN AS CROSLAND GREENS ON AN APPROXIMATELY 36.4 ACRE SITE GENERALLY LOCATED AT THE NORTHEASTERLY CORNER OF THE INTERSECTION FORMED BY SOUTH BOULEVARD AND SCALEYBARK ROAD (THE "SITE"). DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE AS AMENDED BY CITY COUNCIL ON MARCH 19TH 2009 (THE "ORDINANCE"). UNLESS THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS ESTABLISH MORÉ STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE TRANSIT ORIENTED MIXED USE (TOD-M) AND TRANSIT ORIENTED RESIDENTIAL DISTRICT (TOD-R) ZONING CLASSIFICATIONS, SUBJECT TO THE OPTIONAL PROVISION PROVIDED BELOW, SHALL GOVERN DEVELOPMENT TAKING PLACE ON THOSE PORTIONS OF THE GENERALLY DEPICTED ON THE TECHNICAL DATA

. PERMITTED USES AND BUILDING AREA RESTRICTIONS.

THIS PROPOSAL IS INTENDED TO ACCOMMODATE A MIXED USE DEVELOPMENT PRINCIPALLY OF RESIDENTIAL, RETAIL/RESTAURANT, CIVIC AND OFFICE USES WHICH WILL BE INTERCONNECTED WITH OPEN SPACE, PEDESTRIAN FEATURES AND VEHICULAR LINKAGES.

- THE SITE MAY BE DEVOTED TO ANY OF THE FOLLOWING USES:
- NON-RESIDENTIAL USES AS ALLOWED IN THE TOD-M AND TOD-R ZONING DISTRICTS;
- RESIDENTIAL USES AS ALLOWED IN THE TOD-M AND TOD-R ZONING DISTRICTS;
- ASSOCIATED SURFACE AND STRUCTURED PARKING FACILITIES, AND ACCESSORY USES AND STRUCTURES ALLOWED IN THE TOD-M AND TOD-R ZONING
- THE SITE WILL CONSIST OF 12 PARCELS AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AS PARCELS A, B, C, D, E, F, G, H, I, J, K, AND L (EACH A "PARCEL" OR "COMPONENT", AND COLLECTIVELY THE "PARCELS" OR "COMPONENTS").
- IT IS UNDERSTOOD THAT THE COMMON BOUNDARIES BETWEEN EACH OF THE PARCELS (AND THE RIGHTS AND RESTRICTIONS PERTAINING TO ALL SUCH PARCELS), MAY BE ADJUSTED UPON THE MUTUAL AGREEMENT OF THE OWNERS OF SUCH PARCELS, SUBJECT TO THE APPROVAL OF THE PLANNING DIRECTOR. THE ZONING BOUNDARIES INDICATED MAY NOT SHIFT AND WILL BE MAINTAINED, UNLESS AMENDED AS ALLOWED FOR BY CHAPTER SIX (6) OF THE ORDINANCE
- THE FOLLOWING USES WILL BE PERMITTED ON PARCELS A, B, D, AND F:
- RESIDENTIAL USES AND OPEN SPACE; AND ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE
- RESIDENTIAL AND OPEN SPACE USES IN THE TOD-R ZONING DISTRICT. THE FOLLOWING USES WILL BE PERMITTED ON AND ALLOCATED TO PARCELS C, E, H, AND I
- RESIDENTIAL, RETAIL, RESTAURANT, OFFICE AND CIVIC; AND ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE USES. IN THE TOD-M ZONING DISTRICT.
- THE FOLLOWING USES WILL BE PERMITTED ON AND ALLOCATED TO PARCEL G:
- PUBLIC OPEN SPACE; AND ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE OPEN
- SPACE USES IN THE TOD-R ZONING DISTRICT.
- THE FOLLOWING USES WILL BE PERMITTED ON AND ALLOCATED TO PARCELS J, K AND L:
- RESIDENTIAL, OFFICE, RETAIL, RESTAURANT, CIVIC, AND PUBLIC OPEN SPACE USES; ASSOCIATED STRUCTURED AND SURFACE PARKING FACILITIES; AND
- ACCESSORY USES AND STRUCTURES ASSOCIATED WITH THE ALLOWED PRINCIPLE USES. IN THE TOD-M ZONING DISTRICT.
- THE FOLLOWING ADDITIONAL PROVISIONS SHALL GOVERN USES ON THE SITE: THE FOLLOWING USES WILL NOT BE PERMITTED ON THE SITE: GASOLINE SALES FACILITIES, AUTOMOBILE SERVICE STATIONS, AUTOMOBILE SALES, BOARDING HOUSES, COMMERCIAL ROOMING HOUSES, SINGLE ROOM OCCUPANCY RESIDENCES (SRO), AND
- III. UNIFIED DEVELOPMENT; SETBACKS; YARDS; OPEN SPACE AREAS AND PARKING EXCEPT AS SET FORTH IN SECTION IV, BELOW, SETBACKS AND YARDS SHALL BE PROVIDED IN ACCORDANCE WITH THE ORDINANCE AND THE ADOPTED SCALEYBARK TRANSIT STATION AREA PLAN. THE PROPOSED SETBACKS ARE ALSO SPECIFIED ON THE SHEET Z-3.0 TYPICAL STREET
- PARKING MAY BE PROVIDED BY WAY OF SURFACE OR STRUCTURED PARKING FACILITIES LOCATED ON THE SITE, SUBJECT TO COMPLIANCE WITH THE MAXIMUM AND MINIMUM PARKING RATIO REQUIREMENTS FOR RETAIL AND/OR RESTAURANT, RESIDENTIAL, OFFICE, CIVIC AND OTHER NON-RESIDENTIAL USES AS SET FORTH IN SECTION 9.1208.(6) OF THE ORDINANCE. PARALLEL AND ANGLED PARKING WILL BE PROVIDED ALONG INTERNAL STREETS AS INDICATED ON THE SHEET Z-3.0 TYPICAL STREET CROSS SECTIONS.
- SINCE DEVELOPMENT OCCURRING ON THE SITE IS PART OF A UNIFIED MASTER PLANNED DEVELOPMENT, THE URBAN OPEN SPACE REQUIREMENTS ESTABLISHED AND DEFINED UNDER SECTION 9.1208.(12) OF THE ORDINANCE MAY BE SATISFIED WITH REFERENCE TO ALL PARCELS OF THE SITE TAKEN TOGETHER. BY WAY OF EXAMPLE, OPEN SPACE LOCATED ON PARCEL G MAY BE USED TO SATISFY THE URBAN OPEN SPACE REQUIREMENTS ASSOCIATED WITH PARCEL
- TO THE EXTENT NECESSARY THE PROVISIONS OF THIS SECTION III SHALL CONSTITUTE A PORTION OF THE OPTIONAL PROVISIONS UNDER THE TOD-RO AND TOD-MO APPLICATION SET FORTH IN SECTION 4 BELOW.

V. OPTIONAL DEVELOPMENT PROVISIONS

SIGNAGE STANDARDS (SECTION 9.1209.(7)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW MODIFICATIONS TO THE TOD-M AND TOD-R SIGNAGE STANDARDS TO PERMIT AN EXCITING AND UNIQUE SIGNAGE SYSTEM ON THE SITE. ACCORDINGLY, AS PART OF THIS TOD-OPTIONAL APPLICATION, THE PETITIONER REQUESTS THE FOLLOWING MODIFICATIONS FROM THE TOD-M SIGNAGE PROVISIONS:

- -SHALL BE ENTITLED TO ONE (1) DETACHED, GROUND-MOUNTED PROJECT/TENA IDENTIFICATION SIGN ON THE EXTERIOR OF THE SITE, IN THE LOCATION GENERALLY DEPICTED ON THE REZONING PLAN. THE PRIMARY PROJECT/TENANT IDENTIFICATION SIGN ALONG SOUTH BOULEVARD MAY BE UP TO 30 FEET IN HEIGHT AND 150 SQUARE FEET IN SIGNACE AREA SIZE. THIS PROJECT IDENTIFICATION SIGN MAY NOT BE LOCATED WITHIN THE PUBLIC RIGHTS OF WAY, SIGHT DISTANCE TRIANGLES OR REQUIRED SETBACKS. LS WHICH MAY DE INCLUDED AS PART OF THESE SIGNS INCLUDES: (I) MACON TO MATCH ARCHITECTURAL STYLE OF BUILDINGS LOCATED ON THE SITE (I.E. BRICK, STONE, GRANITE, ETC.), (II) TILE (CERAMIC, PORCELAIN, ETC.), (III) PRECAST CONCRETE, V) METAL PANELS AND CANOPIES: (V) FABRIG: (VI) CROUND AND/OR WALL LIGHTING AND
- IN ADDITION TO THE OTHER SIGNS PERMITTED UNDER THIS SECTION IV(1), PETITIONER SHALL BE ENTITLED TO ONE (1) ROOF MOUNTED PROJECT IDENTIFICATION SIGN ON PARCEL L AT THE CORNER OF SOUTH BOULEVARD AND SCALEYBARK ROAD. THE MAXIMUM HEIGHT OF THE SIGN WILL BE NO GREATER THAN 12 FEET ABOVE THE PARAPET OF THE BUILDING; THE EXPOSED STRUCTURAL SUPPORTS FOR THE SIGN WILL NOT EXTEND MORE THAN THREE (3) FEET ABOVE THE PARAPET OF THE BUILDING. THE LOCATION OF THE SIGN MAY BE ON THE ROOFTOP OF A NON-RESIDENTIAL STRUCTURE WITHIN PARCEL L. THE MAXIMUM SIGN SURFACE AREA WILL BE LIMITED TO 10% OF THE AREA OF THE BUILDING WALL TO WHICH THE SIGN IS ORIENTED OR 200 SQUARE FEET WHICHEVER IS LESS. THIS ROOF SIGN MAY ONLY BE USED TO IDENTIFY THE NAME OF THE PROJECT WITH NO ADDITIONAL REFERENCE TO AMENITIES WITHIN THE BUILDING WALL TO WHICH THE SIGN IS ORIENTED OR 200 SQUARE FEET WHICHEVER IS LESS.
- THIS ROOF SIGN MAY ONLY BE USED TO IDENTIFY THE NAME OF THE PROJECT WITH NO ADDITIONAL REFERENCE TO AMENITIES WITHIN THE PROJECT OR OTHER MARKETING RELATED MESSAGING (I.E. PHONE NUMBERS, WEBSITE, ETC.). TENANT IDENTIFICATION SIGNAGE FOR INDIVIDUAL TENANTS OR USES WILL NOT BE ALLOWED ON THIS SIGN. AT LEAST 50% OF THE PROPOSED SIGNAGE AREA WILL BE COMPOSED OF INDIVIDUAL LETTERING: THE OTHER 50% WILL BE COMPOSED OF GRAPHICS INCLUDING IDENTIFICATION ART AS WELL AS THREE DIMENSIONAL ELEMENTS. THE INDIVIDUAL LETTERING AND ACCOMPANYING GRAPHICS MUST BE MOUNTED ON A FRAME THAT IS OPEN AND DOES NOT HAVE A SOLID BACKGROUND. MATERIALS WHICH MAY BE INCLUDED AS PART OF THESE SIGNS INCLUDE, FREE STANDING METAL BRACING/STRUCTURE (ENGINEER STAMPED) AND SIGNAGE LIGHTING (BACK LIGHTING, UP LIGHTING, SPOT LIGHTING, NEON LIGHTING, ETC.)
- IF A UNIQUE THREE-DIMENSIONA ROOP SIGN IS UTILIZED THE PLANNING DIRECTOR MAY ALTER THE SIGN DIMENSIONS BEYOND THE MINIMUMS.
- THE PROPOSED ROOF SIGN MAY BE INTEGRATED INTO THE SCREENING OF THE ROOF TOP MECHANICAL EQUIPMENT.
- THE PROPOSED ROOF SIGN WILL COMPLEMENT THE ARCHITECTURE OF THE BUILDING ON

