

DATE: 04.18.2018
DESIGNED BY: KST
DRAWN BY: JRY
CHECKED BY: KST
SCALE: 1"=30'
PROJECT #: 1018122

REVISIONS:
06.11.18 - PER CITY STAFF COMMENTS
08.13.18 - PER CITY STAFF COMMENTS
09.27.18 - PER CITY STAFF COMMENTS

3

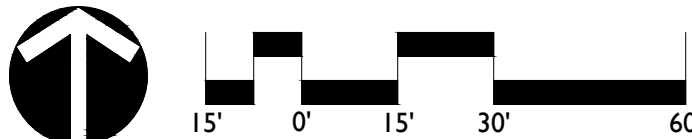
SHEET #:

COVER

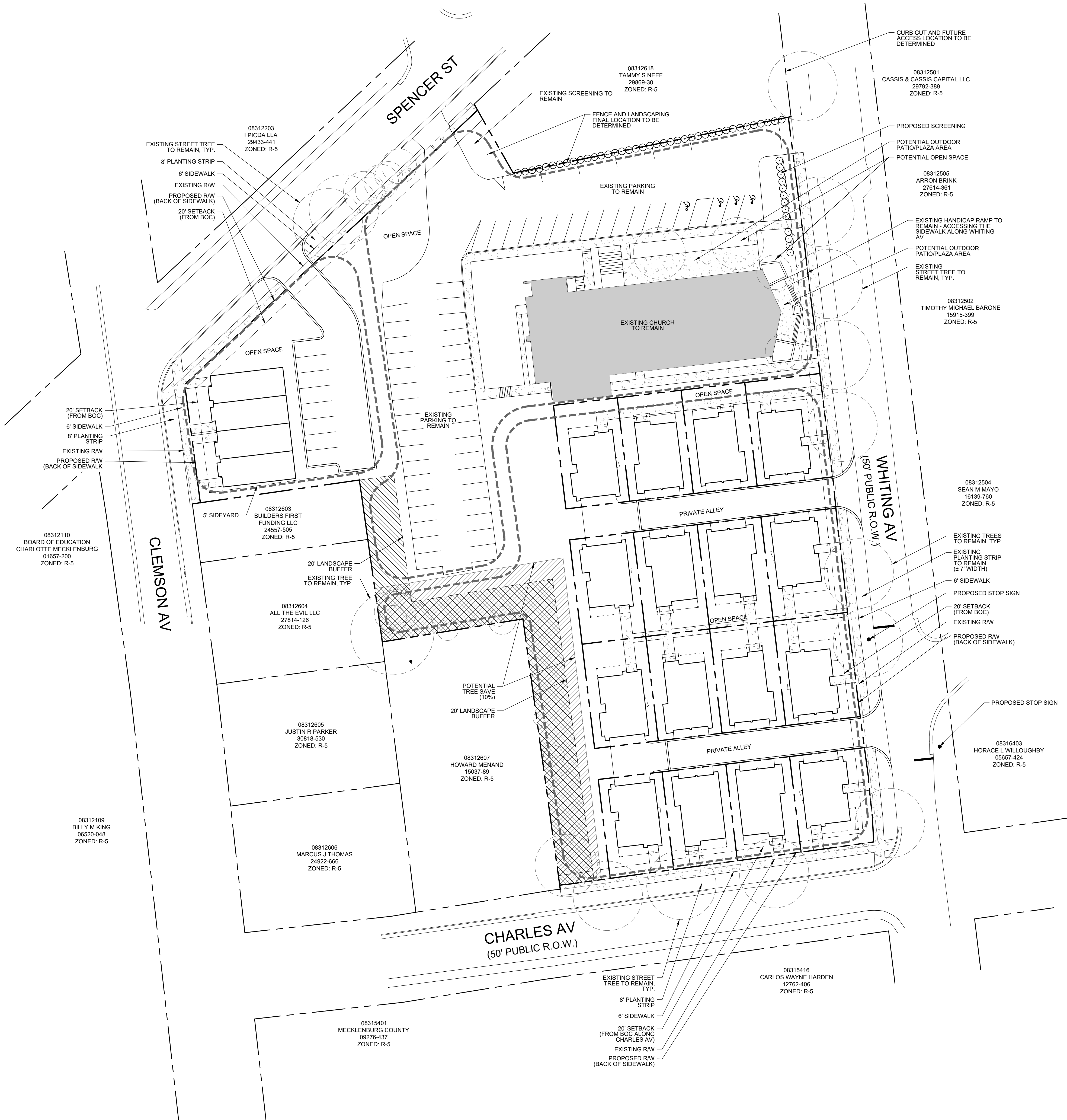
NEW LIFE REDEVELOPMENT
REZONING PETITION No. 2018-049
CHARLOTTE, NORTH CAROLINA
RENDERED SITE PLAN

LandDesign

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PARKING: PARKING AS REQUIRED BY ORDINANCE AND AS DESCRIBED IN SECTION 2.



