



Vicinity Map

REZONING PETITION NO. 2016 - 112
DEVELOPMENT STANDARDS
ARGOS REAL ESTATE ADVISORS, INC.
August 8, 2016

Site Development Data:

- Acreage: ± 30 acres
- Tax Parcels: 071-114-01, 071-114-02, 071-114-03, 071-114-04, 071-114-05, 071-114-06, 071-114-07, 071-114-08, 071-114-09, 071-114-11, 071-114-12, 071-114-13, 071-114-14, 071-113-09, 071-113-10, 071-112-09, 071-112-10, and 071-114-17
- Existing Zoning: I-1 and I-2
- Proposed Zoning: MUDD-O with five (5) year vested rights.
- Existing Uses: Industrial
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district.
- Maximum Development (subject to conversion rights as defined herein):
 - a. Up to 350,000 square feet of commercial uses, however retail uses shall not exceed 100,000 square feet total.
 - b. Up to 800 residential units
 - c. Up to 100 hotel units.
- Maximum Building Height: Up to 120 feet as allowed by the Ordinance in the MUDD zoning district. However, some areas identified on the rezoning plan may have lower height limitations.
- Parking: As required by the Ordinance for the MUDD zoning district.



1. General Provisions

- (a) **Site Description.** These Development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Argos Real Estate Advisors, Inc. ("Petitioner") to accommodate the redevelopment of an approximately 30 acre property generally surrounded by Stewart Avenue, Chamberlain Avenue, Turner Avenue, State Street and Stewart Creek (the "Site").
- (b) **Intent.** This Rezoning is intended to accommodate the redevelopment of a heavy industry property into a multi-use experiential destination that creates new opportunities for living, working, entertaining and creating while maintaining a connection to the community through the adaptive reuse of historic and non-historic structures. Development of the Site would include a horizontally and vertically-integrated mixture of uses, potentially including office, maker space, event space, retail, and residential uses. The Petitioner seeks to preserve historic buildings and infrastructure where possible while maintaining enough flexibility to develop new improvements in a manner and at a time that is responsive to market demand. The Petitioner proposes to create an internal street network through the Site to create a more complete street network that will allow pedestrian, bicycle, and automobile traffic to travel through the Site. The Petitioner seeks to create a public realm with the pedestrian experience in mind. The overall development plan is intended to allow the Site to evolve with the surrounding area, resulting in a well-designed, quality experience for the residents, employees, and visitors, as well as the larger community.
- (c) **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 zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Optional Provisions Provided below.
- (d) **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, setbacks, side and rear yards, buffers, building height separation standards, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, and public/private street frontage requirements, provided, however, that all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section IV below as to the Site as a whole and not individual portions or lots located therein.
- (e) **Existing Development.** All existing infrastructure, structures, uses and parking areas on the Site may be maintained and continued in their current condition until such time as the particular infrastructure, structure, use or parking area is redeveloped. However, nothing shall prevent the Petitioner from demolishing the existing buildings and replacing them with new structures.
- (f) **Five Year-Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period.

2. MUDD-O Optional Provisions

The following Optional Provisions are provided to accommodate deviations from the MUDD standards:

- (a) To allow existing structures and exterior areas associated therewith to remain and to permit changes of use within existing buildings without having to bring buildings or associated exterior areas into compliance with MUDD development, design or streetscape standards.
- (b) To allow off-street, surface level, vehicular parking and maneuvering areas between existing buildings and public and private streets in the areas generally depicted on the Rezoning Plan.
- (c) To allow up to three porte-cocheres or valet parking service areas between buildings and a street.
- (d) To not require doorways to be recessed into the face of buildings when the distance to the back of curb is greater than twelve (12) feet. This requirement shall not apply to existing buildings.
- (e) To allow required long term bike parking spaces to be located within parking structures.
- (f) To allow water quality and stormwater detention facilities to be located beneath sidewalks, but outside of the public right-of-way.
- (g) To allow the "base" of building requirements of Section 9.8506(2)(i) to be satisfied by providing taller and architecturally differentiated ground floors that distinguish ground floor levels from upper stories.

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NOT FOR CONSTRUCTION

Scale: 1"=100'



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Savona Mill

Rezoning Plan & Technical Notes

1 of 2

Z001

12031

3. Permitted Uses and Maximum Development

Subject to the Maximum Development provisions set forth herein, the Site may be devoted to any commercial and residential uses permitted by right or under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith, except for the following:

1. EDEEs with drive-through service windows.

4. Development Areas and Conversion Rights

(a) The Rezoning Plan sets forth three (3) development areas as generally depicted on the Technical Data Sheet as Development Areas A, B and C (each a "Development Area" and collectively the "Development Areas").

