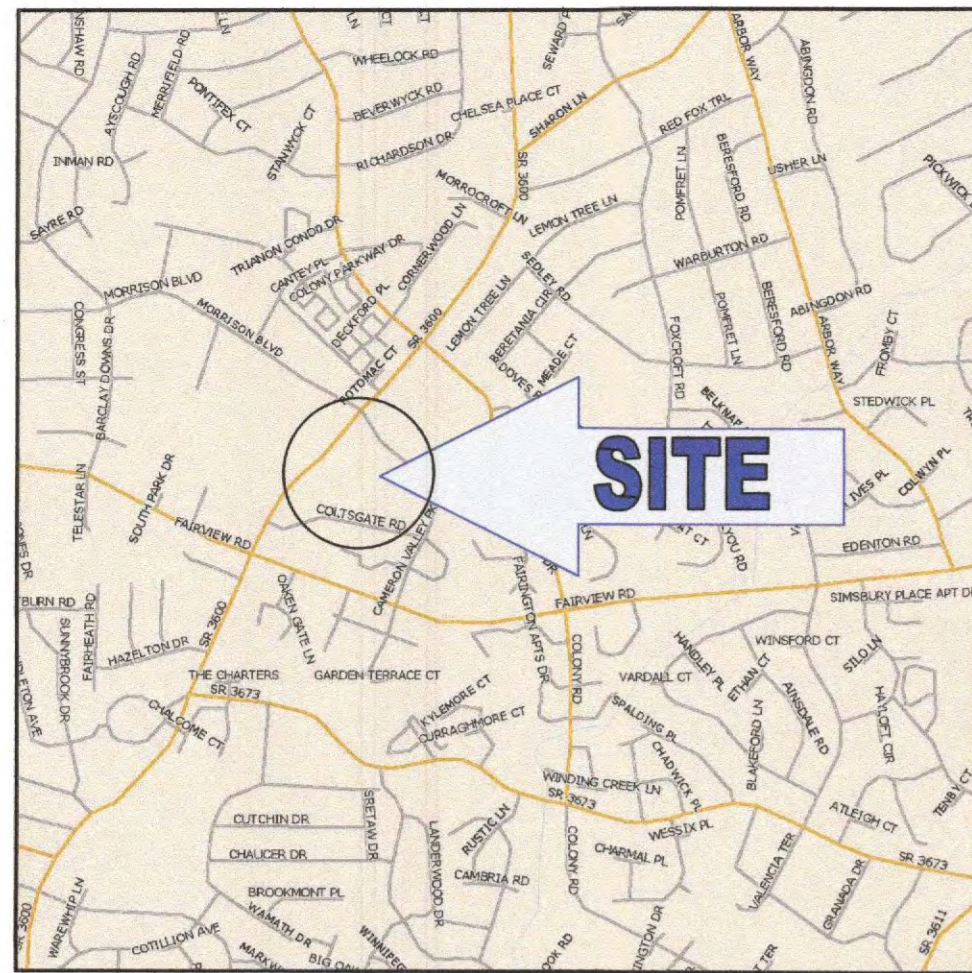


REZONING PETITION NO. 2015-059

SITE DEVELOPMENT DATA:

- ACREAGE: ± 1.53 ACRES
- TAX PARCEL NOS: 183-131-08 AND 10
- EXISTING ZONING: R-3
- PROPOSED ZONING: MUDD-O
- EXISTING USES: VACANT.
- PROPOSED USES: RESIDENTIAL DWELLING UNITS, INCLUDING WITHOUT LIMITATION INDEPENDENT AND DEPENDENT DWELLING UNITS/BEDS (NURSING HOME, REST HOME, HOMES FOR THE AGED), AND MEDICAL AND GENERAL OFFICE USES, EACH AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND BY THE OPTIONAL PROVISIONS BELOW TOGETHER WITH ACCESSORY USES INCLUDING A CELL TOWER, AS ALLOWED IN THE MUDD-O ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3)
- MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 200 RESIDENTIAL DWELLING UNITS, INCLUDING WITHOUT LIMITATION INDEPENDENT AND DEPENDENT LIVING UNITS/BEDS, AND UP TO 8,500 SQUARE FEET OF GROSS FLOOR AREA OF MEDICAL AND GENERAL OFFICE USES, EACH AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE MUDD-O ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT STANDARDS BELOW).
- MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION. BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
- PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION.

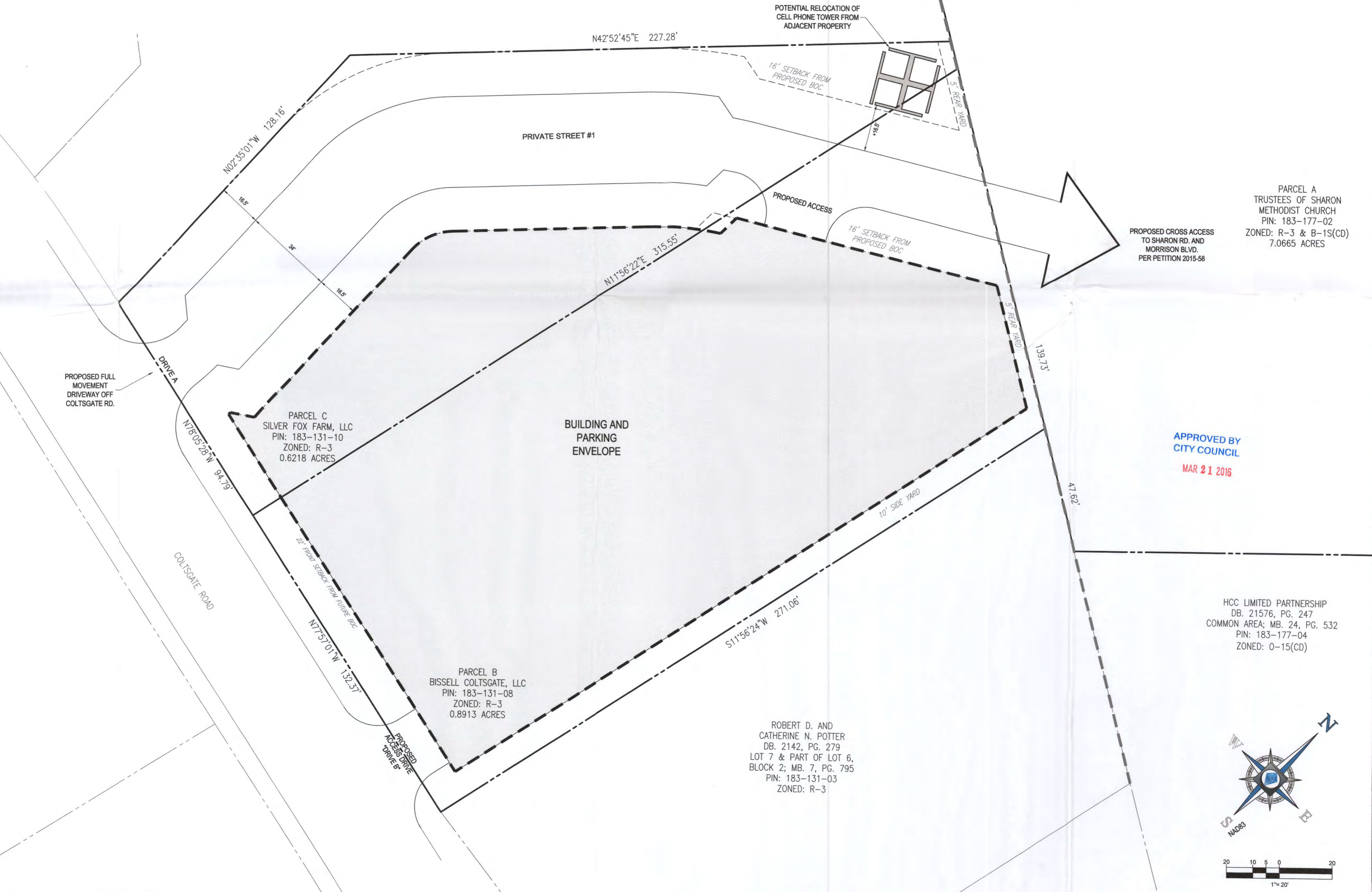


LOCATION MAP

COPYRIGHT ADC THE MAP PEOPLE
PERMIT USE NO. 20602153-5
SCALE: 1"=200'

