

REZONING PETITION
FOR PUBLIC HEARING
2024-037

REZONING PETITION

28TH STREET SITE
CHARLOTTE, NORTH CAROLINA
CHURCH-OVERLOOK, LLC
2616 COUNTRY CLUB LANE
CHARLOTTE, NORTH CAROLINA 28205

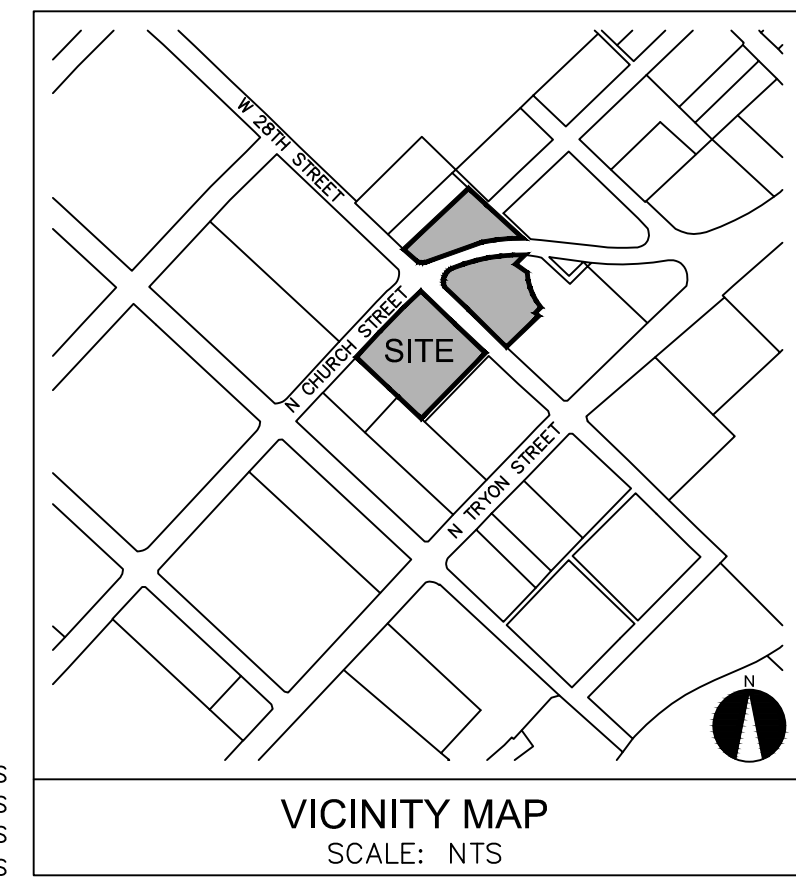
**SCHEMATIC
SITE PLAN**

15 0 15 30
SCALE: 1" = 30'

PROJECT #: 1076-001
DRAWN BY: JO
CHECKED BY: NB

JULY 11, 2024

REVISIONS:
08.12.24 - PER REVIEW COMMENTS



SITE DATA	
TAX MAP NO:	079-088-01, 079-088-02, 079-087-05, & 079-087-06
EXISTING ZONING:	ML-2
PROPOSED ZONING:	NC(CD) (NEIGHBORHOOD CENTER CONDITIONAL)
EXISTING SITE AREA:	±1.51 ACRES
EXISTING USE:	INDUSTRIAL, COMMERCIAL, VACANT
PROPOSED USE:	SEE DEVELOPMENT STANDARDS
PARKING:	SHALL MEET ORDINANCE REQUIREMENTS
MAXIMUM BUILDING HEIGHT:	SHALL MEET ORDINANCE REQUIREMENTS
OPEN SPACE REQUIRED:	SHALL MEET ORDINANCE REQUIREMENTS
GREEN AREA (TREE SAVE) REQUIRED:	SHALL MEET ORDINANCE REQUIREMENTS

