

## LEGEND:

PROJECT BOUNDARY

PROPERTY LINE/ RIGHT-OF-WAY ------

PROPOSED ZONING BOUNDARY

### NOTE:

1. SEE TABLE ON SHEET RZ-4.0 FOR ADJACENT PARCEL INFORMATION.

## **CONTEXT/ PURPOSE FOR REZONING:**

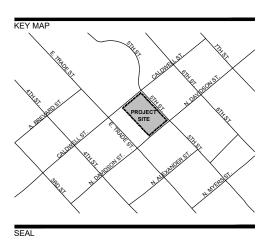
THIS REZONING RELATES PRIMARILY TO TECHNICAL ZONING ASPECTS IN CONNECTION WITH CONTEMPLATED DEVELOPMENT OF AN INDOOR SPORTS TRAINING AND PRACTICE FACILITY AND OTHER COMMERCIAL USES AS ALLOWED BY THE UC ZONING DISTRICT ON THE SITE LOCATED BETWEEN N. CALDWELL ST. AND N. DAVIDSON AND ON THE SOUTH SIDE OF E. 5TH STREET.

FURTHERMORE, THE INDOOR SPORTS TRAINING FACILITIES AND ASSOCIATED USES CONTEMPLATED BY THE DEVELOPMENT PLANS ARE UNIQUE IN NATURE WITH DESIGN AND OTHER DEVELOPMENT STANDARDS THAT REQUIRE VARIATIONS AND EXEMPTIONS FROM THE BASE STANDARDS OF THE APPLICABLE ZONING DISTRICTS IN THE MANNER CONTEMPLATED BY THE EXCEPTION (EX) PROVISIONS OF THE ORDINANCE (I.E., UDO AS DEFINED BELOW) AND AS DESCRIBED IN THIS REZONING PLAN.

### TABLE OF CONTENTS

RZ-0.0	CONTEXT AND PURPOSE STATEMENT
RZ-1.0	TECHNICAL DATA SHEET
RZ-2.0	SCHEMATIC SITE PLAN
RZ-3.0	DEVELOPMENT STANDARDS
RZ-4.0	LOCATOR MAP AND PARCEL OWNERSHIP

