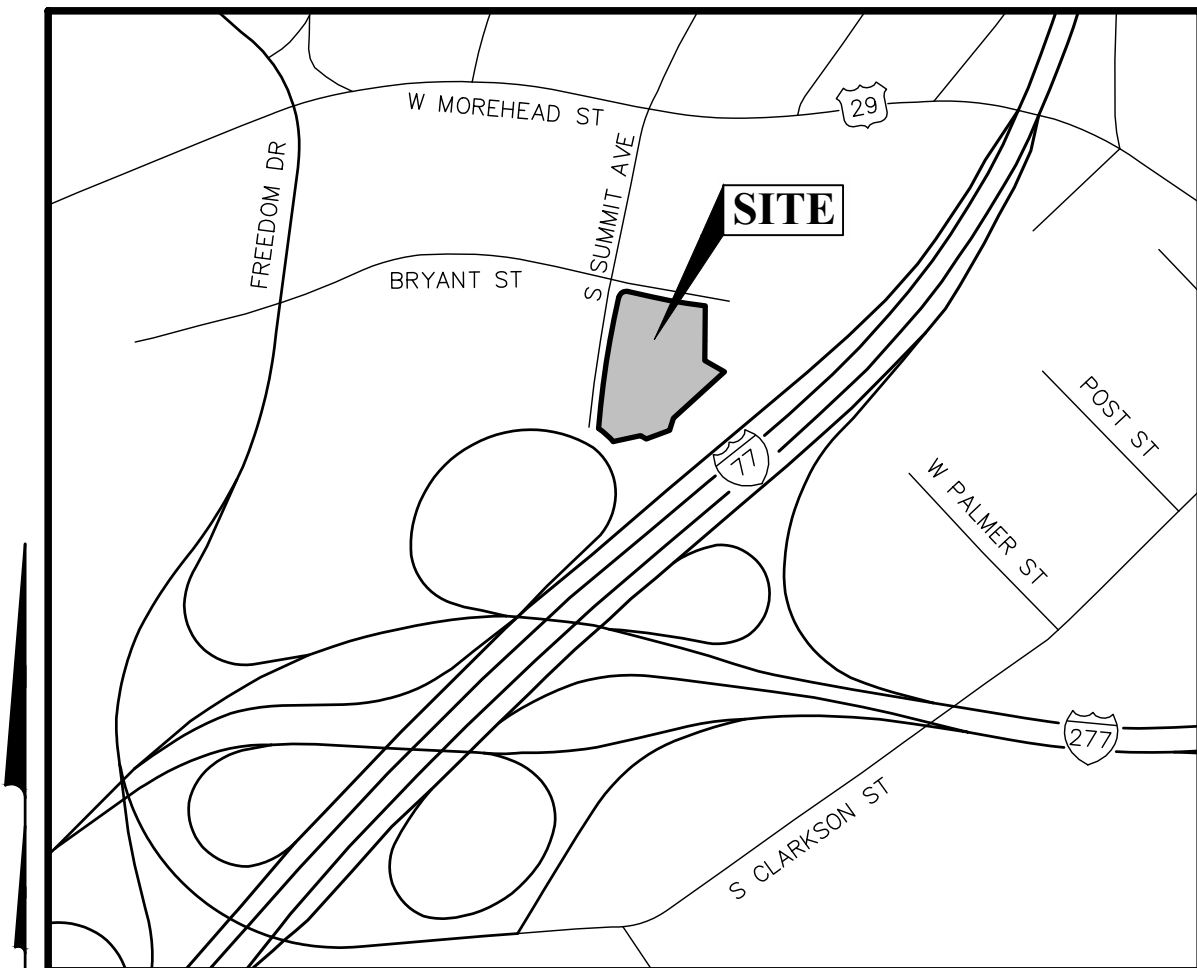
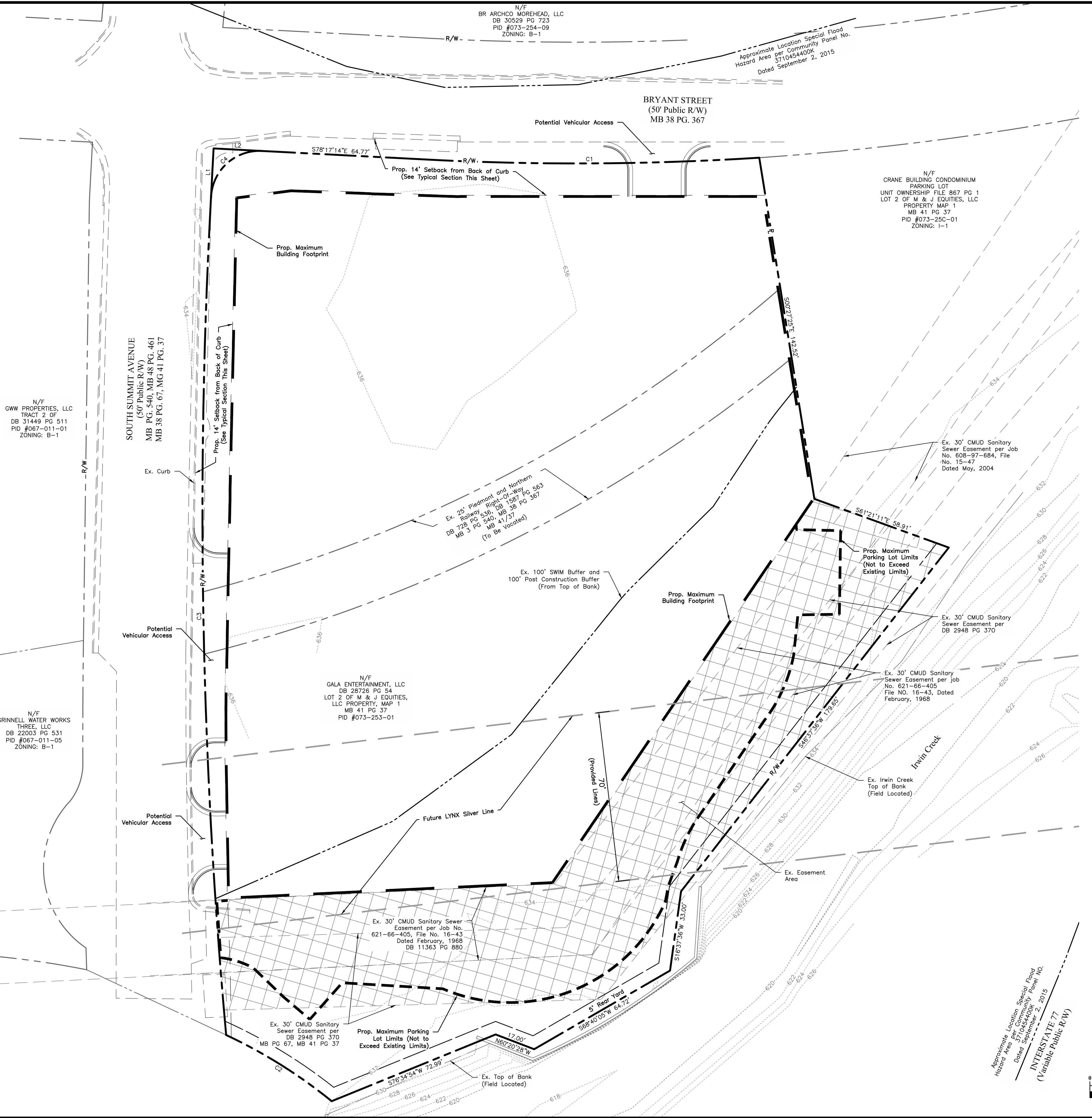