IV. OPTIONAL DEVELOPMENT PROVISIONS (CON'T)

- IMAGES OF EXISTING ROOF SIGNS AS WELL AS AN ARTIST RENDERING OF A CONCEPT OF THE ROOF SIGN ARE ATTACHED ON SHEET Z-3.3. THESE IMAGES AND THE ABOVE STANDARDS WILL BE USED BY THE PLANNING DIRECTOR TO REVIEW AND APPROVE THE DRAWINGS FOR THE PROPOSED ROOF SIGN FOR THE PURPOSE OF ASSURING THAT THE SIGN IS SIMILAR IN STYLE AND THEME AS THE ATTACHED
- CONCEPTUAL ILLUSTRATIVE ELEVATIONS OF THE DETACHED GION; THE PROPOSED ROOF SIGN AND THE OVER STREET PROJECT IDENTIFICATION SIGNS HAVE BEEN INCLUDED ON SHEET Z-3.1 AND Z-3.2 CONCEPTUAL SIGNAGE AND BUILDING ELEVATIONS AS EXAMPLES OF THE PROPOSED SIGNS. THESE ILLUSTRATIVE ELEVATIONS ARE SCHEMATIC IN NATURE AND MAY BE ALTERED AND MODIFIED AS PART OF THE DEVELOPMENT PROCESS.
- IN ADDITION TO THE OTHER SIGNS PERMITTED UNDER THIS SECTION IV(1), THE PETITIONER SHALL BE ENTITLED TO ONE GROUND MOUNTED OR MONUMENT STYLE IDENTIFICATION SIGN FOR EACH OF THE PARCELS. THESE SIGNS MUST BE LOCATED ALONG INTERIOR STREETS AND MAY BE UP TO EIVE (5) FEFT IN VEIGHT AND 20 SQUARE FEFT IN SIZE. THESE SIGNS WILL COMPLY WITH THE HEIGHT AND SIZE REQUIREMENTS OF THE TOD-R AND TOD-M ZONING DISTRICTS. IN ADDITION, WAY FINDING AND DIRECTIONAL SIGNS MAY BE PERMIT FED IN ACCORDANCE WITH ORDINANCE REQUIREMENTS FOR THE TOD-M AND TOD-R DISTRICTS.
- IN ADDITION TO THE OTHER SIGNS PERMITTED UNDER THIS SECTION IV(1), THE PETITIONER SHALL BE ALLOWED TO PLACE PROJECT IDENTIFICATION SIGNS OVER THE INTERIOR PUBLIC AND PRIVATE STREETS. NO MORE THAT 5 OF THESE TYPE SIGNS MAY BE INSTALLED ON THE SITE. THESE PROPOSED SIGNS WILL BE SUBJECT TO THE APPROVAL OF AN ENCROACHMENT AGREEMENT AND THE APPROVAL OF THE CITY DEPARTMENT OF TRANSPORTATION.
- THE SIGN LOCATIONS GENERALLY DEPICTED ON THE REZONING PLAN ARE CONCEPTUAL IN NATURE; THE LOCATIONS OF THE SIGNS MAY BE ALTERED.
- PROJECTING WALL SIGNS (SECTION 9 1209 (7)). THE PETITIONER SEEKS THE OPTIONAL PROJECTING WALL SIGNS ALONE AS FOLLOWS; (I) A PROJECTING WALL SIGN ON EITHER PARCEL L OR J AT THE INTERSECTION OF SCALEYBARK ROAD THAT HAVE A SIGN FASE AREA AND PUBLIC STREET COF UP TO 10%
- OF THE BUILDING WALL AREA TO WHICH THE SIGN(S).
 200-100 SQUARE FEET, (II) A PROJECTING WALL SIGN ON PARCEL K AT THE CORNER OF SOUTH BOULEVARD AND WHITTON STREET OF UP TO 125 SQUARE FEET, AND (III) A PROJECTING WALL SIGN ON PARCEL L AT THE CORNER OF SOUTH BOULEVARD AND PRIVATE STREET D OF UP TO 75 SQUARE FEET. THESE THREE (3) PROJECTING WALL SIGNS WILL BE ALLOWED TO PROJECT UP TO SEVEN (7) FEET INTO THE REQUIRED SETBACK. THESE PROJECTING WALL SIGNS MAY BE USED TO IDENTIFY THE PROJECT AS WELL AS TENANTS AND USES LOCATED THROUGH OUT THE SITE. THESE PROJECTING (WALL SIGNS ARE IN ADDITION TO THE NORMALLY ALLOWED WALL SIGNS FOR THE TOD-M DISTRICT.)
- 3. STREET WALLS (SECTION 9.1209.(1)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW THE PROPOSED BUILDINGS WITHIN PARCEL K OR L, THAT INCLUDE A RETAIL, PERSONAL SERVICE OR INDOOR RECREATION TENANT OR USER/OWNER WITH MORE THAT 45,000 5,000 SQUARE FEET OF GROSS FLOOR AREA (AS DEFINED BELOW), TO HAVE BUILDING WALLS ALONG SOUTH BOULEVARD AND SCALEYBARK ROAD THAT PROVIDE LESS THAN 50% OF THE LENGTH OF THE FIRST FLOOR STREET LEVEL FRONTAGE WITH USES THAT ARE VISIBLE FROM THE STREET. THE PETITIONER WILL TREAT THESE BUILDING FACADES WITH OTHER DESIGN ELEMENTS TO ENLIVEN AND ANIMATE THE STREETSCAPE. ONE SUCH TREATMENT COULD BE A "GREEN WALL". THESE WALLS WILL MEET THE REQUIREMENTS OF SECTION 9.1209.(1)(D) OF THE ORDINANCE REGARDING "BLANK WALLS." IN THE EVENT THAT THE TENANT, USER/OWNER OF THE 45,000 25,000 SQUARE FOOT SPACE IS NOT OCCUPYING SUCH SPACE THE RE-USE OF THE SPACE WITH A NEW USER OR USERS THAT OCCUPY LESS THAN 45,000 25,000 SQUARE FEET WILL BE ALLOWED WITHOUT MODIFICATION TO THE STREET WALLS.
- 4. BUILDING ENTRANCES AND ORIENTATION (SECTION 9.1209.(4)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW BUILDINGS WITHIN PARCEL K OR L , THAT INCLUDES A RETAIL, PERSONAL SERVICE OR INDOOR RECREATION TENANT OR USER/OWNER WITH MORE THAT 45,000 25,000 SQUARE FEET OF GROSS FLOOR AREA (AS DEFINED BELOW), TO NOT HAVE AN OPERABLE PEDESTRIAN ENTRANCE ALONG SCALEYBARK ROAD OR SOUTH BOULEVARD. IN THE EVENT THAT THE TENANT, USER/OWNER OF THE 15,000 SQUARE FOOT SPACE IS NOT OCCUPYING SUCH SEASON. 25,000 SQUARE FOOT SPACE IS NOT OCCUPYING SUCH SPACE THE RE-USE OF THE SPACE WITH A NEW USER OR USERS THAT OCCUPY LESS THAN 45,000 25,000 SQUARE FEET WILL BE ALLOWED WITHOUT THE ADDITION OF OPERABLE PEDESTRIAN ENTRANCES ALONG SCALEYBARK ROAD OR SOUTH BOULEVARD.