- GENERAL PROVISIONS**
- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION, FILED BY CHURCH-OVERLOOK LLC (THE PETITIONER), TO ACCOMMODATE THE DEVELOPMENT OF AN APPROXIMATELY 1.51 ACRE SITE LOCATED ON BOTH EASTERN CORNERS OF CHURCH STREET & WEST 28TH STREET, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBERS: 07908705, 07908801, AND 07908802.
- B. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE UNIFIED DEVELOPMENT ORDINANCE (THE "ORDINANCE").
- C. UNLESS THE ZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE NC ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- D. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH USES AND IMPROVEMENTS ON THE SITE. ACCORDINGLY, THE ULTIMATE LAYOUT, LOCATIONS AND SIZES OF THE DEVELOPMENT AND SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE PROPOSED DEVELOPMENT AND SITE ELEMENTS, AND THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK, YARD, LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN. THE SETBACKS ARE AS SHOWN ON THE REZONING PLAN.
- E. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO THE ORDINANCE.
- PERMITTED USES**
- A. ANY COMBINATION OF USES AND ACCESSORY USES AS PERMITTED BY THE CITY OF CHARLOTTE UNIFIED DEVELOPMENT ORDINANCE FOR THE NC ZONING DISTRICT EXCEPT THE EXCLUDED USES SET FORTH HEREIN.
- B. THE FOLLOWING USES SHALL NOT BE PERMITTED: VEHICLE FUELING FACILITIES, VEHICLE RENTAL FACILITIES, VEHICLE REPAIR FACILITIES MINOR, BENEFICIAL FILL SITE, AND OUTDOOR STORAGE YARD, ACCESSORY DRIVE-THRU, AND PARKING AS A PRINCIPAL USE (PROVIDED THAT ADJACENT LOTS MAY BE USED AS PARKING FOR THE SUPPORT OF THE ADAPTIVE REUSE OF EXISTING BUILDINGS OR NEW DEVELOPMENT).
- TRANSPORTATION AND STREETSCAPE**
- A. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.
- B. PETITIONER SHALL DEDICATE AND CONVEY IN FEE SIMPLE ALL RIGHTS-OF-WAY AS GENERALLY SET FORTH ON THE SITE PLAN TO THE CITY OF CHARLOTTE SET AT TWO FEET BEHIND BACK OF SIDEWALK WHERE FEASIBLE, PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.
- C. THE EXISTING CURB LOCATION SHALL REMAIN ON BOTH N. CHURCH STREET AND W. 28TH STREET.
- D. A RIGHT-OF-WAY ENCHROACHMENT AGREEMENT SHALL BE OBTAINED 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/BUSINESS ASSOCIATION. AN ENCHROACHMENT AGREEMENT MUST BE APPROVED BY CDOT PRIOR TO CONSTRUCTION/INSTALLATION. CONTACT CDOT FOR ADDITIONAL INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS.
- E. AS A COMPONENT OF STREETSCAPE IMPROVEMENTS, PETITIONER SHALL WORK WITH CDOT UPON REDEVELOPMENT TO UPGRADE THE TWO CURB RAMPS LOCATED ON THE SUBJECT PARCELS AT THE INTERSECTION OF W 28TH STREET AND N. CHURCH STREET TO MEET CLDSM STANDARD (NOT REQUIRED FOR ADAPTIVE REUSE).
- F. PETITIONER SHALL INSTALL AN 8-FOOT SIDEWALK AND AN 8-FOOT PLANTING STRIP ALONG ALL W 28TH STREET FRONTAGES, PROVIDED THAT PETITIONER MAY MEANDER AND MODIFY THE SIDEWALK AND PLANTING STRIPS TO ACCOMMODATE THE ADAPTIVE REUSE OF THE BUILDINGS AND EXISTING CONDITIONS, INCLUDING THE ACCOMMODATION OF EXISTING UTILITY INFRASTRUCTURE (SPECIFICALLY INCLUDING THE UTILITY INFRASTRUCTURE LOCATED AT THE CORNER OF CHURCH STREET AND W. 28TH STREET).
- G. PETITIONER SHALL INSTALL AN 8-FOOT SIDEWALK AND AN 8-FOOT PLANTING STRIP ALONG THE CHURCH STREET FRONTAGES, PROVIDED THAT PETITIONER MAY MEANDER AND MODIFY THE SIDEWALK AND PLANTING STRIPS TO ACCOMMODATE THE ADAPTIVE REUSE OF THE BUILDINGS AND EXISTING CONDITIONS, INCLUDING THE ACCOMMODATION OF EXISTING UTILITY INFRASTRUCTURE (SPECIFICALLY INCLUDING THE UTILITY INFRASTRUCTURE LOCATED AT THE CORNER OF CHURCH STREET AND W. 28TH STREET).
- H. UPON REDEVELOPMENT OF THE SITE (NOT REQUIRED FOR ADAPTIVE REUSE) PETITIONER SHALL PROVIDE CROSS-ACCESS TO ADJACENT PARCELS PER THE ORDINANCE AS APPLICABLE.
- ARCHITECTURAL STANDARDS**
- A. ARCHITECTURAL STANDARDS SHALL COMPLY WITH THE ORDINANCE PROVIDED THAT, EXISTING BUILDINGS AND PARKING FACILITIES MAY REMAIN AND BE RE-USED, RENOVATED, EXPANDED AND IMPROVED WITHIN THE BUILDABLE FOOTPRINTS SET FORTH ON THE SITE PLAN.
- ENVIRONMENTAL FEATURES**
- A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE ORDINANCE.
- 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 HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

