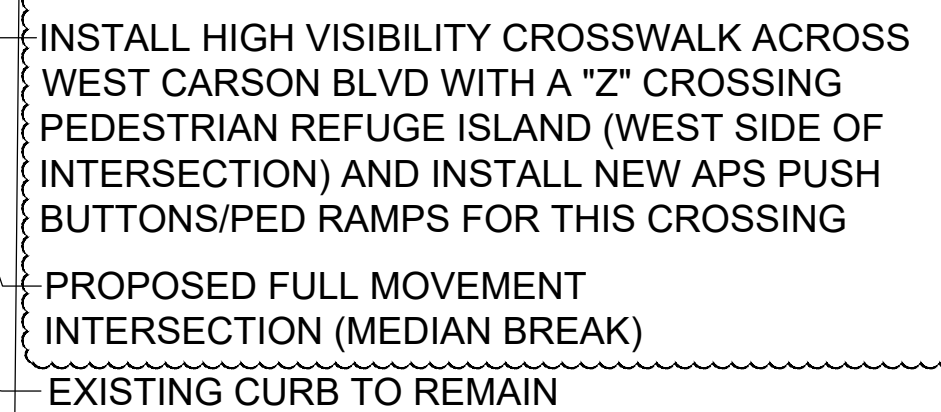


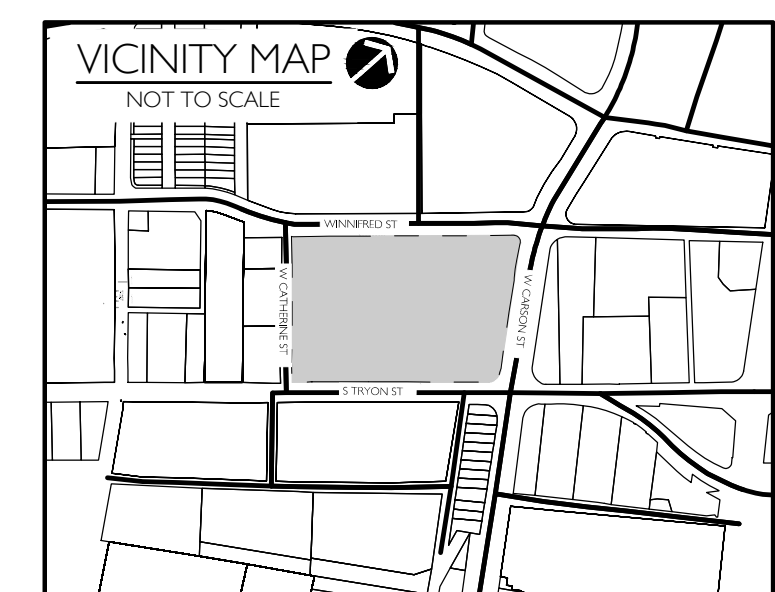
THE SPECTRUM COMPANIES
300 SOUTH TRYON STREET
CHARLOTTE, NC 28202

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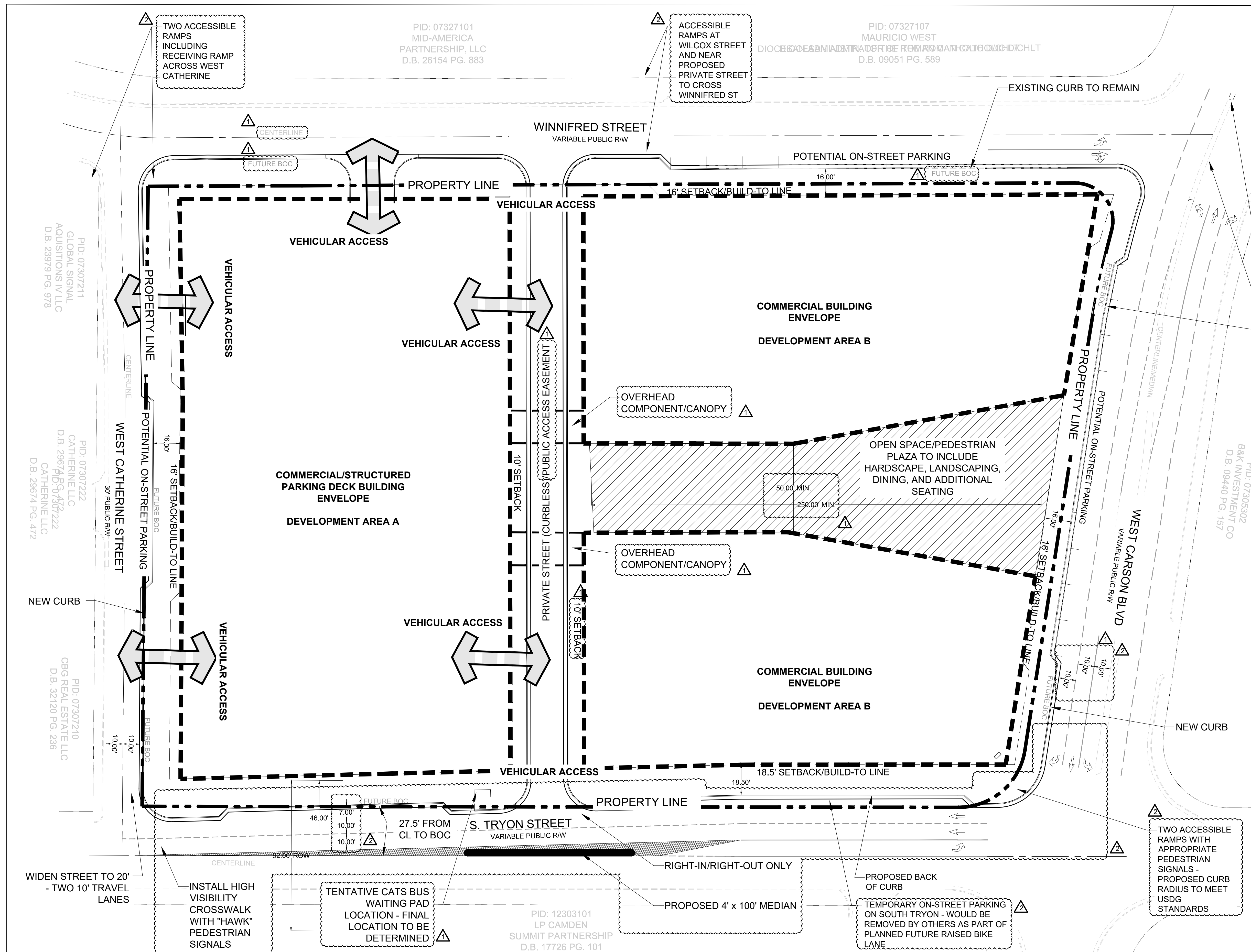
-ACREAGE: +/- 4.94 ACRES
-TAX PARCEL #S: 073-073-01, 073-073-07,
 073-073-08, 073-073-09, 073-073-10,
 073-073-11
-EXISTING ZONING: I-2, TOD-M
-PROPOSED ZONING: TOD-M(O)
-EXISTING USES: OFFICE/PARKING/VACANT
-PROPOSED USES: OFFICE, HOTEL, RETAIL/UNDER AND
 OTHER USES PERMITTED BY RIGHT, AND UNDER
 PRESCRIBED CONDITIONS IN THE TOD-M ZONING
 DISTRICT TOGETHER WITH ACCESSORY USES, AS
 ALLOWED IN THE TOD-M ZONING DISTRICT, AND
 SUBJECT TO THE OPTIONAL PROVISIONS BELOW.
-MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT:
 NON-RESIDENTIAL AND RESIDENTIAL SQUARE
 FOOTAGE, OR UNITS AS ALLOWED AND REQUIRED BY
 THE TOD-M ZONING DISTRICT.
-MAXIMUM BUILDING HEIGHT: A MAXIMUM BUILDING
 HEIGHT OF 250 FEET WITHIN DEVELOPMENT AREA A
 AND A MAXIMUM BUILDING HEIGHT OF 180 FEET
 WITHIN DEVELOPMENT AREA B AS ALLOWED BY THE
 ORDINANCE AND THE OPTIONAL PROVISIONS BELOW.
 BUILDING HEIGHT TO BE MEASURED AS REQUIRED BY
 THE ORDINANCE.

