

REZONING PETITION NO. 2017-173

SITE DEVELOPMENT DATA:

-ACREAGE: ± 36 ACRES
 -TAX PARCEL #: PORTION OF 121-012-10
 -EXISTING ZONING: MUDD
 -PROPOSED ZONING: MUDD-O
 -EXISTING USES: VACANT
 -PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD-O ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED IN SECTION 3 BELOW WHICH CONTROLS).
 -MAXIMUM BUILDING HEIGHT: BUILDINGS THAT ARE PRIMARILY RESIDENTIAL MAY HAVE A MAXIMUM BUILDING HEIGHT OF UP TO 165 FEET AS MEASURED FROM AVERAGE GRADE AT THE BASE OF THE BUILDING ALONG EACH OF HAWKINS STREET AND DOGGETT STREET AND AS ALLOWED BY THE OPTIONAL PROVISIONS SET FORTH BELOW. THE MAXIMUM HEIGHT OF NON-RESIDENTIAL BUILDINGS SHALL BE PER THE PROVISIONS OF MUDD WITHIN THE ORDINANCE.
 -PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION. PARKING MAY BE PROVIDED IN THE EXISTING ADJACENT PARKING DECK ON THE ADJACENT SITE.

DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS:

a. **SITE LOCATION, PURPOSE OF REZONING.** THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND OTHER GRAPHICS SET FORTH ON ATTACHED RZ SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY RAM REALTY ADVISORS ("PETITIONER") IN CONNECTION WITH DEVELOPMENT ON AN APPROXIMATELY .36 ACRE SITE LOCATED AT 240 DOGGETT STREET (THE "SITE").

IT IS UNDERSTOOD THAT THE SITE IS CURRENTLY ZONED MUDD, AND THE PURPOSE OF THIS REZONING TO THE MUDD-O ZONING DISTRICT IS TO ALLOW DEVELOPMENT WITH A BUILDING THAT COULD EXCEED THE 120' HEIGHT LIMITATION OF MUDD. ACCORDINGLY, OPTIONAL PROVISION SET FORTH IN SECTION 2.B. BELOW THAT ALLOWS THE HEIGHT OF A RESIDENTIAL BASED BUILDING (WITH OR WITHOUT MIXED USES) TO EXCEED A HEIGHT OF 120' DOES NOT PREVENT DEVELOPMENT ON THE SITE FOR A BUILDING(S) OF 120' OR LESS, AND DEVELOPMENT OF A BUILDING OF 120' OR LESS SHALL BE REQUIRED TO ADHERE TO THE MUDD REQUIREMENTS/STANDARDS OF THE ORDINANCE BUT NOT ANY ADDITIONAL STANDARDS SET FORTH IN THIS REZONING PLAN SUCH AS THE PROVISIONS OF SECTIONS 6B. AND 8 HEREOF.

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") BUT AS INDICATED ABOVE STANDARDS AND REQUIREMENTS CONTAINED IN THIS REZONING PLAN THAT GO BEYOND THE BASE STANDARDS/REQUIREMENTS OF MUDD SHALL ONLY APPLY IF A BUILDING THAT IS RESIDENTIALLY BASED (WITH OR WITHOUT MIXED USES) IS CONSTRUCTED WITH A HEIGHT OVER 120' AS FURTHER DESCRIBED BELOW. UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS FOR THE BUILDING ABOVE 120' AS DESCRIBED ABOVE, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS PROVIDED BELOW WHICH ONLY APPLY TO BUILDINGS THAT ARE PRIMARILY RESIDENTIAL (WITH OR WITHOUT MIXED USES) AND CONSTRUCTED WITH A HEIGHT OVER 120'.

c. **GRAPHICS AND ALTERATIONS/MODIFICATIONS.** THE SCHEMATIC DEPICTIONS (SHEET RZ) 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.

