



ADJACENT OWNERSHIP LISTINGS

1. MICHAEL AND KATHERINE TOIACONO

Tax # 07111311

Zoning: R-8

Existing Use: Single Family

2. JOHN AND CARRIE DAY

Tax # 07111306

Zoning: R-8

Existing Use: Single Family

3. MARY ANN HUGHEY

Tax # 07111305

Zoning: R-8

Existing Use: Single Family

4. RYAN COX AND KARLI NELSON

Tax # 07111313

Zoning: R-8

Existing Use: Single Family

5. 2517 ROZZELLES FERRY LLC

Tax # 07111312

Zoning: R-8

Existing Use: Single Family

6. DEVONA ALLGOOD

Tax # 07111303

Zoning: R-8

Existing Use: Single Family

7. MEGAN FOX

Tax # 07111302

Zoning: R-8

Existing Use: Single Family

8. WESLEY AND STEPHANIE VANDER LUGT

Tax # 07111301

Zoning: R-8

Existing Use: Single Family

9. TAH 2015-1 BORROWER LLC

Tax # 07111208

Zoning: R-8

Existing Use: Single Family

10. TAH 2015-1 BORROWER LLC

Tax # 07111207

Zoning: R-8

Existing Use: Single Family

11. CHRISTOPHER JOEL HOLLY DYAN CAN ROEKEE

Tax # 07111206

Zoning: R-8

Existing Use: Single Family

12. WILLIAM AND WINFREE BRISLEY

Tax # 07111205

Zoning: R-8

Existing Use: Single Family

13. D A HERS COLBERT AND SARAH BROADIE

Tax # 07111204

Zoning: R-8

Existing Use: Single Family

14. ANDREW NEVILLE

Tax # 07111203

Zoning: R-8

Existing Use: Single Family

15. KIMBERLY NORTON NICHOLAS KRECKER

Tax # 07111202

Zoning: R-8

Existing Use: Single Family

16. GREGORY AND TRACEY MOTLEY

Tax # 07111201

Zoning: R-8

Existing Use: Single Family

17. GREGORY AND TRACEY MOTLEY

Tax # 07111214

Zoning: B-2

Existing Use: Single Family

18. GREGORY MOTLEY

Tax # 07111213

Zoning: I-1

Existing Use: Single Family

19. GREGORY MOTLEY

Tax # 07111212

Zoning: I-1

Existing Use: Single Family

20. GREGORY AND TRACEY MOTLEY

Tax # 07111211

Zoning: I-1

Existing Use: Single Family

21. GARDNER LAND TRUST CATHERINE HUNTER

Tax # 07111110

Zoning: R-8

Existing Use: Single Family

22. WIKOFF COLOR CORP

Tax # 07111410

Zoning: I-2

Existing Use: Single Family

23. BRYANT AND NANCY CUTTER

Tax # 07111415

Zoning: I-2

Existing Use: Single Family

24. ADENYI A ADEYGA

Tax # 07110111

Zoning: R-8

Existing Use: Single Family

25. CITYSIDE PROPERTIES LLC

Tax # 07110402

Zoning: I-1

Existing Use: Single Family

26. CAROLINA URBAN PROPERTIES LTD

Tax # 07110403

Zoning: I-1

Existing Use: Warehouse

27. CAROLINA URBAN PROPERTIES LTD

Tax # 07110404

Zoning: I-1

Existing Use: Warehouse

28. CAROLINA URBAN PROPERTIES LTD

Tax # 07110405

Zoning: I-1

Existing Use: Warehouse

29. SAVONA LLC

Tax # 07111417

Zoning: I-1

Existing Use: Warehouse

30. 1800 CAMDEN ROAD STE 107-230

Tax # 07110551

Zoning: I-1

Existing Use: Warehouse

31. SAVONA LLC

Tax # 07110501

Zoning: I-2

Existing Use: Office

32. COMMUNITY BUILDING INVESTMENTS LLC

Tax # 07107214

Zoning: I-2

Existing Use: Office

33. MECKLENBURG COUNTY CO REAL ESTATE FINANCE DEPT

Tax # 07111416

Zoning: I-2

Existing Use: Office

34. RAILROAD CO SEABOARD COAST LINE

Tax # 07112132

Zoning: I-2

Existing Use: Office

35. RAILROAD CO SEABOARD COAST LINE

Tax # 07112206

Zoning: R-5

Existing Use: Office

36. MECKLENBURG COUNTY

Tax # 07114340

Zoning: I-1

Existing Use: Office

37. MECKLENBURG COUNTY

Tax # 07114338

Zoning: I-1

Existing Use: Office

38. MECKLENBURG COUNTY REAL ESTATE FINANCE DEPT

Tax # 07112205

Zoning: R-5

Existing Use: Public Park

KEY MAP

SEAL

PROJECT

REZONING PETITION NO. 2016-112

SAVONA REZONING

ARGOS REAL ESTATE ADVISORS, INC.

1101 S. BLVD., SUITE 100

CHARLOTTE, NC 28203

LANDDESIGN PROJ.# 1017332

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	SUBMITTAL 2	08-13-18
3	SUBMITTAL 3	10-15-18
4	SUBMITTAL 4	01-14-19
5	SUBMITTAL 5	05-13-19
6	SUBMITTAL 6	06-24-2019

DESIGNED BY:

DRAWN BY:

CHECKED BY:

SCALE

VERT: N/A

HORIZ: 1"=100'

0 50 100 200'

