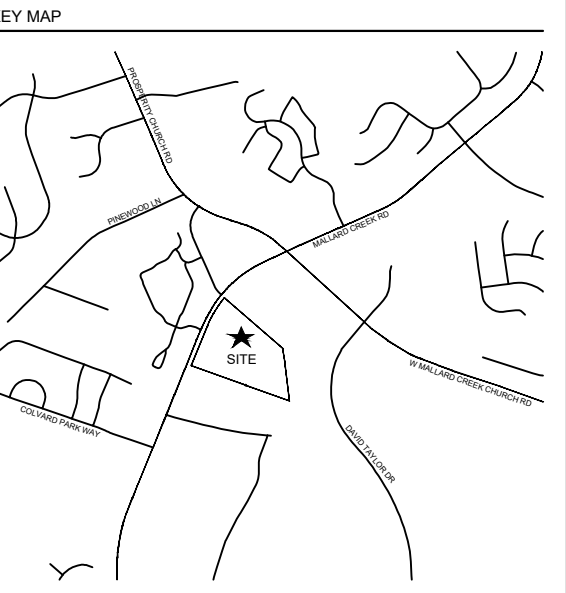
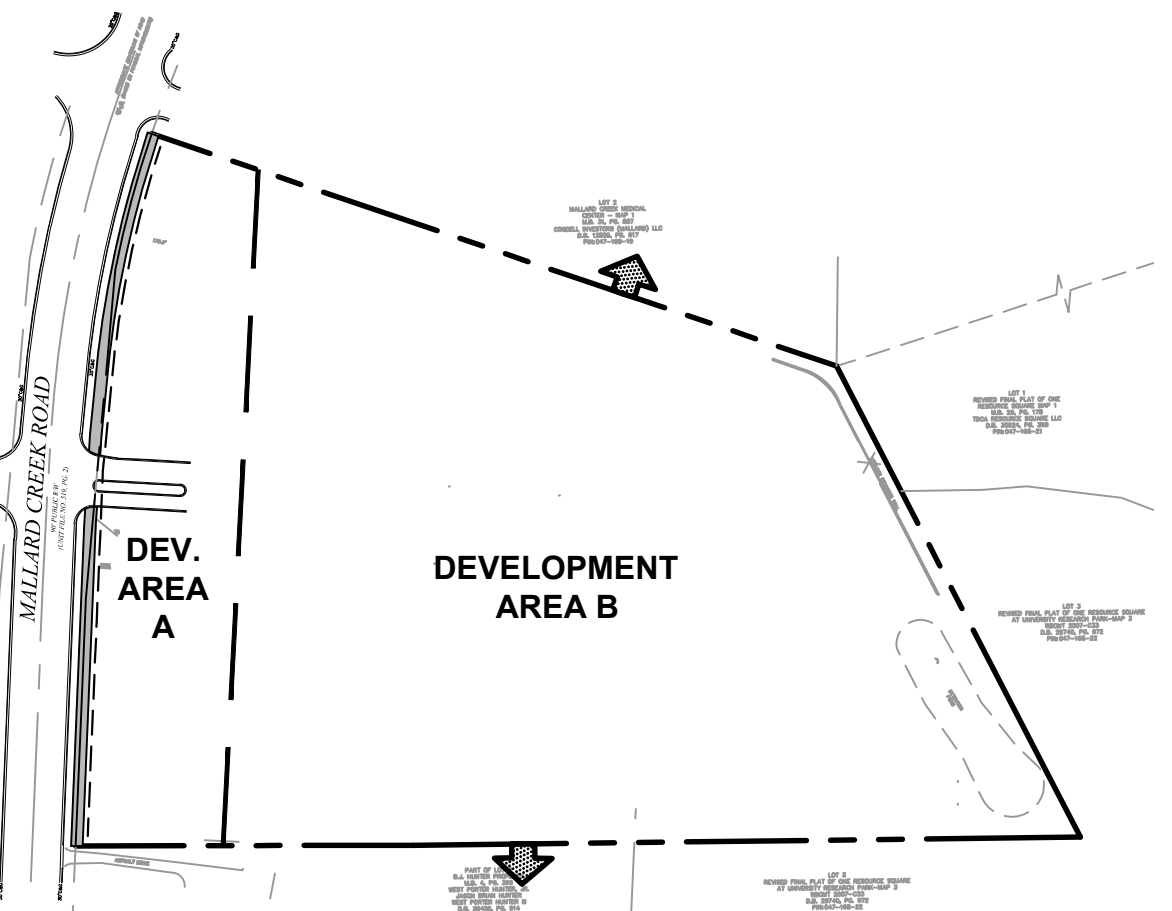