SITE LEGEND

- PROPOSED PROPERTY LINE
- PROPOSED SETBACK
- POTENTIAL TREE SAVE
- 20' LANDSCAPE BUFFER

NEW LIFE REDEVELOPMENT
REZONING PETITION No. 2018-049
CHARLOTTE, NORTH CAROLINA
SCHEMATIC SITE PLAN

REVISIONS:
06.11.18 - PER CITY STAFF COMMENTS
08.13.18 - PER CITY STAFF COMMENTS
09.27.18 - PER CITY STAFF COMMENTS

DATE: 04.18.2018
DESIGNED BY: KST
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SCALE: 1"=30'
PROJECT #: 1018122

SHEET #:

RZ-2

Site Development Data:

--**Acreage:** ± 2.57 acres
--**Tax Parcel #:** 083-126-20, 083-126-19, 083-126-01, 083-126-08
--**Existing Zoning:** R-5
--**Proposed Zoning:** MUDD-O
--**Existing Uses:** Vacant/Church
--**Proposed Uses:** Up to 20 attached and/or detached dwelling units and up to 16,000 square feet of uses as allowed by right and under prescribed conditions in the MUDD zoning district as further described in Section 2 below.
--**Maximum Building Height:** Not to exceed 40 feet for residential uses and not to exceed 50 feet for the existing building; building height to be measured as required by the Ordinance.
--**Parking:** Parking as required by Ordinance and as described in Section 2 below.

1. General Provisions:

a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Revolve Residential, LLC ("Petitioner") to accommodate the development of up to twenty (20) detached and/or attached dwelling units in conjunction with the preservation of the existing church for adaptive reuse as generally depicted on the Rezoning Plan. The proposed development will be on an approximately 2.57 acre site located at the intersection of Clemson Avenue and Whiting 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.

c. **Graphics and Alterations.** The schematic depictions of the uses, development areas, lots, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets 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:

- minor and don't materially change the overall design intent depicted on the Rezoning Plan; or
- modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "external building line" (in this case the external setbacks, rear yards or landscape buffers) indicated on Sheet RZ-1.

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 shall not exceed twenty-one (21). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory structures and buildings include structures and buildings such as but not limited to: a mail kiosk, dumpster enclosures, gazebos, trellises, storage buildings, and other structures associated with the on-site open space.

e. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located within the Site. Furthermore, the Petitioner and/or owner of the portion of the Site reserve the right to subdivide the portions or all of the Site within the Development Areas and create lots within the interior of the portion of the Site within such Development Areas without regard to any such internal separation standards than those expressly set forth and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site and those expressly described in the Rezoning Plan shall be adhered to. In addition, all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan as to the Site as a whole and not individual portions or lots located therein.

f. **Event/Gathering/Activity.** The terms "Event/Gathering/Activity uses" and/or "Event/Gathering/Activity" (whether capitalized or not) will mean and refer to uses that are individually permitted in the MUDD zoning district but are stated here for clarity and simplicity purpose:

- Meetings, retreats, conferences, exhibits, civic activities, weddings, reunions, and/or similar

- Instructional classes such as yoga, art, wellness, fitness, and/or similar

g. **Co-Working / Shared Office.** The terms "Co-Working / Shared Office uses" and/or "Co-Working / Shared Office" (whether capitalized or not) will mean and refer to office use with common reception, meeting, conference, break room, and other accessory areas to the office uses. Private and/or individual offices are permitted so long as they are no larger than 2,500 square feet and utilize the common areas listed above.

2. Permitted Uses & Development Limitation:

a. **Development Area A** may be developed with up to sixteen (16) detached dwelling units.

- The minimum lot size in Development Area A shall be 1,900 square feet with a minimum lot width of 35'.

b. **Development Area B** includes adaptive reuse of the existing building on the Site with up to 16,000 square feet gross floor area limited to community recreation centers, athletic facilities, libraries, museums, cultural, galleries, art studios, event/gathering/activity, and/or co-working / shared office uses as allowed by right and under prescribed conditions in the MUDD zoning district subject to the limitations set forth below for certain uses:

- Event/Gathering/Activity as a principal use not to exceed 5,000 square feet and subject to the ability to provide event parking at a rate of 1 space per 4 seats. Meeting this provision may require an off-site parking agreement. All other uses shall be parked per ordinance.

- In no event shall the following uses be permitted in Development Area B:

- Commercial Kitchens
- Eating, Drinking and Entertainment Establishments including breweries and/or taprooms
- Retail

- Preservation of the building is a condition of this rezoning. It is understood that demolition of the building that does not result from damage, will require a rezoning.

c. **Development Area C** may be developed with up to four (4) attached units, not to exceed two (2) stories in height.

