

LEGEND:

PROJECT BOUNDARY 

PROPERTY LINE/ RIGHT-OF-WAY 

PROPOSED ZONING BOUNDARY 

NOTE:

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

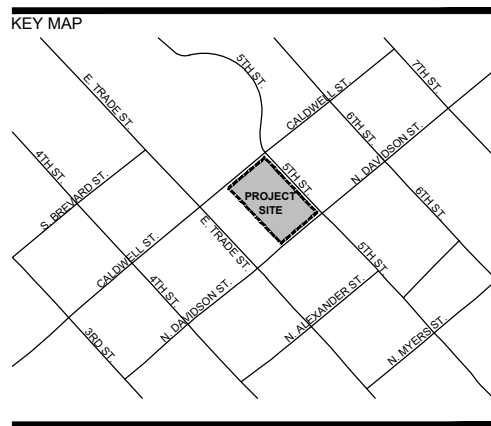
CONTEXT/ PURPOSE FOR REZONING:

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.

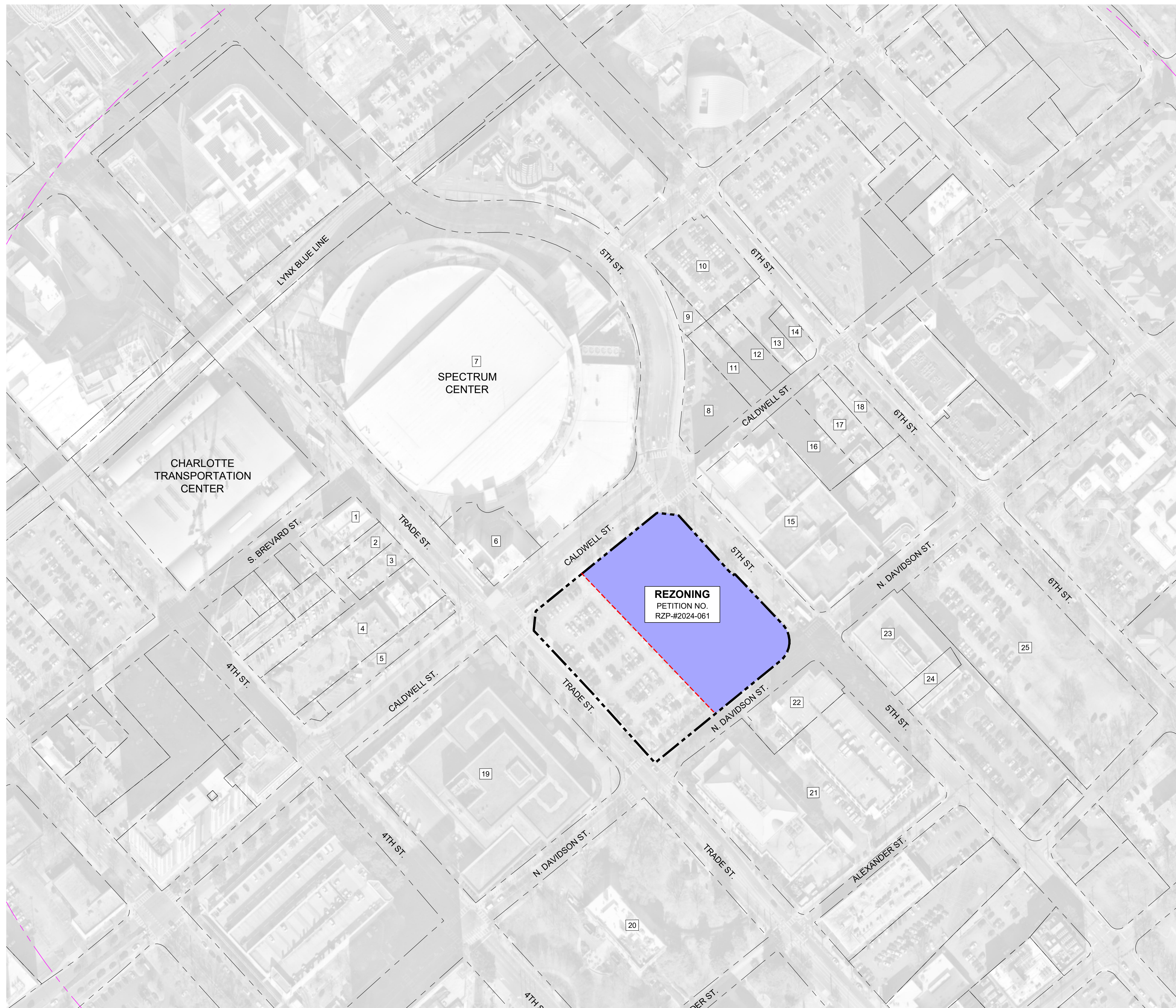
FURTHERMORE, THE INDOOR SPORTS TRAINING FACILITIES AND ASSOCIATED USES CONTEMPLATED BY THE DEVELOPMENT PLANS ARE UNIQUE IN NATURE WITH DESIGN AND OTHER DEVELOPMENT STANDARDS THAT REQUIRE VARIATIONS AND EXEMPTIONS FROM THE BASE STANDARDS OF THE APPLICABLE ZONING DISTRICTS IN THE MANNER CONTEMPLATED BY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

