



#### 5815 Westpark Drive Charlotte, NC 28217 T: 704.525.6350 F: 704.561.8700

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## Rezoning Petition 2014-XXXX

EDDIE PORTIS, AIA, LEED® AP BD+C PROJECT MANAGER FRANK DEBOLT, AIA, LEED® AP BD+C PROJECT ARCHITECT

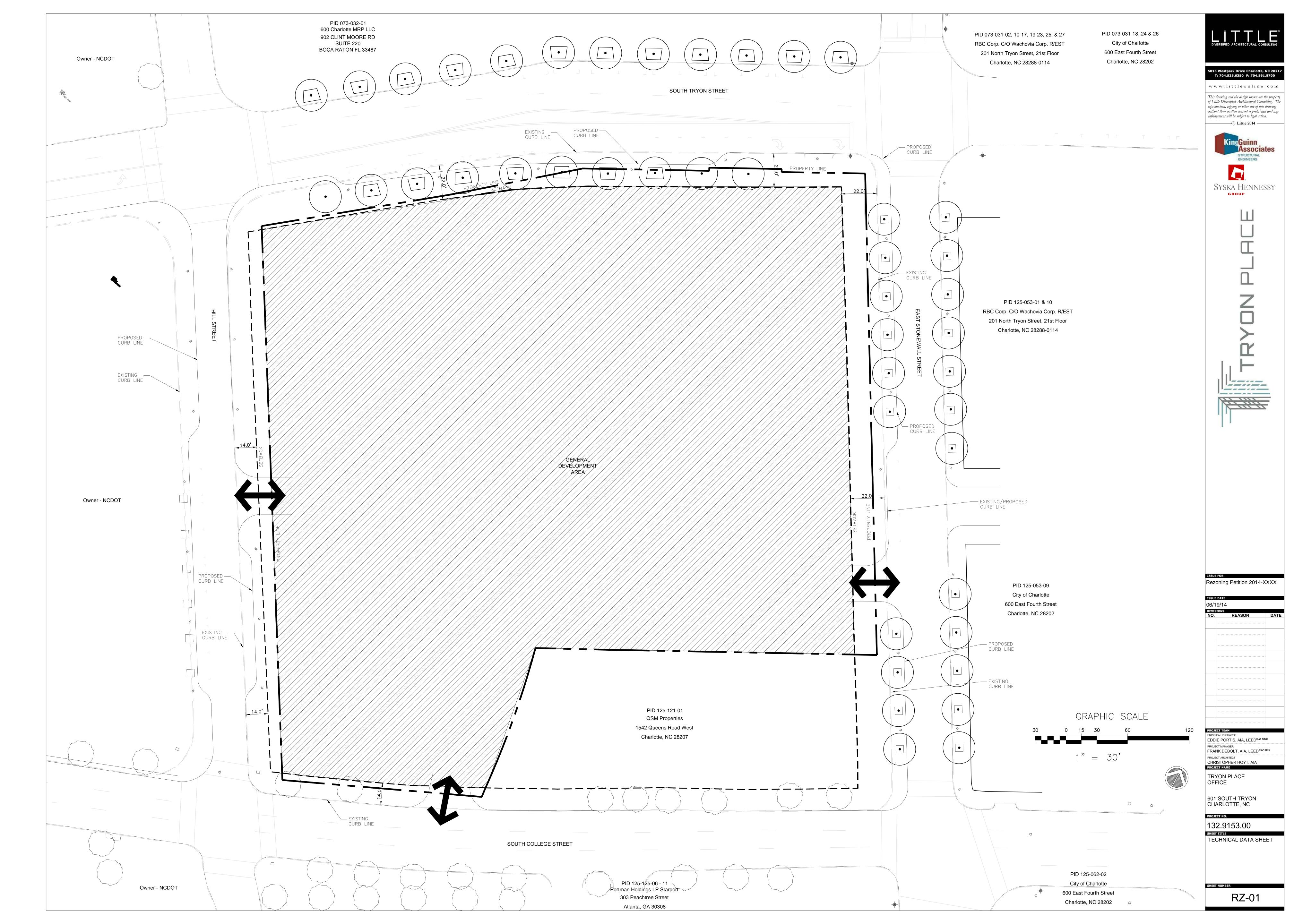
CHRISTOPHER HOYT, AIA TRYON PLACE

OFFICE 601 SOUTH TRYON

CHARLOTTE, NC

132.9153.00

**EXISTING CONDITIONS** LDSI SURVEY



#### 1. General Provisions

The purpose of this Rezoning Petition is to obtain approval of "Optional" provisions allowing deviations from certain provisions of the City of Charlotte Zoning Ordinance (the "Ordinance") as allowed by section 9.908 of the Ordinance to provide additional development flexibility which will facilitate the development of a 3 +/- acre property bounded by Tryon Street, Stonewall Street, College Street and Hill Street in the City of Charlotte comprised of Mecklenburg County Tax Parcel numbers 125-121-03 and 125-121-05 (the "Site").

If the Petitioner seeks to take advantage of any of the "Optional" provisions approved as part of the Rezoning Petition, development of the Site will be governed by the accompanying Technical Data Sheet, these Development Standards (including any Optional provisions utilized) and the applicable provisions Ordinance. The development depicted on the Technical Data Sheet is intended to reflect in general terms, the arrangement, location and design of the component parts and street improvements for the Site as if the Optional provisions requested in these Development Standards are implemented.

However, any deviations from the UMUD minimum standards are Optional in nature and relate only to the development and street improvements proposed by the accompanying Technical Data Sheet and these Development Standards. The Site may also be developed in accordance with the standard UMUD requirements and other applicable minimum standards established by other City of Charlotte codes, ordinances and policies. Accordingly, the Petitioner expressly reserves the right to develop the Site and/or portions thereof in a manner wholly different from the development depicted on the Technical Data Sheet in any manner permitted by the Ordinance and other City of Charlotte codes, ordinances and policies as if no Optional provision had been applicable.

Except as otherwise provided under the UMUD-Optional provisions set forth under Paragraph 2 of these Development Standards and unless the accompanying Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the UMUD Zoning District shall govern all development taking place on the Site.

Alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the accompanying Technical Data Sheet or its respective conditions shall not be deemed to be minor and may only be made in accordance with the provisions of subsections 6.207(1) or (2) of the Ordinance, as applicable.

#### 2. UMUD Optional Provisions

Pursuant to the Optional provisions of Section 9.908 of the Ordinance, the Petitioner seeks approval of the following UMUD Optional provisions to allow deviations from specific provisions of the Ordinance in order to accommodate the development depicted on the Technical Data Sheet:

- (a) Deviations from the paving system requirements established under Section 9.906(2)(a) of the Ordinance to allow the use of pavers and/or other materials within right-of-ways and along all street frontages to create consistent streetscape design throughout the Site, subject to the approval of a related Encroachment Agreement.
- (b) Deviations from the signage standards established under Section 9.906(e) of the Ordinance to allow up to two attached electronic signs (video or LED screen) with a maximum size of 300 square feet each. Design and location of these signs shall be reviewed and approved by the Planning Department prior to application for sign permits.
- (c) Deviations from the signage standards established under Section 9.906(e) of the Ordinance to allow up to 3,000 square feet of wall signage per street frontage (in addition to any approved electronic signs (video or LED)). Design and location of a master sign plan shall be reviewed and approved by the Planning Department prior to application for sign permits.
- (d) Deviations from the streetscape requirements for walking surfaces, street furniture, trees, landscaping, lighting fixtures, information signs, and kiosks within the right-of-way or setback established under Section 9.906(2)(f) of the Ordinance in order to accommodate a unified treatment along all street frontages that will work in harmony with the Site's urban open spaces.
- (e) Deviations from the street tree standards established under Section 9.906(2)(g) of the Ordinance due to lack of consistency of species on properties adjacent to the Site and on opposite sides of adjacent streets.
- (f) Deviations from the street right-of-way requirements established under Section 9.906(i) of the Ordinance in order to accommodate the design and construction of the street cross-sections shown on the Street Cross Section Exhibits, incorporated herein as RZ-03 and RZ-04, subject to the approval of any necessary Encroachment Agreements.
- (g) Deviations from the building entrance requirements established under Section 9.906(2)(j) of the Ordinance in to allow non-recessed building entrances at locations where the building face is located beyond the minimum setback requirement.
- (h) Deviations from the base of high rise building requirements established under Section 9.906(2)(k) of the Ordinance to allow an average height of three stories to be used when calculating requirements related to architectural design provisions regarding the base of high rise buildings.
- (i) Deviations from the urban open space seating and tree requirements established under Sections 9.906(4)(d) and (e) of the Ordinance to remove prescribed seating and tree requirements within any non-required open spaces areas. Standard seating and tree requirements shall be met within portions of the urban open space areas required to meet the minimum UMUD urban open space requirement.
- (j) Deviations from the urban open space tree requirement provision established under Sections 9.906(4)(e) of the Ordinance to allow required urban open space trees to be planted with moveable planters.
- (k) Deviations from the urban open space amenity provision established under Sections 9.906(4)(g) of the Ordinance to allow open fire pits as a permitted amenity.
- (l) Deviations from the loading standards established under Section 9.907(2)(c) of the Ordinance to allow a 50% reduction in the number required of loading spaces.

