



DEVELOPMENT STANDARDS

September 23, 2015

GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Midtown Area Partners II, LLC to accommodate the development of a mixed use project that could contain, among other uses, office, retail, hotel and residential uses on that approximately 1.99 acre site generally bounded by South Kings Drive, Luther Street, Cherry Street and Baxter Street, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of those parcels of land designated as Tax Parcel Nos. 125-228-01, 125-221-02, 125-221-03 and 125-221-99.
- B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the B-2 (PED-O) zoning district shall govern the development of that portion of the Site designated as Development Area A on the Rezoning Plan, the regulations established under the Ordinance for the UR-C (PED-O) zoning district shall govern the development of that portion of the Site designated as Development Area B on the Rezoning Plan and the regulations established under the Ordinance for the R-8 MF (PED-O) zoning district shall govern the development of that portion of the Site designated as Development Area C on the Rezoning Plan.
- C. 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 ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with any setback and yard requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- D. The parcels of land that comprise the Site may be recombined at the option of the Petitioner or further subdivided.
- E. The Site shall be considered to be a planned/unified development. Therefore, side and rear yards, buffers, building height separation requirements, building separation requirements and other zoning standards shall not be required internally between improvements and uses on the Site. Subject to the optional provisions set out below, the Site shall be required to meet any applicable side and rear yard requirements and buffer requirements with respect to the exterior boundary of the Site.

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- F. 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.
- G. Future amendments to the Rezoning Plan and/or these 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.

OPTIONAL PROVISIONS

The following optional provisions shall apply to the development of the Site:

- A. The building to be located on that portion of the Site designated as Development Area A on the Rezoning Plan shall have a maximum height of 100 feet as provided below and as depicted on the Rezoning Plan.
- B. The building/structured parking facility to be located on that portion of the Site designated as Development Area B on the Rezoning Plan shall have a maximum height ranging from 64 feet to 81 feet as provided below and as depicted on the Rezoning Plan.
- C. The single family attached dwelling units to be located on that portion of the Site designated as Development Area C on the Rezoning Plan shall have a maximum height of 48 feet as depicted on the Rezoning Plan.
- D. On-street parking along the Site's frontage on South Kings Drive shall not be required.
- E. The minimum setback from South Kings Drive for the ground floor of the building to be located on Development Area A shall be 24 feet from the back of the existing curb. The minimum setback from South Kings Drive for all floors of such building above the ground floor shall be 16 feet from the back of the existing curb.
- F. The structural support columns for the building to be located on Development Area A may be located within the setback from South Kings Drive, provided, however, that the structural support columns must be located a minimum of 16 feet from the back of the existing curb.
- G. The minimum setback from South Kings Drive for the building/structured parking facility to be located on Development Area B shall be 22 feet from the back of the existing curb.
- H. The setback, planting strip and sidewalk located along the Site's frontage on Luther Street that is more particularly depicted on the Rezoning Plan shall be permitted.

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- The setback, planting strip and sidewalk located along the Site's frontage on Cecil Street that is more particularly depicted on the Rezoning Plan shall be permitted.
- J. An 8 foot planting strip and an 8 foot sidewalk shall be installed along the Site's frontage on Baxter Street rather than an 8 foot planting strip, a 6 foot sidewalk and a 2 foot utility
- K. The off-street parking requirement for eating, drinking and entertainment establishments (Type 1 and Type 2) shall be 1 parking space per 600 square feet of gross floor area.
- L. Surface parking and vehicular maneuvering areas shall be permitted between the building to be located on Development Area A and Cecil Street and Baxter Street as depicted on the Rezoning Plan.
- M. A roof line variation every 30 feet shall not be required for the building/structured parking facility to be located on Development Area B, and a roof line variation shall not be required every 30 feet for the single family attached dwelling units to be located on Development Area C.
- N. Tree grates, seat walls, planters and other pedestrian amenities and features may be provided in the setback along the Site's frontage on South Kings Drive.
- O. The 10 foot buffer required along the relevant portions of the Site's southern boundary line under Section 10.812(5) of the Ordinance shall not be required.
- P. The side and rear yard requirements of Section 10.812(1) of the Ordinance shall not be required along the Site's southern boundary line.

PERMITTED USES

A. <u>Development Area A</u>

The building to be located on Development Area A may only be devoted to the uses set out below (including any combination of such uses), together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the B-2 (PED-O) zoning district:

- (1) Multi-family dwelling units and planned multi-family dwelling units;
- (2) Dwellings, mixed use;
- (3) Eating, drinking and entertainment establishments (Type 1), and eating, drinking and entertainment establishments (Type 2) subject to the applicable regulations of Section 12.546 of the Ordinance;
- (4) Hotels;
- (5) Art galleries;

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- Colleges, universities, commercial schools and schools providing adult training in any of the sciences, trades and professions;
- (7) Professional business and general offices;
- (8) Retail sales;
- (9) Services, including, without limitation, beauty shops and barbershops, spas and fitness centers:
- (10) Private postal services; and
- (11) Studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths, and designers of ornamental and precious jewelry.
- B. Development Area B

The building to be located on Development Area B shall be devoted primarily to a structured parking facility to serve the uses located on Development Area A and Development Area C and to any incidental or accessory uses relating thereto as depicted on the Rezoning Plan.