NOTE THAT THE GRAPHIC DEPICTIONS SET FORTH ON THE REZONING PLAN ONLY APPLY TO BUILDINGS THAT ARE PRIMARILY RESIDENTIAL (WITH OR WITHOUT MIXED USES) AND OVER 120' IN HEIGHT. IF A PRIMARILY RESIDENTIAL BUILDING OVER 120' IN HEIGHT IS NOT CONSTRUCTED ON THE SITE, THE PROVISIONS OF MUDD WITHIN THE ORDINANCE SHALL APPLY WITHOUT REGARD TO THE GRAPHIC DEPICTIONS OR ADDITIONAL STANDARDS/RESTRICTIONS SUCH FORTH IN THIS REZONING PLAN.

d. **PERSONAL SERVICES.** PERSONAL SERVICE USES WILL BE DEFINED AS USES THAT PRIMARILY PROVIDE OR SELL A SERVICE TO CUSTOMERS VERSUS THE SELLING OF GOODS. A PERSONAL SERVICE USE MAY ALSO SELL PRODUCTS OR MERCHANDISED BUT THE SALE OF PRODUCTS AND MERCHANDISE IS TYPICALLY ANCILLARY. EXAMPLES OF PERSONAL SERVICE USES INCLUDE BUT ARE NOT LIMITED TO: BEAUTY SALONS AND BARBER SHOPS, SPAS, YOGA AND EXERCISE STUDIOS, FITNESS AND WELLNESS FACILITIES, NAIL SALONS, MARTIAL ART TRAINING STUDIOS, LAUNDRIES AND DRY CLEANING ESTABLISHMENTS, LOCKSMITHS, FUNERAL HOMES AND ALIKE).

e. **UNIFIED DEVELOPMENT.** THE SITE TOGETHER WITH THE ADJACENT PARCEL UPON WHICH AN EXISTING PARKING DECK IS LOCATED AS GENERALLY DEPICTED ON THE REZONING PLAN (THE "ADJACENT SITE") SHALL BE VIEWED IN THE AGGREGATE AS A PLANNED UNIFIED DEVELOPMENT AS TO THE ELEMENTS AND PORTIONS OF THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN AND THOSE EXISTING IMPROVEMENTS ON THE ADJACENT SITE. AS SUCH, WITH RESPECT TO INTERNAL ORIENTATION AND RELATIONSHIP BETWEEN THE SITE AND THE ADJACENT SITE AND WITHIN THE SITE, SIDE AND REAR YARDS, BUFFERS, BUILDING HEIGHT SEPARATION STANDARDS, FAR REQUIREMENTS, AND OTHER SIMILAR ZONING STANDARDS WILL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS AND OTHER SITE ELEMENTS, BUT ALL SUCH STANDARDS SHALL APPLY ALONG THE EXTERIOR BOUNDARY OF THE SITE AND THE ADJACENT SITE. THE PETITIONER AND/OR OWNER(S) OF THE SITE RESERVE THE RIGHT TO SUBDIVIDE PORTIONS OR ALL OF THE SITE TO CREATE LOTS WITHIN THE INTERIOR OF THE SITE WITHOUT REGARD TO ANY SUCH INTERNAL SEPARATION STANDARDS, PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS AND FAR REQUIREMENTS, PROVIDED, HOWEVER, ALL SUCH STANDARDS ALONG THE EXTERIOR BOUNDARY OF THE SITE (OTHER THAN THE COMMON BOUNDARY WITH THE ADJACENT SITE) SHALL BE ADHERED TO AND ALL FAR REQUIREMENTS WILL BE REGULATED BY ANY DEVELOPMENT LIMITATIONS SET FORTH HEREIN AS TO THE SITE. IT IS FURTHER UNDERSTOOD THAT PARKING NEEDS OF THE SITE MAY BE ACCOMMODATED BY WAY OF THE PARKING FACILITY LOCATED ON THE ADJACENT SITE.

2. OPTIONAL PROVISIONS

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

a. **MAXIMUM BUILDING HEIGHT WITHIN MUDD-O.** TO ALLOW THE HEIGHT OF A RESIDENTIAL BASED BUILDING (WITH OR WITHOUT MIXED USES) CONSTRUCTED ON THE SITE TO EXCEED THE HEIGHT PROVISIONS AND THE ALLOWED 120 FOOT MAXIMUM BUILDING HEIGHT OF THE MUDD-O ZONING DISTRICT BY FORTY-FIVE FEET (45'), AS MEASURED FROM THE AVERAGE GRADE AT THE BASE OF THE BUILDING ALONG EACH OF HAWKINS STREET AND DOGGETT STREET AND PER SECTION 2.B. BELOW.

b. **UNDERGROUND STORM WATER DETENTION/INTERCEPTOR FACILITIES.** TO ALLOW, TO THE EXTENT NEEDED FOR COMPLIANCE PURPOSES, STORM WATER/WATER QUALITY MANAGEMENT FACILITIES AND SANITARY SEWER GREASE TRAP/INTERCEPTOR FACILITIES TO BE LOCATED UNDERGROUND WITHIN THE SETBACKS ASSOCIATED WITH THE DEVELOPMENT (BUT OUTSIDE THE RIGHT-OF-WAY), ACCESS TO THESE FACILITIES MAY BE PROVIDED AT GRADE WITHIN THE SETBACK.