A. ALEXANDER PORTER,
SARAH PORTER BOEHLER & OTHERS
DB. 10613, PG. 761
LOT 2; MB. 29, PG. 703
PIN: 183-131-06
ZONED: MUDD-O

BISELL PORTER TWO, LLC
DB. 9306, PG. 161
LOT 1; MB. 27, PG. 826
PIN: 183-177-03
ZONED: MUDD-O

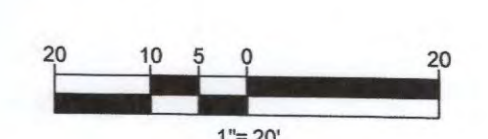
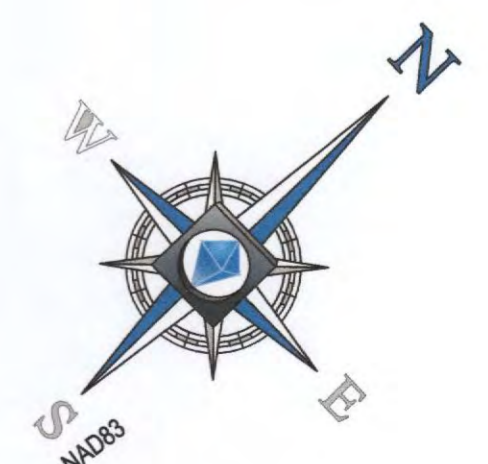


PARCEL A
TRUSTEES OF SHARON
METHODIST CHURCH
PIN: 183-177-02
ZONED: R-3 & B-1S(CD)
7.0665 ACRES

APPROVED BY
CITY COUNCIL
MAR 21 2016

HCC LIMITED PARTNERSHIP
DB. 21576, PG. 247
COMMON AREA; MB. 24, PG. 532
PIN: 183-177-04
ZONED: O-15(CD)

ROBERT D. AND
CATHERINE N. POTTER
DB. 2142, PG. 279
LOT 7 & PART OF LOT 6,
BLOCK 2; MB. 7, PG. 795
PIN: 183-131-03
ZONED: R-3



BOHLER ENGINEERING
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING DESIGN PERMITTING SERVICES
LANDSCAPE ARCHITECTURE
PLANNING AND ENVIRONMENTAL SERVICES
BALTIMORE, MD
WARREN, NJ
UPSTATE NEW YORK
SOUTHERN MARYLAND

REV	DATE	COMMENT
1	10/13/15	REVISION
2	12/18/15	REVISION
3	01/15/16	REVISION
4	02/17/16	REVISION
5	03/14/16	REVISION

RULE JOY TRAMMELL
Architecture Interiors

PROJECT NO.:
DRAWN BY:
CHECKED BY:
DATE:
SCALE:
CAD I.D.:

PROJECT:

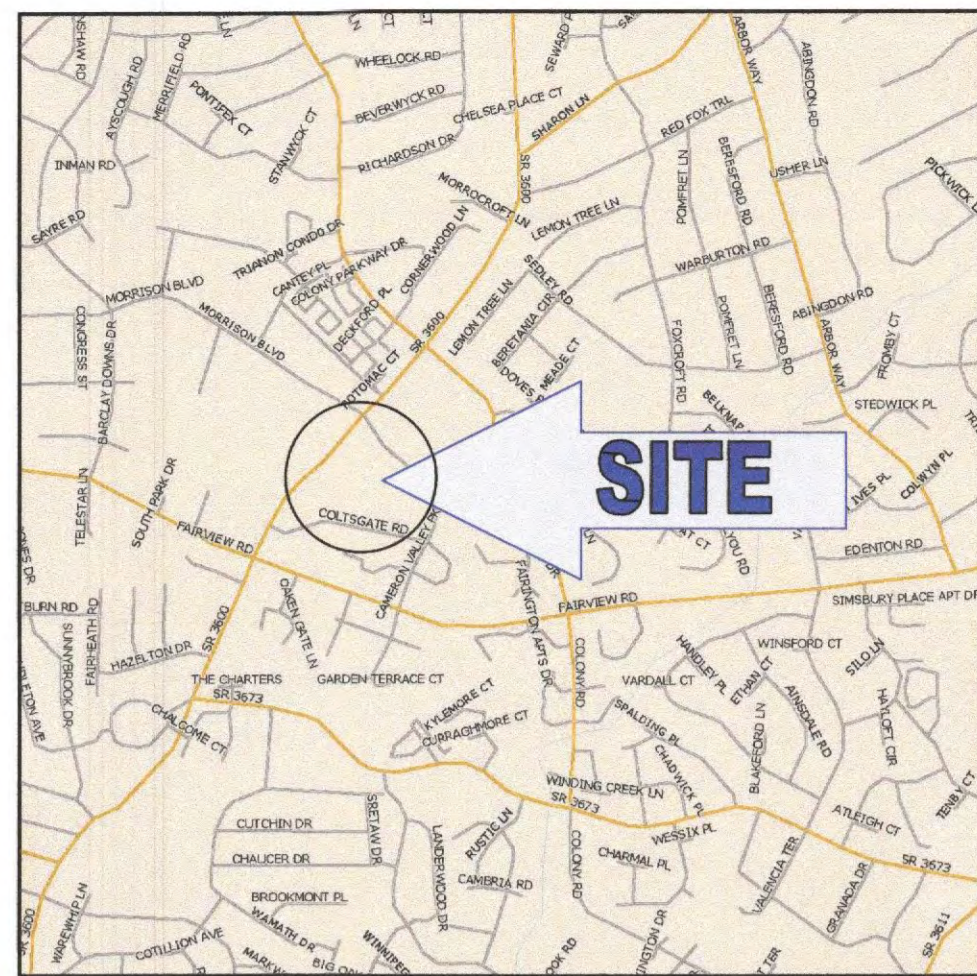


LOCATION OF SITE
4411 SHARON RD
CHARLOTTE, NC

REZONING PETITION
#2015-59

SHEET TITLE:
TECHNICAL DATA SHEET

SHEET NUMBER:
RZ-1



LOCATION MAP
 COPYRIGHT ADC THE MAP PEOPLE
 PERMIT USE NO. 20602153-5
 SCALE: 1"=2000'