Notwithstanding the foregoing, that portion of the ground or street level floor of the building to be located on Development Area B facing South Kings Drive that is more particularly depicted on the Rezoning Plan may only be devoted to the uses set out below (including any combination of such uses), together with any incidental or accessory uses relating thereto that are permitted under the Ordinance in the UR-C (PED-O) zoning district:

- Eating, drinking and entertainment establishments (Type 1), and eating, drinking and entertainment establishments (Type 2) subject to the applicable regulations of Section 12.546 of the Ordinance;
- (2) Art galleries;
- Professional business and general offices;

LIGHTING

- (4) Retail sales;
- Services, including, without limitation, beauty shops and barbershops, spas and fitness centers; and
- (6) Studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths, and designers of ornamental and precious jewelry.

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C. Development Area C

That portion of the Site designated as Development Area C on the Rezoning Plan may be devoted only to a maximum of 8 single family attached dwelling units, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the R-8 MF (PED-O) zoning district.

Development Limitations/Requirements

- A. The maximum gross floor area of the building to be located on Development Area A shall be 275,000 square feet, and the maximum height of this building shall be 100 feet as more particularly depicted on the Rezoning Plan.
- 3. Notwithstanding anything contained herein to the contrary, the maximum number of multi-family dwelling units that may be located in the building to be located on Development Area A shall be 300 dwelling units.
- C. Notwithstanding anything contained herein to the contrary, the maximum number of hotel rooms that may be located in the building to be located on Development Area A shall be 225 hotel rooms.
- D. Ground floor uses located in the building to be located on Development Area A along South Kings Drive may only be devoted to non-residential uses, and the primary entrances into such uses will be oriented to and at street grade with South Kings Drive.
- E. The maximum gross floor area of the building/structured parking facility to be located on Development Area B shall be 221,000 square feet, and the maximum height of the building/structured parking facility shall range from 64 feet to 81 feet as depicted on the Rezoning Plan. The gross floor area of the commercial (non-residential) uses to be located on the ground or street level of the building/structured parking facility located on Development Area B facing South Kings Drive shall not be considered or counted when determining the maximum gross floor area of the building/structured parking facility.
- F. The maximum gross floor area of the commercial (non-residential) uses to be located on the ground or street level of the building/structured parking facility located on Development Area B facing South Kings Drive shall be 7,000 square feet.
- G. The uses located on the ground or street level floor of the building/structured parking facility to be located on Development Area B facing South Kings Drive may only be devoted to non-residential uses, and the primary entrances into such uses will be oriented to and at street grade with South Kings Drive. The remaining portions of the ground or street level floor of this building/structured parking facility may only be devoted to the structured parking facility.
- H. Single family attached dwelling units are required to be constructed on Development Area C along its frontage on Cherry Street adjacent to the building/structured parking facility to be constructed on Development Area B as generally depicted on the Rezoning

- Plan to provide a residential edge to this portion of the Site. The maximum number of single family attached dwelling units that may be constructed on Development Area C shall be 8 dwelling units.
- I. The single family attached dwelling units to be located on Development Area C shall be constructed prior to the issuance of a certificate of occupancy for the building/structured parking facility to be located on Development Area B.

TRANSPORTATION

- 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.
- Subject to the optional provisions set out above, off-street vehicular parking shall meet the minimum requirements of the Ordinance.
- C. Bicycle parking will be provided on the Site as required by the Ordinance.
- D. Petitioner has submitted a Petition to the City of Charlotte requesting that Cecil Street be abandoned by the City of Charlotte. In the event that this Petition is approved by City Council, Cecil Street shall be converted to a private drive serving the adjacent parcels of land, the building to be located on Development Area A and the structured parking facility to be located on Development Area B.
- E. In the event that Cecil Street is abandoned and converted to a private street, a public access easement shall be provided to allow vehicular traffic to utilize this street to travel to and from Baxter Street from and to Luther Street.
- The existing bus shelter located along the Site's frontage on South Kings Drive shall be retained provided, however, that with the approval of CATS and CDOT, the existing bus shelter may be relocated by the Petitioner to another location along the Site's frontage on South Kings Drive.
- G. Direct vehicular access from Luther Street to Cecil Street through the structured parking facility located on Development Area B shall be provided.

ARCHITECTURAL AND DESIGN STANDARDS

- A. The maximum height of the building to be constructed on Development Area A shall be 100 feet as more particularly depicted on the Rezoning Plan.
- B. The maximum height of the building/structured parking facility to be located on Development Area B shall range from 64 feet to 81 feet as more particularly depicted on the Rezoning Plan.