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SEAL



NOT FOR CONSTRUCTION

PROJECT

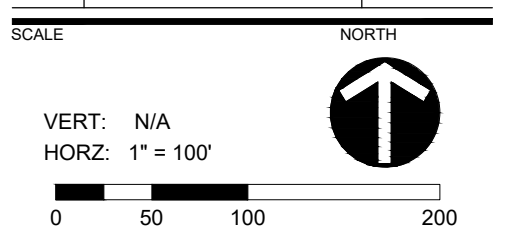
PERFORMANCE ENHANCEMENT CENTER - 5TH STREET REZONING

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

LANDDESIGN PROJ.# 1024112

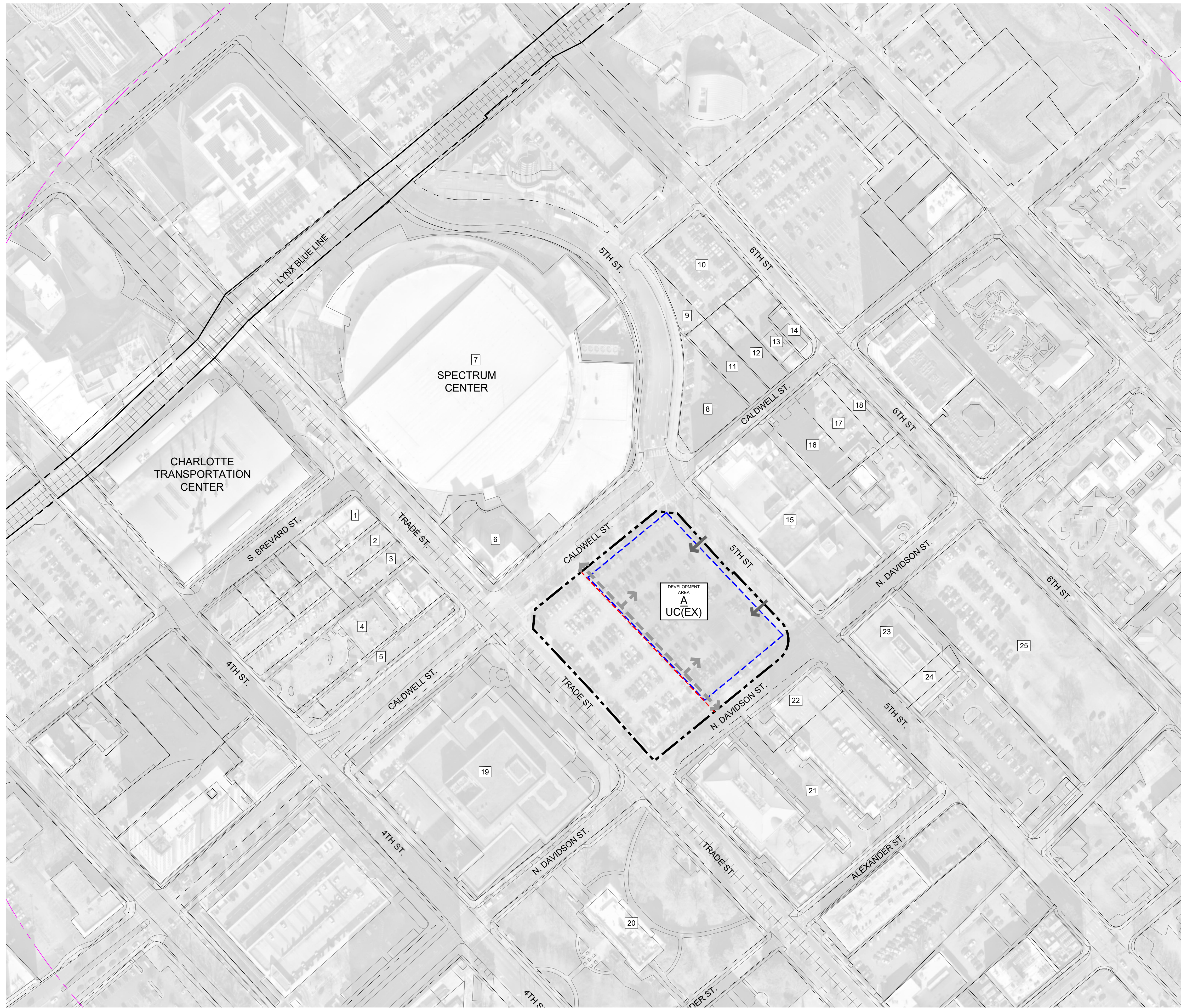
REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
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2	REZONING 2	07.15.2024
3	REZONING 3	08.22.2024