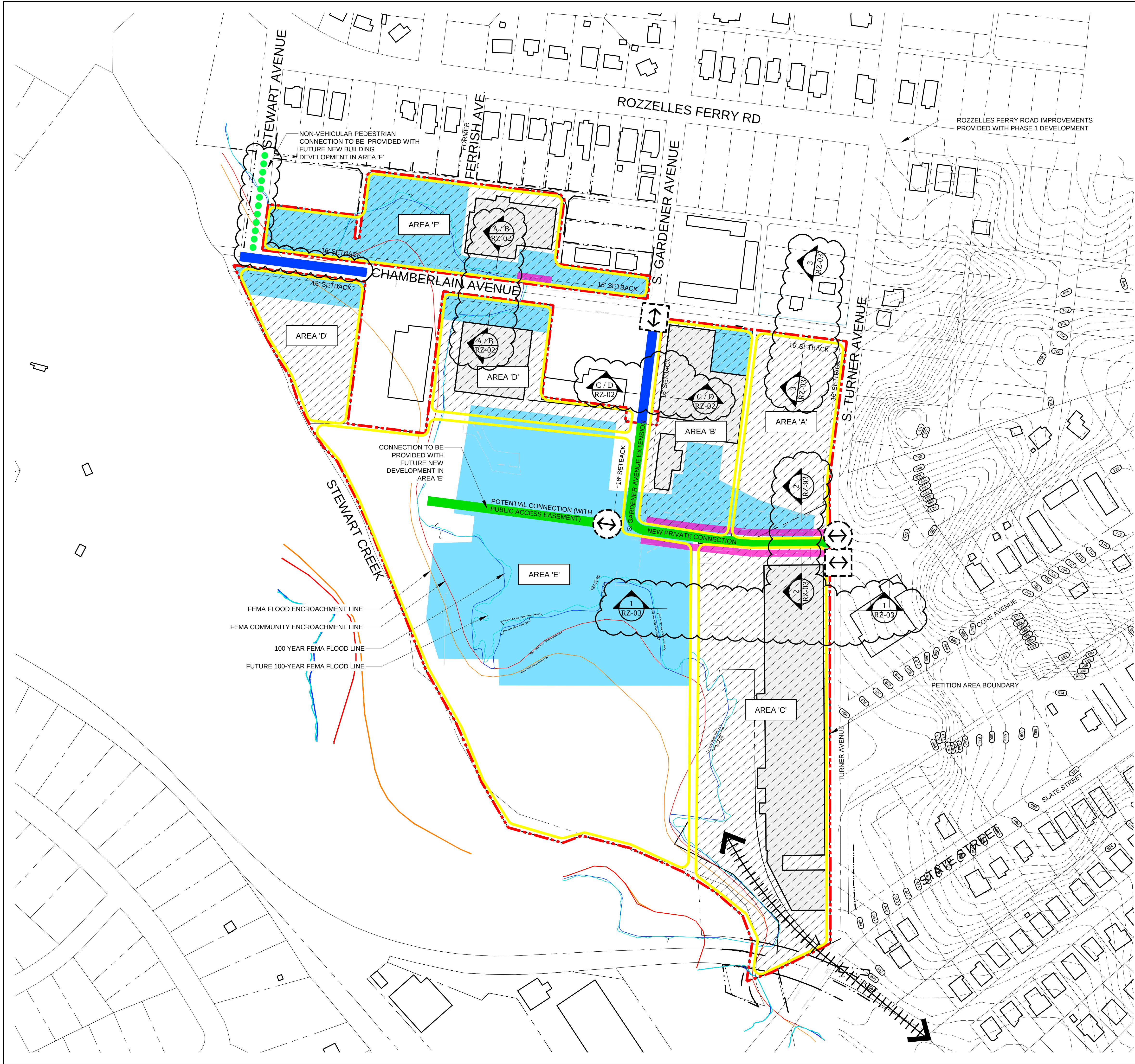
VICINITY MAP

SCALE = 1"=1,000'

EXISTING CONDITIONS

SHEET NUMBER

RZ-00



SITE DEVELOPMENT DATA

- Acreage: ± 28 acres
- Tax Parcels: 071-114-03, 071-114-12, 071-114-17 and 071-112-09
- Existing Zoning: I-1 and I-2
- Proposed Zoning: MUDD-O with five (5) year vested rights.
- Existing Uses: Industrial
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district.
- Maximum Development (subject to conversion rights as defined herein):
- up to 290,000 square feet of commercial and/or office uses, however retail uses shall not exceed 45,000 square feet total, and
 - Up to 240 residential units.
- Maximum Building Height: Up to eight (8) stories for buildings internal to the Site, and further limited to a maximum of four (4) stories around the perimeter of the Site, in the areas as indicated on the Rezoning Plan as the Perimeter Height Zone Area.
- Parking: As required by the Ordinance for the MUDD zoning district.

LEGEND

NEW PUBLIC STREET CONNECTIONS / EXTENSION (WITH PUBLIC RIGHT OF WAY)

PRIVATE VEHICULAR/ PEDESTRIAN CONNECTIONS (WITH PUBLIC ACCESS EASEMENT)

FUTURE ACCESS POINTS (WITH PUBLIC ACCESS EASEMENT)

EXISTING ACCESS/CONNECTIONS

POTENTIAL FUTURE PRIVATE TROLLEY CONNECTION

PERIMETER ZONE - REDUCED BUILDING HEIGHT (4 STORIES MAX.)

EXISTING PARKING FIELDS FOR EXISTING BUILDINGS ADAPTIVE RE-USE OR RE-USE IN PRIMARILY AS-IS CONDITION

NEW FLEXIBLE FRONTAGE ZONE

NON-VEHICULAR CONNECTION



KEY MAP

SEAL

**REZONING
PETITION NO.
2016-112**

PROJECT

**SAVONA
REZONING**

ARGOS REAL ESTATE ADVISORS,
INC.

1101 S. BLVD., SUITE 100

CHARLOTTE, NC 28203

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DESIGNED BY:
DRAWN BY:
CHECKED BY:

SCALE

VERT: N/A
HORZ: 1"=100'

SHEET TITLE

REZONING PLAN AND
TECHNICAL DATA SHEET

SHEET NUMBER

RZ-01

KEY MAP

SEAL

REZONING
PETITION NO.
2016-112

PROJECT

SAVONA
REZONING

ARGOS REAL ESTATE ADVISORS,
INC.

1101 S. BLVD., SUITE 100

CHARLOTTE, NC 28203

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6	SUBMITTAL 6	06-24-19

DESIGNED BY:

DRAWN BY:

CHECKED BY:

SCALE NORTH

VERT: N/A

HORZ: 1"=10'

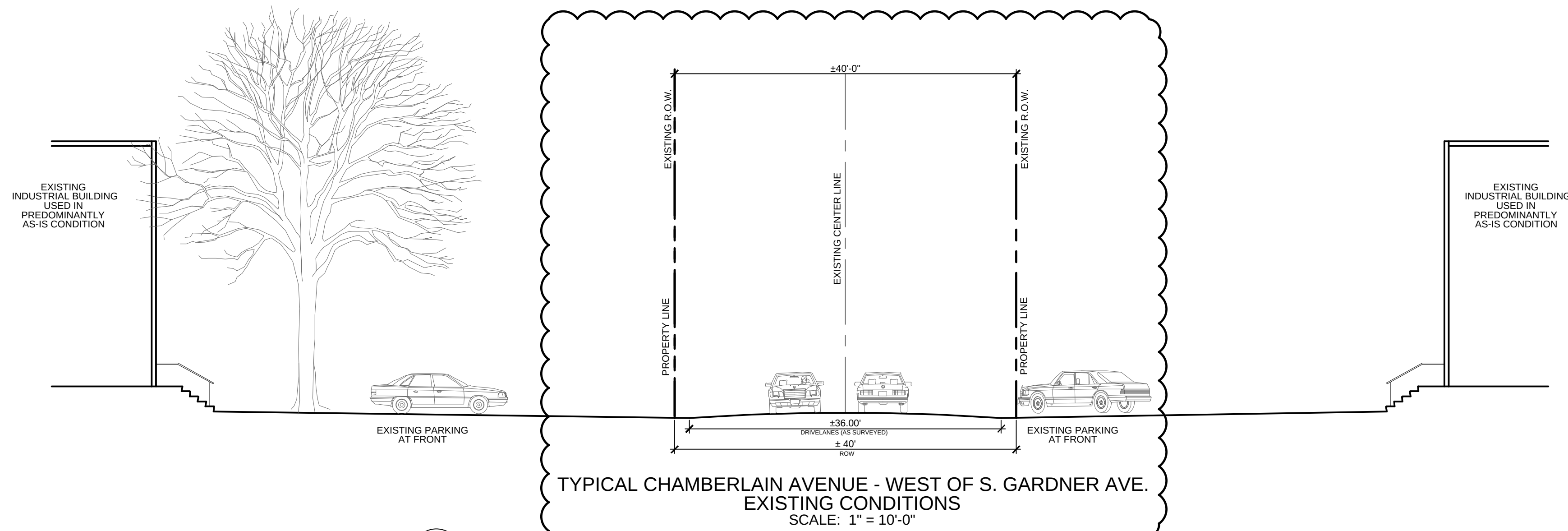
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SHEET TITLE

