

DESIGNED BY: AE
DRAWN BY: MB
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ACREAGE: ± 7.02 ACRES

TAX PARCEL #: 08502101, 08502102, 08502103, 08502104

EXISTING ZONING: I-2

PROPOSED ZONING: MUDD

EXISTING USES: INDUSTRIAL

PROPOSED USES:
UP TO 410 MULTI-FAMILY RESIDENTIAL DWELLING UNITS,
AS ALLOWED BY-RIGHT AND UNDER PRESCRIBED
CONDITIONS TOGETHER WITH ACCESSORY USES AS
ALLOWED IN THE MUDD ZONING DISTRICT

MAXIMUM BUILDING HEIGHT:
HEIGHT TO BE MEASURED AS A MAXIMUM OF NINETY (90)
FEET AS ALLOWED BY THE ORDINANCE

PARKING:
PARKING AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED. ON-STREET PARKING LOCATED ALONG THE INTERIOR PRIVATE STREETS WILL NOT BE USED TO MEET MINIMUM ORDINANCE PARKING REQUIREMENTS.

TREE SAVE:
SITE SHALL COMPLY WITH CHARLOTTE TREE ORDINANCE.



EMBREY PARTNERS, LLC
DEVELOPMENT STANDARDS
5/13/22
REZONING PETITION NO. 2021-248

SITE DEVELOPMENT DATA:

--ACREAGE: ± 7.02 ACRES
--TAX PARCEL #: 085-02-101, 085-02-102, 085-02-103, AND 085-02-104
--EXISTING ZONING: I-2
--PROPOSED ZONING: MUDD
--EXISTING USES: INDUSTRIAL
--PROPOSED USES: UP TO 410 MULTI-FAMILY RESIDENTIAL DWELLING UNITS, AS ALLOWED BY-RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD ZONING DISTRICT.
--MAXIMUM BUILDING HEIGHT: HEIGHT TO BE MEASURED AS A MAXIMUM OF NINETY (90) FEET AS ALLOWED BY THE ORDINANCE.
--PARKING: PARKING AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED. ON-STREET PARKING LOCATED ALONG THE INTERIOR PRIVATE STREETS WILL NOT BE USED TO MEET MINIMUM ORDINANCE PARKING REQUIREMENTS.

1. GENERAL PROVISIONS:

- a. **SITE LOCATION.** THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING SITE PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY EMBREY PARTNERS, LLC TO ACCOMMODATE DEVELOPMENT OF MULTI-FAMILY RESIDENTIAL COMMUNITY ON AN APPROXIMATELY 7.02-ACRE SITE LOCATED AT NORTH TRYON STREET AND ATANDO AVENUE, CHARLOTTE, NC (THE "SITE").
- b. **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").
- c. **REZONING PLAN.** THIS REZONING PETITION REFERS TO VARIOUS DOCUMENTS/DRAWINGS INCLUDING THESE DEVELOPMENT STANDARDS, TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN, AND ELEVATIONS (COLLECTIVELY THE "REZONING PLAN"). ALL SUCH ITEMS ARE CONSIDERED INTEGRAL COMPONENTS OF THIS REZONING PETITION AND REFERRED TO COLLECTIVELY AS THE "REZONING PLAN."
- d. **GRAPHICS AND ALTERATIONS.** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") 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 SECTION 6.207 OF THE ORDINANCE.
- THE DEVELOPMENT DEPICTED ON THE REZONING PLAN IS INTENDED TO DESCRIBE THE GENERAL ARRANGEMENTS OF BUILDINGS AND SITE ELEMENTS AND DESCRIBES THE USES ALLOWED ON THE SITE. 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 MINOR 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. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT AND GENERAL LOCATION DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR 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.

2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:

- a. THE SITE MAY BE DEVELOPED WITH UP TO 410 MULTI-FAMILY RESIDENTIAL DWELLING UNITS AS ALLOWED BY-RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE MUDD ZONING DISTRICT.

