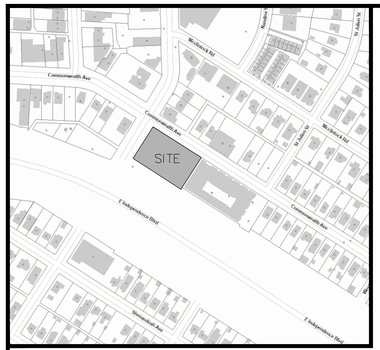
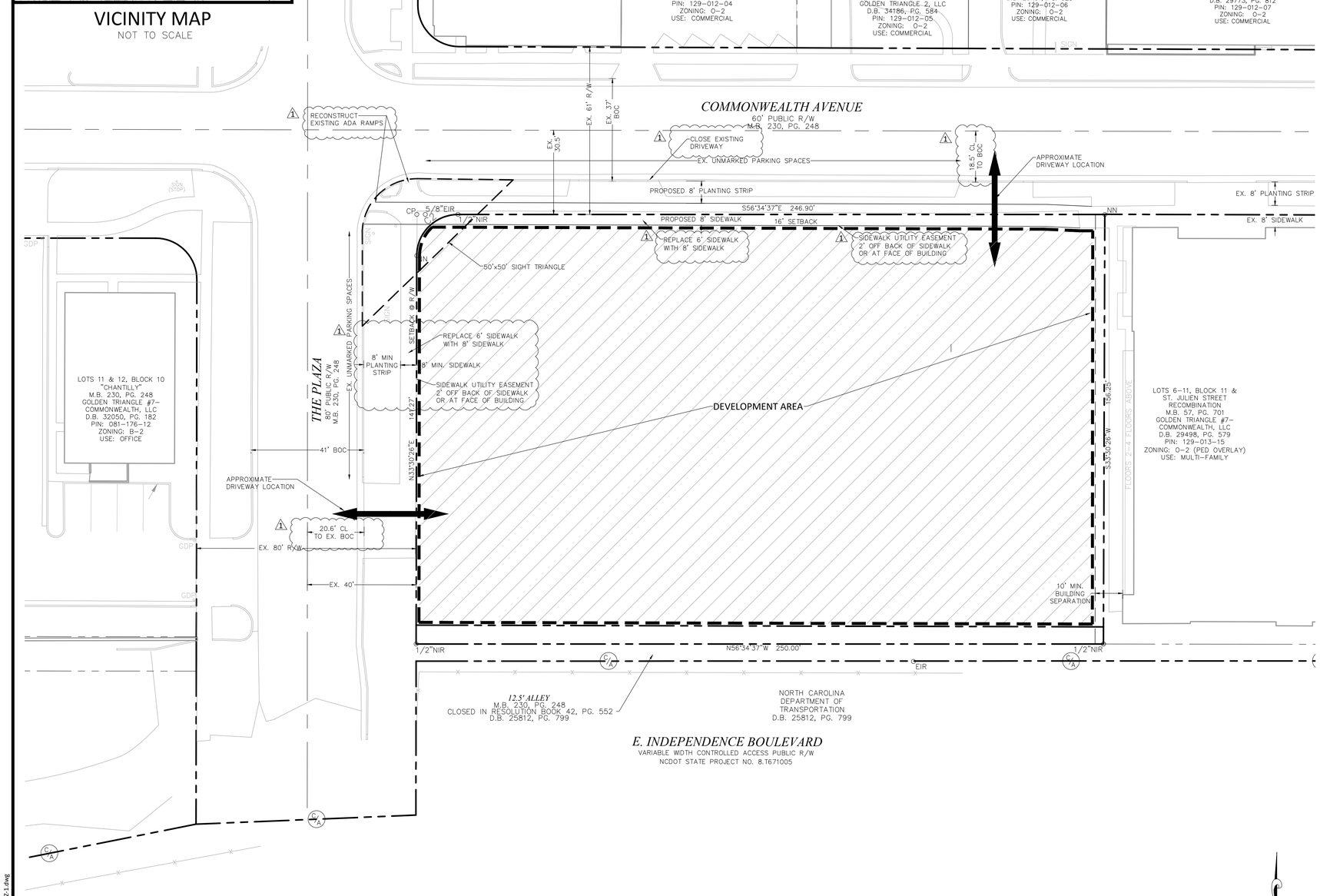


VICINITY MAP
NOT TO SCALE



GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

DEVELOPMENT STANDARDS
PETITIONER: LEVINE PROPERTIES
REZONING PETITION NO. 2022-099 1
12/12/2022

SITE DEVELOPMENT DATA:

--**ACREAGE:** ± 0.94
--**TAX PARCEL:** 129-013-01 1
--**EXISTING ZONING:** O-2(PED)
--**PROPOSED ZONING:** MUDD-O(PED) 1
--**EXISTING USES:** PARKING/DEMOLISHED BUILDING; FORMER FINANCIAL INSTITUTION (CHARLOTTE FIRE CREDIT UNION)
--**PROPOSED USES:** USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT NOT OTHERWISE LIMITED IN THE REZONING PLAN.
--**MAXIMUM DEVELOPMENT (SUBJECT TO CONVERSION RIGHTS):**
a. UP TO 175 MULTI-FAMILY RESIDENTIAL UNITS; AND 1 2
b. UP TO 12,000 SQUARE FEET OF COMMERCIAL/NON-RESIDENTIAL USES WITH A MINIMUM OF 6,000 SQUARE FEET LOCATED ON THE GROUND FLOOR.
--**MAXIMUM BUILDING HEIGHT:** 150 FEET, PER THE OPTIONAL PROVISION IN SECTION II
--**PARKING:** AS REQUIRED BY THE ORDINANCE FOR THE MUDD ZONING DISTRICT.

I. 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 LEVINE PROPERTIES ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF A MIXED-USE BUILDING ON AN APPROXIMATELY 0.94-ACRE SITE LOCATED AT THE SOUTHEAST INTERSECTION OF COMMONWEALTH AVENUE AND THE PLAZA, MORE PARTICULARLY DESCRIBED AS MECKLENBURG COUNTY TAX PARCEL NUMBER 129-013-01 (THE "SITE").

b. **INTENT.** THIS REZONING IS INTENDED ACCOMMODATE DEVELOPMENT ON THE SITE OF A PEDESTRIAN-FOCUSED MIXTURE OF MUDD-PERMITTED USES INCLUDING BUT NOT LIMITED TO MULTI-FAMILY RESIDENTIAL AND GROUND FLOOR COMMERCIAL USES WITH CHARACTER IN KEEPING WITH THE PLAZA MIDWOOD AREA AND 2040 POLICY MAP LAND USE RECOMMENDATION OF A COMMUNITY ACTIVITY CENTER.

c. **ZONING DISTRICTS/ORDINANCE.** UNLESS OTHERWISE REQUESTED IN THE OPTIONAL PROVISIONS, BELOW, 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").

II. OPTIONAL PROVISIONS

a. THE PETITIONER REQUESTS THE ABILITY TO EXCEED THE HEIGHT PROVISIONS IN SECTION 9.8505(5) FOR A TOTAL OF 150 FEET OF BUILDING HEIGHT WITHIN THE BUILDING ENVELOPE, MEASURED PER ORDINANCE STANDARDS.

b. THE PETITIONER REQUESTS THE ABILITY TO PROVIDE AN ACCESSORY DRIVE-THROUGH SERVICE WINDOW FOR A FINANCIAL INSTITUTION. IF PROVIDED, THE FINANCIAL INSTITUTION SHALL BE PART OF A LARGER MIXED-USE BUILDING AND NOT A SEPARATE OUT-PARCEL. DRIVE-THROUGH SERVICE WINDOWS SHALL NOT BE PERMITTED FOR ANY USES OUTSIDE A FINANCIAL INSTITUTION.

III. PERMITTED USES

SUBJECT TO THE MAXIMUM DEVELOPMENT PROVISIONS SET FORTH UNDER SECTION IV BELOW, THE SITE MAY BE DEVOTED TO ANY USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH.

IV. MAXIMUM DEVELOPMENT AND RESTRICTIONS

a. SUBJECT TO THE RESTRICTIONS, LIMITATIONS, AND CONVERSION RIGHTS LISTED BELOW, THE PRINCIPAL BUILDINGS CONSTRUCTED MAY BE DEVELOPED WITH UP TO: (I) 175 MULTI-FAMILY RESIDENTIAL UNITS AND (II) 12,000 SQUARE FEET OF COMMERCIAL/NON-RESIDENITAL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT, ALONG WITH ANY ACCESSORY USES ALLOWED IN THE MUDD ZONING DISTRICT, NOT OTHERWISE PROHIBITED HEREIN.

b. PROHIBITED USES: CAR WASHES (EXCEPT FOR RESIDENTIAL CAR WASH STATIONS); AUTOMOBILE SERVICE STATIONS; EDEES WITH ACCESSORY DRIVE-THROUGH SERVICE WINDOWS, COMMERCIAL SELF STORAGE FACILITIES. 1

c. CONVERSION RIGHTS:

1. UNUSED MULTI-FAMILY RESIDENTIAL UNITS MAY BE CONVERTED TO COMMERCIAL USES AT A RATE OF ONE (1) UNIT FOR 1,000 SQUARE FEET OF ADDITIONAL COMMERCIAL SPACE UP TO A MAXIMUM OF AN ADDITIONAL 10,000 SQUARE FEET OF COMMERCIAL USES.

