

**DEVELOPMENT STANDARDS NOTES**

**1. GENERAL PROVISIONS:**

A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION, FILED BY 1030 SEIGLE, LLC (THE "PETITIONER"), TO ACCOMMODATE THE DEVELOPMENT OF A MIXED-USE BUILDING ON APPROXIMATELY 3.44 ACRE SITE LOCATED ON THE NORTHEAST CORNER SEIGLE AVENUE AND BELMONT AVENUE, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NUMBER 081-124-12.

B. 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 OPTIONAL (MUDD-O) ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND THE USE OF THE SITE.

C. THROUGHOUT THIS REZONING PETITION, THE TERMS "OWNER" AND "PETITIONER" SHALL, WITH RESPECT TO THE SITE, BE DEEMED TO INCLUDE THE HEIR, DEVISEE, PERSONAL REPRESENTATIVE, SUCCESSOR IN INTEREST AND ASSIGNEE OF THE OWNER OR OWNERS OF THE SITE WHO MAY BE INVOLVED IN ITS DEVELOPMENT FROM TIME TO TIME.

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, AND OTHER REQUIREMENTS SET FORTH ON THIS REZONING PLAN & THESE DEVELOPMENT STANDARDS. PROVIDED HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL NOT MATERIALLY CHANGE THE OVERALL SPECIFIED DESIGN INTENT LISTED IN THESE "DEVELOPMENT STANDARD NOTES". "SITE DEVELOPMENT DATA" AND "DEPICTED ON THE 'SITE PLAN', "ARTISTIC RENDERINGS" SHOWN ON RZP-02 ARE PROVIDED AS SUPPLEMENTAL AND SHALL NOT BE BINDING.

E. FUTURE AMENDMENTS TO REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY CURRENT OR FUTURE OWNER(S) OF THE SITE IN ACCORDANCE WITH THE PROVISION OF CHAPTER 6 OF THE ORDINANCE. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

**2. OPTIONAL PROVISIONS:**

A. TO FACILITATE THE PRESERVATION OF THE EXISTING NEIGHBORING TREE CANOPY (I.E. "NEIGHBORING TREES": SHOWN AS "HERITAGE TREE" & "SPECIMEN TREE" ON PARCEL 081-124-11, AND OAK & ELMS ON PARCEL 081-124-13):

1. THE EXISTING UPPER & LOWER SITE RETAINING WALLS SHALL REMAIN (WITH REPAIR & IN-SITU REPLACEMENT TO BE ALLOWED) UNTIL SUCH TIME AS "NEIGHBORING TREES" DIE, ARE REMOVED BY NEIGHBORS, OR ARE REMOVED BY ACTS OF NATURE. TO ADDRESS THE CONSTRAINED CONDITION AND LIMITATIONS THIS PLACES UPON THE DEVELOPMENT OF THE SITE AS A WHOLE, THE PETITIONER REQUESTS:

a. CDOT EVALUATION & APPROVAL OF: A VEHICULAR SIGHT TRIANGLE AT THE INTERSECTION OF SEIGLE & BELMONT AVENUES OF 20' X 20' (AS DEPICTED). THIS TRIANGLE WOULD MATCH THE DESIRED URBAN AESTHETIC OF OPPOSING PARCEL 081-099-12.

b. CDOT EVALUATION & APPROVAL OF: THE LOCATION OF THE DRIVEWAY ALONG BELMONT AVENUE TO BE NO LESS THAN 70' TO THE CENTERLINE OF SEIGLE AVENUE (AS DEPICTED).

B. TO FACILITATE THE DESIGN AND PLACEMENT OF A GROUND FLOOR COMMERCIAL SPACE AT THE CORNER OF BELMONT & SEIGLE AVENUES, AND ITS ASSOCIATED PUBLIC & COMMON OPEN SPACE (AS DEPICTED), THE PETITIONER SHALL PROVIDE THE FOLLOWING:

1. THE SETBACKS ALONG SEIGLE & BELMONT AVENUES AVE SHALL BE 14'-0" FROM BACK OF EXISTING CURB, CONSISTING OF AN 8' PLANTING STRIP AND 6' SIDEWALK.

