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## MIDTOWN MIXED-USE VILLAGE

**COMPONENT C-1  
FOR PUBLIC HEARING -  
PETITION NUMBER  
2014-030**

Project No.  
4296

**Issued**  
01/27/14

03/25/14 REZONING RE-SUBMITTAL

ACREAGE:	1.30 ACRES
TAX PARCEL #:	125-227-05
EXISTING ZONING:	MUDD-O (REZONING PETITION NO. 2005-060)
PROPOSED ZONING:	MUDD-(O)
EXISTING USES:	VACANT WITH SOME LIMITED PARKING AND CIRCULATION AREAS FOR METROPOLITAN.
PROPOSED USES:	UP TO 155 MULTI-FAMILY DWELLING UNITS AND A HOTEL WITH UP TO 175 HOTEL ROOMS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT.
MAXIMUM BUILDING HEIGHT:	NOT TO EXCEED 285 FEET AS CALCULATED BY THE ORDINANCE.
PARKING:	PER THE STANDARDS OF THE ZONING REGULATIONS AT MINIMUM.
URBAN OPEN SPACE:	WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

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2014 - 030

REZONING NOTES:

1. GENERAL PROVISIONS:

- a. **SITE LOCATION.** THESE DEVELOPMENT STANDARDS FORM A PART OF THE TECHNICAL DATA SHEET ASSOCIATED WITH THE REZONING PETITION FILED BY METROPOLITAN RESIDENTIAL, LLC TO ACCOMMODATE DEVELOPMENT OF MIXED USE BUILDING CONTAINING MULTI-FAMILY RESIDENTIAL DWELLINGS UNITS AND A HOTEL ON AN APPROXIMATELY ± 1.30 ACRE SITE LOCATED AT THE INTERSECTION OF SOUTH KINGS DRIVE AND METROPOLITAN AVENUE (THE "SITE").
- b. **ZONING DISTRICT/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, AND OTHER SITE ELEMENTS SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN AS WELL AS ANY SCHEMATIC BUILDING ELEVATIONS ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT AND SITE ELEMENTS PROPOSED, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD AND BUFFER REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN. CHANGES TO THE REZONING PLAN NOT PERMITTED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.  
*NOTE: THESE DEVELOPMENT STANDARDS REPLACE AND SUPERSEDE THE PREVIOUS DEVELOPMENT STANDARDS APPROVED AS PART OF THE PRIOR REZONING PETITION FOR THIS SITE.*
2. **OPTIONAL PROVISIONS.**
- a. TO ALLOW THE BUILDING CONSTRUCTED ON THE SITE TO HAVE A BUILDING HEIGHT OF UP TO 285 FEET.
- b. TO ALLOW UP TO TWO (2) DETACHED SIGNS FOR THE SITE WITH 36 SQUARE FEET OF SIGN AREA AND UP TO FIVE (5) FEET IN HEIGHT. DETACHED SIGNS MUST BE LOCATED BEHIND THE REQUIRED SETBACK.
- c. TO ALLOW WALL SIGNS TO HAVE UP TO 750 SQUARE FEET OF SIGN SURFACE AREA PER WALL OR 20% OF THE WALL AREA TO WHICH THEY ARE ATTACHED, WHICHEVER IS LESS. THE PETITIONER WILL SUBMIT A SIGNAGE PACKAGE TO THE PLANNING DEPARTMENT FOR REVIEW AS PART OF THE MUDD APPROVAL PROCESS FOR THE SITE. THE SIGNAGE PACKAGE THAT IS SUBMITTED WILL PROVIDE DETAILS ON THE NUMBER, SIZE AND TYPE OF SIGNS TO BE CONSTRUCTED ON THE SITE. ADMINISTRATIVE APPROVALS OF DEVIATIONS FROM THE MAXIMUM SIZE OF THE WALL SIGNS SPECIFIED IN THIS SECTION MAY BE GRANTED BY THE PLANNING STAFF, SUBJECT TO APPROVAL OF A SPECIFIC SIGN DESIGN, LOCATION AND PLAN.