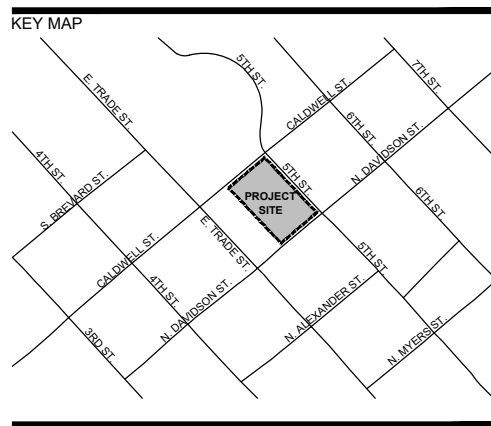
SHEET TITLE
CONTEXT AND PURPOSE STATEMENT

SHEET NUMBER
RZ-0.0



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; STADIUM/ARENA; 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. UP TO 250 PARKING SPACES WILL BE PROVIDED AND WILL BE AVAILABLE FOR PUBLIC PARKING SUBJECT TO RESTRICTIONS.



LEGEND:

- PROJECT BOUNDARY
- PROPOSED ZONING BOUNDARY
- PROPERTY LINE/ RIGHT-OF-WAY
- DEVELOPMENT AREA
- 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. SEE TABLE ON SHEET RZ-4.0 FOR ADJACENT PARCEL INFORMATION.

NOT FOR CONSTRUCTION

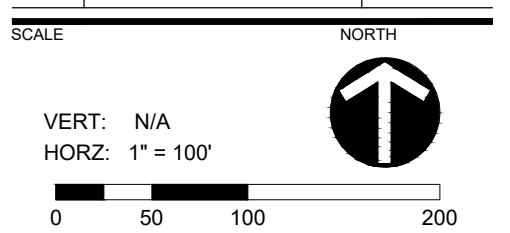
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TECHNICAL DATA SHEET

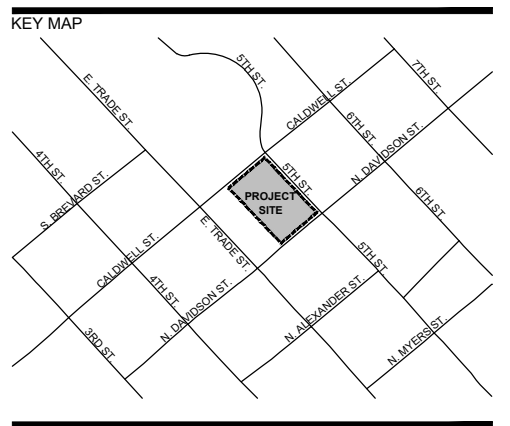
SHEET NUMBER
RZ-1.0

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:

