

Site Development Data:

- Acreage: ± 2.8 acres
- Tax Parcel #: 073-218-02.07, 10, 13 and 14; 073-192-01.02, and 04
- Existing Zoning: MUDD-O by Rezoning Petition No. 2008-086
- Proposed Zoning: MUDD-O (SPA)
- Existing Uses: Vacant and Multi-family Dwellings
- Proposed Uses: Up to 300 multi-family dwelling units and up to 10,000 square feet of office, retail, commercial and restaurant uses together with accessory uses, as allowed in the MUDD zoning district as more specifically described and restricted below.
- Maximum Building Height: Up to 55 feet in Area 1; up to 80 feet in Area 2; and up to 180 feet in Area 3, as allowed by the Optional Provisions below. Height to be measured as defined by the Ordinance.
- Parking: As required by the Ordinance.
- Open Space: As required by the Ordinance and as generally depicted on the Rezoning Plan.

1. General Provisions:

- a. These Development Standards form a part of the Rezoning Site Plan associated with the Rezoning Petition filed by Gateway West-FCA, LLC to accommodate development of a mixed-use building (multi-family dwellings, office, retail and restaurants use) on an approximately 2.8 acre site located at the intersection of W. Fourth Street and Johnson and Wales Way (the "Site").
- b. Development of the Site will be governed by the attached Rezoning Site Plan and these Development Standards (collectively referred to as 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 Mixed Use Development District (MUDD) zoning classification, subject to the Optional Provisions provided below, shall govern development taking place on the Site.
- c. The development depicted on the Rezoning Site Plan is schematic in nature, and except as otherwise specified in these Development Standards, is intended to describe the possible arrangements of uses and site elements. The depictions of the uses, parking areas, structures and buildings, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. Consequently, except as otherwise expressly specified on the Rezoning Site Plan and in these Development Standards, the ultimate layout of the development proposed; the exact alignments of streets and points of access; the numbers, the size, configuration and placements of buildings and parking areas; and the depictions of other site elements on the Rezoning Plan as well as any schematic building elevations are preliminary graphic representations of the types and quality of development proposed. They may, therefore, be altered or modified during design development and construction phases within the maximum building/parking envelope generally depicted on the Rezoning Plan as long as the changes maintain the general building and parking orientation and character of the development generally depicted on the Rezoning Site Plan. Changes to the Rezoning Plan will be reviewed and approved as allowed by Section 6.207.2).
- d. Parking layouts for surface and structured parking may be modified to accommodate final building locations and parking spaces may be located within the development area boundaries to the extent permitted by the Ordinance. Stewalks generally depicted on the Rezoning Plan are intended to reflect the general pedestrian circulation for development on the Site but the specific locations of such sidewalks may be subject to variations that do not materially change the design intent generally depicted on the Rezoning Plan.
- e. Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed on the Site shall not exceed three (3). 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. The Petitioner seeks the optional provision to allow the building(s) within Area 3 to be constructed to a maximum height of 180 feet. Building height shall be measured as defined by the Ordinance.

3. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with up to 300 multi-family dwelling units and up to 10,000 gross square feet of office, retail, commercial and restaurant uses together with accessory uses allowed in the MUDD zoning district.
- b) The allowed non-residential uses are limited to Area 2 and 3.
- c. Area 1 will be limited to a maximum of 30 residential dwelling units.
- d. The following use will not be permitted on the Site: gasoline sales facilities; equipment rental and leasing within an enclosed building; pest control and disinfecting services; repair or servicing of any article within an enclosed building the sale of which is permitted in the district; services such as exterminators; funeral homes; embalming and crematories; building material sales (wholesale and retail); car washes; and commercial rooming houses.
- e. For the purposes of the development limitations set forth in these Development Standards the term "gross floor area" shall mean and refer to the sum of the gross horizontal areas of each floor of the principal building, measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall be exclusive of surface and structured parking facilities and related access areas, areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl spaces), and areas devoted to uses and structures accessory to the uses on the Site. Areas devoted to outdoor dining are not intended to be included in the calculation of the square footage limitations set forth in these Development Standards, provided that any off street parking required by the Ordinance will be provided for these areas.

4. Access:

- a. Access to the Site will be from W. Fourth Street, Johnson and Wales Way and S. Irwin Avenue as generally depicted on the Rezoning Plan.
- b. The placements and configurations of vehicular access points are subject to any minor modifications, as approved by CDOT, required to accommodate final site and construction plans and designs and to any adjustments required for approval by the CDOT. This includes adjustments required for approval by CDOT in accordance with published standards.