- d. TO ALLOW UP TO 380 SQUARE FEET OF THE ALLOWED 750 SQUARE FEET OF SIGN AREA FOR EACH OF THE PARK PROJECTION AND URBAN EDGE ELEVATIONS TO BE USED FOR DIGITAL WALL SIGNS. DIGITAL WALL SIGNS MAY BE USED TO ADVERTISE AND IDENTIFY TENANTS AND MERCHANDISE LOCATED AND SOLD AT METROPOLITAN (METROPOLITAN TO BE DEFINED AS THE AREA INCLUDED IN REZONING PETITION NO. 2005-060) AS WELL AS EVENTS OCCURRING AT MID-TOWN PARK AND ON SUGAR CREEK GREENWAY. THE DIGITAL WALL SIGNS MAY ALSO BE USED TO PROMOTE MAJOR EVENTS, MAJOR EVENTS MAY INCLUDE, BUT ARE NOT LIMITED TO, RELIGIOUS, EDUCATIONAL, CHARITABLE, CIVIC, FRATERNAL, SPORTING, OR SIMILAR EVENTS INCLUDING BUT NOT LIMITED TO, GOLF TOURNAMENTS, FESTIVALS, AND MAJOR OR SEASONAL SPORTING EVENTS. THE DESIGN/CONTENT OF THE SIGNS DISPLAYED ON THE DIGITAL WALL SIGNS WILL CONTAIN PREDOMINANTLY GRAPHIC IMAGES (A MINIMUM OF 80% OF THE SIGN MUST BE COMPOSED OF INTERESTING AND UNIQUE ART LIKE GRAPHIC IMAGES); COPY AREA WILL BE LIMITED TO 20% OF THE SIGN AREA.
- e. TO ALLOW A PORTION OF THE BUILDING WALL ALONG THE SOUTHERN PROPERTY BOUNDARY TO BE USED AS A SCREEN FOR PROJECTED IMAGES AND ACTIVITIES ASSOCIATED WITH THE SUGAR CREEK GREENWAY.
3. **PERMITTED USES & DEVELOPMENT LIMITATIONS:**
- a. SUBJECT TO THE RESTRICTIONS, LIMITATIONS, AND CONVERSION RIGHTS LISTED BELOW, THE BUILDING CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 155 MULTI-FAMILY DWELLING UNITS AND A HOTEL WITH UP TO 175 HOTEL ROOMS TOGETHER WITH ACCESSORY USES ALLOWED IN THE MUDD ZONING DISTRICT.
- b. UP TO 25 ADDITIONAL RESIDENTIAL UNITS MAY BE CONSTRUCTED ON THE SITE BY CONVERTING ONE (1) ALLOWED HOTEL ROOM INTO ONE (1) ADDITIONAL RESIDENTIAL UNIT.
- c. UP TO 25 ADDITIONAL HOTEL ROOMS MAY BE CONSTRUCTED ON THE SITE BY CONVERTING ONE (1) ALLOWED RESIDENTIAL DWELLING UNIT INTO ONE (1) ADDITIONAL HOTEL ROOM.
4. **ACCESS AND TRAFFIC:**
- a. VEHICULAR AND PEDESTRIAN ACCESS TO THE SITE AND TO THE PARKING FACILITIES ASSOCIATED WITH THE BUILDING WILL BE FROM SOUTH KINGS DRIVE AND METROPOLITAN AVENUE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- b. THE PLACEMENTS AND CONFIGURATIONS OF VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.
- c. THE ALIGNMENT OF THE INTERNAL 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 CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.
5. **ARCHITECTURAL GUIDELINES:**
- a. ARCHITECTURAL GUIDELINES ARE BEEN PROVIDED TO HELP DEFINE THE VISION FOR THE SITE'S ARCHITECTURAL CHARACTER. CONCEPT IMAGERY HAS ALSO BEEN PROVIDED TO GIVE EXAMPLES OF BUILDING DESIGN AND QUALITY.