-OPEN SPACE: A MINIMUM OF 20,000 SQUARE FEET OF OPEN SPACE (A COMBINATION OF $\pm 15,000$ SQUARE FEET OF PUBLIC URBAN OPEN SPACE (AS DEFINED BY THE TOD-M ZONING DISTRICT) PLUS AN ADDITIONAL $\pm 5,000$ SQUARE FEET OF IMPROVED OPEN SPACE) WILL BE PROVIDED. THE RATIO OF PUBLIC OPEN SPACE AND IMPROVED OPEN SPACE MAY VARY FROM WHAT IS INDICATED ABOVE AS LONG AS THE TOTAL PROVIDED SQUARE FOOTAGE EQUALS 20,000 SQUARE FEET.

-PARKING: PARKING AS REQUIRED BY THE ORDINANCE.



PETITION #: 2018-085 
CITY OF CHARLOTTE
PETITIONER: THE SPECTRUM COMPANIES



The Spectrum Companies
Development Standards
10/22/18
Rezoning Petition No. 2018-085

Site Development Data:

- Acreage:** ± 4.94 acres
- Tax Parcel #s:** 073-073-01, 073-073-07, 08, 09, 10, and 11
- Existing Zoning:** I-2 and TOD-M
- Proposed Zoning:** TOD-M(O)
- Existing Uses:** Office/Parking/Vacant
- Proposed Uses:** Office, Hotel, Retail, EDEE and other uses permitted by right, and under prescribed conditions in the TOD-M zoning district together with accessory uses, as allowed in the TOD-M zoning district, and subject to the Optional Provisions below.
- Maximum Gross Square feet of Development:** Non-residential and residential square footage, or units as allowed and required by the TOD-M zoning district.
- Maximum Building Height:** A maximum building height of 250 feet within Development Area A and a maximum building height of 180 feet within Development Area B as allowed by the Ordinance and the Optional Provisions below. Building height to be measured as required by the Ordinance.
- Open Space:** A minimum of 20,000 square feet of open space (a combination of ± 15,000 square feet of Public Urban Open Space (as defined by the TOD-M zoning district) plus an additional ±5,000 square feet of improved open space) will be provided. The ratio of Public Open Space and improved open space may vary from what is indicated above as along as the total provided square footage equals 20,000 square feet.
- Parking:** Parking as required by the Ordinance.

1. General Provisions:

- a. **Site Location.** These Development Standards, the Technical Data Sheet, 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 The Spectrum Companies ("Petitioner") to accommodate the development of transit supportive uses on an approximately 4.94 acre site located between W. Catherine Street, and W. Carson Boulevard, and between S Tryon Street and Winnifred Street (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 in existence as of the date of approval of this Rezoning (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the TOD-MO zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

- c. **Graphics and Alterations.** Any schematic depictions of the uses, parking areas, sidewalks, structures and buildings, 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.

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.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site within Development Area A & B will be limited to six (6). 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.

2. Optional Provisions.

- a. To allow a proposed building height of 250 feet within Development Area A and maximum building height of 180 feet within Development Area B as generally depicted on the Rezoning Plan. This optional provision will allow an increase in the allowed building height in TOD of 120 by 130 feet for Development Area A, and 60 feet for Development Area B.

- b. To allow the building base of high rise to be measured/created 30 to 40 feet above first level finished floor elevation of buildings with more than five stories rather than at the third floor.

3. Permitted Uses, Development Area Limitations:

- a. The Site may be developed with office, hotel, retail, EDEE, and other uses permitted by right and under prescribed conditions in the TOD-M Zoning district together with accessory uses as allowed in the TOD-M zoning district.

- b. The Site will be developed with a mixture of uses. A minimum of two uses will be developed on the Site (e.g. retail and office uses), which may be evidenced by certificate of occupancy for "shell" space.

4. Transportation Improvements and Access:

1. Proposed Improvements:

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

The following Transportation Improvements are also illustrated on figure 8 on Sheet RZ-1 of the Rezoning Plan. The Exhibit on Sheet RZ-01 is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number or letter when describing an improvement corresponds to the number or letter found on figure 8 for the proposed improvement).

The following roadway improvements will be made by the Petitioner as part of the redevelopment of the Site as proposed by the rezoning Plan:

- a. South Tryon Street & Carson Boulevard (signalized)

- Construct a new northbound left turn lane on South Tryon Street with 150 feet of storage and an appropriate bay taper
- Modify the pavement markings to convert the existing southbound combined through-left lane on South Tryon Street to a left turn lane with 125 feet of storage and an appropriate bay taper

- b. South Tryon Street & Catherine Street/Proposed Access (unsignalized)

- Install high visibility crosswalk across South Tryon Street at Catherine Street with "Hawk" pedestrian signals

- c. Winnifred Street & Carson Boulevard (unsignalized)

- Convert the intersection of Winnifred Street and Carson Boulevard from a right-in/right out (Ri/RO) only intersection to a full movement intersection by breaking the median on Carson Boulevard
- Install high visibility crosswalk across Carson Boulevard with a "Z" crossing pedestrian refuge island on the west side of the intersection and install new APS pushbuttons/PED Ramps for this crossing
- Modify pavement markings to construct a new westbound left turn lane on Carson Boulevard with 100 feet of storage and an appropriate bay taper.
- Modify pavement markings to construct a new northbound left turn lane on Winnifred Street with 75 feet of storage and an appropriate bay taper.
- Modify the southbound right turn lane on Winnifred Street to a combined left-through-right lane

- d. South Tryon Street & Proposed Ri/RO Access (unsignalized)

- Install a new raised median on South Tryon Street to restrict the access location to right-in/right-out only. The median to be a four (4) feet wide and 100 feet long.

