



REZONING PETITION FOR PUBLIC HEARING: 2016-144

REZONING PACKAGE

MV OPTIMIST PARK OPTIMIST PARK NEIGHBORHOOD, CHARLOTTE, NC
MV RESIDENTIAL DEVELOPMENT, LLC
8349 WATERSTONE BLVD, SUITE 200 CINCINNATI, OH 45249
980-613-8109

SCHEMATIC SITE PLAN

SCALE: 1" = 30'

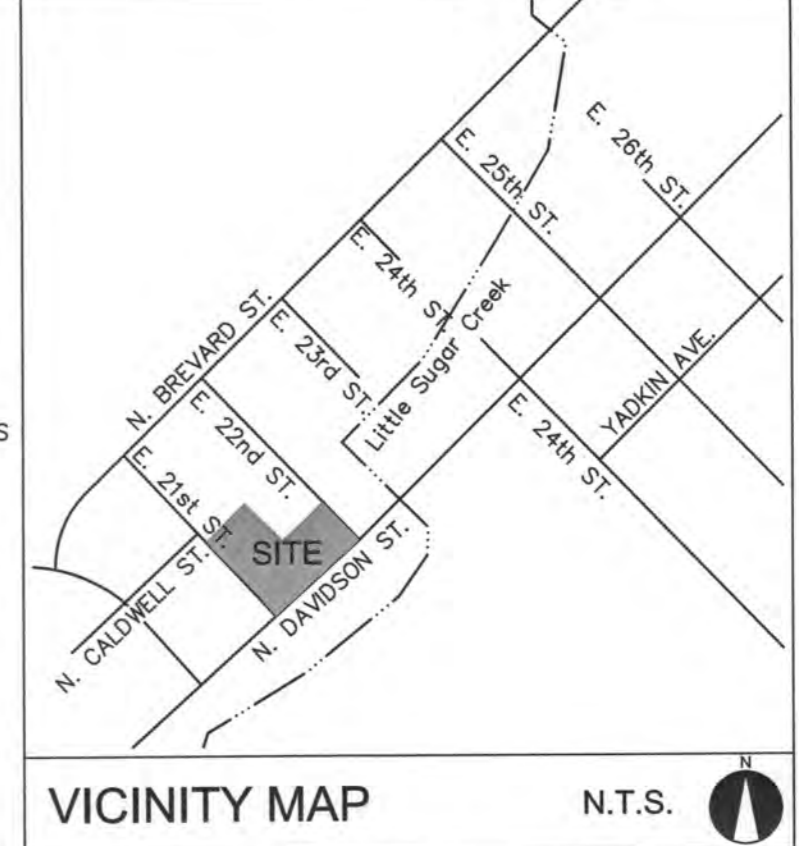
PROJECT #: 522-002
DRAWN BY: SK
CHECKED BY: TH

NOVEMBER 21, 2016

REVISIONS:
1. 11.21.16 1ST SUBMITTAL COMMENTS
2. 12.21.16 2ND SUBMITTAL COMMENTS
3. 01.11.17 PER STAFF COMMENTS

RZ1.00

SITE DATA
SITE AREA: +/- 3.058 AC (+/- 133,206 SF)
TAX MAP NO: 08304417, 08304416, 08304415, 08304410, 08304409, 08304408
EXISTING ZONING: I-2
EXISTING USES: COMMERCIAL/RESIDENTIAL/VACANT
PROPOSED ZONING: TOD-M(O)
PROPOSED USES: THE SITE MAY BE DEVELOPED WITH RESIDENTIAL AND NON-RESIDENTIAL USE TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE TOD-M ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).



