

LEGEND

	REZONING BOUNDARY
	EXISTING RIGHT-OF-WAY
	POTENTIAL BUILDING FOOTPRINT AREA (OUTSIDE OF SETBACKS)
	POTENTIAL PARKING & ROADWAY IMPROVEMENTS
	POTENTIAL BUILDING ENVELOPE
	POTENTIAL SIDEWALK LOCATION

- SITE DEVELOPMENT NOTES**
- SEE REZONING SHEET RZ-04 FOR FULL LIST OF SITE DEVELOPMENT PROVISIONS.
 - ACREAGE: 27.65 ACRES
 - TAX PARCELS: 071-11-209, 071-11-403, 071-11-412, 071-11-417
 - EXISTING ZONING: MUDD-O (REZONING PETITION 2016-112)
 - PROPOSED ZONING: MUDD-O WITH FIVE (5) YEAR VESTED RIGHTS.
 - EXISTING USES: INDUSTRIAL
 - MAXIMUM DEVELOPMENT (SUBJECT TO CONVERSION RIGHTS AS DEFINED HEREIN):
 - SEE REZONING SHEET RZ-04 FOR FULL LIST OF SITE DEVELOPMENT PROVISIONS.
 - PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT.
 - MAXIMUM BUILDING HEIGHT: UP TO EIGHT (8) STORIES FOR BUILDINGS INTERNAL TO THE SITE, AND FURTHER LIMITED TO A MAXIMUM OF FOUR (4) STORIES ALONG THE FRONTAGE OF SOUTH TURNER AVENUE AS INDICATED ON THE SITE PLAN (EXCLUSIVE OF BASEMENTS).
 - PARKING:
 - 0.6 SPACES / DWELLING UNIT
 - 1 SPACE / 600 SF OF NON-RESIDENTIAL USE
 - SOLID WASTE SHALL BE PROVIDED VIA VALET TRASH SERVICE. TOTAL CUBIC YARDAGE AND SQUARE FOOTAGE REQUIREMENTS SHALL BE PROVIDED IN TRASH ENCLOSURES.
 - COMPACTORS SHALL BE PROVIDED AT 8 CY / 60 UNITS.
 - RECYCLING AREAS SHALL BE PROVIDED (TOTAL SF = 676)
 - BUILDINGS SHOWN ARE SCHEMATIC IN NATURE AND MAY CHANGE DURING SITE PLAN PERMITTING.
 - FIRE DEPARTMENT NOTES:
 - A FIRE DEPARTMENT ACCESS ROAD SHALL HAVE A MIN. 20' UNOBSTRUCTED CLEAR WIDTH AND SHALL BE CAPABLE OF SUPPORTING 80,000 POUNDS.
 - ANY FIRE DEPARTMENT ACCESS ROAD THAT EXCEEDS 150' SHALL PROVIDE AN APPROVED TURNAROUND.
 - THE REQUIRED FIRE TRUCK TURN RADIUS IS 30' INSIDE AND 42' OUTSIDE.
 - FOR NON-SPRINKLED BUILDINGS, FIRE DEPARTMENT MUST BE ABLE TO REACH 150' TO ALL EXTERIOR PORTION OF BUILDING.
 - FOR SPRINKLED BUILDINGS, FIRE DEPARTMENT MUST BE ABLE TO REACH 200' TO ALL EXTERIOR PORTION OF BUILDING.
 - FOR BUILDINGS THAT ARE EQUIPPED WITH A SPRINKLER SYSTEM, A FIRE DEPARTMENT CONNECTION SHALL BE LOCATED WITHIN 200' OF A FIRE HYDRANT FOR A NFPA 13 SPRINKLER SYSTEM AND 750' FOR A NFPA 13R SPRINKLER SYSTEM.
 - A FIRE HYDRANT SHALL BE LOCATED WITHIN 750' TO THE MOST REMOTE POINT OF THE BUILDING AS THE TRUCK TRAVELS FOR ALL BUILDINGS.

STREETScape TABLE

KEYNOTE	STREET NAME	DESCRIPTION
Ⓒ	CHAMBERLAIN AVE.	R/W WIDTH: 50' (EXISTING) PAVEMENT WIDTH: 25' (10' LANES + 5' PARALLEL PARKING ON NORTH SIDE) CURB: 2.5' PLANTER WIDTH: 8' SIDEWALK WIDTH: 6' BUILDING SETBACK: 14' (FROM BACK OF CURB)
Ⓓ	S. GARDNER AVE.	R/W WIDTH: 40' (EXISTING) PAVEMENT WIDTH: 20' CURB: 2.5' PLANTER WIDTH: 8' OR TREE PITS, AS DETERMINED WITH FINAL DESIGN. SIDEWALK WIDTH: 7' WHERE FEASIBLE, 5' MINIMUM (EAST SIDE ONLY) BUILDING SETBACK: N/A (EXISTING BUILDINGS TO REMAIN)
Ⓒ	S. GARDNER AVE.	R/W WIDTH: 50' (EXISTING) PAVEMENT WIDTH: 30' (10' LANES + 5' PARALLEL PARKING ON BOTH SIDES) CURB: 2.5' PLANTER WIDTH: 8' SIDEWALK WIDTH: 6' BUILDING SETBACK: 14' (FROM BACK OF CURB)
Ⓒ	ROAD A	R/W WIDTH: 30' (PRIVATE ROAD, 53'-67' PUBLIC ACCESS EASEMENT) PAVEMENT WIDTH: 30' (10' LANES + 5' PARALLEL PARKING ON BOTH SIDES) CURB: 2.5' PLANTER WIDTH: 8' SIDEWALK WIDTH: 6' BUILDING SETBACK: 14' (FROM BACK OF CURB)
Ⓒ	ROAD A	R/W WIDTH: NONE (PRIVATE ROAD, 57' PUBLIC ACCESS EASEMENT) PAVEMENT WIDTH: 20' CURB: 2.5' PLANTER WIDTH: 8' SIDEWALK WIDTH: 6' BUILDING SETBACK: 14' (FROM BACK OF CURB)
Ⓒ	CHAMBERLAIN AVE.	R/W WIDTH: 40' (EXISTING) PAVEMENT WIDTH: 20' CURB: 2.5'
Ⓒ	S. TURNER AVE.	R/W WIDTH: 40' (EXISTING) PAVEMENT WIDTH: 20' CURB: 2.5'