### 3. Permitted Uses and Maximum Development

The Site may be developed with any uses allowed in the UMUD zoning district, subject to any maximum density or intensity standards of the UMUD zoning district.

### 4. Transportation

Vehicular access will be as generally depicted on the Technical Data Sheet. The placement and configuration of the vehicular access points shown on the Technical Data Sheet are subject to any modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.

As indicated in Paragraph 2, Petitioner seeks deviations from the street right-of-way requirements established under Section 9.906(i) of the Ordinance in order to accommodate the design and construction of the street cross-sections shown on the Street Cross Section Exhibits, incorporated herein as RZ-03 and RZ-04, subject to the approval of any necessary Encroachment Agreements.

### 5. Architectural Standards

Petitioner shall meet or exceed UMUD requirements, subject to any deviations approved as part of the Optional provisions described in Paragraph 2 above.

### 6. Streetscape and Landscaping

Petitioner shall comply with the Streetscape and Landscaping requirements of the Ordinance, subject to any deviations approved as part of the Optional provisions described in Paragraph 2 above.

### 7. Environmental Features

Development on the Site shall comply with the Post Construction Controls Ordinance.

## 8. Open Space

Open Spaces will be provided as required by the UMUD district.

## 9. <u>Fire Protection</u>

Fire protection shall be provided in conformity with the specifications of the Fire Marshall.

### 10. Signage

Petitioner shall comply with the signage requirements of the Ordinance, subject to any deviations approved as part of the Optional provisions described in Paragraph 2 above.

### 11. Lighting

Petitioner shall comply with the lighting requirements of the Ordinance, subject to any deviations approved as part of the Optional provisions described in Paragraph 2 above.

### 12. <u>Other</u>

Throughout these development standards, the term Petitioner shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

#### DEVELOPMENT DATA TABLE

Site Area: 3 acres +/-

Tax Parcels: 125-121-02, 125-121-03, 125-121-05

Existing Zoning: UMUD
Proposed Zoning: UMUD-O

Existing Uses: Vacant Buildings and Surface Parking Lots

Proposed Use: All Uses Permitted in UMUD District

Maximum Development: N/A

Maximum Square Footage: N/A

Maximum FAR: N/A

Maximum Building Height: N/A

Parking: Must satisfy or exceed UMUD minimum requirements



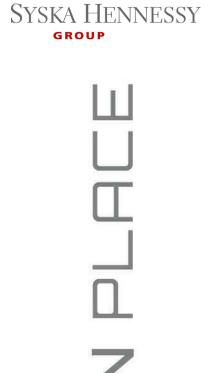
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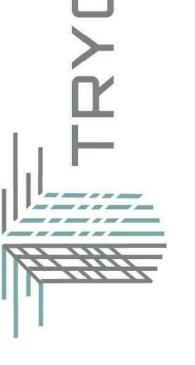
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1SSUE DATE
06/19/14
REVISIONS
NO. REASON