3. Optional Provisions:

- To allow porches and/or stoops to encroach up to four (4) feet into the setback on Charles Avenue and in Development Area C.

- To allow porches and/or stoops to encroach up to two (2) feet into the setback on Whiting Avenue.

- To keep and expand the existing parking area and allow encroachment in the setback on Whiting Avenue as generally depicted on the Rezoning Plan.

- To allow parking and maneuvering between the building and street along Spencer Street and Clemson Avenue.

- To allow lots to front alleys and/or open space in Development Area A as described in Section 2 above.

4. Access and Transportation & Sidewalks Along & Within Site:

a. Access to the Site will be from Whiting Avenue, Clemson Avenue, and Spencer Street in the manner generally depicted on the Rezoning Plan.

b. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT in accordance with applicable published standards.

- Streetscape improvements shall be completed or substantially complete within each respective Development Area as development occurs prior to the issuance of the first certificate of occupancy within the respective Development Area.

- Existing access to parcel 08312618 from the site shall be closed and a new curb cut and access to parcel 08312618 shall be provided from Whiting Avenue as generally depicted prior to the first new certificate of occupancy in Development Area B.

- In an effort to further support pedestrian safety and mobility for residents, the Petitioner will install off-site sidewalk, marked crossings, and/or ADA ramps. The improvements will be identified in collaboration with CDOT during the land development permitting process with the goal of connectivity to existing infrastructure. The improvements will be made with funds contributed from Charlotte Christian College and Theological Seminary at a cost not to exceed \$20,000. All improvements shall be within one block of the Site and located within the existing right of way.

The improvements noted in Section e. above shall be completed prior to the issuance of the first certificate of occupancy in the adjacent respective Development Area.

5. Architectural Standards:

- 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, EIFS, stucco, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and handrails/railings. The proposed roofing materials will be architectural shingles, wood shake, slate, tile and/or metal.

- It is understood that the residential units will be developed with up to twenty (20) principal detached and/or attached residential units, as generally depicted on Sheet RZ-1, in Development Areas A and C as set forth in Section 2 above.

- Units with frontage on a public or private street shall provide architectural treatments that limit the maximum blank wall expanse to 10 feet on all building levels in Development Area A.

- Liable porches and stoops (a minimum of seven (7) feet deep) shall form a predominate feature of the building design along Whiting Avenue and Charles Avenue. Stoops and entry-level porches may be covered and enclosed with railings or other pedestrian level architectural features. All residences fronting Whiting Avenue and Charles Avenue will have a direct connection to the public street sidewalk as generally depicted.

- Entrances (doors) provided on residential units along Whiting Avenue shall be a prominent architectural feature and shall be substantially similar to the entrances fronting the open space.

- Meter banks will be screened from adjoining properties and from Whiting Avenue and Charles Avenue.

- HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.

- Accessory buildings and structures shall be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site.

- Walkways shall be provided to connect all residential entrances to sidewalks along public and private streets.

6. Streetscape, Buffers, Yards, and Landscaping:

- A twenty (20) foot building setback from back of curb will be provided along Spencer Street, Charles Avenue, Clemson Avenue, and Whiting Avenue. A private drive/street, sidewalks, landscaping and related features will be allowed in the 20 foot building setback as generally depicted on the Rezoning Plan.

- The existing seven (7) foot planting strip along Whiting Avenue will remain. The Petitioner will provide a six (6) foot sidewalk along Whiting Avenue.
- The Petitioner will provide an eight (8) foot planting strip, a six (6) foot sidewalk, and a four (4) foot transition zone along Clemson Avenue and Spencer Street as generally depicted on the Rezoning Petition.
- The Petitioner will provide a five (5) foot side yard between Development Area C and the existing single-family residential as generally depicted.

- The Petitioner will add a twenty (20) foot landscape buffer in Development Area B adjacent to existing single-family residential as generally depicted.

- The Petitioner will add a twenty (20) foot landscape buffer in Development Area A adjacent to existing single-family residential as generally depicted.

- The Petitioner will provide publically accessible open space in Development Area A as generally depicted.

- The Petitioner will provide a six (6) foot wooden privacy fence along Development Area B and parcel 08312618 as generally depicted.

7. Environmental Features:

- The Site shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.
- The Site will comply with the Tree Ordinance. Tree save for the Site may be provided within Development Areas A, B, and C.

8. Lighting:

- All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
- Detached lighting on the Site will be limited to 15 feet in height.

