

Petitioner: Pappas Properties

ORDINANCE NO. _____

AN ORDINANCE AMENDING APPENDIX A
OF THE CITY CODE - ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. Appendix A, "Zoning" of the Code of the City of Charlotte is hereby amended as follows:

Add a new subsection (g) to Sec. 9.703 (12) as follows:

(g) Retail establishments and Eating, Drinking and Entertainment Establishments located in a Pedestrian Overlay District (PED) that are not accessory uses to the hotel use will occupy no more than 20% of the gross floor area of the hotel building and shall only be located on the ground floor, or a mezzanine located within the ground floor tenant space, or on the top floor of any component of the structure so long as no more than 30% of the allowable floor area is located on the roof. In the PED zoning district, ground floor retail establishments may have entrances external to the building and display of merchandise will be permitted. Each individual Retail establishments and Eating, Drinking and Entertainment Establishment may have one wall sign not to exceed 16 square feet in area.

Add a new subsection (a) to Sec. 9.703. (27) as follows:

(a) Retail establishments and Eating, Drinking and Entertainment Establishments located in a Pedestrian Overlay District (PED) will occupy no more than 20% of the gross floor area of the multifamily building and shall only be located on the ground floor, or a mezzanine located within the ground floor tenant space, or on the top floor of any component of the structure so long as no more than 30% of the allowable floor area is located on the roof. In the PED zoning district, ground floor retail establishments may have entrances external to the building and display of merchandise will be permitted. Each individual Retail establishments and Eating, Drinking and Entertainment Establishment may have one wall sign not to exceed 16 square feet in area.

Amend Sec. 9.703. (28) by adding 'mixed use' to the building types in the title and in subsection (a), and by amending subsection (c) by adding new language that relates to the location of retail space as follows:

Retail establishments and Eating, Drinking and Entertainment Establishments (Type 1 and Type 2) in office and mixed use buildings, provided that:

(a) The principal use of the lot is for office or mixed use buildings;

(c) Retail establishments and Eating, Drinking and Entertainment Establishments located in a Pedestrian Overlay District (PED) will occupy no more than 20% of the gross floor area and shall only be located on the ground floor, or a mezzanine located within the ground floor tenant space, or on the top floor of any component of the structure so long as no more than 30% of the allowable floor area is located on the roof.

Section 2. That this ordinance shall become effective upon its adoption.

Approved as to form:

City Attorney

I, _____ City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the _____ day of _____, 20____, the reference having been made in Minute Book _____, and recorded in full in Ordinance Book _____, Page(s)_____.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the _____ day of _____, 20__.