ACCESS AND RIGHT-OF-WAY DEDICATION:
a. VEHICULAR ACCESS TO THE SITE WILL BE FROM E. 21ST STREET AS GENERALLY DEPICTED ON THE REZONING PLAN.
b. THE LOCATION OF THE DRIVEWAY MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) IN ACCORDANCE WITH PUBLISHED STANDARDS SO LONG AS THE STREET NETWORK SET FORTH ON THE REZONING PLAN IS NOT MATERIALLY ALTERED.
c. THE REQUIRED TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE SITE'S FINAL CERTIFICATE OF OCCUPANCY. IN THE EVENT CERTAIN NON-ESSENTIAL ROADWAY IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) ARE NOT COMPLETED AT THE TIME THAT THE PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE IN CONNECTION WITH RELATED DEVELOPMENT PHASING, THEN CDOT WILL INSTAURATE APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS, AND IN SUCH EVENT THE PETITIONER MAY BE ASKED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH A CERTIFICATE OF OCCUPANCY IS ISSUED TO SECURE COMPLETION OF THE APPLICABLE IMPROVEMENTS.

STREETScape, LANDSCAPING OPEN SPACE AND SCREENING:
a. ALONG N. DAVIDSON STREET A MINIMUM OF A 16 FOOT SETBACK AS MEASURED FROM THE FUTURE BACK OF CURB WITH 16 FOOT SIDEWALK AND TREES IN GRATES PER CDDM STANDARDS WILL BE PROVIDED. A 4' TRANSITION ZONE SHALL BE PROVIDED BETWEEN THE SIDEWALK AND MAY INCLUDE LANDSCAPING OR OTHER ARCHITECTURAL FEATURES AND/OR STOOPS.
b. ALONG E. 21ST STREET AND E. 22ND STREET A MINIMUM OF A 16 FOOT SETBACK AS MEASURED FROM FUTURE BACK OF CURB WITH AN 8 FOOT SIDEWALK AND 8 FOOT PLANTING STRIP WILL BE PROVIDED. A 4' TRANSITION ZONE SHALL BE PROVIDED BETWEEN THE SIDEWALK(S) AND MAY INCLUDE LANDSCAPING OR OTHER ARCHITECTURAL FEATURES AND/OR STOOPS.
c. SEVEN FOOT ON-STREET RECESSED PARKING WITH A 6 FOOT WIDE ON-STREET BIKE LANE WILL BE PROVIDED ON N. DAVIDSON STREET.
d. SEVEN FOOT ON-STREET RECESSED PARKING WILL BE PROVIDED ON E. 22ND STREET.
e. THE OPEN SPACE, AND COURT YARD AREAS ON THE SITE WILL BE IMPROVED WITH LANDSCAPING, LIGHTING, SEATING AND HARDSCAPE ELEMENTS.
f. METER BANKS WILL BE SCREENED WHERE VISIBLE FROM PUBLIC VIEW AT GRADE LEVEL.
g. AN ADA ACCESSIBLE PEDESTRIAN CROSSWALK WILL BE PROVIDED FROM THE SITE AS GENERALLY DEPICTED ON SHEET RZ-1 CONTINGENT UPON APPROVAL FROM CDOT AND MECKLENBURG COUNTY PARK & REC.
h. ONE ADA ACCESSIBLE ON-STREET PARKING SPACE WILL BE PROVIDED ON N. DAVIDSON STREET.

