

**DEVELOPMENT SUMMARY**

Tax Parcel ID #:	125-023-03 125-023-04 125-023-05
Total Site Acreage:	0.358 Acre
Existing Zoning:	UMUD (Brevard Street Land Use and Urban Design Plan)
Required Setback:	22' Setback
Required Side Yard:	0' Side Yard
Required Rear Yard:	0' Rear Yard
Required Building Step Back:	20' above 60' in height
Proposed Zoning:	UMUD-O
Proposed Setback:	20' Setback
Proposed Building Step Back:	18' Setback for all floors above ground floor and up to 60' in height 10' above 60' in height

**DEVELOPMENT STANDARDS**

- July 24, 2018
- GENERAL PROVISIONS**

A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by BFR Properties, LLC (hereinafter referred to as the "Petitioner") for an approximately 358-acre site located on the southeast corner of the intersection of East 4th Street and South Brevard Street, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 125-023-03, 125-023-04, and 125-023-05.

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 optional provisions set out below, the regulations established under 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 that the owner(s) of the Site do not desire to utilize any of the optional provisions set out below in 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, and the development and use of the Site shall be governed only by the applicable 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 proposed development and site elements, and subject to the terms of these 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 then owner or owners 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.
  - OPTIONAL PROVISIONS**

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 9.906(2)(d)(2)(c) of the Ordinance are varied to allow a minimum 16-foot setback from the future back 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 9.906(2)(d)(2)(c) of the Ordinance are varied to allow those portions of the building located above 60 feet 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.

    - The minimum setback for the columns from South Brevard Street shall be 16 feet from the future back of curb.
    - 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.
    - 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.
    - The maximum number of columns shall be 7.
  - PERMITTED USES/DEVELOPMENT LIMITATIONS**

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 Brevard 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 facades 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.
  - TRANSPORTATION**

A. 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 and configuration of the access point are 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, the Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to East 4th Street and South Brevard Street that are necessary to extend the existing right of way for these public streets to that point that is located 16 feet from the back of curb (i.e. 8' strip and 8' sidewalk only) along the Site's frontages on these public streets where feasible. If it is not feasible to extend the relevant rights of way to that point that is located 16 feet from the back of curb along the Site's frontages on East 4th Street and/or South Brevard 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 right of way, then an encroachment agreement from the City of Charlotte will be required to be obtained to accommodate such encroachment(s). The approval of this Rezoning Petition does not implicitly grant the approval of an encroachment agreement.