- b. A RECOGNIZABLE BUILDING BASE SHALL BE PROVIDED THROUGH MATERIAL TRANSITIONS AND BUILDING ARTICULATION.
- c. BUILDING FACADES SHALL BE DESIGNED TO REDUCE THE MASS, SCALE, AND UNIFORM MONOLITHIC APPEARANCE OF LARGE UNADORNED WALLS, WHILE PROVIDING VISUAL INTEREST. LARGE BUILDING FACADES SHALL BE DIVIDED INTO DISTINCT MASSING ELEMENTS. THE PARKING DECK PORTION OF THE BUILDING WILL BE DESIGNED SO THAT OPENINGS INTO PARKING DECK, OTHER THAN DRIVEWAYS, MUST BE FILLED WITH DECORATIVE LOUVERS, LANDSCAPING OR OTHER SIMILAR TREATMENTS SO THAT CARS PARKED WITHIN THE DECK ARE SCREENED.
- d. HOW THE BUILDING ON THE SITE WILL ADDRESS THE ADJOINING PUBLIC AND PRIVATE SPACES HAS BEEN DIVIDED INTO THREE FRONTAGE TYPES: GREENWAY ENTRY, PARK PROJECTION AND URBAN EDGE. ARCHITECTURAL GUIDELINES AND CONCEPT IMAGERY FOR EACH OF THESE BUILDING FRONTAGE TYPES HAS BEEN INCLUDED WITH THIS PETITION.
- e. ON THE AREA OF THE BUILDING LABELED GREENWAY ENTRY ON THE REZONING PLAN THE FOLLOWING ARCHITECTURAL GUIDELINES SHALL BE APPLIED: PROVIDE AN OPEN, INVITING AND DYNAMIC ARRIVAL EXPERIENCE THROUGH THE USE OF: LARGE PERCENTAGE OF GLASS, DECORATIVE PAVERS, STYLISH CANOPY WITH LIGHTING, LANDSCAPE PLANTERS AND A MIX OF MATERIALS TO DESIGNATE AN ARRIVAL SPACE. A MINIMUM OF 60% OF THE GREENWAY ENTRY FRONTAGE SHALL BE DESIGNED WITH CLEAR GLASS TO ALLOW VISIBILITY OF THE ACTIVITY WITHIN THE BUILDING. ALONG THE GREENWAY ENTRY FRONTAGE SEVERAL AREAS OR ONE AREA FOR OUTDOOR SEATING TOTALING A MINIMUM OF 300 SQUARE FEET WILL BE PROVIDED (THIS WILL BE IN ADDITION TO THE URBAN OPEN SPACE AREA LOCATED ALONG THE NORTHERN PROPERTY BOUNDARY AND GENERALLY DEPICTED ON THE SHEET RZ-1.1), THESE AREAS WILL BE DESIGNED TO OVERLOOK THE ABUTTING SUGAR CREEK GREENWAY. THE SERVICE SIDE OF THE BUILDING MAY NOT BE LOCATED ALONG THE GREENWAY ENTRY FRONTAGE. DISPLAY CASES WILL NOT BE PART OF THE GREENWAY ENTRY FRONTAGE FAÇADE TREATMENT. SEVERAL CONCEPT IMAGES INDICATING HOW THIS GREENWAY ENTRY TREATMENT COULD BE ACCOMPLISHED ARE INCLUDED IN THE REZONING PLAN.
- f. ON THE AREA OF THE BUILDING LABELED PARK PROJECTION A AND B ON THE REZONING PLAN THE FOLLOWING ARCHITECTURAL GUIDELINES SHALL BE APPLIED: DELIVER AESTHETIC CONTINUITY WITH THE EXISTING MIDTOWN PARK BY PROVIDING THE FOLLOWING TREATMENTS AT THE PEDESTRIAN LEVEL TO ENHANCE THE PEDESTRIAN EXPERIENCE: (I) LAYERS OF PLANTINGS AT GRADE; AND (II) ATTRACTIVE AND INTERESTING LOUVERS. THE TREATMENT WILL THEN TRANSITION UP THE FAÇADE INTO STANDARD SCREENING MATERIALS IN ACCORDANCE WITH THE MUDD ZONING REGULATIONS. CONCEPT IMAGES INDICATING HOW THIS PARK PROJECTION A AND B TREATMENT COULD BE ACCOMPLISHED ARE INCLUDED IN THE REZONING PLAN.