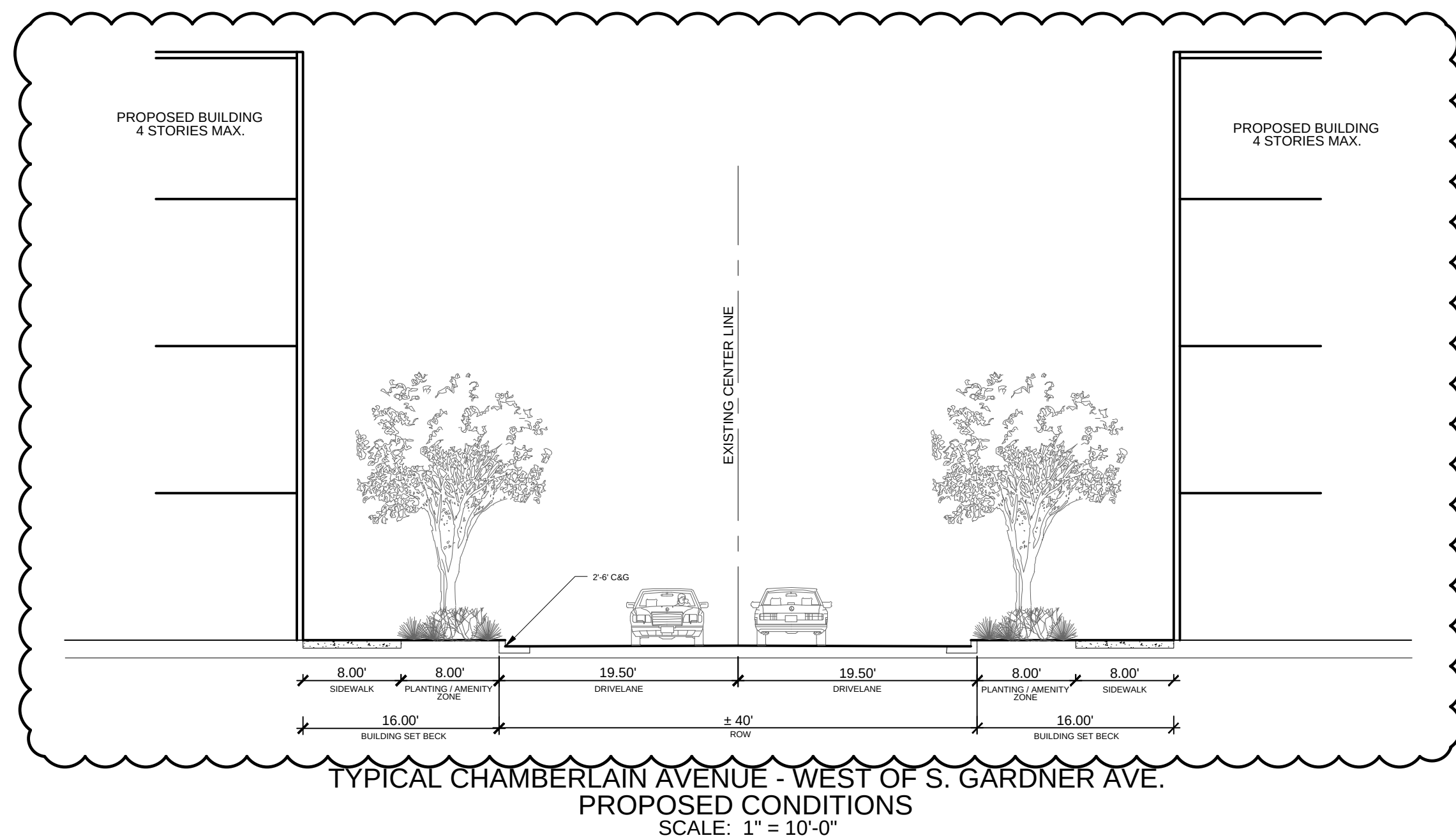
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SHEET NUMBER