- C. The maximum height of the single family attached dwelling units to be constructed on Development Area C shall be 48 feet as depicted on the Rezoning Plan.
- D. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- E. Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side. Alternatively, such facilities may be located within or under the structures proposed to be constructed on Development Area A and Development Area B.
- F. Attached to the Rezoning Plan are conceptual, schematic images of the various exterior components and elements of the building and improvements to be constructed on Development Area A that are intended to depict the general conceptual architectural style, character and quality of such building and improvements. Accordingly, the building and improvements to be constructed on Development Area A shall be designed and constructed so that the exterior components and elements thereof are substantially similar in appearance to the attached conceptual, schematic images with respect to architectural style, character and quality. Notwithstanding the foregoing, changes and alterations to the exterior components and elements of the building and improvements to be constructed on Development Area A which do not materially change the overall conceptual architectural style, character and quality shall be permitted.
- G. In addition to the design flexibility provided in paragraph F above, the exterior design and exterior building materials of the building and improvements to be located on Development Area A may be modified to accommodate the various uses that are permitted on the Site under this Rezoning Plan, which modifications may include, without limitation, the addition of balconies, overhangs, recesses and modulations and the use of alternative exterior building materials.
- Attached to the Rezoning Plan are conceptual, schematic images of the various exterior components and elements of the building/structured parking facility to be constructed on Development Area B that are intended to depict the general conceptual architectural style, character and quality of such building/structured parking facility. Accordingly, the building/structured parking facility to be constructed on Development Area B shall be designed and constructed so that the exterior components and elements thereof are substantially similar in appearance to the attached conceptual, schematic images with respect to architectural style, character and quality. Notwithstanding the foregoing, changes and alterations to the exterior components and elements of the building/structured parking facility to be constructed on Development Area B which do not materially change the overall conceptual architectural style, character and quality shall be permitted.

Attached to the Rezoning Plan are conceptual, schematic images of the various exterior components and elements of the single family attached dwelling units to be constructed on Development Area C that are intended to depict the general conceptual architectural style, character and quality of the single family attached dwelling units. Accordingly, the single family attached dwelling units to be constructed on Development Area C shall be designed and constructed so that the exterior components and elements thereof are substantially similar in appearance to the attached conceptual, schematic images with respect to architectural style, character and quality. Notwithstanding the foregoing, changes and alterations to the exterior components and elements of the single family attached dwelling units to be constructed on Development Area C which do not materially change the overall conceptual architectural style, character and quality shall be

J. Each end of the building containing the single family attached dwelling units will have a combination of windows, doors or other architectural details on each floor to break up blank walls and to provide architectural interest.

SETBACK AND YARDS/STREETSCAPE

- A. Subject to the optional provisions set out above, the development of the Site shall comply with the setback, side yard and rear yard requirements of the PED overlay zoning district.
- B. Subject to the optional provisions set out above, Petitioner shall install planting strips and sidewalks along the Site's public street frontages as generally depicted on the Rezoning Plan.
- C. Tree grates, seat walls, planters and other pedestrian amenities and features may be provided in the setback along the Site's frontage on South Kings Drive.

ENVIRONMENTAL FEATURES

- A. Development of the Site shall be in compliance with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- 3. The location, size, and type of storm water management systems are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
- C. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

SIGNS

All signs installed on the Site shall comply with the requirements of the Ordinance.

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.

BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

All freestanding lighting fixtures installed on the Site (excluding street lights 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

Any lighting fixtures attached to the structures to be constructed on the Site shall be

height of any freestanding lighting fixtures installed on the Site shall be 20 feet.

that direct illumination does not extend past any property line of the Site. The maximum

- 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.

APPROVED BY CITY COUNCIL

SEP 2 8 2015

decorative, capped and downwardly directed.

WAGNERMURR

RZ1.2



GOODE PROPERTIES

GOODE PROPERTIES

MIDTOWN CENTER KINGS DRIVE ELEVATION





GOODE PROPERTIES

MIDTOWN CENTER **ELEVATION GUIDE**



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SEP 2 8 2015



MIDTOWN CENTER
PEDESTRIAN ACCESS FROM KINGS DRIVE TO CECIL STREET





GOODE PROPERTIES

MIDTOWN CENTER
VIEW OF STREET-GRADE PEDESTRIAN &
RETAIL COLONNADE





MIDTOWN CENTER VIEW OF PARKING DECK + RETAIL AT KINGS DRIVE AND LUTHER





GOODE PROPERTIES

DESIGN INTENTIONS



CLAD IN STONE WITH FOLIAGE TO COVER

PROPERTIES

28' TO RETAIL FACADE

PROPERTIES

MIDTOWN CENTER BAXTER STREET ELEVATION



ACCENT WALL TO CONCEAL SHORT TERM PARKING



BELT COURSES AND MOL EACH LEVEL OF BUILDING

FURTHER DIFFERENTIATION
COURSE HEIGHT+DEPTH A
WIDTH+DEPTH ARTICULA
AS DISCRETE PARTS OF B

1.5 STORY BUILDING BASE PEDESTRIAN STREET ACT

PEDESTRIAN ARCADE (10'
PEDESTRIAN SPACE THAT
SETBACK REQUIREMENTS
RECOMMENDATIONS.

