

July 24, 2018

A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by BPR Properties, LLC (hereinafter referred to as the "Petitioner") for an approximately .358 acre site located at the intersection of the Site in accordance with the provisions of the Ordinance. The Petitioner is particularly depicting on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 125-023-05, 125-023-04 and 125-023-03.

B. The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the provisions of the Ordinance, the rezoning of the Site shall be subject to the Ordinance for the Uptown Mixed Use District ("UMUD") zoning district shall govern the development and use of the Site.

C. The purpose of this rezoning request is to allow the Site to be developed utilizing the optional provisions set out below in Section 2 of these Development Standards provided that the Site is developed in accordance with the standards and specifications set out on the Rezoning Plan and in these Development Standards. In the event the rezoning of the Site is approved, the rezoning of the Site shall be subject to the provisions of Section 2 of these Development Standards in connection with the development of the Site, then the development and use of the Site shall not be required to meet the standards and specifications set out on the Rezoning Plan and in these Development Standards. The rezoning of the Site shall be subject to the provisions of the Ordinance.

D. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of 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 development and site elements that may be developed in accordance with the Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.

E. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the Petitioner at any time, and the rezoning of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

The optional provisions set out below may be utilized in connection with the development of the Site provided that the Site is developed in accordance with the standards and specifications set out on the Rezoning Plan and in these Development Standards.

A. The provisions of Section 9.06(2)(d)(2)(d) of the Ordinance are varied to allow a minimum 16 foot setback from the front face of curb along South Brevard Street for all floors of the building above the ground floor and up to 60 feet in height as generally depicted on the Rezoning Plan.

B. The requirements of Section 9.06(2)(d)(2)(c) of the Ordinance are varied to allow those portions of the building in height to be stepped back a minimum of 10 feet from the minimum 16 foot building setback described above in paragraph 2.A as generally depicted on the Rezoning Plan. In other words, those portions of the building located above 60 feet in height may be setback a minimum of 26 feet from the future back of curb along Brevard Street.

C. Subject to subparagraphs (1) through (4) below, the structural support columns for the floors of the building located above the ground floor may be located within the setback from South Brevard Street as generally depicted on the Rezoning Plan.

(1) The minimum setback for the columns from South Brevard Street shall be 16 feet from the future back of curb.

(2) The minimum distance between the back of the columns (the building facing side of the columns) and the front facade of the ground floor of the building shall be 10 feet.

(3) The ground level sidewalk arcade created by the columns and the upper floors of the building shall have a minimum overhead clearance of 15 feet.

(4) The maximum number of columns shall be 7.

A. The Site may be devoted to any use or uses allowed by right or under prescribed conditions in the UMUD zoning district, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the UMUD zoning district.

B. In the event that one or more of the optional provisions set out above are utilized in connection with the development of the Site, the minimum setback from South Broadway Street for the ground floor of the building shall be 26 feet from the future back of curb.

C. In the event that one or more of the optional provisions set out above are utilized in connection with the development of the Site, 60 percent of the rear facade of the building located above the 7th story shall be stepped back a minimum of 10 feet from the rear property line of the Site.

that in the event that one or more of the optional provisions set out above are utilized in connection with the development of the Site, vehicular access shall be as generally depicted on the Rezoning Plan. The placement of the proposed driveway shall be subject to any minor modifications required by the Charlotte Department of Transportation (CDOT).

B. The alignment of the internal vehicular circulation areas and the driveway may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT.

C. Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) a new sidewalk on the east side of South Blvd. The sidewalk shall be a minimum of 10 feet wide that are necessary to extend the existing right of way for these public streets to that point that is located 16 feet back from the back of curb (i.e. 8' strip and 8' sidewalk only) along the Site's frontage on these public streets where the sidewalk is located. The sidewalk shall be 16 feet wide from the back of curb to the back of curb along the Site's frontage on East 44th Street and South Blvd Street, then the sidewalks (or portions thereof) may be located in a sidewalk utility easement.

D. If the use of any of the optional provisions set out above in Section 2 of these Development Standards results in an encroachment into a public street right of way, then an encroachment agreement from the City of Charlotte shall be required for the proposed use. The approval of this Rezoning Petition does not implicitly grant the approval of an encroachment agreement.

E. Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, Petitioner shall construct a new sub lot walking pad along the Site's frontage on South Blvd Street. This new sub lot walking pad shall be located entirely within the right of way, and the precise location of this new sub lot walking pad shall be determined during the permitting process. Petitioner's obligation to construct this new sub lot walking pad shall be subject to Petitioner's ability to obtain all approvals and permits required to construct the walking pad. Petitioner shall be responsible for the installation and maintenance of any bench or structure that may be located on the new sub lot walking pad.

event that one or more of the optional provisions set out above in Section 2 of these Development Standards are utilized in connection with the development of the Site.

(1) Those portions of the building located below 60 feet in height and that face South Brevard Street and East 4th Street shall be substantially similar in appearance to the relevant conceptual architectural perspectives shown on sheet RZ-002 of the Rezoning Plan. Notwithstanding the foregoing, changes and alterations to these portions of the building that do not materially change the overall conceptual architectural style and character shall be permitted.

