

MALLARD POINTE REDEVELOPMENT

CHARLOTTE, NC

REZONING PETITION 2021-206 RZ-1 : PARCEL I.D. SHEET

- 12/17/2022; Submittal Date.
- 2/14/2022; Amended Proposed Uses.
- 4/8/2022; add Withrow logo.

OWNER:
MALLARD POINTE ASSOCIATES, LLC
C/O: WITHROW CAPITAL, INC.
1341 E. MOREHEAD ST., SUITE 201
CHARLOTTE, NC 28204

REZONING AGENT:
CAMBRIDGE PROPERTIES, INC.
831 E. MOREHEAD ST, SUITE 245
CHARLOTTE, NC 28202



VICINITY MAP

SITE DEVELOPMENT DATA

PARCEL ACREAGE: 4.5 ACRES
TAX PARCEL NUMBER: A PORTION OF BOTH 047-29-144 AND 047-29-161

EXISTING ZONING: CC
PROPOSED ZONING: MUDD WITH 5 YEARS VESTED RIGHTS.

EXISTING USES: RETAIL SHOPPING CENTER

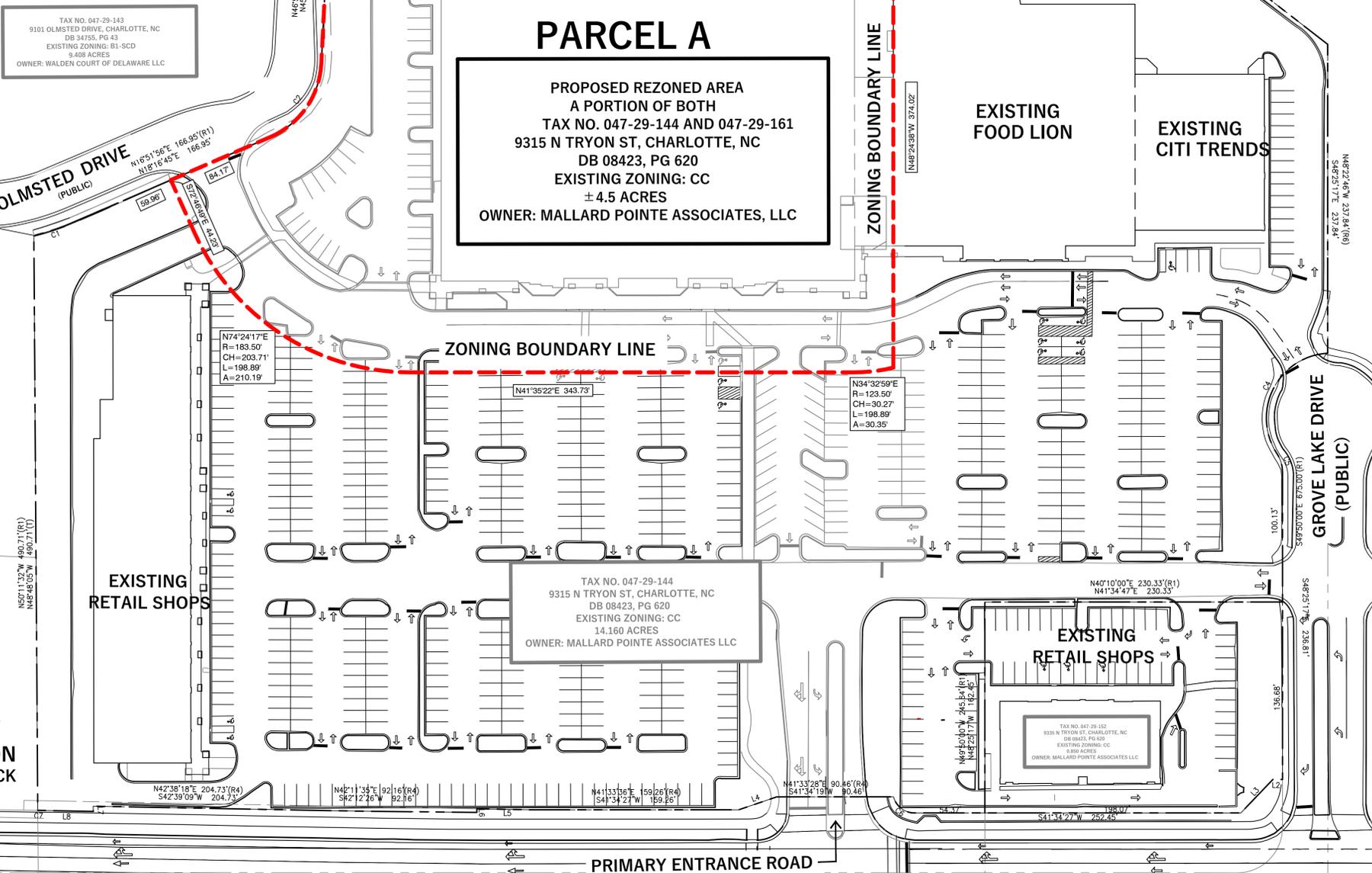
PROPOSED USES:

- 1) MULTI-FAMILY HOUSING UP TO 305 UNITS.
- 2) UP TO 5,100 SQUARE FEET OF RETAIL SPACE, WHICH MAY INCLUDE BUT NOT LIMITED TO RESTAURANT, GENERAL RETAIL, OFFICE, BRANCH BANK AND/OR MEDICAL OFFICE USES.

PARKING: PARKING SHALL MEET OR EXCEED ORDINANCE.

TREE SAVE AREA: PER THE ORDINANCE.

OPEN SPACE: PER THE ORDINANCE.



PARCEL A
PROPOSED REZONED AREA
A PORTION OF BOTH
TAX NO. 047-29-144 AND 047-29-161
9315 N TRYON ST, CHARLOTTE, NC
DB 08423, PG 620
EXISTING ZONING: CC
± 4.5 ACRES
OWNER: MALLARD POINTE ASSOCIATES, LLC

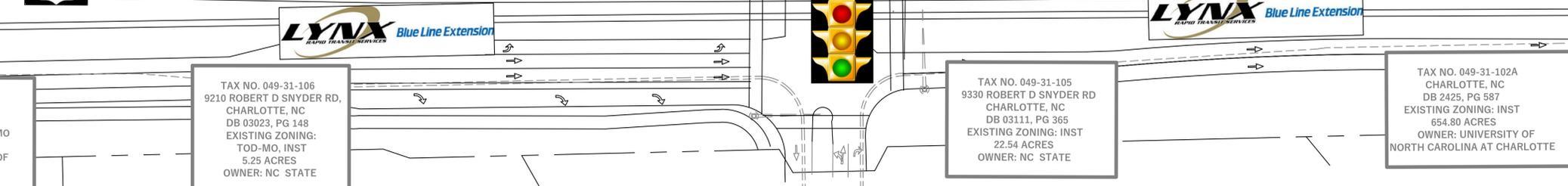
TAX NO. 047-29-144
9315 N TRYON ST, CHARLOTTE, NC
DB 08423, PG 620
EXISTING ZONING: CC
14.160 ACRES
OWNER: MALLARD POINTE ASSOCIATES LLC

TAX NO. 047-29-113
9532 GROVE SIDE LN, CHARLOTTE, NC
DB 24500, PG 738
EXISTING ZONING: R-17 MF (CD)
24.150 ACRES
OWNER: MID-AMERICA APARTMENTS LP

| AS MEASURED: | | | AS MEASURED: | | | | |
|--------------|-------------|----------|--------------|----------|------------|--------------|---------------|
| LINE | BEARING | DISTANCE | CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING |
| L1 | N23°58'51"W | 14.85' | C1 | 180.00' | 31.57' | 31.53' | N21°23'24"E |
| L2 | S41°42'43"W | 7.43' | C2 | 65.00' | 72.33' | 68.66' | N13°35'57"W |
| L3 | S04°29'08"E | 35.78' | C3 | 180.00' | 60.04' | 59.76' | N33°32'11"W |
| L4 | S22°50'09"W | 30.96' | C4 | 50.00' | 105.32' | 86.91' | S21°37'58"E |
| L5 | S42°39'09"W | 43.35' | C5 | 25.00' | 14.64' | 14.43' | S65°11'52"E |
| L6 | S48°34'31"E | 2.78' | C6 | 17.00' | 22.09' | 20.57' | S78°48'46"W |
| L7 | S49°30'16"E | 4.00' | C7 | 5568.51' | 1.76' | 1.76' | S42°38'37"W |
| L8 | S42°39'09"W | 41.30' | | | | | |