9. Operational and Miscellaneous Provisions:

- The hours of operation for Event/Gathering/Activity uses on the Site shall be from 6:00 am to 9:00 pm on weekdays and 6:00 am to 10:00 pm on weekends. Staging, loading or unloading of tables, chairs, and tents and/or similar associated with the event/gathering/activity uses shall only occur within the hours of operation. Trash collection shall not occur outside of the normal operating hours and shall be in compliance with the noise ordinance. The hours of operation for all other uses on the Site shall be from 6:00 am to 10:00 pm every day.
- Outdoor music performances and amplified outdoor music is prohibited for private events.

- The Petitioner shall provide \$10,000 of public artwork on the Site or in connection with pedestrian crosswalks on Clemson, Whiting, Spencer and/or Charles. The public artwork installation will be completed or substantially complete prior to the issuance of the last certificate of occupancy for the residential units in Development Area A.

- The residential units in Development Area C will be constructed to serve HouseCharlotte eligible residents. The HouseCharlotte Program helps to create affordable homeownership opportunities for low-to moderate income households throughout the City of Charlotte. The Petitioner shall provide a 15 year deed restriction limiting the initial sale and resale of the units to HouseCharlotte eligible residents. If the units are sold prior to the expiration of the 15-year deed restriction, the housing unit must be sold to another HouseCharlotte eligible household. This commitment shall remain effective so long as the HouseCharlotte program exists or until the deed restriction expires.

Further, the HouseCharlotte units must be completed or substantially complete prior to the issuance of the certificate of occupancy for the thirteenth (13) unit in Development Area A.

10. Signage:

- Signage shall be provided per Ordinance.
- Marquee signs are prohibited.

11. Amendments to the Rezoning Plan:

- 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 portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

12. Binding Effect of the Rezoning Application:

- 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 under the Ordinance, be binding upon and insure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

Revolve Residential, LLC
Development Standards
8/13/201809/27/2018
Rezoning Petition No. 2018-049

Site Development Data:

- Acreage: ± 2.57 acres
- Tax Parcel #: 083-126-20, 083-126-19, 083-126-01, 083-126-08
- Existing Zoning: R-5
- Proposed Zoning: MUDD-O
- Existing Uses: Vacant/Church
- Proposed Uses: Up to 20 attached and/or detached dwelling units and up to 16,000 square feet of ~~all~~ uses as allowed by right and under prescribed conditions in the MUDD zoning district as further described in Section 2 below.
- Maximum Building Height: Not to exceed 40 feet for residential uses and not to exceed 50 feet for the existing building; building height to be measured as required by the Ordinance.
- Parking: Parking as required by Ordinance and as described in Section 2 below.

1. General Provisions:

- a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Revolve Residential, LLC (“Petitioner”) to accommodate the development of up to twenty (20) detached and/or attached dwelling units in conjunction with the preservation of the existing church for adaptive reuse as generally depicted on the Rezoning Plan. The proposed development will be on an approximately 2.57 acre site located at the intersection of Clemson Avenue and Whiting 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.
- c. **Graphics and Alterations.** The schematic depictions of the uses, development areas, lots, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets 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 in a residential district or abutting residential use but no closer than the “external building line” (in this case the external setbacks ~~or~~, rear yards or landscape buffers) indicated on Sheet RZ-1.

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 shall not exceed twenty-one (21). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory structures and buildings include structures and buildings such as but not limited to: a mail kiosk, dumpster enclosures, gazebos, trellises, storage buildings, and other structures associated with the on-site open space.

e. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located within the Site. Furthermore, the Petitioner and/or owner of the portion of the Site reserve the right to subdivide the portions or all of the Site within the Development Areas and create lots within the interior of the portion of the Site within such Development Areas without regard to any such internal separation standards than those expressly set forth and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site and those expressly described in the Rezoning Plan shall be adhered to. In addition, all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan as to the Site as a whole and not individual portions or lots located therein.

f. **Event/Gathering/Activity.** The terms “Event/Gathering/Activity uses” and/or “Event/Gathering/Activity” (whether capitalized or not) will mean and refer to uses that are individually permitted in the MUDD zoning district but are stated here for clarity and simplicity purpose:

- Meetings, retreats, conferences, exhibits, civic activities, weddings, reunions, and/or similar
- Instructional classes such as yoga, art, wellness, fitness, and/or similar

g. **Co-Working / Shared Office.** The terms “Co-Working / Shared Office uses” and/or “Co-Working / Shared Office” (whether capitalized or not) will mean and refer to office use with common reception, meeting, conference, break room, and other accessory areas to the office uses. Private and/or individual offices are permitted so long as they are no larger than 2,500 square feet and utilize the common areas listed above.

