

3. Optional Provisions

a. In order to facilitate preservation and reuse of the existing building, parking requirements for the Site shall be reduced and limited to 50 parking spaces, which shall be provided on site as generally depicted on the Site Plan. So long as the Site has at least 50 parking spaces, the Site shall not be required to provide any additional parking on or off Site.

b. To utilize the existing parking, parking shall be permitted past the building façade, between the setback in the manner shown on the Rezoning Plan

c. If parking screening is required, Petitioner may meet the parking screening requirements of 12.303 and any other parking screening requirements by providing a living screen or wall that is at least 4' tall.

d. The Site shall provide 50 total parking spaces on Site. In no event shall more than 50 parking spaces be required for the use of the building and areas marked as "Outdoor Service Entertainment and Recreation Area" as shown on the Site Plan.

e. The area marked as "Outdoor Service Entertainment and Recreation Area," may be used for expansion of the outdoor service, outdoor activities, sporting activities, seating, consumption and/or entertainment. In the event that the "Outdoor Service Entertainment and Recreation Area" is used for outdoor service, outdoor activities, sporting activities, seating, consumption and/or entertainment, additional parking spaces shall not be required for the use of this area and any applicable parking requirements for the expansion or retraction of the active use of this area shall be waived so long as combined square footage of the building and the area used as Outdoor Service, Entertainment & Recreation Area does not exceed 65,000 sq. ft.

f. In order to preserve the existing building, the existing building shall be exempt from any Ordinance fenestration and entrance requirements.

4. Permitted uses

a. Allowed uses: Any use or combination of non-residential uses and accessory uses as permitted in sections 9.8502 and 9.8503 of the City of Charlotte Zoning Ordinance, including but not limited to retail office and eating, drinking and entertainment uses with athletic fields and courts.

5. Transportation

a. Petitioner to construct an 8' planting strip and a 6' sidewalk along W. 32<sup>nd</sup> St. as generally shown on the Site Plan.

b. Existing curb cuts shall be improved to current standards as generally depicted on the site plan.


c. Petitioner shall remove one of two existing curb cuts and relocate the curb cut as generally shown on the Site Plan.

d. All transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued.

e. Petitioner shall provide a sidewalk easement set at two feet behind back of sidewalk where feasible, prior to the issuance of the first certificate of occupancy.

f. Delivery and Loading shall occur within the site.

- Architectural Standards

a. Urban Design elements to include covered and uncovered patios. 

7. Streetscape and Landscaping

b. A fourteen (14) foot setback as measured from the back of the existing curb along W. 32<sup>nd</sup> St. will be provided. The setback shall include a six (6) foot sidewalk and an eight (8) foot planting strip as depicted on the Site Plan.

c. Street trees and interior trees as shown on the site plan shall be planted.


8. Architectural Standards

a. Area marked as Outdoor Service, Entertainment & Recreation Area may be any combination of athletic fields or courts, multi-story or single-story patio and building provided that overall height shall not exceed 50' and that the combined square footage of the building and the area used as Outdoor Service, Entertainment & Recreation Area shall not exceed 65,000 sq. ft.

b. Existing Building shall remain and Petitioner may renovate or make addition to the building including adding additional floors or square footage to the building, so long as the building does not exceed 50' in height and the combined square footage of the building and the areas used as Outdoor Service, Entertainment & Recreation Area does not exceed 65,000 sq. ft.

9. Environmental Features



a. Tree save areas - N/A

b. Subject to utility requirements and limitations and physical feasibility on the existing building roof, Petitioner shall install solar panels (or applicable analogous components) on the roof for the generation of a portion of the electrical needs of the building. The solar installation may be completed after the petitioner has completed renovations and obtained a certificate of occupancy. 

10. Parks, Greenways and Open Space

a. Reservation/Dedication of park and/or greenway: N/A

b. Park and/or greenway improvements: N/A

c. Privately constructed open space as shown on patio areas and planting areas.  

11. Fire Protection

a. Per applicable Ordinance.

12. Signage

a. Sign limitations - Per Ordinance requirements.

13. Lighting

a. All new outdoor lighting to be screened and shielded lighting per 12.402 of the Ordinance.

b. Petitioner may provide lighting for sporting activities provided that it is screened and shielded to only direct light at the playing surfaces.