- e. The proposed on-street parking along S. Tryon Street will be temporary parking that may be removed as part of the future raised bike lane to be installed along S. Tryon Street, by others.

- f. The Petitioner will install accessible ramps and appropriate pedestrian signals on the Site's side of the intersection of S. Tryon Street and W. Carson with appropriate receiving ramps across each of the streets.

- g. The petitioner shall provide an accessible ramp at Winnifred Street and West Catherine Street with a receiving accessible ramp across West Catherine Street.

- h. The petitioner shall provide an accessible ramp at Wilcox Street, and near proposed Private Street intersection with Winnifred to allow crossings of Winnifred Street.

- i. The Petitioner will dedicate and convey via a fee simple deed to NCDOT a minimum of 46 feet of right-of-way from the existing center line of S. Tryon Street as part of the development of the Site, and prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

II. Standards, Phasing and Other Provisions.

- a. **CDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT (as it relates to the roadway improvements within its road system authority). It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad Southend and Uptown area, by way of a private/public partnership effort or other public sector project support.

- b. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.1 above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.1.i.a above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain the first certificate of occupancy for a building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

- c. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

- d. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT and the Planning Director; provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

5. Access:

- a. Vehicular access to the Site will be from S. Tryon Street, Winnifred Street, and W. Catherine Street as generally depicted on the Rezoning Plan.

- b. The Petitioner will construct a private street from S. Tryon Street to Winnifred Street as generally depicted on the Rezoning Plan. This private street will be designed as a curb-less two lane street (a "Festival Street"). A 10 foot wide pedestrian zone will be established on either side of the private street, street trees may be provided along the interior private street. A public access easement will be recorded over the private street.

6. Streetscape, Landscaping Open Space and Screening:

- a. The Petitioner will improve each of the Site's public street frontages as generally depicted on the Rezoning Plan.

- b. Setbacks will be established along each of the Site's public street frontages as generally depicted on the Rezoning Plan. A setback will also be established along the Site's internal private street as generally depicted on the Rezoning Plan.

- c. Streetscape improvements will be provided along the Site's public street frontages as generally depicted on the Rezoning Plan.

- d. Open space areas will be provided on the Site as generally depicted on the Rezoning Plan. The open space area will be a combination of Public Urban Open Space and improved open space. The proposed open space areas will be improved with landscaping, lighting, seating and hardscape elements, and as required by the Ordinance. Buildings with up to 3,000 square feet of gross floor area may be placed within the open space area, however, no less than 20,000 square feet of open space will remain (the proposed open space will be a combination of Public Urban Open Space (±15,000 square feet) and improved open space areas (± 5,000)). Sidewalk widths over the required eight (8) feet may count toward the Improved Open Space. The ratio of Public Open Space and improved open space may vary from what is indicated above as along as the total provided square footage equals 20,000 square feet

- f. The Petitioner shall provide a bus pad with a bench along S. Tryon Street as generally depicted on the Rezoning Plan. The bus pad will be constructed to meet standards of detail 60.02A of the Charlotte Land Development Standards Manual. The final location shall be determined during the land development approval process.

7. Architectural Standards.

a. BUILDING LENGTH AND PROPORTION.

1. Maximum Building Face Length: No building shall exceed 250 feet in block face without a break in or variation of the facade. Covered driveway accesses to garages are not considered acceptable breaks.

2. Vertical Proportions: Buildings shall be vertically proportioned so that the height of each pedestrian level bay should be taller than it is wide.

3. Long Facades: When buildings are longer than 150 feet, the pedestrian level of the building base shall be architecturally divided into smaller architectural increments. The use of window arrangement and size variation, vertical pilasters or other architectural elements should help create this effect.

4. None of the buildings on the Site will exceed 400 feet in length.

b. FACADE & MATERIAL DETAILING.

1. Delineation Between Building Base Floor and Upper Floors: The area where the first floor commercial base meets the second floor shall be clearly defined with visual delineation.

2. Wall Depth / Material Detailing: The overall quality of facade is impacted by the perceived "depth" of the facade; therefore, walls that have different materials and elements that occur in the same plane will appear flat and lifeless and shall be avoided.

- a. Larger facades: Facades over 50 feet in length shall be divided into shorter segments by means of facade modulation, repeating window patterns, changes in materials, canopies or awnings, varying roof lines and/or other architectural treatments.

- b. Facade Articulation: Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: (i) exterior wall offsets; (ii) columns; (iii) pilasters; (iv) change in materials or colors; (v) awnings; (vi) arcades; and (vii) other architectural elements.

- c. Blank Wall Detailing: Building elevations and site walls greater than 5 feet in height shall not have blank wall expanses greater than 20 feet in any horizontal or vertical direction. For blank walls greater than 10 feet, architectural features such as, but not limited to, banding, medallions or similar design features, or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

3. First Floor Building Facade Materials: High quality, durable finish materials should be used on the first floor street facade of buildings. This may include materials such as face brick, stone, precast, metal panels, etc. Utility, decorative scored or split-faced block are not appropriate, but split face block may be considered at the base up to no more than 2' feet above the sidewalk. Simulated stucco/EIFS is not durable enough for use on the first floor, and shall not be allowed.

4. Storefront Window Proportions: Windows shall be large glazed panels with smaller transom units above, if possible. Windows shall fill most of the height of the first or base floor, to at least 10 feet above sidewalk grade. Long groupings of storefront windows should typically have intermediate piers that help incorporate the commercial base with the massing above, ensuring the building does not appear "top-heavy or unsupported."

5. Buildings over 185 feet in height will provide a step back of no less than 10 feet along each abutting public streets. The location of the step back may occur in the transition between the proposed parking deck and the building above the parking deck, if an above ground parking deck is constructed on the Site. The exact location of the step back will be determined by the Petitioner during the Urban Review process and may occur between third and twelfth floor of the building.

c. STREET FRONTAGES

1. The buildings constructed on the Site will have active ground floor uses (defined as active, occupiable/usable space including: residential, commercial, and office uses):

- A minimum of 70% of the Site's ground floor building frontage on the public streets, when taken as a whole, will be occupied with active ground floor uses. No single street frontage will have less than 50% active ground floor uses.

2. Along S. Tryon Street the first floor of each building will have a minimum building Transparency (as defined below) of 75%.

3. Along W. Catherine Street, Winnifred Street and W. Carson Boulevard the first floor of each building will have a minimum Transparency of 60%, with the exception that the building located within Development Area A with frontage on Winnifred Street will only be required to provide 30% building Transparency.

Minimum Ground Floor Transparency: The first floor of all buildings must include transparent windows and/or doors (not screened by any opaque material) arranged so that the uses are visible to a depth of 20 feet along the street frontage between 2 feet and 10 feet measured from the sidewalk grade, as indicated below.

4. The upper floors (above the ground floor) of the proposed buildings within Development Area B will have a minimum Transparency of 25%.

5. The minimum ground floor height for active ground floor uses with frontage on the existing public streets will be a minimum of 18 feet. Floor Height shall be measured from finished floor to finished floor.