C. IN CONSIDERATION OF EXISTING ELEVATED TOPOGRAPHY AT PARCEL 081-124-11 & EXISTING ENTITLEMENT OF ALLOWABLE HEIGHT AT PARCEL 081-124-13, AND TO FACILITATE A 14' GROUND FLOOR COMMERCIAL HEIGHT, TWO STORIES ABOVE AND A SLOPED ROOF (SEE "SCHEMATIC SITE SECTIONS"):

1. THE HEIGHT OF THE BUILDING SHALL NOT EXCEED 50 FEET TALL, AS DETERMINED BY THE ORDINANCE STANDARDS FOR MEASUREMENT OF HEIGHT.

**3. PURPOSE:**

A. THE PURPOSE OF THIS REZONING APPLICATION IS TO PROVIDE FOR THE DEVELOPMENT OF A NEW BUILDING TO ALLOW FOR USES DESCRIBED IN NOTE 4 BELOW. TO ACHIEVE THIS PURPOSE, THE PETITIONER SEEKS THE REZONING OF THE SITE TO THE MIXED USE DEVELOPMENT- OPTIONAL DISTRICT (MUDD-O).

**4. PERMITTED USES:**

THE SITE MAY CONTAIN AND BE DEVELOPED WITH:

- MIXED USE (3-STORY MAX):
  - ANY MUDD USES ALLOWED PER RIGHT (PER 9.8502)
  - ANY MUDD ACCESSORY USES ALLOWED PER RIGHT (PER 9.8504)
  - BREWERIES (SUBJECT TO 12.544)
  - EATING, DRINKING & ENTERTAINMENT (TYPE 1 & 2) (SUBJECT TO 12.546)
  - IF ALCOHOL IS SOLD ON SITE, FOOD MUST BE SOLD AS WELL
  - FOR ANY OUTDOOR SEATING/ACTIVITY AREA, NO FOOD/BEVERAGES TO BE CONSUMED, NOR OUTDOOR ENTERTAINMENT ALLOWED, BETWEEN THE HOURS OF 11:00 PM - 8:00 AM.

**5. TRANSPORTATION:**

A. VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT(S) 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 ACCESSED BY PRIVATE DRIVEWAY(S), AND MINOR ADJUSTMENT TO THE LOCATION OF THE DRIVEWAY(S) SHALL BE ALLOWED DURING THE CONSTRUCTION PERMITTING PROCESS.

C. 10' X 10' PEDESTRIAN SITE TRIANGLES SHALL BE MAINTAINED AT DRIVEWAYS.

D. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED.

**6. ARCHITECTURAL STANDARDS:**

A. PERMITTED EXTERIOR BUILDING MATERIALS SHALL BE: BRICK, CEDAR SHAKE, WOOD SIDING, WOOD COLUMNS, FIBER CEMENT SIDING, STUCCO, NATURAL STONE, (OR ITS SYNTHETIC EQUIVILANT), ARCHITECTURALLY FINISHED CONCRETE, ARCHITECTURAL CONCRETE MASONRY UNITS, CONCRETE PARGE, ALUMINUM STOREFRONT, CORRUGATED METAL SIDING, VINYL OR WOOD OR METAL HANDRAILS / GUARDS / WINDOWS / TRIM / DECKING, AND/OR OTHER MATERIALS APPROVED BY CITY PLANNING.

B. PROHIBITED EXTERIOR BUILDING MATERIALS SHALL BE: VINYL SIDING, MASONITE SIDING & NON-ARCHITECTURAL CONCRETE MASONRY UNITS.