ARCHITECTURAL CANOPY PEDESTRIAN SPACE





GOODE PROPERTIES

CECIL STREET ELEVATION OCTOBER 2014







GOODE PROPERTIES

MIDTOWN CENTER VIEW OF PARKING DECK + RETAIL AT UPPER KINGS DRIVE





GOODE PROPERTIES

MIDTOWN CENTER VIEW OF OFFICE AND PARKING DECK AT CECIL STREET



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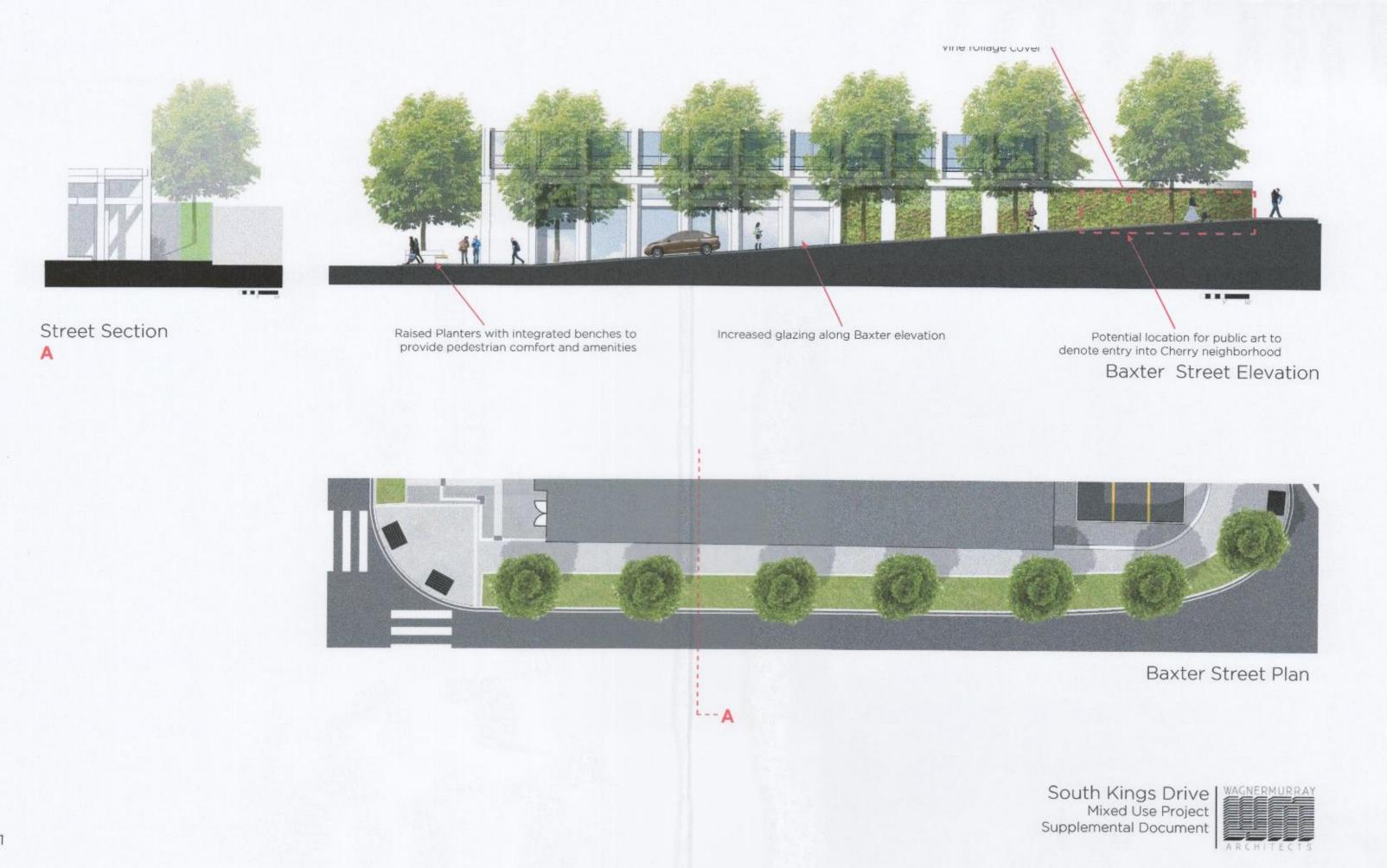
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GOODE PROPERTIES