ZONING SUMMARY TABLE

PARCEL ID	071-11-209, 071-11-403, 071-11-412, 071-11-417
PARCEL ACREAGE	27.65 ACRES
FEMA PANEL	MAP 3710454400K, PANEL 4544
CURRENT ZONING	MUDD-O (REZONING PETITION 2016-112)
PROPOSED ZONING	MUDD-O (SPA)
PROPOSED USE	MULTIFAMILY COMMERCIAL, RETAIL, OFFICE, EVENT
MINIMUM BUILDING SEPARATION	10 FEET
MAX. BUILDING HEIGHT ALLOWED	120', UP TO 8 STORIES (SEE REZONING PETITION 2016-112)
MAX. BUILDING HEIGHT PROPOSED	120', UP TO 8 STORIES (SEE SITE PLAN FOR LIMITATIONS)
UNITS PROPOSED	650 RES. UNITS & 290,000 SF OF COMMERCIAL
SETBACK ALONG LOCAL AND COLLECTOR STREETS	14' MIN. FROM BACK OF CURB
SETBACK ALONG PRIVATE DRIVES	10' MIN. FROM BACK OF CURB ALONG BUILDING FACES WITH ENTRANCES
SIDE YARD	0 FEET
REAR YARD	0 FEET (5 FEET ON NORTH SIDE OF CHAMBERLAIN AVE)
PROPOSED PARKING REQUIRED (PER OPTIONAL REQUEST)	0.6 SPACES / UNIT (RESIDENTIAL) 1 SPACE / 600 SF (ALL OTHER USES)
*VALET TRASH SERVICE, COMPACTORS, AND RECYCLING ENCLOSURES SHALL BE PROVIDED IN LIEU OF CITY REQUIRED STATIONS (PER OPTIONAL REVISION REQUEST).	

No.	REVISIONS	DATE	BY
5	REVISED PER CITY COMMENTS	07/16/21	TRH
4	REVISED PER CITY COMMENTS	07/14/21	TRH
3	REVISED PER CITY COMMENTS	06/23/21	TRH
2	REVISED PER CITY COMMENTS	05/17/21	TRH
1	REVISED PER CITY COMMENTS	04/13/21	TRH

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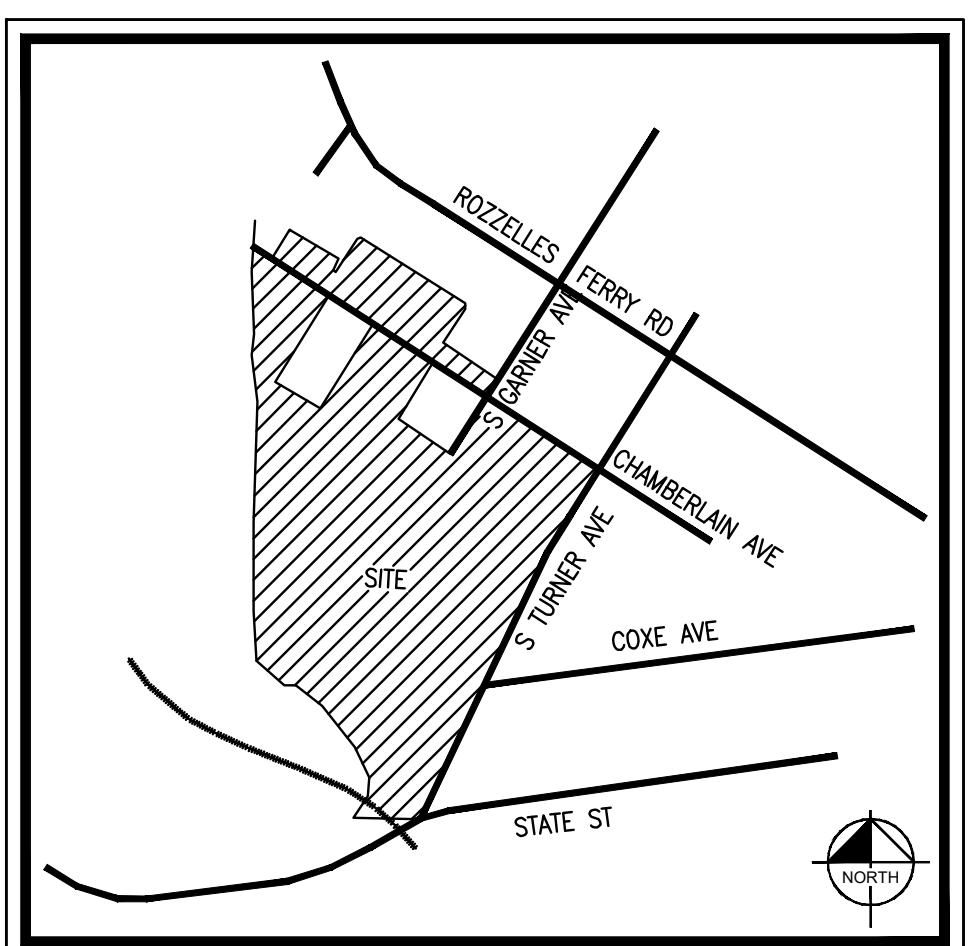
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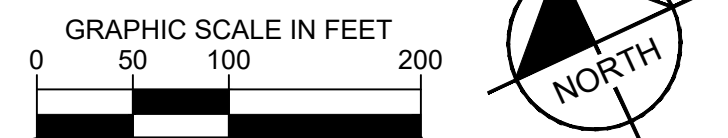
KHA PROJECT 019292023
DATE 01/06/2021
SCALE AS SHOWN
DESIGNED BY TRH
DRAWN BY TRH
CHECKED BY RBD