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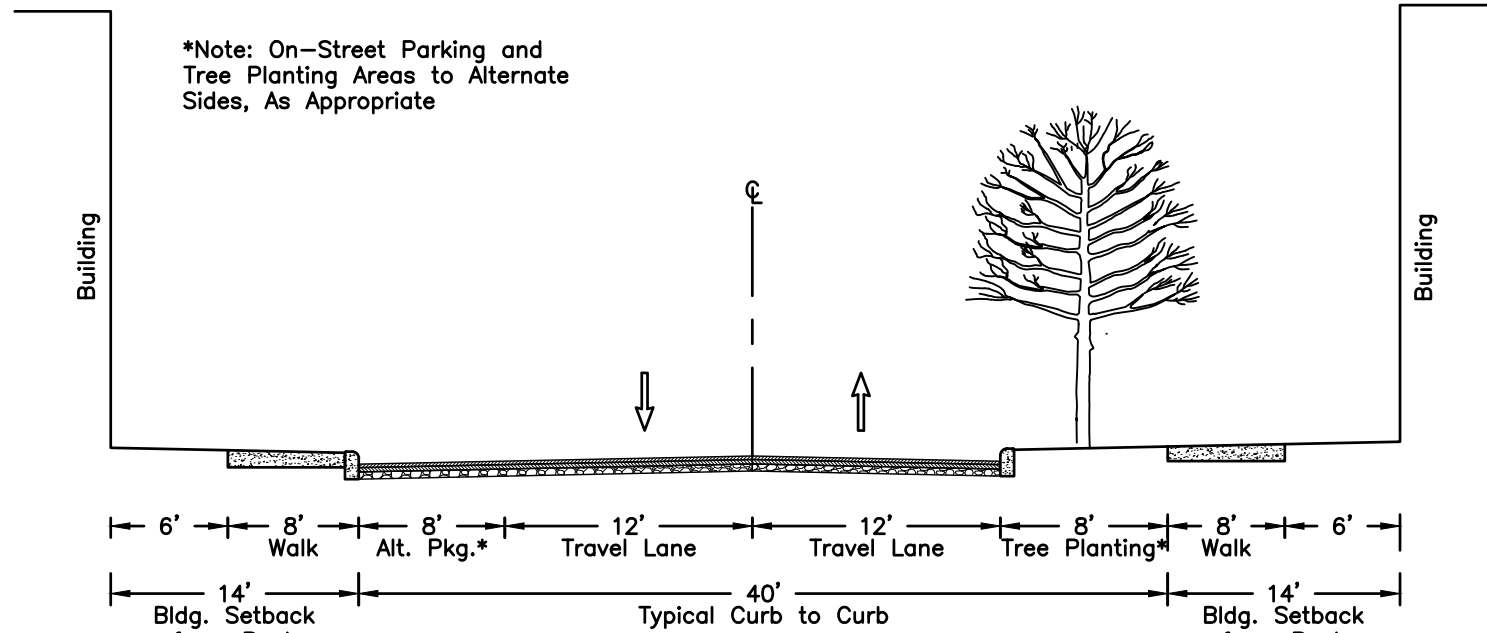
VICINITY MAP
Not to Scale