5. Architectural Standards:

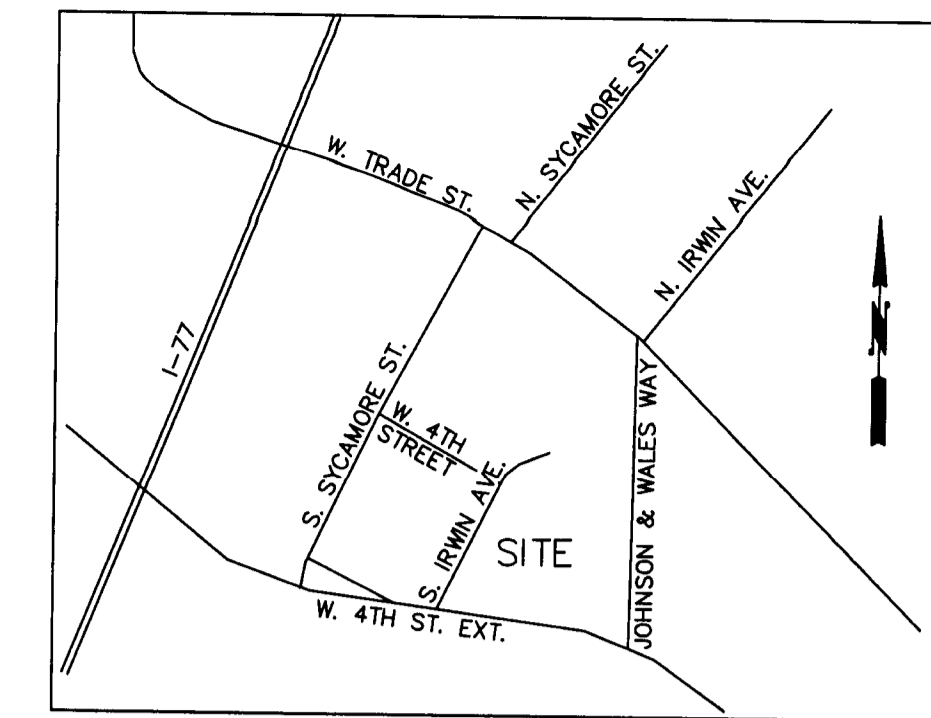
- a. The principle exterior building materials for at least 85% of the building elevations, exclusive of windows and doors, from grade level up to and including the third level on building elevations fronting streets will use one or more of the following materials:
- i. For the buildings located within Area 2 and Area 3 the materials will be: Cast Stone Veneer, Architectural Precast Concrete, Brick and Architectural Metal Including Architectural Decorative Metal Grill Work. Synthetic Stucco accents will be limited to 15% of this portion of the building elevation.
- ii. For the residential building located within Area 1 the materials will be: Cast Stone Veneer, Architectural Precast Concrete, Brick, Synthetic Stucco, Shake Shingle Siding and Lap Siding. Vinyl will not be allowed as an exterior building material.
- b. The attached illustrative building elevation is included to reflect an architectural style and a quality of the building that may be constructed on the Site (the actual building constructed on the Site may vary from this illustration).
- c. The maximum building height within: (i) Area 1 will be limited to 55 feet; (ii) Area 2 will be limited to 80 feet; and (iii) Area 3 will be limited to 180 as allowed by the optional provisions above. Maximum building height will be measured as defined by the Ordinance.
- d. The Petitioner will provide a pedestrian connection from W. Fourth Street to Johnson and Wales Way as generally depicted on the Rezoning Plan.
- e. All roof-mounted heating, ventilation, air-conditioning equipment or similar equipment will be screened from public view from the adjoining public streets and parcels.
- f. Dumpsters and recycling containers will be located in the service areas shown on the technical data sheet.

6. Streetscape, Buffers and Landscaping:

- a. A 16 foot setback will be provided along Johnson and Wales Way and along W. Fourth Street. Along S. Irwin Avenue a 14 foot setback will be provided.
- b. The Petitioner will provide an eight (8) foot planting strip and a six (6) foot sidewalk along the Site's frontage on Johnson and Wales Way, W. Fourth Street and S. Irwin Avenue.
- c. A landscape buffer of at least 20 feet in width will be provided along the southern property line of the Site as generally depicted on the Schematic Site Plan. Balconies may encroach up to six (6) feet into the landscape buffer. Electrical transformers and/or secondary bus enclosures may encroach into the buffer where indicated (Utility Area A). These utilities will be screened. The landscaping within the landscape edge shall include as a minimum, nine (9) large maturing trees and 24 evergreen shrubs per 100 linear feet. Size and type of trees and shrubs to meet class B Buffer standards established in section 12.302.
- d. Screening requirements of the Ordinance will be met.