- 5. STRUCTURED PARKING FACILITIES (SECTION 9.1208.(6)(L)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW STRUCTURED PARKING FACILITIES LOCATED ON FITHER PARCEL K OR LAND-WITH ERONTAGE ON PRIVATE STREET DAND ASSOCIATED WITH A RETAIL, PERSONAL SERVICE OR INDOOR RECREATION TENANT OR USER/OWNER WITH MORE THAN 25,000 SQUARE FEET OF GROSS FLOOR AREA (AS DEFINED BELOW) DEADER PROVIDE LESS THAN 50% OF THE LINEAR STREET LEVEL FRONTAGE WITH RETAIL OFFICE, CIVIC, INSTITUTIONAL OR RESIDENTIAL USES. AT A MINIMUM, 35% OF THE LINEAR STREET LEVEL FRONTAGE OF A STRUCTURED PARKING FACILITY CONSTRUCTED ON EITHER PARCEL K OR L WILL BE OCCUPIED WITH STREET LEVEL RETAIL, OFFICE CIVIC INSTITUTIONAL OR RESIDENTIAL USES. IN THE EVENT THAT THE TENANT, USER/OWNER OF THE 25,000 SQUARE FOOT SPACE IS NOT OCCUPYING SUCH SPACE THE RE-USE OF THE SPACE WITH A NEW USER OR USERS THAT OCCUPY LESS THAN 25,000 SQUARE FEET WILL BE ALLOWED WITHOUT HAVING TO MODIFY THE STRUCTURE PARKING FACILITIES TO PROVIDE THE REQUIRED 50% OF THE LINEAR STREET FRONTAGE WITH RETAIL, OFFICE, CIVIC, INSTITUTIONAL OR RESIDENTIAL USES SEE SHEET 2-3.1 AND 2-3.2 FOR CONCEPTUAL ELEVATIONS OF THIS PROPOSED TREATMENT.
- 6. PARKING STANDARDS: PARKING BETWEEN STREET AND BUILDINGS (SECTION 9.1208.(6)(C)). DUE TO THE SIZE OF THE PROJECT AND THE TIMING AND COST ASSOCIATED WITH THE CONSTRUCTION OF PARKING STRUCTURES CONTEMPLATED UPON FULL BUILD-OUT, THE PETITIONER SEEKS THE OPTIONAL PROVISIONS TO ALLOW INTERIM SURFACE PARKING LOTS TO BE LOCATED IN AN ESTABLISHED SETBACK OR BETWEEN (I) A PERMITTED USE AND BUILDING AND (II) A STREET. SURFACE PARKING AREAS WILL MEET ALL REQUIRED MINIMUM SETBACKS ESTABLISHED BY THE SCALEYBARK TRANSIT STATION AREA PLAN. IN ADDITION A SURFACE PARKING LOT WITH FRONTAGE ON SOUTH BOULEVARD OR SCALEYBARK ROAD WILL PROVIDE A SETBACK OF 54 FEET FROM THE BACK OF THE FUTURE CURB OF SOUTH BOULEVARD OR SCALEYBARK ROAD. THESE INTERIM SURFACE PARKING LOTS MAY ONLY BE ESTABLISHED ON PARCELS J, K, AND L.
- THE TERM "INTERIM" FOR THE PURPOSES OF THIS REQUEST SHALL BE DEFINED TO MEAN A MINIMUM OF FIVE (5) YEARS AND A MAXIMUM OF 15 YEARS FROM THE DATE THE SURFACE PARKING AREA IS COMPLETED IN ACCORDANCE WITH THE FOLLOWING PROVISIONS. PRIOR TO THE PASSAGE OF FIVE (5) YEARS FROM COMPLETION OF AN APPLICABLE SURFACE PARKING AREA, THE PETITIONER MAY REQUEST A FIVE YEAR EXTENSION FROM THE PLANNING DIRECTOR WHICH SHALL BE GRANTED IF THE PETITIONER CAN DEMONSTRATE AND PROVIDE REASONABLE EVIDENCE THAT DUE TO MARKET CONDITIONS THE ELIMINATION OF SURFACE PARKING AREAS IS NOT ECONOMICALLY FEASIBLE. A MAXIMUM OF TWO FIVE (5) YEAR EXTENSIONS MAY BE REQUESTED AND GRANTED. EACH FIVE YEAR EXTENSION MUST BE REQUESTED SEPARATELY TOGETHER WITH REASONABLE EVIDENCE JUSTIFYING THE EXTENSION AFTER THE TIME PERIOD DEFINED ABOVE HAS EXPIRED, INCLUDING APPROVED EXTENSIONS, THE PETITIONER WILL BRING THE SURFACE PARKING AREAS INTO COMPLIANCE WITH THE ORDINANCE.
- 7. PARKING STANDARDS: PARKING AREAS THAT COVER MORE THAN 35% OF THE TOTAL LOT WIDTH (SECTION 9.1208.(6)(G)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW SURFACE PARKING TO THE SIDE OF THE PRIMARY STRUCTURES ON PARCEL H TO COVER MORE THAN 35% OF THE TOTAL LOT WIDTH ALONG PROPOSED PUBLIC STREET A. THE SURFACE PARKING LOT WILL NOT EXCEED 60% OF THE TOTAL LOT WIDTH ALONG PROPOSED PUBLIC STREET A.
- 8. MANEUVERING FOR LOADING SPACE IN RIGHT-OF-WAY OF PROPOSED PRIVATE STREET D (SECTION 9.1208.(7)) THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW LOADING DOCKS TO BE DESIGNED THAT REQUIRE VEHICLES TO MANEUVER WITHIN THE RIGHT-OF-WAY OF PROPOSED PRIVATE STREET D FOR BUILDINGS LOCATED ON PARCEL L, AND K, THAT INCLUDE A RETAIL, PERSONAL SERVICE OR INDOOR RECREATION TENANTS OR USER/OWNER WITH MORE THAN 45,000 25,000 SQUARE FEET OF GROSS FLOOR AREA (AS DEFINED BELOW). MANEUVERING FOR THE LOADING DOCKS MAY NOT OCCUPIES LESS THAN 45,000 25,000 SQUARE FEET WILL BE ALLOWED WITHOUT THE REMOVAL OF THE LOADING BOCKS MAY NOT OCCUPIES LESS THAN 55,000 SQUARE FOOT SPACE IS NOT OCCUPIES LESS THAN 55,000 SQUARE FEET WILL BE ALLOWED WITHOUT THE REMOVAL OF THE LOADING SPACE THAT MANEUVERS IN PRIVATE STREET D.