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SEAL

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PROJECT

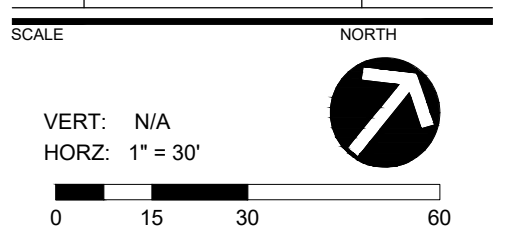
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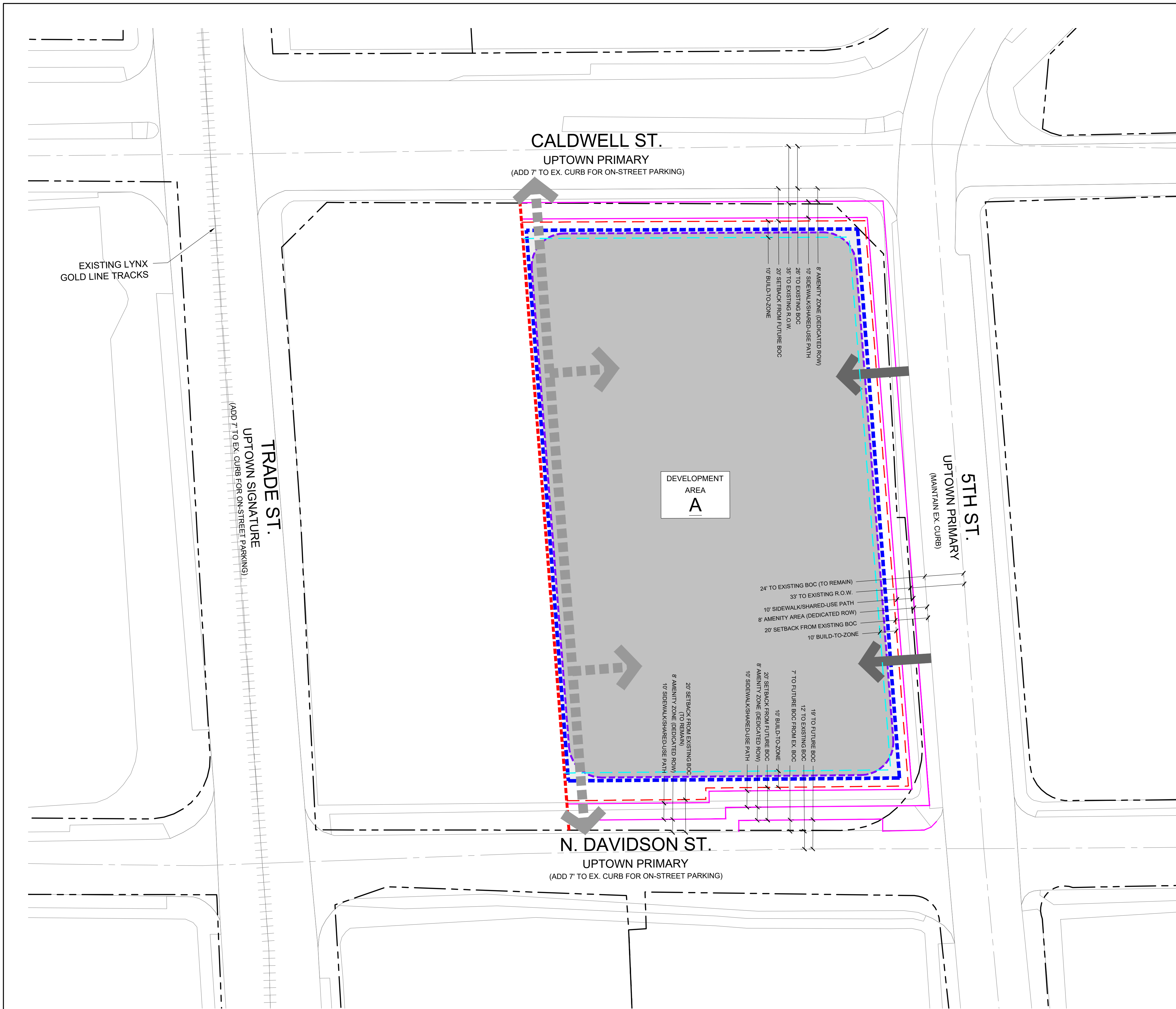
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SHEET TITLE
SCHEMATIC SITE PLAN

SHEET NUMBER
RZ-2.0



CHARLOTTE PEC, LLC
PERFORMANCE ENHANCEMENT CENTER - 5TH STREET REZONING

Development Standards

August 22, 2024

Rezoning Petition No. 2024-061

Site Development Data:

- 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; stadium/arena; 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. Up to 250 parking spaces will be provided and will be available for public parking subject to restrictions regarding times of the day and week when spaces will be made available. A cost or a fee for the use the public parking spaces may be charged.