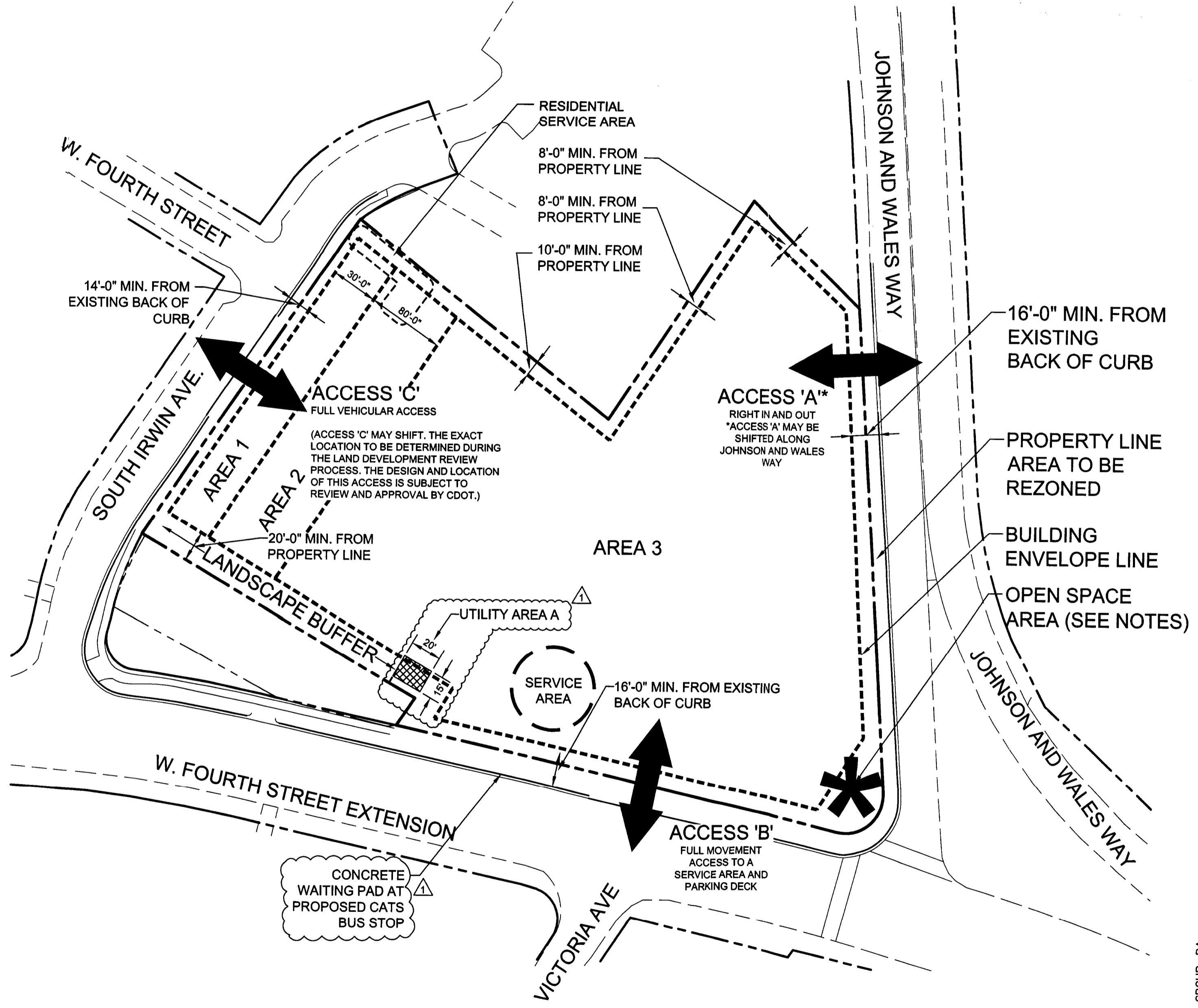
- e. Above ground backflow preventers will be screened from public view and will be located outside of the required setbacks.
- 7. Environmental Features:**
 - a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance (PCCO).
- 8. Open Space:**
 - a. The Petitioner will provide an open space area as generally indicated on the Rezoning Plan at the intersection of Johnson and Wales Way and W. Fourth Street. This open space area will allow for a variety of activities including areas for the ingress and egress of pedestrians, as well as hardscape and landscape areas designed for people.
 - b. The Site will comply with the Urban Open Space requirements of the MUDD section of the Ordinance.
- 9. Signage:**
 - a. Signage as allowed by the Ordinance may be provided.
 - b. Building signage located more than 60 feet above the abutting street grade may not be internally illuminated or use internally-lit channel letters. Lighting for these signs, if provided, will utilize decorative lights mounted on the building and directed back at the sign(s).
- 10. Lighting:**
 - a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.
 - b. Detached lighting on the Site will be limited to 20 feet in height.
 - c. No "wall pak" lighting will be allowed, however architectural lighting on building facades, such as sconces, will be permitted.
 - d. The Petitioner will provide pedestrian scale lighting along the Site's frontage on the abutting public streets.
- 11. Other:**
 - a. Before the Petitioner applies for a building permit or for MUDD approval from City Engineering for any of the buildings to be constructed on the site the Petitioner will hold no less than two (2) design charrettes with the Third Ward Neighborhood Association. The intent of the design charrettes is to allow the neighborhood to have input about the style and design of the buildings including the type and amounts of building materials to be used. Prior to the filing of this Site Plan Amendment the Petitioner held both these required design charrette meetings (meetings were held on: ---). Additional meetings are not required.
- 12. 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 of Chapter 6 of the Ordinance.
- 13. 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 under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