REZONING SITE PLAN
REZONING PETITION NO. 2021-021

SAVONA MILL REZONING PREPARED FOR PORTMAN RESIDENTIAL NORTH CAROLINA
SHEET NUMBER RZ-02

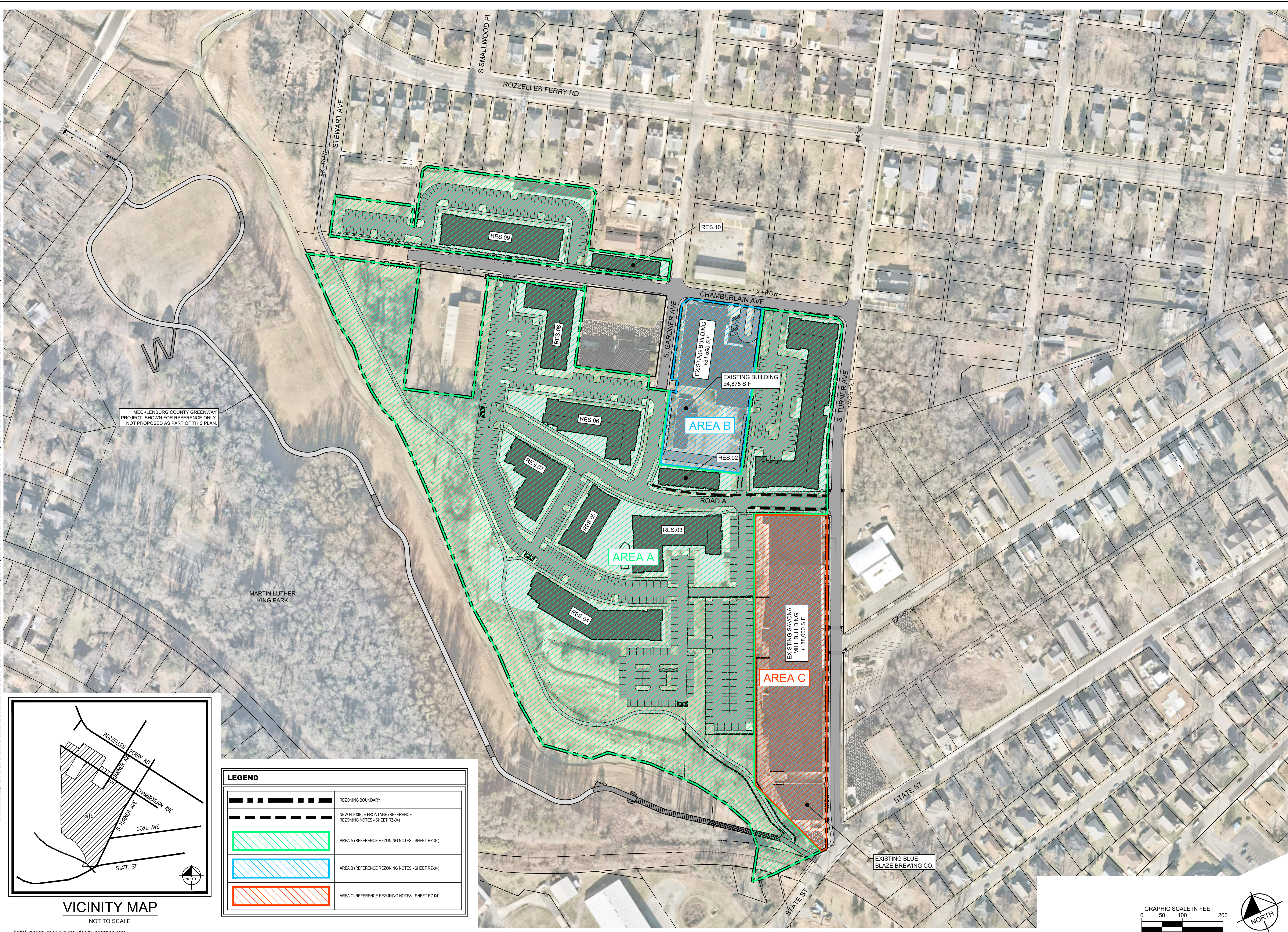


VICINITY MAP
NOT TO SCALE



Plotted By: Atchley, John Kelly, Sheet: Savona Mill Rezoning - 019292021 - Layout: RZ-02 REZONING SITE PLAN, JULY 16, 2021, 02:04:48pm. K:\CHL_P\019292021 - savona mill\02 - Dwg\Rezon\plansheets\RZ-02 REZONING SITE PLAN.dwg
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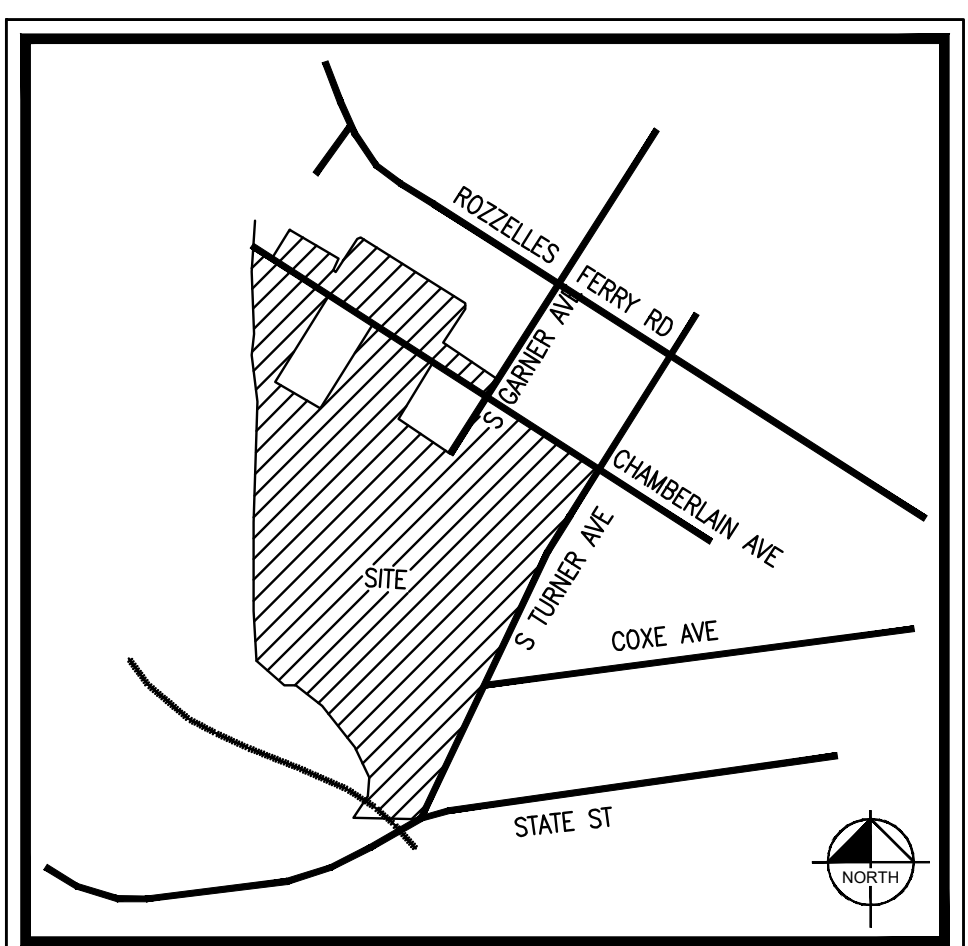
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MECKLENBURG COUNTY GREENWAY PROJECT. SHOWN FOR REFERENCE ONLY. NOT PROPOSED AS PART OF THIS PLAN.