2. **Permitted Uses & Development Limitation:**

- a. **Development Area A** may be developed with up to sixteen (16) detached dwelling units.
 - i. The minimum lot size in Development Area A shall be 1,900 square feet with a minimum lot width of 35’.
 - b. **Development Area B** includes adaptive reuse of the existing building on the Site with up to 16,000 square feet gross floor area ~~of~~ limited to community recreation centers, athletic facilities, libraries, museums, cultural, galleries, art studios, event/gathering/activity, and/or co-working / shared office uses as allowed by right and under prescribed conditions in the MUDD zoning district ~~including institutional, educational, cultural, recreation, galleries, artist studios, event/gathering/activity, office, and/or similar as~~ subject to the limitations set forth below for certain uses:
 - i. Event/Gathering/Activity as a principal use not to exceed 5,000 square feet and subject to the ability to provide event parking at a rate of 1 space per 4 seats. Meeting this provision may require an off-site parking agreement. All other uses shall be parked per ordinance.
 - ii. In no event shall ~~a commercial kitchen be provided within the building~~ the following uses be permitted in Development Area B:
 - Commercial kitchens
 - Eating, Drinking and Entertainment Establishments including breweries and/or taprooms
 - Retail
 - iii. Preservation of the building is a condition of this rezoning. It is understood that demolition of the building that does not result from damage, will require a rezoning.
 - c. **Development Area C** may be developed with up to four (4) attached units, not to exceed two (2) stories in height.
- 3. Optional Provisions:**
- a. To allow porches and/or stoops to encroach up to four (4) feet into the setback on Charles Avenue and in Development Area C.
 - b. To allow porches and/or stoops to encroach up to two (2) feet into the setback on Whiting Avenue.
 - ~~b~~c. To keep and expand the existing parking area and allow encroachment in the setback on Whiting Avenue as generally depicted on the Rezoning Plan.
 - ~~e~~d. To allow parking and maneuvering between the building and street along Spencer Street and Clemson Avenue.
 - ~~d~~e. To allow lots to front alleys and/or open space in Development Area A as described in Section 2 above.

4. Access and Transportation & Sidewalks Along & Within Site:

- a. Access to the Site will be from Whiting Avenue, Clemson Avenue, and Spencer Street in the manner generally depicted on the Rezoning Plan.
- b. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT in accordance with applicable published standards.
- c. Streetscape improvements shall be completed or substantially complete within each respective Development Area as development occurs prior to the issuance of the first certificate of occupancy within the respective Development Area.
- d. Existing access to parcel 08312618 from the site shall be closed and a new curb cut and access to parcel 08312618 shall be provided from Whiting Avenue as generally depicted prior to the first new certificate of occupancy in Development Area B.
- e. In an effort to further support pedestrian safety and mobility for residents, the Petitioner will install off-site sidewalk, marked crossings, and/or ADA ramps. The improvements will be identified in collaboration with CDOT during the land development permitting process with the goal of connectivity to existing infrastructure. The improvements will be made with funds contributed from Charlotte Christian College at a cost not to exceed \$20,000. All improvements shall be within one block of the Site and located within the existing right of way.

The improvements noted in Section e. above shall be completed prior to the issuance of the first certificate of occupancy in the adjacent respective Development Area.

5. Architectural Standards:

- 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, EIFS, stucco, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and handrails/railings. The proposed roofing materials will be architectural shingles, wood shake, slate, tile and/or metal.
- b. It is understood that the residential units will be developed with up to twenty (20) principal detached and/or attached residential units, as generally depicted on Sheet RZ-1, in Development Areas A and C as set forth in Section 2 above.
- c. Units with frontage on a public or private street shall ~~have a porch or stoop on the public street and~~ provide architectural treatments that limit the maximum blank wall expanse to 10 feet on all building levels in Development Area A.
- d. Usable porches and stoops, a minimum of seven (7) feet deep, shall form a predominate feature of the building design ~~and be located on the front of the buildings oriented toward~~ along Whiting Avenue and Charles Avenue. Stoops and entry-level porches may be covered, ~~but not be and~~ enclosed with railings or other pedestrian level architectural features. All residences fronting Whiting Avenue and Charles Avenue will have a direct connection to the public street sidewalk ~~on Charles Avenue as generally depicted~~.

e. Entrances (doors) provided on residential units along Whiting Avenue shall be a prominent architectural feature and shall be substantially similar to the entrances fronting the open space.

ef. Meter banks will be screened from adjoining properties and from Whiting Avenue and Charles Avenue.

fg. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.

gh. Accessory buildings and structures shall be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site.

~~h. Usable porches and stoops shall form a predominant feature of the building design and be located on the front and/or side of the building. Usable front porches shall be covered and be at least 5 feet deep in Development Area A. Stoops and entry-level porches may be covered but will not be enclosed.~~

i. Walkways shall be provided to connect all residential entrances to sidewalks along public and private streets.