14. CATS Passenger Concrete Waiting Pad:
a. The Petitioner will provide a bus passenger waiting pad along W. Fourth Street for use by CATS. The location of the proposed passenger waiting pad to be determined during the urban review and approval process.



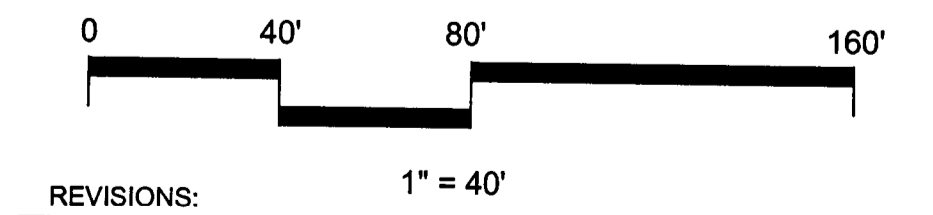
APPROVED BY
CITY COUNCIL

JUL 16 2012



TECHNICAL INFORMATION

- BUILDING ENVELOPE LINE -----
- PROPERTY LINE (AREA TO BE REZONED) -----



REVISIONS:			
No.	Date	By	Description
1	05/18/12	AMC	REVISIONS PER STAFF COMMENTS

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GATEWAY WEST APARTMENTS
CHARLOTTE, NORTH CAROLINA

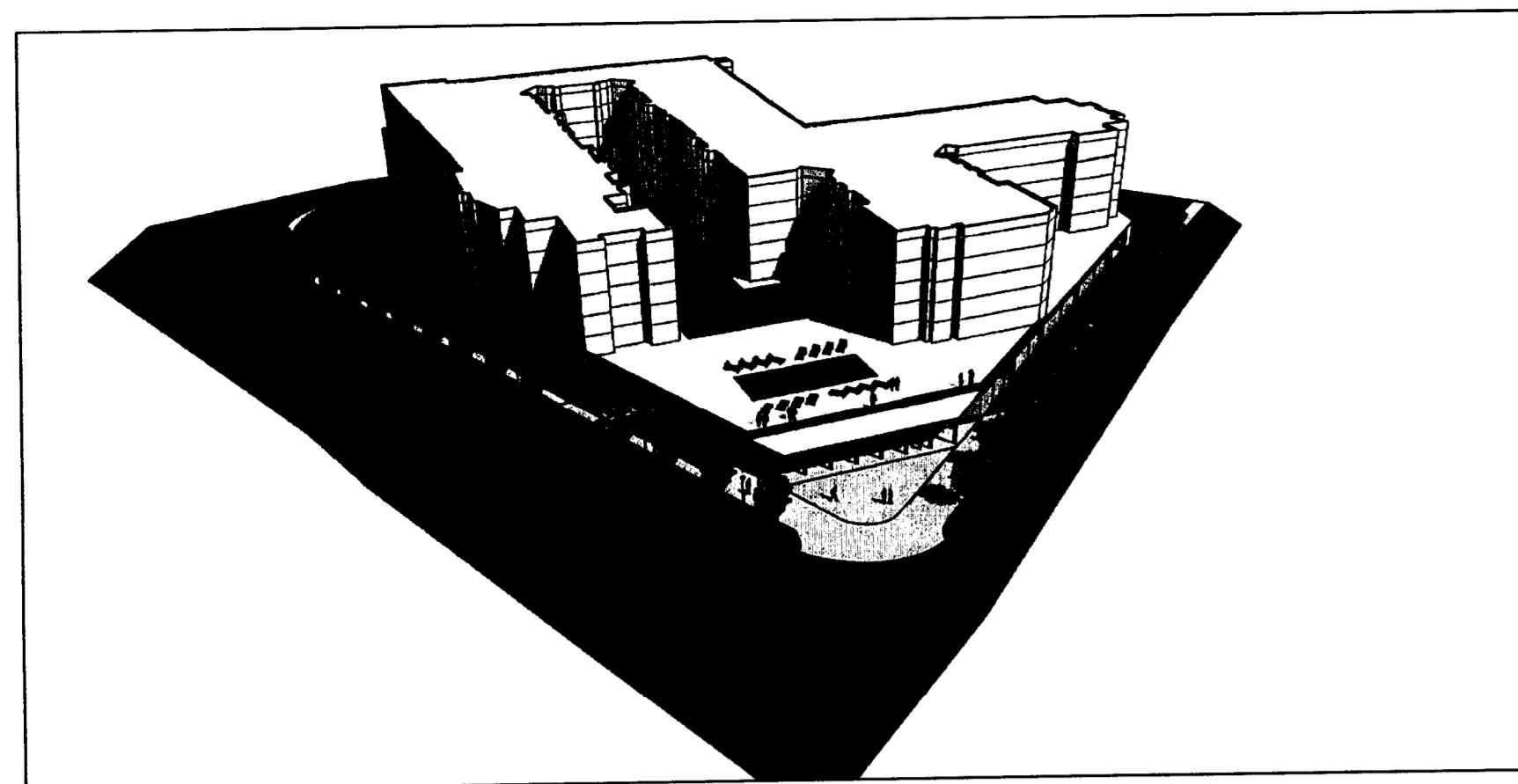
AN URBAN APARTMENT PROJECT
MAY 18 2012
12-61

