



SITE DEVELOPMENT DATA:
 ACREAGE: +/- 0.70 AC
 TAX PARCEL: 081-085-03, 081-085-04
 EXISTING ZONING: MUDD-O, I-2
 PROPOSED ZONING: MUDD-O (SPA)
 PROPOSED USES: NON-RESIDENTIAL USES AS ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT
 PROPOSED BUILDING AREA: UP TO 15,000 SF
 PER PERFORMANCE REQUIREMENTS
 PARKING REQUIRED: PER ORDINANCE

GENERAL PROVISIONS:

1. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY TERESA M. ORSINI ("PETITIONER") TO ACCOMMODATE THE ADAPTIVE REUSE OF A MIXED-USE BUILDING ON AN APPROXIMATELY .7 ACRE SITE LOCATED ON THE NORTH SIDE OF SEIGLE AVE. (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCELS 08108503 AND 08108504.
2. 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 OR OPTIONAL PROVISIONS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MIXED USE DEVELOPMENT DISTRICT (MUDD) ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
3. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER" AND "PETITIONER" SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNEES OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.
4. 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 THEY MAY BE ALTERED OR MODIFIED IN ACCORDANCE WITH THE SETBACK AND YARD REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
5. THIS REZONING PLAN ILLUSTRATES SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, ACCESS DRIVEWAYS, OPEN SPACE, STREETScape 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 AND MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE ZONING ORDINANCE. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

OPTIONAL PROVISIONS:

1. TO FACILITATE THE RETENTION OF THE EXISTING BUILDING, PARKING SHALL BE PERMITTED IN THE AREAS BETWEEN THE BUILDING AND THE STREET IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN AS LIMITED HEREIN.
2. PETITIONER MAY MEET THE PARKING SCREENING REQUIREMENTS OF 12.303 AND ALL OTHER PARKING SCREENING REQUIREMENTS BY PROVIDING A LIVING SCREEN OR WALL THAT IS AT LEAST 4 FT TALL. IN THE EVENT THAT THE SCREENING PLANTS DIE THEY WILL BE REPLACED WITH EITHER NEW PLANTS OR EVERGREEN SHRUBS.
3. THE SITE MAY BE DEVELOPED TO INCLUDE OUTDOOR PATIO AREAS FOR FOOD, BEVERAGE, ENTERTAINMENT, AND OTHER USES ALLOWED BY RIGHT AND/OR PER CONDITION IN THE MUDD ZONING DISTRICT AS GENERALLY SHOWN ON THE SITE PLAN. THESE DELINEATED AREAS MAY ALSO BE USED FOR ADDITIONAL PARKING AT THE DISCRETION OF PETITIONER. THE AREAS MARKED AS "POTENTIAL PATIO AREA AND/OR PARKING ENVELOPE" ARE FURTHER DESIGNATED AS "A," "B" AND "C" ON THE SITE PLAN IN ORDER THAT EACH AREA MIGHT HAVE SPECIFIC LIMITATIONS AS FOLLOWS:

A) "POTENTIAL PATIO AREA AND/OR DRIVE AISLE ENVELOPE A" INCLUDES THE SPACE BETWEEN THE FRONT OF THE BUILDING AND SEIGLE AVENUE AS GENERALLY SHOWN ON SITE PLAN. THIS AREA MAY BE UTILIZED AS A PATIO FOR OUTDOOR ENTERTAINMENT AND IT MAY ALSO INCLUDE A DRIVE AISLE TO FACILITATE VEHICULAR ACCESS ACROSS THE PARCEL. THERE SHALL BE NO PARKING IN "POTENTIAL PATIO AREA AND/OR DRIVE AISLE ENVELOPE A."

B) "POTENTIAL PATIO AREA AND/OR PARKING ENVELOPE B" INCLUDES THE AREA GENERALLY TO THE SOUTHWEST OF THE BUILDING AND EXTENDS TO THE RIGHT OF WAY ON EACH SIDE OF THE LOT AS GENERALLY SHOWN ON THE SITE PLAN. "POTENTIAL PATIO AREA AND/OR PARKING ENVELOPE B" MAY BE UTILIZED FOR ANY COMBINATION OF PATIO OR OUTDOOR ENTERTAINMENT, BUILDING EXPANSION, NEW BUILDING, LOADING, DUMPSTER AND RECYCLING SERVICE AREAS ACCESSORY USES AND PARKING.