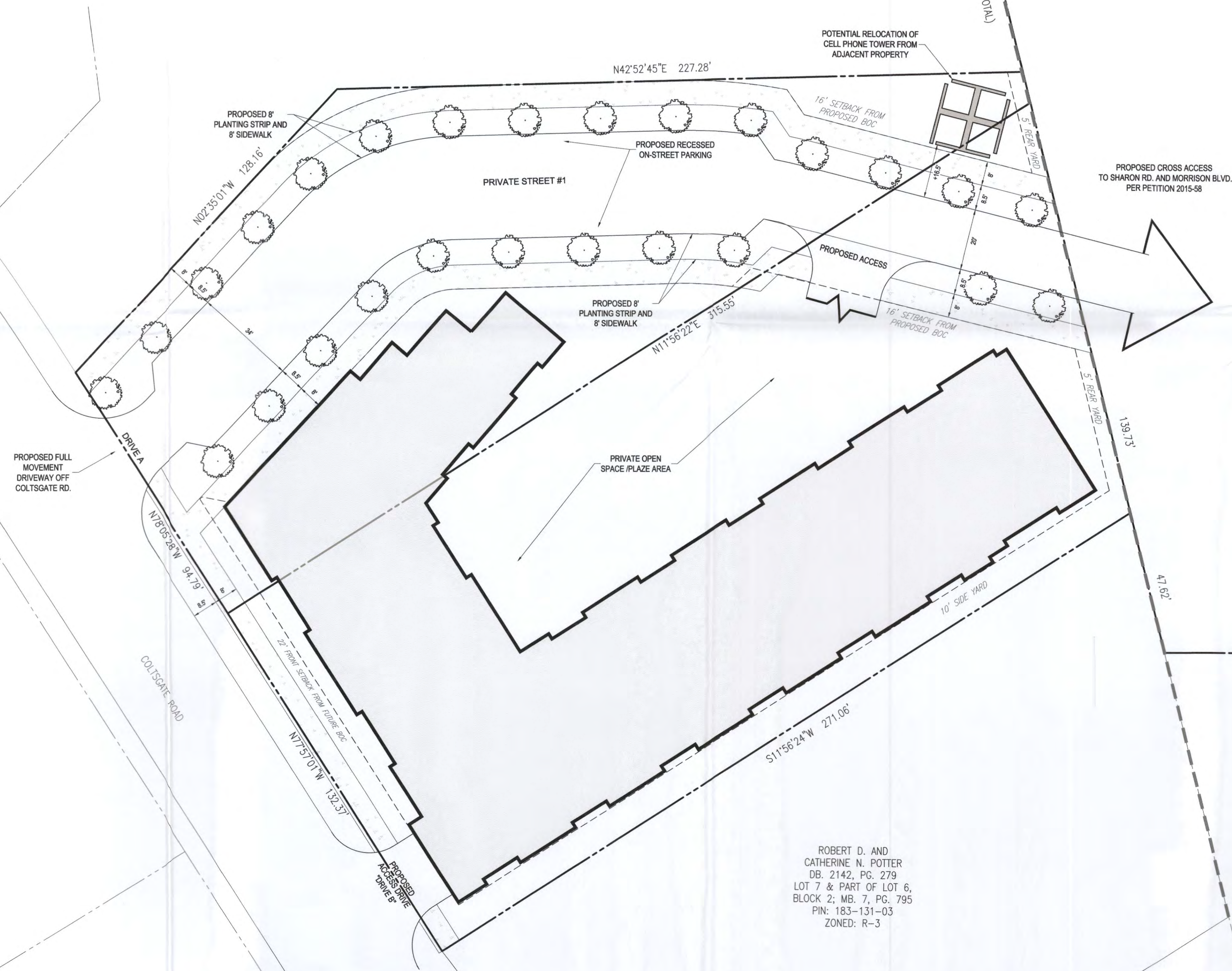
REZONING PETITION NO. 2015-059

SITE DEVELOPMENT DATA:

- ACREAGE: ± 1.53 ACRES
- TAX PARCEL #: 183-131-08 AND 10
- EXISTING ZONING: R-3
- PROPOSED ZONING: MUDD-O
- EXISTING USES: VACANT
- PROPOSED USES: RESIDENTIAL DWELLING UNITS, INCLUDING WITHOUT LIMITATION INDEPENDENT AND DEPENDENT DWELLING UNITS/BEDS (NURSING HOME, REST HOME, HOMES FOR THE AGED); AND MEDICAL AND GENERAL OFFICE USES; EACH AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND BY THE OPTIONAL PROVISIONS BELOW TOGETHER WITH ACCESSORY USES INCLUDING A CELL TOWER, AS ALLOWED IN THE MUDD-O ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).
- MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 200 RESIDENTIAL DWELLING UNITS, INCLUDING WITHOUT LIMITATION INDEPENDENT AND DEPENDENT LIVING UNITS/BEDS; AND UP TO 8,500 SQUARE FEET OF GROSS FLOOR AREA OF MEDICAL AND GENERAL OFFICE USES, EACH AS ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE MUDD-O ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN THE DEVELOPMENT STANDARDS BELOW).
- MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION. BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
- PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION.

A. ALEXANDER PORTER,
 SARAH PORTER BOEHLER & OTHERS
 DB. 10613, PG. 761
 LOT 2; MB. 29, PG. 703
 PIN: 183-131-06
 ZONED: MUDD-0

BISSELL PORTER TWO, LLC
 DB. 9306, PG. 161
 LOT 1; MB. 27, PG. 826
 PIN: 183-177-03
 ZONED: MUDD-0

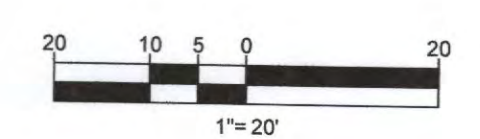


PARCEL A
 TRUSTEES OF SHARON
 METHODIST CHURCH
 PIN: 183-177-02
 ZONED: R-3 & B-1S(CD)
 7.0665 ACRES

APPROVED BY
 CITY COUNCIL
 MAR 21 2016

HCC LIMITED PARTNERSHIP
 DB. 21576, PG. 247
 COMMON AREA; MB. 24, PG. 532
 PIN: 183-177-04
 ZONED: 0-15(CD)

ROBERT D. AND
 CATHERINE N. POTTER
 DB. 2142, PG. 279
 LOT 7 & PART OF LOT 6,
 BLOCK 2; MB. 7, PG. 795
 PIN: 183-131-03
 ZONED: R-3



BOHLER ENGINEERING

SITE, CIVIL AND CONSULTING ENGINEERING
 LAND SURVEYING PROGRAM MANAGEMENT LANDSCAPE ARCHITECTURE
 SUSTAINABLE DESIGN PROGRAM MANAGEMENT TRANSPORTATION SERVICES

OFFICES:
 BALTIMORE, MD
 BOSTON, MA
 CHARLOTTE, NC
 CENTRAL VIRGINIA
 HILARIO, OH
 LEHIGH VALLEY, PA
 MEADOW CREEK, VA
 NEW YORK, NY
 PHILADELPHIA, PA
 SOUTH EASTERN, VA

REVISIONS			
REV	DATE	COMMENT	BY
1	10/13/15	REVISION #1	SRF
2	12/18/15	REVISION #2	JRP
3	01/15/16	REVISION #3	SRF
4	02/17/16	REVISION #4	SRF
5	03/14/16	REVISION #5	SRF

RULE JOY TRAMMELL RUBIO
 Architecture Interior Design

PROJECT NO.: NCC152045
 DRAWN BY: SRF
 CHECKED BY: JG
 DATE: 8/17/16
 SCALE: AS NOTED
 CAD I.D.: EXO

FOR

CK Childress Klein

LOCATION OF SITE
 4411 SHARON ROAD
 CHARLOTTE, NC

REZONING PLAN
 PETITION
 #2015-59

SHEET TITLE:
 SCHEMATIC
 SITE
 PLAN

SHEET NUMBER:
 RZ-2

CHILDRESS KLEIN, LLC.
COLTSGATE PARCEL
DEVELOPMENT STANDARDS
REZONING PETITION NO. 2015-059

SITE DEVELOPMENT DATA:

- ACREAGE: ± 1.53 ACRES
- TAX PARCEL #S: 183-131-08 AND 10
- EXISTING ZONING: R-3
- PROPOSED ZONING: MUDD-O
- EXISTING USES: VACANT
- PROPOSED USES: RESIDENTIAL DWELLING UNITS, INCLUDING WITHOUT LIMITATION INDEPENDENT DWELLING UNITS/BEDS (NURSING HOME, REST HOME, HOMES FOR THE AGED), AND MEDICAL AND GENERAL OFFICE USES; EACH AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND BY THE OPTIONAL PROVISIONS BELOW TOGETHER WITH ACCESSORY USES INCLUDING A CELL TOWER AS ALLOWED IN THE MUDD-O ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).
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- MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION. BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
- PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION.

1. GENERAL PROVISIONS:

- a. **SITE LOCATION.** THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER GRAPHICS SET FORTH ON ATTACHED SHEETS RZ-1 AND RZ-2 FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY CHILDRESS KLEIN ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A HIGH QUALITY RESIDENTIAL COMMUNITY (INCLUDING WITHOUT LIMITATION INDEPENDENT AND DEPENDENT DWELLING UNITS/BEDS) WITH MEDICAL AND GENERAL OFFICE USES ON AN APPROXIMATELY 1.53 ACRES LOCATED ON THE EASTBOUND COLTSGATE ROAD BETWEEN SHARON ROAD AND CAMERON VALLEY PARKWAY (THE "SITE").
- b. **ZONING DISTRICTS/ORDINANCE.** DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW.
- c. **GRAPHICS AND ALTERATIONS.** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, DEVELOPMENT AREAS (AS DEFINED BELOW) AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS, THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE. A BUILDING AND PARKING ENVELOPE HAS BEEN ESTABLISHED ON THE REZONING PLAN FOR THIS BUILDING AND PARKING ENVELOPE FOLLOWS THE PROPOSED SETBACK AND YARDS ESTABLISHED BY THE REZONING PLAN. THE BUILDING ILLUSTRATED ON SHEET RZ-2 IS A GRAPHIC REPRESENTATION OF THE PROPOSED BUILDING AND AS RESULT BUILDING CONFIGURATION MAY CHANGE, SO LONG AS IT IS LOCATED WITHIN THE BUILDING AND PARKING ENVELOPE, AND THE BUILDING ORIENTATION ILLUSTRATED TOWARD COLTSGATE AND THE INTERNAL PRIVATE STREET IS MAINTAINED IN THE MANNER GENERAL DEPICTED.
- d. SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENTATION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SCHEMATIC REPRESENTATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:
 - i. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN, SUCH AS MINOR MODIFICATIONS TO THE CONFIGURATIONS OF THE DEVELOPMENT AREAS (AS DEFINED BELOW), STREET DIMENSIONS AND THE LIKE, AS LONG AS THE MODIFICATIONS MAINTAIN THE GENERAL BUILDING/PARKING ORIENTATION AND CHARACTER OF THE DEVELOPMENT GENERALLY DEPICTED ON THE REZONING PLAN; OR
 - ii. MODIFICATIONS TO MOVE STRUCTURES GRAPHICALLY DEPICTED ON THE REZONING PLAN CLOSER TO ADJACENT PROPERTIES BUT NO CLOSER THAN THE "EXTERNAL BUILDING LINE" (IN THIS CASE THE EXTERNAL SETBACKS, SIDE OR REAR YARDS) INDICATED ON SHEET RZ-1; OR
 - iii. MODIFICATIONS TO ALLOW MINOR INCREASES OR DECREASES IN THE MASS OF THE BUILDINGS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT DEPICTED ON OR DESCRIBED IN THE REZONING PLAN.