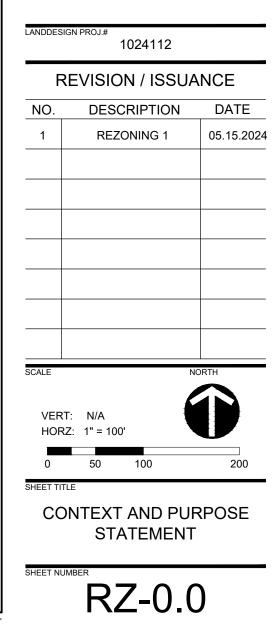


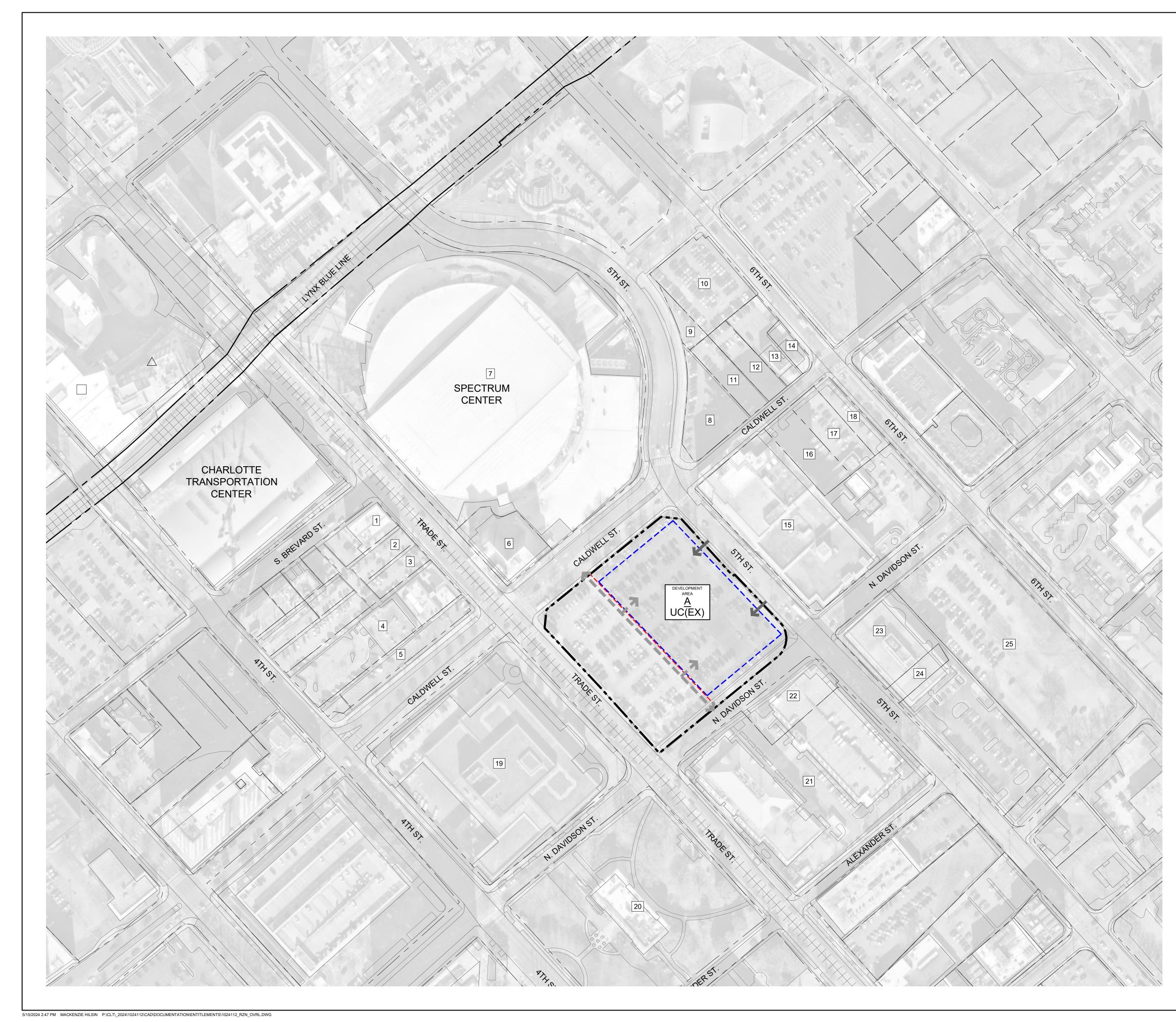


# NOT FOR CONSTRUCTION



CHARLOTTE PEC, LLC. 501 E. TRADE ST. CHARLOTTE, NC 28202





### SITE DEVELOPMENT DATA:

--ZONING ACREAGE: ±1.90 ACRES

--TAX PARCEL #: 080-054-01 (PORTION OF)

--EXISTING ZONING: UC (UPTOWN CORE)

--PROPOSED ZONING: UC(EX) (UPTOWN CORE, EXCEPTION)

--EXISTING USES: SURFACE PARKING

--**PROPOSED USES:** THE SITE MAY BE DEVELOPED WITH ALL USES PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND ACCESSORY USES UNDER THE UC (UPTOWN CORE) DISTRICT, INCLUDING WITHOUT LIMITATION: AN INDOOR SPORTS TRAINING AND PRACTICE FACILITIES/COURTS; SPORTS OPERATIONS, ACTIVITIES, EVENTS; RESTAURANT/BAR; RETAIL; PERSONAL SERVICES; GENERAL AND MEDICAL OFFICE USES; PARKING; AND OTHER USES AS MAY BE SET FORTH IN ORDINANCE AND AS MORE PARTICULARLY DESCRIBED IN SECTION 2 BELOW WHICH SHALL CONTROL, AND WITH THE BENEFIT OF THE EX PROVISIONS SET FORTH IN THE DEVELOPMENT STANDARDS SHEET RZ-3.0.