C. PITCHED ROOFS, IF PROVIDED, SHALL BE SLOPED NO LESS THAN 5:12 EXCEPT THAT ROOFS FOR PORCHES, EXTERIOR STAIRWAYS & DORMERS MAY BE NO LESS THAN 1:12:12, UNLESS A FLAT ROOF ARCHITECTURAL STYLE IS USED.

D. PERMITTED SLOPED ROOF MATERIALS SHALL BE: ASPHALT/SHINGLES, COMBINATION SHINGLES, STANDING SEAM METAL, CORRUGATED METAL OR POLYCARBONATE PANELS (@ PORCHES, EXTERIOR STAIRWAYS) & REAL OR SYNTHETIC EQUIVILANTS OF THE FOLLOWING: WOOD SHINGLES, CLAY TILE, SLATE SHINGLES.

F. BUILDINGS EXCEEDING 120 FEET IN LENGTH SHALL INCLUDE MODULATIONS OF THE BUILDING MASSING / FACADE PLANE (SUCH AS RECESSES, PROJECTIONS, AND ARCHITECTURAL DETAILS). MODULATIONS SHALL BE A MINIMUM OF 10 FEET WIDE AND SHALL PROJECT OR RECESS A MINIMUM OF SIX FEET EXTENDING THROUGH THE BUILDING.

G. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FACADE FEATURES WHICH MAY INCLUDE, BUT NOT BE LIMITED TO, A COMBINATION OF: EXTERIOR WALL OFF-SETS, PROJECTIONS, RECESSES, PLASTERS, BANDING, AND CHANGE OF MATERIALS AND COLOR.

BUILDINGS SHALL BE DESIGNED WITH A RECOGNIZABLE BASE ON ALL FACADES FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS.

BUILDING ELEVATIONS FACING NETWORK REQUIRED PUBLIC OR PRIVATE STREETS SHALL NOT HAVE EXPANSIONS OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS, BUT NOT LIMITED TO: BANDING, METALLIONS, OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

H. BUILDINGS SHALL BE PLACED AS TO PRESENT A FRONT OR SIDE FACADE TO ALL NETWORK REQUIRED STREETS (PUBLIC OR PRIVATE). BUILDINGS SHALL FRONT A MINIMUM OF 60% OF THE TOTAL NETWORK REQUIRED STREET FRONTAGE ON THE SITE (EXCLUSIVE OF DRIVEWAYS, PEDESTRIAN ACCESS POINTS, ACCESSIBLE OPEN SPACE, TREE SAVE OR NATURAL AREAS, TREE REPLANTING AREAS, AND STORM WATER FACILITIES). PARKING LOTS SHALL NOT BE LOCATED BETWEEN ANY BUILDING AND ANY NETWORK REQUIRED PUBLIC OR PRIVATE STREET. DRIVEWAYS INTENDED TO SERVE SINGLE UNITS SHALL BE PROHIBITED ON ALL NETWORK REQUIRED STREETS.

I. SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM PUBLIC VIEW WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPLE STRUCTURES. SUCH DESIGN SHALL INCLUDE AN MINIMUM 20% PREFERRED EXTERIOR BUILDING MATERIALS, OR A CLASS B BUFFER NOT LESS THAN 10 FEET IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS.

J. PETITIONER MAY CREATE CANOPIES, AWNINGS, CORNICES, BALCONIES, ETC. THAT EXTEND INTO THE SETBACK TO THE EXTENT ALLOWED BY THE ORDINANCE. FOR EXTENSIONS INTO THE RIGHT-OF-WAY, PETITIONER SHALL SEEK AN ENCROACHMENT AGREEMENT WITH CDOT PER 9.8506(6).

**7. STREETSCAPE, BUFFERS & LANDSCAPING:**

A. PETITIONER SHALL COORDINATE WITH THE CITY ARBORIST, URBAN FORESTRY AND CDOT TO PRESERVE EXISTING TREES IN THE RIGHT-OF-WAY ALONG SEIGLE AVENUE.