- e. THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE, IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.
- f. **NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY.** NOTWITHSTANDING THE NUMBER OF BUILDINGS SHOWN ON THE REZONING PLAN, THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED FOUR (4). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGN AS THE PRINCIPAL BUILDINGS LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING.
- g. **PLANNED/UNIFIED DEVELOPMENT.** THE SITE TOGETHER WITH THAT CERTAIN SITE LOCATED ADJACENT TO THE SITE AND DESIGNATED AS TAX PARCEL NOS. 183-177-02 (THE "ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE"), SHALL BE VIEWED IN THE AGGREGATE AS A PLANNED/UNIFIED DEVELOPMENT PLAN AS TO THE ELEMENTS AND PORTIONS OF THE SITE GENERALLY DEPICTED ON THE REZONING PLAN AND THOSE DEPICTED ON THE APPLICABLE CONDITIONAL REZONING PLAN FOR THE ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE. AS SUCH, 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 SITE ELEMENTS LOCATED ON THE SITE AND THE ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE. THE PETITIONER AND/OR OWNER(S) OF THE SITE AND THE ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE RESERVE THE RIGHT TO SUBDIVIDE THE PORTIONS OR ALL OF THE SITE AND THE ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE AND CREATE LOTS WITHIN THE INTERIOR OF THE SITE AND THE ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS, PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS AND FAR REQUIREMENTS, PROVIDED, HOWEVER, ALL SUCH SEPARATION STANDARDS ALONG THE EXTERIOR BOUNDARY OF THE SITE AND OF THE ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE SHALL BE ADHERED TO AND ALL FAR REQUIREMENTS WILL BE REGULATED BY ANY DEVELOPMENT LIMITATIONS SET FORTH IN SECTION 2 BELOW AS TO THE SITE AND IN THE APPLICABLE CONDITIONAL REZONING PLAN AS TO THE ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE, TAKEN AS A WHOLE AND NOT INDIVIDUAL PORTIONS OR LOTS LOCATED THEREIN.
- h. **GROSS FLOOR AREA CLARIFICATION.** WHEN DETERMINING THE MAXIMUM DEVELOPMENT LEVELS SET FORTH IN THIS REZONING PLAN, GROSS FLOOR AREA AS DEFINED IN THE ORDINANCE SHALL EXCLUDE ANY SURFACE OR STRUCTURED PARKING FACILITIES, ENCLOSED LOADING DOCK/SERVICE AREAS, AND OUTDOOR DINING AND GATHERING AREAS WHETHER ON THE ROOF OF THE BUILDING OR AT STREET LEVEL.