(2) The primary exterior building materials for those portions of the building located below 60 feet in height and that face South Brevard Street shall include:

- (a) Brick, cut stone or synthetic stone for the structural support columns.
- (b) Stucco or synthetic stucco.
- (c) Phenolic wood.
- (d) Smooth metal panels and metal panel accents.
- (e) Glass.

(3) The primary exterior building materials for those portions of the building located below 60 feet in height and that face East 4th Street shall include:

- (a) Brick, cut stone or synthetic stone for the structural support columns.
- (b) Stucco or synthetic stucco.
- (c) Phenolic wood.
- (d) Smooth metal panels and metal panel accents.
- (e) Glass.

(4) The primary exterior building materials for the remaining elevations of the building located below 60 feet in height shall include:

- (a) Stucco or synthetic stucco.
- (b) Glass.

B. Notwithstanding anything to the contrary on the Rezoning Plan, the maximum height of any building located on the Site shall be governed by the Ordinance.

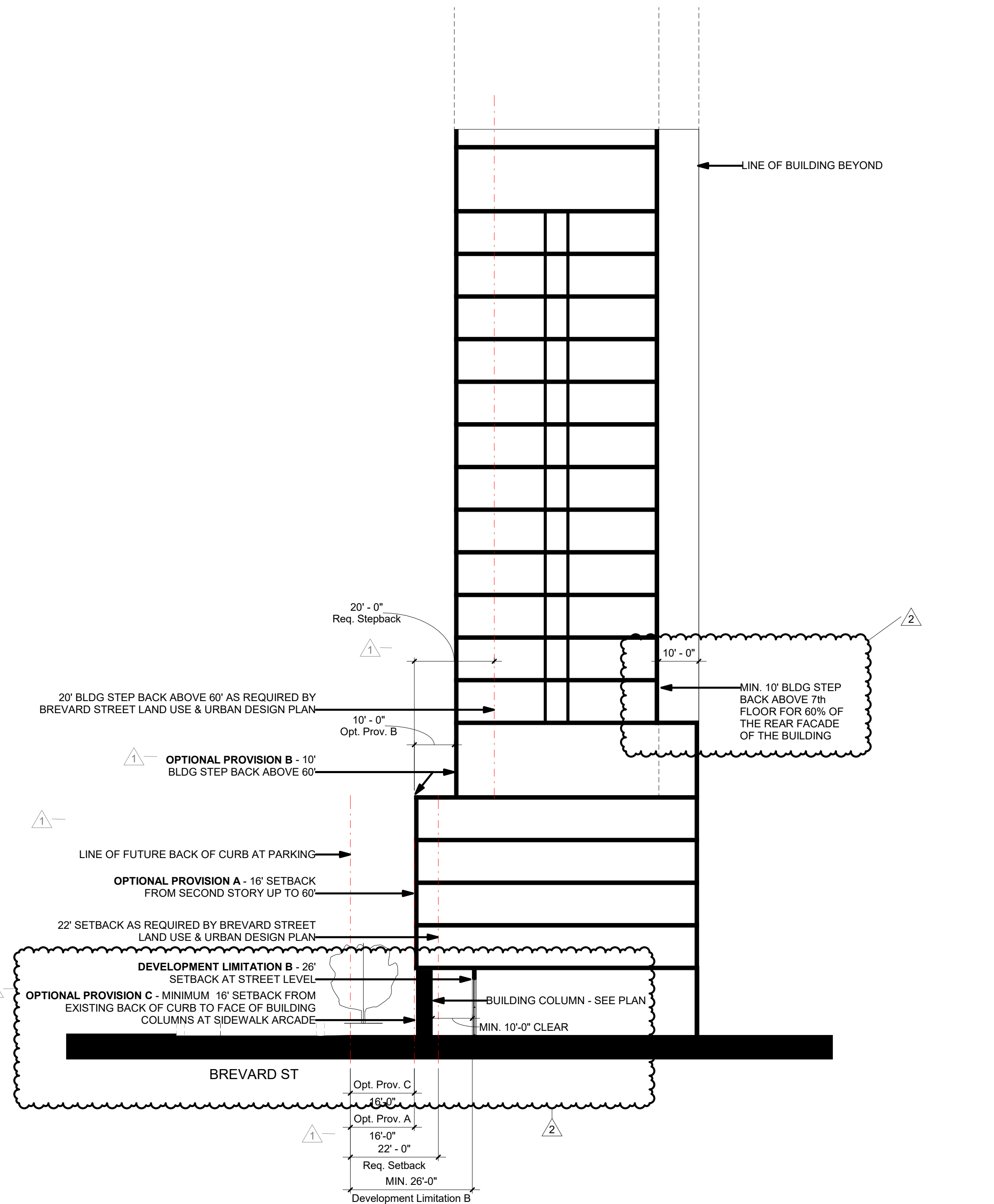
6. STREETScape

A. In the event that the Site is developed in accordance with the Rezoning Plan, streetscape improvements shall be provided along the Site's frontages on South Brevard Street and East 4th Street as generally depicted on the Rezoning Plan.