ARCHITECTURAL STANDARDS:
a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF SOME OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS SIDING (SUCH AS HARDI-PANCK), 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.
b. THE GROUND FLOOR RESIDENTIAL UNITS FACING E. 21ST AND E. 22ND STREETS WILL HAVE BUILDING ENTRANCES WITH DIRECT ACCESS TO THESE PUBLIC STREETS.
c. THE GROUND FLOOR SHALL BE TALLER THAN ARCHITECTURALLY DIFFERENT THAN UPPER FLOORS WITH MORE TRANSPARENCY THAN UPPER FLOORS. THIS STANDARD WILL ONLY APPLY TO BUILDING WALLS LOCATED ALONG N. DAVIDSON STREET.
d. IN ADDITION TO THE BLANK WALL PROVISIONS OF THE TOD-M ZONING DISTRICT BLANK WALLS SHALL BE TREATED WITH BOTH HORIZONTAL AND VERTICAL VARIATIONS IN WALL PLANES.
e. GROUND FLOOR RESIDENTIAL UNITS SHALL BE RAISED AN AVERAGE OF 12" ABOVE GRADE. UNITS SHALL BE NO MORE THAN 5' ABOVE GRADE AND 2' BELOW. VARIATION TO THIS PROVISION SHALL BE ALLOWED IN ORDER TO ACCOMMODATE THE ELEVATIONS AND SLOPES OF THE EXISTING STREETS. 35% OF THE GROUND FLOOR UNITS ON 21ST STREET SHALL BE A MINIMUM AVERAGE OF 12" ABOVE FINISH GRADE AND NO MORE THAN AN AVERAGE OF 5' ABOVE FINISH GRADE. 65% OF THE GROUND FLOOR UNITS ON 22ND STREET SHALL BE A MINIMUM AVERAGE OF 12" ABOVE FINISH GRADE AND NO MORE THAN AN AVERAGE OF 5' ABOVE FINISH GRADE. WHEN STOODS/FOUNDATION WALLS ARE OVER 5' IN HEIGHT, BLANK WALLS WILL BE ADDRESSED WITH CHANGE IN MATERIAL, LANDSCAPING OR OTHER ARCHITECTURAL ELEMENTS OF VISUAL INTEREST. IF GROUND FLOOR RESIDENTIAL UNITS FACING THE ADJOINING PUBLIC STREETS ARE DESIGNED WITH BALCONIES OR PORCHES, THE BALCONIES OR PORCHES WILL BE DESIGNED TO HAVE PRIMARY ENTRANCES TO THE ADJOINING PUBLIC STREET.
f. THE GROUND LEVEL CONNECTION FROM COURTYARD TO NORTH DAVIDSON STREET SHALL BE PROVIDED BY AN OPENING IN THE FIRST TWO FLOORS OF THE BUILDING. OPENING SHALL BE A MINIMUM OF 30' WIDE, 20' TALL, WITH UNITS ABOVE. STAIRS PROVIDING PEDESTRIAN CIRCULATION BETWEEN THE COURTYARD AND THE STREET.
g. ENTRANCES WILL BE PROVIDED A MAXIMUM OF 150' APART ON N. DAVIDSON STREET.
h. EACH ENTRANCE SHALL INCLUDE A MINIMUM OF THREE OF THE FOLLOWING:
- DECORATIVE PEDESTRIAN LIGHTING/SCONES
- ARCHITECTURAL DETAILS CARRIED THROUGH TO UPPER STORIES
- COVERED PORCHES, CANOPIES, AWNINGS OR SUNSHADES
- ARCHWAYS
- TRANSOM WINDOWS
- TERRACED OR RAISED PLANTERS THAT CAN BE UTILIZED AS SEAT WALLS
- COMMON OUTDOOR SEATING ENHANCED WITH SPECIALTY DETAILS, PAVING, LANDSCAPING, OR WATER FEATURES
- DOUBLE DOORS (ENTRANCES SHOULD GIVE AN APPEARANCE OF A FRONT DOOR ORIENTATION RATHER THAN A BACK PATIO DESIGN)
- STOODS OR STAIRS
- STAIRS OR STAIRS
- STAIRS OR STAIRS
- STAIRS OR STAIRS

i. BLANK WALLS SHALL BE TREATED WITH BOTH HORIZONTAL AND VERTICAL VARIATIONS IN WALL PLANES.
j. FACADES FRONTING ON PUBLIC STREETS SHALL INCLUDE A MINIMUM OF 60% TRANSPARENT GLASS BETWEEN 2' AND 10' ON THE FIRST FLOOR. 100% OF THE FRONTAGE ON DAVIDSON STREET SHALL BE USABLE SPACE WITH A MINIMUM FIRST FLOOR HEIGHT OF 16' AND A MINIMUM DEPTH OF 20'.
k. BUILDINGS OVER 150' IN LENGTH SHALL PROVIDE FACADE VARIATIONS THAT VISUALLY SEPARATE THE INDIVIDUAL UNITS. THIS CAN BE ACCOMPLISHED THROUGH MEASURES SUCH AS WINDOW ARRANGEMENT AND SIZE VARIATION, UNIT ENTRANCE DESIGN, ROOF VARIATION, MATERIAL CHANGES, AND/OR OFFSET WALL PLANES.
l. THE GROUND FLOOR OF PARKING STRUCTURES VISIBLE FROM PUBLIC RIGHT OF WAY SHALL BE WRAPPED WITH ACTIVE USES SUCH AS RESIDENTIAL, OFFICE, AND RETAIL.
m. NO PARKING STRUCTURE ENTRANCES OR DRIVEWAY SHALL BE FROM N. DAVIDSON STREET.
n. THE GROUND FLOOR FACADE ON NORTH DAVIDSON SHALL BE COMPRISED OF 60% CLEAR GLASS BETWEEN TWO FEET AND TEN FEET ON THE FIRST FLOOR OF THE BUILDING.