2. OPTIONAL PROVISIONS:
THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

- a. **INTERIM SURFACE PARKING.** TO CHANGE WHEN PARKING CAN BE LOCATED BETWEEN THE BUILDING AND THE STREET, 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, STRUCSCAPE AND SCREENING REQUIREMENTS.
 - b. **DETACHED SIGNS ON COLTSGATE ROAD.** TO CHANGE THE SIZE AND HEIGHT OF THE ALLOWED DETACHED SIGNS FROM FIVE (5) FEET IN HEIGHT AND 20 SQUARE FEET OF SIGN AREA, TO ALLOW UP TO TWO (2) DETACHED SIGNS GROUND MOUNTED SIGNS ALONG COLTSGATE ROAD; ONE SIGN WITH UP TO 50 SQUARE FEET OF SIGN AREA AND A MAXIMUM HEIGHT OF SEVEN (7) FEET, AND A SECOND SIGN WITH UP TO 32 SQUARE FEET OF SIGN AREA AND A MAXIMUM HEIGHT OF FOUR (4) FEET.
 - c. **WALL SIGNS ON COLTSGATE ROAD.** TO CHANGE THE SIZE OF THE ALLOWED WALL SIGNS FROM 100 SQUARE FEET AND 5% OF THE WALL AREA, TO ALLOW UP TO 200 SQUARE FEET OF SIGN SURFACE AREA PER WALL OR 10% OF THE WALL AREA, TO WHICH THEY ARE ATTACHED, WHICHEVER IS LESS. THE SIGN AREA OF THE ALLOWED WALL SIGNS MAY BE INCREASED BY 10% IF INDIVIDUAL LETTERS ARE USED.
 - d. **PROJECTING SIGNS.** TO ALLOW THE PERMITTED WALL SIGNS TO BE PROJECTING AND BLADE SIGNS (I) TO ENROACH UP TO SIX (6) FEET INTO THE SETBACKS FOR COLTSGATE ROAD, AND THE INTERNAL STREET ON THE SITE (AN INCREASE OF TWO (2) FEET ABOVE THE ORDINANCE REQUIREMENT) AND (II) TO PROJECT UP TO EIGHT (8) FEET FROM A BUILDING WALL (AN INCREASE OF FOUR (4) FEET ABOVE THE ORDINANCE REQUIREMENT).
 - e. **RECESSED DOORS.** TO CHANGE WHEN A DOORS MUST BE RECESSED. TO NOT REQUIRE DOORWAYS TO BE RECESSED INTO THE FACE OF BUILDINGS WHEN THE ABUTTING SIDEWALK WIDTH IS GREATER THAN 10 FEET IN WIDTH.
 - f. **BIKE PARKING.** TO CONFIRM THAT BIKE PARKING IN A DECK CAN BE USED TO MEET THE COVERED PARKING REQUIREMENTS OF THE ORDINANCE TO ALL REQUIRED LONG TERM BIKE PARKING SPACES FOR THE USES LOCATED ON THE SITE TO BE LOCATED WITHIN THE PARKING DECKS CONSTRUCTED ON THE SITE.
 - g. **CELL TOWER.** TO CONFIRM THAT A CELL TOWER IS ALLOWED ON THE SITE. TO ALLOW A CELL TOWER TO BE LOCATED ON THE SITE IN THE AREA GENERALLY DEPICTED ON THE REZONING PLAN.
 - h. **PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:**
 - i. SUBJECT TO THE RESTRICTIONS AND LIMITATIONS LISTED BELOW, THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 200 RESIDENTIAL DWELLING UNITS, INCLUDING WITHOUT LIMITATIONS, INDEPENDENT AND DEPENDENT LIVING UNITS, AND 8,500 SQUARE FEET OF GROSS FLOOR AREA OF MEDICAL AND GENERAL OFFICE USES, EACH AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND PER THE OPTIONAL PROVISIONS ABOVE, TOGETHER WITH ACCESSORY USES ALLOWED IN THE MUDD-O ZONING DISTRICT (INCLUDING CELL TOWERS).
 - i. **TRANSPORTATION IMPROVEMENTS AND ACCESS:**
 - a. **PROPOSED IMPROVEMENTS:**
 - i. THE PETITIONER PLANS TO PROVIDE OR CAUSE TO BE PROVIDED ON ITS OWN OR IN COOPERATION WITH OTHER PARTIES WHO MAY IMPLEMENT PORTIONS OF THEIR IMPROVEMENTS, THE IMPROVEMENTS SET FORTH BELOW TO BENEFIT OVERALL TRAFFIC PATTERNS THROUGHOUT THE AREA IN ACCORDANCE WITH THE FOLLOWING IMPLEMENTATION PROVISIONS:
 - a. AT THE INTERSECTION OF CAMERON VALLEY PARKWAY AND COLTSGATE ROAD (INTERSECTION ES):
 - i. STRIPE THE EASTBOUND COLTSGATE ROAD APPROACH TO PROVIDE ONE LEFT TURN LANE WITH 175 FEET OF STORAGE AND ONE SHARED THROUGH/RIGHT LANE.
 - ii. PRIVATE STREET #1: PRIVATE STREET # 1 WILL BE CONSTRUCTED FROM COLTSGATE ROAD TO THE NORTH EASTERN PROPERTY LINE AS GENERALLY DEPICTED ON THE REZONING PLAN PRIOR TO THE FIRST CERTIFICATE OF OCCUPANCY FOR THE SITE.
 - ii. **STANDARDS, PHASING AND OTHER PROVISIONS.**
 - a. **CDOT STANDARDS.** ALL OF THE FOREGOING PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE SOUTH/PARK AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.
 - b. **PHASING.** THE IMPROVEMENT LISTED ABOVE WILL BE COMPLETED IN CONJUNCTION WITH THE DEVELOPMENT OF THE SITE.
 - c. **SUBSTANTIAL COMPLETION.** REFERENCE TO "SUBSTANTIAL COMPLETION" FOR CERTAIN IMPROVEMENTS AS SET FORTH IN THE PROVISIONS OF SECTION 4.1 AND IN SECTION 4.1.B ABOVE SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS SET FORTH IN SECTION 4.1.A ABOVE PROVIDED, HOWEVER, IN THE EVENT CERTAIN NON-ESSENTIAL ROADWAY IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) ARE NOT COMPLETED AT THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING DESCRIBED ABOVE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS, AND IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.
 - d. **RIGHT-OF-WAY AVAILABILITY.** IT IS UNDERSTOOD THAT SOME OF THE PUBLIC ROADWAY IMPROVEMENTS REFERENCED IN SUBSECTION A. ABOVE MAY NOT BE POSSIBLE WITHOUT THE ACQUISITION OF ADDITIONAL RIGHT OF WAY. IF AFTER THE EXERCISE OF DILIGENT GOOD FAITH EFFORTS, AS SPECIFIED BY THE CITY OF CHARLOTTE RIGHT-OF-WAY ACQUISITION PROCESS AS ADMINISTERED BY THE CITY OF CHARLOTTE'S ENGINEERING & PROPERTY MANAGEMENT DEPARTMENT, THE PETITIONER IS UNABLE TO ACQUIRE ANY LAND NECESSARY TO PROVIDE FOR ANY SUCH ADDITIONAL RIGHT OF WAY UPON COMMERCIALY REASONABLE TERMS AND AT MARKET PRICES, THEN CDOT, THE CITY OF CHARLOTTE ENGINEERING DIVISION OR OTHER APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY AGREE TO PROCEED WITH ACQUISITION OF ANY SUCH LAND. IN SUCH EVENT, THE PETITIONER SHALL REIMBURSE THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR THE COST OF ANY SUCH ACQUISITION PROCEEDINGS INCLUDING COMPENSATION PAID BY THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR ANY SUCH LAND AND THE EXPENSES OF SUCH PROCEEDINGS, FURTHERMORE, IN THE EVENT PUBLIC ROADWAY IMPROVEMENTS REFERENCED IN SUBSECTION A. ABOVE ARE DELAYED BECAUSE OF DELAYS IN THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY AS CONTEMPLATED HEREIN ABOVE, THEN THE PETITIONER WILL CONTRIBUTE TO THE DEPARTMENT AND CDOT REGARDING AN APPROPRIATE INFRASTRUCTURE PHASING PLAN THAT APPROPRIATELY MATCHES THE SCALE OF THE DEVELOPMENT PROPOSED TO THE PUBLIC INFRASTRUCTURE MITIGATIONS. IF AFTER CONTACTING THE PLANNING DEPARTMENT AND CDOT TO DETERMINE THE APPROPRIATE INFRASTRUCTURE PHASING PLAN, DELAYS IN THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY EXTENDS BEYOND THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING DESCRIBED ABOVE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS; PROVIDED, HOWEVER, PETITIONER CONTINUES TO EXERCISE GOOD FAITH EFFORTS TO COMPLETE THE APPLICABLE ROAD-WAY IMPROVEMENTS, IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.
 - e. **ALTERNATIVE IMPROVEMENTS.** CHANGES TO THE ABOVE REFERENCED ROADWAY IMPROVEMENTS CAN BE APPROVED THROUGH THE ADMINISTRATIVE AMENDMENT PROCESS UPON THE DETERMINATION AND MUTUAL AGREEMENT OF PETITIONER, CDOT, AND THE PLANNING DIRECTOR AS APPLICABLE, PROVIDED, HOWEVER, THE PROPOSED ALTERNATE TRANSPORTATION IMPROVEMENTS PROVIDE (IN THE AGGREGATE) COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS IDENTIFIED IN THIS PETITION.
- ii. **ACCESS & STREETS.**
 - a. ACCESS TO THE SITE WILL BE FROM COLTSGATE ROAD AND FROM THE ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE AS PART OF THE EXTENSION OF A PRIVATE STREET AS GENERALLY DEPICTED ON THE REZONING PLAN, SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.
 - i. THE PRIVATE STREET GENERALLY DEPICTED ON THE REZONING PLAN WILL BE DESIGNED TO MEET THE OFFICE COMMERCIAL WIDE STREET CROSS-SECTION. HOWEVER, THE PETITIONER REQUEST TO USE INNOVATIVE STREET DESIGN AND NON-STANDARD CROSS-SECTIONS DURING THE CONSTRUCTION PERMITTING REVIEW PROCESS FOR THE SITE, SUBJECT TO THE APPROVAL OF CDOT AND SUBDIVISION STAFF.
 - ii. THE PETITIONER AS PART OF THE DEVELOPMENT OF THE SITE WILL CONSTRUCT A PRIVATE STREET THROUGH THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. A PUBLIC ACCESS EASEMENT WILL BE PROVIDED ON THIS PRIVATE STREET. THE PUBLIC ACCESS EASEMENT WILL PROHIBIT THE PRIVATE STREET FROM BEEN CLOSED OR GATED AND WILL REQUIRE THAT THE PRIVATE STREET BE KEPT OPEN TO ALLOW THE PUBLIC TO USE THE STREET FOR INGRESS AND EGRESS. THE PUBLIC ACCESS EASEMENT WILL BE DOCUMENTED ON APPLICABLE APPROVED BUILDING PERMIT PLANS WHICH WILL INCLUDE A PROVISION STATING THAT THE EASEMENT CAN BE MODIFIED AS PERMITTED HEREIN. THIS PROVISION AND PROVISIONS TO BE INCLUDED ON THE BUILDING PLANS ARE NOT INTENDED TO CREATE PRIVATE EASEMENTS RIGHTS THAT MAY BE ENJOYED BY INDIVIDUAL LAND OWNERS, BUT RATHER ARE INTENDED TO COMPLY WITH DESIRE OF THE CITY TO HAVE A PRIVATE STREET OPEN TO THE PUBLIC BETWEEN COLTSGATE ROAD AND THE ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE.
 - b. ACCESS DRIVE B AS INDICATED ON THE REZONING PLAN WILL BE USED TO ACCESS PARKING AREAS LOCATED UNDER THE PROPOSED BUILDING.
 - c. DRIVEWAY AND PEDESTRIAN CONNECTIONS TO THE PRIVATE STREET DEPICTED ON THE REZONING PLAN FROM THE ADJOINING PROPERTIES MAY BE ALLOWED IN THE LOCATION(S) SHOWN ON THE REZONING PLAN IF THE PETITIONER AND THE PARTIES SEEKING THE CONNECTION(S) ARE IN AGREEMENT ON THE LOCATION(S) AND TERMS OF THE CONNECTION(S).
 - d. ACCESS DRIVE B AS INDICATED ON THE REZONING PLAN WILL BE USED TO ACCESS PARKING AREAS LOCATED UNDER THE PROPOSED BUILDING.
- iii. **ROOFS:**
 - i. PITCHED OR FLAT ROOFS ARE ACCEPTABLE. THE PITCH OF THE BUILDING'S PRIMARY ROOF SHALL HAVE A MINIMUM SLOPE OF 1:12. FLAT ROOFS SHALL BE SCREENED FROM THE VIEW OF PUBLIC AND PRIVATE STREETS BY A PARAPET.
 - ii. ACCESSORY FEATURES ON A ROOF SHALL BE SCREENED FROM THE VIEW OF THE PUBLIC AND PRIVATE STREETS BY A PARAPET OR OTHER ARCHITECTURAL FEATURE.