**5. ARCHITECTURAL STANDARDS**

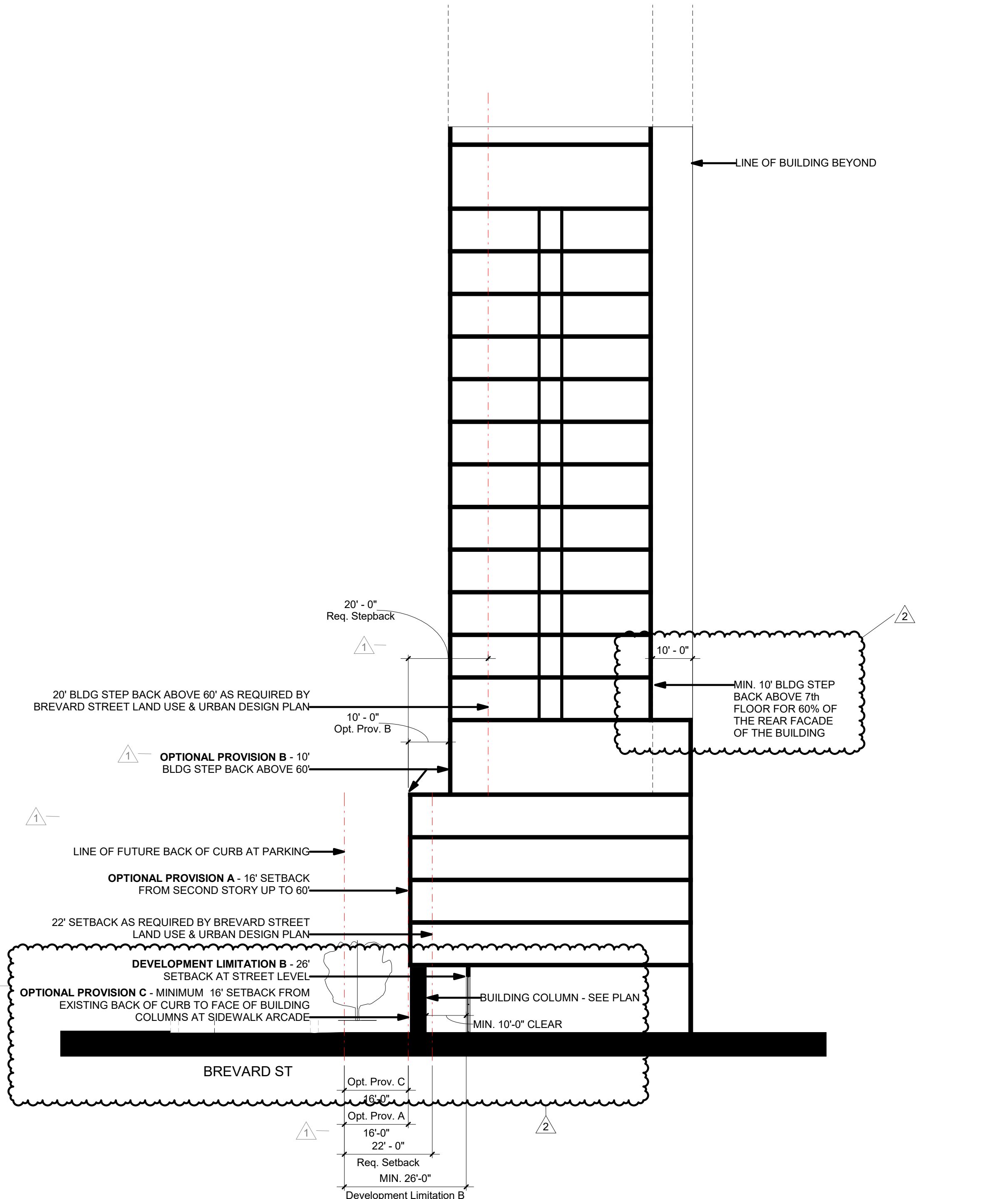
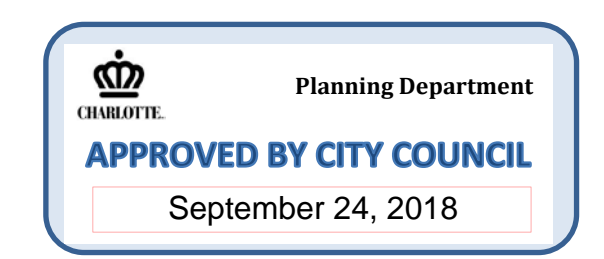
- event that one or more of the optional provisions set out above in Section 2 of these Development Standards are utilized in connection with the development of the Site.
- Those portions of the building located below 60 feet in height and that face South Brevard Street and East 4th Street shall be substantially similar in appearance to the relevant conceptual architectural perspectives set out 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.
  - 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:
    - Brick, cut stone or synthetic stone for the structural support columns.
    - Stucco or synthetic stucco.
    - Phenolic wood.
    - Smooth metal panels and metal panel accents.
    - Glass.
  - 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:
    - Brick, cut stone or synthetic stone for the structural support columns.
    - Stucco or synthetic stucco.
    - Phenolic wood.
    - Smooth metal panels and metal panel accents.
    - Glass.
  - The primary exterior building materials for the remaining elevations of the building located below 60 feet in height shall include:
    - Stucco or synthetic stucco.
    - 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**