LEGEND

- Ex. Site Boundary
- Ex. Railroad Right-of-Way
- Ex. SWIM Buffer
- Ex. Easement Area
- Prop. Maximum Building Limits
- Prop. Maximum Parking Lot Limits
- Fut. LYNX Silver Line Extension

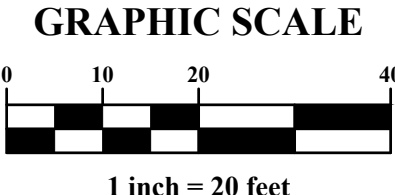
CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CH. BEARING	CH. DIST.
C1	6°43'28"	1196.28'	140.40'	S81°31'07"E	140.32'
C2	14°06'10"	209.15'	51.48'	N49°10'48"W	51.35'
C3	8°18'41"	2385.00'	345.97'	S07°41'30"W	345.67'
C4	90°01'12"	20.00'	31.42'	S56°41'05"W	28.29'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N11°41'42"E	20.01'
L2	S78°17'14"E	20.00'



TYPICAL SECTION - TYPE 2 VILLAGE STREETS
Not to Scale

Approximate Location Special Flood Hazard Area per Community Panel No. 5710454400K Dated September 2, 2015 INTERSTATE 77 (Variable Public R/W)



MARK	DATE	DESCRIPTION
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CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA
FOR
935 SOUTH SUMMIT AVENUE
REZONING PLAN



DATE	August 9, 2019
SCALE	1" = 20'
JOB NO.	20190411
SHEET	RZ-01

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Site Development Data:

- Acreage: ±1.99 acres
- Tax Parcel #: 073-253-01
- Existing Zoning: I-1
- Proposed Zoning: I-1 PED-O
- Existing Uses: Institutional
- Proposed Uses: Uses as allowed by right and under prescribed conditions together with accessory uses, all as allowed in the I-1 and PED zoning districts.
- Maximum Building Height: The maximum allowed building height will be 200' as set forth in Section 2 below; building height will be measured as defined by the Ordinance.
- Parking: As required by the Ordinance.

1. General Provisions:

a. Site Location. These Development Standards and the Technical Data Sheet and other graphics set forth on attached Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Magnus Capital Partners ("Petitioner") in connection with development on an approximately 1.99 acre site located at 935 S. Summit Avenue (the "Site").

b. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan, which includes these Development Standards and the associated Optional Provisions set forth below, 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 I-1 and PED zoning classifications together with the Optional Provisions shall govern all development taking place on the Site.

c. Graphics and Alterations. The schematic depictions, as applicable, of the uses, parking areas, sidewalks, structures and buildings, building elevations, driveways, streets/roads, open space and other development matters and site elements (collectively the "Development/Site Elements") that may be 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 that may be 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 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. expressly permitted by the Rezoning Plan (if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification); or
- ii. minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director, or designee, will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site will be limited to one (1). 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).

2. Optional Provisions:

The following Options Provisions shall apply to the Site:

- a. To allow structured parking that is not designed and/or used for active uses on the ground floor.
- b. To allow a maximum building height of 200'.

3. Permitted Uses, Development Area Limitations:

a. The Site may be developed with uses as allowed by right and under prescribed conditions, together with accessory uses, all as allowed in the I-1 and PED zoning districts and by the Optional Provisions contained herein.