THEY ARE ATTACHED, WHICHEVER IS LESS. THE SIGN AREA OF THE ALLOWED WALL SIGNS MAY BE INCREASED BY 10% IF INDIVIDUAL LETTERS ARE USED.

d. PROJECTING SIGNS. TO ALLOW THE PERMITTED WALL SIGNS TO BE PROJECTING AND BLADE SIGNS (I) TO ENROACH UP TO SIX (6) FEET INTO THE SETBACKS FOR COLTSGATE ROAD, AND THE INTERNAL STREET ON THE SITE (AN INCREASE OF TWO (2) FEET ABOVE THE ORDINANCE REQUIREMENT) AND (II) TO PROJECT UP TO EIGHT (8) FEET FROM A BUILDING WALL (AN INCREASE OF FOUR (4) FEET ABOVE THE ORDINANCE REQUIREMENT).

NOTE: THE OPTIONAL PROVISION REGARDING SIGNS IS AN ADDITION/MODIFICATION TO THE STANDARDS FOR SIGNS IN THE MUDD DISTRICT AND IS TO BE USED WITH THE REMAINDER OF MUDD STANDARDS FOR SIGNS NOT MODIFIED BY THESE OPTIONAL PROVISIONS.

e. RECESSED DOORS. TO CHANGE WHEN A DOORS MUST BE RECESSED. TO NOT REQUIRE DOORWAYS TO BE RECESSED INTO THE FACE OF BUILDINGS WHEN THE ABUTTING SIDEWALK WIDTH IS GREATER THAN 10 FEET IN WIDTH.

f. BIKE PARKING. TO CONFIRM THAT BIKE PARKING IN A DECK CAN BE USED TO MEET THE COVERED PARKING REQUIREMENTS OF THE ORDINANCE TO ALL REQUIRED LONG TERM BIKE PARKING SPACES FOR THE USES LOCATED ON THE SITE TO BE LOCATED WITHIN THE PARKING DECKS CONSTRUCTED ON THE SITE.

g. CELL TOWER. TO CONFIRM THAT A CELL TOWER IS ALLOWED ON THE SITE. TO ALLOW A CELL TOWER TO BE LOCATED ON THE SITE IN THE AREA GENERALLY DEPICTED ON THE REZONING PLAN.

3. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

i. SUBJECT TO THE RESTRICTIONS AND LIMITATIONS LISTED BELOW, THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 200 RESIDENTIAL DWELLING UNITS, INCLUDING WITHOUT LIMITATIONS, INDEPENDENT AND DEPENDENT LIVING UNITS, AND 8,500 SQUARE FEET OF GROSS FLOOR AREA OF MEDICAL AND GENERAL OFFICE USES, EACH AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND PER THE OPTIONAL PROVISIONS ABOVE, TOGETHER WITH ACCESSORY USES ALLOWED IN THE MUDD-O ZONING DISTRICT (INCLUDING CELL TOWERS).

4. TRANSPORTATION IMPROVEMENTS AND ACCESS:

i. PROPOSED IMPROVEMENTS:

THE PETITIONER PLANS TO PROVIDE OR CAUSE TO BE PROVIDED ON ITS OWN OR IN COOPERATION WITH OTHER PARTIES WHO MAY IMPLEMENT PORTIONS OF THEIR IMPROVEMENTS, THE IMPROVEMENTS SET FORTH BELOW TO BENEFIT OVERALL TRAFFIC PATTERNS THROUGHOUT THE AREA IN ACCORDANCE WITH THE FOLLOWING IMPLEMENTATION PROVISIONS:

b. AT THE INTERSECTION OF CAMERON VALLEY PARKWAY AND COLTSGATE ROAD (INTERSECTION ES):

- i. STRIPE THE EASTBOUND COLTSGATE ROAD APPROACH TO PROVIDE ONE LEFT TURN LANE WITH 175 FEET OF STORAGE AND ONE SHARED THROUGH/RIGHT LANE.

c. PRIVATE STREET #1: PRIVATE STREET # 1 WILL BE CONSTRUCTED FROM COLTSGATE ROAD TO THE NORTH EASTERN PROPERTY LINE AS GENERALLY DEPICTED ON THE REZONING PLAN PRIOR TO THE FIRST CERTIFICATE OF OCCUPANCY FOR THE SITE.

ii. STANDARDS, PHASING AND OTHER PROVISIONS.

a. **CDOT STANDARDS.** ALL OF THE FOREGOING PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE SOUTH/PARK AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

b. **PHASING.** THE IMPROVEMENT LISTED ABOVE WILL BE COMPLETED IN CONJUNCTION WITH THE DEVELOPMENT OF THE SITE.

c. **SUBSTANTIAL COMPLETION.** REFERENCE TO "SUBSTANTIAL COMPLETION" FOR CERTAIN IMPROVEMENTS AS SET FORTH IN THE PROVISIONS OF SECTION 4.1 AND IN SECTION 4.1.B ABOVE SHALL MEAN COMPLETION OF THE ROADWAY IMPROVEMENTS IN ACCORDANCE WITH THE STANDARDS SET FORTH IN SECTION 4.1.A ABOVE PROVIDED, HOWEVER, IN THE EVENT CERTAIN NON-ESSENTIAL ROADWAY IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) ARE NOT COMPLETED AT THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING DESCRIBED ABOVE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS, AND IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.

d. **RIGHT-OF-WAY AVAILABILITY.** IT IS UNDERSTOOD THAT SOME OF THE PUBLIC ROADWAY IMPROVEMENTS REFERENCED IN SUBSECTION A. ABOVE MAY NOT BE POSSIBLE WITHOUT THE ACQUISITION OF ADDITIONAL RIGHT OF WAY. IF AFTER THE EXERCISE OF DILIGENT GOOD FAITH EFFORTS, AS SPECIFIED BY THE CITY OF CHARLOTTE RIGHT-OF-WAY ACQUISITION PROCESS AS ADMINISTERED BY THE CITY OF CHARLOTTE'S ENGINEERING & PROPERTY MANAGEMENT DEPARTMENT, THE PETITIONER IS UNABLE TO ACQUIRE ANY LAND NECESSARY TO PROVIDE FOR ANY SUCH ADDITIONAL RIGHT OF WAY UPON COMMERCIALY REASONABLE TERMS AND AT MARKET PRICES, THEN CDOT, THE CITY OF CHARLOTTE ENGINEERING DIVISION OR OTHER APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY AGREE TO PROCEED WITH ACQUISITION OF ANY SUCH LAND. IN SUCH EVENT, THE PETITIONER SHALL REIMBURSE THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR THE COST OF ANY SUCH ACQUISITION PROCEEDINGS INCLUDING COMPENSATION PAID BY THE APPLICABLE AGENCY, DEPARTMENT OR GOVERNMENTAL BODY FOR ANY SUCH LAND AND THE EXPENSES OF SUCH PROCEEDINGS, FURTHERMORE, IN THE EVENT PUBLIC ROADWAY IMPROVEMENTS REFERENCED IN SUBSECTION A. ABOVE ARE DELAYED BECAUSE OF DELAYS IN THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY AS CONTEMPLATED HEREIN ABOVE, THEN THE PETITIONER WILL CONTRIBUTE TO THE DEPARTMENT AND CDOT REGARDING AN APPROPRIATE INFRASTRUCTURE PHASING PLAN THAT APPROPRIATELY MATCHES THE SCALE OF THE DEVELOPMENT PROPOSED TO THE PUBLIC INFRASTRUCTURE MITIGATIONS. IF AFTER CONTACTING THE PLANNING DEPARTMENT AND CDOT TO DETERMINE THE APPROPRIATE INFRASTRUCTURE PHASING PLAN, DELAYS IN THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY EXTENDS BEYOND THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING DESCRIBED ABOVE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS; PROVIDED, HOWEVER, PETITIONER CONTINUES TO EXERCISE GOOD FAITH EFFORTS TO COMPLETE THE APPLICABLE ROAD-WAY IMPROVEMENTS, IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.