6. The minimum active ground floor use space depth shall be twenty (20) feet along S. Tryon St, W. Catherine Street, Winnifred Street, and W. Carson Boulevard.

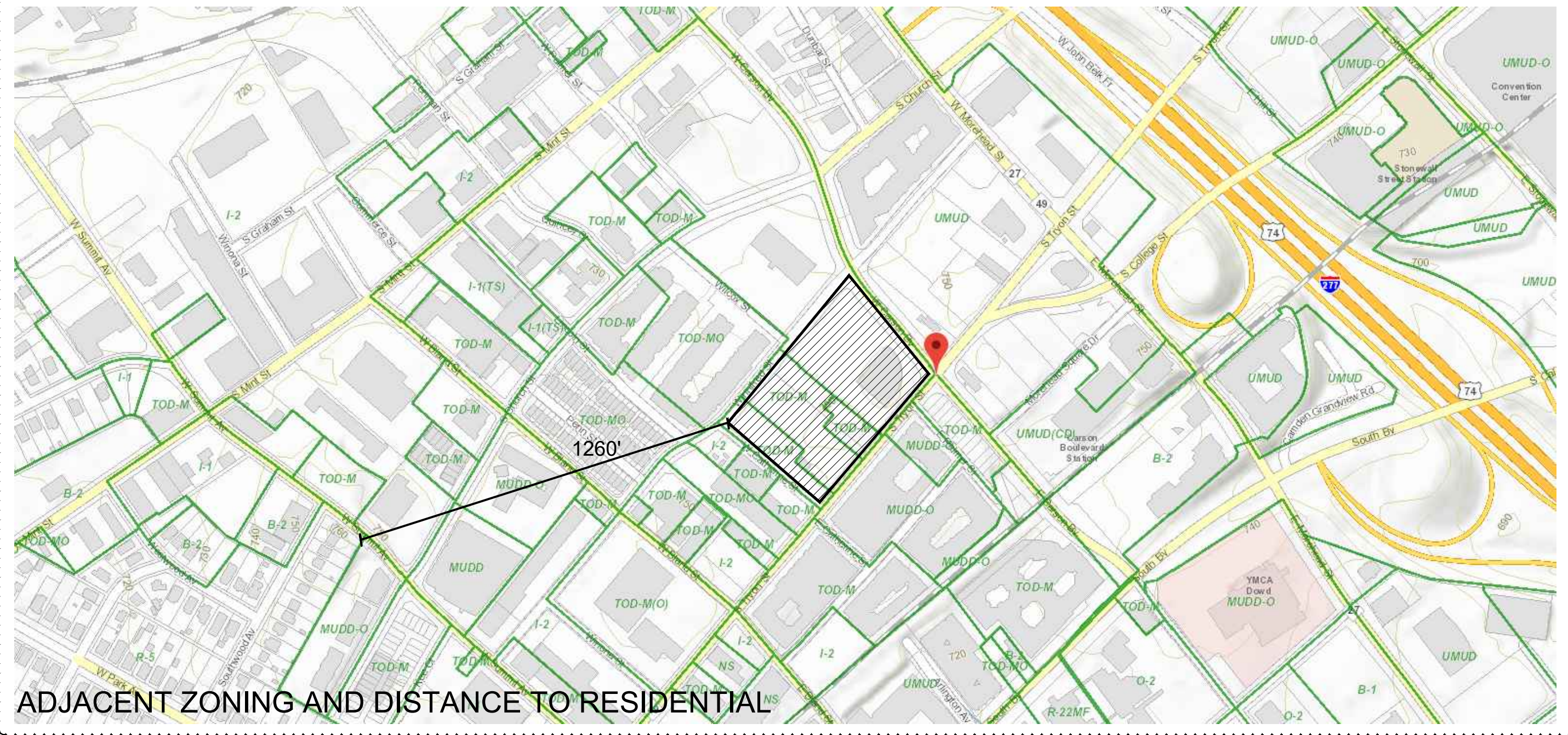
7. The maximum entrance/operable door spacing for active ground floor uses along S. Tryon Street shall be sixty (60) feet. A minimum of one entrance along each of the public streets will be a "Prominent Entrance". A Prominent Entrance will be defined as an entrance that will be articulated visually from the remaining facade architecturally, including but not limited to the use of proportion - changes in either height, width, projected or

DESCRIPTION OF BUILDING HEIGHT

	DISTANCE FROM RESIDENTIAL ZONING (LINEAR FEET) (TO SITE EDGE)	ALLOWABLE BASE HEIGHT ALLOWED FOR TOD DISTRICT (FEET)	ALLOWABLE HEIGHT BY TOD HEIGHT PLANE (MAX TOD 120') DUE TO RESIDENTIAL ZONING (FEET)	TOTAL BUILDNG HEIGHT REQUESTED (FEET)
SITE	1260	40	166	UP TO 250

* BY-RIGHT INFORMATION ABOVE BASED ON 1 ADDITIONAL FOOT IN HEIGHT ALLOWED FOR EVERY 10' OF DISTANCE THE PROPOSED BUILDING (TALLER OFFICE PORTION) IS FROM EDGES OF NEARBY SINGLE-FAMILY ZONING DISTRICTS.

* AS ILLUSTRATED BELOW, SINGLE FAMILY RESIDENTIAL (R-5) IS 1260' FROM EDGE OF THE SITE.



ADJACENT ZONING AND DISTANCE TO RESIDENTIAL

- recessed entry area, changes in materials and material colors, emphasized by elements such as revolving doors, airlocks, and projecting canopies.

8. The maximum entrance/operable door spacing for active ground floor uses along W. Catherine St., Winnifred Street, and W. Carson Boulevard shall be one-hundred (100) feet, except that the building within Development Area A with frontage on Winnifred Street may have a greater building entrance spacing. At least one building entrance along each of these streets will be designed to be a Prominent Entrance as defined above.

9. Parking Deck Standards: In addition to the standards above the following standards will apply to any above ground parking structures constructed on the Site:

- a. The upper floor levels of the parking (the 2nd floor and above) will have a minimum floor to floor height of 10'-8".

- b. Façade openings will be vertically and horizontally aligned and will be designed such that all parked motorized vehicles, and associated parking area lighting, on all levels, are screened.

8. Environmental Features:

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

- b. The Site will comply with the Tree Ordinance.

9. Lighting:

- a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding; low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.

- b. The Petitioner will provide pedestrian scale lighting along the existing public streets and along the internal private street.

10. 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 herein and of Chapter 6 of the Ordinance.

11. 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.