B. THE PETITIONER SHALL SCREEN PARKING FROM ADJACENT SINGLE-FAMILY USE BY EITHER A 6' HIGH FENCE OR BY PLANTING ONLY THE SHRUB REQUIREMENTS OF A CLASS "C" BUFFER.

C. PETITIONER SHALL COORDINATE WITH URBAN DESIGN TO PROVIDE A PAVED PUBLIC AMENITY ZONE WITHIN THE PLANTING STRIP ALONG SEIGLE AVENUE FOR BICYCLE AND/OR SCOOTER PARKING.

D. PETITIONER SHALL PROVIDE COMMON OPEN SPACE (COVERED PATIO) FOR PATRON USE & PUBLIC OPEN SPACE AMENITY ZONES (WATER FOUNTAIN & AMENITIZED TREE SAVE) FOR PUBLIC USE.

E. PETITIONER SHALL PROVIDE OPERABLE WINDOWS (2 MIN) AT GROUND LEVEL COMMERCIAL SPACE TO ENCOURAGE SOCIAL INTERACTIVITY.

F. PETITIONER SHALL PROVIDE (1) ARTIST MURAL (100 SF MIN) ON THE SITE WITHIN PUBLIC VIEW. PETITIONER SHALL COORDINATE ARTIST/SUBJECT MATTER WITH NEIGHBORHOOD ASSOCIATION.

G. THE SITE SHALL COMPLY WITH TREE ORDINANCE REQUIREMENTS.

**8. ENVIRONMENTAL FEATURES:**

A. PETITIONER HAS APPLIED, AND BEEN GRANTED ELIGIBILITY, FOR ADMISSION INTO A BROWNFIELDS AGREEMENT WITH NCDQD TO ADDRESS HISTORIC CONTAMINATION OF THE SITE (BY FORMER GAS STATION) AND FUTURE GROUNDWATER PROTECTION IN PERPETUITY.

B. PETITIONER SHALL COMPLY WITH THE CITY OF CHARLOTTE APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE (PCSO). THE LOCATION, SIZE, AND TYPE OF STORMWATER MANAGEMENT SYSTEMS ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING.

1. PETITIONER SHALL SEEK EXEMPTION TO PCSO DURING THE FULL DEVELOPMENT SUBMITTAL (PER 18-105(b) 1, 2, LOT IS LESS THAN 20,000 SF AND RESULTS IN LESS THAN 20,000 BUA.)

C. PETITIONER SHALL PROVIDE A MINIMUM OF (2) EV-CAPABLE PARKING SPACES FOR TENANT & PATRON USE.

D. PETITIONER SHALL PROVIDE THE FOLLOWING MINIMUMS FOR BIKE PARKING:

FOR ANY RESIDENTIAL USE:  
LONG TERM- (1) PER DWELLING UNIT  
SHORT TERM- 80% OF LONG TERM

FOR ANY COMMERCIAL USE:  
LONG TERM- (1) PER 1,500 GFA OF COMMERCIAL SPACE (OR 5% OF AUTOMOBILE PARKING COUNT, WHICHEVER IS MORE)  
SHORT TERM- 25% OF LONG TERM

**9. PARKS, GREENWAYS & OPEN SPACE:**

A. PETITIONER SHALL PROVIDE COVERED PATIO, DRINKING FOUNTAIN & AMENITIZED TREE SAVE (SEE 7D ABOVE).

B. PETITIONER SHALL PROVIDE ARTIST MURAL (SEE 7F ABOVE).

**10. FIRE PROTECTION:**

A. RESERVED

**11. SIGNAGE:**

A. RESERVED

**12. OUTDOOR LIGHTING:**

A. ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE (EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG DRIVEWAYS AND SIDEWALKS AS LANDSCAPE 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 (15) FEET.

