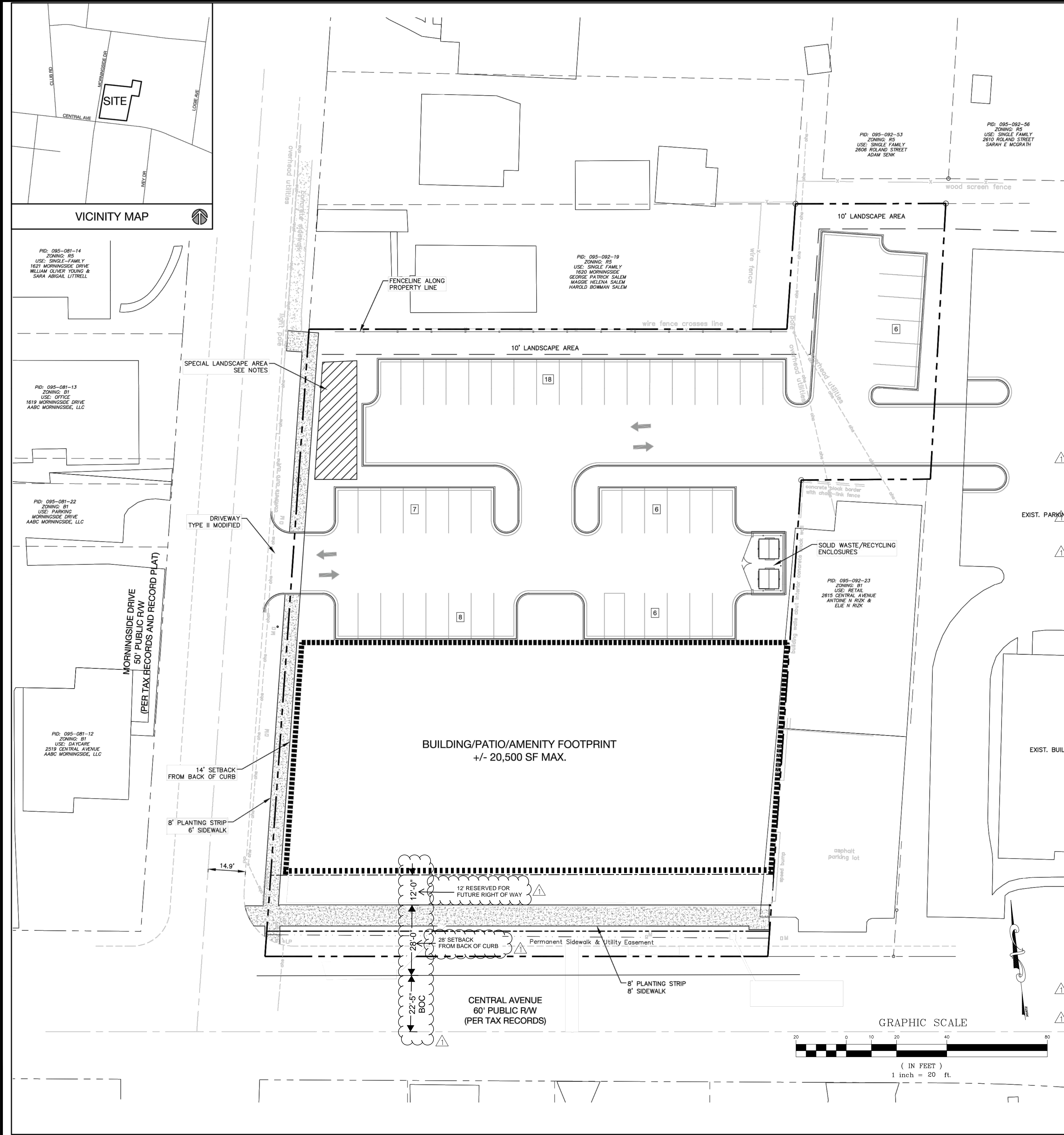


November 13, 2023 - 2:16pm By: JMB  
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RZP # 2022-224  
OFFICE AND RETAIL  
CENTRAL AVENUE AND MORNINGSIDE DRIVE  
2609 CENTRAL AVENUE

DEVELOPMENT STANDARDS  
November 17, 2022

1. Development Data Table

Tax Parcels:	09509222, 09509221, AND 09509220
Total Site Area:	1.23 Acres
Existing Zoning:	MUDD-O
Proposed Zoning:	MUDD-O SPA
Existing Use:	Mixed Retail Office and Gas Station
Proposed Use:	Any use or combination of uses and accessory uses as permitted in the Mixed Use Development District of the City of Charlotte Zoning Ordinance, except as limited in these notes.
Residential Density:	N/A
Square Footage:	Not to exceed 45,000 sq ft
Floor Area Ratio:	
Maximum Building Height:	65'
Maximum No. of Buildings:	N/A
Parking Spaces:	Parking as required per Section 9.8507
Required:	
Proposed:	
Open Space:	Per Ordinance

GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION, FILED BY SRL CENTRAL AVENUE PROPERTIES LLC (THE PETITIONER), TO ACCOMMODATE THE DEVELOPMENT OF A MIXED USE BUILDING ON AN APPROXIMATELY 1.23 ACRE SITE LOCATED ON THE NORTHEAST CORNER OF CENTRAL AVENUE & MORNINGSIDE DRIVE, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPOSED OF TAX PARCEL NUMBERS: 09509222, 09509221, AND 09509220.
- B. DEVELOPMENT 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").
- C. UNLESS THE ZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- D. THE DEVELOPMENT AND USES DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH 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, YARD, LANDSCAPING AND TREE SAVE 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. THE SETBACKS ARE AS SHOWN ON THE REZONING PLAN.
- E. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

PERMITTED USES

- A. ANY COMBINATION OF USES AND ACCESSORY USES AS PERMITTED BY THE CITY OF CHARLOTTE ZONING ORDINANCE FOR THE MUDD ZONING DISTRICT, INCLUDING BUT NOT LIMITED TO, MULTI-FAMILY RESIDENTIAL, RETAIL, OFFICE AND EATING, DRINKING AND ENTERTAINMENT USES.
- B. THE FOLLOWING USES SHALL NOT BE PERMITTED: GAS STATION, CAR WASH, ADULT ESTABLISHMENT, ACCESSORY DRIVE, DRIVE-IN SERVICE WINDOW, AND SELF-STORAGE FACILITY.
- C. THE SITE SHALL BE LIMITED TO A TOTAL SQUARE FOOTAGE OF 45,000 SQUARE FEET INCLUDING ANY COMBINATION OF ALLOWABLE USES, PURSUANT TO THE ORDINANCE AND THE CONDITIONS OF THIS SITE PLAN AND FURTHER RESTRICTED AS FOLLOWS: THE SITE SHALL HAVE A MAXIMUM COMBINED TOTAL OF 24,000 SQUARE FEET FOR RETAIL AND/OR EDGE TYPE USES, AND, THE TOTAL NUMBER OF RESIDENTIAL UNITS SHALL NOT EXCEED 45 RESIDENTIAL UNITS SUBJECT TO THE ORDINANCE REQUIREMENTS. THE SITE MAY INCLUDE ANY COMBINATION OF RESIDENTIAL AND COMMERCIAL USE SO LONG AS THE TOTAL SIZE RESTRICTION AND THE SPECIFIC USE RESTRICTIONS ARE EACH MET.

OPTIONAL PROVISIONS

- A. IN ORDER TO ALLOW FOR A BETTER INTEGRATION WITH ADJACENT RESIDENTIAL AND EXISTING AREA COMMERCIAL PARKING, PARKING REQUIREMENTS SHALL BE REDUCED TO A REQUIREMENT OF 1 PARKING SPACE PER 1,000 SQ FT FOR ALL NON-RESIDENTIAL USES. PARKING REQUIREMENTS FOR RESIDENTIAL USES SHALL BE AS SET FORTH IN THE ORDINANCE.
- B. THE SPECIAL LANDSCAPING AREA, AS GENERALLY SHOWN ON THE SITE PLAN, SHALL INCLUDE AT LEAST TWO TREES AND TWELVE SHRUBS AND MAY BE UTILIZED FOR THE INCLUSION OF PEDESTRIAN ORIENTED FEATURES AND/OR NEIGHBORHOOD SIGNAGE.
- C. PRIOR TO THE DEVELOPMENT OF THE LOTS THE EXISTING COMMERCIAL AND RESIDENTIAL BUILDINGS MAY REMAIN AND CONTINUE UNDER EXISTING USES AND THOSE ALLOWED PER ORDINANCE, SUBJECT TO THE EXCLUSIONS SET FORTH IN THESE CONDITIONAL NOTES. PETITIONER MAY CONTINUE TO USE THE EXISTING BUILDINGS AND RENOVATE, REPAIR, IMPROVE THE EXISTING BUILDINGS INCLUDING THE ADDITION OF EXTERIOR PATIOS AND AN EXPANSION NOT TO EXCEED 3,000 SQ FT SUBJECT TO APPLICABLE ORDINANCE REQUIREMENTS. HOWEVER THE STREETScape IMPROVEMENTS SHALL NOT BE REQUIRED UNTIL THE DEMOLITION OF THE EXISTING BUILDING AND REDEVELOPMENT OF THE LOTS.
- D. IN ORDER TO ALLOW FOR THE CONTINUED USE OF THE EXISTING BUILDINGS UNTIL REDEVELOPMENT, THE STREETScape IMPROVEMENTS SHALL NOT BE REQUIRED UNTIL THE REDEVELOPMENT OF THE SITE AND/OR ANY EXPANSION OF THE EXISTING COMMERCIAL BUILDING IN AN AGGREGATE AMOUNT EXCEEDING 2,000 SQUARE FEET. THE EXISTING SINGLE-FAMILY HOME MAY BE RENOVATED AND EXPANDED TO A MAXIMUM SIZE OF 3,000 SQUARE FEET.