e. **ALTERNATIVE IMPROVEMENTS.** CHANGES TO THE ABOVE REFERENCED ROADWAY IMPROVEMENTS CAN BE APPROVED THROUGH THE ADMINISTRATIVE AMENDMENT PROCESS UPON THE DETERMINATION AND MUTUAL AGREEMENT OF PETITIONER, CDOT, AND THE PLANNING DIRECTOR AS APPLICABLE, PROVIDED, HOWEVER, THE PROPOSED ALTERNATE TRANSPORTATION IMPROVEMENTS PROVIDE (IN THE AGGREGATE) COMPARABLE TRANSPORTATION NETWORK BENEFITS TO THE IMPROVEMENTS IDENTIFIED IN THIS PETITION.

iii. ACCESS & STREETS.

a. ACCESS TO THE SITE WILL BE FROM COLTSGATE ROAD AND FROM THE ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE AS PART OF THE EXTENSION OF A PRIVATE STREET AS GENERALLY DEPICTED ON THE REZONING PLAN, SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.

b. THE PRIVATE STREET GENERALLY DEPICTED ON THE REZONING PLAN WILL BE DESIGNED TO MEET THE OFFICE COMMERCIAL WIDE STREET CROSS-SECTION. HOWEVER, THE PETITIONER REQUEST TO USE INNOVATIVE STREET DESIGN AND NON-STANDARD CROSS-SECTIONS DURING THE CONSTRUCTION PERMITTING REVIEW PROCESS FOR THE SITE, SUBJECT TO THE APPROVAL OF CDOT AND SUBDIVISION STAFF.

c. THE PETITIONER AS PART OF THE DEVELOPMENT OF THE SITE WILL CONSTRUCT A PRIVATE STREET THROUGH THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. A PUBLIC ACCESS EASEMENT WILL BE PROVIDED ON THIS PRIVATE STREET. THE PUBLIC ACCESS EASEMENT WILL PROHIBIT THE PRIVATE STREET FROM BEEN CLOSED OR GATED AND WILL REQUIRE THAT THE PRIVATE STREET BE KEPT OPEN TO ALLOW THE PUBLIC TO USE THE STREET FOR INGRESS AND EGRESS. THE PUBLIC ACCESS EASEMENT WILL BE DOCUMENTED ON APPLICABLE APPROVED BUILDING PERMIT PLANS WHICH WILL INCLUDE A PROVISION STATING THAT THE EASEMENT CAN BE MODIFIED AS PERMITTED HEREIN. THIS PROVISION AND PROVISIONS TO BE INCLUDED ON THE BUILDING PLANS ARE NOT INTENDED TO CREATE PRIVATE EASEMENTS RIGHTS THAT MAY BE ENJOYED BY INDIVIDUAL LAND OWNERS, BUT RATHER ARE INTENDED TO COMPLY WITH DESIRE OF THE CITY TO HAVE A PRIVATE STREET OPEN TO THE PUBLIC BETWEEN COLTSGATE ROAD AND THE ADJACENT SHARON METHODIST MIXED USE DEVELOPMENT SITE.

d. ACCESS DRIVE B AS INDICATED ON THE REZONING PLAN WILL BE USED TO ACCESS PARKING AREAS LOCATED UNDER THE PROPOSED BUILDING.

e. DRIVEWAY AND PEDESTRIAN CONNECTIONS TO THE PRIVATE STREET DEPICTED ON THE REZONING PLAN FROM THE ADJOINING PROPERTIES MAY BE ALLOWED IN THE LOCATION(S) SHOWN ON THE REZONING PLAN IF THE PETITIONER AND THE PARTIES SEEKING THE CONNECTION(S) ARE IN AGREEMENT ON THE LOCATION(S) AND TERMS OF THE CONNECTION(S).

f. ACCESS DRIVE B AS INDICATED ON THE REZONING PLAN WILL BE USED TO ACCESS PARKING AREAS LOCATED UNDER THE PROPOSED BUILDING.

g. DRIVEWAY AND PEDESTRIAN CONNECTIONS TO THE PRIVATE STREET DEPICTED ON THE REZONING PLAN FROM THE ADJOINING PROPERTIES MAY BE ALLOWED IN THE LOCATION(S) SHOWN ON THE REZONING PLAN IF THE PETITIONER AND THE PARTIES SEEKING THE CONNECTION(S) ARE IN AGREEMENT ON THE LOCATION(S) AND TERMS OF THE CONNECTION(S).

h. ACCESS DRIVE B AS INDICATED ON THE REZONING PLAN WILL BE USED TO ACCESS PARKING AREAS LOCATED UNDER THE PROPOSED BUILDING.

i. DRIVEWAY AND PEDESTRIAN CONNECTIONS TO THE PRIVATE STREET DEPICTED ON THE REZONING PLAN FROM THE ADJOINING PROPERTIES MAY BE ALLOWED IN THE LOCATION(S) SHOWN ON THE REZONING PLAN IF THE PETITIONER AND THE PARTIES SEEKING THE CONNECTION(S) ARE IN AGREEMENT ON THE LOCATION(S) AND TERMS OF THE CONNECTION(S).

j. ACCESS DRIVE B AS INDICATED ON THE REZONING PLAN WILL BE USED TO ACCESS PARKING AREAS LOCATED UNDER THE PROPOSED BUILDING.

k. DRIVEWAY AND PEDESTRIAN CONNECTIONS TO THE PRIVATE STREET DEPICTED ON THE REZONING PLAN FROM THE ADJOINING PROPERTIES MAY BE ALLOWED IN THE LOCATION(S) SHOWN ON THE REZONING PLAN IF THE PETITIONER AND THE PARTIES SEEKING THE CONNECTION(S) ARE IN AGREEMENT ON THE LOCATION(S) AND TERMS OF THE CONNECTION(S).

l. THE EXACT ALIGNMENT, DIMENSIONS AND LOCATIONS OF THE ACCESS POINTS TO THE SITE, THE DRIVEWAYS ON THE SITE AND STREETSCAPE CROSS-SECTIONS FOR THE PRIVATE STREETS ON THE SITE MAY BE MODIFIED FROM THE ELEMENTS SHOWN ON THE REZONING PLAN PROVIDED THAT THE OVERALL DESIGN INTENT IS NOT MATERIALLY ALTERED AND REQUIREMENTS DESCRIBED IN THIS SECTION 4.III IS MET.

5. PARKING AREAS, ACCESS AND CIRCULATION DESIGN GUIDELINES:

a. BUILDING MATERIALS ASSOCIATED WITH FACADES ON PARKING STRUCTURES THAT ARE GENERALLY COMPATIBLE IN CHARACTER AND QUALITY WITH ADJOINING BUILDINGS, PLAZAS AND STREETSCAPES WILL BE CREATED, TAKING INTO CONSIDERATION DIFFERENCES ASSOCIATED WITH PARKING STRUCTURES.

b. PARKING AREAS WILL NOT BE VISIBLE FROM COLTSGATE ROAD AND FROM THE PORTION OF THE NEW INTERNAL PRIVATE FROM ITS INTERSECTION WITH COLTSGATE ROAD TO WHERE THE PROPOSED BUILDING NO LONGER FRONTS THE STREET.

c. 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 WILL BE ACCOMPLISHED PRIMARILY THROUGH THE USE OF LANDSCAPING AND SCREENING OF CARS PARKED ON AN EXPOSED UPPER LEVEL WILL BE ACCOMPLISHED BY A WALL, AT LEAST 36 INCHES IN HEIGHT, DESIGNED AS PART OF THE PARKING DECK STRUCTURE. PARKING AREAS LOCATE ADJACENT TO THE PROPOSED PRIVATE OPEN SPACE OR THE PROPOSED INTERNAL PRIVATE STREETS WILL BE SCREENED WITH LANDSCAPING OR WHERE APPROPRIATE A LOW WALL.