--MAX. GROSS SQUARE FEET OF DEVELOPMENT: MAXIMUM GROSS FLOOR AREA OF DEVELOPMENT SHALL BE AS ALLOWED BY THE UC ZONING DISTRICT.

--BUILDING HEIGHT: AS ALLOWED UNDER THE UC (UPTOWN CORE) DISTRICT.

--PARKING: AS PERMITTED BY THE UDO.



PROJECT BOUNDARY

PROPOSED ZONING BOUNDARY

PROPERTY LINE/ RIGHT-OF-WAY ------

-----

\_\_\_\_\_

DEVELOPMENT AREA

POTENTIAL FULL MOVEMENT VEHICULAR ACCESS

LIMITED ACCESS DRIVEWAY

#### NOTE:

- THE REZONING PLAN IS ILLUSTRATIVE IN NATURE AND IS INTENDED TO DEPICT OVERALL CIRCULATION AND DEVELOPMENT PATTERNS ONLY.
- 2. SEE TABLE ON SHEET RZ-4.0 FOR ADJACENT PARCEL INFORMATION.







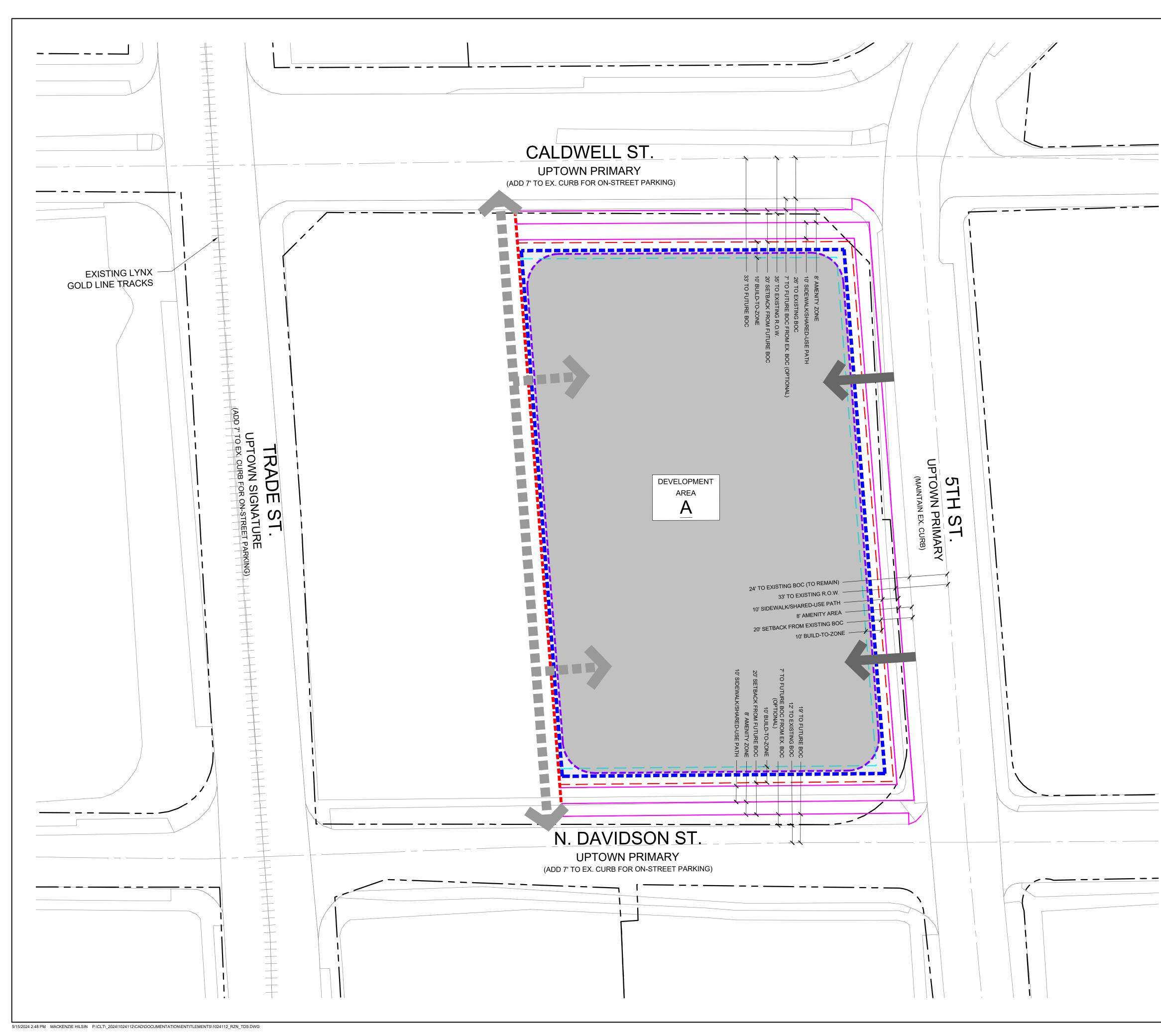


CHARLOTTE PEC, LLC. 501 E. TRADE ST. CHARLOTTE, NC 28202

1024112				
F	<b>REVISION / ISSUANCE</b>			
NO.	NO. DESCRIPTION DATE			
1	REZONING 1	05.15.2024		
SCALE		NORTH		
	VERT: N/A HORZ: 1" = 100'			
0	50 100	200		
SHEET TI	TLE			
TECHNICAL DATA SHEET				



SHEET NUMBE



## LEGEND:

PROJECT BOUNDARY

PROPOSED ZONING BOUNDARY

\_\_\_\_\_\_

\_\_\_\_\_

PROPERTY LINE/ RIGHT-OF-WAY \_\_\_\_\_

DEVELOPMENT AREA

POTENTIAL STRUCTURE ENVELOPE (INCLUDES POTENTIAL NEW BUILDINGS PARKING DECKS + SIMILAR)

PROPOSED STREETSCAPE IMPROVEMENTS

SETBACK

BUILD-TO-ZONE

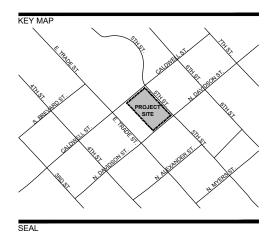
POTENTIAL FULL MOVEMENT VEHICULAR ACCESS

LIMITED ACCESS DRIVEWAY

NOTE:

- 1. THE REZONING PLAN IS ILLUSTRATIVE IN NATURE AND IS INTENDED TO DEPICT OVERALL CIRCULATION AND DEVELOPMENT PATTERNS ONLY. 2. FOR ADJACENT PARCEL INFORMATION, SEE SHEET
- RZ-4.0.



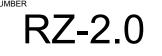






CHARLOTTE PEC, LLC. 501 E. TRADE ST. CHARLOTTE, NC 28202

LANDDES	SIGN PROJ.# 10	24112		
F	<b>REVISION / ISSUANCE</b>			
NO.	NO. DESCRIPTION DATE			
1	REZO	NING 1	05.15.2024	
SCALE			NORTH	
	VERT: N/A HORZ: 1" = 30'			
0	15	30	60	
SHEET TI	CHEMAT	IC SIT	E PLAN	



# **CHARLOTTE PEC, LLC PERFORMANCE ENHANCEMENT CENTER - 5TH STREET REZONING Development Standards** May 15, 2024 **Rezoning Petition No. 2024-xxx**

#### Site Development Data:

--Acreage:  $\pm 1.90$  acres

- --Tax Parcel #s: 080-054-01 (portion of)
- --Existing Zoning: UC (Uptown Core)
- --Proposed Zoning: UC(EX) (Uptown Core, Exception)
- --Existing Uses: Surface parking.

--Proposed Uses: The Site may be developed with all uses permitted by right, under prescribed conditions and accessory uses under the UC (Uptown Core) district, including without limitation: An indoor sports training and practice facilities/courts; sports operations, activities, events; Restaurant/Bar; Retail; Personal Services; general and medical Office uses; parking; and other uses as may be set forth in Ordinance and as more particularly described in Section 2 below which shall control, and with the benefit of the EX provisions set forth below.