IV. OPTIONAL DEVELOPMENT PROVISIONS (CON'T)

- 9. FLOOR AREA RATIO (FAR) (SECTION 9.1208.(5)(B)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW INDIVIDUAL PHASES OF THE PROJECT TO NOT MEET THE MINIMUM FAR AND/OR DENSITY REQUIREMENTS OF THE TOD-M OR TOD-R ZONING DISTRICTS AS LONG AS THE PETITIONER CAN DEMONSTRATE VIA A PROPOSED MASTER PLAN HOW THE ENTIRE PROJECT WILL MEET THE MINIMUM FAR AND/OR DENSITY REQUIREMENTS WHEN CONSTRUCTION OF THE SITE IS COMPLETED.
- 10. FRONT-LOADED GARAGES, PARKING PADS AND DRIVEWAYS FOR INDIVIDUAL UNITS (SECTION 9.1208.(6)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW INDIVIDUAL UNITS WITH FRONT LOADED GARAGES ONLY WITHIN PARCEL A BETWEEN PROPOSED PRIVATE STREET A AND THE NORTHERN BOUNDARY OF THE SITE AS MORE SPECIFICALLY INDICATED ON THE TECHNICAL DATA SHEET. THE DRIVEWAYS TO THESE UNITS WILL BE A MINIMUM OF 20 FEET IN LENGTH AS MEASURED FROM THE BACK OF THE SIDEWALK. WHERE POSSIBLE THE PETITIONER WILL CONSOLIDATE AND PROVIDE SHARED DRIVEWAYS. THE GARAGES FOR THESE UNITS' DWELLINGS WILL BE DESIGNED TO BE FLUSH WITH THE UNIT OR RECESSED BEHIND THE DWELLING UNITS' PRINCIPAL BUILDING WALL
- 11. RETAIL SALES ESTABLISHMENTS WITH MORE THAN 30,000 SQUARE FEET OF GROSS FLOOR AREA PER FLOOR, PER SINGLE TENANT (SECTION 9.1206.(9)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW ONE SINGLE TENANT RETAIL SALES ESTABLISHMENT WITH MORE THAN 30,000 BUT LESS THAN 60,000 SQUARE FEET OF GROSS FLOOR AREA TO BE ESTABLISHED ON PARCIEL K OR L AND SUCH ESTABLISHMENT SHALL NOT BE REQUIRED TO HAVE AT LEAST 75% OF THE FIRST FLOOR STREET FAÇADE OF THE BUILDING CONSTRUCTED WITH CLEAR GLASS WINDOWS AND DOORS NOR TO HAVE AT LEAST ONE ENTRANCE PER STREET FRONITAGE. IN ADDITION TO THE SINGLE TENANT RETAIL ESTABLISHMENT DESCRIBED ABOVE, A SINGLE TENANT RETAIL ESTABLISHMENT OF 60,000 OR MORE SQUARE FEET OF GROSS FLOOR AREA SHALL BE PERMITTED PROVIDED THAT IT COMPLIES WITH THE DESIGN STANDARDS AND REQUIREMENTS OF THE ORDINANCE.
- FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH ABOVE, THE TERM "GROSS FLOOR AREA" OR "GFA" SHALL MEAN AND REFER TO THE SUM OF THE GROSS HORIZONTAL AREAS OF EACH FLOOR OF A PRINCIPAL BUILDING, AND ANY ACCESSORY BUILDINGS OR STRUCTURES ON THE SITE MEASURED FROM THE OUTSIDE OF THE EXTERIOR WALLS OR FROM THE CENTER LINE OF PARTY WALLS; PROVIDED, HOWEVER SUCH TERM SHALL EXCLUDE ANY SURFACE OR STRUCTURED PARKING FACILITIES, OR RELATED ACCESS AREAS, AREAS USED FOR BUILDING AND EQUIPMENT ACCESS (SUCH AS STAIRS, ELEVATOR SHAFTS AND MAINTENANCE (CRAWL SPACES) PROVIDED, AREAS DEVOTED TO OUTDOOR DINING ARE NOT INTENDED TO BE INCLUDED IN THE CALCULATION OF GROSS FLOOR AREA (BUT ANY SUICH OUTDOOR DINING AREAS SHALL BE CONSIDERED FOR PARKING PURPOSES)
- 12. BUFFER STANDARDS (SECTION 9.1208.(9)). AS A RESULT OF THE DUKE POWER DESIGN CRITERIA, FOR LANDSCAPING UNDER UTILITY LINES, WHICH DOES NOT ALLOW SHRUBS AND TREES TO BE LOCATED WITHIN 50 FEET OF UTILITY TRANSMISSION TOWERS, THE PETITIONER SEEKS THE OPTIONAL PROVISION TO OMIT THE REQUIRED SHRUBS AND TREES WITHIN 50 FEET OF THE DUKE POWER TRANSMISSION TOWERS. THESE UTILITY LINES AND TRANSMISSION TOWERS ARE LOCATED ALONG THE EASTERN BOUNDARY OF THE SITE AS INDICATED ON THE TECHNICAL DATA SHEET.
- 13. BUFFER STANDARDS (SECTION 9.1208.(9)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO REDUCE THE REQUIRED 10 FOOT BUFFER ALONG THE NORTHERN BOUNDARY OF PARCELS A AND B TO TWO FEET WITH A MINIMUM OF A SOLID SIX FOOT TALL FENCE OR WALL TO BE INSTALLED WHEN SINGLE-FAMILY DETACHED HOMES ARE DEVELOPED ON PARCEL A OR B. THE FENCE OR WALL USED IN THIS BUFFER WILL BE CONSTRUCTED IN A DURABLE FASHION OF BRICK, STONE, OTHER MASONRY MATERIALS BRICK COLUMNS WITH WOOD PLANKS, METAL, VINYL OR OTHER MATERIALS SPECIFICALLY DESIGNED AS FENCING MATERIALS (OR ANY COMBINATION THEREFORE THE FINISHED SIDE OF THE FENCE OR WALL MUST FACE THE ABUTTING PROPERTY. UP TO 25% OF THE WALL OR FENCE SURFACE MAY BE LEFT OPEN.
- 14. MINIMUM REAR YARD (SECTION 9.1208.(2)(A)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO REDUCE THE REQUIRED 20 FOOT REAR YARD TO 10 FEET ALONG THE NORTHERN BOUNDARY OF PARCEL A AND B WHEN (SINGLE-FAMILY DETACHED HOMES ARE DEVELOPED ON PARCELS A OR B.
- 15. ENCROACHMENTS INTO REQUIRED SETBACKS (SECTION 9.1208.(1)(A) 2). THE PETITIONER WILL PROVIDE A 22 FOOT SETBACK ALONG ALL STREETS CLASSIFIED AS LOCAL RESIDENTIAL STREET WIDE BY THE APPROVED SCALEYBARK TRANSIT STATION AREA PLAN, BUT IN ACCORDANCE WITH THE SCALEYBARK STATION AREA PLAN, PETITIONER SEEKS THE OPTIONAL PROVISION TO ALLOW THE FOLLOWING ITEMS TO ENCROACH INTO THE LAST SIX (6) FEET OF THIS SETBACK, INCLUDING STEPS, OPEN PORCHES AND BAY WINDOWS AS LONG AS SUCH ENCROACHMENTS AT GRADE DO NOT REDUCE THE WIDTH OF THE REQUIRED SIDEWALK. THIS OPTIONAL PROVISION IS IN ADDITION TO THE ALLOWED ENCROACHMENTS ALLOWED BY SECTION 9.1208.(1)(G) OF THE ORDINANCE.
- 16. REQUIRED SETBACK OF 30 FEET WHEN ABUTTING SINGLE-FAMILY ZONING (SECTION 9.1208.(1)(A) 1). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO REDUCE THE 30 FOOT SETBACK REQUIRED ALONG A PORTION OF ANSON STREET TO 22 FEET FROM THE BACK OF CURB.
- 17. SCALEYBARK AVENUE STREETSCAPE REQUIREMEENTS. (SECTION 9.1209.(8)(A)). THE PETITIONER SEEKS THE OPTIONAL PROVISION TO MODIFY THE WIDTH OF THE AMENITY ZONE ALONG SCALEYBARK AVENUE FROM 16 FEET TO 8 FEET. THE 8 FEET REMOVED FROM THE AMENITY ZONE WILL BE ADDED TO AREA BETWEEN THE SIDEWALK AND THE BUILDING SETBACK LINE. THE PROPOSED 24 FOOT SETBACK WILL NOT BE REDUCED. THIS PROPOSED STREETSCAPE TREATMENT IS SPIECIFICALLY SHOWN ON SHEET Z-3.0 TYPICAL STREET CROSS SECTIONS IN CROSS SECTION NUMBER 3.
- 18. REQUIRED STREET TREES AND SIDEWALKS. THE PETITIONER SEEKS THE OPTIONAL PROVISION TO REQUEST A DELAY IN THE INSTALL/ATION OF REQUIRED STREET TREES AND SIDEWALKS ON EACH PARCEL AS DEVELOPMENT OCCURS ON THE PARCEL. THE DELAY IN THE INSTALLATION WILL ALLOW CONSTRUCTION TO OCCUR WITHIN THE PARCELS WITHOUT DAMAGING SIDEWALKS AND STREET TREES THAT WOULD HAVE BEEN PREVIOUSLY INSTALLED. THE PETITIONER WILL COORDINATE THE TIMING OF THE INSTALLATION OF THESE REQUIRED STREETSCAPE ELEMENTS WITH URBAN FORESTRY, CITY ENGINEERING AND THE PLANNING DEPARTMENT. ALL REQUIRED STREET TREES AND SIDEWALKS WILL BE INSTALLED ON EACH PARCEL PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE APPLICABLE
- 19. THE PROVISIONS OF SECTION III, TO EXTENT NECESSARY CONSTITUTE ACCEPTABLE VARIATIONS (AND OPTIONAL PROVISIONS) FROM THE TOD-M AND TOD-R MINIMUM STANDARDS.

V. DESIGN AND PERFORMANCE STANDARDS

- 1. BUILDINGS LOCATED WITHIN EACH PARCEL WILL MEETTHE MAXIMUM HEIGHT REQUIREMENTS OF THE TOD-M AND TOD-R ZONING DISTRICTS. BUILDING HEIGHT WILL BE MEASURED AS DEFINED IN THE ORDINANCE PROVIDED THE FOLLOWING WILL NOT BE INCLUDED IN THE CALCULATION OF MAXIMUM BUILDING HEIGHT SKYLIGHTS, AND ROOF STRUCTURES FOR ELEVATORS, STAIRWAYS, TANKS, HEATING, VENTILATION AND AIR-CONDITIONING EQUIPMENT, OR SIMILAR EQUIPMENT FOR THE OPERATION AND MAINTENANCE OF A BUILDING AND ANY DEVICE USSED TO SCREEN SUCH STRUCTURES AND EQUIPMENT.
- 2. STREETS WITHIN THE SITE MAY BE EITHER PUBLIC; OR PRIVATE AS INDICATED ON THE TECHNICAL DATA SHEET. REGARDLESS OF WHETHER THE INTERNAL STREETS ARE PUBLIC OR PRIVATE, THEY SHALL REMAIN OPEN AAND ACCESSIBLE TO THE PUBLIC. THIS DOES NOT PRECLUDE THE PETITIONER FROM TEMPORARILY CLOSING A PRIVATE STREET FOR, BUT NOT LIMITED TO, SPECIAL EVENTS, FARIMERSMARKETS, FESTIVALS, CONCERTS, BLOCK PARTIES OR OTHER SIMILAR EVVENTS.
- 3. A BUFFER AS PER THE REQUIREMENT OF SECTION 9.1208.(9) OF THE ORDINANCE WILL BE PROVIDED ALONG THE NORTHERN AND EASTERN (BOUNDARIES OF THE SITE ABUTTING THE EXISTING SINGLE-FAMILY HOMES AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET, SUBJECT TO THE OPTIONAL PROVISIONSIN SECTION IV ABOVE.
- 4. THE PETITIONER SHALL MAKE GOOD FAITH DILIGEENT EFFORTS TO SAVE THE EXISTING TREES LOCATED WITHIN THE TREE SAVE AREAS IDDENTIFIED ON THE TECHNICAL DATA SHEET. ADDITIONAL TREE SAVE AREAS, TO THE EXXTENT REQUIRED BY THE ORDINANCE, WILL BE IDENTIFIED DURING THE DESIGN DEVELOPPMENT PHASES OF THE PROJECT. TREES WITHIN THESE ADDITIONAL TREE SAVE AREAS WILL ALSO BE PRESERVED.
- A UNIFIED STREETSCAPE TREATMENT WILL BE IMPLEMENTED THROUGHOUT THE SITE, INCLUDING THE SITE'S FRONTAGE ON SOUTH BOUILEVARD AND SCALEYBARK ROAD. THE PROPOSED STREETSCAPE TREATMENT IS SPECIFIED ON SHEET Z-3.0 TITLED TYPICAL STREET CROSS SECTIONS, SUBJECT, HOWEVER, ITO ANY CONFLICTS WITH EXISTING UTILITY EASEMENTS LOCATED WITHIN SUCH AREAS.
- ON A PORTION OF PROPOSED PRIVATE STREET D) THE PETITIONER MAY HAVE A GAP IN THE SPACING OF STREET TREES. THIS GAP WILL OCCUR ON ONE SIDE OF THE STREET FOR A LENGTH OF 120 FEET. ON STREET PARKING ALONG PRIVATE STREET D MAY EITHER BE PARALLEL OR ANGLED PARKING

