

FOR PUBLIC
HEARING 2016-__

REZONING PETITION

BROADSTONE CENTRAL
CHARLOTTE, NC

ALLIANCE RESIDENTIAL COMPANY
708 EAST BLVD, SUITE E
CHARLOTTE, NC 28203
704-941-0972

**SCHEMATIC
SITE PLAN**

20 0 20 40
SCALE: 1" = 40'

PROJECT #: 355-006
DRAWN BY: KC
CHECKED BY: SK

MARCH 24, 2016

REVISIONS:

C:\Users\PROJ\OneDrive\Alliance Plaza Revamp Rezoning\04012018 - Plot Sheets\PL-REZING

Site Development Data:

Acreage: ± 5.022 acres

Tax Parcel #: 080-151-01 through 09, 16 thru 22, 39, 40, 42 and 44; 080-154-01 thru 05

Existing Zoning: R-5, B-2, and B-2PED

Proposed Zoning: MUDD-O

Existing Uses: A religious institution, a retail shop, a day care center and several single-family homes

Proposed Uses: Residential dwellings units; retail; Eating, Drinking, Entertainment, Establishments (EDEE); general and medical office uses; and personal service uses all as permitted by right, under prescribed conditions, and by the Optional provisions below, together with accessory uses, as allowed in the MUDD zoning district (all as more specifically described and restricted below in Section 3).

Maximum Gross Square feet of Development: Up to 270 multi-family residential dwelling units, up to 10 single-family detached dwelling units, and up to 3,500 square feet of gross floor area devoted to: retail, EDEE, general and medical office uses and personal service uses, as allowed by right and under prescribed conditions in the MUDD zoning district, provided, however, loading docks (open or enclosed), outdoor dining areas and surface and structure parking areas shall not be counted toward the allowed "gross floor area" (as defined by the Ordinance) proposed by this Rezoning Plan.

Maximum Building Height: Maximum building height of five (5) stories, not to exceed 75 feet. Building height to be measured per the Ordinance.

Parking: As required by the Ordinance.

1. General Provisions:

a. **Site Location.** These Development Standards, the Schematic Site Plan and other site plan sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Alliance Residential, LLC ("Petitioner") to accommodate the development of a high quality residential based mixed-use community with: ground floor retail uses; Eating, Drinking Entertainment Establishments; general and medical office uses; and/or Personal Service uses on an approximately 5.022 acre site located along I-277 between Central Avenue and Seigle Avenue (the "Site").

b. **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-O zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets, Permissible Building Areas (as defined below) and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

- i. minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- ii. modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks, side or rear yards) indicated on Sheet RZ-1; or
- iii. modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

d. **Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site will be limited 13. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

e. **Exclusions for Calculation of Maximum Development Levels.** For purposes of the development limitations set forth in these Development Standards (but not as a limitation on FAR requirements), the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

2. Optional Provisions.

The following optional provisions shall apply to the Site:

- a. To allow one detached ground mounted sign per street front with a maximum height of 7 feet and containing up to 64 square feet of sign area.
- b. To not require doorways to be recessed into the face of the building(s) when the width of the sidewalk is at least 10 feet.
- c. To not require surface and structure parking areas, outdoor dining areas, and loading dock areas (open or enclosed) to be counted as part of the allow gross floor area (gross floor area as defined by the Ordinance) for the Site.
- d. To allow the proposed single-family homes to front on a private street and to allow the single-family homes to not be on individual lots.

Note: *The optional provision regarding signs is an addition/modification to the standards for signs in the MUDD district and is to be used with the remainder of MUDD standards for signs not modified by these optional provisions.*

3. Permitted Uses, Development Area Limitations:

For ease of reference, the Rezoning Plan sets forth four (4) development areas as generally depicted on the Schematic Site Plan as Development Areas A, B, C, and D (each a "Development Area" and collectively the "Development Areas").

a. The principal buildings constructed on the Site may be developed with up to 270 multi-family residential dwellings units, up to 10 single-family homes, and up to 3,500 square feet of gross floor area devoted to: retail, EDEE, general and medical office uses, and personal service uses as permitted by right, under prescribed conditions and per the Optional provisions above together with accessory uses allowed in the MUDD-O zoning district.