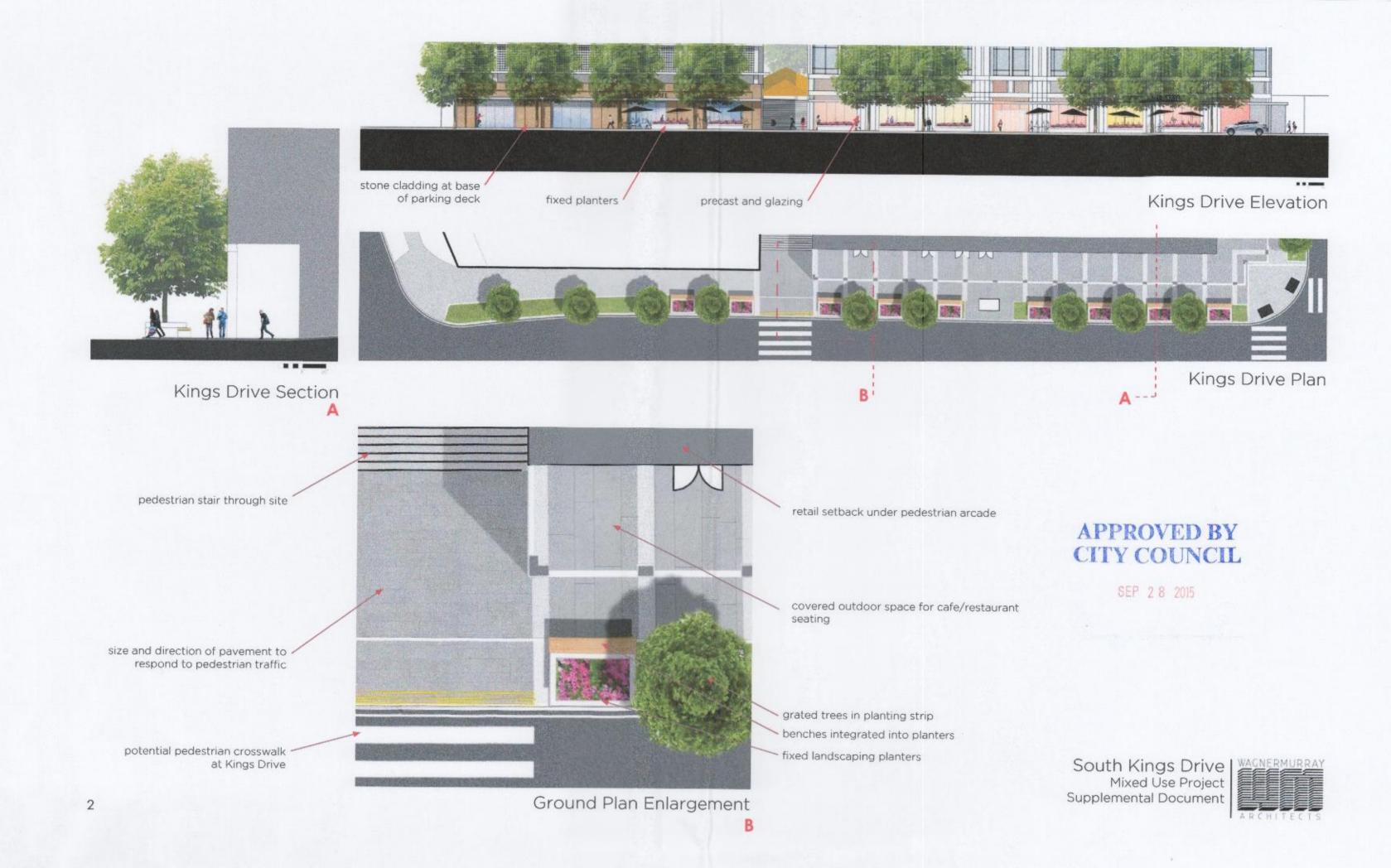
MIDTOWN CENTER PARKING DECK VIEW ALONG LUTHER STREET