--Maximum Gross Square Feet of Development: Maximum gross floor area of development shall be as allowed by the UC zoning district.

- --Building Height: As allowed under the UC (Uptown Core) district.
- --Parking: As permitted by the UDO.

#### **Context/Purpose of Rezoning:**

This rezoning relates primarily to technical zoning aspects in connection with contemplated development of an indoor sports training and practice facility and other commercial uses as allowed by the UC zoning district on the site located between N. Caldwell St. and N. Davidson and on the south side of E. 5<sup>th</sup> Street.

Furthermore, the indoor sports training facilities and associated uses contemplated by the development plans are unique in nature with design and other development standards that require variations and exemptions from the base standards of the applicable zoning districts in the manner contemplated by the Exception (EX) provisions of the Ordinance (i.e., UDO as defined below) and as described in this Rezoning Plan.

#### **1. General Provisions:**

- a. Site Location. These Development Standards and the Technical Data Sheet and other graphics, if any, set forth on the attached Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Charlotte PEC LLC ("Petitioner") for the approximately 1.90 acre property currently occupied by a surface parking lot as generally depicted on RZ-0.0 (the "Site").
- **b.** Zoning District/Unified Development Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Unified Development Ordinance effective as of June 1, 2023 (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards or modifies standards per the Exception provisions below, the regulations established under the Ordinance for the UC (Uptown Core) zoning district shall govern all development taking place on the Site, with the benefit of the Exceptions (EX) provisions.
- c. Graphics and Alterations. The schematic depictions, if any, of the uses, parking areas, sidewalks, building envelopes, structures, landscaping, driveways, streets and/or other development matters and site elements (collectively the "Development/Site Elements") if 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 the Ordinance.
- **d.** Planned/Unified Development. The development existing and taking place within the Site may be viewed in the aggregate as a planned/unified development plan as to the remainder of tax parcel # 080-054-01 that is not part of the Rezoning Petition. As such, side and rear yards, building height separation standards, and other similar zoning standards, if applicable at all, will not be required internally between the proposed improvements and development occurring on the remainder of tax 4. Signage. parcel # 080-054-01.
- e. Environment. The Petitioner shall comply with the Charlotte Post Construction Stormwater Regulations (UDO Article 25). It is understood a tree survey is required for all city trees eight inches DBH or greater.
- f. Number of Buildings Principal and Accessory. Notwithstanding the number of buildings that may be generally depicted on the Rezoning Plan, the number of principal use buildings constructed on the Site shall not exceed one (1) (excluding accessory use buildings and structures).

### 2. Permitted Uses:

5/15/2024 2:48 PM MACKENZIE HILSIN P:\CLT\\_2024\1024112\CAD\DOCUMENTATION\ENTITLEMENTS\1024112\_RZN\_NOTE.DWG

a. The Site may be developed with all uses permitted by right, under prescribed conditions and any accessory uses allowed under the UC (Uptown Core) zoning district, including without limitation: An indoor sports training and practice facilities/courts; sports operations, activities, events; Restaurant/Bar; Retail; Personal Services; general and medical office uses; parking, as well as associated accessory uses permitted under the UC (Uptown Core) zoning district, and with the benefit of the EX provisions set forth below.

#### 3. Exception (EX) District Provisions

a. Modifications/Deviations Permitted Under Exception Provisions. The indoor sports training and practice facilities/courts and associated sports operations contemplated on the Site are part of a major complex/unified development characterized by regular community and public interaction whose scale and/or project operational needs result or may result in design development features that may not practically permit partial or full compliance with a range of dimensional and quantitative design standards and other standards of the Ordinance applicable to the UC zoning district; these include, without limitation: [transparency standards, building base architectural standards, parking deck standards, tree planting standards, building design standards/requirements, building siting standards, among others]

### c. Below are the public benefits provided by the proposed UC (EX) for the Site

- Ordinance.

b. Public benefits shall include one or more actions from at least two of the following categories: 1) sustainability; 2) public amenity; and 3) city improvement.