g. THE PETITIONER WILL ENDEAVOR TO ENTER INTO AN AGREEMENT WITH COUNTY PARKS AND RECREATION TO PROVIDE CERTAIN SHARED SITE ELEMENTS INCLUDING BUT NOT LIMITED TO: BATHROOMS, GATHERING SPACE, OUTDOOR SEATING AREAS, AREAS FOR STORAGE AND LANDSCAPING. THE SHARED SITE ELEMENTS MAY BE LOCATED ON THE SITE AND/OR THE ADJOINING PARK PROPERTY. IN ORDER TO ACCOMMODATE THESE SHARED SITE ELEMENTS THE SITE'S PROPERTY LINES MAY BE ADJUSTED OR EASEMENTS MAY BE PROVIDED.

h. ON THE AREA OF THE BUILDING LABELED URBAN EDGE ON THE REZONING PLAN THE FOLLOWING ARCHITECTURAL GUIDELINES SHALL BE APPLIED: ESTABLISH A STYLISH, MEMORABLE AND HIGHLY VISIBLE BUILDING ELEMENT, PROVIDE AN ARTICULATED FAÇADE WITH A MIX OF MATERIALS INCLUDING MASONRY, PRECAST CONCRETE, LOUVERS AND PANELS, PROVIDE DECORATIVE OPENINGS AT THE GROUND LEVEL AND SCREEN PARKING ON ALL LEVELS. A FOCAL POINT FEATURE WILL BE PROVIDED ALONG THE URBAN EDGE FRONTAGE AT THE CORNER OF S. KINGS DRIVE AND METROPOLITAN AVENUE; THIS FOCAL POINT FEATURE MAY INCLUDE SIGNAGE, ART WORK, A WATER FEATURE, LANDSCAPING AND OTHER ELEMENTS TO CREATE A POINT OF INTEREST ALONG THE KINGS DRIVE PORTION OF THE URBAN EDGE FRONTAGE. THE DESIGN OF THE FOCAL POINT FEATURE WILL BE SUBMITTED TO THE PLANNING DIRECTOR FOR REVIEW AND COMMENT AS PART OF THE MUDD REVIEW PROCESS FOR THE SITE. SEVERAL CONCEPT IMAGES INDICATING HOW THIS URBAN EDGE TREATMENT COULD BE ACCOMPLISHED ARE INCLUDED IN THE REZONING PLAN.

i. IF DISPLAY WINDOWS ARE USED ALONG THE URBAN EDGE OR THE PARK EDGE A AND B THE GRAPHICS WILL BE RECESSED A MINIMUM OF THREE (3) FEET FROM THE BACK OF THE WINDOW.

j. BUILDING SERVICE AREAS WILL BE LOCATED INTERNALLY OR SCREENED FROM VIEW WITH MASONRY WALLS A MINIMUM OF FIVE FEET IN HEIGHT.

k. ALLOWABLE BUILDING MATERIALS WILL INCLUDE: BRICK, NATURAL STONE, ARCHITECTURALLY FINISHED PRECAST CONCRETE, DECORATIVE CONCRETE MASONRY UNITS, ARCHITECTURAL METAL PANELS, GLAZING, STUCCO AND TILE CLADDING. THE FOLLOWING EXTERIOR BUILDING MATERIALS ARE PROHIBITED: VINYL SIDING, UNFINISHED CONCRETE MASONRY UNITS.

l. METER BANKS WILL BE INTERNAL TO THE BUILDING.

m. ROOF TOP HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AT GRADE.

n. COMPACTOR/DUMPSTER AREAS AND RECYCLING AREAS WILL BE LOCATED WITHIN THE BUILDING.

6. STREETSCAPE, BUFFERS, LANDSCAPING AND UTILITY STRUCTURE SETBACKS:

a. A 16 FOOT SETBACK AS MEASURED FROM THE BACK OF THE EXISTING CURB ALONG SOUTH KINGS DRIVE WILL BE PROVIDED.

b. THE PETITIONER WILL PROVIDE A PLANTING STRIP AND A SIDEWALK ALONG THE SITE'S FRONTAGE ON SOUTH KINGS DRIVE AS GENERALLY DEPICTED ON THE REZONING PLAN AND MATCHING EXISTING STREETSCAPE THROUGHOUT METROPOLITAN.

c. ALONG METROPOLITAN AVENUE THE PETITIONER WILL PROVIDE A SIDEWALK WITH STREET TREES TO MATCH EXISTING STREETSCAPE TREATMENT IMPLEMENTED THROUGHOUT METROPOLITAN AS GENERALLY DEPICTED ON THE REZONING PLAN.

d. SCREENING REQUIREMENTS OF THE ORDINANCE WILL BE MET.

e. ABOVE GROUND BACKFLOW PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW AND WILL BE LOCATED BEHIND THE PROPOSED SIDEWALK OR THE REQUIRED MUDD SETBACK WHICH EVER IS GREATER.

7. ENVIRONMENTAL FEATURES:

a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

b. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.

8. SIGNAGE:

a. SIGNAGE AS ALLOWED BY THE ORDINANCE AND BY THE OPTIONAL PROVISIONS LISTED ABOVE MAY BE PROVIDED.

9. 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, AND PARKING AREAS.

b. DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 25 FEET IN HEIGHT.