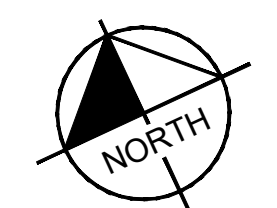
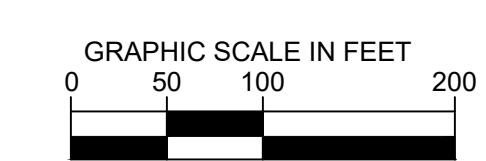
MARTIN LUTHER KING PARK

EXISTING BLUE BLAZE BREWING CO.



VICINITY MAP
NOT TO SCALE

LEGEND	
	REZONING BOUNDARY
	NEW FLEXIBLE FRONTAGE (REFERENCE REZONING NOTES - SHEET RZ-04)
	AREA A (REFERENCE REZONING NOTES - SHEET RZ-04)
	AREA B (REFERENCE REZONING NOTES - SHEET RZ-04)
	AREA C (REFERENCE REZONING NOTES - SHEET RZ-04)



No.	REVISIONS	DATE	BY
5	REVISED PER CITY COMMENTS	07/16/21	TRH
4	REVISED PER CITY COMMENTS	07/14/21	TRH
3	REVISED PER CITY COMMENTS	06/23/21	TRH
2	REVISED PER CITY COMMENTS	05/17/21	TRH
1	REVISED PER CITY COMMENTS	04/13/21	TRH

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KHA PROJECT	DATE	SCALE	DESIGNED BY	DRAWN BY	CHECKED BY
019292023	01/06/2021	AS SHOWN	TRH	TRH	RBD

REZONING AREAS PLAN
 REZONING PETITION NO. 2021-021

SAVONA MILL REZONING
 PREPARED FOR
PORTMAN RESIDENTIAL
 NORTH CAROLINA
 CITY OF CHARLOTTE

SHEET NUMBER
RZ-03

Plotted By: Activity, John Kelly, Sheet: Savona Mill Rezoning - 019292021 - Layout: RZ-2 REZONING NOTES July 16, 2024, 02:05:15pm, KCHL, PRJ: 019292021 - savona_mill_02 - DWG: Rezoning\plan\sheet\RZ-02 REZONING NOTES.dwg. This document, together with the concepts and designs presented herein, is an instrument of service, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Return of and improper reliance on this document without written authorization and signature by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

PORTMAN RESIDENTIAL REZONING PETITION NO. 2021-021 7/16/2021

Development Data:

Acreage: +/- 27.65 acres
Tax Parcels: 071-114-18, 071-114-12, 071-114-17, and 071-112-19
Existing Zoning: MUDD-O with five (5) year vested rights
Proposed Zoning: MUDD-O SPA with five (5) year vested rights
Existing Uses: Industrial
Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district

Maximum Development: Subject to the conversion rights as defined herein, up to (a) 290,000 square feet of commercial and/or office uses, however small uses shall not exceed 47,000 square feet, and (b) up to 650 residential units.

Maximum Building Height: Up to ninety (90) feet and six (6) stories, and further limited in the areas as indicated on the Rezoning Plan as generally described in Section VI(G) below.

Parking: Per the Optional Request in Section II, below.

I. General Provisions

1. **Site Description.** These Development Standards and the Technical Data Sheet form the Rezoning Plan (hereinafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Portman Residential ("Petitioner") to accommodate the redevelopment of an approximately 28-acre property generally surrounded by Stewart Avenue, Chamberlain Avenue, Turner Avenue, State Street, and Stewart Creek (the "Site").

2. **Intent.** This Rezoning is intended to accommodate the evolution of a heavy industrial property into a vibrant mixed-use community. The Petitioner seeks to preserve existing buildings and infrastructure where possible while maintaining enough flexibility to develop new improvements in a manner and at a time that is responsive to market demand. The Petitioner proposes to create an internal street network through the Site to create a more complete street network that will allow pedestrian, bicycle, and automobile traffic to travel through the Site. The Petitioner seeks to create a public realm with the pedestrian experience in mind. The overall development plan is intended to allow the Site to evolve with the surrounding area, resulting in a well-designed, quality experience for the residents, employees, and visitors, as well as the larger community. The Petitioner views the existing Savona Mill building as an asset to the development and intends to preserve the building for adaptive reuse.

3. **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 MUDD zoning classification shall govern development taking place on the Site as provided in the Optional Provisions provided below.

4. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, setbacks, side and rear yards, buffers, building height separation standards, and other similar zoning standards will not be required in instances where improvements and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements, provided, however, that all such separation standards along the exterior boundary of the Site shall adhere to any development limitations set forth below as to the Site as a whole and not individual portions or lots located thereon.

5. **Flexibility in Placement of Development/Site Elements, Alterations/Modifications.** The Development Area layout depicted on the Rezoning Plan is schematic in nature and intended to depict the possible general arrangement of permitted uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements generally depicted on the Rezoning Plan, if provided, are graphic representations of the possible proposed development and site elements, but since the project has not undergone design development, it is intended that this Rezoning Plan provide for flexibility in ultimate layout, locations and sizes of development and site elements including allowed alterations or modifications to graphics shown with the setbacks, yard, landscaping and tree save requirements set forth on this Rezoning Plan and the Development Standards.

6. **Five-Year Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the time of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period.

II. MUDD-O Optional Provisions

The following Optional Provisions are provided to accommodate deviations from the MUDD standards:

(a) To allow existing structures to remain within Development Areas B and C and to permit changes of use within existing buildings in full compliance with MUDD compliance with MUDD conditions, as further described below in Paragraph 2.g. and 6.3 (which requires minor building enhancements not to exceed 10% of the building facade). Such Adaptive Reuse of Existing Buildings shall not be removing in a manner that makes them more nonconforming with MUDD design and architectural standards unless otherwise approved by the Planning Director or its assignee. However, at such time when an existing structure in any Development Area is demolished, the Petitioner must comply with all MUDD design standards for newly constructed buildings (partially or entirely) within the Development Area and all MUDD street design standards for the Development Area. For the sake of clarity, if one building within an Area is demolished but other existing structures remain,

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those existing structures shall not also immediately be required to come into full MUDD compliance, but the streetscape standards shall be updated for the entire Area so as to comply with the MUDD standards or as otherwise agreed upon herein.

(b) To allow existing off-street, surface level, vehicular parking and maneuvering areas to remain between existing buildings and public and private streets in the areas generally depicted on the Rezoning Plan during "Adaptive Reuse of Existing Buildings" conditions.