6. Streetscape, Buffers, Yards, and Landscaping:

a. A twenty (20) foot building setback from back of curb will be provided along Spencer Street, Charles Avenue, Clemson Avenue, and Whiting Avenue. A private drive/street, sidewalks, landscaping and related features will be allowed in the 20 foot building setback as generally depicted on the Rezoning Plan.

b. The existing seven (7) foot planting strip along Whiting Avenue will remain. The Petitioner will provide a six (6) foot sidewalk along Whiting Avenue.

c. The Petitioner will provide an eight (8) foot planting strip, a six (6) foot sidewalk, and a four (4) foot transition zone along Clemson Avenue and Spencer Street as generally depicted on the Rezoning Petition.

d. The Petitioner will provide a five (5) foot side yard between Development Area C and the existing single-family residential as generally depicted.

e. The Petitioner will add a twenty (20) foot landscape buffer in Development Area B adjacent to existing single-family residential as generally depicted.

f. The Petitioner will add a twenty (20) foot landscape buffer in Development Area A adjacent to existing single-family residential as generally depicted.

g. The Petitioner will provide publically accessible open space in Development Area A as generally depicted.

h. The Petitioner will provide a six (6) foot wooden privacy fence along Development Area B and parcel 08312618 as generally depicted.

7. Environmental Features:

- a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.
- b. The Site will comply with the Tree Ordinance. Tree save for the Site may be provided within Development Areas A, B, and C.

8. Lighting:

- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
- b. Detached lighting on the Site will be limited to 15 feet in height.

9. Operational and Miscellaneous Provisions:

- a. The hours of operation for Event/Gathering/Activity uses on the Site shall be from 6:00 am to 9:00 pm on weekdays and 6:00 am to 10:00 pm on weekends. Staging, loading or unloading of tables, chairs, and tents and/or similar associated with the event/gathering/activity uses shall only occur within the hours of operation. Trash collection shall not occur outside of the normal operating hours and shall be in compliance with the noise ordinance. The hours of operation for ~~office~~all other uses on the Site shall be from 6:00 am to 10:00 pm every day.
- b. Outdoor music performances and amplified outdoor music is prohibited for private events.
- c. The Petitioner shall provide \$10,000 of public artwork on the Site ~~that~~or in connection with pedestrian crosswalks on Clemson, Whiting, Spencer and/or Charles. The public artwork installation will be complete or substantially complete prior to the issuance of the last certificate of occupancy for the residential units in Development Area A.
- d. The residential units in Development Area C will be constructed to serve HouseCharlotte eligible residents. The HouseCharlotte Program helps to create affordable homeownership opportunities for low-to moderate income households throughout the City of Charlotte. The Petitioner shall provide a 15 year deed restriction limiting the initial sale and resale of the units to HouseCharlotte eligible residents. If the units are sold prior to the expiration of the 15-year deed restriction, the housing unit must be sold to another HouseCharlotte eligible household. This commitment shall remain effective so long as the HouseCharlotte program exists or until the deed restriction expires.

Further, the HouseCharlotte units must be completed or substantially complete prior to the issuance of the certificate of occupancy for the thirteenth (13) unit in Development Area A.

10. Signage:

- a. Signage shall be provided per Ordinance.
- b. Marquee signs are prohibited.

~~10~~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 portion of

the Site affected by such amendment in accordance with the provisions of Chapter 6 of the Ordinance.

1112. 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 under the Ordinance, be binding upon and insure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

Summary report: Litéra® Change-Pro TDC 10.1.0.200 Document comparison done on 9/27/2018 10:59:11 AM	
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Intelligent Table Comparison: Active	
Original filename: CHAR2-#2004527-v12-Dev_Std-_Revolve_Residential.DOCX	
Modified filename: CHAR2-#2004527-v16-Dev_Std-_Revolve_Residential.docx	
Changes:	
<u>Add</u>	46
Delete	25
Move From	0
<u>Move To</u>	0
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	71

Revolve Residential, LLC
Development Standards
09/27/2018
Rezoning Petition No. 2018-049

Site Development Data:

--**Acreage:** ± 2.57 acres

--**Tax Parcel #:** 083-126-20, 083-126-19, 083-126-01, 083-126-08

--**Existing Zoning:** R-5

--**Proposed Zoning:** MUDD-O

--**Existing Uses:** Vacant/Church

--**Proposed Uses:** Up to 20 attached and/or detached dwelling units and up to 16,000 square feet of uses as allowed by right and under prescribed conditions in the MUDD zoning district as further described in Section 2 below.

--**Maximum Building Height:** Not to exceed 40 feet for residential uses and not to exceed 50 feet for the existing building; building height to be measured as required by the Ordinance.

--**Parking:** Parking as required by Ordinance and as described in Section 2 below.