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.
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.
b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 22 FEET IN HEIGHT.
COMMUNITY'S SUPPORT FOR SIGNAGE, HOUSING, AND MOBILITY TO SUPPORT COMMUNITY INITIATIVES RELATED TO SIGNAGE, WORKFORCE/AFFORDABLE HOUSING AND MOBILITY, THE PETITIONER MAKES THE FOLLOWING COMMITMENTS:
a. THE PETITIONER WILL DONATE \$25,000 TO THE OPTIMIST PARK COMMUNITY TO BE USED IN CONJUNCTION WITH THE CITY OF CHARLOTTE OR OTHER COMMUNITY MASTER SIGNAGE INITIATIVES BENEFITTING THE OPTIMIST PARK COMMUNITY FOR WAYFINDING AND IDENTIFICATION. THE FUNDS WILL BE CONTRIBUTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE BUILDING AND SHALL BE USED SOLELY FOR THE ABOVE-REFERENCED SIGNAGE PURPOSES.
b. THE PETITIONER WILL DONATE \$20,000 TO THE CITY OF CHARLOTTE HOUSING TRUST FUND TO BE USED TO SUPPORT WORKFORCE/AFFORDABLE HOUSING. THE FUNDS WILL BE CONTRIBUTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE BUILDING AND SHALL BE USED SOLELY FOR THE ABOVE-REFERENCED CITY OF CHARLOTTE HOUSING TRUST FUND.
c. THE PETITIONER WILL DONATE \$10,000 TO A B-CYCLE STATION TO BE LOCATED CLOSE TO THE PARKWOOD AVENUE LIGHT RAIL STATION OR CORDELIA PARK. THE FUNDS WILL BE CONTRIBUTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR THE BUILDING AND SHALL BE USED SOLELY FOR THE ABOVE-REFERENCED B-CYCLE STATION.