C) "POTENTIAL PATIO AREA AND/OR PARKING ENVELOPE C" IS DESIGNATED AS A CONTINGENT PATIO AREA THAT CAN ONLY BE USED IN THE EVENT THAT THAT MCADEN STREET IS OPENED FOR PUBLIC OR PRIVATE VEHICULAR USE OR PEDESTRIAN ACCESS, OR IN THE EVENT THAT ANY PUBLIC USE IS APPROVED FOR THE AREA NOW KNOWN AS THE "MCADEN STREET PUBLIC RIGHT OF WAY-UNIMPROVED," SUCH AS A PARK OR GREENWAY OR OTHER SIMILAR PUBLIC OR PRIVATE USE.

4. THE AREA GENERALLY MARKED AS "PARKING ENVELOPE" ON THE SITE PLAN MAY BE USED FOR PARKING, LOADING, DUMPSTER AND RECYCLING SERVICE AREAS, AND BUILDING EXPANSION OR A NEW BUILDING SUBJECT TO ORDINANCE REQUIREMENTS. THERE SHALL BE NO PATIO OR OUTDOOR ENTERTAINMENT IN THE GENERAL PARKING ENVELOPE.

PERMITTED USES:

1. SUBJECT TO THE LIMITATIONS SET OUT BELOW, THE SITE MAY BE DEVOTED TO ANY NON-RESIDENTIAL USE OR USES ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT, TOGETHER WITH AN INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE MUDD ZONING DISTRICT.
2. THE SITE MAY CONTAIN AND BE DEVELOPED WITH:
 - A) UP TO 15,000 SQUARE FEET OF NON-RESIDENTIAL USES AS ALLOWABLE WITHIN THE MUDD DISTRICT.
 - B) A MAXIMUM HEIGHT OF FORTY (40) FEET SHALL BE PERMISSIBLE AND SHALL BE MEASURED AS PREVIEWED WITHIN THE ZONING ORDINANCE.
3. THE FOLLOWING USES SHALL BE PROHIBITED: AUTOMOTIVE SERVICE STATIONS, RESIDENTIAL USES AND ADULT ESTABLISHMENTS.

TRANSPORTATION:

1. THE SITE WILL HAVE VEHICULAR ACCESS VIA DRIVEWAY CONNECTION TO SEIGLE AVE. AS GENERALLY IDENTIFIED ON THE SITE PLAN. THE FINAL PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT SHOWN ON THE REZONING PLAN ARE SUBJECT TO MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR FINAL APPROVAL.
2. PARKING SHALL BE PROVIDED PER ORDINANCE.
3. THE PETITIONER SHALL HAVE THE OPTION TO PROVIDE VEHICULAR CROSS PARCEL ACCESS TO ADJACENT PARCELS.
4. ALL PUBLIC RELATED TRANSPORTATION IMPROVEMENTS SHALL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.
5. PETITIONER SHALL PROVIDE A SIDEWALK EASEMENT SET TWO FEET BEHIND BACK OF SIDEWALK WHERE FEASIBLE, PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.
6. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

ARCHITECTURAL:

1. A VARIETY OF PRINCIPAL BUILDING MATERIALS MAY BE UTILIZED ON SITE AND WILL BE A COMBINATION OF THE FOLLOWING: MASONRY, BRICK, CONCRETE, PRE-CAST CONCRETE, STONE, PRECAST STONE, PRE-FINISHED METAL, ALUMINUM, STEEL, STUCCO, WOOD, CERAMIC TILE, CEMENTITIOUS FIBER BOARD AND GLASS FIBER REINFORCED CONCRETE. VINYL, AS A BUILDING MATERIAL, WILL ONLY BE ALLOWED ON WINDOWS, SLOTTES AND TRIM FEATURES.
2. AREAS MARKED AS "POTENTIAL PATIO AREA AND/OR DRIVE AISLE ENVELOPE A," "POTENTIAL PATIO AREA AND/OR PARKING ENVELOPE B" AND "C" MAY BE UTILIZED FOR OUTDOOR AMENITIES, SUCH AS ENTERTAINMENT AND SERVICE AREAS ASSOCIATED WITH EATING DRINKING AND ENTERTAINMENT USES AND/OR BUILDING EXPANSION SUBJECT TO THE CONDITIONS SET FORTH HEREIN.
3. PETITIONER MAY INCREASE THE SIZE OF THE EXISTING BUILDING OR ADDITIONAL BUILDING OR SALES FOOTAGE TO THE BUILDING, SUBJECT TO ORDINANCE REQUIREMENTS AND SUBJECT TO A LIMITATION IN HEIGHT OF 40' OR LESS, IN THE EVENT THAT PETITIONER DOES EXPAND THE BUILDING, THEN THE PARKING MAY BE RECONFIGURED IN ACCORDANCE WITH THE ORDINANCE REQUIREMENTS.
4. THE EXISTING BUILDING SHALL REMAIN AND INTENTIONAL REMOVAL OF THE EXISTING BUILDING WILL REQUIRE REZONING. IF THE BUILDING IS DESTROYED BY NATURAL DISASTER, FIRE OR OTHER SIMILAR CASUALTY THEN IT MAY BE REPLACED IN APPROXIMATELY THE SAME LOCATION AND MAY BE EXPANDED AS ALLOWED UNDER THIS CONDITIONAL SITE PLAN WITHOUT REZONING, IN ORDER TO FACILITATE THE REHABILITATION AND USE OF THE EXISTING BUILDING, THE BUILDING AND OUTDOOR AREAS MAY BE RENOVATED, IMPROVED AND EXPANDED. THE BUILDING MAY BE EXPANDED IN ANY OF THE AREAS GENERALLY MARKED ON THE SITE PLAN AS POTENTIAL PATIO AREA AND/OR PARKING ENVELOPE ON THE REZONING PLAN.
5. IF A NEW BUILDING IS BUILT ON THE SITE THEN THE NEW BUILDING SHALL COMPLY WITH THE ORDINANCE REQUIREMENTS FOR PEDESTRIAN ORIENTED DESIGN AND THERE SHALL BE NO PARKING BETWEEN THE NEW BUILDING FAÇADE AND THE RIGHT OF WAY TO WHICH THE BUILDING FACES.

STREETSCAPE, SCREENING AND LANDSCAPING:

1. A SETBACK OF 14', MEASURED FROM THE EXISTING BACK OF CURB, SHALL BE PROVIDED ALONG SEIGLE AVE.
2. THE EXISTING 6' SIDEWALK AND 8' PLANTING STRIP SHALL BE MAINTAINED ALONG SEIGLE AVE, AS GENERALLY DEPICTED ON THE REZONING PLAN.
3. THE SITE SHALL COMPLY WITH SECTION 12.403 OF THE ZONING ORDINANCE. DUMPSTER AND RECYCLING SERVICE AREAS SHALL BE SCREENED FROM PUBLIC VIEW AS REQUIRED BY THE ORDINANCE.

ENVIRONMENTAL FEATURES:

1. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.
2. THE SITE SHALL COMPLY WITH THE CITY OF CHARLOTTE TREE ORDINANCE.

LIGHTING:

1. ALL NEW LIGHTING SHALL BE FULL CUT-OFF TYPE FIXTURES, EXCLUDING LOWER DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE INTERNAL DRIVE AISLES, SIDEWALK, COURTYARDS, AND LANDSCAPE ACCENT LIGHTING.
2. DECORATIVE PEDESTRIAN SCALED LIGHTS MAY BE PROVIDED WITHIN THE SITE.

AMENDMENTS TO REZONING PLAN:

1. 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.

BINDING EFFECT OF THE REZONING:

1. 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.



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1015 Seigle Ave Rezoning Site Plan

NO.	DATE:	BY:	REVISIONS:
1	01.11.21	UDP	PER CITY COMMENTS

Project No: 20-108
 Date: 10.21.2020
 Designed By: UDP
 Checked By: UDP
 Sheet No:

RZ-1.0



REZONING PETITION #2020-178