1. General Provisions:

a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Revolve Residential, LLC ("Petitioner") to accommodate the development of up to twenty (20) detached and/or attached dwelling units in conjunction with the preservation of the existing church for adaptive reuse as generally depicted on the Rezoning Plan. The proposed development will be on an approximately 2.57 acre site located at the intersection of Clemson Avenue and Whiting 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.

c. **Graphics and Alterations.** The schematic depictions of the uses, development areas, lots, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets 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 in a residential district or abutting residential use but no closer than the “external building line” (in this case the external setbacks, rear yards or landscape buffers) indicated on Sheet RZ-1.

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 shall not exceed twenty-one (21). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory structures and buildings include structures and buildings such as but not limited to: a mail kiosk, dumpster enclosures, gazebos, trellises, storage buildings, and other structures associated with the on-site open space.

e. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located within the Site. Furthermore, the Petitioner and/or owner of the portion of the Site reserve the right to subdivide the portions or all of the Site within the Development Areas and create lots within the interior of the portion of the Site within such Development Areas without regard to any such internal separation standards than those expressly set forth and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site and those expressly described in the Rezoning Plan shall be adhered to. In addition, all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan as to the Site as a whole and not individual portions or lots located therein.

f. **Event/Gathering/Activity.** The terms “Event/Gathering/Activity uses” and/or “Event/Gathering/Activity” (whether capitalized or not) will mean and refer to uses that are individually permitted in the MUDD zoning district but are stated here for clarity and simplicity purpose:

- Meetings, retreats, conferences, exhibits, civic activities, weddings, reunions, and/or similar
- Instructional classes such as yoga, art, wellness, fitness, and/or similar

g. **Co-Working / Shared Office.** The terms “Co-Working / Shared Office uses” and/or “Co-Working / Shared Office” (whether capitalized or not) will mean and refer to office use with common reception, meeting, conference, break room, and other accessory areas to the office uses. Private and/or individual offices are permitted so long as they are no larger than 2,500 square feet and utilize the common areas listed above.

2. **Permitted Uses & Development Limitation:**

- a. **Development Area A** may be developed with up to sixteen (16) detached dwelling units.
- i. The minimum lot size in Development Area A shall be 1,900 square feet with a minimum lot width of 35’.
- b. **Development Area B** includes adaptive reuse of the existing building on the Site with up to 16,000 square feet gross floor area limited to community recreation centers, athletic facilities, libraries, museums, cultural, galleries, art studios, event/gathering/activity, and/or co-working / shared office uses as allowed by right and under prescribed conditions in the MUDD zoning district subject to the limitations set forth below for certain uses:
- i. Event/Gathering/Activity as a principal use not to exceed 5,000 square feet and subject to the ability to provide event parking at a rate of 1 space per 4 seats. Meeting this provision may require an off-site parking agreement. All other uses shall be parked per ordinance.
- ii. In no event shall the following uses be permitted in Development Area B:
- Commercial kitchens
 - Eating, Drinking and Entertainment Establishments including breweries and/or taprooms
 - Retail
- iii. Preservation of the building is a condition of this rezoning. It is understood that demolition of the building that does not result from damage, will require a rezoning.
- c. **Development Area C** may be developed with up to four (4) attached units, not to exceed two (2) stories in height.

3. Optional Provisions:

- a. To allow porches and/or stoops to encroach up to four (4) feet into the setback on Charles Avenue and in Development Area C.
- b. To allow porches and/or stoops to encroach up to two (2) feet into the setback on Whiting Avenue.
- c. To keep and expand the existing parking area and allow encroachment in the setback on Whiting Avenue as generally depicted on the Rezoning Plan.
- d. To allow parking and maneuvering between the building and street along Spencer Street and Clemson Avenue.
- e. To allow lots to front alleys and/or open space in Development Area A as described in Section 2 above.

4. Access and Transportation & Sidewalks Along & Within Site:

- a. Access to the Site will be from Whiting Avenue, Clemson Avenue, and Spencer Street in the manner generally depicted on the Rezoning Plan.
- b. The placement and configuration of the vehicular access points are subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT in accordance with applicable published standards.
- c. Streetscape improvements shall be completed or substantially complete within each respective Development Area as development occurs prior to the issuance of the first certificate of occupancy within the respective Development Area.
- d. Existing access to parcel 08312618 from the site shall be closed and a new curb cut and access to parcel 08312618 shall be provided from Whiting Avenue as generally depicted prior to the first new certificate of occupancy in Development Area B.
- e. In an effort to further support pedestrian safety and mobility for residents, the Petitioner will install off-site sidewalk, marked crossings, and/or ADA ramps. The improvements will be identified in collaboration with CDOT during the land development permitting process with the goal of connectivity to existing infrastructure. The improvements will be made with funds contributed from Charlotte Christian College and Theology Seminary at a cost not to exceed \$20,000. All improvements shall be within one block of the Site and located within the existing right of way.