• Sustainability: The building constructed on the Site will be designed and constructed to meet an established sustainable standard such as Leadership in Energy and Environmental Design (LEED) Certified or equivalent.

• Public Amenity: As part of the development of the Site public parking will be provided as follows; a minimum of 125 parking spaces will be available for public parking seven days a week and 24 hours a day, an additional 125 spaces will be available any time during weekends and between 6:00pm and 8:00am during the week.

d. Enumeration of Modifications/Exceptions. Without limiting the applicability of other Exceptions as described in this Section 3, the following Exceptions from the dimensional and quantitative design standards and other standards of the Ordinance applicable to the UC zoning district are hereby allowed in connection with development of the Site:

• Article 12.3.A - Building Siting - Table 12-1. A - Frontage Setback Line. To allow up to a 5-foot reduction of the required frontage setback as measured from the future back of curb for cantilevered occupiable space located a minimum of 20-feet above the adjacent sidewalk grade.

• Article 12.3.C - Table 12-3 Building Articulation Standards. F - Minimum Ground Floor Height - To allow a minimum ground floor height of 12 feet rather than 16 feet for the portions of the building constructed and used as a parking structure. The portions of the building developed with commercial space will provide a minimum ground floor height of 16 feet as required by the

• Article 12.3.D - Table 12-4 - Transparency Standards. B - Ground Floor Transparency - To allow a reduction in the % of ground floor transparency along N. Davidson St. and E. 5th Street from 60% to 20%. The portions of the building along N. Davidson St. and E. 5th Street that are not required to meet the transparency requirements will be treated with artwork, decorative screens or other architectural treatments that provide a visual interest.

• Article 19.7 - Design of Parking Structures (Article 19.7.C.2). Table 19-5 Parking Structure Design Options. To allow the Site to utilize parking structure design option C with 10% active uses along the ground floor of E. 5th Street and N. Davidson Street.

• Article 20.17 - Tree Planting Requirements. Internal plantings shall be provided based upon the built upon area on the Site. The internal planting area shall be reduced from 5% to 2.5% and shall be planted with one tree per 20,000 square feet rather than two trees per 10,000 square feet.

• Article 33.3 - Street Design. Table 33-1 Street Design. N. Caldwell St. and N. Davidson Street. (Uptown Primary Streets) - To allow a modification to the location of the proposed curb line along N. Caldwell St. and N. Davidson St. to allow the existing curb to remain and be used as the future back of curb. The Streets Map currently requires the existing curb line along N. Caldwell St. and N. Davidson Street to be relocated by seven (7) feet to accommodate on-street parking.

#### **a.** As allowed by the UDO.

#### 5. Transportation

**a.** Access to the Site will be from E. 5<sup>th</sup> Street and from the adjacent parcel via a private internal drive as generally depicted on the Rezoning Plan.

b. In the event a Right-of-Way Encroachment Agreement is necessary for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City maintained street right-of-way by a private individual, group, business or homeowner's/business association, an encroachment agreement will be submitted for approval by CDOT prior to construction/installation.

**c.** The Petitioner shall dedicate and convey in fee simple all rights-of-way indicated on the Rezoning Plan as right-of-way to be dedicated and the additional right-of-way will be dedicated to the City prior to the sidewalk where feasible.

#### 6. Architectural Design Standards.

covered by the adjacent development

#### 7. Amendments to the Rezoning Plan.

- allowed by Article 37.3 of the Ordinance.

## 8. Binding Effect of the Rezoning Application:

or assigns.

issuance of the first certificate of occupancy. CDOT requests rights-of-way set at 2' behind back of

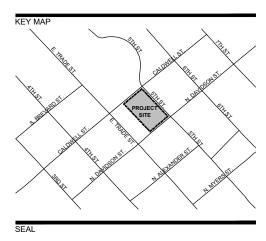
d. All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are approved by CDOT and explicitly described in site plan notes.

**a.** The building façade along the southern Site boundary (non-street frontage façade) will be treated with murals and/or other elements to create a visually interesting building façade until such time as it is

**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 portion or area of the Site affected by such amendment in accordance with the provisions herein and Article 37.3 of the Ordinance.

