

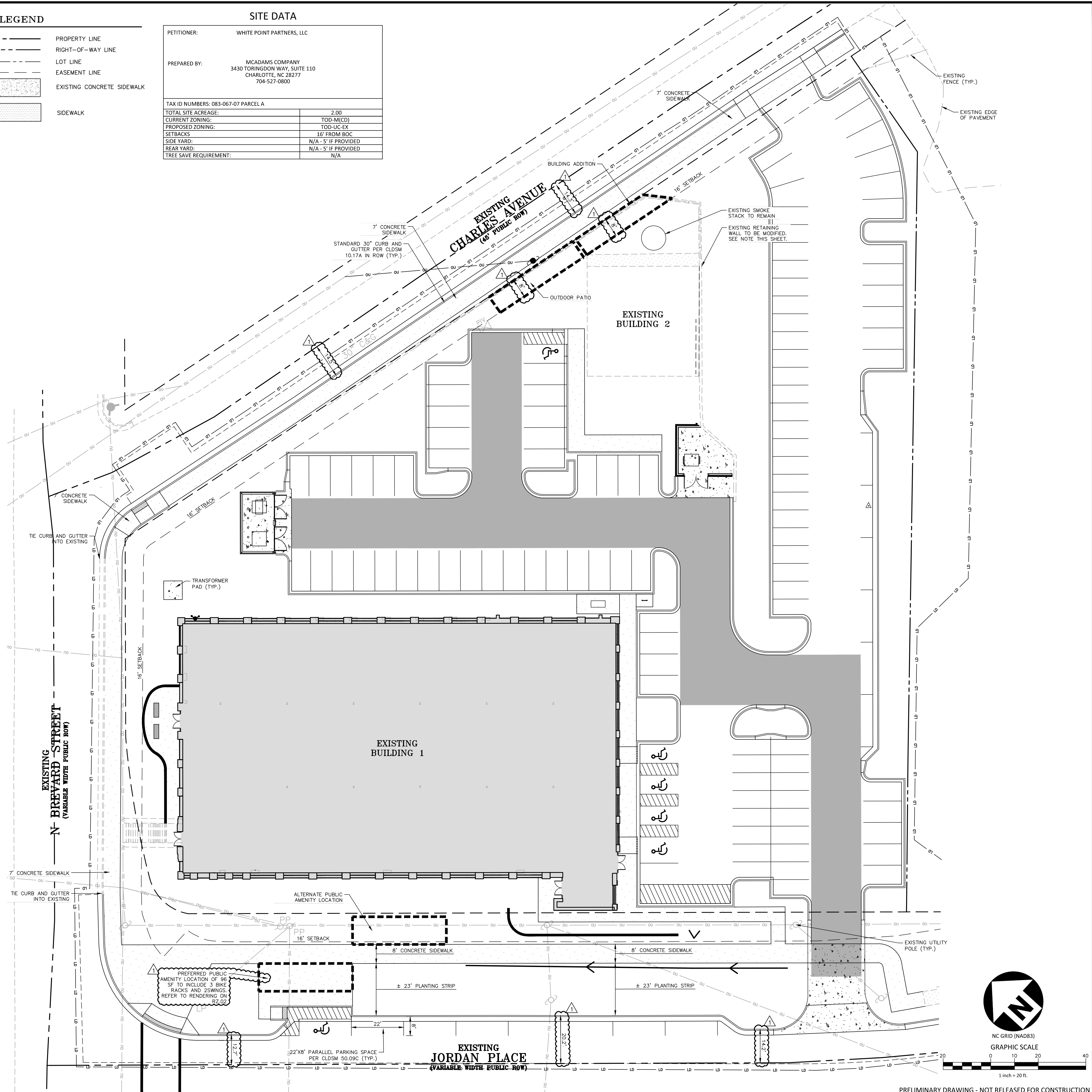
VICINITY MAP  
NTS

**SITE LEGEND**

- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINE
- EASEMENT LINE
- EXISTING CONCRETE SIDEWALK
- SIDEWALK

**SITE DATA**

PETITIONER:	WHITE POINT PARTNERS, LLC
PREPARED BY:	MCADAMS COMPANY 3430 TORRINGTON WAY, SUITE 110 CHARLOTTE, NC 28277 704-527-0800
TAX ID NUMBERS:	083-067-07 PARCEL A
TOTAL SITE ACREAGE:	2.00
CURRENT ZONING:	TOD-(MCD)
PROPOSED ZONING:	TOD-UC-EX
SETBACKS:	16' FROM BOC
SIDE YARD:	N/A - S' IF PROVIDED
REAR YARD:	N/A - S' IF PROVIDED
TREE SAVE REQUIREMENT:	N/A