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. 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.

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, buffers, 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 parcel # 080-054-01.
e. Environment - Storm Water. The Petitioner shall comply with the Charlotte City Council approved and adopted Unified Development Ordinance, Stormwater Articles 23 through 28. The location, size, and type of storm water management systems that may be 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 in order to accommodate actual storm water treatment requirements and natural site discharge points.
f. Environmental - Tree Ord. The Petitioner shall comply with the Charlotte City Council approved and adopted Unified Development Ordinance, Article 20 Landscape, Screening, & Tree Preservation. It is understood a tree survey is required for all city trees eight inches DBH or greater; all existing heritage trees on the property, and any existing areas of the site used for credit toward meeting previously approved tree save or green area requirements.
g. 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:

- 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 following EX provision will apply to the construction of an indoor sports training and practice facilities /courts, associated sports operations, and associated accessory and secondary uses constructed on the Site. 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.

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.

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

- 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 (formerly LEED Bronze) or equivalent.
• Public Amenity: As part of the development of the Site, the Petitioner commits to providing public art which may include without limitation, decorative/narrative plaques on walls or buildings, murals, sculptures, paintings, water features, and/or other similar features. The Petitioner during the land development approval process for the Site shall seek input from the City's Urban Design Center (UDC) regarding possible artists that might be selected by the Petitioner including utilizing the creative pool list of artists maintained by the UDC when selecting artist for the applicable public art feature(s). The Petitioner commits to interviewing at least one possible artist from the UDC list as part of the finalists for the public art. The Petitioner will prioritize the use of local artists when selecting the public art to be installed on the Site. The final selection shall be the Petitioner's choice. The proposed art will be located so that it is visible to the public and will be curated to enhance the external space(s) of the building. The Petitioner will notify the UDC of the final choice of art to be installed prior to the issuance of the first certificate of occupancy.

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 along Caldwell Street, 5th Street, and N. Davidson Street, 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 Ordinance.
• 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%. Where transparency is not provided, pedestrian-scale interest and activity shall be created through the inclusion of at least one architectural element, such as awnings, overhangs, decorative screens, grills, louvers, green walls pedestrian scale decorative lighting, decorative plantings, murals/artwork, or other similar features
• 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 a reduction from the required 90% active ground floor uses to 10% active ground floor uses along the ground floor of E. 5th Street and N. Davidson Street.
• Article 20.17 - Tree Planting Requirements. The Petitioner shall calculate and meet standard internal trees requirement per the Ordinance. The Petitioner may plant required internal trees anywhere onsite per Section 20.17 of the Ordinance. Any internal trees that cannot be reasonably planted onsite may be planted on public property and/or public street right-of-way Uptown (within The Loop) if such planting locations meet the general intent and purpose of the internal trees requirement. The City will identify planting locations and direct the Petitioner where/when to plant. Plantings shall meet planting standards set forth in the CLDSM. Plantings shall be coordinated by both the City and the Petitioner. The Petitioner may alternatively agree to contribute a one-time

payment to the City to support a City-managed tree planting and tree care project to meet the internal trees requirements set forth above. Payment total to be based on quantity of trees and per tree planting estimate. The project shall be implemented Uptown and/or neighborhoods directly adjacent to Uptown.

- Article 22 - Signs. Due to the nature of the sports training and practice facilities, signs may display on-premises advertising and/or advertising associated with sports operations, activities and events whether on-premises or the associated stadium/arena on the adjacent site (Tax Parcel #080-013-20), including associated sponsorship partners. For clarity of intent, signage of all types allowed under the ordinance for the UC district shall be permitted on the site.
• To allow one additional wall sign (beyond what is allowed by the UDO) along the N. Caldwell St. frontage with up to 380 square feet. The wall sign may be electronic or static.
• Article 33.3 - Street Design. Table 33-1 Street Design. N. Caldwell St. and a portion of N. Davidson St. (Uptown Primary Street) - To allow a modification to the location of the proposed curb line along N. Caldwell St. and a portion of 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 St. to be relocated by seven (7) feet to accommodate on-street parking. The partial relocation of the curb line along N. Davidson St. will only occur if the Petitioner is not able to secure approval from Duke Energy to locate the buildings transformers and switch gear in underground vaults. If a partial curb line relocation occurs the required sidewalk alignment will be designed to be consistent across the Site's frontage on N. Davidson St.

