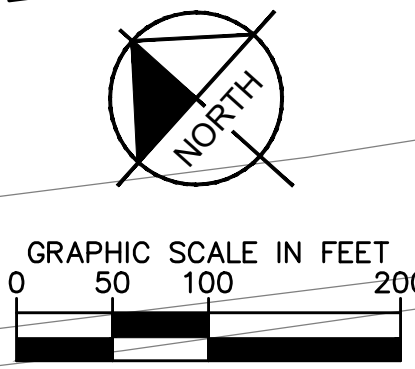


PROJECT NAME:	1900 MOODY LAKE REZONING UPDATE
OWNER:	WHITEHALL CORPORATE CENTER, LLC
PETITIONER NAME:	AMERICAN ASSET CORPORATION PHONE: (704) 285-4005
PLANS PREPARED BY:	KIMBERLY MORAN AND ASSOCIATES, INC. PHONE: (704) 333-5131
TAX PARCEL ID:	PORTION OF 201-151-51
EXISTING ZONING:	MUDD-O
PROPOSED ZONING:	MUDD-O S.P.A.
PROPOSED BUILDING HEIGHT:	SEE THE DEVELOPMENT STANDARDS
PROPOSED USE:	SEE DEVELOPMENT STANDARDS
SITE AREA:	APPROXIMATELY 23.89 ACRES
RESIDENTIAL UNITS:	322 UNITS
RESIDENTIAL AREA:	APPROXIMATELY 439,500 SF

# Kimley»Horn





## DEVELOPMENT STANDARDS



A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by American Asset Corporation (the "Petitioner") to request an amendment to the approved conditional rezoning plan associated with Rezoning Petition No. 2008-053 (the "Approved Plan"). More specifically, pursuant to this site plan amendment request, Petitioner seeks to amend the Approved Plan as it relates to an approximately 23.89 acre site located at the intersection of the near West Arroyo Road - Interstate 485 interchange (the "Site"), which Site is more particularly depicted on the Rezoning Plan. The Site is a portion of Tax Parcel No. 201-451-05 and a portion of Tax Parcel No. 201-451-14.

B. In the event that this Rezoning Petition is approved by the Charlotte City Council, the development and use of the Site will be governed by the Rezoning Plan and the Development Standards associated with this Rezoning Petition and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Approved Plan relating to Rezoning Petition No. 2008-053 will not govern the development and use of the Site.

C. The development and use of the Site shall be governed by the Development Standards established under the Ordinance for the Mixed Use Development District ("MU/DD"), zoning district that will govern the development and use of the Site.

D. Building envelopes for the multi-family buildings proposed to be developed on the Site are each designated on the Rezoning Plan as a "Multi-Family Building Envelope." There are seven Multi-Family Building Envelopes on the Rezoning Plan for the proposed multi-family buildings. Each multi-family building developed on the Site shall be located in a Multi-Family Building Envelope. The locations of the Multi-Family Building Envelopes are subject to minor modifications during the permitting process.

E. Parking facilities to be developed on the Site are each designated on the Rezoning Plan as a "Parking Envelope." Parking facilities shall be located in a Parking Envelope. Notwithstanding the foregoing, parking facilities and vehicular maneuvering and circulation areas may also be located in a Multi-Family Building Envelope. The locations of the Parking Envelopes are subject to minor modifications during the permitting process.

F. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the layout, locations and sizes of the uses, improvements and site elements depicted on the Rezoning Plan (including the building and parking envelopes) as well as the internal streets, drives and parking areas are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.

G. The development of the Site proposed under this Rezoning Plan shall be considered to be a planned/unified development. Therefore, side and rear yards, building height separation requirements and other similar zoning standards shall not be required internally between improvements, uses and other elements located on the Site. Furthermore, the Petitioner and/or the owner(s) of the Site reserve the right to subdivide portions or all of the Site and to create lots within the Site and to create lots or parcels of land subject to any such internal subdivision, provided, however, that the development of the Site shall be required to meet any applicable setback, side yard and rear yard requirements with respect to the exterior boundaries of the Site.

H. Pursuant to Section 1.110 of the Ordinance and Section 160A-385.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.

I. Amendments to the Rezoning Plan and the Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

The optional provisions set out below shall apply to the Site.

A. The Site may only be devoted to a residential community containing a maximum of 352 multi-family dwelling units and to any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district. Incidental and accessory uses may include, without limitation, a leasing and management office and amenities.

A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").

B. The alignment of the internal streets, drives and driveways and the vehicular circulation areas may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.

C. Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easement) those portions of the Site located immediately adjacent to West Arrowood Road as required to provide right of way measuring 55 feet from the centerline of existing West Arrowood Road, to the extent that such right of way does not already exist.

D. Petitioner shall dedicate and convey all relevant right of way to the City of Charlotte prior to the issuance of the first certificate of occupancy for a new dwelling unit constructed on the Site. The right of way shall be set back 2 feet behind the back of the sidewalk where feasible. If it is not feasible, the sidewalks, or portions thereof, may be located in a sidewalk utility easement.

E. The Future 2 - Lane Avenue to be constructed on the Site that is depicted on the Rezoning Plan shall be constructed in accordance with the Avenue - Two Lane Undivided Cross Section provided in the Steele Creek Area Plan.

F. Petitioner shall install an eastbound right turn lane with 150 feet of storage on West Arrowood Road at the intersection of West Arrowood Road and the Future 2-Lane Avenue to be constructed on the Site as depicted on the Rezoning Plan.