SITE DEVELOPMENT DATA

TOTAL SITE AREA : ± 12.387 AC
TAX PARCEL ID : 047-168-26
EXISTING ZONING : RE-1
PROPOSED ZONING : MUDD-O
EXISTING USE : OFFICE BUILDINGS + ASSOCIATED PARKING
PROPOSED USES: RESIDENTIAL AND NON-RESIDENTIAL USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD ZONING DISTRICT AND AS DESCRIBED IN MORE DETAIL IN SECTION 2 BELOW
MAXIMUM GROSS SQUARE FEET/UNITS OF DEVELOPMENT: A MAXIMUM OF 360 MULTI-FAMILY RESIDENTIAL DWELING UNITS AND UP TO 14,000 SQUARE FEET OF GROSS FLOOR AREA OF NON-RESIDENTIAL USES AS ALLOWED BY THE MUDD DISTRICT AND THE OPTIONAL PROVISIONS.
MAXIMUM BUILDING HEIGHT: NEW BUILDINGS CONSTRUCTED ON THE SITE WILL BE LIMITED TO A MAXIMUM BUILDING HEIGHT OF 75 FEET. THE HEIGHT OF THE THREE (3) EXISTING BUILDINGS ON THE SITE WILL BE LIMITED TO THE EXISTING BUILDING HEIGHT. HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.
PARKING: AS REQUIRED BY THE ORDINANCE. THE PETITIONER WILL PROVIDE A MINIMUM OF SIX (6) ELECTRIC VEHICLE (EV) CHARGING STATIONS WITHIN EACH MULTI-FAMILY COMMUNITY. THE SIX (6) CHARGING STATIONS WILL HAVE A LEVEL 2 ELECTRICAL VEHICLE SUPPLY EQUIPMENT CHARGING STATION INSTALLED (EVSE-INSTALLED: INSTALLATION OF A LEVEL 2 ELECTRICAL VEHICLE CHARGING STATION).