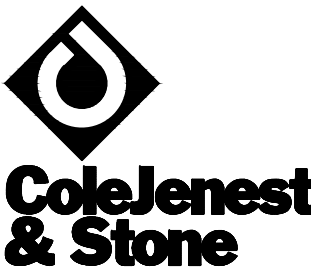
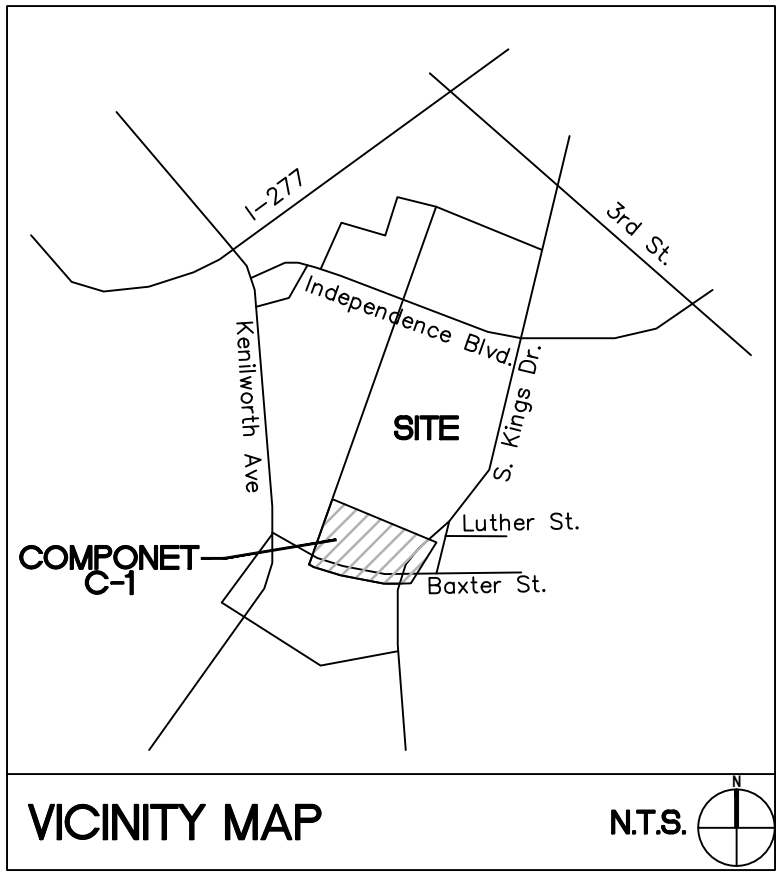
c. NO "WALL PAK" LIGHTING WILL BE ALLOWED, HOWEVER ARCHITECTURAL LIGHTING SUCH AS BUT NOT LIMITED TO, SCONCES, UP LIGHTING, ACCENT LIGHTING, INCLUDING COLOR ACCENT LIGHTING AND DECORATIVE LIGHTING ON THE BUILDING FACADES WILL BE PERMITTED.

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 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 UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



Land Planning  
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Urban Design

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PETITIONERS:

LEVINE PROPERTIES  
8514 MCALPINE PARK DRIVE,  
SUITE 180  
CHARLOTTE, NC 28211

MIDTOWN  
MIXED-USE  
VILLAGE

REZONING  
NOTES

COMPONENT C-1  
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Revised

03/26/14 REZONING RE-SUBMITTAL



## GREENWAY ENTRY

Provide an open, inviting and dynamic arrival experience through the use of:

1. Large percentage of clear glass, minimum of 60%
2. Decorative pavers, landscape planters
3. Stylish canopy with lighting
4. Outdoor seating, minimum of 300SF
5. Mix of materials to designate an arrival space



LEVINE PROPERTIES

This graphic is intended only to illustrate a conceptual site plan. The building configuration, parking and access points are subject to final engineering and will be finalized during permitting of the project.

Metropolitan Component C-1 Parcel  
Rezoning Petition 2014-030



## PARK PROJECTION

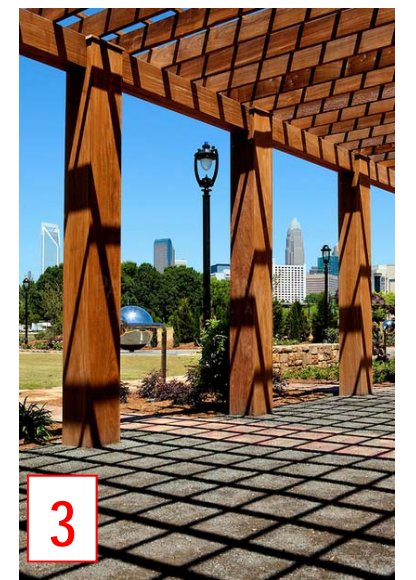
Deliver aesthetic continuity with the existing Midtown Park by using:

1. Layers of plantings at grade and on lower level building elevation to enhance pedestrian experience (SECTION A)
2. Transitioning up the façade into standard screening materials in accordance with code
3. Potential for shared site elements with County P&R including bathrooms, gathering space, outdoor seating areas, storage and landscaping (SECTION B)



LEVINE PROPERTIES

This graphic is intended only to illustrate a conceptual site plan. The building configuration, parking and access points are subject to final engineering and will be finalized during permitting of the project.