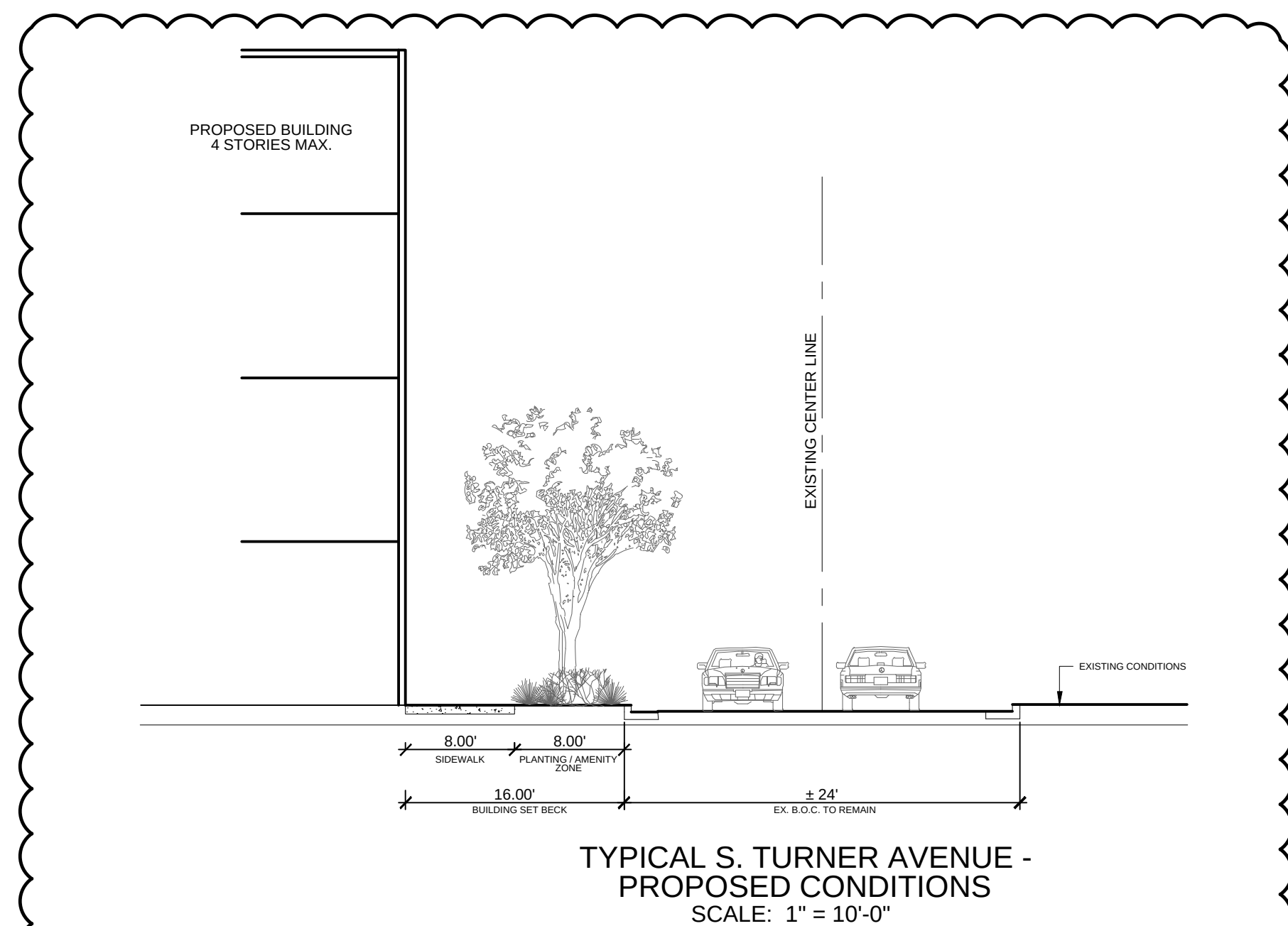
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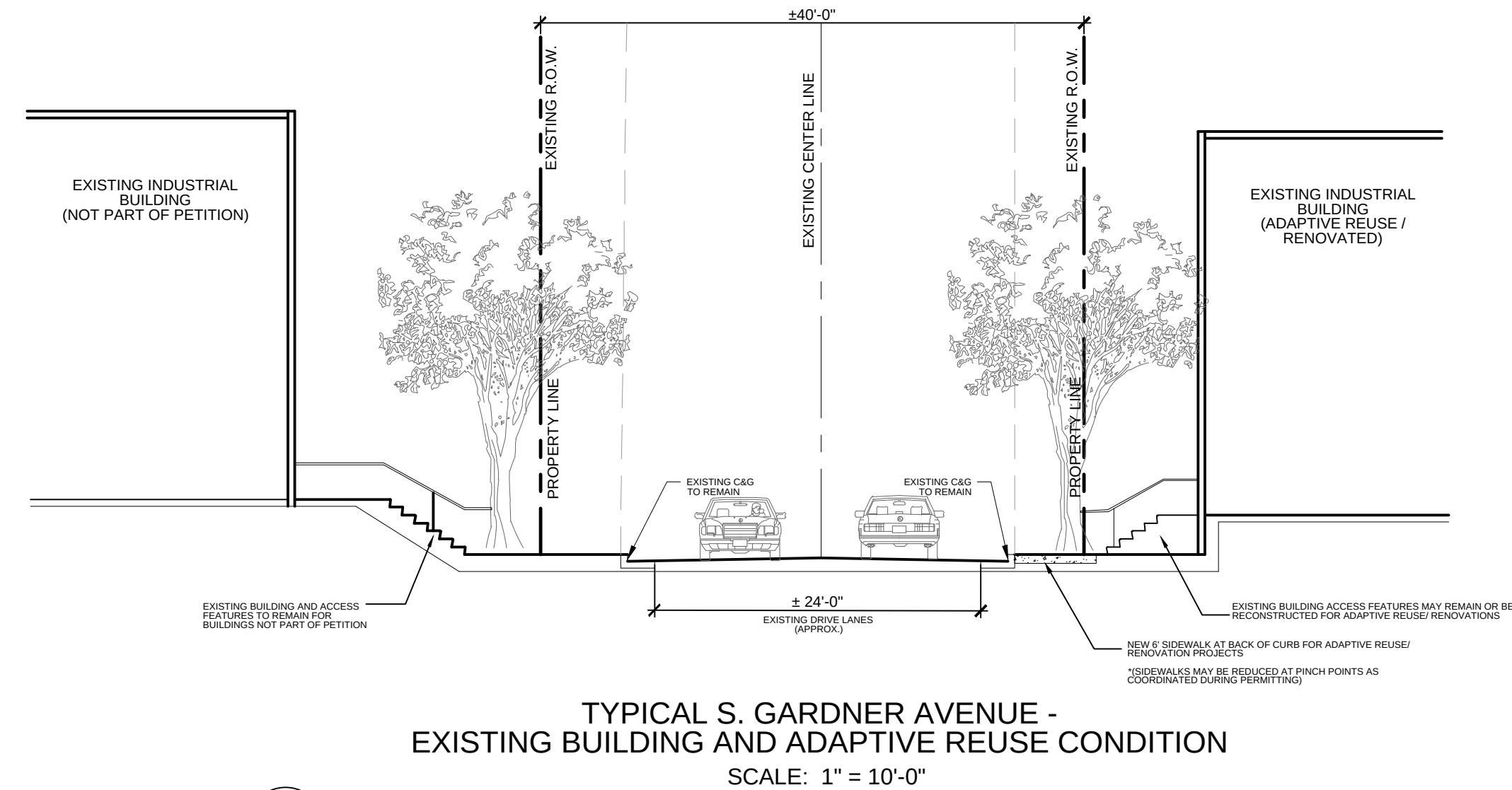
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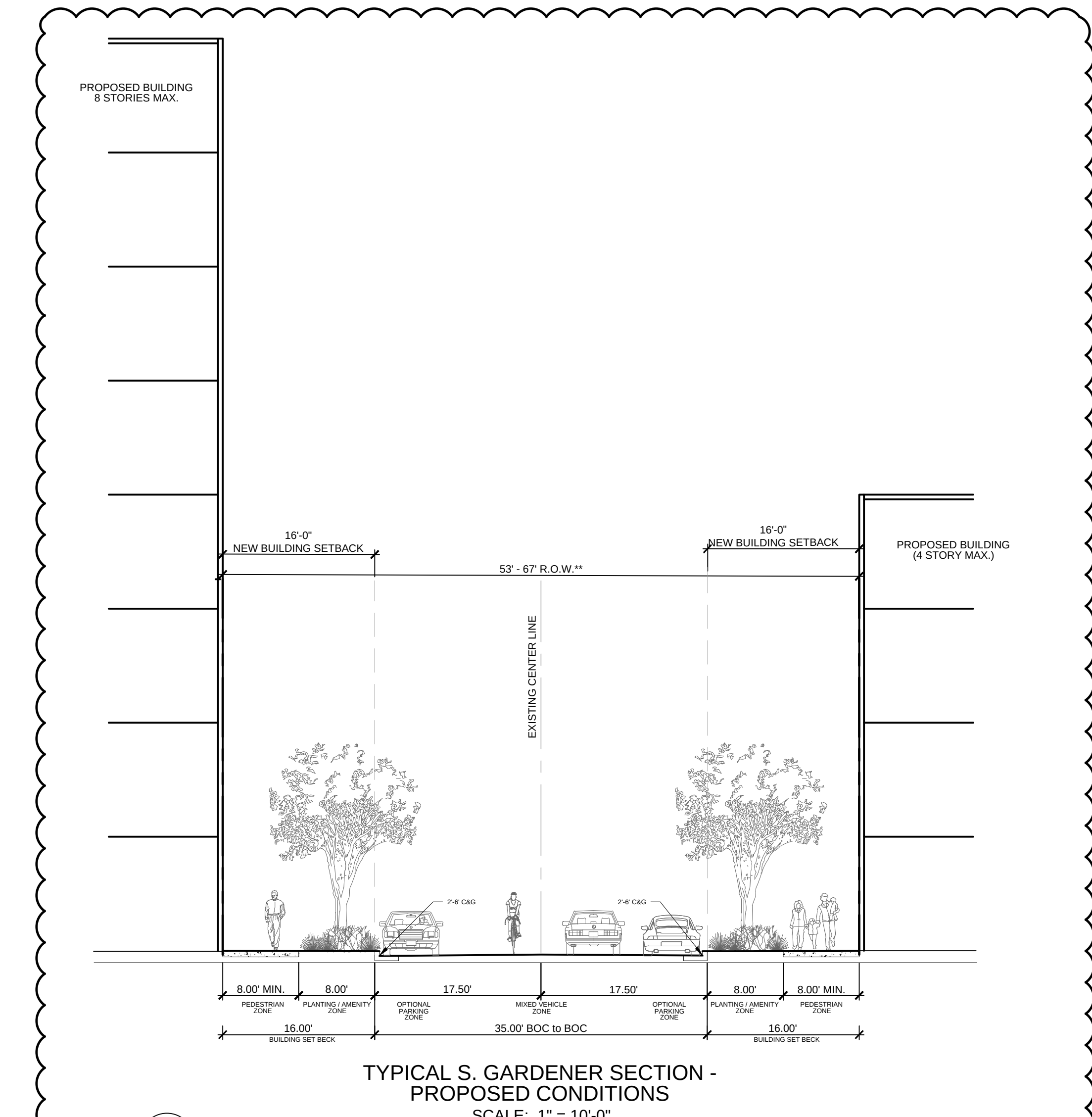
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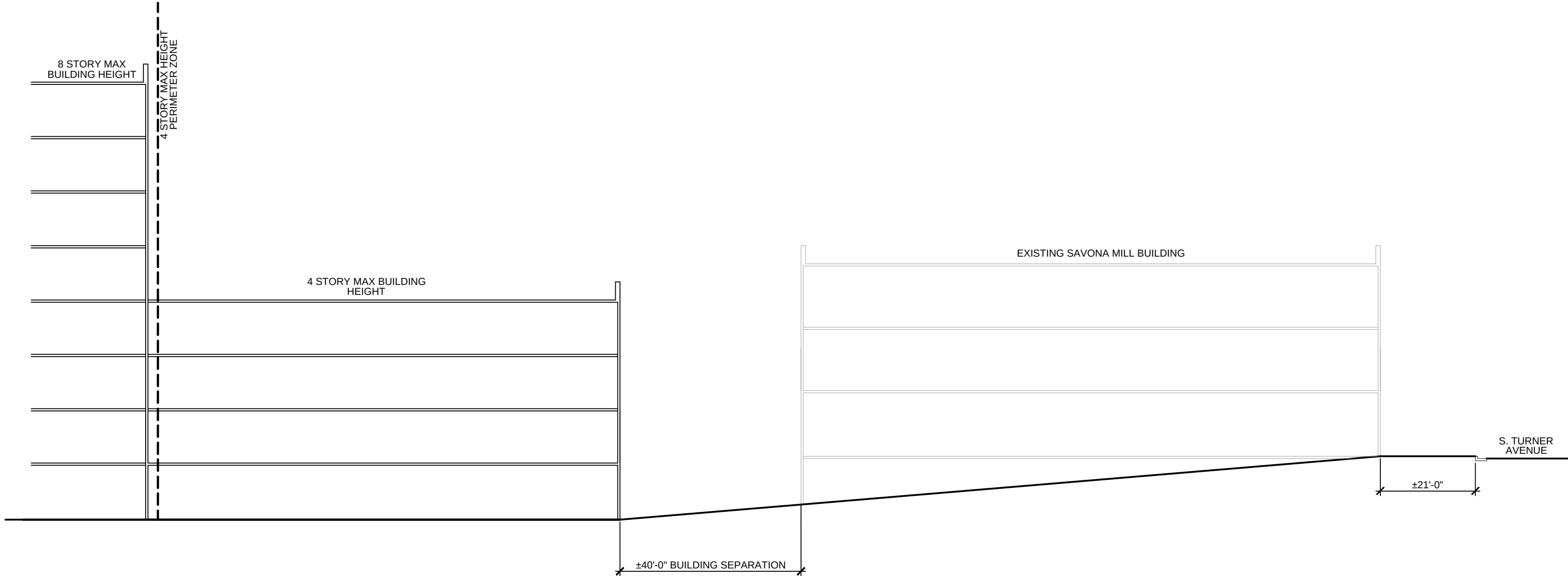
