



Rhyno Partners Coffee LLC – 1217 The Plaza
Development Standards
02/19/2020
Rezoning Petition No. 2019-183

Site Development Data:

- Acreage: ± .241 acres
- Tax Parcel #: 081-176-28
- Existing Zoning: B-2 PED
- Proposed Zoning: B-2 PED (O)
- Existing Uses: EDEE
- Proposed Uses: All uses as permitted by right, under prescribed conditions and by the Optional provisions below together with accessory uses, as allowed in the B-2 PED zoning district (as more specifically described and restricted below in Section 3).
- Maximum Gross Square feet of Development: As permitted by right and under prescribed conditions in the B-2 PED zoning district.
- Maximum Building Height: Maximum building height as allowed by the B-2 PED zoning district. Height to be measured as required by the Ordinance.
- Parking: Parking as required by the Ordinance and the Optional Provision below.

1. General Provisions:

a. **Site Location.** These Development Standards, and the Technical Data Sheet form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Rhyno Partners Coffee LLC ("Petitioner") to accommodate a reduction in required parking for EDEE uses as allowed by the B-2 PED zoning district and per the Optional Provisions below on an approximately .241 acre site (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"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the B-2 PED (O) zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

c. **Graphics and Alterations.** The depictions of the building, sidewalks, 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. 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. 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 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:

1. minor and don't materially change the overall design intent and stay within the setbacks and yards 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.

d. **Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site will be limited to one (1). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site.

2. Optional Provisions:

a. To allow a reduction in parking requirements for EDEE uses located on the Site and within a building with no more than 4,233 square feet of gross floor area including outdoor seating areas from 25 spaces (parking required after applying a 25% reduction for Sites within 400 feet of a parking facility available to the general public) to a minimum of 15 parking spaces. If the Site is redeveloped parking as required by the B-2 PED zoning district will be provided for any additional square footage over 4,233 square feet used for EDEE uses.

3. Permitted Uses, Development Area Limitations:

a. To allow all uses as permitted by right, under prescribed conditions together with accessory uses, as allowed in the B-2 PED zoning district per the optional provisions above.

4. Access:

a. The Site has an existing access to the rear of the building from The Plaza as generally depicted on the Rezoning Plan.

5. Environmental Features:

a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

b. The Site will meet the applicable Tree Ordinance requirements.

6. Lighting:

a. Reserved.

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 Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

8. 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 and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.