4. Signage.

- a. Signage to be permitted as described in Section 3 above. All other signage shall comply with the ordinance regulations provided, however, as an alternative or supplement to the signage related exception provision set forth in Section 3 above or in the Ordinance, the Petitioner may seek Administrative Approval of a master signage package for the Site or material portions thereof, as allowed by Article 37.2 C.3.b.ii.(B) of the UDO, and such master signage package may provide additional flexibility deemed appropriate in keeping with the overall intended use and design intent of the development.

5. Transportation

- a. Access to the Site will be from E. 5th Street, N. Caldwell St., and N. Davidson St. as generally depicted on the Rezoning Plan. The limited access driveway illustrated on the Rezoning Plan is to be utilized to access the Site's service areas and loading docks.
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.

- b. 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 issuance of the first certificate of occupancy. Along E. 5th St, N. Caldwell St., and N. Davidson St., an additional 8 feet from the existing back of curb will be dedicated. The Petitioner will provide a public access easement and sidewalk utility easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way where ROW dedication is not provided. The permanent sidewalk easement will be located a minimum two (2) feet behind the sidewalk where feasible.

- c. 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.

6. Architectural Design Standards.

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 covered by the adjacent development. This application can be utilized to meet the public art commitment outlined in the EX-benefits. If this application is used to meet the public art commitment of the EX-benefits and at a later date the art is covered by new development on the adjacent parcel, then the public art will be replaced else where on the Site as outlined in the EX provisions above.

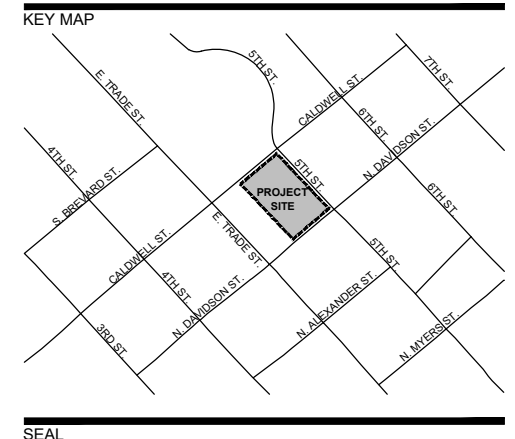
7. Amendments to the Rezoning Plan.

- 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 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 allowed by Article 37.3 of the Ordinance.

8. Binding Effect of the Rezoning Application:

- 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 or assigns.