V. DESIGN AND PERFORMANCE STANDARDS (CON'T)

- 7. THE PETITIONER WILL CONSTRUCT PUBLIC STREET C (WEONA AVENUE) TO THE MAIN STREET STANDARDS CALLED FOR IN THE SCALEYBARK STATION AREA PLAN.
- 8. THE PETITIONER RESERVES THE RIGHT TO SUBSTITUTE A BIO-SWALE/RAIN GARDEN FOR THE TYPICAL EIGHT FOOT PLANTING STRIP ALONG BOTH SIDES OF ANY OF THE PROPOSED PRIVATE STREETS. THE PETITIONER WILL CONSULT WITH CITY ENGINEERING STORM WATER SERVICES ON THE DESIGN OF THE PROPOSED
- BIO-SWALE/RAIN GARDEN DURING THE LAND DEVELOPMENT REVIEW PROCESS. 9. THE PROJECT DEVELOPS, PEDESTRIAN SCALE LIGHTING WILL BE INSTALLED ALONG BOTH INTERIOR STREETS AND STREETS THAT BORDER THE SITE.
- ALL FREESTANDING LIGHTING AND ALL EXTERIOR LIGHTING ON BUILDINGS WILL BE FULLY SHIELDED AND FULL CUT-OFF TYPE FIXTURES DOWNWARDLY DIRECTED. NO WALL "PAK" TYPE LIGHTING SHALL BE USED, BUT ATTACHED DECORATIVE LIGHTING FIXTURES SUCH AS SCONCES MAY BE USED. THE MAXIMUM HEIGHT OF ANY FREESTANDING LIGHTING FIXTURES, INCLUDING ITS BASE, SHALL NOT EXCEED 20 FEET.
- 10. ALL DUMPSTERS, LOADING AREAS AND SERVICE AREAS WILL BE SCREENED IN ACCORDANCE WITH SECTION 12.303 OF THE ORDINANCE.
- 11. OFF-STREET VEHICULAR AND BICYCLE PARKING WILL BE PROVIDED WHICH MEETS OR EXCEEDS THE RATIO REQUIREMENTS OF THE ORDINANCE.
- 12. SIDEWALK AND PLANTING STRIPS ALONG INTERNAL STREETS MAY BE INSTALLED IN PHASES IN ASSOCIATION WITH NEARBY DEVELOPMENT AND AS THE PROJECT
- 13. AREAS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET AS "OPEN SPACE" WILL INCLUDE DECORATIVE PAVING, BENCHES AND SEATING AREAS, LANDSCAPING FEATURES AND/OR OTHER AMENITIES SUCH AS FOUNTAINS OR DECORATIVE ARCHITECTURAL FEATURES.
- 14. AT LEAST ONE ACRE, IN THE AGGREGATE, OF PUBLIC OPEN SPACE AS DEFINED BY THE TOD PROVISIONS OF THE ORDINANCE WILL BE PROVIDED WITHIN PARCELS J, K AND L. THIS PUBLIC OPEN SPACE MAY INCLUDE THE LAND UNDER THE DUKE POWER UTILITY EASEMENT LOCATED ALONG THE EASTERN BOUNDARY OF THE SITE. THIS ONE ACRE OF PUBLIC OPEN SPACE WILL BE IMPROVED IN ACCORDANCE THE PROVISIONS OF THE
- 15. THE PETITIONER WILL PROVIDE A MINIMUM OF 800 SQUARE FEET OR URBAN OPEN SPACE ON PARCEL K ALONG SOUTH BOULEVARD ACROSS FROM THE EXISTING RAPID TRANSIT STATION, AS GENERALLY DEPICTED ON SHEET Z-1.0.
- 16. THE PETITIONER SHALL INSTALL TWO (2) CONCRETE WAITING PADS ON THE SITE; ONE ALONG SOUTH BOULEVARD AND ONE ALONG SCALEYBARK ROAD IN THE AREAS GENERALLY INDICATED THE TECHNICAL DATA SHEET. THESE PROPOSED WAITING PADS WILL BE CONSTRUCTED PER THE CHARLOTTE-MECKLENBURG LAND DEVELOPMENT STANDARDS (60.02A OR 60.02B). THE APPROPRIATE STANDARD AND FINAL LOCATIONS OF SUCH PADS WILL BE COORDINATED WITH CHARLOTTE AREA TRANSIT SYSTEM DURING THE PLAN REVIEW PROCESS.
- 17. THE PETITIONER WILL EXPLORE OPPORTUNITIES TO CONSOLIDATE AND PLACE UNDERGROUND EXISTING OVERHEAD UTILITIES WITH EACH OF THE RESPECTIVE UTILITY COMPANIES THAT OWN AND OPERATE THESE EXISTING UTILITIES. IN LOCATIONS AND CIRCUMSTANCES WHERE THE PETITIONER FINDS THE COSTS AND FEASIBILITY OF CONSOLIDATING OR PLACING EXISTING UTILITIES UNDERGROUND REASONABLE, THE UTILITIES WILL BE PLACED UNDERGROUND OR CONSOLIDATED. ALL NEW UTILITY LINES WILL BE PLACED UNDERGROUND AS REQUIRED BY SECTION 12.509 OF THE CITY ZONING REGULATIONS.

- THE TOTAL NUMBER OF INGRESS/EGRESS POINTS TO THE SITE SHALL BE LIMITED TO THE NUMBER SHOWN ON THE TECHNICAL DATA SHEET, EXCEPT TO THE MORE ACCESS POINTS ARE PERMITTED BY CDOT. THE EXACT LOCATIONS MAY VARY SOMEWHAT FROM THOSE DEPICTED BASED UPON FINAL DESIGN AND LOCATIONAL REQUIREMENTS AS REGULATED BY CDOT.
- THE EXISTING ACCESS POINTS TO THE SITE MAY CONTINUE TO BE USED UNTIL THE NEW ACCESSES HAVE BEEN COMPLETED. AS EACH PARCEL WITH EXISTING DRIVEWAYS IS REDEVELOPED EXISTING DRIVEWAYS WILL BE REMOVED OR THIS CONDITIONAL PLAN.

VII. ROADWAY IMPROVEMENTS AND PHASING.

- PUBLIC STREET C MUST BE CONSTRUCTED AND OPEN TO TRAFFIC BETWEEN SCALEYBARK ROAD AND ITS INTERSECTION WITH PROPOSED PUBLIC STREET A BEFORE A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE SECOND BUILDING CONSTRUCTED
- 2. IF DEVELOPMENT ON PARCEL K OR L PRECEDES THE DEVELOPMENT OF THE SECOND BUILDING ON PARCEL J THE PETITIONER WILL CONSTRUCT PUBLIC STREET C FROM SCALEYBARK ROAD TO ITS INTERSECTION WITH PROPOSED PUBLIC STREET A CONCURRENTLY WITH THE DEVELOPMENT OCCURRING ON PARCEL K OR L. THIS PORTION OF PUBLIC STREET C WILL BE CONSTRUCTED AND OPEN TO TRAFFIC BEFORE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING CONSTRUCTED ON PARCEL K OR L

IT IS UNDERSTOOD THAT A PORTION OF THE PUBLIC STREET C MAY UTILIZE A PORTION OF EXISTING WEONA AVENUE AT THE PETITIONER'S DISCRETION.