(c) To not require doorways to be recessed into the face of existing buildings during "Adaptive Reuse of Existing Buildings" conditions.

(d) To allow water quality and stormwater detention facilities to be located beneath sidewalks and private streets, but outside of the public right-of-way.

(e) To allow alternative cross sections if approved by the Charlotte Department of Transportation (CDOT), as shown on Sheet RZ-05.

(f) To allow the following signs that vary from the MUDD standards to be permitted:

- Computer programmable L.E.D. systems with full-color, full-matrix and/or digital display (visible from the interior to the Site only);
- Full color outdoor video display (visible from the interior to the Site only);
- Signs with moveable parts (signs with parts that rotate, adjust, or are interactive);
- Movie-type projected images from either direct projection or rear screen projection;
- Sculpture signs;
- Landscape wall signs (landscape walls are low walls associated with landscape features or amenity areas);
- Temporary banners hung on a supporting structure or above a pedestrian or vehicular connection on public streets or proposed connections; and
- Other such signs having substantially the same characteristics as the foregoing or developed in response to innovative technology.

(g) During "Adaptive Reuse of Existing Buildings" conditions within Development Areas B and C, the Petitioner requests flexibility from the MUDD Ordinance provisions related to design standards to allow for the following:

- In Area B, the Petitioner requests the opportunity to discuss approval for design flexibility with the Planning Director or its assignee related to the internal streetscape and design standards, such as the proposed Trolley connection and other similar innovative design elements that are consistent with the intent of the redevelopment.
- If non-residential uses within Development Areas B or C are not oriented to an existing or new network-required street and cannot meet the design standards for blank wall articulation (for example, modular commercial, pre-existing conditions contributing to site character, and/or fire code limitations), alternative innovative design solutions may be considered for approval by the Planning Director or designee.
- Loading/unloading and service, including refuse collection;
- Driveway spacing;
- Flexibility for existing grade related to the active use requirement on the ground floor of existing buildings;
- Relief from "blank" walls provisions;
- Relief from storefront and entrance spacing requirements.

(h) To allow a minimum parking ratio of 0.6 spaces per unit for residential uses within Area A.

(i) To allow deviations in the number of solid waste and recycling areas while meeting the spatial requirements of the Ordinance as generally depicted on the Rezoning Plan.

III. Permitted Uses and Maximum Development

Subject to the Maximum Development provisions set forth herein, the Site may be devoted to any commercial and residential uses permitted by right or under prescribed conditions in the MUDD Zoning District together with any incidental and accessory uses associated therewith (including a Trolley Barn), except for the following:

- Car washes, except for accessory wash bays associated with residential uses on the Site;
- Automobile service stations;
- EDBEs with drive-through service windows;
- Adult establishments;
- Nursing homes; and
- Police and fire stations.

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IV. Development Areas and Conversion Rights

(a) Subject to the restrictions, limitations, and transfer/conversion rights listed below, the principal buildings constructed within Development Areas may be developed with: (i) up to 290,000 square feet of gross floor area of commercial non-residential uses permitted by right and under prescribed conditions; and (ii) up to 650 residential dwelling units.

Conversion Rights

- In the event that 650 residential units are not constructed on the Site, unused residential units may be converted to commercial square footage at a rate of 1,000 square feet of commercial uses per one (1) residential dwelling unit so converted. However, at no point shall the total amount of commercial square footage exceed 390,000 square feet, including conversions.
- Unused commercial square footage may be converted to hotel rooms at a rate of one (1) hotel room per 1,000 square feet of unused commercial square footage. However, at no point shall the total number of hotel rooms exceed 150 rooms, including conversions.
- Unused residential units may be converted to hotel rooms at a rate of one (1) hotel room per one (1) residential unit so converted. However, at no point shall the total number of hotel rooms exceed 150 rooms, including conversions.

(b) For purposes of the development limitations set forth in these Development Standards, the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structural parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these Development Standards).

(c) The total square feet of gross floor area devoted to office uses and other commercial uses such as retail, restaurant and personal service uses shall be interchangeable provided that:

- the total square feet of gross floor area of all such office and other commercial uses does not exceed 290,000 square feet of gross floor area; and
- the total amount of retail square footage shall not exceed 47,000 square feet.

V. Transportation

(a) All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the area, by way of private-public partnership effort or other public sector project support.

(b) **On-Site Improvements.** The Petitioner shall commit to substantially complete the following Site frontage street improvements throughout the Site based on the following development triggers:

- Improvements along both sides of the Site's frontage of Gardner Avenue, to be improved to streetscape conditions as depicted in the cross-sections provided on Sheet RZ-05, or as otherwise mutually agreed upon in coordination with CDOT, shall be provided prior to the issuance of the first certificate of occupancy for Area A.
- Improvements along both sides of the Site's frontage of Chamberlain Avenue, to be improved to streetscape conditions as depicted in the cross-sections provided on Sheet RZ-05, or as otherwise mutually agreed upon in coordination with CDOT, shall be provided prior to the issuance of the first certificate of occupancy for Area A.
- Improvements to the Site's frontage of South Turner Avenue, to be improved to streetscape conditions as depicted in the cross-sections provided on Sheet RZ-05, or as otherwise mutually agreed upon in coordination with CDOT, shall be provided prior to the issuance of the first building certificate of occupancy for either Area A or Area C, whichever comes first.
- Improvements to the new Road A, as generally depicted on the Rezoning Plan shall be provided as depicted in the cross-sections on Sheet RZ-05, or as otherwise mutually agreed upon in coordination with CDOT, prior to the issuance of the first building certificate of occupancy for Area A.

(c) **Off-Site Improvements.** Petitioner shall provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

- At the intersection of S Turner Avenue and Site Access Road A:
 - Construction of a north-south median with one ingress and one egress lane and an internal protected stem of 100 feet.
 - Installation of stop-control on all three approaches to create an all-way stop condition; and
 - Installation of a 25' miles per hour (mph) posted speed limit sign along S Turner Avenue.
- At the intersection of S Turner Avenue and Cove Avenue:
 - Installation of stop-control on all three approaches to create an all-way stop condition.
- Pedestrian Improvements:
 - Construction of two (2) pedestrian crossings along Rozzelles Ferry Road, one west of S Turner Avenue and one at Stewart Avenue. The required signing/signaling of this crossing shall be confirmed with CDOT;
 - Construction of a north-south greenway alignment for a shared-use path connection through the proposed Site to ADA-compliant standards, such as CLDSM standard detail number 10.42, with a minimum width of 12' for the portion within the public right-of-way and minimum width of 10' for the portion on the private Site, and constructed of materials such as asphalt, gravel, or concrete (final material to be reviewed and approved by CDOT during permitting), in the location as generally depicted on the Rezoning Plan and phased per the Rezoning Plan.

