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CH-3252672 v3 Faison - 26th Street

REZONING PETITION NO. 2016-016

DEVELOPMENT STANDARDS

12/18/2015

1. Development Data Table

Site Area:	3.99 acres +/- (TOD-M(CD)
	.25 acres +/- (TOD-M)
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Tax Parcels:	{ 083-052-04, 083-052-06, 083-052-09 }
Existing Zoning:	1-2
Proposed Zoning:	TOD-M(CD) (083-052-04, 083-052-06)
	TOD-M (083-052-09)
Existing Use:	Office/Event
Proposed Uses:	Uses allowed under TOD-M
Maximum Development:	Development intensity shall not exceed limits of TOD-M
Maximum Building Height:	As allowed under TOD, however, certain areas identified on the Conditional Site Plan shall not exceed 60 feet in height.
Parking:	Shall satisfy or exceed Ordinance requirements

#### 2. General Provisions

These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by FCD-Development, LLC ("FCD") to rezone property tax parcels 083-052-04 and 083-052-06 (the "Site") from the I-2 Zoning District to the TOD-M(CD) Zoning District in order to accommodate a transit oriented development, as depicted on the Rezoning Plan (the "Site").

The Petitioner has also petitioned to rezone tax parcel 083-052-09, which is currently owned by the City of Charlotte, from the I-2 Zoning District to the TOD-M Zoning District. The proposed TOD-M zoning for tax parcel 083-052-09 is a conventional zoning request, therefore that parcel will not be subject to the zoning conditions contained in these Development Standards or the Rezoning Plan.

Development of the Site will be governed by the accompanying Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Rezoning Plan is intended to reflect maximum development rights, building envelopes, the arrangements and locations of access points.

Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the TOD-M Zoning District shall govern all development taking place on the Site.

Alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development proposed or significantly alter the Rezoning Plan or these Development Standard, constitute changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

All existing infrastructure, structures, uses and parking areas on the Site may be maintained and continued in their current condition until such time as the particular infrastructure, structure, use or parking area is redeveloped.
**3. Permitted Uses**

#### . Permitted Uses

The Site may be devoted to any uses permitted in the TOD-M Zoning District together with any incidental or accessory uses associated therewith.

# 4. Maximum Development

Petitioner shall provide a "Limited Building Height Area" as generally depicted on the Conditional Rezoning Plan. Portions of buildings located within the "Limited Building Height Area" shall not exceed 60 feet in height, exclusive of architectural features.

### 5. Transportation

a. Driveway entrances shall not be permitted along North Davidson Street.

083-052-06 is maintained. In the event that the existing structure within tax parcel 083-052-06 is removed, the Petitioner shall provide an eight (8) foot wide sidewalk, eight (8) foot wide planting area, and on-street parking along the site's frontage on North Davidson Street.

## 6. Architectural Standards

a. In order to stimulate pedestrian activity along North Davidson Street, the first floor (street level) facade of any buildings facing North Davidson Street shall be designed to accommodate commercial activities. Commercial spaces fronting North Davidson Street shall incorporate doors that are accessible from the sidewalk along North Davidson and clear vision glass windows so that interior spaces may be visible from the street.

b. Driveway entrances shall not be permitted along North Davidson Street.

## 7. Streetscape and Landscaping

Petitioner shall invest at least \$10,000.00 in public art (which may be freestanding or integrated into structures) to be located in areas within the Site that are visible from the proposed Cross Charlotte Trail.

# 8. Environmental Features

Petitioner shall satisfy the requirements of the Post Construction Controls Ordinance.

### 9. Parks, Greenways and Open Space

Upon the conveyance by the City of Charlotte of tax parcel 083-052-09 to the Petitioner, Petitioner shall dedicate the area generally depicted on the Technical Data Sheet to Mecklenburg County Parks and Recreation Department. The area to be dedicated generally extends from the Site's northwest property boundary to a line located 28 feet east of the eastern "top of bank" of Little Sugar Creek.

### 10. Signage

All signage shall meet the requirements of the TOD-M Zoning District.

# 11. Lighting

All free-standing lighting fixtures will be shielded with full cut-off fixtures.

# 12. Amendments to Rezoning Plan

Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

# 13. Binding Effect of the Rezoning Documents and Definitions

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

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