3. **PERMITTED USES & DEVELOPMENT AREA LIMITATIONS:**

a. **PERMITTED USES GENERALLY.** THE SITE MAY BE DEVELOPED WITH ALL USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD-O ZONING DISTRICT.

b. **DEVELOPMENT AREA LIMITATIONS.** BUILDING(S) CONSTRUCTED IN EXCESS OF 120' IN HEIGHT SHALL BE LIMITED TO DEVELOPMENT WITH A MAXIMUM OF 95 RESIDENTIAL UNITS AND UP TO 11,000 SQUARE FEET OF GROSS FLOOR AREA OF NON-RESIDENTIAL USES, INCLUDING BUT NOT LIMITED TO OFFICE, RETAIL, EDUE OR PERSONAL SERVICES USES. SUCH DEVELOPMENT MAY BE DEVELOPED IN ACCORDANCE WITH THE OPTIONAL PROVISIONS SET FORTH ABOVE. ALL USES AND DEVELOPMENT LEVELS PERMITTED PER THE PROVISIONS MUDD WITHIN THE ORDINANCE SHALL APPLY TO ALL BUILDINGS CONSTRUCTED ON THE SITE THAT ARE 120' OR LESS IN HEIGHT.

4. ACCESS AND TRANSPORTATION IMPROVEMENTS:

a. ACCESS TO THE SITE SHALL BE FROM DOGGETT STREET AND/OR HAWKINS STREET. THE EXACT ALIGNMENT, DIMENSIONS AND LOCATIONS OF THE ACCESS POINTS TO THE SITE AND THE DRIVENAYS ON THE SITE SHALL BE DETERMINED THROUGH THE LAND DEVELOPMENT PERMITTING PROCESS.

b. TWO CURB RAMPS SHALL BE PROVIDED AT THE CORNER OF THE SITE: TO DOGGETT STREET AND HAWKINS STREET AS GENERALLY DEPICTED ON THE REZONING PLAN.

c. THE IMPROVEMENTS DESCRIBED IN 4B. ABOVE WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AS APPLICABLE. THE ABOVE REFERENCED IMPROVEMENTS SHALL BE SUBSTANTIALLY COMPLETED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE NEW BUILDING CONSTRUCTED ON THE SITE.

5. STREETSCAPE, LANDSCAPING, OPEN SPACE AND SCREENING:

b. ALONG DOGGETT STREET AND HAWKINS STREET A 16' SETBACK AS MEASURED FROM THE EXISTING FUTURE BACK OF CURB SHALL BE PROVIDED AND THE EXISTING SIDEWALK AND PLANTING STRIP SHALL REMAIN.

c. THE ON-STREET PARKING AND OTHER STREETSCAPE CROSS-SECTION ITEMS ALONG DOGGETT STREET AND HAWKINS STREET SHALL REMAIN.

6. ARCHITECTURAL STANDARDS FOR BUILDINGS:

a. BUILDINGS CONSTRUCTED ON THE SITE SHALL ADHERE TO THE FOLLOWING ARCHITECTURAL STANDARDS DESCRIBED HEREIN AND ILLUSTRATED THROUGH THE PHOTO EXAMPLES ON SHEET RZ-02:

i. THE BUILDING MAY BE CONSTRUCTED WITH SOME COMBINATION OF THE FOLLOWING MATERIALS: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS SIDING (SUCH AS HARDI-PLANK), STUCCO, EIFS, DECORATIVE METAL PANELS, DECORATIVE BLOCK AND/OR WOOD. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, AND ON HANDRAILS/RAILINGS (REFERENCE EXAMPLE PHOTOS A-J).