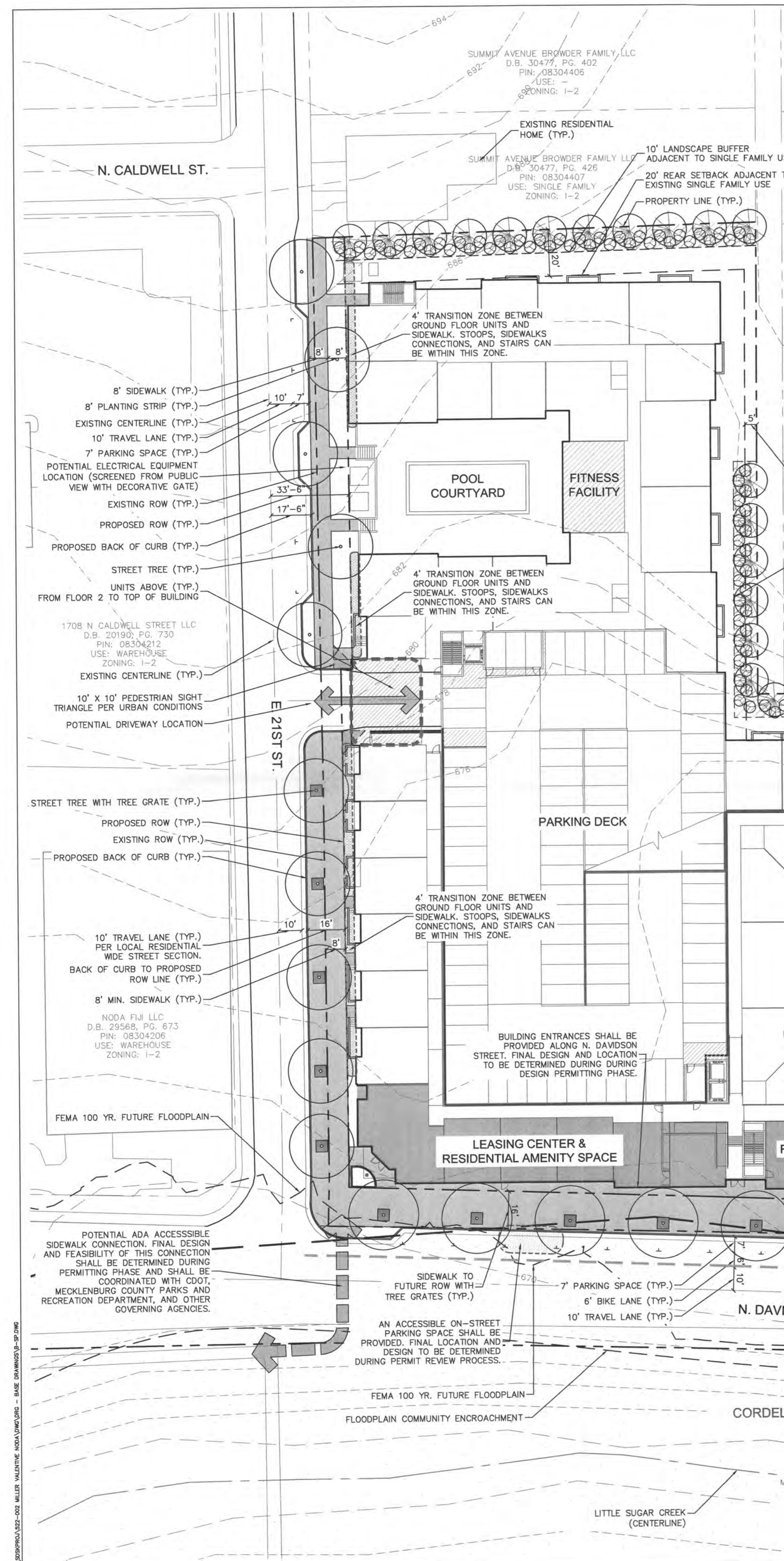
AMENDMENTS TO THE REZONING PLAN:
a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE.

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 SUCCESSOR OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

GENERAL PROVISIONS:
a. SITE LOCATION: THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, SCHEMATIC SITE PLAN AND OTHER SITE PLAN SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE 'REZONING PLAN') ASSOCIATED WITH THE REZONING PETITION FILED BY MV RESIDENTIAL DEVELOPMENT LLC ('PETITIONER') TO ACCOMMODATE THE DEVELOPMENT OF TRANSIT SUPPORTIVE USES ON AN APPROXIMATELY 3.058 ACRE SITE LOCATED ON THE NORTHEAST QUADRANT OF THE INTERSECTION OF E. 21ST STREET AND N. DAVIDSON STREET (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 TOD-M ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
c. GRAPHICS AND ALTERATIONS: THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS 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. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. 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:
- MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT 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.

OPTIONAL PROVISIONS:
a. TO ALLOW A MAXIMUM BUILDING HEIGHT OF 75 FEET.
b. TO ELIMINATE MINIMUM PARKING REQUIREMENTS FOR RETAIL, EDGE, PERSONAL SERVICE AND OFFICE USES AS DESCRIBED BELOW IN SECTION 3.

PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:
a. THE PRINCIPLE BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 290 MULTI-FAMILY RESIDENTIAL DWELLING UNITS. A MINIMUM OF 3,500 SQUARE FEET OF GROSS FLOOR AREA DEVOTED TO: RETAIL, EDGE, PERSONAL SERVICE AND OFFICE USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN TOD-M ZONING DISTRICT TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE TOD-M ZONING DISTRICT SHALL BE PROVIDED.



JAN 17 2017

The schematic rendering is illustrative for the proposed building and is included to reflect an architectural style for the building that will be constructed on the site. The schematic rendering is illustrating the use of varied materials and rooflines, usable balconies, active ground floor uses, wall plane and building setback variation and a base of building that is a minimum of 16' tall. The actual building constructed on the site may vary from this illustration provided the design intent is preserved.



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