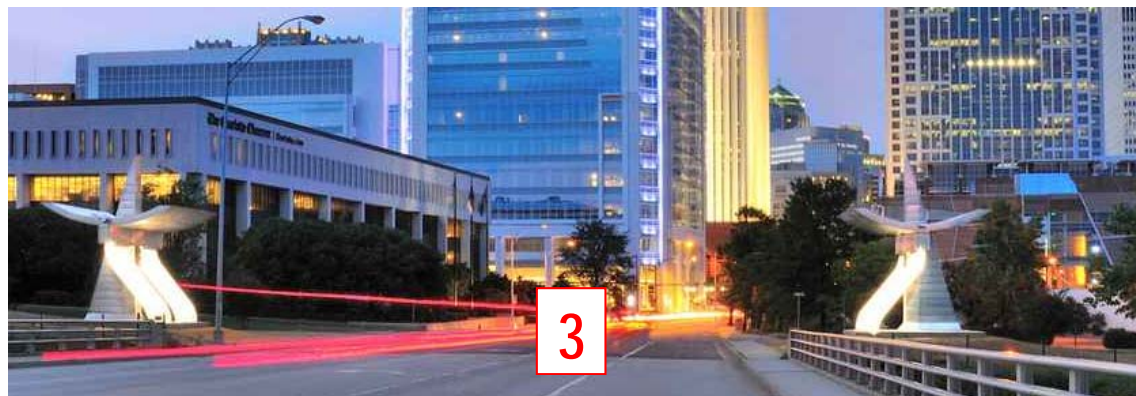
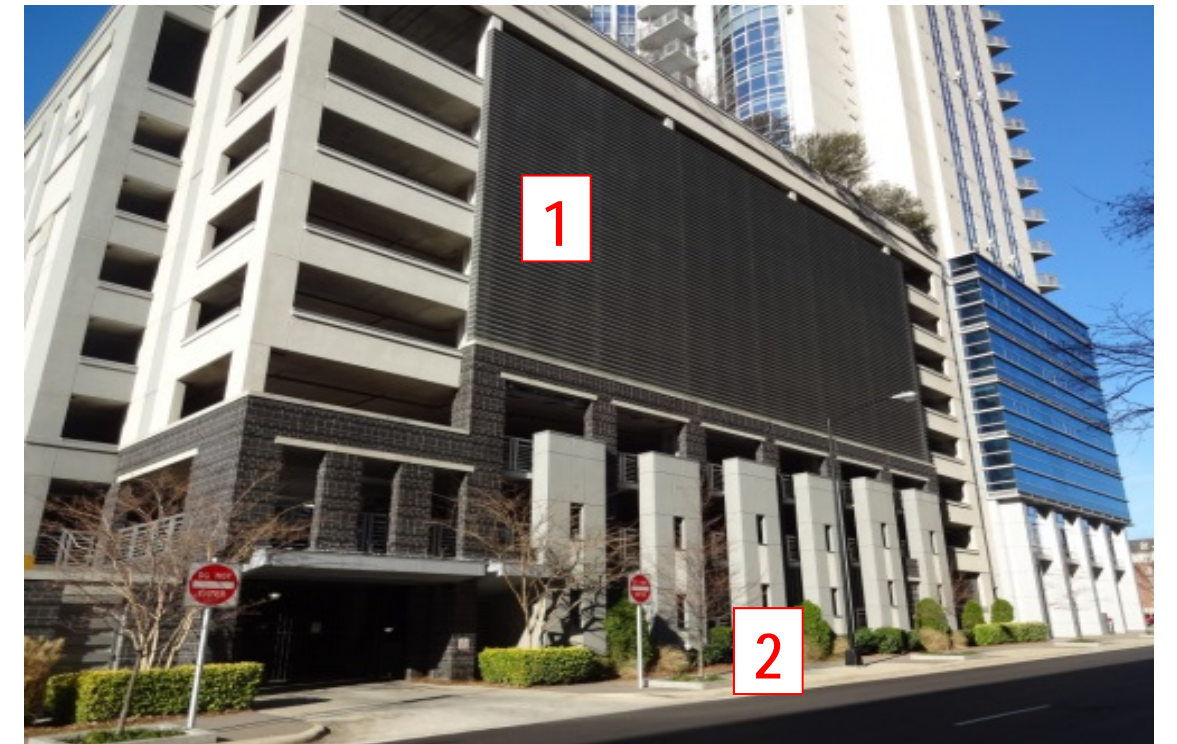
Metropolitan Component C-1 Parcel  
Rezoning Petition 2014-030



## URBAN EDGE

Create a stylish, memorable and highly visible element from:

1. Articulated façade with a mix of materials including masonry, precast concrete, louvers and panels
2. Decorative openings at ground level, screened parking on all levels
3. Focal point feature on primary corner



LEVINE PROPERTIES

This graphic is intended only to illustrate a conceptual site plan. The building configuration, parking and access points are subject to final engineering and will be finalized during permitting of the project.