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The Petitioner or its successors shall provide ongoing reasonable maintenance of the pathway unless otherwise coordinated with CDOT and/or Park & Rec. The shared-use path shall comply with PROWAG's Rule on Shared Use Paths. In addition, an encroachment agreement may be required if the shared use path is constructed within an existing unimproved right-of-way.

(d) **Phasing of Off-Site Improvements:**

- Improvements at the intersection of S Turner Avenue and Site Access Road A shall be approved and constructed prior to the issuance of the first certificate of occupancy for Area C (the mill building);
- Improvements at the intersection of S Turner Avenue and Cove Avenue shall be approved and constructed prior to the issuance of the first certificate of occupancy for Area A (the multi-family residential development); and
- Pedestrian improvements shall be approved and constructed prior to the issuance of the first certificate of occupancy for Area A (the multi-family residential development).

(e) **Access and Internal Streets:**

- New public streets within the Site shall be provided as generally depicted on the Rezoning Plan, subject to adjustment set forth below. It is understood that the routes for such internal vehicular and pedestrian connections as generally depicted may be adjusted as reasonably necessary to address site conditions.
- Internal vehicular and pedestrian connections, as generally depicted on the Rezoning Plan, shall be installed as redevelopment (including adaptive reuse of existing buildings) occurs as may be necessary to ensure appropriate vehicular and/or pedestrian access to the development area in question.
- The internal private streets will have recorded public access easements where generally depicted on the Rezoning Plan. However, this shall not preclude Petitioner from temporarily closing internal private streets for, but not limited to, special events, festivals, public markets, concerts, block parties or similar events upon CDOT approval.
- In addition to proposed street locations, other potential vehicular access points which could be surface drives or entrances to structured parking facilities shall be allowed. The exact number and location of vehicular access points will be determined during the design process and thereafter with approval from appropriate governmental authorities, subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations. Petitioner, in its discretion may limit ingress and egress movements or restrict certain vehicular access points to one-way traffic if necessary.
- The Petitioner reserves the right to request the installation of pavers and/or stamped or colored asphalt within streets abutting or internal to the Site in order to designate and define pedestrian crossings in order to enhance the pedestrian experience (including within intersections such as multimodal plazas or speed tables). The Petitioner will coordinate the design of any decorative pavement elements proposed within the public right-of-way with CDOT during the driveway permit process. Furthermore, the Petitioner understands that an encroachment and maintenance agreement must be obtained from CDOT before any decorative pavers and/or stamped pavement proposed in the public right-of-way may be installed.
- The alignment of the internal public and private streets, vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT's final approval.

(f) **The Petitioner shall dedicate and convey a permanent greenway easement for the 0.13-acre portion of land requested in coordination with the Mecklenburg County Park and Recreation Department (MCRP), as shown on the exhibit to MCRP's Memorandum dated June 26, 2019, and shall coordinate the feasibility of a temporary construction easement for the requested 0.03-acre portion of land to accommodate MCRP's Stewart Creek Greenway plan, where commercially reasonable and consistent with the intent of this Rezoning Plan.** [Item has been struck because already completed so zoning requirement is satisfied.]

(g) **Substantial Completion.** Reference to "substantially complete" for certain improvements as set forth herein shall mean completion of the roadway improvements in accordance with the standards set forth herein, however, in the event certain non-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 described above, then CDOT will allow applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event, the Petitioner shall 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.

(h) **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced herein may not be possible without the acquisition of additional right-of-way. If after the exercise of diligent good faith efforts, as specified by the City Real Estate Services for Developers: An Overview and Developer Requirements To Acquire Grant Utility Easements From Private Property Owners to the City of Charlotte, the Petitioner is unable to acquire any land necessary to provide for any such additional right-of-way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall be asked to post a letter of credit or a bond for any improvements not in place at the time such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection (a) above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein above, then the Petitioner will contact the Planning Department and CDOT regarding an appropriate infrastructure phasing plan that appropriately matches the scale of the development proposed to the public infrastructure millage rates. If after contacting the Planning Department and CDOT to determine the appropriate infrastructure phasing plan, delays in the acquisition of additional right-of-way extends beyond the time that the Petitioner seeks to obtain a Certificate of Occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; 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.

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(i) **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, Planning Director (or its assignee), and as applicable, NCDOT, provided, however, the proposed alternate transportation improvements must provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

(j) **Alternative Compliance.** While it is understood that the improvements set forth above, unless otherwise specified, are the responsibility of the Petitioner or other sector entity, in any event that it is necessary or advantageous, CDOT may, at its discretion, accept a fee in lieu of construction of certain improvements, as long as such fee is equal to the full cost of said improvements (including design, acquisition and construction).

(k) Unless otherwise stated herein, the Petitioner shall dedicate all rights-of-way in fee simple conveyance to the City of Charlotte and complete all transportation improvements prior to the issuance of the Site's first building certificate of occupancy.

VI. Design Standards

(a) **Preservation of Existing Savona Mill.** The Petitioner agrees to use diligent good faith efforts to preserve the existing Savona Mill building located in Area C for adaptive reuse, unless determined to be in such condition from a structural or environmental standpoint that preservation may not be possible, as determined by the third-party engineer licensed in North Carolina.