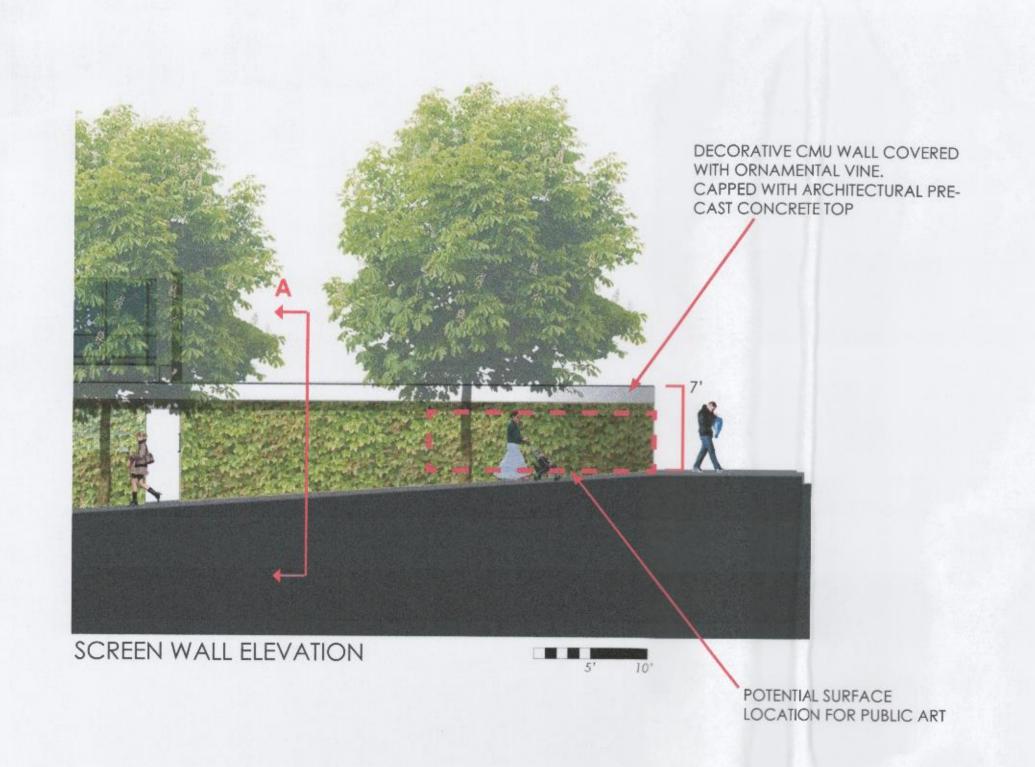
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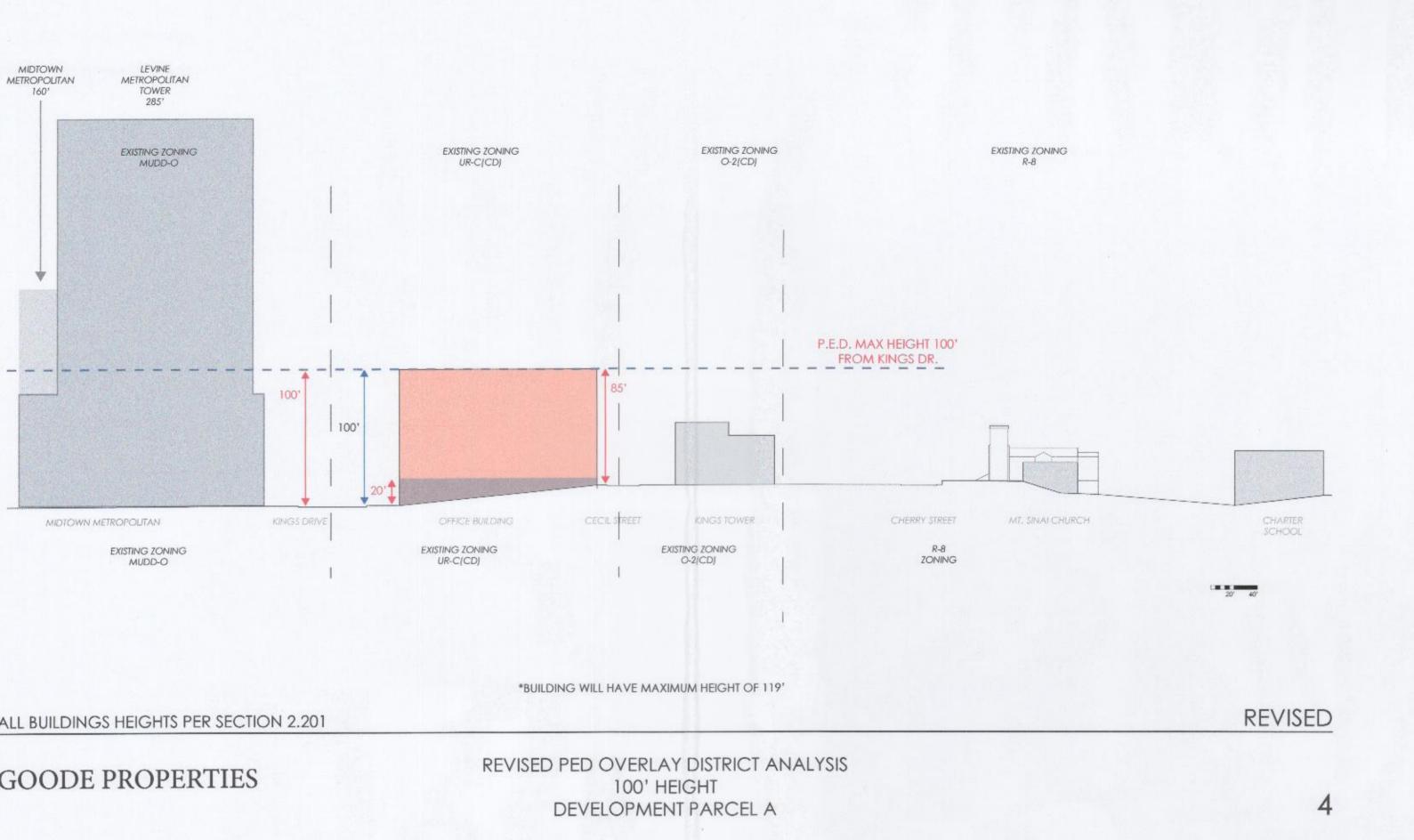