Metropolitan Component C-1 Parcel  
Rezoning Petition 2014-030



**Golden Triangle #2, LLC**  
**Development Standards**  
**03/28/14**  
**Rezoning Petition No. 2014-030**

**Site Development Data:**

- Acreage:  $\pm$  1.30 acres
- Tax Parcel #: 125-227-05
- Existing Zoning: MUDD-O by Rezoning Petition No. 2005-060
- Proposed Zoning: MUDD-(O)
- Existing Uses: Vacant with some limited parking and circulation areas for Metropolitan.
- Proposed Uses: Up to 155 multi-family dwelling units and a hotel with up to 175 hotel rooms together with accessory uses, as allowed in the MUDD zoning district.
- Maximum Building Height: Not to exceed 285 feet as calculated by the Ordinance.
- Parking: Per the standards of the Zoning Regulations at minimum.
- Urban Open Space: Will be provided as required by the Ordinance.

**1. General Provisions:**

a. **Site Location.** These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Metropolitan Residential, LLC to accommodate development of mixed use building containing multi-family residential dwellings units and a hotel on an approximately  $\pm$  1.30 acre site located at the intersection of South Kings Drive and Metropolitan Avenue (the "Site").

b. **Zoning District/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, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan as well as any schematic building elevations are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the Development Standards, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Changes to the Rezoning Plan not permitted by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

*Note: These Development Standards replace and supersede the previous development standards approved as part of the prior Rezoning Petition for this Site.*

**2. Optional Provisions.**

- a. To allow the building constructed on the Site to have a building height of up to 285 feet.

b. To allow up to two (2) detached signs for the Site with 36 square feet of sign area and up to five (5) feet in height. Detached signs must be located behind the required setback.

c. To allow wall signs to have up to 750 square feet of sign surface area per wall or 20% of the wall area to which they are attached, whichever is less. The Petitioner will submit a signage package to the Planning Department for review as part of the MUDD approval process for the Site. The signage package that is submitted will provide details on the number, size and type of signs to be constructed on the Site. Administrative approvals of deviations from the maximum size of the wall signs specified in this Section may be granted by the Planning Staff, subject to approval of a specific sign design, location and plan.

d. To allow up to 380 square feet of the allowed 750 square feet of sign area for each of the Park Projection and Urban Edge elevations to be used for digital wall signs. Digital wall signs may be used to advertise and identify tenants and merchandise located and sold at Metropolitan (Metropolitan to be defined as the area included in rezoning petition no. 2005-060) as well as events occurring at Mid-Town Park and on Sugar Creek Greenway. The digital wall signs may also be used to promote Major Events, Major Events may include, but are not limited to, religious, educational, charitable, civic, fraternal, sporting, or similar events including but not limited to, golf tournaments, festivals, and major or seasonal sporting events. The design/content of the signs displayed on the digital wall signs will contain predominantly graphic images (a minimum of 80% of the sign must be composed of interesting and unique art like graphic images); copy area will be limited to 20% of the sign area.

e. To allow a portion of the building wall along the southern property boundary to be used as a screen for projected images and activities associated with the Sugar Creek Greenway.

### **3. Permitted Uses & Development Limitations:**

a. Subject to the restrictions, limitations, and conversion rights listed below, the building constructed on the Site may be developed with up to 155 multi-family dwelling units and a hotel with up to 175 hotel rooms together with accessory uses allowed in the MUDD zoning district.

b. Up to 25 additional residential units may be constructed on the Site by converting one (1) allowed hotel room into one (1) additional residential unit.

c. Up to 25 additional hotel rooms may be constructed on the Site by converting one (1) allowed residential dwelling unit into one (1) additional hotel room.

### **4. Access and Traffic:**

a. Vehicular and pedestrian access to the Site and to the parking facilities associated with the building will be from South Kings Drive and Metropolitan Avenue as generally depicted on the Rezoning Plan.

b. The placements and configurations of vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by CDOT in accordance with published standards.

c. The alignment of the internal 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 CDOT in accordance with published standards.