- PL TO THE EXTEND CONSISTENT WITH PETITIONERS DEVELOPMENT AND BUILDING PLANS, THE PETITIONER (A) WILL DURING THE SUBDIVISION AND TOD REVIEW PROCESS WORK WITH THE CITY DEPARTMENT OF TRANSPORTATION ON AN ACCEPTABLE SOLUTION TO THE ALIGNMENT OF PROPOSED PUBLIC STREET C AND EXISTING WEONA AVENUE AND (B) SEEK TO DESIGN THE INTERSECTION OF PUBLIC STREET C WITH SCALEYBARK AVENUE TO ALIGN WITH THE EXISTING OPPOSING DRIVEWAY ON THE SOUTH SIDE OF SCALEYBARK AVENUE.
- ONCE PUBLIC STREET C IS CONSTRUCTED AND OPEN FROM ITS INTERSECTION WITH SCALEYBARK ROAD TO ITS INTERSECTION WITH PUBLIC STREET A AND EITHER (I) THE ISSUANCE OF AT LEAST TWO CERTIFICATES OF OCCUPANCY FOR TWO BUILDINGS ON PARCEL J OR (II) THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ONE BUILDING ON EITHER PARCEL K OR L HAVE OCCURRED, THEN THE CITY WILL SIGNALIZE THE INTERSECTION OF SCALEYBARK ROAD AND PUBLIC STREET C. THE SIGNAL MAY BE INSTALLED SOONER THAN ABOVE IF APPROVED BY CDOT.
- 4. AS PART OF THE DEVELOPMENT OF PARCELS A AND B, THE PETITIONER WILL CONSTRUCT OR IMPROVE PUBLIC STREET B AND A PORTION OF PUBLIC STREET C TO THE PROPERTY LINE. IF (I) THE CITY AND THE PETITIONER HAVE A DEVELOPMENT AGREEMENT IN PLACE THAT CALLS FOR THE EXTENSION OF THESE ROADS TO HARTFORD AVENUE AND (II) GENERAL OBLIGATION TRANSPORTATION BONDS FOR THE REIMBURSEMENT OF CERTAIN INFRASTRUCTURE COSTS HAVE BEEN APPROVED, THEN THE PETITIONER WILL ALSO CONSTRUCT THE EXTENSION OF THESE ROADS FOR A RIGHT-OF-WAY OF 50 FEET TO THE EXTENT APPROPRIATE RIGHT-OF-WAY IS AVAILABLE.
- THE PORTION OF PUBLIC STREET A FROM ITS INTERSECTION WITH PUBLIC STREET C TO PROPOSED PUBLIC STREET E WILL BE CONSTRUCTED AS DEVELOPMENT OCCURS ON THE PORTION OF PARCEL J THAT FRONTS ON PUBLIC STREET A, OR WHEN DEVELOPMENT OCCURS ON PARCEL H, WHICH EVER OCCURS FIRST.
- 6. THE OTHER STREETS SHOWN ON THE SITE PLAN WILL BE CONSTRUCTED OR IMPROVED AS DEVELOPMENT OCCURS ON THE ABUTTING PARCELS.
 - THE PETITIONER WILL RELOCATE THE EXISTING CURB AND GUTTER ALONG THE SITE'S PARCEL L FRONTAGE ON SOUTH BOULEVARD TO ALLOW THE CONSTRUCTION OF A FIVE (5) FOOT BIKE LANE.
- 8. THE PETITIONER WILL RELOCATE THE EXISTING CURB ALONG THE SITE'S FRONTAGE ON ANSON STREET AS NECESSARY TO PROVIDE PROTECTED PARKING.
- VIII. SCREENING, LANDSCAPING, AND OPEN SPACE AREAS SCREENING WILL CONFORM TO THE APPLICABLE STANDARDS OF THE ORDINANCE.
- LANDSCAPING SHALL SATISFY THE REQUIREMENTS OF THE ORDINANCE FOR THE TOD-MO AND TOD-RO ZONING DISTRICTS AND THE CITY OF CHARLOTTE TREE
- THE PROPOSED INTERIM SURFACE PARKING AREAS WILL BE SCREENED FROM ABUTTING PROPERTY AND FROM PUBLIC VIEW FROM A PUBLIC STREET WITH A MINIMUM OF TWO ROWS OF EVERGREEN SHRUBS PLANTED PER THE REQUIREMENTS OF SECTION 12.303.(2)(G) OF THE ORDINANCE...

- VIII. SCREENING, LANDSCAPING, AND OPEN SPACE AREAS SINCE DEVELOPMENT OCCURATING ON THE SITE IS PART OF A UNIFIED MASTER PLANNED DEVELOPMENT, THE URBAN OF EN SPACE REQUIREMENTS ESTABLISHED AND DEFINED
- UNDER SECTION 9.1208.(12) OF THE ORDINANCE WILL BE SATISFIED WITH REFERENCE TO ALL PARCELS OF THE SITE TAKEN TOGETHER. BY WAY OF EXAMPLE, OPEN SPACE LOCATED ON PARCEL J THAT EXCEEDS THE URBAN OPEN SPACE REQUIREMENTS FOR PARCEL J MAY BE USED TO SATISFY THE URBAN PPEN SPACE REQUIREMENTS ASSOCIATED WITH PARCEL K. TO THE EXTENT NECESSARY THE PROVISIONS OF THIS SUBSECTION SHALL CONSTITUTE A PORTION OF THE OPTIONAL PROVISIONS UNDER THE TOD-MO OR TOD-RO APPLICATION SET
- 5. URBAN OPEN SPACE WILL BE PROVIDED THROUGHOUT THE SITE AND CENTRALLY LOCATED.
- 6. ALL ROOF-MOUNTED MECHAN CAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE

EXCEPT AS SET FORTH IN SECTION IV REGARDING THE OPTIONAL PROVISIONS, SIGNAGE WITHIN THE COMPONENTS OF THE SITE SHALL CONFORM TO THE STANDARDS OF THE

ORDINANCE FOR THE TOD-M AND TOD-R ZONING DISTRICTS.

FACILITIES RECEIVING DISPOSED OR RECYCLED MATERIALS.

FORTH IN SECTION IV ABOVE.

- X. STORM WATER MANAGEMENT AND WATER QUALITY DEVELOPMENT ON THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE (PCCO) EFFECTIVE AS OF THE DATE OF APPROVAL OF THIS PETITION. ALL EXISTING POST-CONSTRUCTION BUFFERS HAVE BEEN INDICATED ON THE TECHNICAL DATA SHEET Z-1.0
- 2. THE PETITIONER SHALL INVESTIGATE DURING PLAN REVIEW IF THE OPEN CHANNEL LEADING TO SLOAN STREET NEEDS TO HAVE A PCCO STREAMSIDE BUFFER.

XI. SOLID WASTE MANAGEMENT PLA

1. THE PETITIONER SHALL SUBMIT TO THE MECKLENBURG COUNTY SOLID WASTE DEPARTMENT A SOLID WASTE MANAGEMENT PLAN PRIOR TO INITIATING DEMOLITION AND/OR CONSTRUCTION ACTIVITIES. THE SOLID WASTE MANAGEMENT PLAN WILL INCLUDE, AT A MINIMUM, THE PROCEDURES THAT WILL BE USED TO RECYCLE ALL CLEAN WOOD, METAL, AND CONCRETE GENERATED **J**URING DEMOLITION AND CONSTRUCTION ACTIVITIES. ADDITIONALLY, THE SOLID WASTE MANAGEMENT PLAN WILL SPECIFY THAT ALL LAND CLEARING AND INERT DEBRIS BHALL BE TAKEN TO A PROPERLY PERMITTED FACILITY. THE PLAN SHALL ALSO INCLUDE A REQUIREMENT THAT A MONTHLY REPORTING OF ALL TONNAGE DISPOSED AND RECYCLED WILL BE MADE TO THE MECKLENBURG COUNTY SOLID WASTE

PROGRAM. THE REPORT SHAUL INCLUDE THE IDENTIFICATION AND LOCATION OF ALL

THE PETITIONER IS AWARE OF THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL AND NATURAL RESOURCES (DENR) INFORMATION REGARDING TAX PARCEL # 149-054-67 AND HAS

BEEN IN CONTACT WITH DENR A LETTER OF NO FURTHER ACTION REGARDING THIS PARCEL HAS BEEN ISSUED BY DENR AND HAS BEEN RECEIVED BY THE PETITIONER.

1. AS PART OF THE DEVELOPMENT OF THE SITE, IT IS CURRENTLY CONTEMPLATED THAT THE PETITIONER WILL PROVIDE A VARIETY OF HOUSING TYPES AT A VARIETY OF PRICE POINTS. ADDITIONALLY, THE PETITION R SHALL CONSIDER OPPORTUNITIES TO INCLUDE RESIDENTIAL UNITS THAT ARE LOW TO MODERATE INCOME UNITS IN ACCORDANCE WITH CITY COUNCIL ADOPTED AFFORDABLE HOUSING POLICIES, SUBJECT IN ALL RESPECTS TO PROJECT FEASIBILITY AND AVAILABILITY OF APPROPRIATE FINANCING AND DEVELOPMENT CONSTRAINTS.

- ALL DEVELOPMENT OCCURRING ON THE SITE SHALL SATISFY THE REQUIREMENTS FOR PLAN REVIEW IMPOSED BY SECTION 9.1213 PRELIMINARY REVIEW OF THE ORDINANCE.
- XV. AMENDMENTS TO REZONING PLAN 1. FUTURE AMENDMENTS TO THE TECHNICAL DATA SHEET AND THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PARCEL OR PARCELS INVOLVED, IN ACCOMDANCE WITH CHAPTER SIX OF THE ORDINANCE.

- 1. IF THIS REZONING PETITION IS APPROVED, THE DEVELOPMENT PROGRAM ESTABLISHED UNDER THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET SHALL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONERS AND THE OWNERS (FROM TIME TO TIME) AND THEIR RESPECTIVE HEIRS, DEVISEES PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS.
- THROUGHOUT THIS REZONING PETITION, THE TERMS "PETITIONERS", "OWNER" OR "OWNERS," SHALL, WITH RESPECT TO EACH PARCEL WITHIN THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE, OR PORTIONS THEREOF, WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.

XVII. VESTING -- G.S. §160A-385.1; SECTIONS 6.208

- PURSUANT TO THE PROVISIONS OF SECTION 1.110 OF THE ORDINANCE AND N.C.G.S. §160A-385.1, DUE TO THE SIZE OF THE DEVELOPMENT, THE LEVEL OF INVESTMENT, THE SCOPE AND TIMING OF GOVERNMENTAL INFRASTRUCTURE IMPROVEMENTS ASSOCIATED WITH THE DEVELOPMENT, ECONOMIC CYCLES AND MARKET CONDITIONS, THIS PETITION INCLUDES VESTING OF THE APPROVED REZONING PLAN AND CONDITIONAL ZONING DISTRICT ASSOCIATED WITH THIS PETITION FOR A FIVE (5) YEAR PERIOD.
- IT IS UNDERSTOOD THAT THE PROVISIONS OF SECTION 6.208 OF THE ORDINANCE REGARDING A REVIEW OF APPROVAL OF A CONDITIONAL ZONING DISTRICT ARE INTENDED TO APPLY ONLY WITH RESPECT TO THOSE PARCELS OF THE SITE UPON WHICH NO PROGRESS HAS BEEN MADE TOWARD DEVELOPING THE APPLICABLE PARCEL(S) IN ACCORDANCE WITH THE APPROVED PETITION.