The improvements noted in Section e. above shall be completed prior to the issuance of the first certificate of occupancy in the adjacent respective Development Area.

5. Architectural Standards:

- 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, EIFS, stucco, decorative block and/or wood. Vinyl or aluminum as a building material may only be used on windows, soffits and handrails/railings. The proposed roofing materials will be architectural shingles, wood shake, slate, tile and/or metal.
- b. It is understood that the residential units will be developed with up to twenty (20) principal detached and/or attached residential units, as generally depicted on Sheet RZ-1, in Development Areas A and C as set forth in Section 2 above.
- c. Units with frontage on a public or private street shall provide architectural treatments that limit the maximum blank wall expanse to 10 feet on all building levels in Development Area A.
- d. Usable porches and stoops, a minimum of seven (7) feet deep, shall form a predominate feature of the building design along Whiting Avenue and Charles Avenue. Stoops and entry-level porches may be covered and enclosed with railings or other pedestrian level architectural features. All residences fronting Whiting Avenue and Charles Avenue will have a direct connection to the public street sidewalk as generally depicted.

- e. Entrances (doors) provided on residential units along Whiting Avenue shall be a prominent architectural feature and shall be substantially similar to the entrances fronting the open space.
- f. Meter banks will be screened from adjoining properties and from Whiting Avenue and Charles Avenue.
- g. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
- h. Accessory buildings and structures shall be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site.
- i. Walkways shall be provided to connect all residential entrances to sidewalks along public and private streets.

6. Streetscape, Buffers, Yards, and Landscaping:

- a. A twenty (20) foot building setback from back of curb will be provided along Spencer Street, Charles Avenue, Clemson Avenue, and Whiting Avenue. A private drive/street, sidewalks, landscaping and related features will be allowed in the 20 foot building setback as generally depicted on the Rezoning Plan.
- b. The existing seven (7) foot planting strip along Whiting Avenue will remain. The Petitioner will provide a six (6) foot sidewalk along Whiting Avenue.
- c. The Petitioner will provide an eight (8) foot planting strip, a six (6) foot sidewalk, and a four (4) foot transition zone along Clemson Avenue and Spencer Street as generally depicted on the Rezoning Petition.
- d. The Petitioner will provide a five (5) foot side yard between Development Area C and the existing single-family residential as generally depicted.
- e. The Petitioner will add a twenty (20) foot landscape buffer in Development Area B adjacent to existing single-family residential as generally depicted.
- f. The Petitioner will add a twenty (20) foot landscape buffer in Development Area A adjacent to existing single-family residential as generally depicted.
- g. The Petitioner will provide publically accessible open space in Development Area A as generally depicted.
- h. The Petitioner will provide a six (6) foot wooden privacy fence along Development Area B and parcel 08312618 as generally depicted.

7. Environmental Features:

- a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance.

b. The Site will comply with the Tree Ordinance. Tree save for the Site may be provided within Development Areas A, B, and C.

8. Lighting:

a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.

b. Detached lighting on the Site will be limited to 15 feet in height.

9. Operational and Miscellaneous Provisions:

a. The hours of operation for Event/Gathering/Activity uses on the Site shall be from 6:00 am to 9:00 pm on weekdays and 6:00 am to 10:00 pm on weekends. Staging, loading or unloading of tables, chairs, and tents and/or similar associated with the event/gathering/activity uses shall only occur within the hours of operation. Trash collection shall not occur outside of the normal operating hours and shall be in compliance with the noise ordinance. The hours of operation for all other uses on the Site shall be from 6:00 am to 10:00 pm every day.

b. Outdoor music performances and amplified outdoor music is prohibited for private events.

c. The Petitioner shall provide \$10,000 of public artwork on the Site or in connection with pedestrian crosswalks on Clemson, Whiting, Spencer and/or Charles. The public artwork installation will be complete or substantially complete prior to the issuance of the last certificate of occupancy for the residential units in Development Area A.

d. The residential units in Development Area C will be constructed to serve HouseCharlotte eligible residents. The HouseCharlotte Program helps to create affordable homeownership opportunities for low-to moderate income households throughout the City of Charlotte. The Petitioner shall provide a 15 year deed restriction limiting the initial sale and resale of the units to HouseCharlotte eligible residents. If the units are sold prior to the expiration of the 15-year deed restriction, the housing unit must be sold to another HouseCharlotte eligible household. This commitment shall remain effective so long as the HouseCharlotte program exists or until the deed restriction expires.

Further, the HouseCharlotte units must be completed or substantially complete prior to the issuance of the certificate of occupancy for the thirteenth (13) unit in Development Area A.

10. Signage:

a. Signage shall be provided per Ordinance.

b. Marquee signs are prohibited.

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 portion of the Site affected by such amendment in accordance with the provisions 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 under the Ordinance, be binding upon and insure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.