- If any design or streetscape improvement requirements contained herein are contradictory to the requirements of historic preservation so as to affect the Mill's eligibility for historic tax credits, the requirements related to historic preservation shall prevail so as not to impact the applicability of historic tax credits. Alternative Compliance or Alternative Improvements shall be provided in coordination with the Planning Director (or its assignee) and/or CDOT.
- Adaptive Reuse of Existing Buildings.** For buildings in Development Area B that are being adaptively reused, the Petitioner requests optional relief from the provisions in Section II (a) above to allow existing buildings to remain without triggering new building design guidelines. The following standards shall apply to all Adaptive Reuse of Existing Buildings:
 - Existing Building(s) shall be renovated with facade improvements through vision glass, doors or active outdoor spaces along 30% of the building side that fronts the public right-of-way or private street between two (2) feet and eight (8) feet of the ground floor, unless such renovations require that over 10% of the building facade be altered. In that case, only 10% of the building facade shall be renovated to include vision glass, doors or active spaces as stated herein. Further, if the building architectural or site prohibits meeting the above condition, the Planning Director or its assignee may approve alternative approaches that meet the intent of the redevelopment. Such renovations shall occur at such time that Development Area B's total occupancy exceeds 75% occupancy.
 - At such time as an adaptive reuse building is redeveloped with new building(s) or an existing parking area is improved or such time as the use to which that parking area serves is converted to non-industrial (i.e., commercial, office, or residential) uses, the building(s) must be built to MUDD standards and parking areas must be screened per MUDD standards.
 - Expansion of adaptive reuse buildings shall be limited to minor (15%) increases for utility uplifts or other similar existing building improvements required to meet accessibility requirements or building code requirements. Expansions above 15% shall require such building(s) to conform to MUDD standards.
 - For any Development Area with parking areas labeled as "Existing Parking Fields for Adaptive Re-Use or Re-Use in Primarily As-a-Car Condition" on the Rezoning Plan shall denote parking areas where existing parking areas and parking structures may be adaptively re-used (i.e., restriped) in an as-is condition without triggering parking improvements and be visible from streets or open spaces until such time as the existing buildings to which they serve are demolished and new buildings are constructed in their place, at which time such parking in that Development Area shall conform to all MUDD screening and parking standards in the Ordinance and parking shall no longer be permitted between the building(s) and network-required streets that Area unless alternative improvements are approved by the Planning Director or its assignee.

(c) **New Building Design Guidelines.**

- Building Materials.** The new principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings (other than structured parking facilities) will be a combination of the following: glass, brick, stone, simulated stone, pre-cast concrete, architectural pre-cast concrete, synthetic stone, stucco, cementitious siding (such as hard-plank), or wood. EIFS as a building material will not be allowed, except as back-up for architectural trim on stucco-clad buildings. Vinyl, as a building material, will only be allowed on windows, soffits, and trim features.
 - Building materials associated with facades of parking structures shall be generally compatible in character and quality with materials used on nearby buildings, plazas and streetscapes, taking into consideration differences associated with parking structures.
- All Permissible Parking Areas that face Turner Avenue adjacent to Required Open Spaces shall be screened at a level that exceeds the Ordinance requirement. The first floors of any parking structures that face streets or require Open Spaces shall be screened from view and designed to encourage and complement pedestrian-scale activity and shall incorporate at least three (3) of the following design features:
 - works of art;
 - fountains and pools;
 - covered porches, canopies, awnings or sunshades;
 - street furniture;

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- landscaping and garden areas; and/or
- architecturally articulated facades.

- New meter banks will be screened where visible from public view at grade from public or private streets and shall be located outside of the setback.
- New rooftop HVAC and related mechanical equipment will be screened from public view at grade from public or private streets.
- Dumpsters, loading and service areas shall be screened from streets, common open spaces and any adjacent residential uses with materials complementary to the principal structure. Dumpster enclosures will not directly abut the back of a sidewalk.
- Backflow preventers and transformers shall be screened and located outside the setback.
- Buildings shall be designed to front roads that are primary frontages (Chamberlain Avenue, Turner Avenue, Road A) and be oriented toward the streets. Buildings that face a primary frontage shall be designed so that individual residential units, shops, tenants or common entrances have direct access to public or private streets, pedestrian corridors or open spaces. Building entrances shall be at or slightly above grade and shall be highly visible and architecturally treated as prominent pedestrian entrance through a combination of at least five (5) of the following features:
 - Decorative pedestrian lighting/cocones;
 - Architectural details carried through to upper stories;
 - Covered porches, canopies, awnings, arcways or sunshades;
 - Transom windows or double doors;
 - Terraced or raised planters that can be utilized as seat walls;
 - Common outdoor seating enhanced with specialty details, paving, landscaping or water features;
 - Stoops or stairs; and/or
 - Contrasting pavement from primary sidewalk.
- Streetscape treatment will be a unifying element through the use of consistent paving, pedestrian scale lighting, enhanced landscaping, site furnishings and signage. Specialty pavers, stained and painted concrete, paving or other similar means will be used to call attention to amenity areas, gathering spaces and plazas as a method of way-finding.
- Expanses of blank or unarticulated walls greater than 20 feet in length shall be treated with a minimum of three (3) options below:
 - Provide a higher level of transparency on the ground floor, such as exaggerated or larger windows indicative of living areas or retail spaces;
 - Utilize horizontal and vertical variations in wall planes;
 - Provide architectural protrusion to accentuate enclosed balconies;
 - Utilize corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses;
 - Provide amenity landscaping, such as a sitting area with arboring; and/or
 - Any other architectural improvements as allowed by the Ordinance to improve the visual aesthetics of blank or unarticulated walls.
- Buildings shall not exceed a length of three hundred and fifty (350) feet along network required streets without having a minimum ten (10) foot by twenty five (25) foot inverted articulation into the building to break up building massing. The scale and massing of buildings longer than 150 feet along a network-required street or designated public open space, or any building greater than 30,000 horizontal square feet on any side, shall be minimized by utilizing at least three (3) options below:
 - Provide a minimum four (4) foot step back for buildings taller than four stories (excluding basement conditions) above the first floor or second floor;
 - Provide varied roof lines through the use of slopes, modulated building heights, gables, dormers or innovative architectural solutions;
 - Utilize corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses;
 - Provide architectural protrusion to accentuate enclosed balconies;
 - Provide amenity landscaping, such as a sitting area with arboring; and/or
 - Any other architectural improvements as allowed by the Ordinance to improve the visual aesthetics of scale and/or massing.

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- In order to further break up the length of Residential Building 9, as labeled on the Rezoning Plan, the Petitioner shall ensure that Building 9 contains undulation of a minimum depth of two (2) feet to interrupt building length that exceeds 105 feet, on both sides of the building (both fronting Chamberlain Avenue and facing toward the proposed parking lot toward Rozzelles Ferry Road).
- If non-residential uses are not oriented to an existing or new network required street and cannot meet the design standards for blank wall articulation commercial, pre-existing conditions contributing to site character, and/or fire code limitations), alternative innovative design solutions may be considered for approval by the Planning Director or designee.