DEVELOPMENT AREA EXHIBIT



PROSPERITY PLACE

CHARLOTTE, NC 28206

PROJECT NUMBER
22063

DATE
10/26/2022

ISSUED FOR
REZONING

REVISIONS

NO.	DATE	DESCRIPTION	BY

PROJ. MANAGER: CM

DRAWN BY: KO

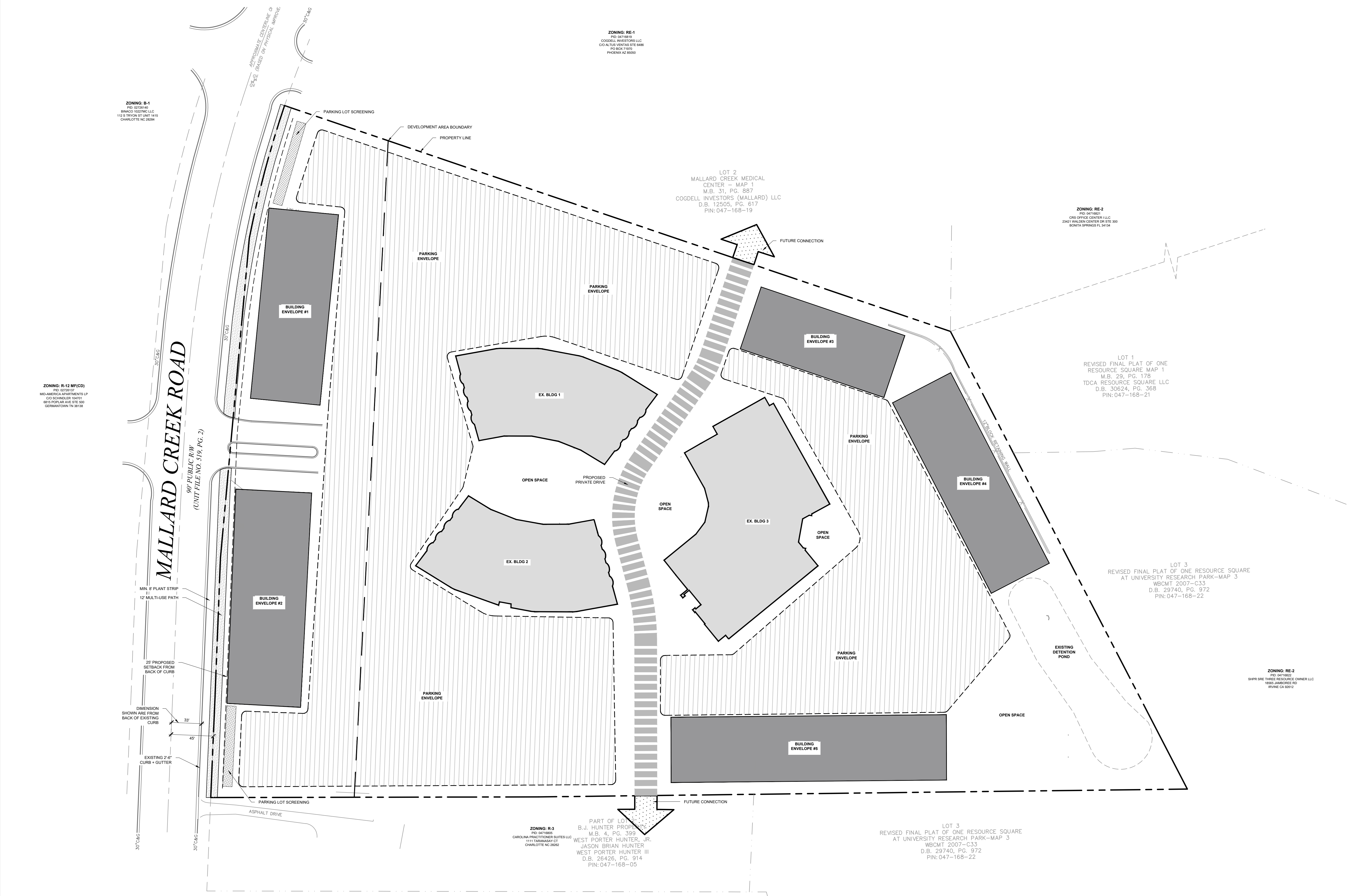
CHECKED BY: CM

SCALE
AS INDICATED

DRAWING
REZONING PLAN

RZ-1

ORIGINAL SHEET SIZE: 30" X 42"



SITE PLAN

CONDITIONAL NOTES:

- GENERAL PROVISIONS:**
 - SITE LOCATION:** THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN, AND RELATED GRAPHICS FORM THE REZONING PLAN COLLECTIVELY REFERRED TO AS THE "REZONING PLAN" ASSOCIATED WITH THE REZONING PETITION FILED BY HIGH ASSOCIATES LTD (THE "PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A MIXED-USE RESIDENTIAL COMMUNITY ON THE APPROXIMATELY 12.387-AC SITE LOCATED ON THE EAST SIDE OF MALLARD CREEK RD. (THE "SITE").
 - 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 MODIFIES THE STANDARDS UNDER THE OPTIONAL PROVISIONS OR MORE STRINGENT STANDARDS AS PART OF THE CONDITIONAL SITE PLAN, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE PROVISIONS PROVIDED BELOW.
 - DEVELOPMENT AREAS:** FOR EASE OF REFERENCE AND AS AN ORGANIZING PRINCIPAL ASSOCIATED WITH THE MASTER PLANNED UNIFIED DEVELOPMENT, THE REZONING PLAN SETS FORTH TWO (2) DEVELOPMENT AREAS (AND AS APPLICABLE OTHER SUB-AREAS WITHIN THE DEVELOPMENT AREAS) AS GENERALLY DEPICTED ON THE "TECHNICAL DATA SHEET" AS DEVELOPMENT AREAS A AND B (EACH A "DEVELOPMENT AREA" AND COLLECTIVELY THE "DEVELOPMENT AREAS"). THE EXACT BOUNDARIES OF THE DEVELOPMENT AREAS MAY BE SUBJECT TO MODIFICATIONS TO ACCOUNT FOR DEVELOPMENT SITE ELEMENTS (AS DEFINED BELOW) AND OTHER MODIFICATIONS NEEDED TO FULFILL THE DESIGN AND DEVELOPMENT INTENT OF THE REZONING PLAN.
 - GRAPHICS AND ALTERATIONS:** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, DEVELOPMENT AREAS (AS DEFINED BELOW), OPEN SPACE AREAS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE. SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:
 - MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN. 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.
- EXISTING USES AND STRUCTURES:** THE PETITIONER AND/OR PROPERTY OWNER, AFTER THE APPROVAL OF THE CONDITIONAL REZONING PETITION, MAY CONTINUE TO USE THE EXISTING BUILDINGS LOCATED ON THE SITE AS LEGAL NON-CONFORMING USES AND STRUCTURES AS ALLOWED BY CHAPTER 7 OF THE ORDINANCE (NONCONFORMITIES), UNTIL SUCH TIME AS THE SITE IS REDEVELOPED AND THE EXISTING BUILDINGS ARE ADAPTIVELY REUSED AS ALLOWED BY THE APPROVED CONDITIONAL PLAN. THE ADAPTIVE REUSE OF THE EXISTING BUILDINGS FROM OFFICE BUILDINGS TO RESIDENTIAL BUILDINGS MAY OCCUR IN PHASES AS TENANT LEASES EXPIRE AND THE EXISTING BUILDINGS BECOME VACANT. THE PETITIONER MAY AS PART OF THE ADAPTIVE REUSE OF THE EXISTING BUILDINGS MOVE EXISTING TENANTS FROM ONE OFFICE BUILDING TO ANOTHER TO FACILITATE THE ADAPTIVE REUSE OF THE BUILDINGS.
- OPTIONAL PROVISIONS:**
 - THE PETITIONER REQUESTS THE OPTIONAL PROVISION TO ALLOW SURFACE PARKING AREAS TO BE LOCATED BETWEEN THE PROPOSED STRUCTURES AND MALLARD CREEK RD. AS GENERALLY DEPICTED ON THE REZONING PLAN.
- PERMITTED USES AND DEVELOPMENT AREA LIMITATIONS:** THE EXISTING OFFICE BUILDINGS LOCATED ON THE SITE WILL BE RENOVATED TO ACCOMMODATE RESIDENTIAL DWELING UNITS. ADDITIONAL RESIDENTIAL UNITS WILL BE LOCATED WITHIN THE NEW BUILDINGS LOCATED ALONG MALLARD CREEK RD AND AT THE REAR OF THE SITE. THE PROPOSED NON-RESIDENTIAL USES WILL BE LOCATED WITHIN THE BUILDINGS TO BE CONSTRUCTED ALONG MALLARD CREEK RD.