**McADAMS**  
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WHITE POINT PARTNERS  
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CHARLOTTE, NORTH CAROLINA 28211

**CHADBOURN MILLS**  
PETITION NUMBER: 2021-038  
JORDAN PLACE  
CHARLOTTE, NORTH CAROLINA

**REVISIONS**

NO.	DATE	PER CITY COMMENTS
1	05.17.2021	PER CITY COMMENTS
2	06.24.2021	PER CITY COMMENTS

**PLAN INFORMATION**

PROJECT NO. CLI-17000  
FILENAME CLI-17000-R21  
CHECKED BY EM  
DRAWN BY JDS  
SCALE  
DATE 02.05.2021

**REZONING PLAN**  
**RZ.01**

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**1. GENERAL PROVISIONS**

A. **Site** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by White Point Partners, LLC ("Petitioner") for an approximately 2.003 acre site located on the east side of North Brevard Street between Charles Avenue and Jordan Place, which site is more particularly depicted on the Rezoning Plan (the "Site"). The Site is comprised of Tax Parcel No. 083-067-07.

B. **Zoning District/Ordinance.** 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 modifications set out below in Section 2 of the Development Standards, the regulations established under the Ordinance for the TOD-UC (Transit Urban Center) zoning district shall govern the development and use of the Site.

C. **Graphics and Alterations.** The schematic depictions of the uses, sidewalks, driveways and parking areas 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 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 do not materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such minor modifications are allowed pursuant to this amendment process, and if it is determined that the alteration does not meet the criteria described above, Petitioner shall then follow the administrative amendment process pursuant to Section 6.207 of the Ordinance in each instance, however, subject to Petitioner's appeal rights set forth in the Ordinance.

D. **Existing Buildings, Structures and Improvements.** The Site is currently improved with two buildings and a surface parking lot. The existing building located adjacent to Jordan Place is designated as "Existing Building 1" on the Rezoning Plan, and the existing building located adjacent to Charles Avenue is designated as "Existing Building 2" on the Rezoning Plan. Petitioner intends to utilize the two existing buildings and the existing surface parking lot. Therefore, to the extent that the two existing buildings and the existing surface parking lot and any other existing improvements on the Site do not comply with the requirements of the TOD-UC zoning district, the two existing buildings, the existing surface parking lot and any other existing improvements on the Site shall be considered to be legally nonconforming buildings and improvements pursuant to Section 15.10 of the Ordinance. Except as provided below in Section 2 of the Development Standards, additions and alterations to the two existing buildings and to any other existing improvements on the Site shall meet the requirements of Section 15.10.1.B and Section 15.10.1.C of the Ordinance.

E. **Redevelopment of the Site.** Subject to Section 3.B below with respect to Existing Building 2 and notwithstanding the terms of Section 1.D above, Petitioner may, at its option, redevelop the entire Site, or portions thereof, in accordance with the applicable requirements of the TOD-UC zoning district. This Rezoning Plan does not limit the density, the allowed uses and the number of principal buildings, accessory structures, structured parking facilities and other improvements that may be located on the Site in the event of the redevelopment of the Site or portions thereof. The density, the allowed uses and the number of principal buildings, accessory structures, structured parking facilities and other improvements that may be located on the Site shall be governed by the applicable provisions of the Ordinance, as will the design and layout of the redevelopment.

F. **Amendments.** 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.

**2. MODIFICATIONS OF THE TOD-UC EX DISTRICT REGULATIONS**

A. The modifications of the TOD-UC EX district regulations set out below shall apply to the re-use and expansion of Existing Building 2. These modifications shall cease to be applicable in the event that Existing Building 2 is demolished.

- (1) A building addition to Existing Building 2 may encroach into the setback from Charles Avenue as more particularly depicted on the Rezoning Plan.
- (2) An outdoor dining patio associated with Existing Building 2 may encroach into the setback from Charles Avenue as more particularly depicted on the Rezoning Plan.