| AS RECORDED: | | | AS RECORDED: | | | | |
|--------------|-------------|----------|--------------|----------|------------|--------------|---------------|
| LINE | BEARING | DISTANCE | CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING |
| L1(R1) | N23°23'40"W | 14.85' | C1(R1) | 180.00' | 31.57' | 31.53' | N21°23'24"E |
| L2(R2) | N41°42'43"E | 7.43' | C2(R1) | 65.00' | 72.33' | 68.66' | N13°35'52"W |
| L3(R3) | N04°29'08"W | 35.78' | C3(R1) | 180.00' | 60.04' | 59.76' | N34°57'00"W |
| L4(R4) | N22°49'18"E | 30.96' | C4(R6) | 50.00' | 105.32' | 86.91' | N21°35'26"W |
| L5(R4) | N42°38'18"E | 43.35' | C5(R6) | 25.00' | 14.64' | 14.44' | N65°09'36"W |
| L6(R4) | N48°35'22"W | 2.78' | C6(R4) | 17.00' | 22.10' | 20.57' | N78°47'55"E |
| L7(R4) | N49°31'07"W | 4.00' | C7(R4) | 5568.51' | 1.73' | 1.73' | N42°37'46"E |
| L8(R4) | N42°38'18"E | 41.30' | | | | | |

U.S. HIGHWAY 29 - N. TRYON STREET (PRIVATE)



TAX NO. 049-31-126
CHARLOTTE, NC
DB 33433, PG 517
EXISTING ZONING: TOD-MO
0.67 ACRES
OWNER: THE FOUNDATION OF UNIVERSITY OF NC CHARLOTTE INC

TAX NO. 049-31-106
9210 ROBERT D SNYDER RD,
CHARLOTTE, NC
DB 03023, PG 148
EXISTING ZONING:
TOD-MO, INST
5.25 ACRES
OWNER: NC STATE

TAX NO. 049-31-105
9330 ROBERT D SNYDER RD
CHARLOTTE, NC
DB 03111, PG 365
EXISTING ZONING: INST
22.54 ACRES
OWNER: NC STATE

TAX NO. 049-31-102A
CHARLOTTE, NC
DB 2425, PG 587
EXISTING ZONING: INST
654.80 ACRES
OWNER: UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE



MALLARD POINTE REDEVELOPMENT

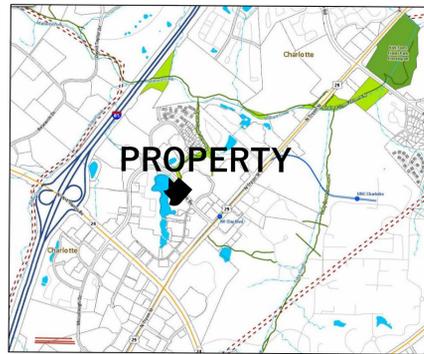
REZONING PETITION 2021-206
 RZ-2 : TECHNICAL DATA SHEET