**b.** Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as

**a.** If this Rezoning Petition is approved, it 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, as applicable, and their respective heirs, devisees, personal representatives, successors in interest



LandDesign

223 NORTH GRAHAM STREE

CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM





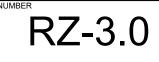
CHARLOTTE PEC, LLC. 501 E. TRADE ST. CHARLOTTE, NC 28202

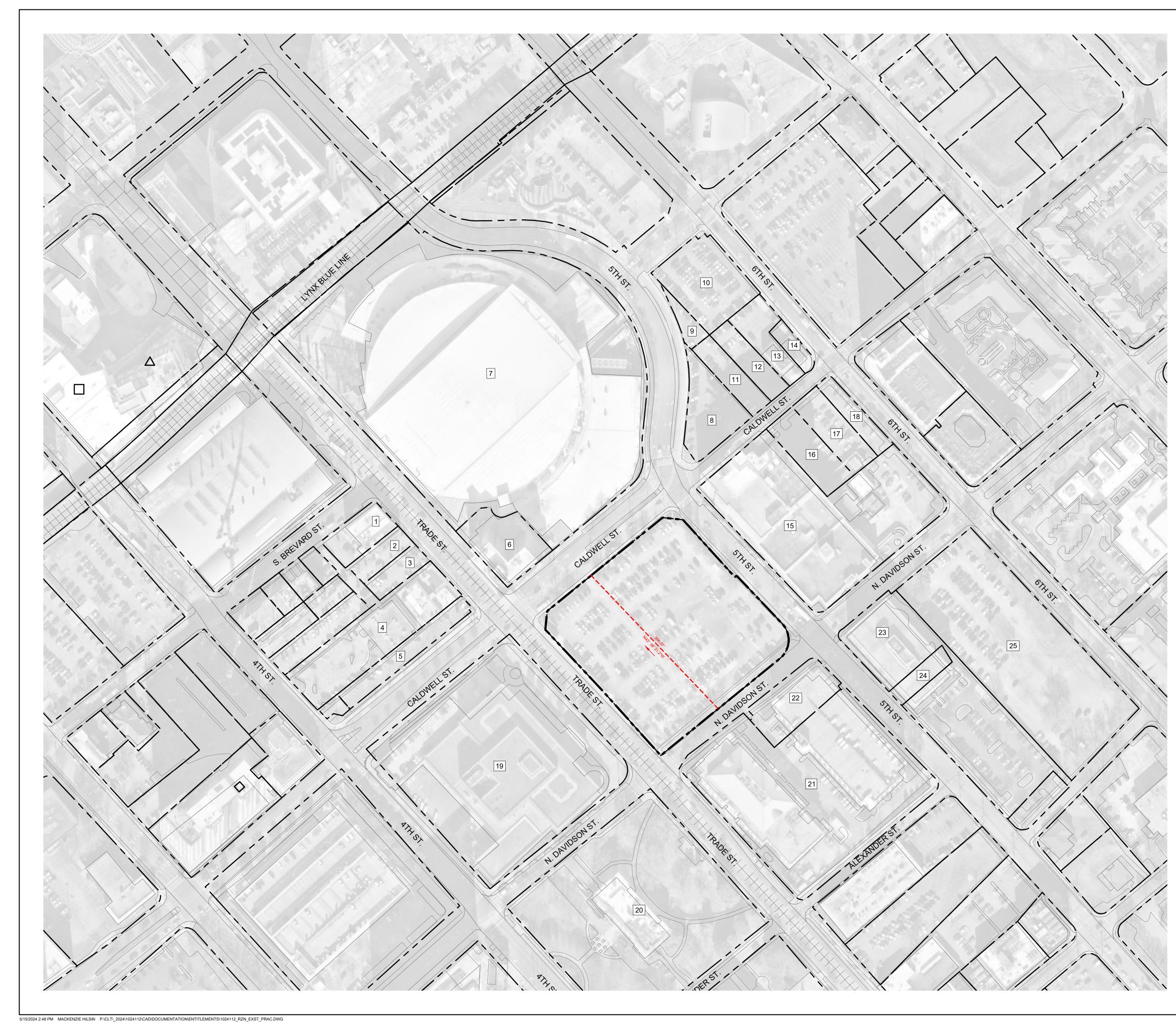
LANDDES	IGN PROJ.# 1024112	
F	REVISION / ISSUA	NCE
NO.	DESCRIPTION	DATE
1	<b>REZONING 1</b>	05.15.2024
SCALE	NC	DRTH