ii. PRIMARY BUILDING ENTRANCES SHALL BE PROVIDED AT A MINIMUM OF EVERY 100'. ALL PRIMARY ENTRANCES SHALL INCLUDE AT LEAST 3 OF THE FOLLOWING (REFERENCE EXAMPLE PHOTOS A-D):

1. DECORATIVE PEDESTRIAN LIGHTING;
2. ARCHITECTURAL DETAILS CARRIED TO UPPER STORIES;
3. COVERED PORCHES, CANOPIES, AWNINGS OR SUNSHADES;
4. ARCHWAYS;
5. TRANSOM WINDOWS;
6. TERRACED OR RAISED PLANTERS THAT CAN BE UTILIZED AS SEAT WALLS;
7. COMMON OUTDOOR SEATING ENHANCED WITH SPECIALTY DETAILS, PAVING, LANDSCAPING OR WATER FEATURES; OR
8. DOUBLE DOORS.

iii. THE GROUND FLOOR SHALL BE TALLER THAN AND ARCHITECTURALLY DIFFERENT THAN UPPER FLOORS. THIS STANDARD WILL ONLY APPLY TO BUILDING WALLS LOCATED ALONG PUBLIC STREETS (REFERENCE EXAMPLE PHOTOS A, E, F, J).

iv. THE WINDOWS SHALL HAVE SLIGHT INSETS TO AVOID MONOLITHIC AND DULL FACADES (REFERENCE EXAMPLE PHOTOS E-J).

v. FACADES OVER 50 FEET IN LENGTH SHALL BE DIVIDED INTO SHORTER SEGMENT BY MEANS OF FACADE MODULATION, REPEATING WINDOW PATTERNS, CHANGE IN MATERIALS, CANOPIES OR AWNINGS, VARYING ROOF LINES AND/OR OTHER ARCHITECTURAL TREATMENTS (REFERENCE EXAMPLE PHOTOS D, F-J).

vi. TENANT SPACE LOCATED ALONG PUBLIC STREETS SHALL BE A MINIMUM OF 20 FEET DEEP (REFERENCE EXAMPLE PHOTOS A-D).

vii. SIXTY PERCENT OF THE GROUND FLOOR BUILDING FRONTAGE FACING PUBLIC STREETS MUST BE DESIGNED WITH TRANSPARENT GLASS PRINCIPALLY COMPRISED OF WINDOWS AND DOORS ARRANGED SO THAT THE USES ARE VISIBLE BETWEEN 2 FEET AND 10 FEET FROM THE BASE OF THE BUILDING (REFERENCE EXAMPLE PHOTOS A, C, D, F, H, I, J).

viii. GROUND FLOOR EXTERIOR BUILDING LIGHTING SHALL UTILIZE LED OR SIMILAR HIGH EFFICIENCY FIXTURES.

ix. THE FINISHED SIDEWALK SHALL MEET THE FINISHED FLOOR OF THE MAIN ENTRY (REFERENCE EXAMPLE PHOTOS A, C, D, J).

7. ENVIRONMENTAL FEATURES:

a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

b. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.

8. LIGHTING:

a. ALL NEW DETACHED AND ATTACHED LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING; LOW LANDSCAPE, DECORATIVE, SPECIALTY, AND ACCENT LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, OPEN SPACE/AMENITY AREAS, AND PARKING AREAS.

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 OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE. THE PROVISIONS OF THE ORDINANCE SHALL APPLY TO BUILDINGS CONSTRUCTED ON THE SITE THAT ARE 120' OR LESS IN HEIGHT.

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 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. THE PROVISIONS OF THE ORDINANCE SHALL APPLY TO BUILDINGS CONSTRUCTED ON THE SITE THAT ARE 120' OR LESS IN HEIGHT.