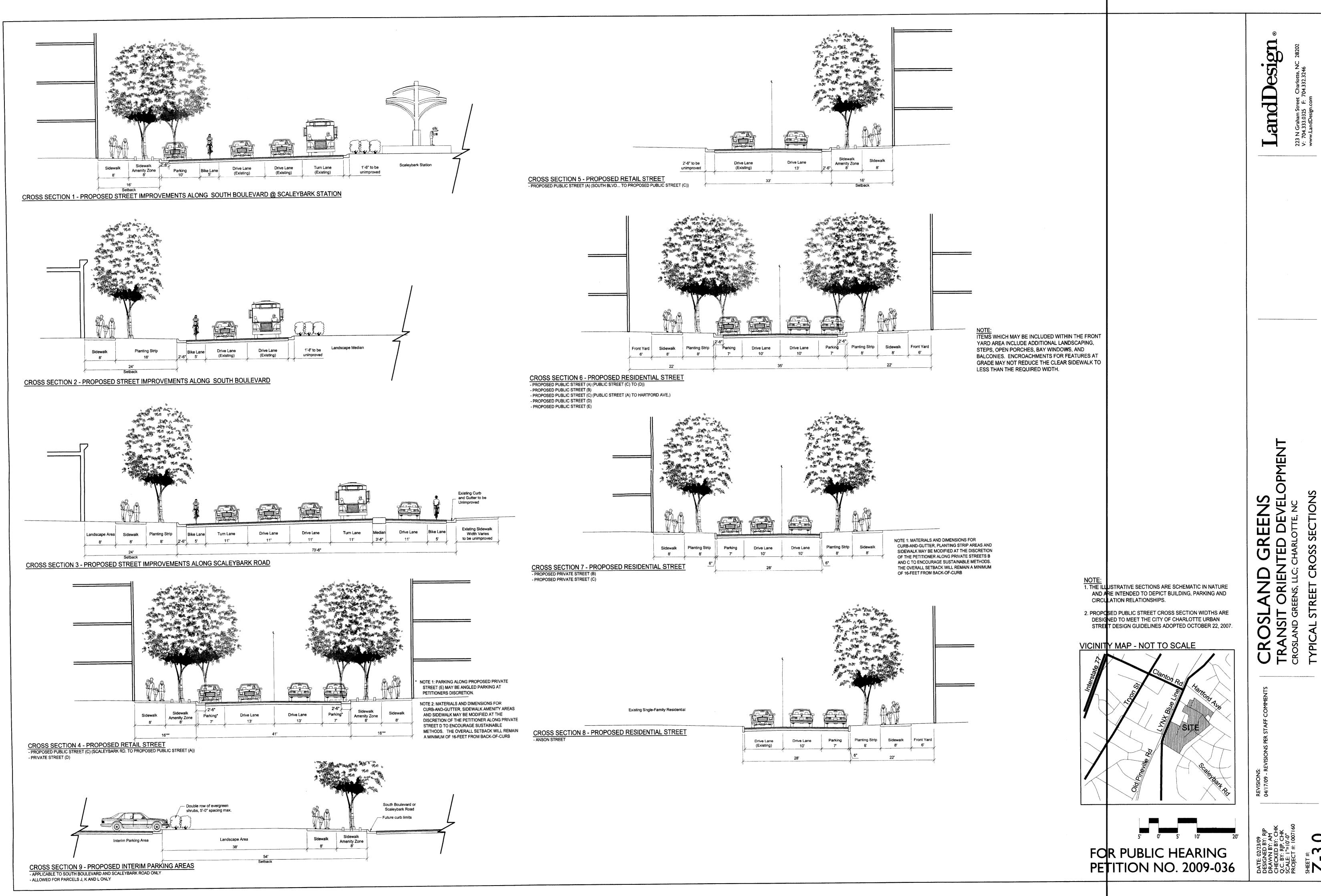
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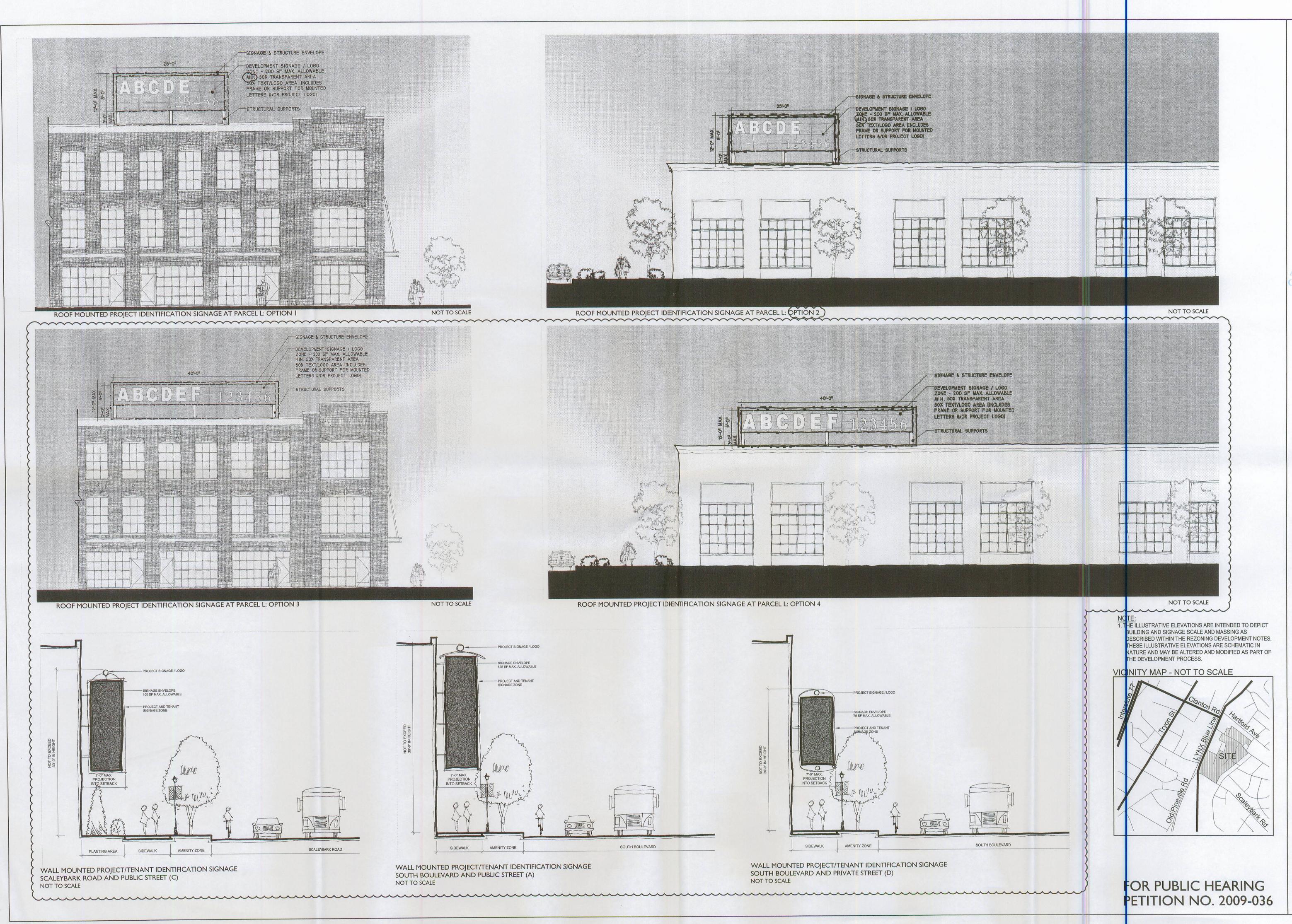
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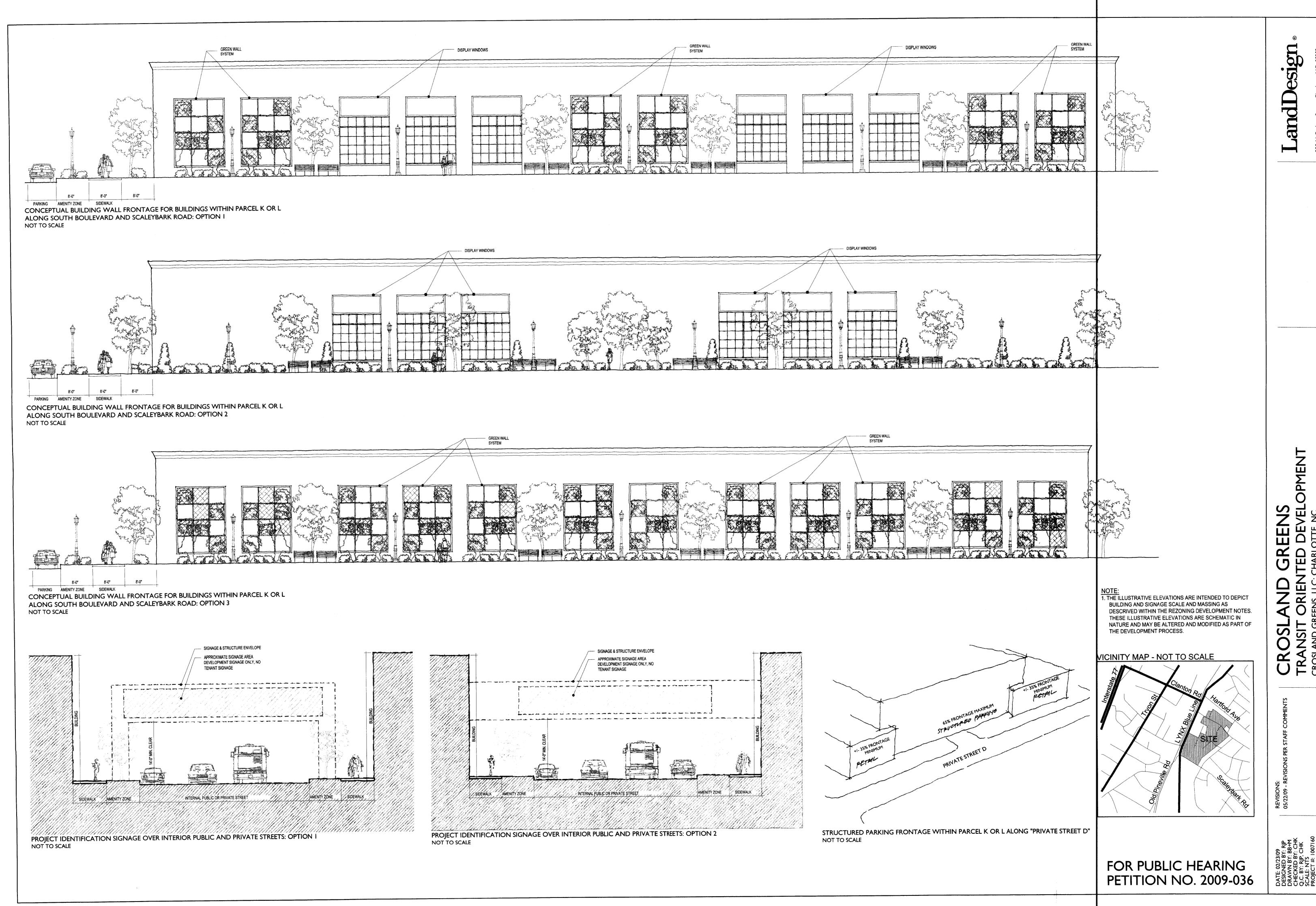
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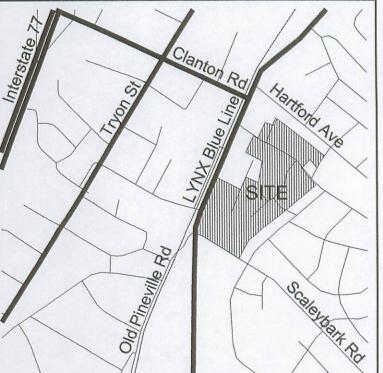
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TRANSIT ORIENTED DEVELOPMENT
CROSLAND GREENS, LLC; CHARLOTTE, NC