PETITION
NO. 2018-085

SPECTRUM SITE
REZONING

THE SPECTRUM COMPANIES
300 SOUTH TRYON STREET
CHARLOTTE, NC 28202

LANDDESIGN PROJ# 1018203

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	PER CITY COMMENTS	09/10/18
2	PER CITY COMMENTS	10/22/2018

DESIGNED BY: ---
DRAWN BY: ---
CHECKED BY: ---

SCALE NORTH
VERT: ---
HORZ: NTS
(NOT TO SCALE)

SHEET TITLE

DEVELOPMENT STANDARDS
NOTES

SHEET NUMBER

PETITION
NO. 2018-085

PROJECT

SPECTRUM SITE
REZONING

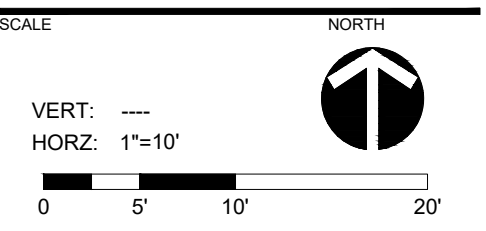
THE SPECTRUM COMPANIES
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LANDDESIGN PROJ.# 1018203

REVISION / ISSUANCE

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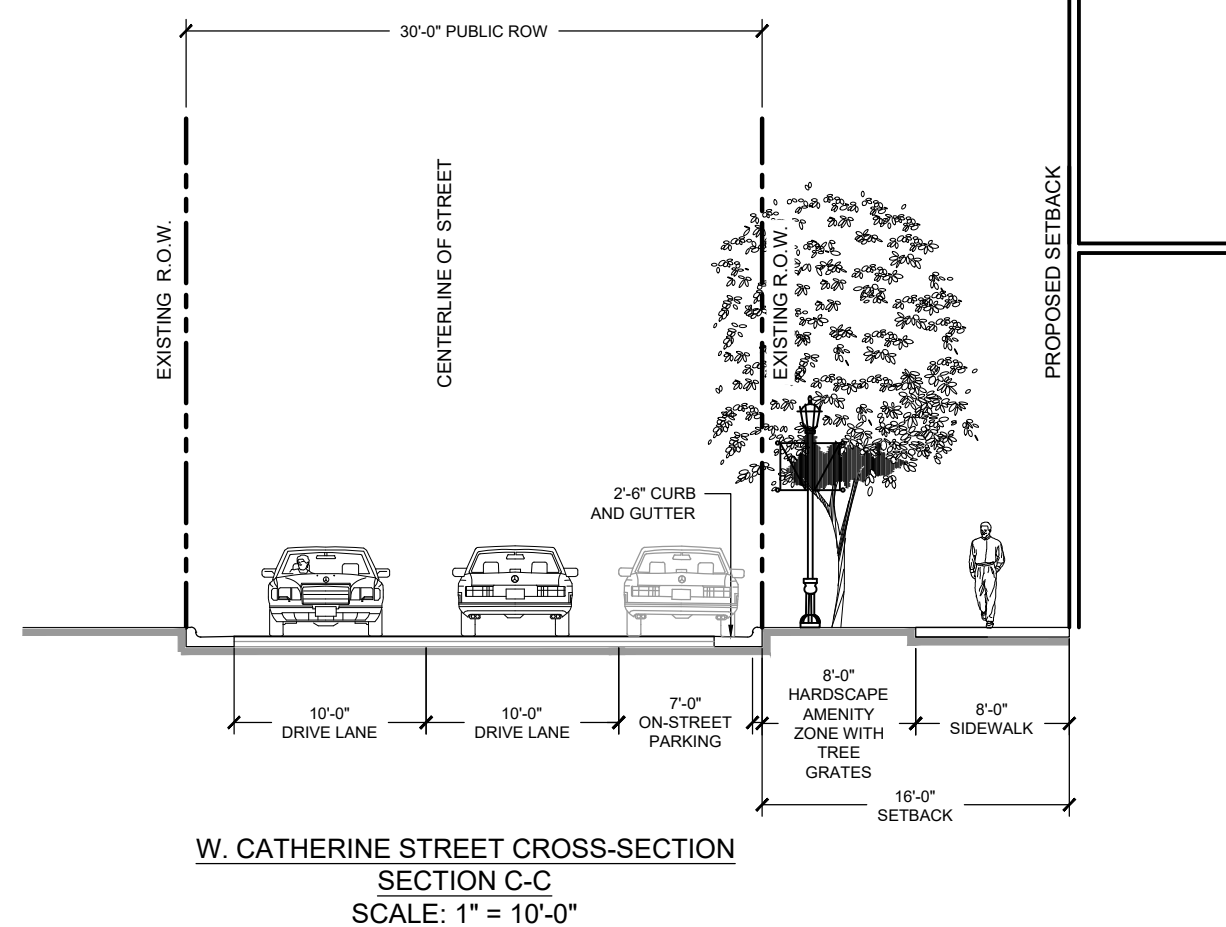
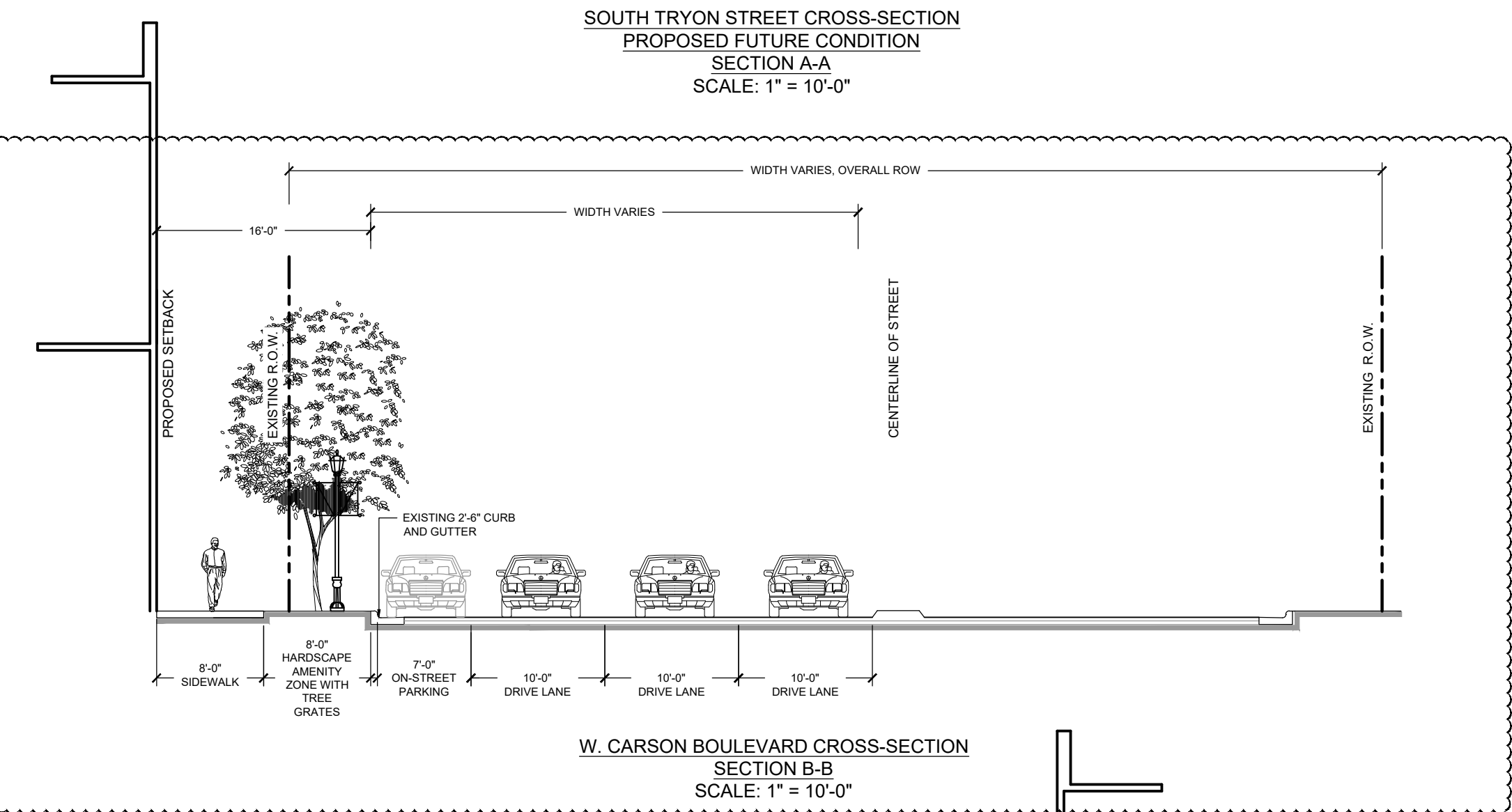
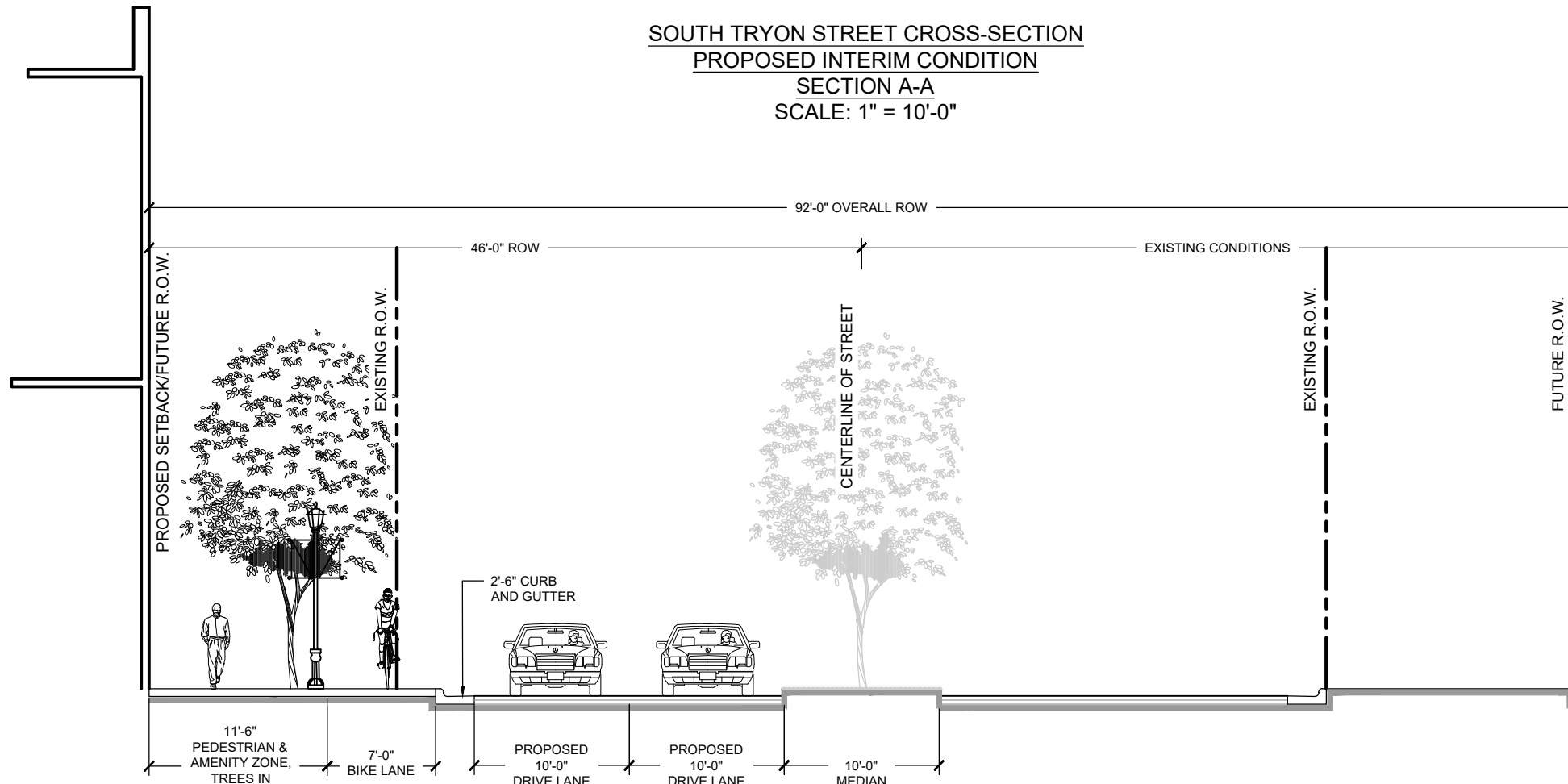
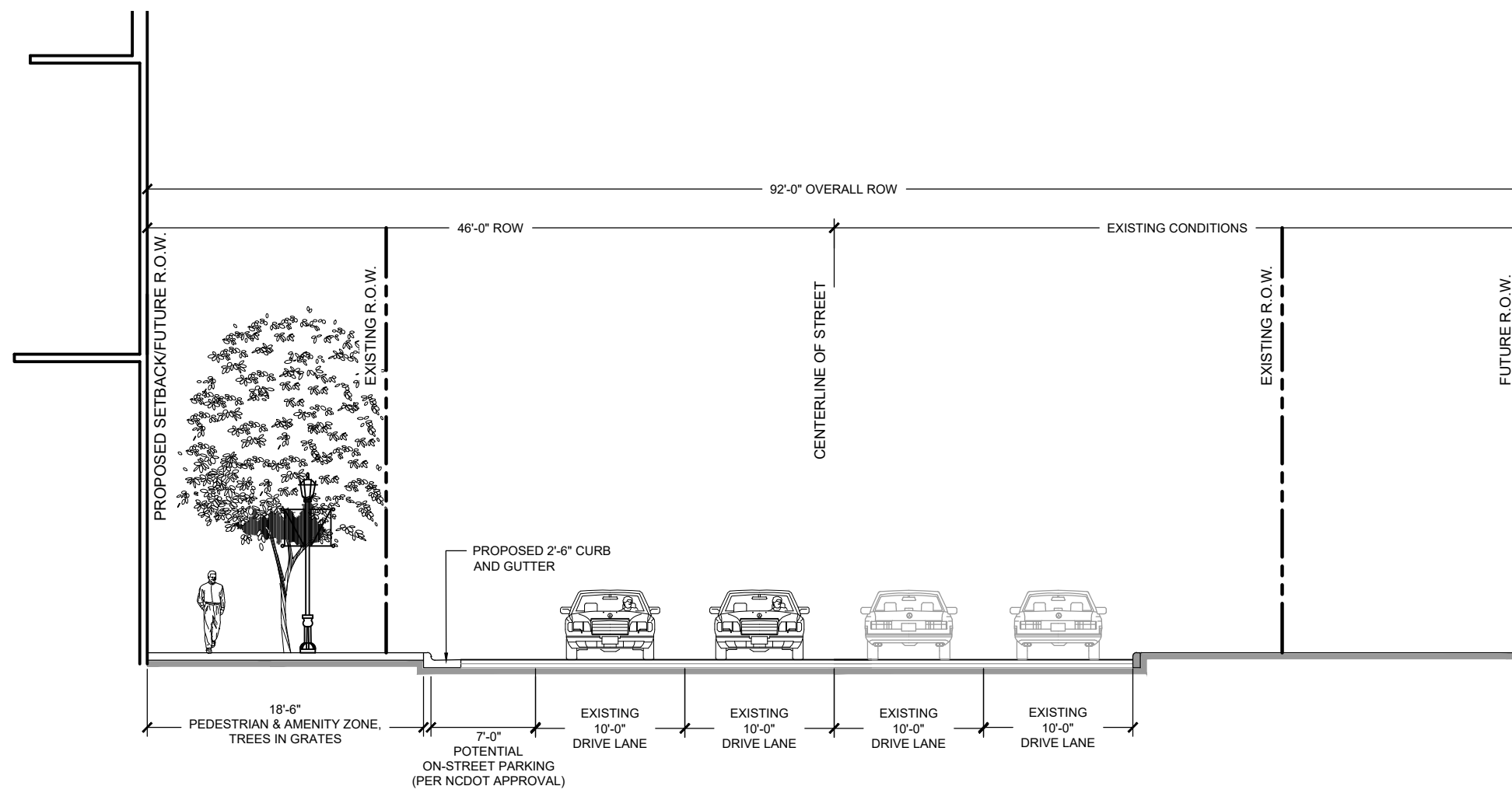