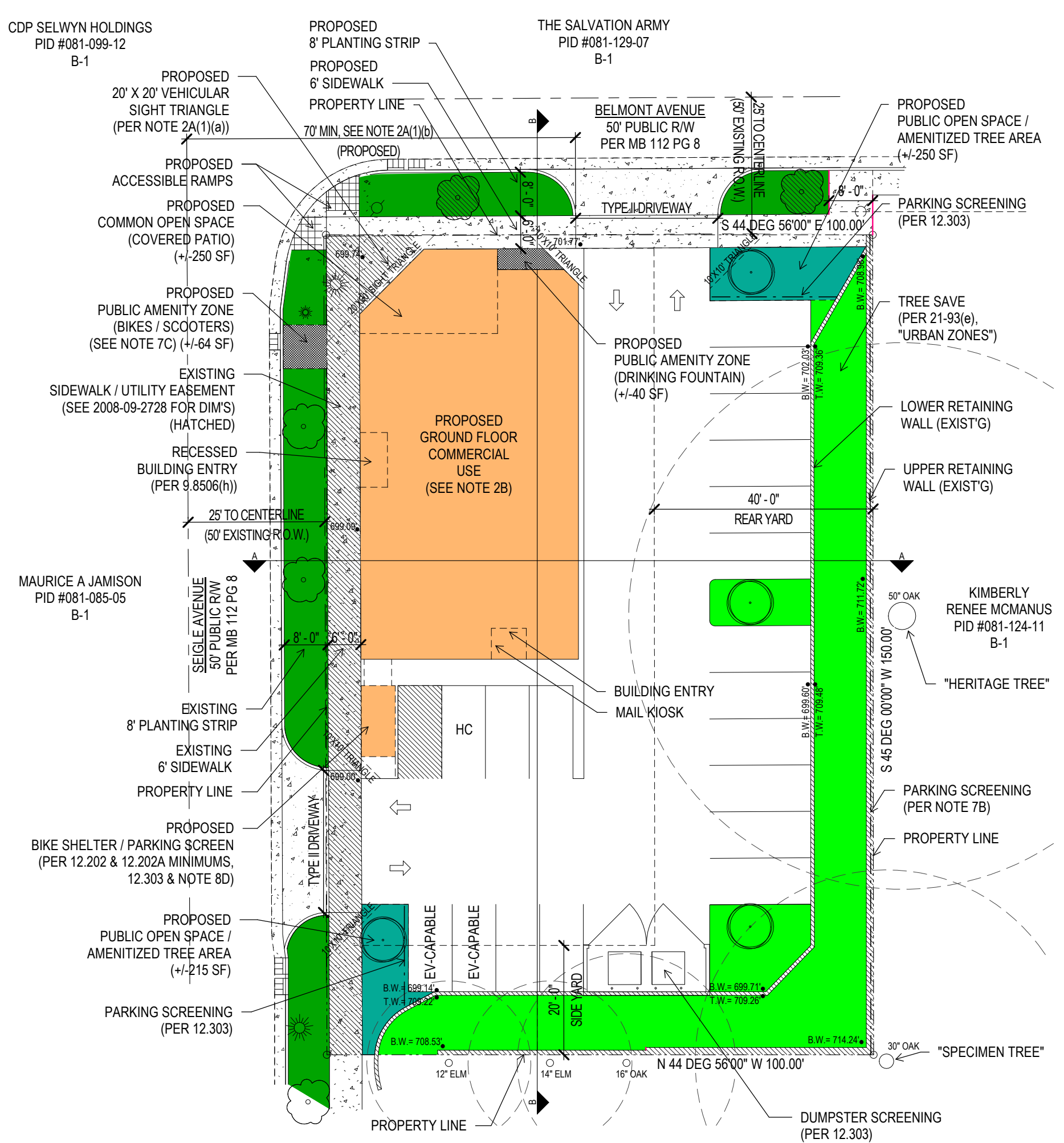
C. ANY LIGHTING FIXTURES ATTACHED TO THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED.