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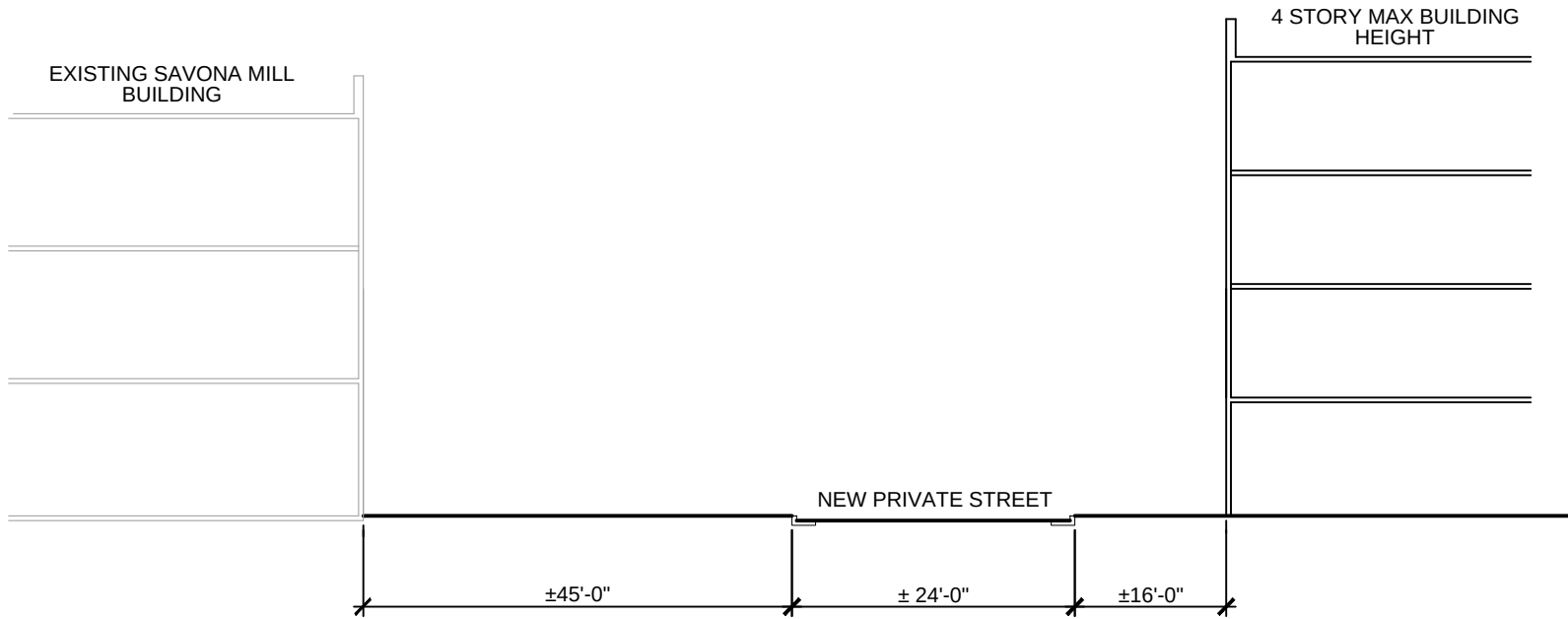
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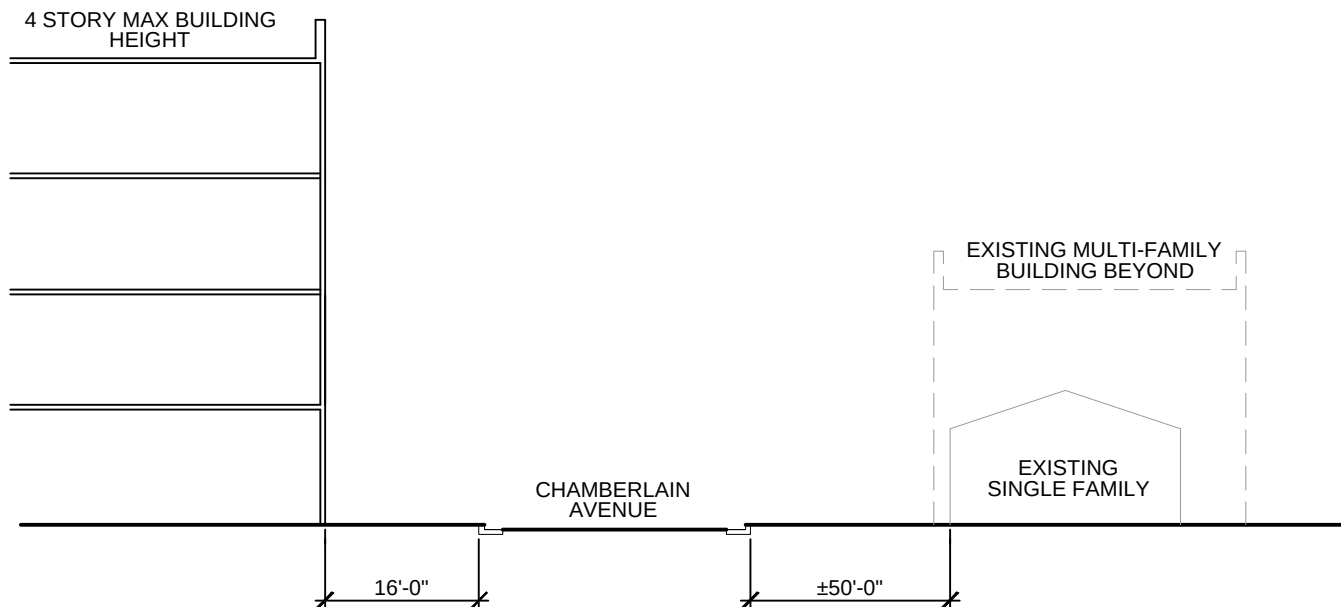
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1 BUILDING HEIGHT RELATIONSHIP AT S. TURNER AVENUE PERIMETER ZONE
SCALE: 1" = 20'-0"