NOT FOR CONSTRUCTION

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SCALE NORTH

VERT: N/A
HORZ: N/A

SHEET TITLE

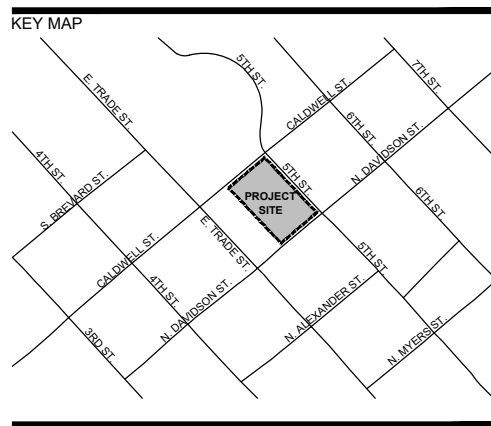
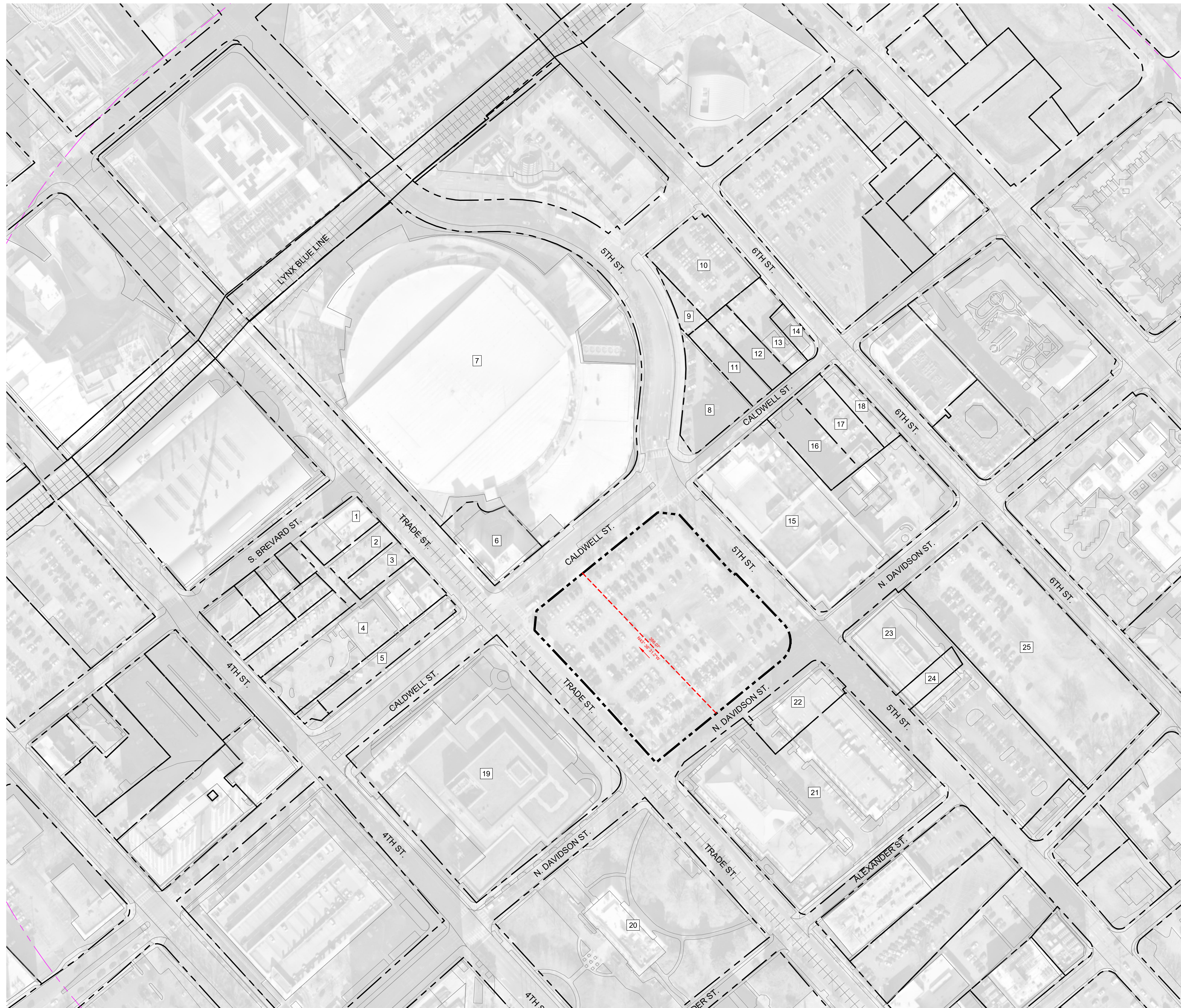
DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-3.0

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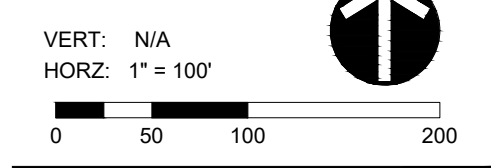
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SCALE NORTH



SHEET TITLE
LOCATOR MAP AND PARCEL OWNERSHIP

SHEET NUMBER

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 DEPT16H02 CAMPANILE		UC
18	080-055-02	INC BELLSOUTH TELECOMMUNICATIONS C/O TAX DEPT16H02 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