A. RESERVED

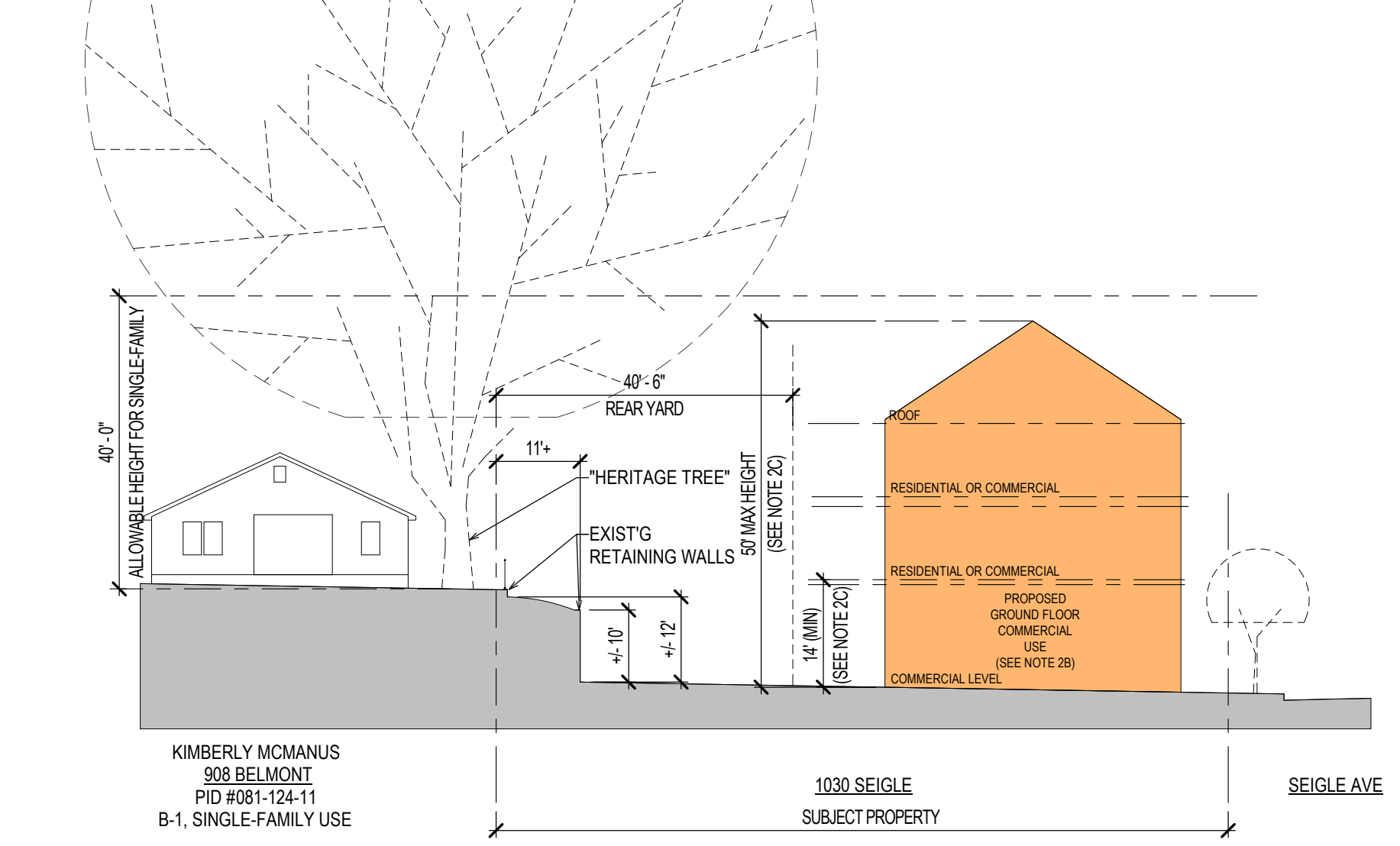
**14. BINDING EFFECT OF THE REZONING APPLICATION:**

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 PETITIONER, REPRESENTATIVE, SUCCESSORS IN INTEREST, AND ASSIGNS.