b. The building constructed within Development Area A will be subject to the PED Overlay standards of Plaza Central Pedscape Plan

c. The building constructed within Development Area A will contain the leasing office for the allowed residential dwellings units, and may also contain up to two (2) residential dwelling units. If no units or less than two (2) units are constructed in Development A the units not constructed may be transferred and developed in Development Area D.

d. Up to five (5) single-family detached dwelling units may be located within Development Area B as generally depicted on the Rezoning Plan and as allowed by the Optional provisions above.

e. Up to five (5) single-family detached dwelling units may be located within Development Area C as allowed by the Optional provisions above. At least one (1) of the homes constructed within Development Area C will be one of the existing homes located along Jackson Avenue.

f. Up to 268 residential dwelling units, and up to 3,500 square of gross floor area devoted to: retail, EDEE, general and medical office uses, and personal service uses may be developed within Development Area D.

"Personal service uses" will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, dry cleaning establishments, locksmiths, and alike.

g. The allowed non-residential uses within Development Area D will be located on the ground floor level of the building, and at the intersection of E. 10th and Seigle Avenue as generally depicted on the Rezoning Plan.

h. The following use will not be allowed: gasoline service stations with or without a convenience store, car washes (except for a car wash(es) for the residents of the Site that are part of the amenities/accessory uses associated with the proposed apartments).

4. Access:

a. Access to the Site will be from E. 10th Street, Jackson Avenue and Prospect Street as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. The Petitioner as part of the development of Site will extend Prospect Street as a private street from Jackson Street to E. 10th Street as generally depicted on the Rezoning Plan. A public access easement will be provided on this private street. The public access easement will prohibit the private street from being closed or gated and will require that the private street be kept open to allow the public to use the street for ingress and egress. The Public access easement will be documented on applicable approved building permit plans which will include a provision stating that the easement can be modified as permitted herein. This provision and provisions to be included on the building plans are not intended to create private easements rights that may be enforced by individual land owners, but rather are intended to comply with desire of the City to have a private street extended from Jackson Street to E. 10th Street to create additional connectivity in the area. Portions or all of the Storm Water Management features may be located within the private street.

c. The alignment of the vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

d. The extension of Prospect Street as a private street will be designed with parallel on-street parking, eight (8) foot planting strips, and eight (8) foot sidewalks as generally depicted on the Rezoning Plan.

e. The Petitioner will provide parallel on-street parking along Prospect Street, E. 10th Street and Seigle Avenue, and the new private street as generally depicted on the Rezoning Plan.

f. The Petitioner will abandon the portion of Jackson Avenue located between Prospect Street and the I-277 right-of-way.

5. Streetscape, Buffer, Landscaping Open Space and Screening:

a. The building constructed within Development Area D will provide a minimum of 16 foot setback as measured from the future back of curb along the existing public streets and the new private street (Prospect Street extension), as generally depicted on the Rezoning Plan.

b. The single-family homes constructed within Development Area B and C will provide a minimum of a 24 foot setback along the existing public streets and the new private street (Prospect Street Extension) as measured from the future back of curb as generally depicted on the Rezoning Plan.

c. The building and surface parking area constructed within Development Area A will meet the setback requirements of the Plaza Central Pedscape Plan. The proposed setback along Central Avenue will be 28 feet from the existing back of curb. The setback along Prospect will be 24 feet from the future back of curb.

d. An eight (8) foot sidewalk, and an eight (8) foot planting strip will be provide along each of the abutting public streets (except I-277) and on both sides of the new private street as generally depicted on the Rezoning Plan.

d. A minimum of a [12] foot setback will be provided from the I-277 right-of-way as generally as generally depicted on the Rezoning Plan.

e. Meter banks will be screened where visible from public view at grade level.

g. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.

6. General Design Guidelines:

a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and on handrails/railings.

b. Building street walls will meet or exceed the MUDD requirements for blank walls.

c. Non-residential uses located along E. 10th Street and Seigle Avenue will have entrances oriented toward these streets.

d. Each operable pedestrian entrance (defined as an entrance design to provide customers access to the proposed non-residential uses) will be designed to be clearly identifiable and prominent elements within the building facades in which they are located.

e. The scale and massing of buildings longer than 150 feet along a street shall be minimized by utilizing a combination of the following options: (i) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (ii) building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (iii) horizontal variation of a minimum of 8" and vertical variations of a minimum 24" in wall planes; or (iv) utilize enclosed balconies.

f. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be addressed principally with doors or windows, they shall be treated with a combination the following options: (i) a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); and (ii) horizontal and vertical variations in wall planes accompanied with a change in material. If the final architectural design cannot meet the design standards for blank wall articulation (including all of h above?), alternative innovative design solutions may be considered for approval by the Planning Director or designee.

g. Residential building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrances through a combination of at least five (5) of the following features: (i) decorative pedestrian lighting/scones; (ii) architectural details carried through to upper stories; (iii) covered porches, canopies, awnings or sunshades; (iv) archways; (v) transom windows; (vi) terraced or raised planters that can be utilized as seat walls; (vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (viii) double doors; (ix) stoops or stairs; and/or (x) contrasting pavement from primary sidewalk.

h. Common and private individual entrances to residential units will be provided along E. 10th Street, Seigel Avenue, and the new private street at intervals of no less than 125 feet. Where a building is served by common entrances (not individual unit entrances) and cannot achieve the interval spacing, common usable open spaces, amenity areas or courtyards can be utilized to break up the wall plane.

i. Individual ground floor residential unit entrances oriented to E.10th Street, Seigle Avenue, and the new private street should give the appearance of a front door orientation rather than a back patio design, and have direct sidewalk connections to the public street right-of-way or the private street.

j. The allowed accessory non-residential uses located on ground floor of the building shall maintain a high level of visibility through the use of clear glass, larger windows and a unobstructed view from Park Road and Mockingbird Lane into the space.

k. Balconies will be design so that their size and location maximize their intended use for open space.

l. All facades shall incorporate windows, arches, balconies or other architectural details along with varying build materials, or roof lines or building offsets.

7. Cross Charlotte Trail:

a. The Petitioner will provide to the City of Charlotte the necessary easements to maintain the proposed Cross Charlotte Trail and the proposed neighborhood access from Jackson Avenue as generally depicted on the Rezoning Plan.

b. The Petitioner agrees to construct the portion of the Cross Charlotte Trail located on the Site as well as the proposed neighborhood access from Jackson Avenue part of the development of the Site, if the City reimburses the Petitioner for the cost of the construction of the trail as generally depicted on the Rezoning Plan.

c. The single-family homes located within Development Area B will be screened from the Cross Charlotte Trail by a decorative screen.

d. Access from the building constructed within Development Area D to the Cross Charlotte Trail will be provided.

e. The Petitioner will provide and fund a location for a B cycle station on the Site.

8. Environmental Features:

a. The Site will comply with the Tree Ordinance.

9. Signage:

a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided.

b. On premises directional and instructional signs may be located throughout the Site per the standards of the Ordinance.

10. Lighting:

a. All new attached and detached lighting shall be fully shielded downwardly directed and full cut off fixture type lighting 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 20 feet in height.

11. Amendments to the Rezoning Plan:

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable development area or portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

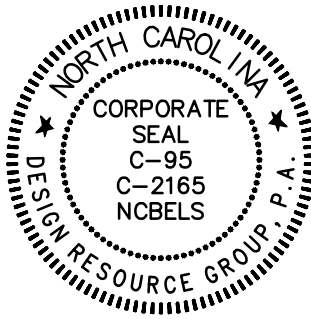
12. Binding Effect of the Rezoning Application:

a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



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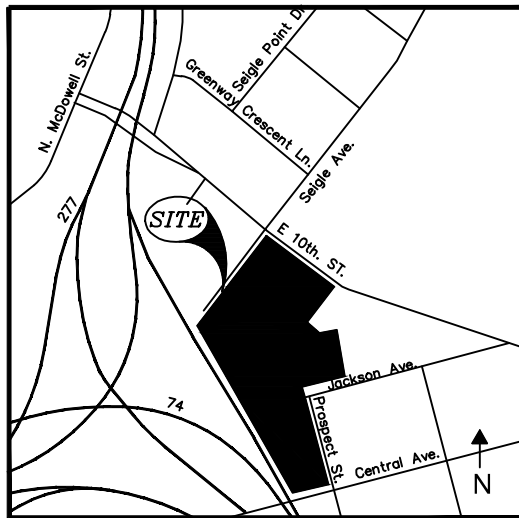
SITE DATA AND
CONDITIONAL
NOTES



PROJECT #: 355-006
DRAWN BY: KC
CHECKED BY: SK

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REVISIONS:



VICINITY MAP (NTS)

RZ1.1