3. TRANSPORTATION/ACCESS NOTES:

- a. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.
- b. THE PETITIONER SHALL DEDICATE A THIRTY (30) FOOT RIGHT-OF-WAY AS MEASURED FROM THE CENTERLINE OF ATANDO AVENUE.
- c. THE PETITIONER SHALL DEDICATE A FORTY (40) FEET RIGHT-OF-WAY AS MEASURED FROM THE CENTERLINE OF NORTH TRYON STREET.
- d. DEDICATION AND FEE SIMPLE CONVEYANCE OF ALL RIGHTS-OF-WAY TO THE CITY SHALL OCCUR BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. RIGHT-OF-WAY SHALL BE SET TWO (2) FEET BEHIND BACK OF SIDEWALK WHERE FEASIBLE.

- e. ANY REQUIRED ROADWAY IMPROVEMENTS, INCLUDING BIKE AND PEDESTRIAN FACILITIES, WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY SUBJECT TO THE PETITIONER ABILITY TO REQUEST THAT A BOND OR LETTER OF CREDIT BE POSTED FOR ANY IMPROVEMENTS NOT IN PLACE OR COMPLETED AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.
- f. 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 BROAD NORTHEASTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

4. ARCHITECTURAL STANDARDS:

- a. DEVELOPMENT OF THE SITE SHALL ADHERE TO TOD-CC SECTION 15.2.E - BUILDING ARTICULATION. IT IS NOTED BUILDINGS WILL EXCEED THE MAXIMUM BUILDING LENGTH PROVISIONS OF TOD-CC.
- b. ALL PRINCIPAL AND ACCESSORY BUILDINGS ABUTTING A NETWORK REQUIRED PUBLIC OR PRIVATE STREET SHALL COMPRISE A MINIMUM OF 30% OF THAT BUILDING'S ENTIRE FAÇADE FACING SUCH NETWORK STREET EXCLUSIVE OF WINDOWS, DOORS AND BALCONIES USING MASONRY PRODUCT, WHICH SHALL INCLUDE: BRICK, STUCCO, STONE AND/ OR OTHER MASONRY TYPE MATERIAL. VINYL AS A BUILDING MATERIAL ON THE NEW BUILDINGS TO BE CONSTRUCTED ON THE SITE MAY ONLY BE USED ON WINDOWS, SOFFITS, TRIM AND RAILINGS.
- c. PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT THROUGH THE FOLLOWING:
- i. BUILDINGS SHALL BE PLACED TO PRESENT A FRONT OR SIDE FAÇADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE) AS GENERALLY DEPICTED ON THE REZONING PLAN.
- d. SERVICE EQUIPMENT SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE ARE SCREENED FROM VIEW FROM PUBLIC STREETS WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN SHALL BE SOLID MASONRY OR STONE WALL WITH ONE SIDE CONTAINING A DECORATIVE GATE. THE WALL USED TO ENCLOSE THE AREA WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE BUILDINGS.

- e. ROOF FORM AND ARTICULATION - ROOF FORM AND LINES SHALL BE DESIGNED TO AVOID THE APPEARANCE OF A LARGE MONOLITHIC ROOF STRUCTURE AS FOLLOWS:

- i. LONG PITCHED OR FLAT ROOF LINES SHALL AVOID CONTINUOUS EXPANSES WITHOUT VARIATION BY INCLUDING CHANGES IN HEIGHT AND/OR ROOF FORM, TO INCLUDE BUT NOT BE LIMITED TO GABLES, HIPS, DORMERS OR PARAPETS.
- ii. FOR PITCHED ROOFS (NOT INCLUDING DETAILS THAT MAY INCLUDE CRICKETS, TOWERS OR OTHER ELEMENTS THAT SLOPE BACK TO THE PRIMARY ROOF) THE MINIMUM (4:12), EXCLUDING BUILDINGS WITH A FLAT ROOF AND PARAPET.
- iii. ALL ROOFTOP MECHANICAL EQUIPMENT ON BUILDINGS SHALL BE SCREENED FROM PUBLIC VIEW FROM BELOW BY INTEGRATING THE EQUIPMENT INTO THE BUILDING AND ROOF DESIGN TO THE MAXIMUM EXTENT FEASIBLE, USING PARAPET WALLS OR SIMILAR ARCHITECTURAL TREATMENTS.
- iv. FOR FLAT ROOFS, A PARAPET EXTENDS ABOVE THE ROOF PLANE AND INCLUDE AN ELEMENT THAT PROVIDES A VISUAL TERMINATION OF THE FAÇADE.
- f. VENTILATION GRATES LOCATED AT THE FIRST-FLOOR LEVEL IN THE BUILDING FACADE ORIENTED TO ANY PUBLIC STREET MUST BE DECORATIVE.

- g. METER BANKS WILL BE SCREENED.

5. STREETSCAPE, BUFFERS OPEN SPACE AND LANDSCAPING:

- a. A SETBACK OF 16 FEET AS MEASURED FROM THE BACK OF CURB WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. SIDE AND REAR YARDS AS REQUIRED BY THE ORDINANCE WILL BE PROVIDED.
- b. THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND EIGHT (8) FOOT SIDEWALKS ALONG THE SITE'S FRONTAGE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- c. THE PETITIONER WILL PROVIDE STREET TREES OUTSIDE OF THE NCDOT RIGHT OF WAY.

- d. ABOVE GROUND BACKFLOW PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW AND WILL BE LOCATED OUTSIDE OF THE REQUIRED SETBACKS.

6. ENVIRONMENTAL FEATURES:

- a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
- b. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
- c. DEVELOPMENT WITHIN ANY SWIM/PCSO BUFFER SHALL BE COORDINATED WITH AND SUBJECT TO APPROVAL BY CHARLOTTE-MECKLENBURG STORM WATER SERVICES AND MITIGATED IF REQUIRED BY CITY ORDINANCE. PETITIONER ACKNOWLEDGES INTERMITTENT/PERENNIAL STREAM DELINEATION REPORTS ARE SUBJECT TO REVIEW AND APPROVAL UPON SUBMISSION OF DEVELOPMENT PLANS FOR PERMITTING AND ARE NOT APPROVED WITH REZONING DECISIONS.
- d. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.

7. SIGNAGE:

- a. SIGNAGE AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.

8. 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 WILL BE LIMITED TO 20 FEET IN HEIGHT.
- c. PEDESTRIAN SCALE LIGHTING ALONG THE PROPOSED PRIVATE STREETS WILL MATCH EXISTING LIGHTING FIXTURES LOCATED ALONG THE EXISTING PRIVATE STREETS.
- d. EXTERIOR BUILDING LIGHTING WILL BE ALLOWED AND WILL BE ARCHITECTURAL TYPE LIGHTING FIXTURES ON THE BUILDING FACADES, SUCH AS SCONCES OR OTHER SIMILAR TYPES OF BUILDING LIGHTING. BUILDING AND LANDSCAPE UP-LIGHTING WILL ALSO BE PERMITTED.

9. 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 OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

10. 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 UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

KEY MAP

SEAL

REZONING PETITION #2021-XXX
PROJECT

3027 N. TRYON

EMBRY
CHARLOTTE, NC

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LANDDESIGN PROJ.# 1021257

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	INITIAL SUBMITTAL	10.27.21
2	RESUBMITTAL	04.11.2022
3	RESUBMITTAL	05.16.2022

DESIGNED BY: AE
DRAWN BY: MB
CHECKED BY: AE

SCALE NORTH

VERT: N/A
HORZ: NTS

(NOT TO SCALE)

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-2

DESIGNED BY: AE
DRAWN BY: MB
CHECKED BY: AE