 - A MAXIMUM OF 360 RESIDENTIAL DWELING UNITS COMPOSED OF MULTI-FAMILY DWELLINGS UNITS, AND UP TO 14,000 GROSS SQUARE FEET OF FLOOR AREA OF NON-RESIDENTIAL USES AS ALLOWED BY THE MUDD ZONING DISTRICT.
 - THE PROPOSED 14,000 SQUARE FEET OF NON-RESIDENTIAL USES WILL BE LOCATED WITHIN DEVELOPMENT AREA A, AND WILL BE LOCATED ON THE GROUND FLOOR OF THE BUILDINGS LOCATED ALONG MALLARD CREEK RD. THE ALLOWED NON-RESIDENTIAL USES MAY BE IN ONE OR BOTH BUILDINGS. NO LESS THAN 5,000 GROSS SQUARE FEET OF FLOOR AREA OF NON-RESIDENTIAL USES MUST BE CONSTRUCTED WITHIN DEVELOPMENT AREA A.
 - THE PETITIONER MAY CONVERT THE REQUIRED NON-RESIDENTIAL SQUARE FOOTAGE INTO ALLOWED RESIDENTIAL UNITS IF AFTER TWO (2) YEARS FROM THE ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY THE PETITIONER HAS NOT BEEN ABLE TO SECURE OR MAINTAIN TENANTS IN THE NON-RESIDENTIAL SPACES.
- ACCESS:**
 - ACCESS TO THE SITE WILL BE FROM MALLARD CREEK RD. AS GENERALLY DEPICTED ON THE REZONING PLAN. FUTURE ACCESS TO THE SITE FROM ADJOINING PARCELS IS ALLOWED.
 - THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND NCDOT AS APPLICABLE IN ACCORDANCE WITH PUBLISHED STANDARDS.
 - ANY REQUIRED ROADWAY IMPROVEMENT WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE SITE SUBJECT TO THE PETITIONER ABILITY REQUEST THAT CDOT ALLOW A BOND TO BE POSTED FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.
 - THE PETITIONER WILL DEDICATE VIA FE SIMPLE CONVEYANCE ANY REQUIRED RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED. THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. THE PETITIONER WILL PROVIDE A PERMANENT SIDEWALK EASEMENT FOR ANY OF THE PROPOSED SIDEWALKS LOCATED ALONG THE PUBLIC STREETS LOCATED OUTSIDE OF THE RIGHT-OF-WAY. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.
- STREETSCAPE, LANDSCAPING, OPEN SPACE AND SCREENING:**
 - THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND A 12-FOOT MULTUSE PATH ALONG MALLARD CREEK RD. AS GENERALLY DEPICTED ON THE REZONING PLAN.
 - A 25-FOOT BUILDING AND PARKING SETBACK AS MEASURED FROM THE FUTURE BACK OF CURB WILL BE PROVIDED ALONG MALLARD CREEK RD. AS GENERALLY DEPICTED ON THE REZONING PLAN.
 - IMPROVED OPEN SPACE AREAS WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. NO LESS THAN 10,000 SQUARE FEET OF IMPROVED OPEN SPACE WILL BE PROVIDED. THE OPEN SPACE AREAS WILL BE IMPROVED WITH LANDSCAPING, SIDEWALKS, LIGHTING, AND SEATING AREAS. ACCESSORY STRUCTURES TO SUPPORT THE OPEN SPACE AND THE RESIDENTIAL COMMUNITY ARE ALSO ALLOWED WITHIN THE IMPROVED OPEN SPACE AREAS.
 - AN INTERNAL SIDEWALK SYSTEM WILL BE PROVIDED LINKING THE PROPOSED BUILDINGS AND THE EXISTING BUILDINGS TO THE MUP ALONG MALLARD CREEK RD. THE INTERNAL SIDEWALK SYSTEM WILL HAVE A MINIMUM WIDTH OF FIVE (5) FEET.
- ARCHITECTURAL AND SITE STANDARDS:**
 - THE NEW PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE (DEVELOPMENT AREA A AND B) MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS OTHER THAN STRUCTURED PARKING FACILITIES, IF ANY, WILL BE A COMBINATION OF THE FOLLOWING: GLASS, BRICK, STONE, SIMULATED STONE, PRE-CAST STONE, PRE-CAST CONCRETE, SYNTHETIC STONE, STUCCO, CEMENTITIOUS SIDING (SUCH AS HARD-PLANK, EIFS OR WOOD). THE PROPOSED ROOFING MATERIALS WILL BE ARCHITECTURAL ASPHALT SHINGLES, METALS TYPE ROOFING MATERIALS MAY ALSO BE USED. VINYL OR ALUMINUM AS A PRIMARY BUILDING MATERIAL WILL NOT BE ALLOWED EXCEPT ON WINDOWS, BALCONY RAILINGS, ON TRIM ELEMENTS, AND SOFFITS.