4. Access, Parking and Transportation:

- a. Access shall be provided as generally depicted on Sheet RZ-01 subject to CDOT approval in accordance with customary standards and not to be unreasonably withheld or delayed.
- b. The Petitioner will improve Summit Avenue and Bryant Street to add on-street parking as generally depicted on the Rezoning Plan and subject to CDOT approval in accordance with customary standards and not to be unreasonably withheld or delayed. The improvements described in this Section 4.b. shall be substantially completed prior to the issuance of the first certificate of occupancy for the building subject to the Petitioner's ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.
- c. The Petitioner will dedicate via fee simple conveyance or by easement grant any additional right-of-way located on Site as generally indicated on the Rezoning Plan as right-of-way to be dedicated, the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. If an easement approach is taken, the easement will be located a minimum of two (2) feet behind the sidewalk where feasible.
- d. The Petitioner shall reserve, for the sole benefit of the City of Charlotte and solely for the purpose of the installation of the LYNX Silver Line, a seventy foot (70') wide corridor (the "Transit Reserved Corridor") along the southern property boundary adjacent to Irwin Creek as generally depicted on the Rezoning Plan to provide a possible future LYNX Silver Line which shall be constructed by and at the cost of others; such reservation shall be subject to the provisions set forth below:
 - i. The Petitioner may conduct site work, including but not limited to grading and utility work, and install and maintain pavement, driveways, sidewalks, parking areas, landscaping and similar improvements within the Transit Reserved Corridor until such time that the possible future LYNX Silver Line connection within the Transit Reserved Corridor is developed by others (but subject to the provisions and time limits set forth below); but in no event shall building footprints be located within the Transit Reserved Corridor.
 - ii. The Transit Reserved Corridor is to be reserved for the sole benefit of the City of Charlotte and solely for installation of the LYNX Silver Line therein for a period of ten (10) years from the approval of the Rezoning, and (x) upon the passage of such 10 year period, (y) the earlier issuance by the City of Charlotte of written notice that the LYNX Silver Line will not be installed, or (z) the FTA full funding agreement associated with LYNX Silver Line is not issued prior to December 31, 2025, such Transit Reserved Corridor shall automatically be withdrawn and Petitioner may use the Transit Reserve Corridor for any purpose and use allowed by applicable regulations.
 - iii. The Petitioner shall not bear any costs or expenses associated with the construction of the proposed LYNX Silver Line within the Transit Reserved Corridor or any other implications derived therefrom, and the related construction shall not interfere in any material respect with the operations and activities taking place on the Site, including without limitation parking, access, facilities operations, and the like. Further, all development, processes, permits, and land preparation, including but not limited to the removal of any Development/Site Elements located within the Transit Reserved Corridor, shall be the responsibility of the City of Charlotte.
 - iv. Development associated with the LYNX Silver Line within the Transit Reserved Corridor will not result or cause the Site, its uses, any Development/Site Elements located or future buildings on the Site to become non-compliant or non-conforming with the Ordinance, the Rezoning Plan or any other applicable regulations or laws, and to ensure such compliant status the City of Charlotte alone would be required, to the extent needed, to secure variances and/or other alternative compliance measures without cost or expense to Petitioner, its successors and assigns, and otherwise in accordance with the provisions of this Section.
 - v. The Petitioner shall dedicate the Transit Reserved Corridor in fee simple to the City of Charlotte and at no land value cost to the City of Charlotte if and when the City of Charlotte has secured all necessary permits, easements, and/or construction easements to construct the [LYNX Silver Line], as evidenced in writing to Petitioner.

5. Setbacks, Buffers and Screening.

- a. Along Summit Avenue and Bryan Street a fourteen (14) foot setback as measured from the future back of curb as generally depicted on the Rezoning Plan will be provided.
- b. The Petitioner will provide a minimum six (6) foot transition zone and an eight (8) foot sidewalk along Summit Avenue and Bryant Street as generally depicted on Sheet RZ-01. Trees shall be provided in curb extension planting areas a minimum of eight (8) feet wide and twenty (20) feet long in conjunction with the on-street parking described in Section 4.b. above.

6. Architectural Standards Design Guidelines.

- a. The principal building constructed on the Site shall adhere to the design standards set forth in the Pedestrian Overlay District Section 10.813 of the Ordinance, including upper story transparency at a minimum of 40% per story.
- b. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
- c. If provided on Site, dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building. The location of the proposed dumpster and recycling areas is generally depicted on the Rezoning Plan.

7. 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 Tree Ordinance.

8. 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 in accordance with the provisions herein and of Chapter 6 of the Ordinance.

9. 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.

REVISIONS

MARK	DATE	DESCRIPTION

CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA
FOR
REZONING PLAN
935 SOUTH SUMMIT AVENUE



DATE	August 9, 2019
SCALE	1" = 20'
JOB NO.	20190411
SHEET	RZ-02