CHARLOTTE, NC

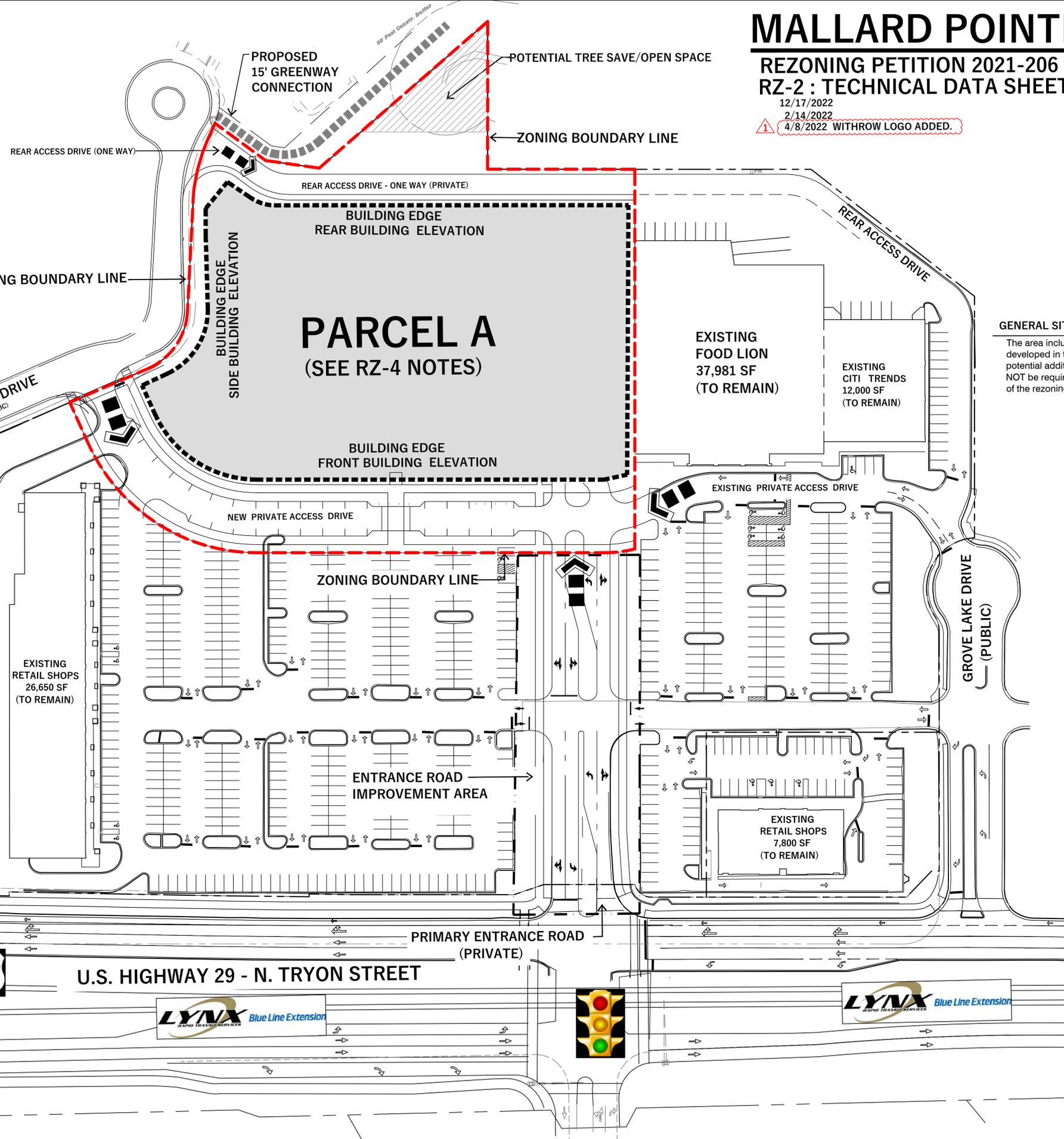
12/17/2022
 2/14/2022
 4/8/2022 WITHROW LOGO ADDED.

OWNER:
 MALLARD POINTE ASSOCIATES, LLC
 C/O: WITHROW CAPITAL, INC.
 1341 E. MOREHEAD ST., SUITE 201
 CHARLOTTE, NC 28204

REZONING AGENT:
 CAMBRIDGE PROPERTIES, INC.
 831 E. MOREHEAD ST, SUITE 245
 CHARLOTTE, NC 28202



VICINITY MAP



GENERAL SITE PLAN QUALIFICATIONS:
 The area included in this Petition is part of an existing shopping center that may be further developed in the future. This Technical Data Sheet shows existing buildings, parking and potential additional improvements that are NOT included in the Petition and Petitioner shall NOT be required to make any such changes or improvements. Any improvements outside of the rezoning area may be eliminated as the shopping center is re-developed.

SITE LEGEND

- - - ZONING BOUNDARY LINE
- BUILDING EDGE
- SITE ACCESS
- ENTRANCE ROAD IMPROVEMENT AREA



JW CLAY BLVD LIGHT
 RAIL TRANSIT STATION
 TRANSIT STOP/PARKING DECK
 (525 PARKS)



U.S. HIGHWAY 29 - N. TRYON STREET



MALLARD POINTE REDEVELOPMENT

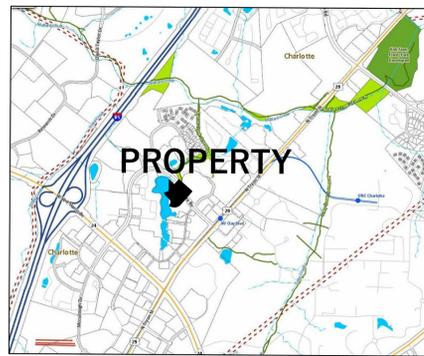
REZONING PETITION: 2021-206 RZ-3 : ILLUSTRATIVE SITE PLAN