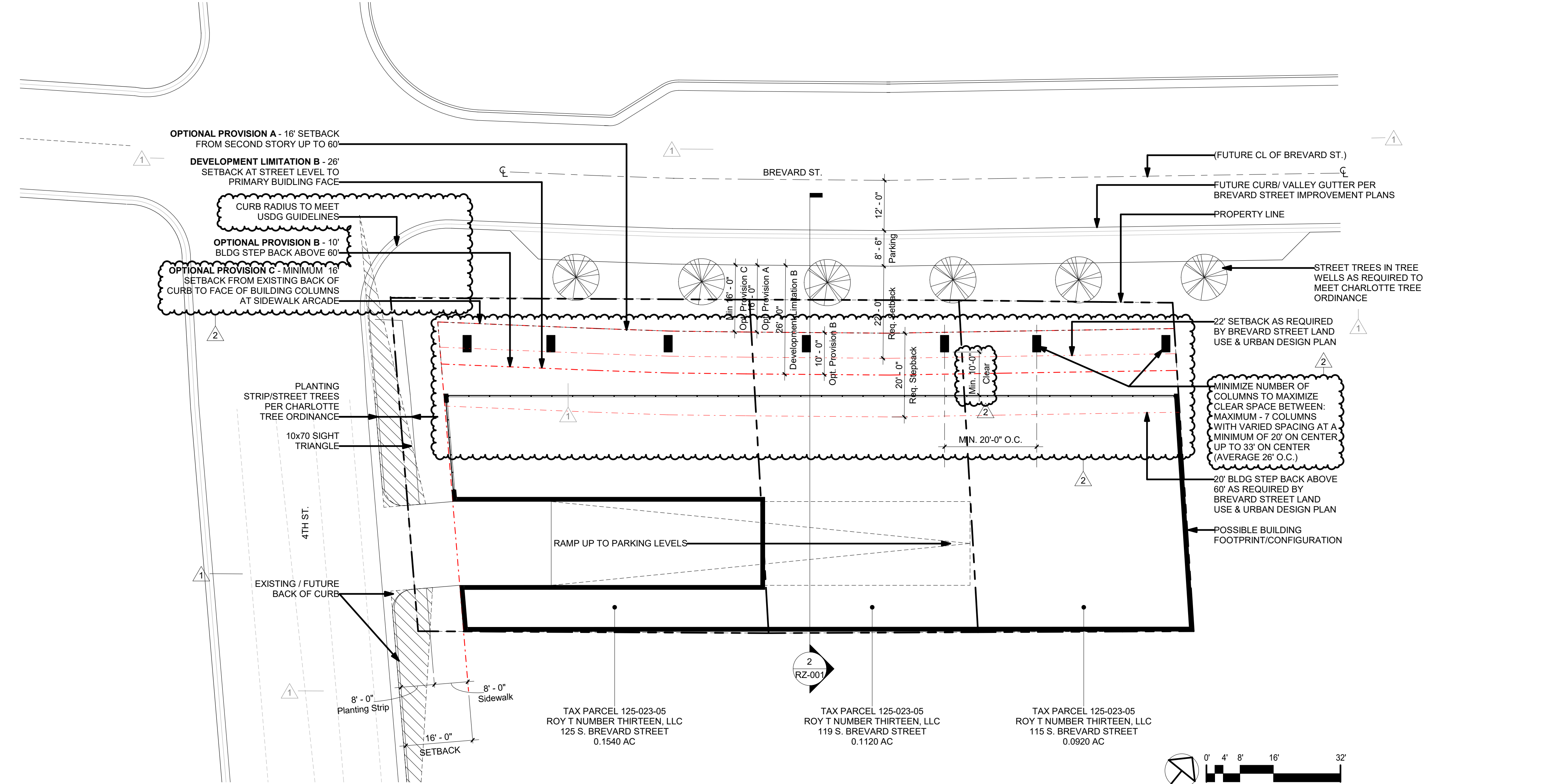
A. In the event that the Site is developed in accordance with the Rezoning Plan, streetscape improvements shall be installed along the Site's frontages on South Brevard Street and East 4th Street as generally depicted on the Rezoning Plan.