PROJECT TEAM

PRINCIPAL IN CHARGE

EDDIE PORTIS, AIA, LEED® AP BD+C

PROJECT MANAGER

FRANK DEBOLT, AIA, LEED® AP BD+C

PROJECT ARCHITECT
CHRISTOPHER HOYT, AIA
PROJECT NAME

TRYON PLACE OFFICE

601 SOUTH TRYON CHARLOTTE, NC

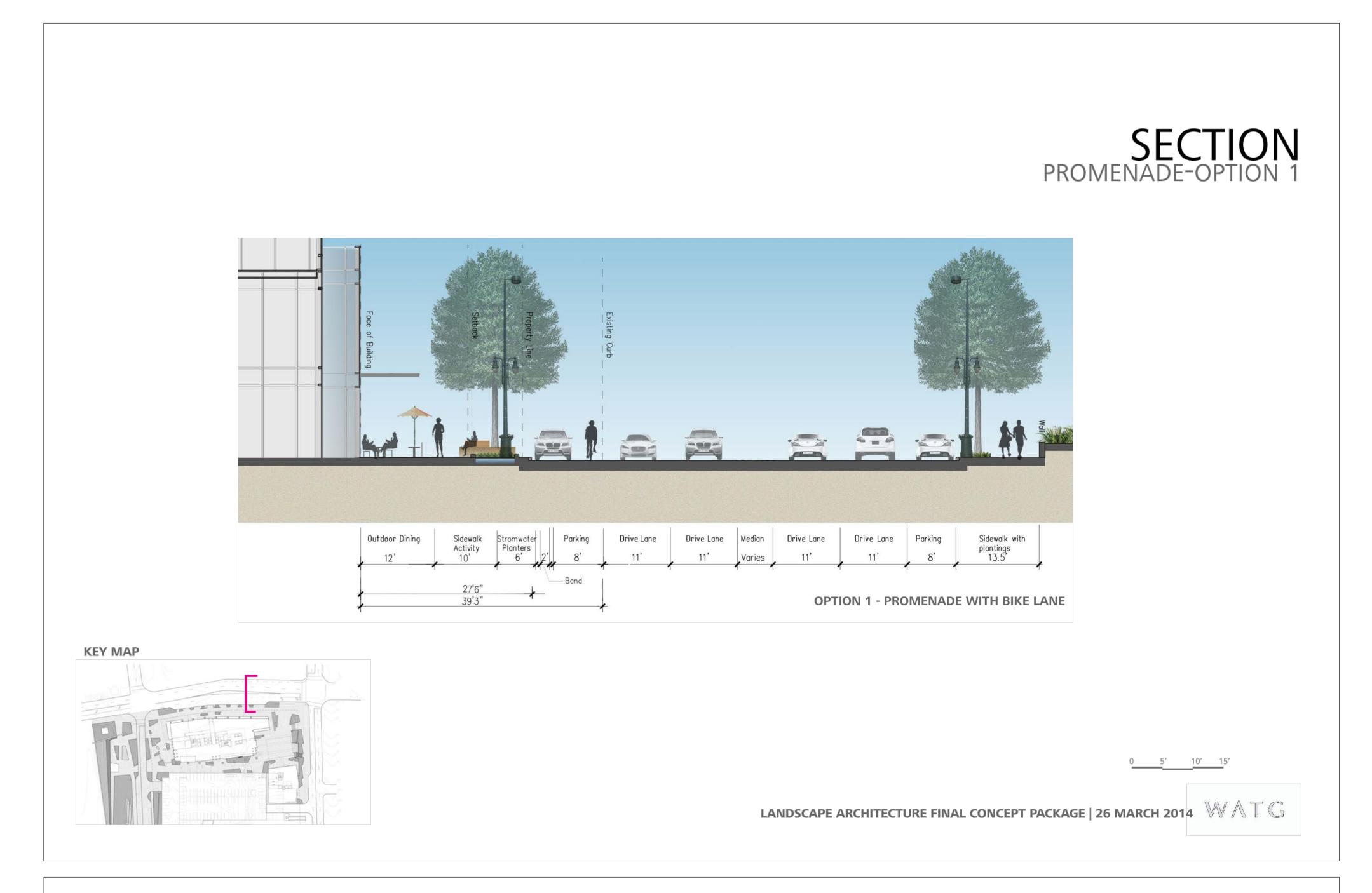
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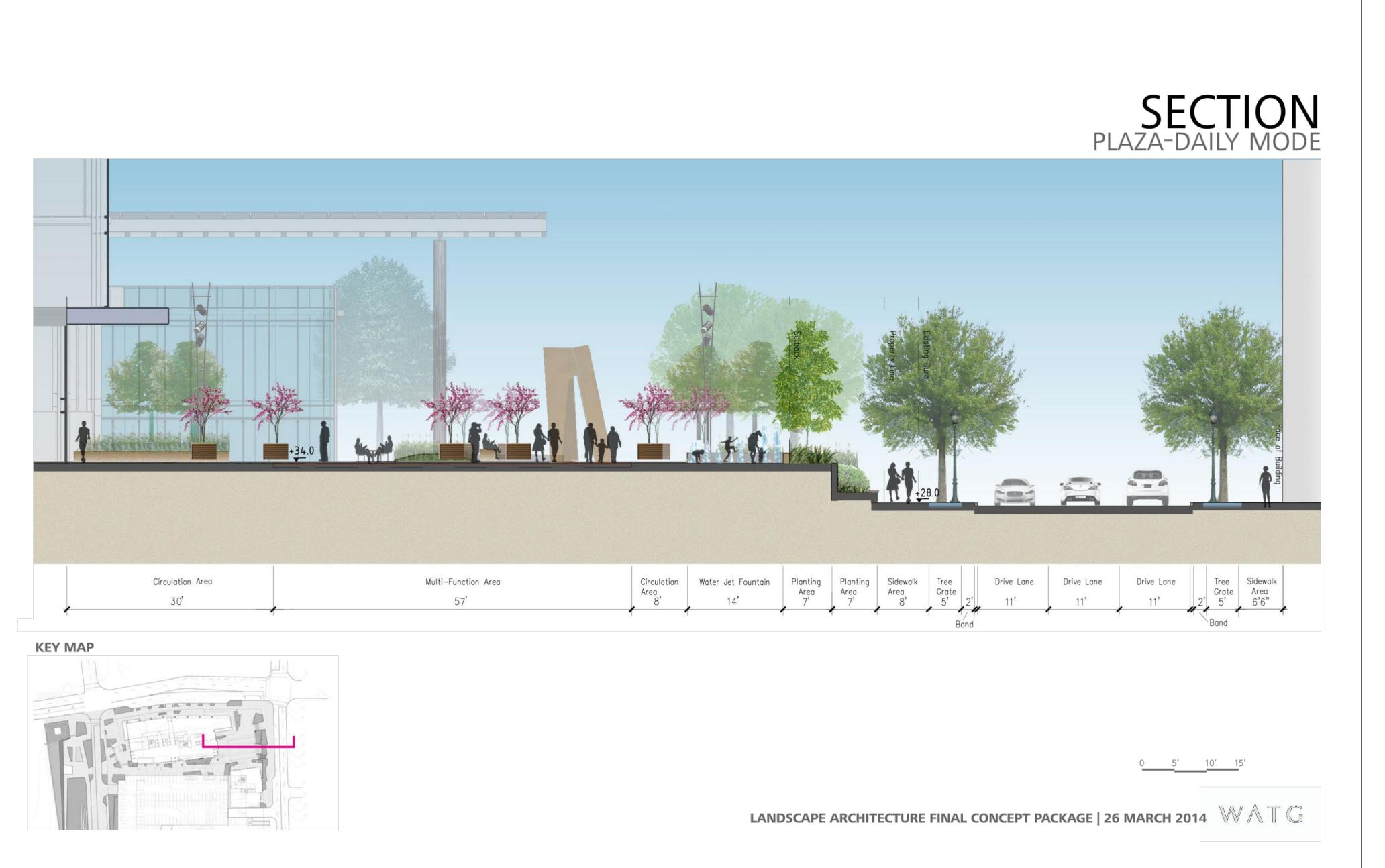
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SHEET TITLE