CHARLOTTE, NC

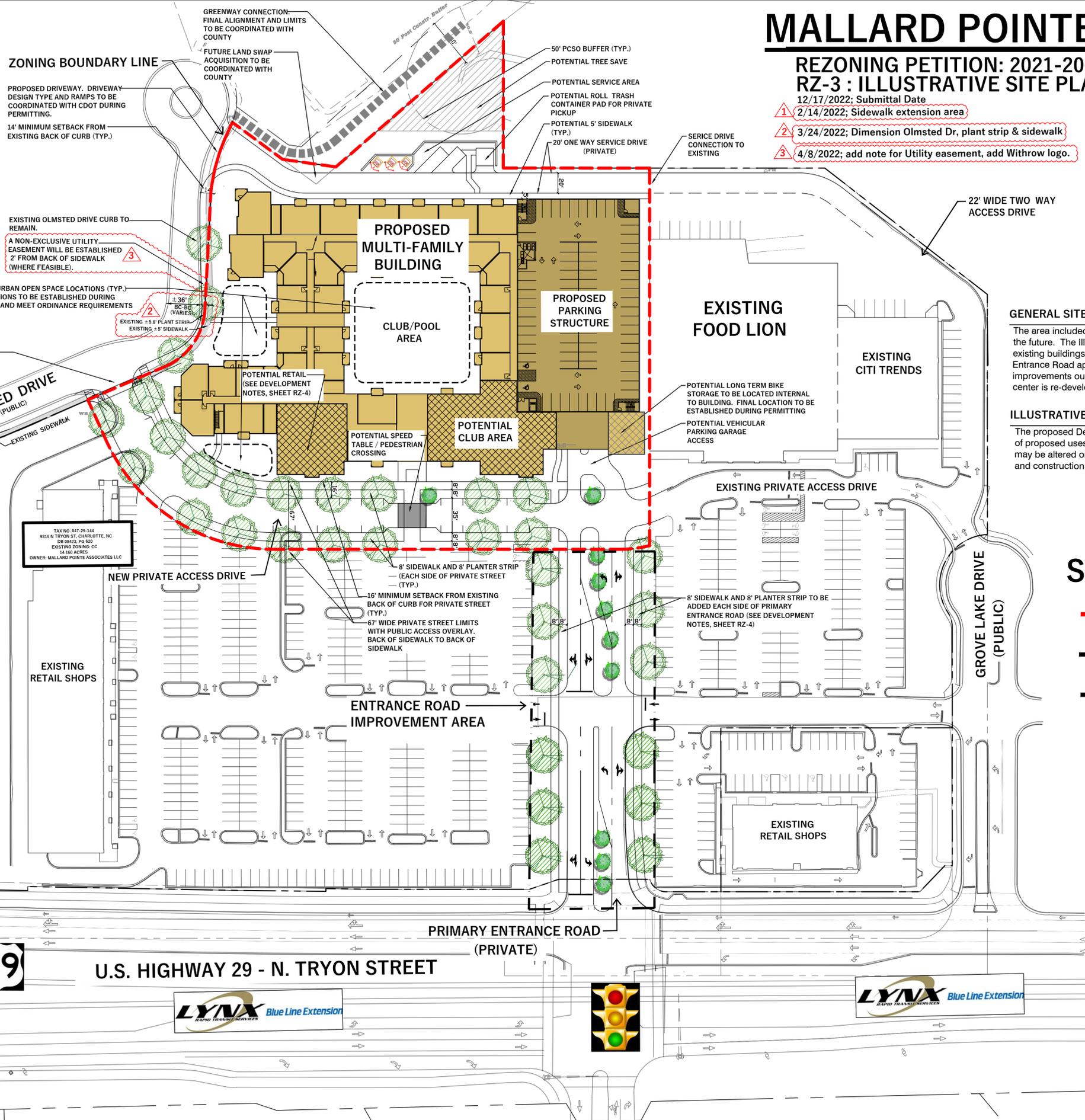
- 12/17/2022: Submittal Date
- 1 2/14/2022: Sidewalk extension area
 - 2 3/24/2022: Dimension Olmsted Dr, plant strip & sidewalk
 - 3 4/8/2022: add note for Utility easement, add Withrow logo.