 - THE EXISTING BUILDINGS THAT ARE TO BE RENOVATED WILL UTILIZE THE SAME OR SIMILAR MATERIALS TO WHAT EXISTS ON THE BUILDING TODAY.
 - PREFERRED EXTERIOR BUILDING MATERIALS: ALL NEW PRINCIPAL AND ACCESSORY BUILDINGS, LOCATED IN DEVELOPMENT AREA A, ADJUTING MALLARD CREEK RD. SHALL COMPRISE A MINIMUM OF 30% OF THAT BUILDING'S ENTIRE FACADE FACING SUCH STREET USING BRICK, NATURAL STONE (OR ITS SYNTHETIC EQUIVALENT), STUCCO OR OTHER MATERIAL APPROVED BY THE PLANNING DIRECTOR.
 - BUILDING MASSING - NEW BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING/ACADE PLANE (RECESS, PROJECTION, ARCHITECTURAL TREATMENT, ETC.). MODULATIONS SHALL BE A MINIMUM OF 8 FEET WIDE AND SHALL EXTEND OR RECESS A MINIMUM OF 4 FEET, EXTENDING THROUGH ALL FLOORS.
 - VERTICAL MODULATION AND RHYTHM - NEW BUILDING ELEVATIONS SHALL BE DESIGNED WITH RECOGNIZABLE VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FACADE FEATURES. THE BAYS AND FEATURES MAY INCLUDE, BUT NOT LIMITED TO A COMBINATION OF EXTERIOR WALL OFFSETS, PROJECTIONS, AND/OR RECESSES, PILASTERS, AND CHANGE IN MATERIALS.
 - BUILDING BASE - NEW BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE ARCHITECTURAL BASE.
 - NEW BUILDING ELEVATIONS FACING MALLARD CREEK RD. SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET.
 - ARCHITECTURAL FEATURES SUCH AS, BUT NOT LIMITED TO, BANDINGS, MEDALLIONS, OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED ON THE NEW BUILDINGS TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.
 - ROOF FORM AND ROOFLINES OF THE NEW BUILDINGS SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE THROUGH THE FOLLOWING STANDARDS:
 - LONG ROOFLINES (PITCHED OR FLAT) SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM (E.G. DORMERS, GABLES, ETC.).
 - FOR PITCHED ROOFS THE ALLOWED MINIMUM PITCH SHALL BE 4:12 (FOUR FEET IN VERTICAL HEIGHT FOR EVERY TWELVE FEET IN HORIZONTAL LENGTH), EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET WALLS.
- UTILITY STRUCTURES** NEED TO BE SCREENED ARCHITECTURALLY OR WITH EVERGREEN PLANT MATERIAL.
- METER BANKS** WILL BE SCREENED FROM ADJOINING PROPERTIES AND FROM THE NETWORK REQUIRED STREETS.
- HVAC AND RELATED MECHANICAL EQUIPMENT** WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AT GRADE.
- DUMPSTER AND RECYCLING AREA** WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL OR FENCE USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDINGS. THE LOCATION OF THE PROPOSED DUMPSTER AND RECYCLING AREA IS GENERALLY DEPICTED ON THE REZONING PLAN.
- ENVIRONMENTAL FEATURES**
 - THE SITE WILL COMPLY WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE AND THE CITY POST CONSTRUCTION STORMWATER ORDINANCE.
- SIGNAGE:**
 - RESERVED
- LIGHTING:**
 - ALL NEW LIGHTING SHALL BE DECORATIVE, CAPPED, OR DOWNWARDLY DIRECTED.
 - NEW DETACHED LIGHTING ON THE SITE, EXCEPT STREETLIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 25 FEET IN HEIGHT.
- AMENDMENTS TO THE REZONING PLAN:**
 - FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.
- BINDING EFFECT OF THE REZONING APPLICATION:**
 - IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.