LOCATION MAP

BOHLER ENGINEERING NC, PLLC

CHARLOTTE, NC
 BALTIMORE, MD
 BOSTON, MA
 CHARLOTTE, NC
 COLUMBIA, SC
 DENVER, CO
 DALLAS, TX
 HOUSTON, TX
 LOS ANGELES, CA
 MEMPHIS, TN
 MIAMI, FL
 NEW YORK, NY
 PHILADELPHIA, PA
 RICHMOND, VA
 TAMPA, FL
 WASHINGTON, DC

REV#	DATE	COMMENT	BY
1	12/11/2017	2ND REZONING SUBMISSION	NF
2	01/25/2018	3RD REZONING SUBMISSION	NF

811

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PROJECT No.:	NCC172099
DRAWN BY:	NF
CHECKED BY:	RH
DATE:	12/11/2017
SCALE:	R20
CAD I.D.:	R20

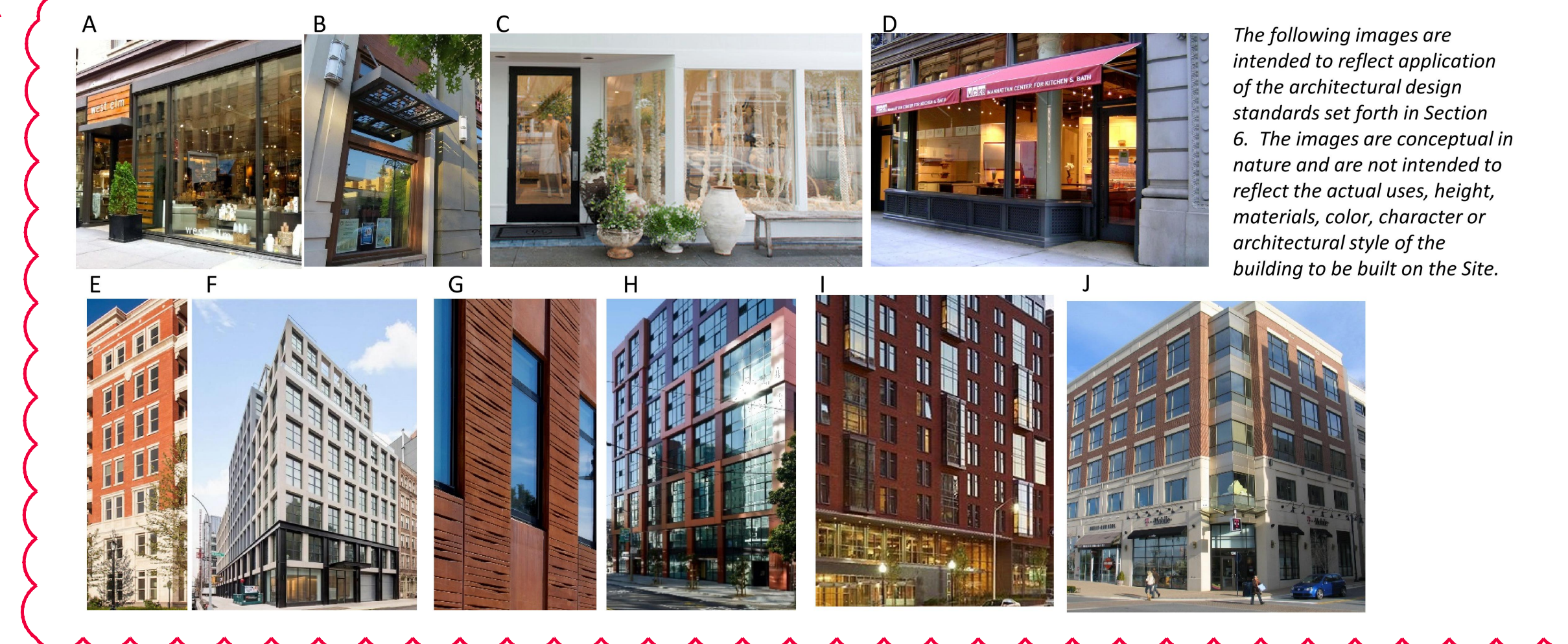
PROJECT: **PROP. REZONING DOCUMENTS**

FOR
RAM REALTY ADVISORS

LOCATION OF SITE
 INTERSECTION OF HAWKINS STREET AND DOGGETT STREET
 CHARLOTTE, NC 28203

BOHLER ENGINEERING NC, PLLC

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The following images are intended to reflect application of the architectural design standards set forth in Section 6. The images are conceptual in nature and are not intended to reflect the actual uses, height, materials, color, character or architectural style of the building to be built on the Site.

CITY OF CHARLOTTE REZONING PETITION 2017-173

SHEET TITLE:
REZONING DEVELOPMENT STANDARDS

SHEET NUMBER:
RZ-2