OWNER:
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C/O: WITHROW CAPITAL, INC.
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CHARLOTTE, NC 28202



VICINITY MAP



GENERAL SITE PLAN QUALIFICATIONS:

The area included in this Petition is part of an existing shopping center that may be further developed in the future. The Illustrative Site Plan shows the proposed Multi-Family Building and structured parking, existing buildings and parking NOT included in the Petition. The Petitioner shall reconstruct the Primary Entrance Road approximately as shown in the Entrance Road Improvement Area. Any existing improvements outside of the rezoning area may be eliminated as the balance of the shopping center is re-developed.

ILLUSTRATIVE SITE PLAN QUALIFICATIONS:

The proposed Development depicted on this Illustrative Site Plan is intended to reflect the arrangement of proposed uses on this Site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the Ordinance during the design development and construction phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.

- ### SITE LEGEND
- ZONING BOUNDARY LINE
 - BUILDING EDGE
 - ENTRANCE ROAD IMPROVEMENT AREA

TAX NO. 047-29-151
9317 JW CLAY BLVD, CHARLOTTE, NC
DB 23040, PG 078
EXISTING ZONING: T00-CC
0.866 ACRES
OWNER: ROSECLAY LLC

TAX NO. 047-29-141
5315 N TRYON ST, CHARLOTTE, NC
DB 08423, PG 620
EXISTING ZONING: CC
14.160 ACRES
OWNER: MALLARD POINTE ASSOCIATES LLC



DEVELOPMENT STANDARDS:

Rezoning Petition No. 2021-206 (Mallard Pointe Redevelopment)

I. GENERAL PROVISIONS

- a. The development depicted on this Parcel A is intended to reflect the arrangement of proposed uses on Parcel A, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the Zoning Ordinance during the design development and construction phases as allowed under the provisions of Section 6.2 of the Zoning Ordinance.
- b. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition was approved.
- c. Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners," shall, with respect to Parcel A, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Parcel A who may be involved in its development from time to time.

II. PERMITTED USES

- a. Up to 305 Multi-Family units, with structured and surface parking to serve such use.
- b. Up to 5,100 square feet of retail space, which may include but not be limited to restaurant, general retail, office, branch bank and/ or medical office uses.
- c. Accessory uses for resident amenities, including but not limited to parking, leasing and management office, fitness center, clubhouse, swimming pool, dog park, urban open space and related amenities serving the multi-family units.

III. BUILDING ORIENTATION

- a. The building located on Parcel A shall be located so as to present a front elevation and one (1) side elevation at the building edge line as approximately shown on RZ-2.

IV. ARCHITECTURAL STANDARDS

- a. Preferred Exterior Building Materials: The front façade and side façade of the building(s) abutting the New Private Access Drive and Olmsted Drive, respectively ("Network Street") shall include a minimum 30% of Preferred Exterior Building Materials of the entire façade facing a Network Street exclusive of windows, doors and balconies. The Preferred Exterior Building Materials are masonry products, which shall include: brick, stucco, stone and/ or masonry material.
- b. Prohibited Exterior Building Materials:
 - 1. Vinyl siding (but not vinyl handrails, windows or door trim);
 - 2. Smooth Concrete Masonry Units not architecturally finished.
- c. Building Placement and Site Design shall focus on and enhance the pedestrian environment by using the following design guidelines:
 - 1. Buildings shall be placed so as to present a front façade and side façade to the New Private Access Drive and Olmsted Drive, respectively.
 - 2. Buildings shall front a minimum of 60% of the total Olmsted Drive and New Access Drive frontage on Parcel A (exclusive of driveways, pedestrian access, points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).
 - 3. Parking lots shall not be located between any building and an adjoining Network Street. This shall not preclude the installation of on-street parallel parking spots along a Network Street.
- d. Building Massing and Height shall be designed to break up long monolithic building forms as follows:
 - 1. Building shall not exceed 85 feet in height.
 - 2. Building facades exceeding 120 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, balconies and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of 2 feet extending from the primary façade of the building.
- e. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
 - 1. Building elevations shall be designed with vertical bays or articulated architectural façade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
 - 2. Buildings shall be designed with a recognizable architectural base on all facades facing Olmsted Drive and the New Private Access Drive. Such base may be executed through use of Preferred Exterior Building Materials or articulated architectural façade features and color changes.
 - 3. The side façade facing Olmsted Drive and the front façade facing New Private Access Drive shall not have expanses of blank walls greater than 30 feet in all directions. Architectural features, including but not limited to banding, medallions, design features and materials may be used to avoid sterile, unarticulated walls.
- f. Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:
 - 1. Long flat roof lines shall avoid continuous expanses without variation by including changes in height, to include but not be limited to gables, dormers, or parapets.
 - 2. Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest public street.
- g. Service Area Screening - service areas such as dumpsters, refuse areas, recycling and storage shall be screened from view with materials and design to be compatible with principal building. Such design shall include a minimum 20 percent Preferred Exterior Building Materials or a Class B buffer not less than 10' in depth along the perimeter that is not paved for access.
- h. Petitioner shall provide covered bike parking in the location approximately shown on RZ-3 in excess of code minimum.