A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

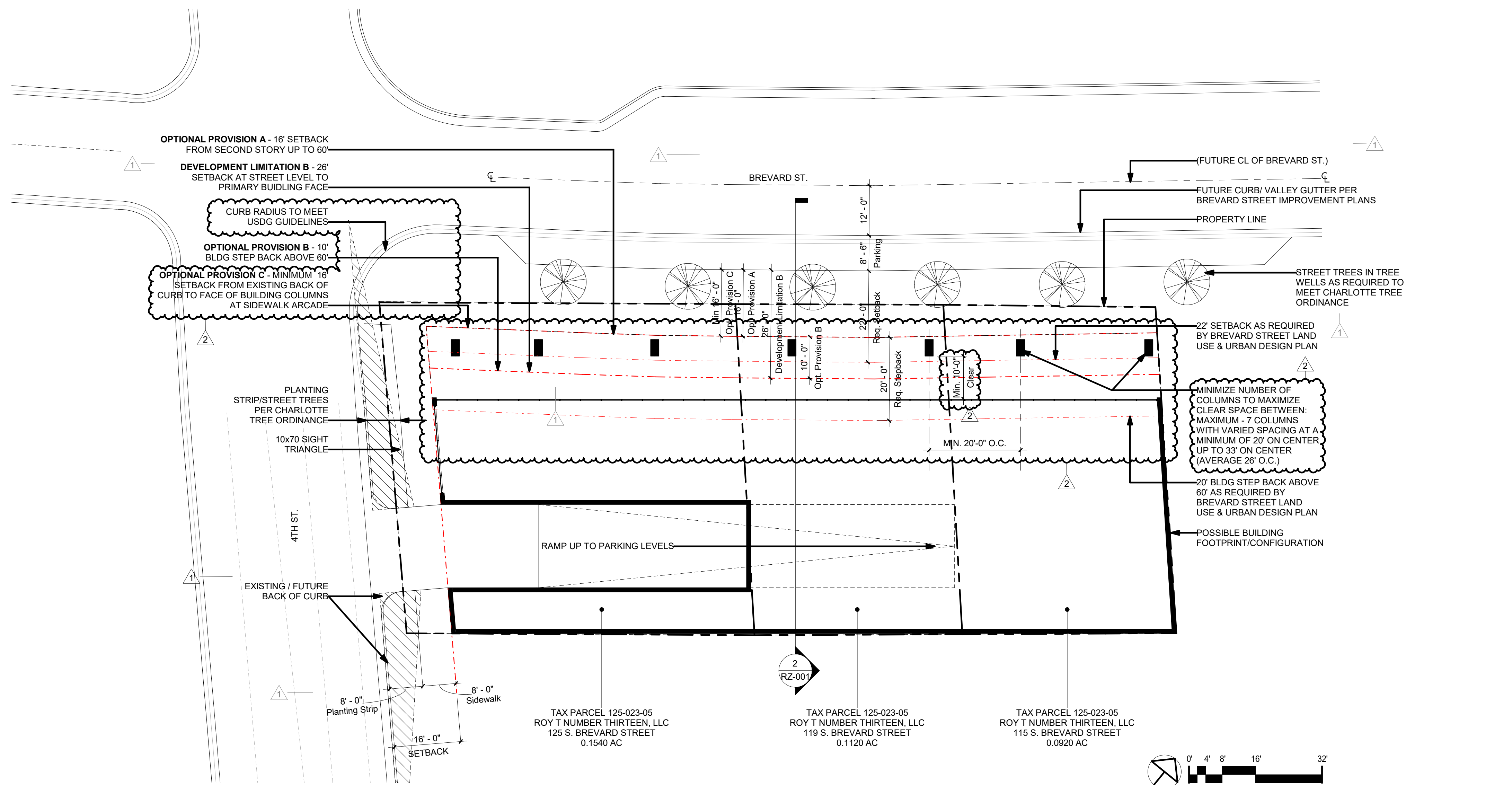
B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, executors, administrators, representatives and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



2 SECTION DIAGRAM

scale: 1" = 20'-0"



1	REZONING PLAN
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scale: 1/16" = 1'-0"



CONSULTANT:

PETITION #
2018-062 
FOR PUBLIC HEARING

S BREVARD STREET
CHARLOTTE, NORTH CAROLINA

ODA Project No. 173263

REZONING

6.11.2018

REVISIONS		
No.	Description	Date
1	Review Comments	06.11.2018
2	Review Comments	07.24.2018

SITE PLAN

RZ-001

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SEAL: _____

CONSULTANT: _____



scale: 6" = 1'-0"



scale: NTS

CHARLOTTE, NORTH CAROLINA

ODA Project No. 173263

REZONING

6.11.2018

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ARCHITECTURAL
STANDARDS

RZ-002

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