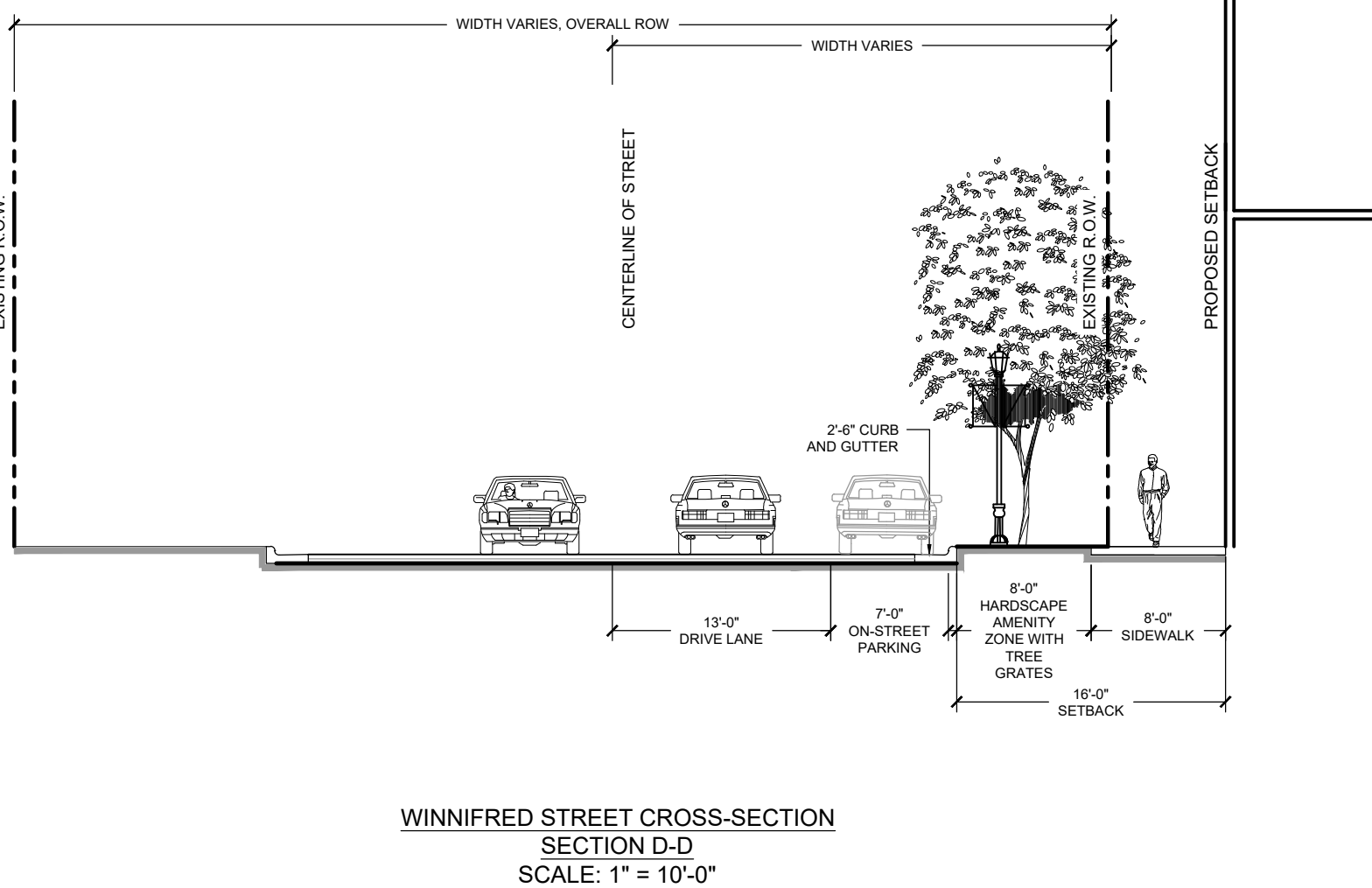
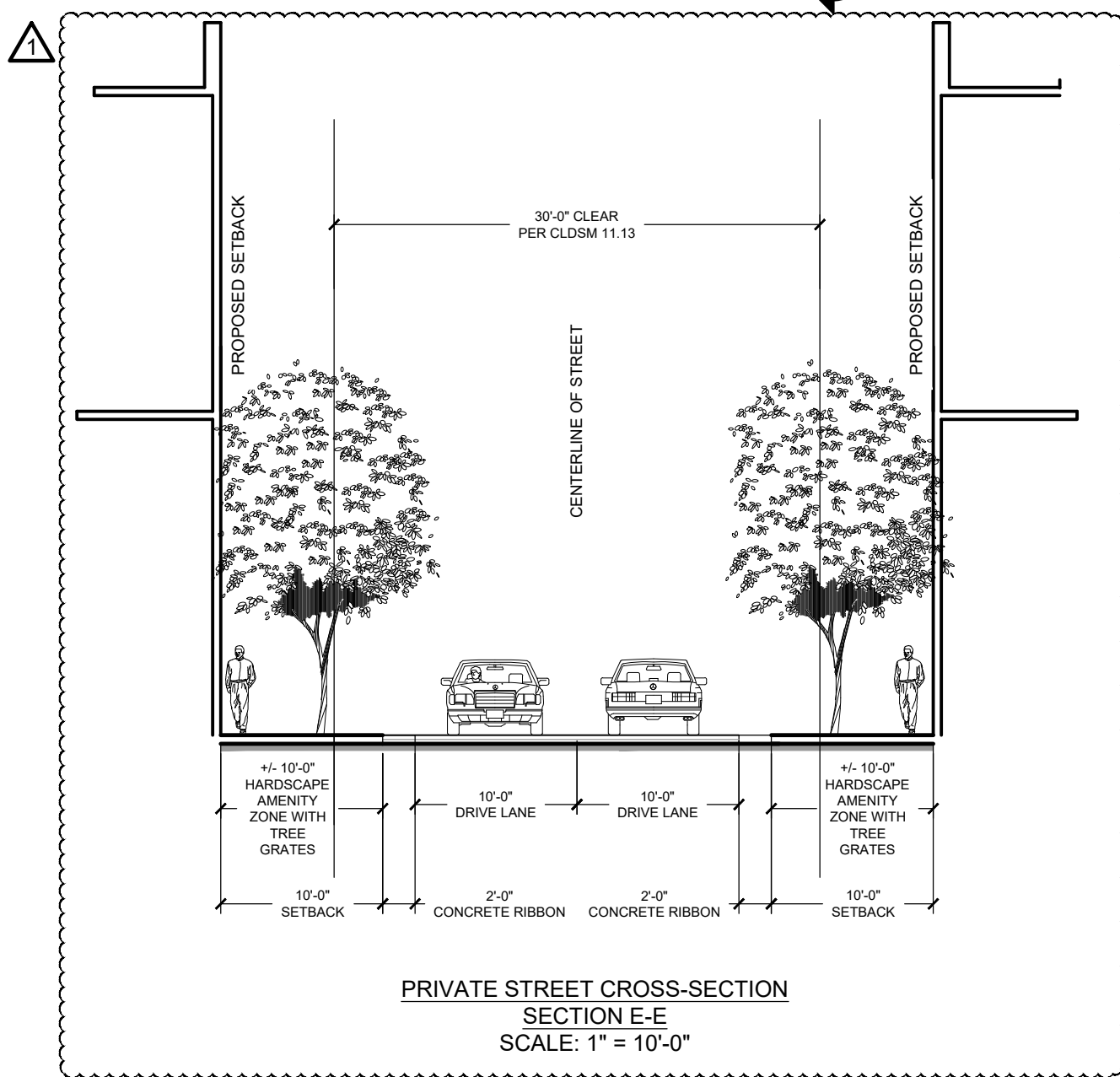
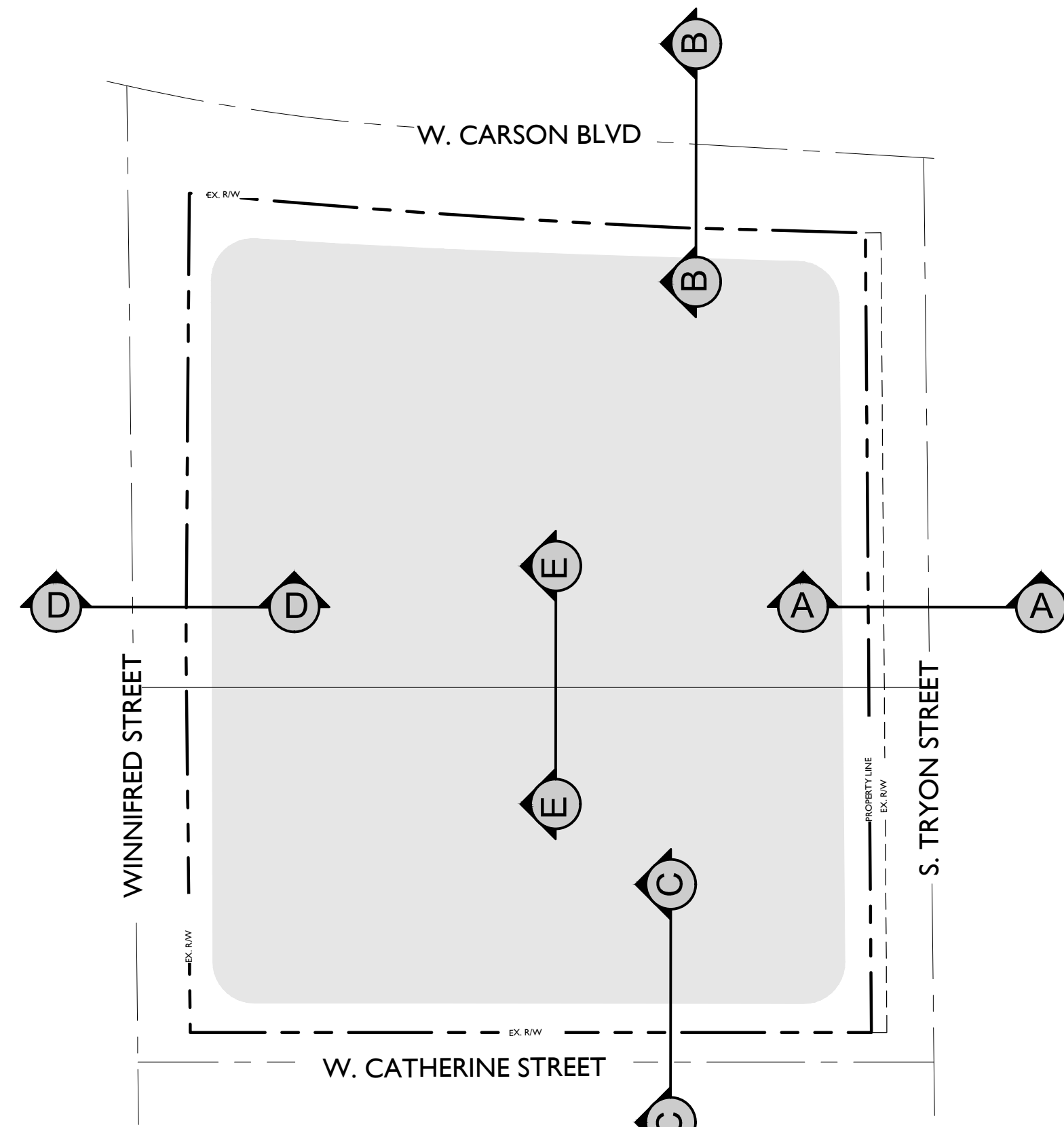


SHEET TITLE

STREET CROSS-SECTIONS

SHEET NUMBER

RZ-3



PETITION #. 2018-085
CITY OF CHARLOTTE
PETITIONER: THE SPECTRUM COMPANIES