V. STORM WATER/ ENVIRONMENTAL

- a. The redevelopment of Parcel "A" shall comply with the City of Charlotte's Post-Construction Stormwater Ordinance.

MALLARD POINTE REDEVELOPMENT

REZONING PETITION: 2021-206 RZ-4 : DEVELOPMENT NOTES

CHARLOTTE, NC

- 1 12-17-2021
2-14-2022; Note revisions.
- 2 3-24-2022; Note revisions.
- 3 4-8-2022; Note revisions.

OWNER:
MALLARD POINTE ASSOCIATES, LLC
C/O: WITHROW CAPITAL, INC.
1341 E. MOREHEAD ST., SUITE 201
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VI. TREE SAVE

- a. Parcel A will comply with the Charlotte Tree Ordinance.

VII. OPEN SPACE

- a. The development of Parcel A shall meet or exceed the urban open space requirement of the Ordinance.
- b. Open space within Parcel A will include the Potential Tree Save/ Open Space located behind the Rear Access Drive, as well as the fitness center, clubhouse, swimming pool area, dog park, urban open space and related amenities.

VIII. STREETScape AND TRANSPORTATION COMMITMENTS

- a. An eight foot sidewalk and an eight foot planting strip shall be installed on both sides of the New Private Access Drive and Primary Entrance Road.
- b. The New Private Access Drive shall include parallel parking spaces, as approximately shown on RZ-3.
- c. The Primary Entrance Road shall be reconstructed approximately as shown on RZ-3.

3 d. The existing sidewalk along Olmsted Drive fronting Parcel A shall be preserved or replaced in its existing location. In the location where the existing sidewalk is not located in the Olmsted Drive rights-of-way, Petitioner shall grant a sidewalk easement, in the location where the sidewalk is currently located, to CDOT prior to the issuance of the first building certificate of occupancy.

- e. Any required transportation improvements will be approved and constructed before Parcel A's first building certificate of occupancy is issued.

3 f. Petitioner shall established a non-exclusive utility easement located two feet (2') behind the Olmsted Drive sidewalk fronting Parcel A (where feasible).

- g. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. 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 broad northeastern Mecklenburg area, by way of private/ public partnership effort or other public sector project support.

2 h. Petitioner shall use diligent efforts to construct a sidewalk along Olmsted Drive extending from the existing shopping center boundary line along the parcel PIN 04729151, in the area approximately shown on RZ-3. Petitioner is only responsible for sidewalk improvements that can be achievable and constructed within the existing rights-of-way limits along the frontage of parcel PIN 04729151. Such sidewalk extension along parcel PIN 04729151 may be constructed at the back of curb, with a width that is consistent with the portion of sidewalk along parcel PIN 04729144.

IX. GENERAL SITE PLAN QUALIFICATIONS

- a. Parcel A will be subdivided into a separate parcel from the balance of the existing shopping center. The remaining area in the existing shopping center may be demolished and re-developed in the future. The Illustrative Site Plan shows existing buildings and parking in the remaining area of the existing shopping center. Petitioner shall not be required to construct any additional improvements outside of Parcel A other than the Primary Entrance Road approximately as shown in the Illustrative Site Plan.

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