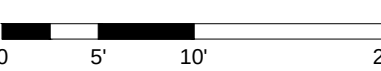


2 BUILDING HEIGHT RELATIONSHIP AT NEW PRIVATE STREET
SCALE: 1" = 20'-0"



3 BUILDING HEIGHT RELATIONSHIP AT CHAMBERLAIN AVENUE
SCALE: 1" = 20'-0"

NO.	DESCRIPTION	DATE
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KEY MAP

SEAL

REZONING
PETITION NO.
2016-112

SAVONA
REZONING

ARGOS REAL ESTATE ADVISORS,
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DESIGNED BY:
DRAWN BY:
CHECKED BY:

SCALE NORTH

VERT: N/A
HORZ: N/A

SHEET TITLE

DEVELOPMENT STANDARD
NOTES

SHEET NUMBER

RZ-N1

REZONING PETITION NO. 2016 - 112

DEVELOPMENT STANDARDS

ARGOS REAL ESTATE ADVISORS, INC.

June 24, 2019

Site Development Data:

--**Acreage:** ± 28 acres
--**Tax Parcels:** 071-114-03, 071-114-12, 071-114-17 and 071-112-09
--**Existing Zoning:** I-1 and I-2
--**Proposed Zoning:** MUDD-O with five (5) year vested rights.
--**Existing Uses:** Industrial
--**Proposed Uses:** Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district.
--**Maximum Development (subject to conversion rights as defined herein):**
a. Up to 290,000 square feet of commercial and/or office uses, however retail uses shall not exceed 45,000 square feet total, and
b. Up to 240 residential units.
--**Maximum Building Height:** Up to eight (8) stories for buildings internal to the Site, and further limited to a maximum of four (4) stories around the perimeter of the Site, in the areas as indicated on the Rezoning Plan as the Perimeter Height Zone Area.
--**Parking:** As required by the Ordinance for the MUDD zoning district.

1. General Provisions

- (a) **Site Description.** These Development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Argos Real Estate Advisors, Inc. ("Petitioner") to accommodate the redevelopment of an approximately 28-acre property generally surrounded by Stewart Avenue, Chamberlain Avenue, Turner Avenue, State Street and Stewart Creek (the "Site").
- (b) **Intent.** This Rezoning is intended to accommodate the evolution of a heavy industrial property into a vibrant mixed use community. The Petitioner seeks to preserve existing buildings and infrastructure where possible while maintaining enough flexibility to develop new improvements in a manner and at a time that is responsive to market demand. The Petitioner proposes to create an internal street network through the Site to create a more complete street network that will allow pedestrian, bicycle, and automobile traffic to travel through the Site. The Petitioner seeks to create a public realm with the pedestrian experience in mind. The overall development plan is intended to allow the Site to evolve with the surrounding area, resulting in a well-designed, quality experience for the residents, employees, and visitors, as well as the larger community. The Petitioner views the existing Savona

93294080 v11

Mill building as an asset to the development and intends to preserve the building for adaptive reuse.

- (c) **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 zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Optional Provisions Provided below.
- (d) **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, setbacks, side and rear yards, buffers, building height separation standards, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements, provided, however, that all such separation standards along the exterior boundary of the Site shall be adhered to any development limitations set forth below as to the Site as a whole and not individual portions or lots located therein.
- (e) **Five Year-Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period.

2. MUDD-O Optional Provisions

The following Optional Provisions are provided to accommodate deviations from the MUDD standards:

- (a) To allow existing structures to remain and to permit changes of use within existing buildings without having to bring buildings into full compliance with MUDD design or streetscape standards during "Adaptive Reuse of Existing Buildings" conditions, as further described below in Paragraph 2.g. and 6.b. (which requires minor building enhancements not to exceed 10% of the building facade). Such Adaptive Reuse of Existing Buildings shall not be renovated in a manner that makes them more nonconforming with MUDD design and architectural standards, unless

93294080 v11

otherwise approved by the Planning Director or its assignee. However, at such time when an existing structure in any development Area is demolished, the Petitioner must comply with all MUDD design standards for newly constructed buildings (partially or entirely) within the demolished building's footprint and all MUDD streetscape standards for that Area. For the sake of clarity, if one building within an Area is demolished but other existing structures remain, those existing structures shall not also immediately be required to come into full MUDD compliance, but the streetscape standards shall be updated for the entire Area so as to comply with MUDD standards or as otherwise agreed upon herein.

- (b) To allow existing off-street, surface level, vehicular parking and maneuvering areas to remain between existing buildings and public and private streets in the areas generally depicted on the Rezoning Plan during "Adaptive Reuse of Existing Buildings" conditions.
- (c) To not require doorways to be recessed into the face of existing buildings during "Adaptive Reuse of Existing Buildings" conditions.
- (d) To allow water quality and stormwater detention facilities to be located beneath sidewalks and private streets, but outside of the public right-of-way.
- (e) To allow alternative cross sections if approved by the Charlotte Department of Transportation (CDOT), as shown on Sheet RZ-02.
- (f) To allow the following signs that vary from the MUDD standards to be permitted:
- Computer programmable L.E.D. systems with full-color, full-matrix and/or digital display (visible from the interior to the Site only);
 - Full-color outdoor video display (visible from the interior to the Site only);
 - Signs with moveable parts (signs with parts that revolve, adjust, or are interactive);
 - Movie-type projected images from either direct projection or rear screen projection;
 - Sculpture signs;
 - Landscape wall signs (landscape walls are low walls associated with landscape features or amenity areas);
 - Temporary banners hung on a supporting structure or above a pedestrian or vehicular connection on public streets or proposed connections; and
 - Other such signs having substantially the same characteristics as the foregoing or developed in response to innovative technology.
- (g) In "New Flexible Frontage Zones" and during "Adaptive Reuse of Existing Buildings" conditions, the Petitioner requests flexibility from the MUDD Ordinance provisions related to design standards to allow for the following:

93294080 v11

assignee) and CDOT to provide pedestrian safety and aesthetics consistent with the intent of the redevelopment.