A DEVELOPMENT BY:
GATEWAY WEST - FCA, LLC
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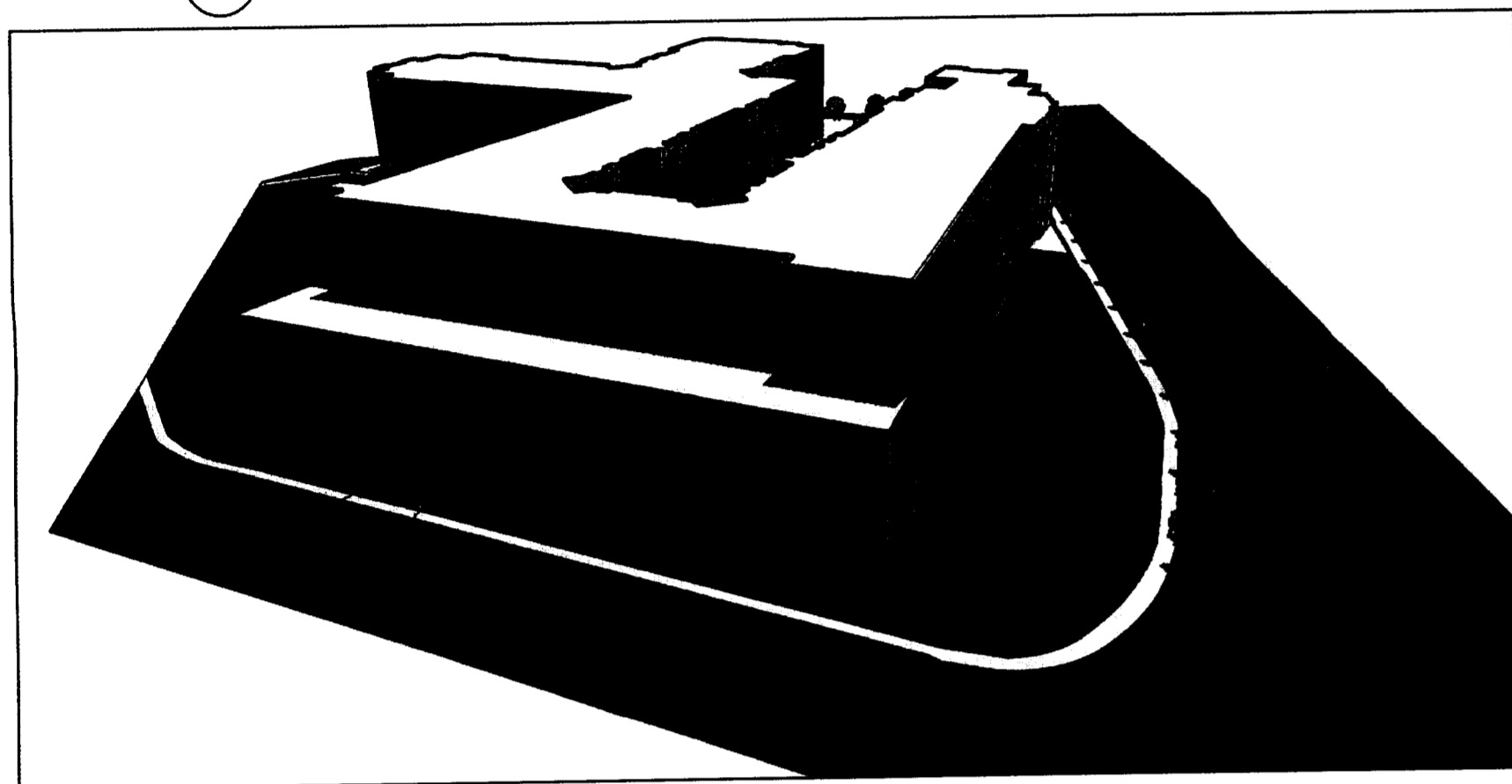
TECHNICAL DATA SHEET
REZONING PETITION #: 2012-061

Project Manager: MDL
Drawn By: MDL
Checked By:
Date: 3.26.12
Project Number: 11020
Sheet Number:

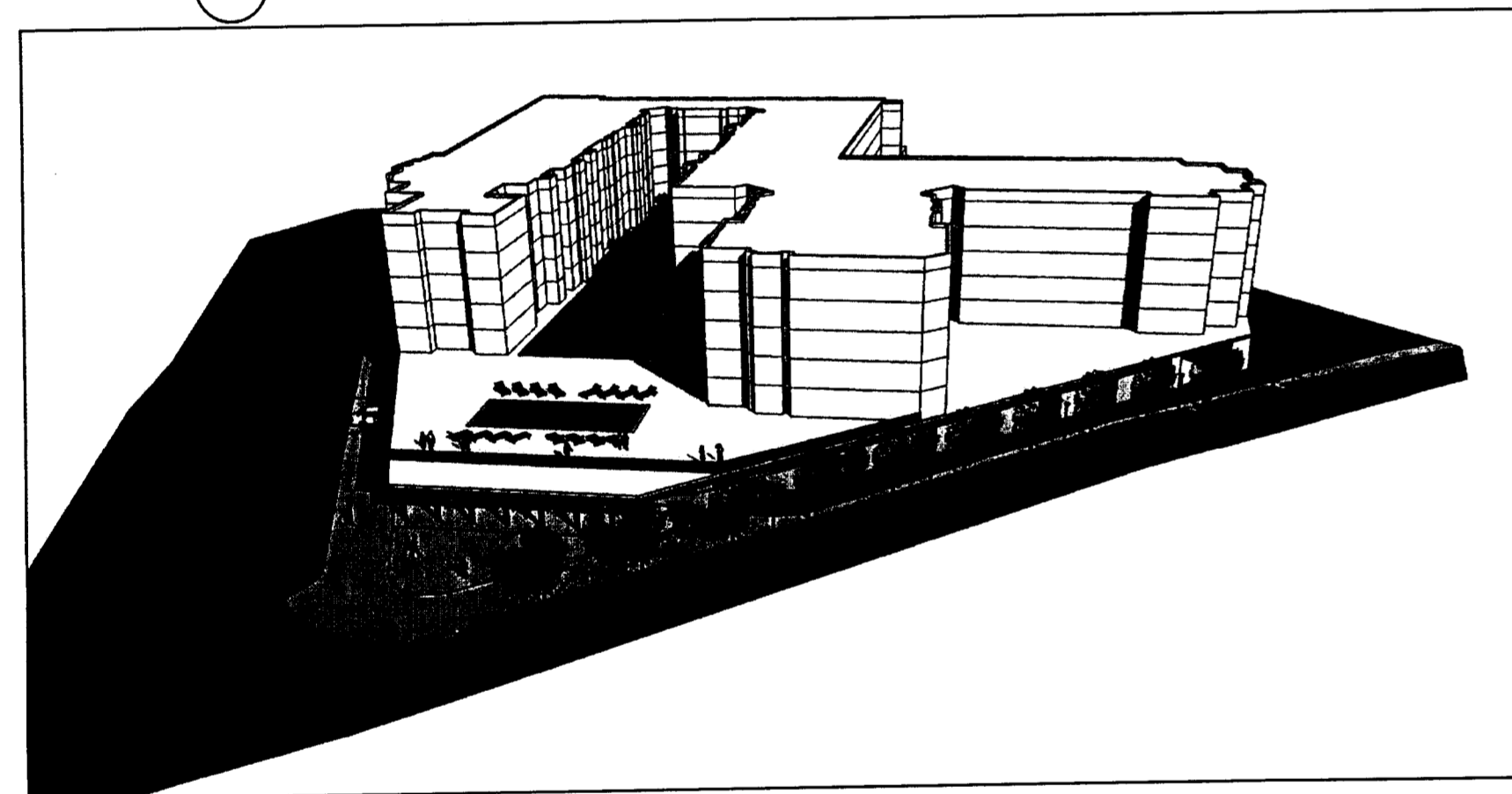
L-RZ1



7 FOURTH STREET



6 IRWIN AVENUE



5 JOHNSON AND WALES WAY



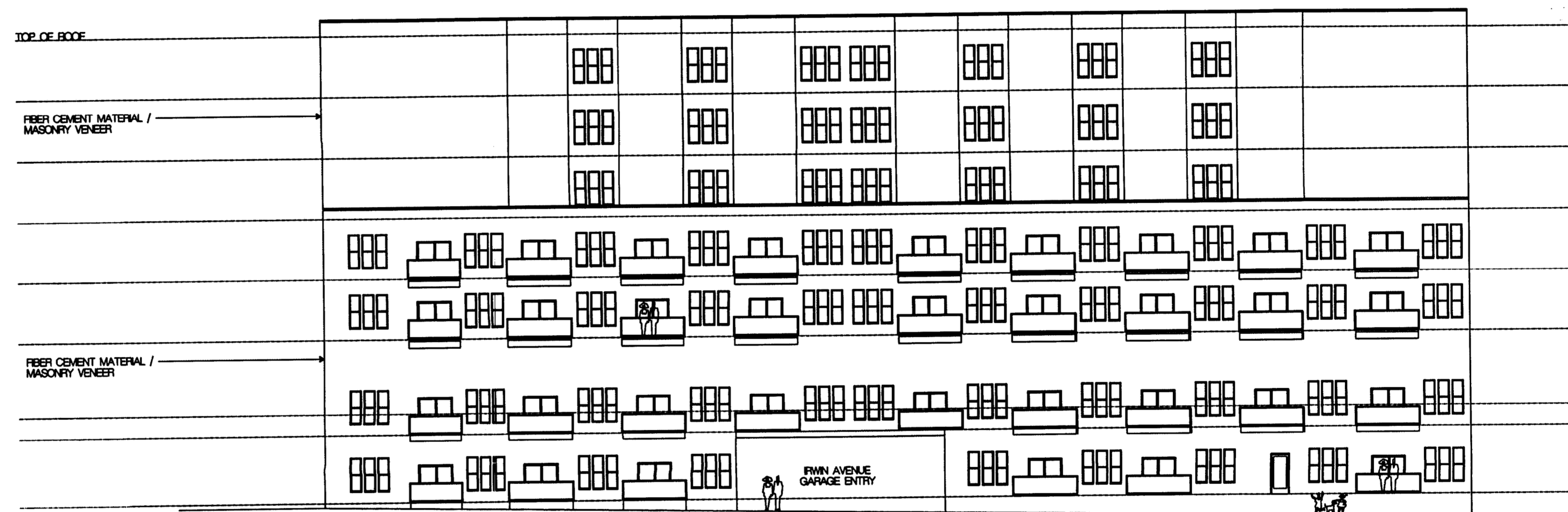
3 EXTERIOR ELEVATION



3 COURTYARD ELEVATION

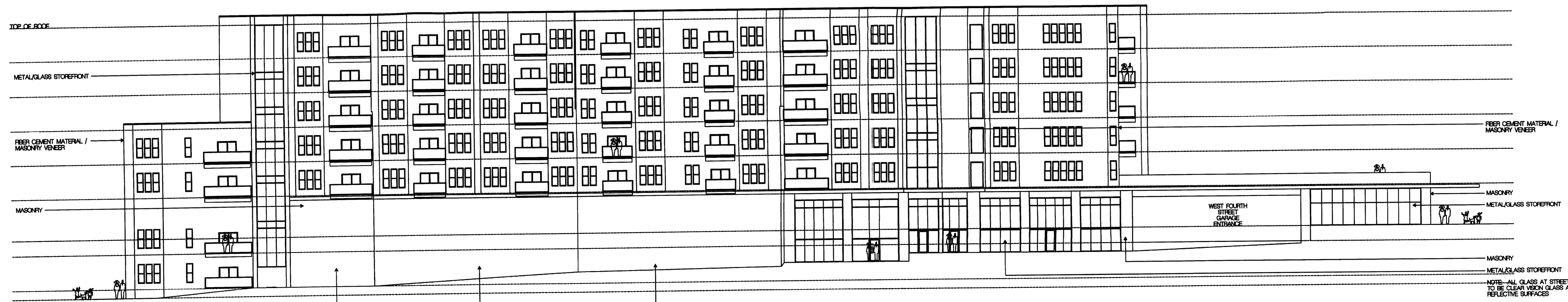
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2 IRWIN AVENUE ELEVATION
1/16" = 1'-0"

NOTE: ALL GLASS AT STREET LEVEL
TO BE CLEAR VISION GLASS AND NO