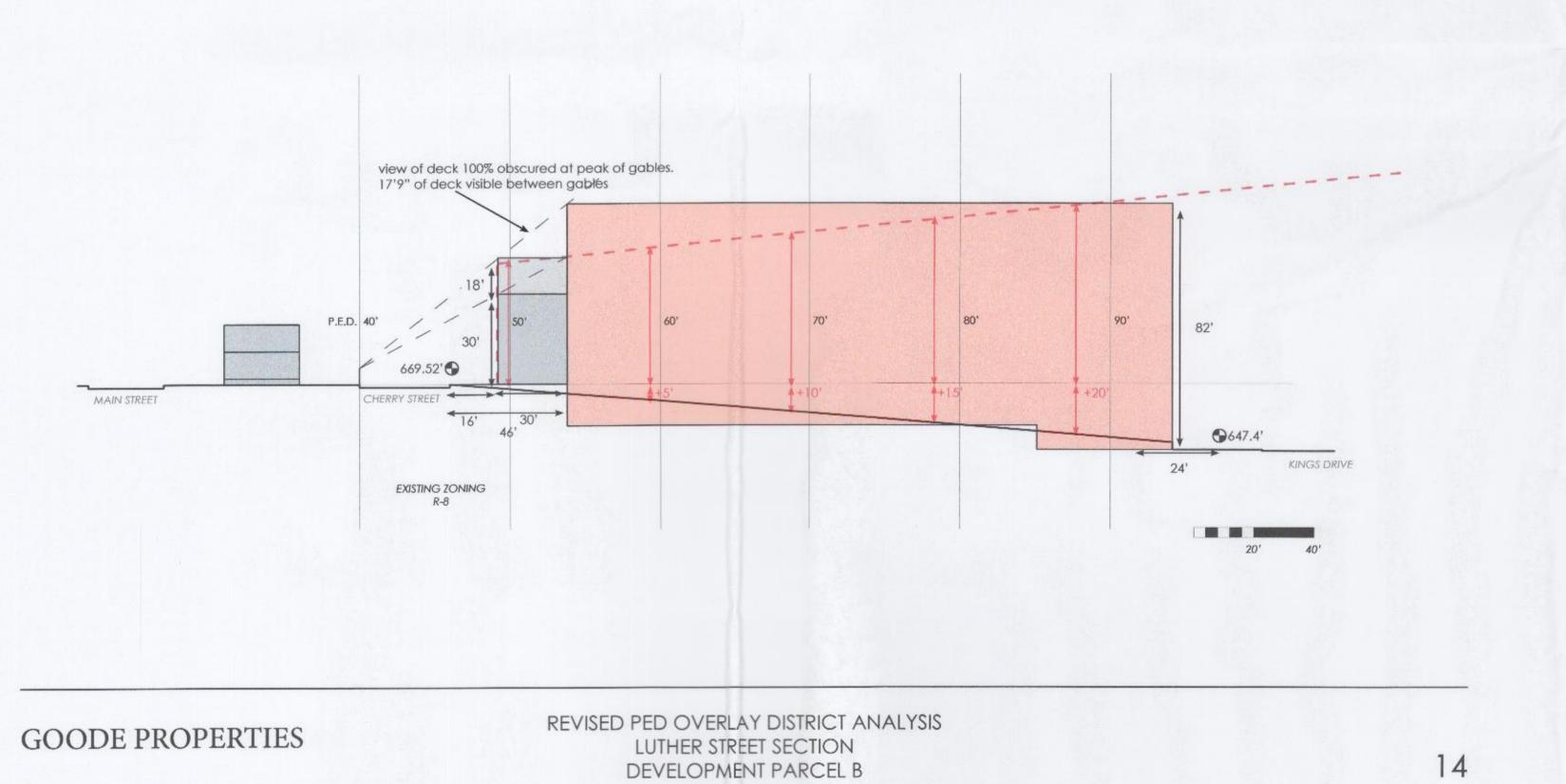


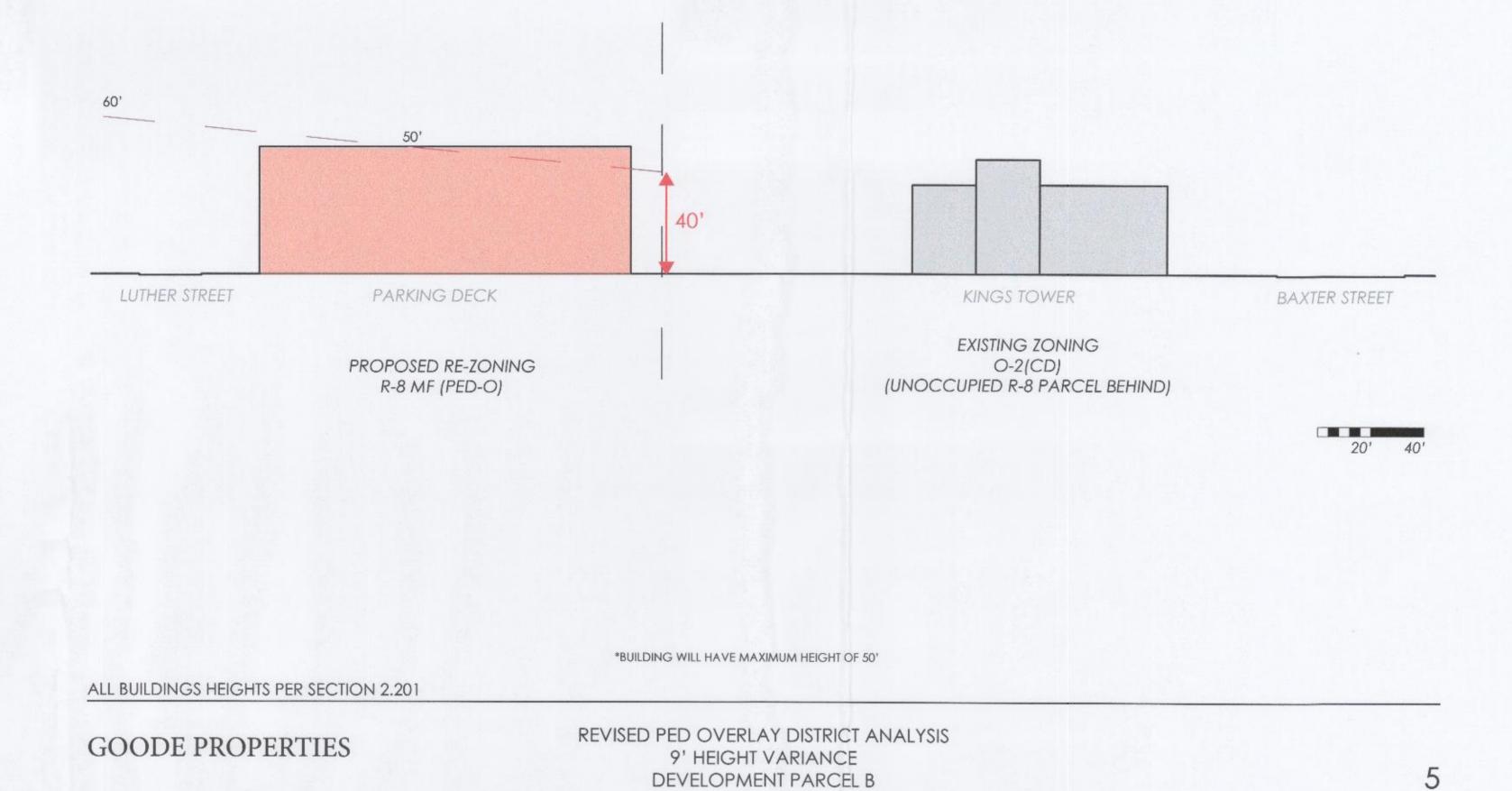


South Kings Drive | Mixed Use Project Supplemental Document

25 SEPT 2015







APPROVED BY CITY COUNCIL

SEP 2 8 2015

THE ILLUSTRATIVE ELEVATIONS ARE PROVIDED TO REFLECT THE ARCHITECTURAL STYLE AND QUALITY OF THE BUILDING THAT MAY BE CONSTRUCTED AND THE ACTUAL BUILDING ON THE SITE MAY VARY FROM THE ARCHITECTURAL CONCEPT ILLUSTRATIONS AS LONG AS THE GENERAL ARCHITECTURAL CONCEPTS AND INTENT ILLUSTRATED ARE MAINTAINED. THE DEVELOPMENT DEPICTED IN THE SITE AND BUILDING PLANS IS SCHEMATIC IN NATURE, INTENDED TO DESCRIBE THE GENERAL LAYOUT AND ARRANGEMENT OF THE BUILDING AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES SUBJECT TO LOCAL AREA ZONING REQUIREMENTS. THE DESIGN OF CERTAIN FEATURES MAY VARY DEPENDING ON FINAL DRAWINGS AND ON ENVIRONMENTAL AND REGULATORY MATTERS.



TIC BUILDING ELEVATION

ode perties BAXTER STREET at MIDTOWN CENTER
CHARLOTTE, NC
April 2, 2015



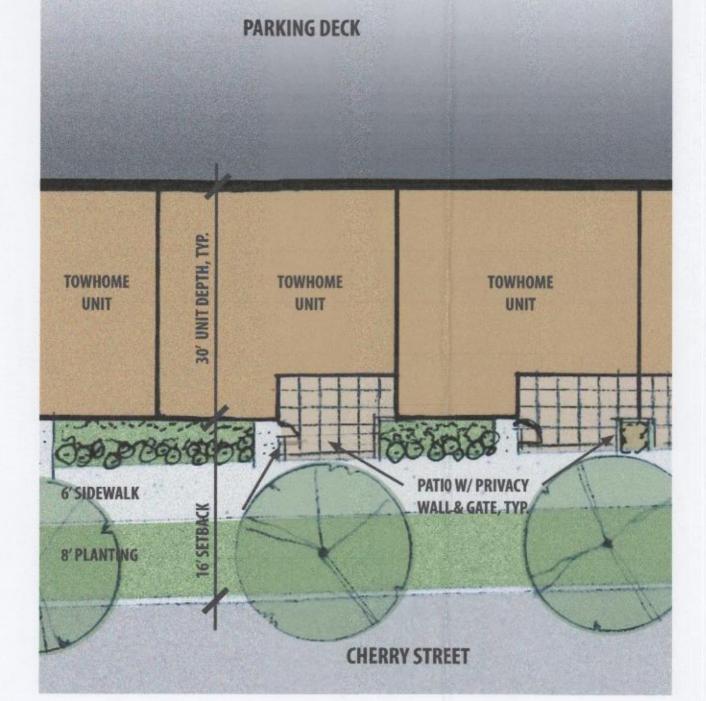
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TIC BUILDING MATERIALS STUDY