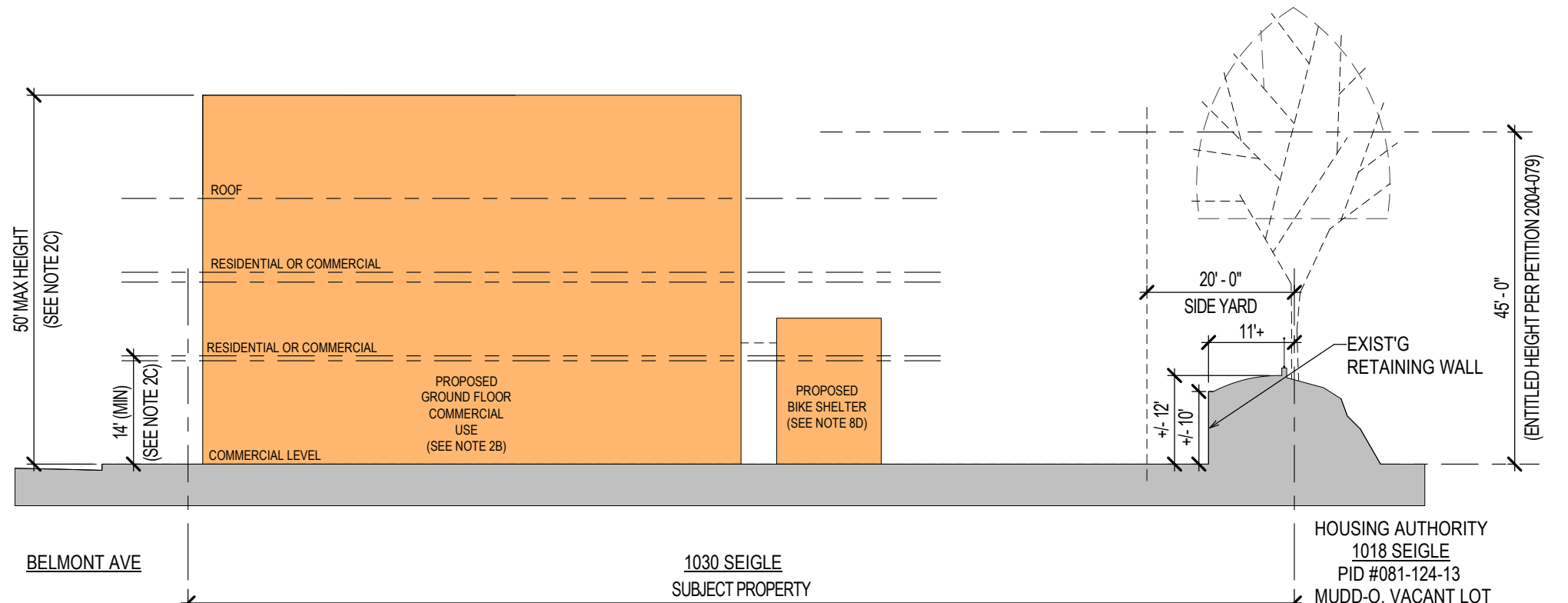
B. ANY REFERENCE TO THE ORDINANCE WITHIN SHALL BE DEEMED TO REFER TO THE REQUIREMENTS OF THE ORDINANCE IN EFFECT AS OF THE DATE THIS REZONING PETITION IS APPROVED.