3. Improvements to the new public street connection, shown as the South Gardner Avenue Extension and New Private Connection [not including the portion of the New Private Connection labeled as "Potential Connection (with public access easement) to be provided with future new development in Area E, discussed in paragraph 5.b.4, below] on the Rezoning Plan, shall be provided as depicted in the cross-sections on Sheet RZ-02, or as otherwise mutually agreed upon in coordination with CDOT, if either of the following occur:
- Prior to the first certificate of occupancy for Area C (existing Savona Mill); and/or
 - Five (5) years from the date of this Rezoning approval by Charlotte City Council.
4. Improvements to the proposed "Potential Connection (with Public Access Easement)" extension as labeled on the Rezoning Plan, shall be provided as depicted in the cross-sections on Sheet RZ-02, or as otherwise mutually agreed upon in coordination with CDOT, if any of the following occur:
- Any new development in Area E, at which time this connection shall be provided prior to the first certificate of occupancy for Area E; and/or
 - Five (5) years from the date of this Rezoning approval by Charlotte City Council.
- (c) **Off-site Improvements.** Petitioner shall provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:
- At the intersection of Rozzelles Ferry Road and South Gardner Avenue:**
 - Install a westbound left turn lane with 100 feet of storage on Rozzelles Ferry Road (pavement re-mark of "road diet") (to be completed prior to the issuance of the first certificate of occupancy for Area C);
 - Construct a new northbound left turn lane with 150 feet of storage on South Gardner Avenue; and
 - Construct a new pedestrian refuge island across the west leg of Rozzelles Ferry Road (to be completed prior to the issuance of the first certificate of occupancy for Area C or any new building construction).
 - At the intersection of Rozzelles Ferry Road on South Turner Avenue:**
 - Install a westbound left turn lane with 150 feet of storage on Rozzelles Ferry Road (pavement re-mark of "road diet") (to be completed prior to the issuance of the first certificate of occupancy for Area C);

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- In Areas C and E, the Petitioner requests the opportunity to discuss approval for design flexibility with the Planning Director or its assignee related to the internal streetscape and design standards, such as the proposed Trolley connection and other similar innovative design elements that are consistent with the intent of the redevelopment.
- If non-residential uses are not oriented to an existing or new network required street and cannot meet the design standards for blank wall articulation (for example, modular commercial, pre-existing conditions contributing to site character, and/or fire code limitations), alternative innovative design solutions may be considered for approval by the Planning Director or designee.
- Loading/unloading and service, including refuse collection;
- Driveway spacing;
- Flexibility for existing grade related to the active use requirement on the ground floor of existing buildings;
- Relief from "blank" walls provision; and
- Relief from storefront and entrance spacing requirements.

3. Permitted Uses and Maximum Development

Subject to the Maximum Development provisions set forth herein, the Site may be devoted to any commercial and residential uses permitted by right or under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith, except for the following:

- Car washes;
- Automobile service stations; and
- EDEEs with drive-through service windows.

Area A shall be further restricted to prohibit the following uses: adult establishments, nursing homes, police and fire stations, and motels.

4. Development Areas and Conversion Rights

- (a) Subject to the restrictions, limitations, and transfer/conversion rights listed below, the principal buildings constructed within Development Areas may be developed: (i) with up to 290,000 square feet of gross floor area of commercial non-residential uses permitted by right and under prescribed conditions; and (ii) up to 240 residential dwelling units.

Conversion Rights:

- In the event that 290,000 square feet of commercial uses are not constructed on the Site, unused commercial square footage may be converted to residential dwelling units at the rate of one (1) residential dwelling unit per 1,000 square feet of commercial square footage so converted. Thus, the total number of residential dwelling units allowed on the Site may exceed 240 if unused commercial square footage is converted in accordance with the above ratio.

93294080 v11

- Completed prior to the issuance of the first certificate of occupancy for Area C);
- Construct a new pedestrian refuge island across the west leg of Rozzelles Ferry Road (to be completed prior to the issuance of the first certificate of occupancy for Area C or any new building construction); and
- Construct a new northbound right turn lane with 125 feet of storage on South Turner Avenue.

3. **Stewart Avenue Multi-Use Path.** The Petitioner shall construct an eight (8) foot wide multi-use (non-vehicular access) connection into the Site from the termination point of Stewart Avenue, as generally depicted on the Rezoning Plan, subject to the necessary approval by FEMA and applicable permitting requirements as related to potential floodplain issues. It is understood in coordination with CDOT that this improvement shall not require the installation of new curb or gutter along Stewart Avenue or the newly constructed multi-use path.

- The Petitioner shall provide for the connection between Chamberlain Avenue and the Stewart Avenue Multi-Use Path by either: (a) extending Chamberlain Avenue to the proposed Stewart Avenue Multi-Use Path, or (b) extending the Stewart Avenue Multi-Use Path to connect where the existing Chamberlain Avenue terminates.

Unless otherwise indicated, these improvements shall be completed at the earlier of either: (i) the Site's total occupancy exceeds 75% (irrespective of whether that occupancy is in existing buildings or new buildings throughout the Site); or (ii) five (5) years from the date of this Rezoning approval by Charlotte City Council.

(d) Access and Internal Streets:

- New public streets within the Site shall be provided as generally depicted on the Rezoning Plan, subject to adjustment set forth below. It is understood that the routes for such internal vehicular and pedestrian connections as generally depicted may be adjusted as reasonably necessary to address site constraints.
- Internal vehicular and pedestrian connections, as generally depicted on the Rezoning Plan, shall be installed as redevelopment (including adaptive reuse of existing buildings) occurs as may be necessary to ensure appropriate vehicular and/or pedestrian access to the development area in question.
- The internal private streets will have recorded public access easements. However, this shall not preclude Petitioner from temporarily closing internal private streets for, but not limited to, special events, festivals, public markets, concerts, block parties or similar events upon CDOT approval.
- In addition to proposed street locations, other potential vehicular access points which could be surface drives or entrances to structured parking

93294080 v11

93294080 v11



KEY MAP

SEAL

REZONING
PETITION NO.
2016-112

SAVONA
REZONING

ARGOS REAL ESTATE ADVISORS,
INC.

1101 S. BLVD., SUITE 100

CHARLOTTE, NC 28203

LANDDESIGN PROJ.# 1017332

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
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4	SUBMITTAL 4	01-14-19
5	SUBMITTAL 5	05-13-19
6	SUBMITTAL 6	06-24-2019

DESIGNED BY:
DRAWN BY:
CHECKED BY:

SCALE NORTH

VERT: N/A
HORZ: N/A

SHEET TITLE

DEVELOPMENT STANDARD
NOTES

SHEET NUMBER

RZ-N2

facilities shall be allowed. The exact number and location of vehicular access points will be determined during the design process and thereafter with approval from appropriate governmental authorities, subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations. Petitioner, in its discretion may limit ingress and egress movements or restrict certain vehicular access points to one-way traffic if necessary.