(b) Subject to the restrictions, limitations, and transfer/conversion rights listed below, the principal buildings constructed within Development Areas may be developed: (i) with up to 350,000 square feet of gross floor area of commercial non-residential uses permitted by right and under prescribed conditions; and (ii) up to 800 residential dwelling units, along with any accessory uses allowed in the MUDD zoning district. In the event that 350,000 square feet of commercial uses are not constructed on the Site, unused commercial square footage may be converted to residential dwelling units at the rate of one (1) residential dwelling unit per 250 square feet of commercial square footage so converted. Thus, the total number of residential dwelling units allowed on the Site may exceed 800 if unused commercial square footage is converted in accordance with the above ratio. However, the total number of multi-family units shall not exceed 1,000 units at any time, including conversions.

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

- (d) The total square feet of gross floor area devoted to office uses and other commercial uses such as retail, restaurant and personal service uses shall be interchangeable provided that:
1. the total square feet of gross floor area of all such office and other commercial uses does not exceed 350,000 square feet of gross floor area; and
 2. the total amount of retail square footage shall not exceed 100,000 square feet.

5. Transportation

(a) All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective 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 area, by way of private/public partnership effort or other public sector project support.

(b) Access and Internal Streets:

1. New public streets within the Site shall be provided as generally depicted on the Rezoning Plan, subject to adjustment set forth below.
2. The exact location of internal streets depicted on the Rezoning Plan will be determined during the design process and thereafter with approval from appropriate governmental authorities, subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations.
3. The internal private streets will have recorded public access easements. However, this shall not preclude Petitioner from temporarily closing internal private streets for, but not limited to, special events, festivals, public markets, concerts, block parties or similar events.
4. In addition to proposed street locations, other potential vehicular access points which could be surface drives or entrances to structured parking facilities shall be allowed. The exact number and location of vehicular access points will be determined during the design process and thereafter with approval from appropriate governmental authorities, subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations. Petitioner, in its discretion may limit ingress and egress movements or restrict certain vehicular access points to one-way traffic if necessary.
5. The Petitioner reserves the right to request the installation of pavers and/or stamped or colored asphalt within streets abutting or internal to the Site in order to designate and define pedestrian cross-walks. The Petitioner will coordinate the design of any decorative pavement elements proposed within the public right-of-way with CDOT during the driveway permit process. Furthermore, the Petitioner understands that an encroachment and maintenance agreement must be obtained from CDOT before any decorative pavers and/or stamped pavement proposed in the public right-of-way may be installed.
6. The alignment of the internal public and private streets, vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT's final approval.

6. Design Guidelines

(a) **General Design Guidelines.** The provisions of this section shall apply to new buildings constructed on the site. In accordance with the Optional Provision set forth in Paragraph 2(a) above, existing buildings shall not be required to comply with standard MUDD design requirements or the provisions set forth below.

1. The principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings (other than structured parking facilities) will be a combination of the following: glass, metal, brick, stone, simulated stone, pre-cast stone, architectural pre-cast concrete, synthetic stone, stucco, cementitious siding (such as hardi-plank), or wood. EIFS as a building material will not be allowed, except as back-up for architectural trim on stucco-clad buildings. Vinyl, as a building material, will only be allowed on windows, soffits, and trim features.
2. "Primary Frontages" are generally depicted on the Technical Data Sheet. Within these areas, building frontages shall include principal uses. Within these areas, no structured parking areas or parking and maneuvering areas shall be visible from streets or open spaces. However, driveway access points into "wrapped" parking structures and loading areas are permitted within any Building Frontage Area.