## **5. Architectural Guidelines:**

a. Architectural guidelines are been provided to help define the vision for the Site's architectural character. Concept Imagery has also been provided to give examples of building design and quality.

b. A recognizable building base shall be provided through material transitions and building articulation.

c. Building facades shall be designed to reduce the mass, scale, and uniform monolithic appearance of large unadorned walls, while providing visual interest. Large building facades shall be divided into distinct massing elements. The parking deck portion of the building will be designed so that openings into parking deck, other than driveways, must be filled with decorative louvers, landscaping or other similar treatments so that cars parked within the deck are screened.

d. How the building on the Site will address the adjoining public and private spaces has been divided into three frontage types: Greenway Entry, Park Projection and Urban Edge. Architectural guidelines and concept imagery for each of these building frontage types has been included with this Petition.

e. On the area of the building labeled Greenway Entry on the Rezoning Plan the following architectural guidelines shall be applied: provide an open, inviting and dynamic arrival experience through the use of; large percentage of glass, decorative pavers, stylish canopy with lighting, landscape planters and a mix of materials to designate an arrival space. A minimum of 60% of the Greenway Entry frontage shall be designed with clear glass to allow visibility of the activity within the building. Along the Greenway Entry frontage several areas or one area for outdoor seating totaling a minimum of 300 square feet will be provided (this will be in addition to the Urban Open Space area located along the northern property boundary and generally depicted on the Sheet RZ-1.1), these areas will be designed to overlook the abutting Sugar Creek Greenway. The service side of the building may not be located along the Greenway Entry frontage. Display cases will not be part of the Greenway Entry frontage façade treatment. Several concept images indicating how this Greenway Entry treatment could be accomplished are included in the Rezoning Plan.

f. On the area of the building labeled Park Projection A and B on the Rezoning Plan the following architectural guidelines shall be applied: deliver aesthetic continuity with the existing Midtown Park by providing the following treatments at the pedestrian level to enhance the pedestrian experience: (i) layers of plantings at grade; and (ii) attractive and interesting louvers, the treatment will then transition up the façade into standard screening materials in accordance with the MUDD zoning regulations. Concept images indicating how this Park Projection A and B treatment could be accomplished are included in the Rezoning Plan.

g. The Petitioner will endeavor to enter into an agreement with County Parks and Recreation to provide certain shared site elements including but not limited to; bathrooms, gathering space, outdoor seating areas, areas for storage and landscaping. The shared site



elements may be located on the Site and/or the adjoining park property. In order to accommodate these shared site elements the Site's property lines may be adjusted or easements may be provided.

h. On the area of the building labeled Urban Edge on the Rezoning Plan the following architectural guidelines shall be applied: establish a stylish, memorable and highly visible building element, provide an articulated façade with a mix of materials including masonry, precast concrete, louvers and panels, provide decorative openings at the ground level and screen parking on all levels. A focal point feature will be provided along the Urban Edge frontage at the corner of S. Kings Drive and Metropolitan Avenue; this focal point feature may include signage, art work, a water feature, landscaping and other elements to create a point of interest along the Kings Drive portion of the Urban Edge frontage. The design of the focal point feature will be submitted to the Planning Director for review and comment as part of the MUDD review process for the Site. Several concept images indicating how this Urban Edge treatment could be accomplished are included in the Rezoning Plan.

i. If display windows are used along the Urban Edge or the Park Edge A and B the graphics will be recessed a minimum of three (3) feet from the back of the window.

j. Building service areas will be located internally or screened from view with masonry walls a minimum of five feet in height.

k. Allowable building materials will include: brick, natural stone, architecturally finished precast concrete, decorative concrete masonry units, architectural metal panels, glazing, stucco and tile cladding. The following exterior building materials are prohibited: vinyl siding, unfinished concrete masonry units.

l. Meter banks will be internal to the building.

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

n. Compactor/dumpster areas and recycling areas will be located within the building.

**6. Streetscape, Buffers, Landscaping and Utility Structure Setbacks:**

a. A 16 foot setback as measured from the back of the existing curb along South Kings Drive will be provided.

b. The Petitioner will provide a planting strip and a sidewalk along the Site's frontage on South Kings Drive as generally depicted on the Rezoning Plan and matching existing streetscape throughout Metropolitan.

c. Along Metropolitan Avenue the Petitioner will provide a sidewalk with street trees to match existing streetscape treatment implemented throughout Metropolitan as generally depicted on the Rezoning Plan.

d. Screening requirements of the Ordinance will be met.



- e. Above ground backflow preventers will be screened from public view and will be located behind the proposed sidewalk or the required MUDD setback which ever is greater.

**7. Environmental Features:**

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

**8. Signage:**

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

**9. 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, and parking areas.
- b. Detached lighting on the Site will be limited to 25 feet in height.
- c. No "wall pak" lighting will be allowed, however architectural lighting such as but not limited to, sconces, up lighting, accent lighting, including color accent lighting and decorative lighting on the building facades will be permitted.

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