G. Petitioner shall install a bi-directional crosswalk with a minimum of 150 feet of storage westbound on West Arrowood Road at the intersection of West Arrowood Road and the Future 2-Lane Avenue to be constructed on the Site as depicted on the Rezoning Plan.

H. All transportation improvements will be approved and constructed prior to the issuance of the first certificate of occupancy for a new building constructed on the site except as otherwise provided below in paragraph I.

I. In connection with the future development of any undeveloped portions of that site that will continue to be subject to Rezoning Petition No. 2008-045 after the approval of this Rezoning Petition, the developer shall be required to either (1) conduct a transportation impact study required to be constructed and installed in the transportation impact analysis relating to Rezoning Petition No. 2008-045 that was approved on September 12, 2011 that have not been constructed and installed at the time of such development, or (2) prepare and submit to CDOT and NCDOT a new traffic impact analysis for the development and construct and install the transportation improvements required to be constructed and installed by the developer under the new traffic impact analysis.

J. The Site has cross access to and with Parcel No. 201-45105 pursuant to a Declaration of Easements and Restrictions recorded in Book 27132 at Page 404 of the Mecklenburg County Public Registry.

A. The maximum height of any multi-family building developed on the Site shall be 85 feet as measured under the Ordinance.

B. The architectural and design standards set out below shall apply to the Site.

- (1) Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 30% of that building's entire façade facing such network or street using brick, natural stone or its synthetic equivalent, stucco or other material approved by the Planning Director.
- (2) Prohibited Exterior Building Materials:
  - (a) Vinyl siding (but not vinyl hand rails, windows, doors or door trim).
  - (b) Concrete Masonry Units not architecturally finished.
- (3) Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:
  - (a) Buildings shall be placed so as to present a front or side façade to all network required streets (public or private).
  - (b) Buildings shall front a minimum of 50% of the total network required street frontage on the site (exclusive of driveways, pedestrian access points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).
  - (c) Parking lots shall not be located between any building and any network required public or private street except as generally depicted on the Rezoning Plan.
  - (d) Driveways intended to serve single units shall be prohibited on all network required streets.
- (4) Building Massing and Height shall be designed to break up long monolithic building forms as follows:
  - (a) Buildings exceeding 120 feet in length shall include modulations of the building massing/facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of 10 feet wide and shall project or recess a minimum of 6 feet extending through the building.
- (5) Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
  - (a) Building elevations shall be designed with vertical bays or articulated architectural facade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and changes in materials or colors.
  - (b) Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets. Such base may be executed through use of Preferred Exterior Building Materials or articulated architectural facade features and color changes.
  - (c) Building elevations facing network required public or private streets shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
- (6) Roof Form and Articulation - roof form and lines shall be designed to avoid the appearance of a large monolithic roof structure as follows:
  - (a) Long pitched or flat roof lines shall avoid continuous expanses without variation by including changes in height and/or roof form, to include but not be limited to gables, hips, dormers or parapets.
  - (b) For pitched roofs the minimum allowed is 4:12 excluding buildings with a flat roof and parapet walls.
  - (c) Roof top HVAC and related mechanical equipment will be screened from public view at grade from the nearest street.
- (7) 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 structures. Such design shall include a minimum 20 percent Preferred Exterior Building Materials or a Class B buffer not less than 10' in depth at all above grade perimeter not paved for access.

C. Building orientations are designated on the Rezoning Plan with arrows.

A. A minimum 8 foot wide planting strip and a minimum 8 foot wide sidewalk shall be installed along the Site's public street frontages.

A. Development of the Site shall comply with the requirements of the City of Charlotte Tree Ordinance.

B. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.

A. An amenity area shall be provided on the Site to serve the residential community, and the amenity area shall contain, at a minimum, a clubhouse and swimming pool. The actual location of the amenity area may vary from the location depicted on the Rezoning Plan.

B. Petitioner shall install a minimum 12 foot wide pedestrian/walking trail adjacent to and around the entire perimeter of Moody Lake as generally depicted on the Rezoning Plan (the "Moody Lake Pedestrian Trail").

C. Petitioner shall install a minimum 12 foot wide pedestrian/walking trail through the Open Space Area on the Site that will provide a pedestrian connection from the Moody Lake Pedestrian Trail to the sidewalk located along the Site's frontage on West Arrowwood Road as generally depicted on the Rezoning Plan (the "West Arrowwood Road Connector Pedestrian Trail").

D. The Moody Lake Pedestrian Trail and the West Arrowwood Road Connector Pedestrian Trail shall be installed prior to the issuance of a certificate of occupancy for the second multi-family building constructed on the Site.

E. The Moody Lake Pedestrian Trail and the West Arrowwood Road Connector Pedestrian Trail shall be constructed of the following material: crushed gravel (or approved equal).

F. Petitioner shall install the following items in three locations around the perimeter of Moody Lake in proximity to the Moody Lake Pedestrian Trail: a picnic table and a minimum of three benches for seating.

A. All freestanding lighting fixtures installed on the Site (excluding street lights, landscape lighting and lower, decorative lighting that may be installed along the driveways, sidewalks and parking areas) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site. The maximum height of any freestanding lighting fixtures installed on the Site shall be 21 feet.

B. Any lighting fixtures attached to the buildings to be located on the Site shall be decorative, capped and downwardly directed.

C. Wall pack lighting fixtures are prohibited on the Site.

A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

C. 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 is approved.

SHEET NUMBER  
**RZ-2**