3. "Secondary Frontages" are generally depicted on the Technical Data Sheet. This denotes areas where parking areas and inactive building faces may be visible from streets or open spaces.
4. New meter banks will be screened where visible from public view at grade from public or private streets and shall be located outside of the setback.
5. New rooftop HVAC and related mechanical equipment will be screened from public view at grade from public or private streets.
6. Trees may be provided in grates or raised planters rather than in planting strips.
7. New dumpsters, loading and services areas shall be screened from streets, common open spaces and any adjacent residential uses with materials complimentary to the principal structure. Dumpster enclosures will not directly abut the back of a sidewalk.
8. New backflow preventers and transformers shall be screened and located outside the setback.
9. New buildings shall be designed so that individual residential units, shops, tenants or common entrances have direct access to public or private streets, pedestrian corridors or open spaces. Building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrance through a combination of at least five (5) of the following features:
 - Decorative pedestrian lighting/sconces;
 - Architectural details carried through to upper stories;
 - Covered porches, canopies, awnings or sunshades;
 - Archways;
 - Transom windows;
 - Terraced or raised planters that can be utilized as seat walls;
 - Common outdoor seating enhanced with specialty details, paving, landscaping or water features;
 - Double doors;
 - Stoops or stairs; and/or
 - Contrasting pavement from primary sidewalk.
10. Streetscape treatment will be a unifying element through the use of consistent paving, pedestrian scale lighting, enhanced landscaping, site furnishings and signage. Specialty pavers, stained and patterned concrete, paving or other similar means may be used to call attention to amenity areas, gathering spaces and plazas as a method of way-finding.
11. For new buildings, expanses of blank or unarticulated walls greater than 20 feet in length shall be treated with a minimum of three (3) options below:
 - Provide a higher level of transparency on the ground floor, such as exaggerated or larger windows indicative of living areas or retail spaces;
 - Utilize horizontal and vertical variations in wall planes;
 - Provide architectural protrusion to accentuate enclosed balconies;
 - Utilize corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses;
 - Provide amenity landscaping, such as a sitting area with arboring; and/or
 - Any other architectural improvements as allowed by the Ordinance to improve the visual aesthetics of blank or unarticulated wall.
12. For new buildings, the scale and massing of buildings longer than 150 feet along a street or public open space or greater than 30,000 horizontal square feet shall be minimized by utilizing at least three (3) options below:
 - Provide a minimum four (4) foot step back for buildings taller than four stories above the first floor or second floor;
 - Provide varied roof lines through the use of slopes, modulated building heights, gables, dormers or innovative architectural solutions;
 - Utilize corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses;
 - Provide architectural protrusion to accentuate enclosed balconies;
 - Provide amenity landscaping, such as a sitting area with arboring; and/or
 - Any other architectural improvements as allowed by the Ordinance to improve the visual aesthetics of scale and/or massing.
13. If non-residential uses are not oriented to an existing or new network required street and cannot meet the design standards for blank wall articulation, alternative innovative design solutions may be considered for approval by the Planning Director.
14. All buildings shall comply with the height requirements established under the Ordinance for the MUDD classification.

(b) **Design Guidelines for Designated Focal Points.** Petitioner shall create a focal point within Development Area C as generally depicted on the Rezoning Plan.

7. Pedestrian Access and Circulation Design Guidelines.

- (a) Along the Site's internal streets, the Petitioner will provide a sidewalk and a cross-walk network that links the buildings, parking areas and areas of interest on the Site with one another by way of links to sidewalks along the abutting public and private streets and/or other pedestrian features.
- (b) For new buildings, where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of main door swings, shopping cart storage, and temporary trash or similar impediments. Main door swings are to be distinguished from emergency exits, with emergency exits only requiring a walkway width of at least six (6) feet.
- (c) Subject to the optional provision set forth above, deviations from typical sidewalk and planting strip requirements are allowable upon approval by CDOT and the Planning Director. Any changes to dimensional requirements are allowable only in cases of hardship.

8. Open Space and Amenity Areas.

Petitioner shall provide open spaces throughout the Site in accordance with the following standards:

- (a) **Urban Open Spaces:** New development within the Site shall meet or exceed the Urban Open Space requirements of the MUDD district.
- (b) **Amenitized Publicly Accessible Open Space:** Petitioner shall provide at least 10,000 square feet of amenitized, publicly accessible open spaces designed as amenity areas central to the Site in the areas generally depicted on the Rezoning Plan. The majority of the required open space will be at the ground level in locations that are visible and accessible from streets or sidewalks. These areas may include elements such as: water features, specialty graphics, landscaping, specialty paving, seating areas, signage, art work and/or other site elements.

9. Signage

Signage as allowed by the Ordinance and by the Optional Provisions set forth under Section 2 above may be provided. Because the Site will be viewed as a Planned/Unified-Development as defined by the Ordinance, shopping center signs may be located throughout that portion of the Site zoned MUDD-O as allowed by the Ordinance and the Optional Provisions. In addition, uses located on the interior of the Site may be identified on the allowed shopping center/development signs. The allowed signs may contain identification signage for any of the uses located on the Site.

10. 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, except street lights located along public streets, will be limited to 30 feet in height in the portions of the Site used for non-residential uses and 25 feet in height in the portions of the Site used for residential uses.
- (c) Attached and detached lighting shall be downwardly directed. However, upward facing accent lighting shall be permitted.
- (d) Architectural lighting may be integrated into building elements

11. Phasing

Petitioner intends to develop the Site in phases and may develop individual Development Areas based on market demand. For new buildings, all required sidewalks, street trees and open space amenities within a particular Development Area shall be installed prior to the issuance of the first Certificate of Occupancy (this requirement shall not apply to Temporary Certificates of Occupancy) for principal building within the same Development Area.

12. Amendments to Rezoning Plan

Future amendments to the Rezoning Plan 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.

13. Binding Effect of the Rezoning Documents and Definitions

- (a) If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- (b) Throughout these Development Standards, the terms, "Petitioner" and "owner" and "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owners of the Site from time to time who may be involved in any future development thereof.

14. Vested Rights Provision:

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment involved.