- The Petitioner reserves the right to request the installation of pavers and/or stamped or colored asphalt within streets abutting or internal to the Site in order to designate and define pedestrian crossings in order to enhance the pedestrian experience (including within intersections such as multimodal plazas or speed tables). The Petitioner will coordinate the design of any decorative pavement elements proposed within the public right-of-way with CDOT during the driveway permit process. Furthermore, the Petitioner understands that an encroachment and maintenance agreement must be obtained from CDOT before any decorative pavers and/or stamped pavement proposed in the public right-of-way may be installed.
- The alignment of the internal public and private streets, vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT's final approval.

- (e) **Substantial Completion.** Reference to "substantially complete" for certain improvements as set forth herein shall mean completion of the roadway improvements in accordance with the standards set forth herein, 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 allow 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.

- (f) **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced herein 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 and Property Management Department, the Petitioner is unable to acquire any land necessary to provide for any such additional right-of-way upon commercially 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 contact the Planning 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.

- (g) **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, Planning Director (or its assignee), and as applicable, NCDOT, provided, however, the proposed alternate transportation improvements must provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

- (h) **Alternative Compliance.** While it is understood that the improvements set forth above, unless otherwise specified, are the responsibility of the Petitioner or other private sector entity, in any event that it is necessary or advantageous, CDOT may, at its discretion, accept a fee in lieu of construction of certain improvements, as long as such fee is equal to the full cost of said improvements (including design, acquisition and construction).

6. Design Guidelines

- (a) The Petitioner agrees to use diligent good faith efforts to preserve the existing Savona Mill building located in Area C for adaptive reuse, unless determined to be in such condition from a structural or environmental standpoint that preservation may not be possible, as determined by a third party engineer licensed in North Carolina.
- If any design or streetscape improvement requirements contained herein are contradictory to the requirements of historic preservation so as to affect the Mill's eligibility for historic tax credits, the requirements related to historic preservation shall prevail so as not to impact the applicability of historic tax credits. Alternative Compliance or Alternative Improvements shall be provided in coordination with the Planning Director (or its assignee) and/or CDOT.

- Decorative pedestrian lighting/scones;
 - Architectural details carried through to upper stories;
 - Covered porches, canopies, awnings or sunshades;
 - Archways;
 - Transom windows;
 - Terraced or raised planters that can be utilized as seat walls;
 - Common outdoor seating enhanced with specialty details, paving, landscaping or water features;
 - Double doors;
 - Stoops or stairs; and/or
 - Contrasting pavement from primary sidewalk.
- Provide amenity landscaping, such as a sitting area with arbor; and/or
 - Any other architectural improvements as allowed by the Ordinance to improve the visual aesthetics of scale and/or massing.

- If non-residential uses are not oriented to an existing or new network required street and cannot meet the design standards for blank wall articulation (for example, modular commercial, pre-existing conditions contributing to site character, and/or fire code limitations), alternative innovative design solutions may be considered for approval by the Planning Director or designee.
- All buildings shall comply with the height requirements established under the Ordinance for the MUDD classification.

7. Parking Areas, Access and Circulation Design Guidelines.

- (a) Structured parking facilities, if provided, shall be designed to encourage and complement pedestrian-scale interest and activity on the ground floor and be architecturally compatible with primary buildings on all levels.
- (b) Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design.
- (c) If an exposed parking structure is located at a street corner, the corner of the parking structure shall be activated with a ground floor use.
- (d) On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances.

8. Pedestrian Access and Circulation Design Guidelines.

- (a) Along the Site's internal streets, 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.
- (b) Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of main door swings, shopping cart storage, and temporary trash or similar impediments. Main door swings are to be distinguished from emergency exits, with emergency exits only requiring a walkway width of at least six (6) feet.
- (c) Subject to the optional provision set forth above, deviations from typical sidewalk and planting strip requirements are allowable upon approval by CDOT and the

- (b) **Adaptive Reuse of Existing Buildings.** For buildings that are being adaptively reused, the Petitioner requests optional provisions (as stated in Section 2 above) to allow existing buildings to remain without triggering new building design guidelines. The following standards shall apply to all Adaptive Reuse of Existing Buildings:

- Existing Building(s) shall be renovated with façade improvements through vision glass, doors or active outdoor spaces along 30% of the building side that fronts the public right-of-way or private street between two (2) feet and eight (8) feet of the ground floor, unless such renovations require that over 10% of the building facade be altered. In that case, only 10% of the building facade shall be renovated to include vision glass, doors or active spaces as stated herein. Further, if the building architectural or site prohibits meeting the above condition, the Planning Director or its assignee may approve alternative approaches that meet the intent of the redevelopment. Such renovations shall occur at such time that the Site's total occupancy exceeds 75% occupancy.
- At such time as an adaptive reuse building is redeveloped with new building(s) or an existing parking area is improved or such time as the use to which that parking area serves is converted to non-industrial (i.e., commercial, office, or residential) uses, the building(s) must be built to MUDD standards and parking area must be screened per MUDD standards.
- Expansion of adaptive reuse buildings shall be limited to minor (15%) increases for utility upfits or other similar existing building improvements required to meet accessibility requirements or building code requirements. Expansions above 15% shall require such building(s) to conform to MUDD standards.
- Parking areas labeled as "Existing Parking Fields for Adaptive Re-Use or Re-Use in Primarily As-Is Condition" on the Rezoning Plan shall denote areas where existing parking areas and parking structures may be visible from streets or open spaces until such time as the existing buildings to which they serve are demolished and new buildings are constructed in their place, at which time such parking in that development Area shall conform to all MUDD screening and parking standards in the Ordinance and parking shall no longer be permitted between the building(s) and network-required streets for that Area unless alternative improvements are approved by the Planning Director or its assignee.

(c) New Building Design Guidelines

- Building Materials.** The new principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings (other than structured parking facilities) will be a combination of

Planning Director. Any changes to dimensional requirements are allowable only in cases of hardship.

9. Open Space and Amenity Areas.

Petitioner shall provide open spaces throughout the Site in accordance with the following standards:

- (a) **Urban Open Spaces:** New development within the Site shall meet the Urban Open Space requirements of the MUDD district.
- (b) **Amenitized Publicly Accessible Open Space:** Prior to the issuance of a certificate of occupancy for greater than 100,000 square feet of development throughout the Site, the Petitioner shall provide at least 10,000 square feet of amenitized, publicly accessible open spaces designed as amenity areas throughout the Site. The majority of the required open space will be at the ground level in locations that are visible and accessible from streets or sidewalks. These areas may include elements such as: water features, specialty graphics, landscaping, specialty paving, seating areas, signage, art work and/or other site elements.

10. Signage

- (a) Because the Site will be viewed as a Planned/Unified-Development as defined by the Ordinance, signs may be located throughout the Site as allowed by the Ordinance and provisions below. The allowed signs may contain identification signage for any of the uses located on the Site.
- (b) Signage types as outlined in Optional Provision Section 2.f. shall be permitted in addition to those allowed under Chapter 13 of the Ordinance.

11. Lighting

- (a) All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
- (b) Detached lighting on the Site, except street lights located along public streets, will be limited to 30 feet in height in the portions of the Site used for non-residential uses and 25 feet in height in the portions of the Site used for residential uses.
- (c) Attached and detached lighting shall be downwardly directed. However, upward facing accent lighting shall be permitted.
- (d) Architectural lighting may be integrated into building elements.

Existing Building (address)	Beginning SF	Expanded SF Allowance (15% max)	Actual Expansion SF	Expansion Description	Date of Expansion Permit	% of Site Total Occupancy
528 S Turner Ave	178,870	26,831				
401 S Gardner Ave	4,852	728				
411 S Gardner Ave	60,180	9,027				
2426 Chamberlain Ave	24,544	3,682				