2. UNUSED MULTI-FAMILY RESIDENTIAL UNITS MAY BE CONVERTED TO HOTEL UNITS AT A RATE OF ONE (1) MULTI-FAMILY UNIT TO TWO (2) HOTEL ROOMS UP TO FORTY-SIX (46) HOTEL ROOMS AND THEN A RATE OF ONE (1) MULTI-FAMILY UNIT TO ONE (1) HOTEL ROOM UP FOR AN ADDITIONAL FORTY-FIVE (45) HOTEL ROOMS, HOWEVER THE TOTAL AMOUNT OF LODGING SHALL NOT EXCEED NINETY-ONE (91) HOTEL ROOMS. 1 2

3. UNUSED COMMERCIAL SQUARE FOOTAGE MAY BE CONVERTED TO HOTEL ROOMS AT A RATE OF 1,000 SQUARE FEET TO TWO (2) HOTEL ROOMS.

V. TRANSPORTATION

a. VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINTS SHOWN ON THE REZONING PLAN ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.

b. THE PETITIONER SHALL DEDICATE AND CONVEY IN FEE SIMPLE ALL SPECIFIED RIGHTS-OF-WAY TO THE CITY OF CHARLOTTE BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. RIGHTS-OF-WAY SHALL BE SET AT 2' BEHIND BACK OF SIDEWALK WHERE FEASIBLE. 1

c. UNLESS OTHERWISE STATED HEREIN, ALL TRANSPORTATION IMPROVEMENTS SHALL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY.

d. THE PETITIONER WILL DEDICATE TWO (2) FEET OF SIDEWALK UTILITY EASEMENT BEHIND PROPOSED SIDEWALK ALONG COMMONWEALTH AVENUE AND THE PLAZA OR FACE OF THE BUILDING.

e. THE PETITIONER SHALL UPDATE THE ADA RAMPS AT CORNER OF THE PLAZA AND COMMONWEALTH AVENUE.

VI. DESIGN GUIDELINES:

a. **GENERAL DESIGN GUIDELINES.**

1. THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY USE A VARIETY OF BUILDING MATERIALS. THE BUILDING MATERIALS USED FOR BUILDINGS WILL BE A COMBINATION OF ANY OF THE FOLLOWING: GLASS, BRICK, METAL, STONE, SIMULATED STONE, PRE-CAST STONE, ARCHITECTURAL PRECAST CONCRETE, SYNTHETIC STONE, STUCCO/E.I.F.S., CEMENTITIOUS SIDING (SUCH AS HARDI-PLANK), OR WOOD/COMPOSITE WOOD. VINYL, AS A BUILDING MATERIAL, WILL ONLY BE ALLOWED ON WINDOWS, SOFFITS AND TRIM FEATURES.

2. IF STRUCTURED PARKING IS DEVELOPED, EXPOSED MULTI-LEVEL PARKING DECKS SHALL PROVIDE SCREENING SO THAT THE VIEW OF INTERIOR LIGHTING AND CARS IS OBSCURED FROM REQUIRED PUBLIC OR PRIVATE STREETS THROUGH THE USE OF DECORATIVE LOUVERS, ARCHITECTURAL PANELS, METAL AND/OR PRECAST CONCRETE BARRIER WALLS, INCLUDING SCREENING OF VEHICLES FROM ADJACENT PROPERTIES WITH A MINIMUM 3.5-FOOT SCREENING WALL OR OTHER COMPARABLE SCREENING MEASURES.

3. THE DRIVE-THROUGH USE SHALL BE INTERNALLY ORIENTED AND ASSOCIATED DRIVE-THROUGH FACILITIES AND MANEUVERING AREAS SHALL BE SCREENED WITH A LOW WALL AND/OR LANDSCAPING WHEN VISIBLE FROM A PUBLIC STREET AND ABUTTING PROPERTIES. 1

4. ALL DUMPSTER ENCLOSURE AREAS SHALL EITHER BE INTERNAL TO THE BUILDING/PARKING DECK OR SCREENED FROM NETWORK REQUIRED PUBLIC OR PRIVATE STREETS WITH MATERIALS COMPLIMENTARY TO THE PRINCIPAL STRUCTURE.