TRANSPORTATION

- A. VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT SHOWN ON THE REZONING PLAN ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS, AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.
- B. AS DEPICTED ON THE REZONING PLAN, THE SITE WILL BE SERVED BY A PRIVATE DRIVEWAY, AND MINOR ADJUSTMENT TO THE LOCATION OF THE DRIVEWAY SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.
- C. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.
- D. PETITIONER SHALL INSTALL 2-ADA CURB RAMPS AT THE CENTRAL AVENUE AND MORNINGSIDE DRIVE INTERSECTION PER ADA LAW AND PROWAG STANDARDS.
- E. PETITIONER MAY PROVIDE CROSS ACCESS BETWEEN THE SITE AND THE ADJACENT PARCEL 09509224, AS GENERALLY SHOWN ON THE SITE PLAN, HOWEVER, IF THE ADJACENT LANDOWNER DOES NOT ALLOW THE CROSS ACCESS, THEN CROSS ACCESS SHALL NOT BE REQUIRED AS A PART OF THE LAND DEVELOPMENT REVIEW PROCESS.
- F. IN THE EVENT THAT CROSS ACCESS IS PROVIDED, PARKING IN EXCESS OF REQUIREMENTS ON SITE MAY BE APPLIED TOWARDS THE PARKING REQUIREMENTS OF ADJACENT PARCELS WHICH ARE CONNECTED VIA THE CROSS ACCESS PROVIDED.
- G. PETITIONER SHALL PROVIDE A SIDEWALK EASEMENT TO THE CITY OF CHARLOTTE SET AT TWO FEET BEHIND BACK OF SIDEWALK WHERE FEASIBLE, ALONG THE SITE'S FRONTAGES OF MORNINGSIDE DR. AND CENTRAL AVE. PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

ARCHITECTURAL STANDARDS

- A. PREFERRED EXTERIOR BUILDING MATERIALS SHALL BE COMPRISED OF BRICK, CEDAR SHAKE, WOOD SIDING, FIBER CEMENT SIDING, STUCCO, MASONRY AND/OR OTHER MATERIAL APPROVED BY THE CITY PLANNING DIRECTOR.
- B. THE SCHEMATIC DEPICTION OF SIDEWALKS, DRIVEWAYS, STREETS 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 BY 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 MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE.
- C. BUILDING HEIGHT SHALL NOT EXCEED 65'-0".
- D. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT ON PUBLIC OR PRIVATE NETWORK REQUIRED STREETS, THROUGH THE FOLLOWING:
- E. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR ENHANCED SIDE FACADE TO ALL STREETS.
- F. FACADES FRONTING STREETS SHALL INCLUDE A COMBINATION OF WINDOWS AND OPERABLE DOORS FOR A MINIMUM OF 80% OF EACH FRONTAGE ELEVATION TRANSPARENT GLASS BETWEEN 2' AND 10' ON THE FIRST FLOOR. UP TO 10% OF THIS REQUIREMENT MAY BE COMPRISED OF DISPLAY WINDOWS. THESE DISPLAY WINDOWS MUST MAINTAIN A MINIMUM OF 3'-0" CLEAR DEPTH BETWEEN WINDOW AND REAR WALL. WINDOWS WITHIN THIS ZONE SHALL NOT BE SCREENED BY FILM, DECALS, AND OTHER OPAQUE MATERIAL, GLAZING FINISHES OR WINDOW TREATMENTS. THE MAXIMUM SILL HEIGHT FOR REQUIRED TRANSPARENCY SHALL NOT EXCEED 4'-0" ABOVE FINISH FLOOR.
- G. DIRECT PEDESTRIAN CONNECTION SHOULD BE PROVIDED BETWEEN STREET FACING DOORS, CORNER ENTRANCE FEATURES TO SIDEWALKS ON ADJACENT STREETS.
- H. OPERABLE DOOR SPACING SHALL NOT EXCEED 75 FEET.