(d) **Maximum Building Height.** Maximum building height shall be limited as described below, exclusive of basement conditions as defined per the building code:

- In Area A1, the building height of the building labeled "Res. 09" may not exceed seventy (70) feet or four (4) stories. The building labeled "Res. 10" may not exceed three (3) stories.
- In Area A2, the building height may not exceed seventy (70) feet or four (4) stories fronting Chamberlain Avenue and Turner Avenue and may increase to a maximum of five (5) stories behind to create a 4.5 split building that exceeds 70 feet on the back side of the building.
- In Area A3, the building height may not exceed ninety (90) feet or six (6) stories.
- In Area B, the building height may not exceed seventy (70) feet or four (4) stories fronting Chamberlain Avenue and may increase to a maximum of five (5) stories, in excess of 70 feet on the back side of the building.
- In Area C, the building height may not exceed the existing height of the Savona Mill building, exclusive of roof conditions, such as but not limited to rooftop amenity decks, and minor deviations.

VII. Parking Areas, Access and Circulation Design Guidelines.

(a) Structured parking facilities, if provided, shall be designed to encourage and complement pedestrian-scale interest and activity on the ground floor and be architecturally compatible with primary buildings on all levels.

(b) Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design.

(c) If an exposed parking structure is located at a street corner, the corner of the parking structure shall be activated with ground floor use.

(d) On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances.

(e) If structured parking is provided, parking on all levels of parking decks shall be screened from view with decorative or architectural louvers or panels so that no cars are visible from public rights of way.

(f) A minimum two (2) foot wall shall be provided along the Site's northern frontage of Chamberlain Avenue where surface parking is located adjacent to the street in order to screen headlights along Chamberlain Avenue, in the location as generally depicted on the Rezoning Plan.

VIII. Pedestrian Access and Circulation Design Guidelines

(a) Along the Site's internal streets, the Petitioner will provide a sidewalk and a cross-walk network that links the buildings, parking areas and areas of interest on the Site with one another by way of links to sidewalks along the abutting public and private streets and/or other pedestrian features.

(b) Where walkways occur along building walls, a walkway width of at least six (6) feet shall be maintained clear of main door swings, shopping cart storage, trash or similar impediments. Main door swings are to be distinguished from emergency exits, with emergency exits only requiring a walkway width of at least six (6) feet.

(c) Subject to the optional provision set forth above, deviations from typical sidewalk and planting strip requirements are allowable upon approval by CDOT and the Planning Director. Any changes to dimensional requirements are allowable only in cases of hardship.

IX. Open Space and Amenity Areas.

Petitioner shall provide open spaces throughout the Site in accordance with the following standards:

(a) **Urban Open Spaces:** New development within the Site shall meet the Urban Open Space requirements of the MUDD district.

(b) **Amenitized Publicly Accessible Open Space:** Prior to the issuance of a certificate of occupancy for greater than 100,000 square feet of development throughout the Site, the Petitioner shall provide at least 10,000 square feet of amenitized, publicly accessible open spaces designed as amenity areas throughout the Site. The majority of the required open space will be at the ground level in locations that are visible and accessible from streets or sidewalks. These areas may include elements such as: water features, specialty graphics, landscaping, specialty paving, seating areas, signage, art work and/or other site elements.

X. Landscaping and Screening

(a) The Petitioner shall provide a minimum six (6) foot tall opaque fence and enhanced landscaping along the Site's property boundary adjacent to single-family homes along Rozzelles Ferry Road, as generally depicted on the rezoning plan. The landscaping area shall be a minimum depth of ten (10) feet and be planted to Class C buffer standards.

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(b) The Petitioner shall provide a low wall and/or shrub and landscaping treatment along the Site's northern frontage of Chamberlain Avenue where surface parking is located adjacent to the street, as generally depicted on the Rezoning Plan.

XI. Environmental Features

(a) The Petitioner shall comply with the Charlotte Tree Ordinance.

(b) The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submitted and are not implicitly subject to this rezoning. Adjustments may be necessary in order to accommodate stormwater treatment requirements and natural site discharge points.

(c) Development within any SWMAPCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Stream Delineation Reports are subject to review and approval by Charlotte Storm Water Services.

XII. Signage

(a) Because the Site will be viewed as a Planned/Unified Development as defined by the Ordinance, signs may be located throughout the Site as allowed by the Ordinance and provisions below. The allowed signs may contain identification signage for any of the uses located on the Site.

(b) Signage types as outlined in Optional Provision Section 2.1 shall be permitted in addition to those allowed under Chapter 13 of the Ordinance.

XIII. Lighting

(a) All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

(b) Detached lighting on the Site, except street lights located along public streets, will be limited to 30 feet in height in the portions of the Site used for non-residential uses and 25 feet in height in the portions of the Site used for residential uses.

(c) Attached and detached lighting shall be downwardly directed. However, upward facing accent lighting shall be permitted.

(d) Architectural lighting may be integrated into building elements.

XIV. Phasing

Petitioner intends to develop the Site in phases and may develop individual Development Areas based on market demand. All required sidewalks, street trees and open space amenities within a particular Development Area shall be installed prior to the issuance of the first Certificate of Occupancy (this requirement shall not apply to Temporary Certificates of Occupancy) for New Buildings within the same Development Area, unless otherwise described herein. Adaptive Reuse of Existing Buildings in Development Area B shall not trigger installation of required sidewalks, street trees, and open space amenities unless otherwise described herein.

XV. Amendments to Rezoning Plan

Future amendments to the Rezoning Plan may be approved 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.

XVI. Binding Effect of the Rezoning Documents and Definitions

(a) If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

(b) Throughout these Development Standards, the terms "Petitioner" and "owner" or "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

EXISTING BUILDING (ADDRESS)	BEGINNING SF	EXPANDED SF ALLOWANCE (15% MAX)	ACTUAL EXPANSION	EXPANSION DESCRIPTION	DATE OF EXPANSION PERMIT	% OF SITE TOTAL OCCUPANCY
528 S TURNER AVE	178,870	26,831				
401 S GARDNER AVE	4,852	728				
411 S GARDNER AVE	60,180	9,027				
2426 CHAMBERLAIN AVE	24,544	3,682				

REVISED PER CITY COMMENTS	REVISED PER CITY COMMENTS	REVISED PER CITY COMMENTS	REVISED PER CITY COMMENTS	REVISIONS	DATE
5	4	3	2	No.	
07/16/21	07/14/21	06/23/21	05/17/21	1	04/13/21
TRH	TRH	TRH	TRH	BY	BY

KHA PROJECT 019292023
DATE 01/06/2021
SCALE AS SHOWN
DESIGNED BY TRH
DRAWN BY TRH
CHECKED BY RBD

SAVONA MILL REZONING PREPARED FOR PORTMAN RESIDENTIAL NORTH CAROLINA

Kimley-Horn
NOT FOR CONSTRUCTION
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REZONING PETITION NO. 2021-021

SHEET NUMBER RZ-04