oode perties BAXTER STREET at MIDTOWN CENTER
CHARLOTTE, NC
April 2, 2015





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PARTIAL CONCEPTUAL SITE PLAN

Goode Properties

BAXTER STREET at MIDTOWN CENTER
CHARLOTTE, NC
April 2, 2015



THE ILLUSTRATIVE ELEVATIONS ARE PROVIDED TO REFLECT THE ARCHITECTURAL STYLE AND QUALITY OF THE BUILDING THAT MAY BE CONSTRUCTED AND THE ACTUAL BUILDING ON THE SITE MAY VARY FROM THE ARCHITECTURAL CONCEPT ILLUSTRATIONS AS LONG AS THE GENERAL ARCHITECTURAL CONCEPTS AND INTENT ILLUSTRATED ARE MAINTAINED. THE DEVELOPMENT DEPICTED IN THE SITE AND BUILDING PLANS IS SCHEMATIC IN NATURE, INTENDED TO DESCRIBE THE GENERAL LAYOUT AND ARRANGEMENT OF THE BUILDING AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES SUBJECT TO LOCAL AREA ZONING REQUIREMENTS. THE DESIGN OF CERTAIN FEATURES MAY VARY DEPENDING ON FINAL DRAWINGS AND ON ENVIRONMENTAL AND REGULATORY MATTERS.



SCHEMATIC SIDE ELEVATION AT LUTHER STREET

Goode Properties

BAXTER STREET at MIDTOWN CENTER
CHARLOTTE, NC
April 2, 2015



GOODE PROPERTIES WAGNERMI