**7. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**

- 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, personal representatives, successors in interest 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**  
scale: 1/16" = 1'-0"



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SEAL:

**NOT FOR CONSTRUCTION**

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
3	Revision	07.27.2018

**SITE PLAN**

**RZ-001**

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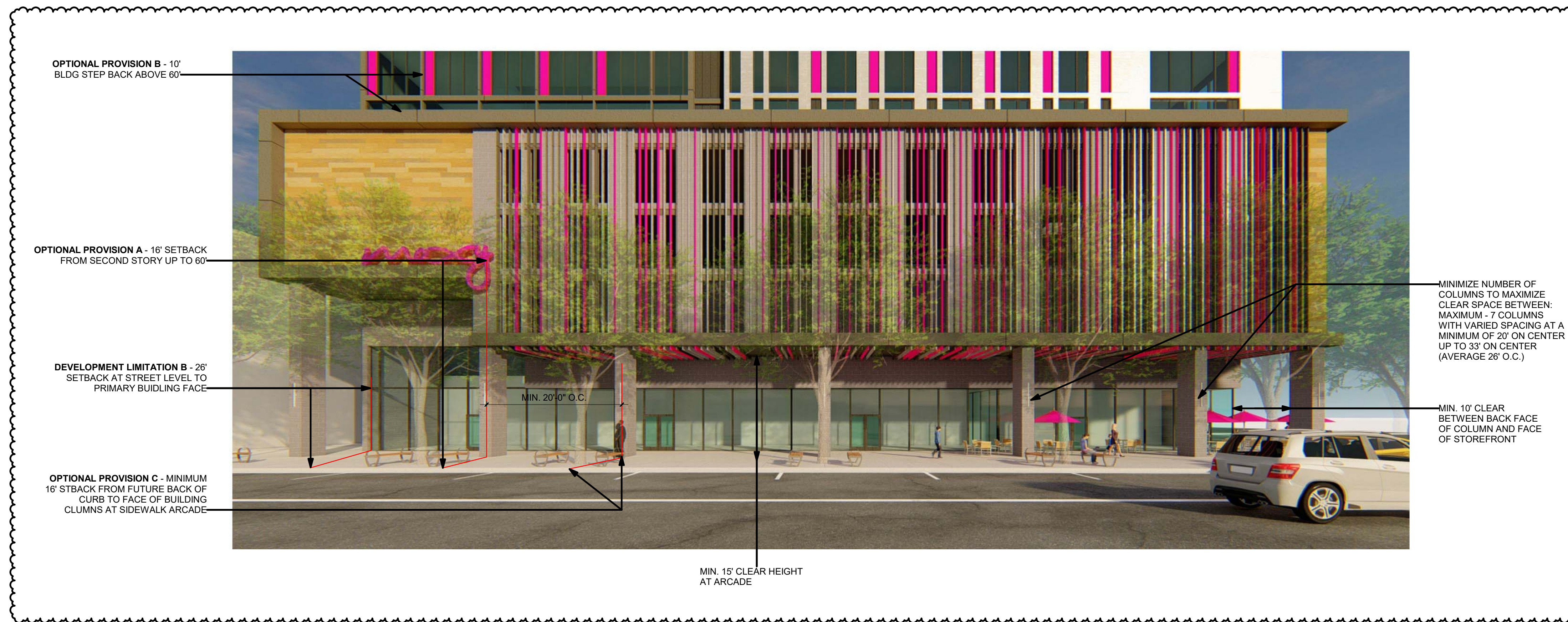
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SEAL:

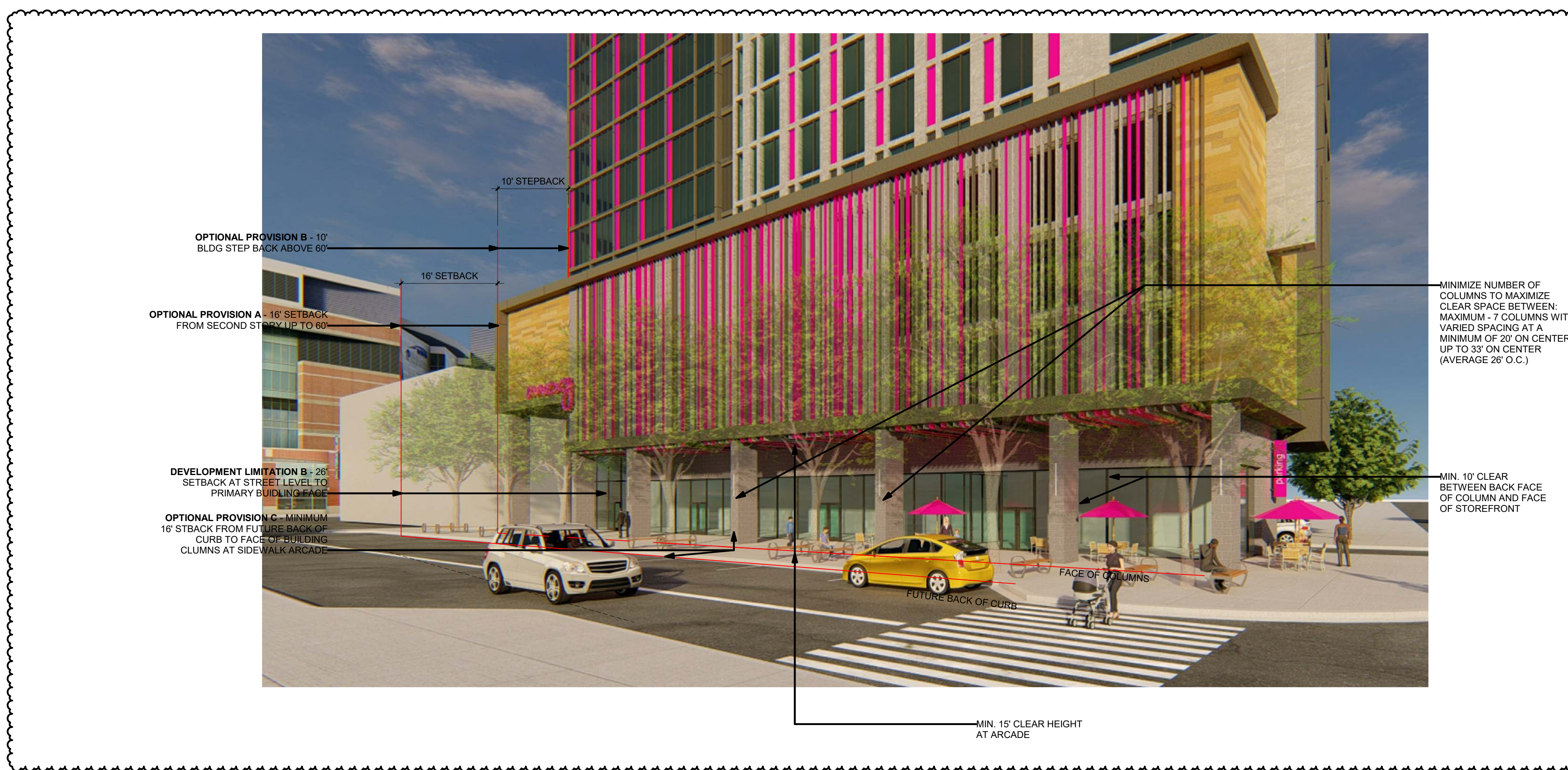
NOT FOR  
CONSTRUCTION

CONSULTANT:



2 Rendering 2

scale: 6" = 1'-0"



1 STREET VIEW RENDERING

scale: NTS

**S BREVARD STREET**  
CHARLOTTE, NORTH CAROLINA

ODA Project No. 173263

**REZONING**

6.11.2018

**REVISIONS**

No.	Description	Date
2	Review Comments	07.24.2018

**ARCHITECTURAL STANDARDS**

**RZ-002**

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