B. In accordance with Section 15.12.4 of the Ordinance, the approval of the above modifications will encourage and further the restoration and adaptive re-use of Existing Building 2.

C. As provided in Section 15.12.4.B of the Ordinance, a TOD-EX district is required to provide public benefits. Public benefits shall include one or more actions from at least two of the following categories: (i) sustainability; (ii) public amenity and (iii) city improvements. This TOD-UC-EX district provides the sustainability and public amenity public benefits described below.

- (1) With respect to sustainability, this TOD-UC-EX district provides for the adaptive re-use of Existing Building 2.
- (2) With respect to a public amenity, Petitioner shall install bicycle racks, swings and a trellis structure over the bicycle racks and swings (the "Public Amenity") along the Site's frontage on Jordan Place. The front of the swings shall face Jordan Place.

(a) The preferred location of the Public Amenity is designated on the Rezoning Plan as the "Preferred Public Amenity Location." The Preferred Public Amenity Location is located within the planting strip on Jordan Place. The Public Amenity may be installed within the Preferred Public Amenity Location if the Charlotte Department of Transportation ("CDOT") agrees to enter into an encroachment agreement with Petitioner and if Petitioner obtains all other required governmental approvals for the Preferred Public Amenity Location. If CDOT does not agree to enter into an encroachment agreement or if Petitioner cannot obtain all required governmental approvals relating to the Preferred Public Amenity Location, then the Public Amenity shall be installed on that portion of the Site designated on the Rezoning Plan as the "Alternate Public Amenity Location."

- (b) Set out on the Rezoning Plan is a conceptual, schematic image of the Public Amenity. The purposes of the conceptual, schematic image are to depict the general conceptual style, design intent and character of the Public Amenity. The finishes and colors of the exterior materials may vary from what is depicted on the conceptual, schematic image. Changes and alterations to the Public Amenity that do not materially change the overall conceptual architectural style, design intent and character shall be permitted.

- (c) The minimum size of the area devoted to the Public Amenity shall be 95 square feet.
- (d) The Public Amenity shall contain a minimum of 3 bicycle racks and a minimum of 2 swings. The bicycle racks shall be in addition to any required bicycle parking for the Site.

**3. PERMITTED USES/DEVELOPMENT LIMITATIONS**

A. The Site may be devoted to any use or uses (including any combination of such uses) permitted by right or under prescribed conditions in the TOD-UC zoning district, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the TOD-UC zoning district.

B. Petitioner shall preserve Existing Building 2 for adaptive re-use (unless deemed impractical or unreasonable due to structural or environmental issues as determined by a third party engineer licensed in the State of North Carolina).

**4. TRANSPORTATION**

A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the vehicular access points are subject to any minor modifications required by CDOT.

B. The alignments of the internal private drives, vehicular circulation areas and driveways may be modified by Petitioner during the permitting process to accommodate changes in traffic patterns and building and parking layouts, and to accommodate any adjustments required for approval by CDOT.

C. In the event that the Site is redeveloped, the vehicular access points may be relocated subject to the approval of CDOT and any other applicable governmental agencies.

**5. STREETScape**

A. Subject to the terms of paragraphs 5.B and 5.C below, the existing streetscape improvements located along the Site's frontages on Jordan Place, North Brevard Street and Charles Avenue shall remain in place and shall not be required to meet the standards of the TOD-UC zoning district.

B. Notwithstanding the terms of paragraph 5.A. above, in the event that Existing Building 2 is demolished, the streetscape improvements (sidewalk and planting strip) located along the Site's frontage on Charles Avenue shall be required to be brought into compliance with the standards of the TOD-UC zoning district.

C. Notwithstanding the terms of paragraph 5.A. above, in the event that Existing Building 1 is demolished, the streetscape improvements (sidewalk and planting strip) located along the Site's frontages on Jordan Place and North Brevard Street shall be required to be brought into compliance with the standards of the TOD-UC zoning district.

**6. 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.
- D.



PUBLIC AMENITY RENDERING

**CLIENT**  
 WHITE POINT PARTNERS  
 4064 COLONY ROAD  
 SUITE 430  
 CHARLOTTE, NORTH CAROLINA 28211

**CHADBOURN MILLS**  
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**SHEET**

**REZONING NOTES**  
**RZ.02**

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