VERT: N/A HORZ: N/A

ORIGINAL SHEET SIZE: 22" X 34"

DEVELOPMENT STANDARDS





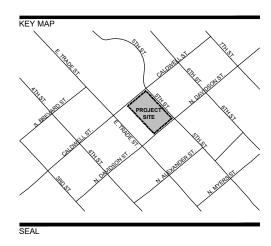
# LEGEND:

# PROJECT BOUNDARY

PROPERTY LINE/RIGHT-OF-WAY ------

PROPOSED ZONING BOUNDARY ------





# NOT FOR CONSTRUCTION



CHARLOTTE PEC, LLC. 501 E. TRADE ST. CHARLOTTE, NC 28202

LANDDES	SIGN PROJ.# 1024112			
F	<b>REVISION / ISSUANCE</b>			
NO.	DESCRIPTION	DATE		
1	REZONING 1	05.15.2024		
SCALE NORTH				
	VERT: N/A HORZ: 1" = 100'			
0	50 100	200		
SHEET TI		200		
	LOCATOR MAP AND PARCEL			
OWNERSHIP				
	RZ-4.0			

LOT #	PARCEL ID	OWNER FIRST	OWNER LAST	EX. ZONING
1	125-023-01	INNERVISION REAL ESTATE FOUNDATION LLC		UC
2	125-023-15	EFG ENTERPRISES LLC		UC
3	125-023-14	TUCSON MOON NUMBER SIX LLC		UC
4	125-023-10	WEDDINGTON PROPERTIES LLC ROSWELL 12031 LLC		UC
5	125-023-12	CALDWELL HOLDINGS LLC		UC
6	080-053-24	RLJ HYH CHARLOTTE LLC		UMUD-O
7	080-013-20	CITY OF CHARLOTTE		UMUD-O
8	080-052-12	PREFERRED PARKING SERVICE INC NEW AMERICAN INVESTMENTS LLC		UC
9	080-052-09	G. HOWARD JR.	WEBB	UC
10	080-052-08	SOUTHLAND OIL CO.		UC
11	080-052-04	PREFERRED PARKING SERVICE INC		UC
12	080-052-05	221 N CALDWELL ST LLC		UC
13	080-052-06	221 N CALDWELL ST LLC		UC
14	080-052-07	221 N CALDWELL ST LLC		UC
15	080-055-01	CO TAX DEPT SOUTHERN BELL TEL & TEL		UC
16	080-055-04	INC BELLSOUTH TELECOMMUNICATIONS		UC
17	080-055-03	INC BELLSOUTH TELECOMMUNICATIONS C/O TAX DEPT/16H02 CAMPANILE		UC
18	080-055-02	INC BELLSOUTH TELECOMMUNICATIONS C/O TAX DEPT/16H02 CAMPANILE		UC
19	125-022-01	FEDERAL RESERVE BANK OF RICHMOND		UC
20	125-021-01	CITY OF CHARLOTTE C/O REAL ESTATE DIVISION		UC
21	080-083-04	CITY OF CHARLOTTE C/O REAL ESTATE DIVISION		UMUD-O
22	080-083-10	CITY OF CHARLOTTE C/O REAL ESTATE DIVISION		UMUD-O
23	080-082-01B	CENTER INC CHILDREN AND FAMILY SERVICES		MUDD-O
24	080-082-06	CITY OF CHARLOTTE C/O REAL ESTATE DIVISION		MUDD-O
25	080-082-15	CITY OF CHARLOTTE HOUSING AUTHORITY		CAC-2