d. ALONG THE SITE'S INTERNAL PRIVATE STREET THE NUMBER OF CURB CUTS WILL BE LIMITED AS GENERALLY DEPICTED TO MAINTAIN A STREET LIKE CONDITION, SUBJECT TO MODIFICATIONS REASONABLY NEEDED TO ACCOMMODATE UNUSUAL SITE DESIGN CONDITION OR ELEMENTS, OR CONSTRAINTS.

e. ON-SITE LOADING DOCKS AND WASTE AREAS SHALL BE SEPARATED AND/OR SCREENED FROM VIEW AT GROUND LEVEL FROM PRIMARY BUILDING ENTRANCES.

f. **SETBACKS:**

- i. A MINIMUM OF A 22 FOOT SETBACK WILL BE PROVIDED ALONG COLTSGATE ROAD AS MEASURED FROM THE FUTURE BACK OF CURB. WITHIN THIS SETBACK AREA AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALK WILL BE PROVIDED.
- ii. ALONG THE SITES INTERIOR PRIVATE STREETS A MINIMUM OF A 16 FOOT BUILDING SETBACK WILL BE PROVIDED AS MEASURED FROM THE BACK OF CURB. WITHIN THIS SETBACK AREA AN EIGHT (8) FOOT SIDEWALK WITH EITHER AN EIGHT (8) FOOT PLANTING STRIP WITH STREET TREES WILL BE PROVIDED OR STREET TREES IN GRATES OR PLANTERS.

7. PEDESTRIAN ACCESS AND CIRCULATION DESIGN GUIDELINES:

a. ALONG THE SITE'S INTERNAL PRIVATE STREET, THE PETITIONER WILL PROVIDE A SIDEWALK AND A CROSS-WALK NETWORK THAT LINKS THE BUILDINGS, PARKING AREAS AND AREAS OF INTEREST ON THE SITE WITH ONE ANOTHER BY WAY OF LINKS TO SIDEWALKS ALONG THE ABUTTING PUBLIC AND PRIVATE STREETS AND/OR OTHER PEDESTRIAN FEATURES. THE MINIMUM WIDTH FOR THESE INTERNAL SIDEWALKS WILL BE EIGHT (8) FEET. STREET TREES WILL ALSO BE PROVIDED ALONG THE SITE'S INTERNAL PRIVATE STREET.

b. WALKWAYS THROUGH PLAZAS OR PUBLICLY ACCESSIBLE OPEN SPACE AREAS WILL BE APPROPRIATELY DESIGNED FOR THE INTENDED USE AND TYPE OF OPEN SPACE AREA IN WHICH THEY ARE LOCATED.

c. WHERE WALKWAYS OCCUR ALONG BUILDING WALLS, A WALKWAY WIDTH OF AT LEAST SIX (6) FEET MUST BE MAINTAINED CLEAR OF DOOR SWINGS, AND TEMPORARY TRASH OR SIMILAR IMPEDIMENTS.

8. DESIGN GUIDELINES:

a. GENERAL SITE CONSIDERATIONS

i. ORIENT BUILDINGS TOWARDS PUBLIC AND PRIVATE STREETS TO REINFORCE THE STREET SCALE.

ii. ORIENT BUILDINGS IN A WAY TO DEFINE PUBLIC SPACE, OPEN SPACE AND GREEN SPACE.

iii. BUILDING FEATURES SUCH AS PORCHES, PATIOS, STOOPS, FRONT WALKWAYS AND CENTRALIZED DOORWAYS OR BREEZEWAYS SHALL FRONT THE PUBLIC OR PRIVATE STREETS, EXCEPT WHERE ENDS OF BUILDINGS FRONT THESE STREETS. WHEN ENDS OF BUILDINGS FRONT STREETS, WALKWAYS WILL BE PROVIDED TO CLEARLY CONNECT THE BUILDING ENTRANCES WITH THE STREET NETWORK.

iv. ARCHITECTURAL TREATMENT SHALL CONTINUE ON ALL SIDES OF A BUILDING EXCEPT AS SPECIFICALLY NOTED OTHERWISE.

v. GROUND FLOOR ELEVATIONS SHALL BE TREATED WITH A COMBINATION OF FENESTRATION, CLEAR GLASS, PROMINENT ENTRANCES, PORCHES, STOOPS, CHANGE IN MATERIALS, BUILDING STEP BACKS, ART WORK AND LANDSCAPING. BLANK WALLS CANNOT BE ADDRESSING THE LANDSCAPE ELEMENTS ONLY.

vi. ALL BUILDING ENTRANCES WILL BE CONNECTED TO THE STREET NETWORK SUBJECT TO GRADE AND ADA STANDARDS (PRIVATE PATIOS WILL NOT BE CONSIDERED A BUILDING ENTRANCE).

b. FACADE COMPOSITION

i. THE PRINCIPAL ENTRANCE OF A BUILDING SHALL BE ARTICULATED AND EXPRESSED IN GREATER ARCHITECTURAL DETAIL THAN OTHER BUILDING ENTRANCES.

ii. WINDOWS SHALL BE VERTICALLY SHAPED WITH A HEIGHT GREATER THAN THEIR WIDTH. HOWEVER, IN INSTANCES OF LARGE FEATURE WINDOWS, FENESTRATIONS MAY BE USED TO PROVIDE A SIMILAR VERTICAL APPEARANCE. SQUARE WINDOWS MAY BE USED AS A SECONDARY DESIGN ELEMENT.

c. FACADES SHALL INCORPORATE WINDOWS AND DOORS AS FOLLOWS:

i. WINDOWS AND DOORS SHALL BE PROVIDED FOR AT LEAST 30% OF THE TOTAL FACADE AREA ALONG THE PRIMARY AND SECONDARY STREETS, WITH EACH FLOOR CALCULATED INDEPENDENTLY. THE MAXIMUM CONTIGUOUS AREA WITHOUT WINDOWS OR DOORS ON ANY FLOOR SHALL NOT EXCEED 10 FEET IN HEIGHT AND 25 FEET IN LENGTH.

ii. THE ABOVE REQUIREMENT MAY BE REDUCED WHERE A FACADE IS NOT VISIBLE FROM A PUBLIC OR PRIVATE STREET.

iii. THE FACADES OF FIRSTGROUND FLOOR OF THE BUILDINGS ALONG PUBLIC AND PRIVATE STREETS SHALL INCORPORATE A MINIMUM OF 25% MASONRY MATERIALS SUCH AS BRICK, STUCCO OR STONE.

d. FACADE ARTICATION:

i. STREET FRONTING FACADES OVER 75 FEET IN LENGTH SHALL INCORPORATE WALL PROJECTIONS OR RECESSES A MINIMUM OF THREE FEET IN DEPTH. THE COMBINED LENGTH OF SAID RECESSES OR PROJECTIONS SHALL CONSTITUTE AT LEAST 20% OF THE TOTAL FACADE LENGTH FOR FACADES OVER 75 FEET IN LENGTH. PATIOS AND BALCONIES ARE ACCEPTABLE PROJECTIONS.

ii. ADDITIONAL STREET FRONTING FACADE REQUIREMENTS ON PUBLIC AND PRIVATE STREETS:

- i. STREET FRONTING FACADES AND END FRONTING FACADES SHALL BE ARTICULATED AND DESIGNED TO CREATE ADDITIONAL VISUAL INTEREST BY VARYING ARCHITECTURAL DETAILS, BUILDING MATERIALS, THE ROOF LINE, AND BUILDING OFFSETS.
- ii. ON CORNER LOTS, THE ARCHITECTURAL TREATMENT OF A BUILDING'S INTERSECTING STREET FRONTING FACADES SHALL BE SUBSTANTIALLY SIMILAR, EXCEPT THAT SAID BUILDING MAY EMPHASIZE THE CORNER LOCATION BY INCORPORATING ADDITIONAL HEIGHT AT THE CORNER, VARYING THE ROOF FORM AT THE CORNER, OR PROVIDING OTHER ARCHITECTURAL EMBELLISHMENTS AT THE CORNER.
- iii. FIRST STORY FACADES OF ALL BUILDINGS ALONG PRIMARY AND SECONDARY STREETS SHALL INCORPORATE COLUMNS, AWNINGS, ARCADES, PORCHES, STOOPS, WINDOWS, DOORS, OR OTHER ARCHITECTURAL ELEMENTS.
- iv. FACADES SHALL PROVIDE VISUAL DIVISIONS