REFLECTIVE SURFACES



1 FOURTH STREET ELEVATION
1/16" = 1'-0"

NOTE: THIS AREA FACES ADJACENT
RESIDENTIAL STRUCTURE AND NOT THE
PUBLIC RIGHT OF WAY. LANDSCAPE
BUFFER WILL SCREEN THIS EXPANSE OF
BLANK WALL FROM PUBLIC VIEW.

NOTE:
ELEVATIONS AND IMAGES SHOWN ARE FOR
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GATEWAY
WEST
APARTMENTS

CHARLOTTE, NORTH CAROLINA

AN URBAN
APARTMENT
PROJECT

A DEVELOPMENT BY:

FAISON

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02.09.12
03.06.12 REVISION #1

PRELIMINARY
MUDD
DESIGN / DEVELOPMENT
REVIEW

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WEST
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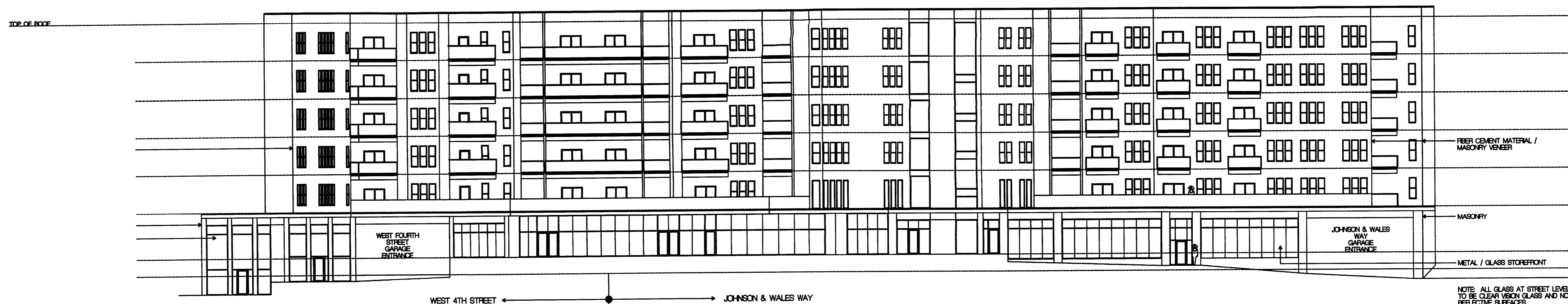
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