ENVIRONMENTAL FEATURES

- A. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE.
- B. DEVELOPMENT OF THE SITE SHALL COMPLY WITH CHARLOTTE PCSO.

LIGHTING

- A. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AS LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED SO THAT DIRECTED ILLUMINATION DOES NOT EXTEND PAST ANY PROPERTY LINE OF THE SITE.
- B. THE MAXIMUM HEIGHT OF ANY PEDESTRIAN SCALE, FREESTANDING LIGHTING FIXTURE INSTALLED ON THE SITE, INCLUDING ITS BASE, SHALL NOT EXCEED FIFTEEN (15) FEET.

STREETScape AND LANDSCAPING

- A. ALONG CENTRAL AVENUE PETITIONER SHALL PROVIDE A MINIMUM 8 FOOT WIDE PLANTING STRIP SET ALONG THE BACK OF THE EXISTING CURB AND A MINIMUM 8 FOOT WIDE SIDEWALK IMMEDIATELY ADJACENT TO THE PLANTING STRIP AS GENERALLY SHOWN ON THE REZONING PLAN.
- B. IN ORDER TO ALIGN THE SIDEWALK WITH THE EXISTING STREETScaPES AND THE INTERSECTION, PETITIONER SHALL RESERVE AN ADDITIONAL 12 FT IMMEDIATELY BEHIND THE SIDEWALK FOR POTENTIAL RIGHT OF WAY EXPANSION, PROVIDED THAT DEVELOPMENT, GRADING AND STRUCTURES WITHIN THE RESERVED AREA SHALL BE EXCLUSIVE OF THE OPEN SPACE REQUIREMENTS AND SHALL NOT BE INTEGRAL TO THE BUILDING OR ITS STRUCTURAL REQUIREMENTS.
- C. ALONG MORNINGSIDE DRIVE, PETITIONER SHALL PROVIDE A MINIMUM 8 FOOT WIDE PLANTING STRIP SET ALONG THE BACK OF THE EXISTING CURB ALONG CENTRAL AVENUE AND A MINIMUM 6 FOOT WIDE SIDEWALK IMMEDIATELY ADJACENT TO THE PLANTING STRIP AS GENERALLY SHOWN ON THE REZONING PLAN.
- D. IN ORDER TO ACCOMMODATE THE EXISTING GRADE, PETITIONER MAY INSTALL A RETAINING WALL, PROVIDED THAT PETITIONER OBTAIN A CDOT ENCROACHMENT AGREEMENT IF THE RETAINING WALL IS WITHIN THE PUBLIC RIGHT OF WAY.
- E. THE 10 FOOT WIDE LANDSCAPE AREAS ADJACENT TO SINGLE FAMILY LOTS SHALL BE PLANTED TO A CLASS C BUFFER STANDARD, HOWEVER, ANY FENCING SHALL NOT BE REQUIRED TO MEET CLASS C BUFFER STANDARDS AND MAY BE PLACED IMMEDIATELY ADJACENT TO THE LOT LINES. THE LANDSCAPING AREAS MAY BE MODIFIED FROM STANDARDS TO PRESERVE EXISTING TREES AND SHRUBBERY.
- F. THE SPECIAL LANDSCAPING AREA, AS GENERALLY SHOWN ON THE SITE PLAN, SHALL NOT BE REQUIRED TO MEET PLANTING BUFFER STANDARDS AND SHALL INCLUDE AT LEAST TWO TREES AND TWELVE SHRUBS AND MAY BE UTILIZED FOR THE INCLUSION OF PEDESTRIAN ORIENTED FEATURES AND/OR NEIGHBORHOOD SIGNAGE.

BINDING EFFECT OF THE REZONING APPLICATION

- A. 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 HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.
- B.



REZONING SITE PLAN AMENDMENT  
FOR PETITION 2022-224  
FOR  
2609 CENTRAL AVE.,  
CHARLOTTE, NORTH CAROLINA, 28205

LATORRE  
PROPERTIES  
2629 CENTRAL AVENUE,  
CHARLOTTE, NC, 28205

REVISIONS	DATE	REVISED PER COMMENTS
1	11/13/23	

JOB # 22030  
DATE: 12/23/2022  
SCALE: 1" = 20'  
DRAWN BY: JMB  
APPROVED BY: JCO

RZ-1