REVISIONS:
04/17/09 - REVISIONS PER STAFF COMMENTS
05/22/09 - REVISIONS PER STAFF COMMENTS
06/09/09 - REVISIONS PER STAFF COMMENTS

ESIGNED BY: RJP
RAWN BY: BB+M
HECKED BY: CHK
I.C. BY: RJP, CHK
CALE: NTS
ROJECT #: 1007160



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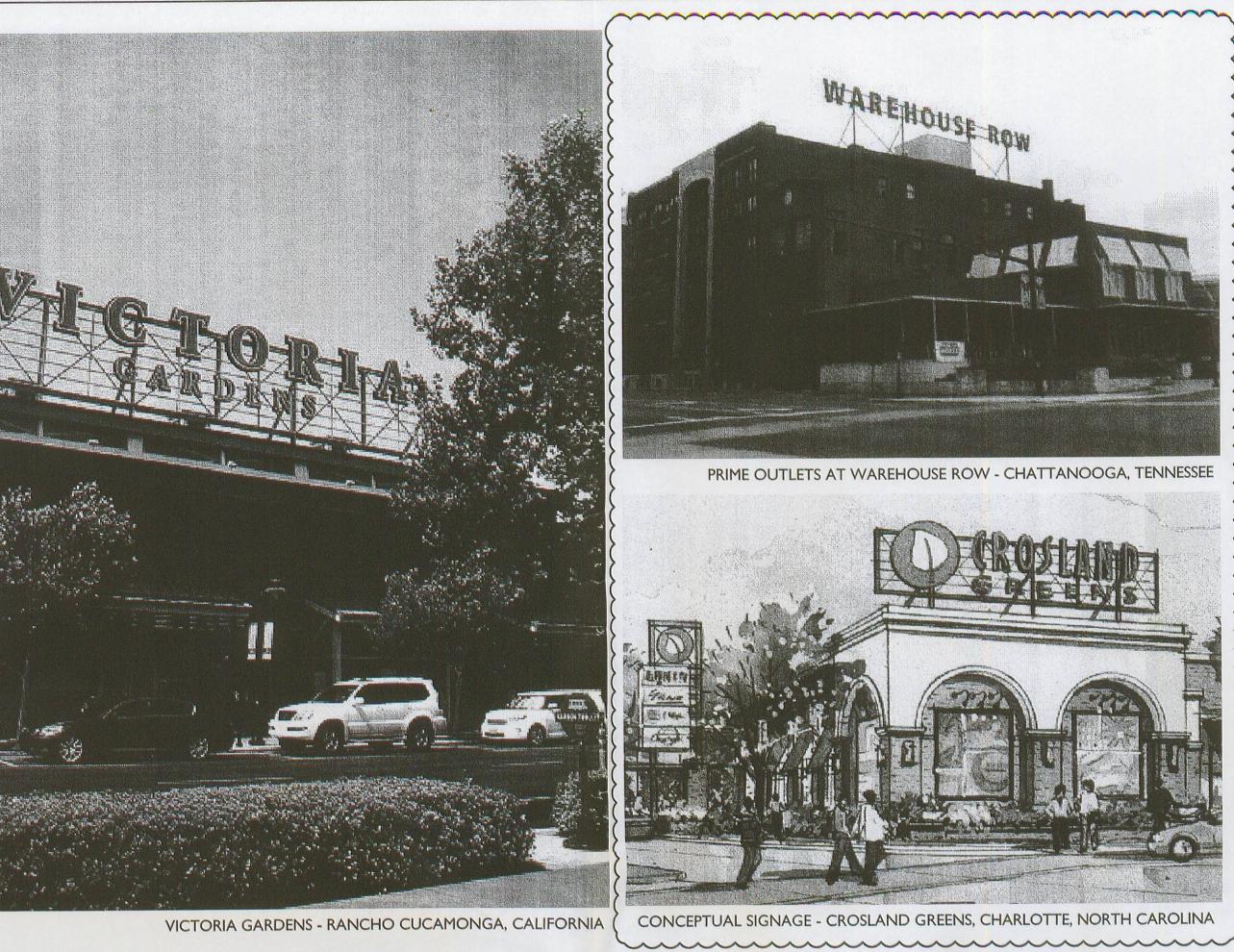


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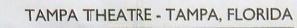
DESCRIVED WITHIN THE REZONING DEVELOPMENT NOTES.

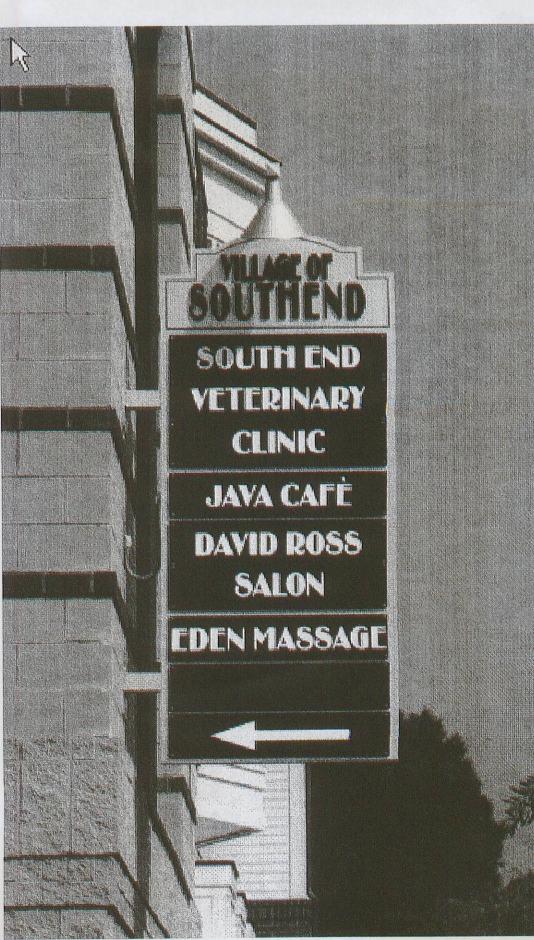
THESE ILLUSTRATIVE ELEVATIONS ARE SCHEMATIC IN NATURE AND MAY BE ALTERED AND MODIFIED AS PART OF THE DEVELOPMENT PROCESS.

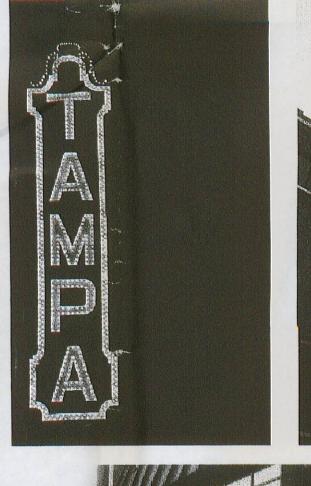
FOR PUBLIC HEARING **PETITION NO. 2009-036**



ROOF MOUNTED PROJECT IDENTIFICATION SIGNAGE - IMAGERY NOT TO SCALE

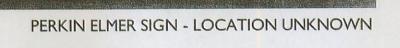








VILLAGE AT SOUTH END - CHARLOTTE, NORTH CAROLINA WALL MOUNTED PROJECT/TENANT IDENTIFICATION SIGNAGE ON SCALEYBARK ROAD - IMAGERY NOT TO SCALE



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