## AGENDA

Meeting Type:	20NING
Date:	01/06/1988

City of Charlotte, City Clerk's Office

Mayor Suc Myrick

Mazor Pro Tem Al Rousso

John A (Gus) Campbell

Roy Matthews

Stanley M Campbell

Cyndee Patterson

Dan Clodfelter

Flla Butler Scarborough

Charlie S Dannelly

Richard Vinroot

Cheria Fenning

Velva W Woollen

Council Agenda

Wednesday, January 6, 1988

Council Chamber

6:00 p.m.

## ITEM NO.

- l. Call meeting to order.
- Hearing on Petition No. 88-10 by the Charlotte-Mecklenburg Planning Commission for changes to the Standards for the Uptown Mixed Use District (UMUD)

Attachment

3. Adjournment.

## ZONING ORDINANCE Petition No 88-10 TEXT AMENDMENT Date Filed 12/14/87 APPLICATION CITY OF CHARLOTTE

OFFICE USE ONLY

Section No3053	<u>305</u>	56, and 3066.1 U-MUD-0	
		(Title)	
2.	1.	To make changes to several of the U-MUD regulations including those regarding transit mall access, overstreet connections, area, yard, height regulations, open space, first floor retail and parking.	
	2.	To add a new Section 3056 regarding previously approved U-MUD-O approvals.	
	To delete the word "U-MUD" from Section 30661.		
		Charlotte-Mecklenburg Planning Commis	sion
Name of Agent		Name of Petitioner(s) 600 E. Fourth Street	
Agent's Address		Address of Petitioner(s) Charlotte, NC 28202-2853	
Telephone Number		Telephone Number 336-2205	
		Signature	

AN ORDINANCE AMENDING THE ZONING ORDINANCE, APPENDIX A-ZONING, OF THE CODE OF THE CITY OF CHARLOTTE.

BE IT ORDAINED, by the City Council of the City of Charlotte, North Carolina, that:

Section 1. Appendix A-Zoning, the Zoning Ordinance of the City of Charlotte, in the City Code of the City of Charlotte shall be amended as follows:

1. Amend § 3053.5, "Area, yard and height regulations", by deleting the first sentence beginning with the words "Twelve feet" and ending with "property line." of the first paragraph and by substituting in lieu thereof the following:

"All new buildings or uses shall be 12 feet from the back of the curb, without regard to the location of the property line. However, if new construction incorporates an existing structure and such incorporation of the existing structure necessitates a reduction of the minimum setback from the 12 foot requirement, then the 12 foot minimum setback may be reduced as necessitated and as required because of the incorporation of the existing structure into the new structure but under no circumstances shall the setback of any portion of the new structure be less than 8 feet from the back of the curb."

2. Amend § 3053.6.1, "Streetscape design standards", .4, "Transit mall", by deleting the last complete sentence beginning with the words "No vehicular" and ending with "transit mall." and by substituting in lieu thereof the following:

"No vehicular access from surface or structured parking will be allowed to or from the Transit Mall along Tryon Street. Vehicular access from surface or structured parking will be allowed for 'right in' and 'right out' access along the Trade Street portion of the Transit Mall."

- 3. Amend \$3053.6.1, "Streetscape design standards", .12, "Overstreet connections", by deleting it in its entirety and by substituting in lieu thereof the following:
  - ".12 Overstreet connections. Any proposed overstreet connections shall be shown on schematic site plans. The purpose in showing the proposed overstreet connections is to be able to properly apply the urban design standards. The overstreet connections shall not be approved by the Planning Commission staff until after the City Council shall have independently and separately approved the overstreet connection according to the City's overstreet connections' policy and the City's granting of air rights and approval of appropriate easement agreements."
- 4. Amend \$3053.6.3, "Urban open spaces", .1, "Urban open space sizes", by deleting it in its entirety and by substituting in lieu thereof the following:
  - ".1 Urban open space sizes. Buildings must be provided with public open space behind the required setback and on private property proportionate to their bulk according to the following schedule:

Lot Size	Open Space Required  (1 square foot/gross square feet of floor area for office use.)		
(Square Feet)			
0-20,000 sq. ft.	1 sq. ft./200 sq. ft.		
20,001-40,000 sq. ft.	1 sq. ft./150 sq. ft.		
above 40,000 sq. ft.	1 sq. ft./100 sq. ft.		

A maximum of 30 percent of this required urban open space may be provided on an enclosed ground floor level provided the enclosed space meets all other requirements of these provisions. If a property line of the site is within 200 feet of the property line of a publically-owned and useable open space, then up to 50% of the required urban open space may be provided on an enclosed ground floor level provided the enclosed space meets all the requirements. The 200 feet shall be measured along the public right-of-way line."

5. Amend \$3053.6.3, "Urban open spaces", .2, "Accessibility to the street", by deleting the first sentence thereof beginning with the words "Urban open" and ending with the words
"right-of-way" and by substituting in lieu thereof the following:

"Eighty-five percent (85%) of the total urban open space must be accessible to and visible from the street, but in no instance more the 3 feet above or below the level of an adjoining right-of-way."

6. Amend \$3053.6.7, "First floor retail required", by inserting a new sentence after the sentence ending with the words "to retail activities." and before the sentence beginning with the words, "The term retail", which new sentence shall read as follows:

"The first floor retail requirement stated in this section shall not apply to the expansion of any existing structure but shall apply only to the construction of a new building."

7. Amend \$3053.6.7, "First floor retail required", by inserting a new sentence after the sentence ending with the words "financial institutions." and before the sentence beginning with the words, "For the purposes", which new sentence shall read as follows:

"Fifty percent of the square footage of a hotel lobby may be included toward meeting the requirement."

8. Amend §3053.8.1, "Parking standards", by deleting .8, which begins with the words "No new grade" and ends with the words "from the transit mall.", in its entirety, and by substituting in lieu thereof the following:

"No new grade-level or structural parking lots will be allowed to have vehicular access directly from or to the Transit Mall except along the Trade Street portion of the Transit Mall and, then, only 'right in' and 'right out' access on Trade Street shall be permitted."

- 9. Amend \$3056 by adding a new 3056 to read as follows:
  - "3056. Previously approved UMUD-O zonings. Any UMUD-O zoning approved as of , 1988, the date of the adoption of amended UMUD standards shall be entitled to continue the project in accordance with the UMUD-O approved schematic plans or, in the alternative, shall be entitled to comply with the amended UMUD standards. Anyone with an approved UMUD-O zoning, as of this date, who seeks to utilize UMUD-O zoned property in accordance with any of these amended UMUD standards must receive Planning staff approval as provided for in \$3053.6.5, 'Preliminary Review'."
- 10. Amend \$3066.1, "Maximum floor area", by deleting the word, "UMUD", which appears in the second line, after "B-2" and before "and B-D".

Section 2. These amendments shall be effective upon adoption.

Approved as to form:

Henry W. Underheller
City Attorney

## CERTIFICATION

Carolina, do here	ey, City Clerk of the City of Charlotte, North by certify that the foregoing is a true and ordinance adopted by the City Council of the	
exact coba or ere	Marth Carolina in meeting beld on the	
City of charlotte	, North Carolina, in meeting held on the	
day of	, 198, and recorded in full in Ordinance	
Book , begi	, 198 , and recorded in full in Ordinance nning on page	
WITNESS my h Charlotte, North	and and the corporate seal of the City of Carolina, this the day of	