DEVELOPMENT STANDARDS

## STREET CROSS SECTIONS







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NO. REASON D

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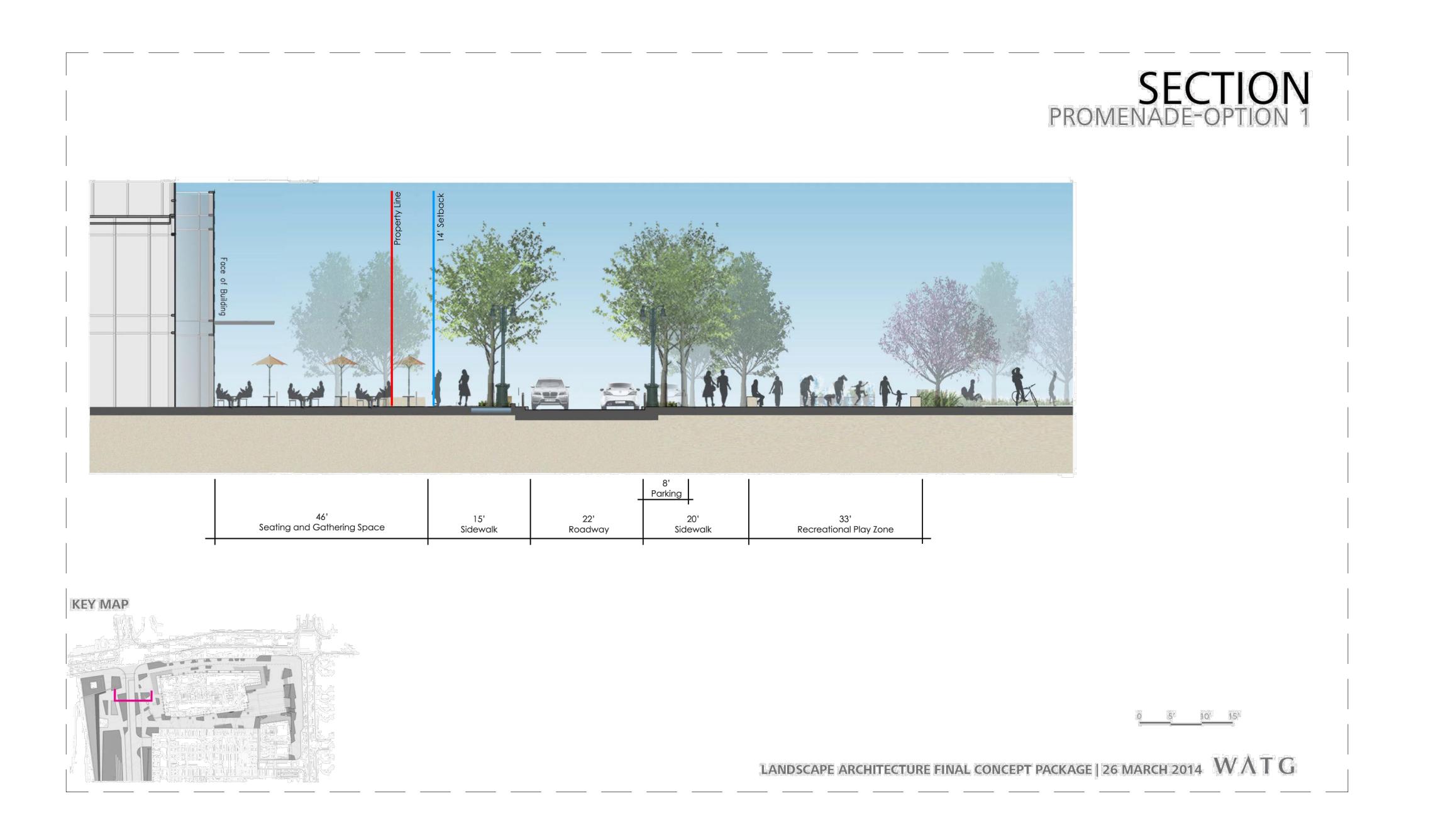
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PROJECT ARCHITECT CHRISTOPHER HOYT, AIA

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