5. BUILDING ARTICULATION:

i. WHERE EXPANSES OF SOLID WALL ARE NECESSARY, THE WALL MAY NOT EXCEED TWENTY (20) FEET IN LENGTH (HORIZONTAL OR VERTICAL) ALONG THE PRIMARY BUILDING FAÇADE(S). PRIMARY BUILDING FAÇADE REQUIREMENTS SHALL APPLY TO THE SIDES FACING COMMONWEALTH AVENUE AND THE PLAZA. 1

ii. THE MINIMUM GROUND FLOOR HEIGHT (FROM FINISHED FLOOR ELEVATION TO FINISHED FLOOR ELEVATION) SHALL BE TWELVE (12) FEET.

iii. A MAXIMUM DISTANCE OF 250 FEET SHALL BE PERMITTED BETWEEN PROMINENT ENTRANCES ALONG THE PRIMARY BUILDING FAÇADE(S). A PROMINENT ENTRANCE SHALL INCLUDE AT LEAST THREE (3) OF THE FOLLOWING FEATURES: DECORATIVE PEDESTRIAN LIGHTING/SCONCES; ARCHITECTURAL DETAILS CARRIED THROUGH TO UPPER STORIES; COVERED PORCHES, CANOPIES, AWNINGS, OR SUNSHADES; ARCHWAYS; TRANSOM OR SIDELIGHT WINDOWS; TERRACED OR RAISED PLANTERS; COMMON OUTDOOR SEATING ENHANCED WITH SPECIALTY DETAILS, PAVING, LANDSCAPING, OR WATER FEATURES; DOUBLE DOORS; STOOPS OR STAIRS. A MINIMUM OF ONE GROUND FLOOR ENTRANCE ALONG EACH FRONTAGE FACING FACADE SHALL INCLUDE A PEDESTRIAN CONNECTION BETWEEN DOORS AND ADJACENT PEDESTRIAN FACILITIES, WHERE SUCH FACILITIES ARE PRESENT OR ARE REQUIRED BY THIS ORDINANCE. 1

iv. BUILDING BASE: FOR BUILDINGS OVER FIVE (5) STORIES, THE FIRST TWO FLOORS ABOVE STREET GRADE SHALL BE SIGNIFICANTLY DISTINGUISHED FROM THE REMAINDER OF THE BUILDING WITH AN EMPHASIS ON PROVIDING DESIGN ELEMENTS THAT WILL ENHANCE THE PEDESTRIAN ENVIRONMENT. BUILDINGS SHALL BE DESIGNED WITH AT LEAST THREE ELEMENTS TO ADD SPECIAL INTEREST TO THE BASE, INCLUDING BUT NOT LIMITED TO CORNICES, CORBELING, MOLDING, STRINGCOURSES, ORNAMENTATION, CHANGES IN MATERIAL OR COLOR, RECESSING, ARCHITECTURAL LIGHTING, AND OTHER SCULPTURING.

6. TRANSPARENCY:

i. GROUND FLOOR TRANSPARENCY AREA (MEASURED 3' TO 10' FROM FINISHED GRADE): A MINIMUM OF 60% OF THE PRIMARY BUILDING FAÇADE(S). 2

ii. UPPER FLOOR TRANSPARENCY (% WALL AREA): A MINIMUM OF 25% FOR PRIMARY BUILDING FAÇADE(S). 2

7. HEIGHT BONUS

PETITIONER WILL PROVIDE COMMUNITY BENEFITS CONSISTENT WITH THE BONUS PROVISIONS SET FORTH IN UDO SECTION 16.3 FOR INCREASED BUILDING HEIGHT OVER 120 FEET AS PERMITTED IN THE COMMUNITY ACTIVITY CENTER 2 ZONING DISTRICT. 2

VII. ENVIRONMENTAL FEATURES

a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE POST CONSTRUCTION STORMWATER ORDINANCE.
b. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE.

VIII. LIGHTING:

ALL NECESSARY LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES. DECORATIVE LIGHTING MAY BE INSTALLED ON BUILDINGS FOR PEDESTRIAN AND VEHICULAR CIRCULATION ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS. EXTERIOR ACCENT/ARCHITECTURAL LIGHTING SHALL BE PERMITTED.

IX. AMENDMENTS TO THE REZONING PLAN:

FUTURE AMENDMENTS TO THE REZONING PLAN MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE LOT OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF SECTION 6.207 OF THE ORDINANCE.

X. BINDING EFFECT OF THE REZONING APPLICATION:

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 LOT(S), AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

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TECHNICAL DATA SHEET 1
FOR
PETITION # 2022-099
JULIEN PHASE 2
CHARLOTTE, NORTH CAROLINA

LEVINE PROPERTIES
GOLDEN TRIANGLE #7 - COMMONWEALTH LLC
8514 McALPINE PARK DR. STE 190
CHARLOTTE, NC 28211

ORSBORN ENGINEERING GROUP, P.A. NORTH CAROLINA PROFESSIONAL ENGINEERING C-3139

2	1/17/23	PER REVIEW COMMENTS
1	12/12/22	PER REVIEW COMMENTS
	DATE	REVISIONS

JOB #	22031
DATE:	05/25/2022
SCALE:	1" = 20'
DRAWN BY:	JAW
APPROVED BY:	JCO

RZ-1

January 17, 2023 - 5:03pm By: Herlie
P:\22031 Julien Phase 2\Dwg\22031 RZ-1.dwg

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