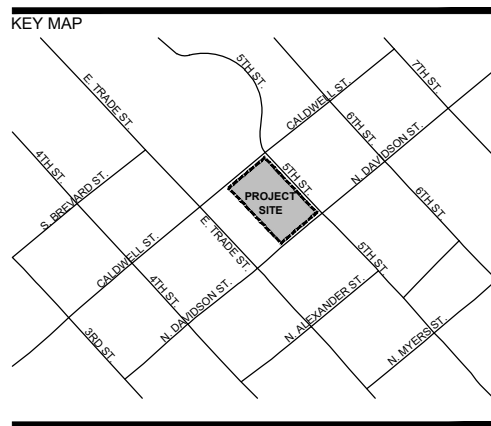
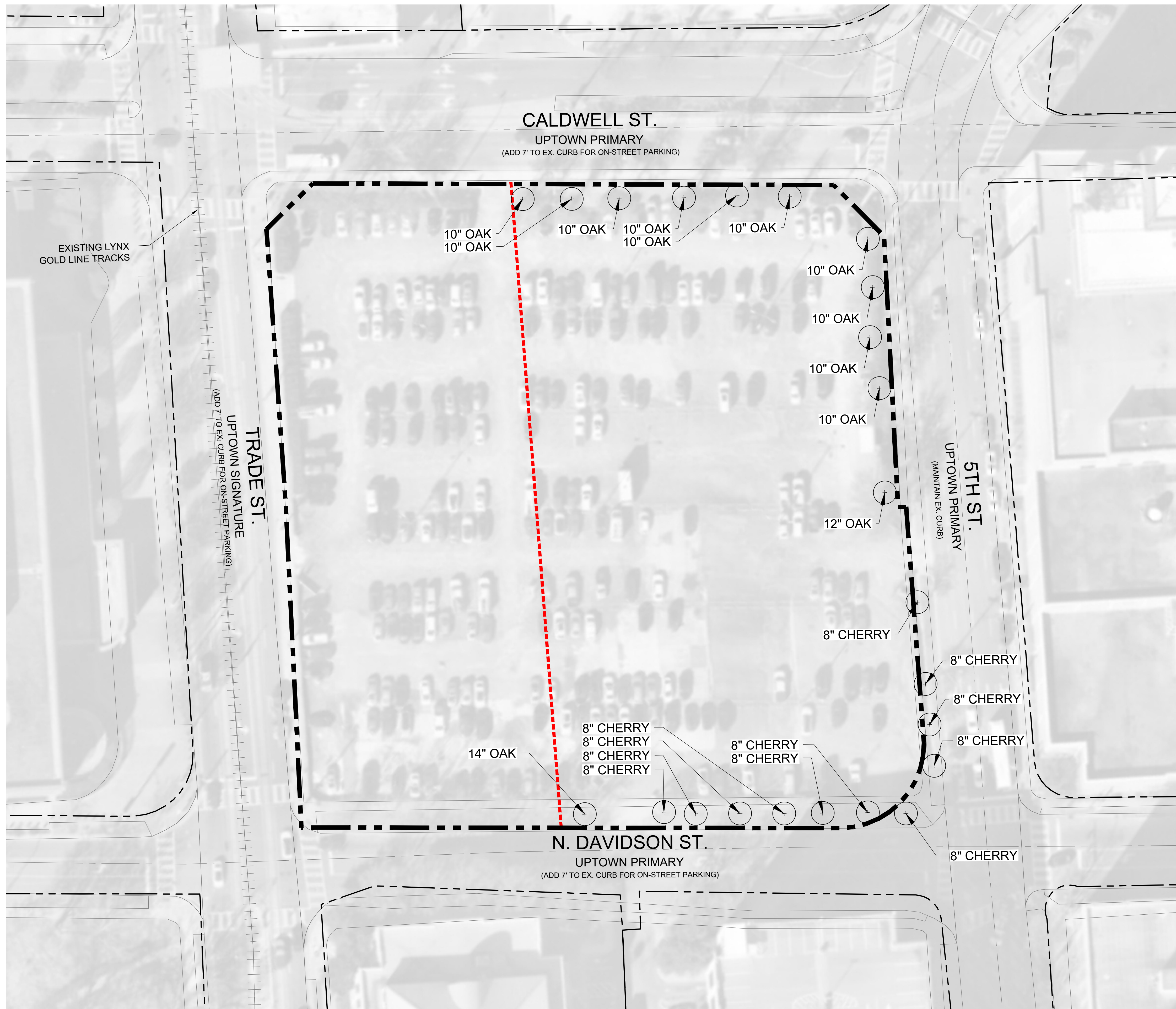
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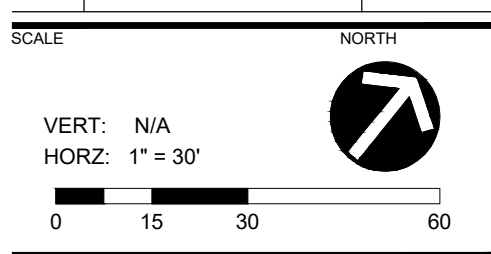
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