**SITE PLAN** SCALE 1:20



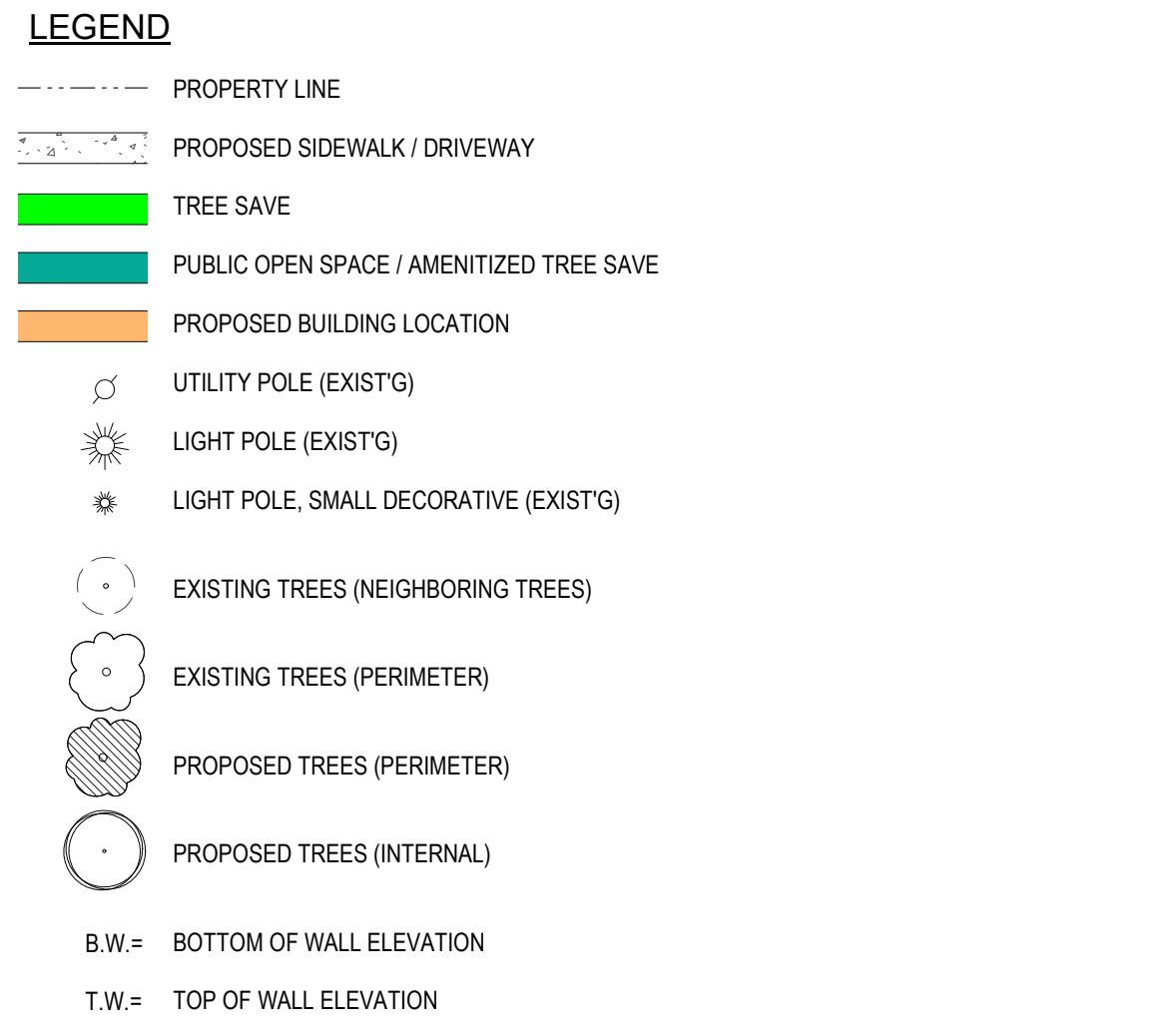
**A-A SCHEMATIC SITE SECTION (VIEW FROM BELMONT AVE)**



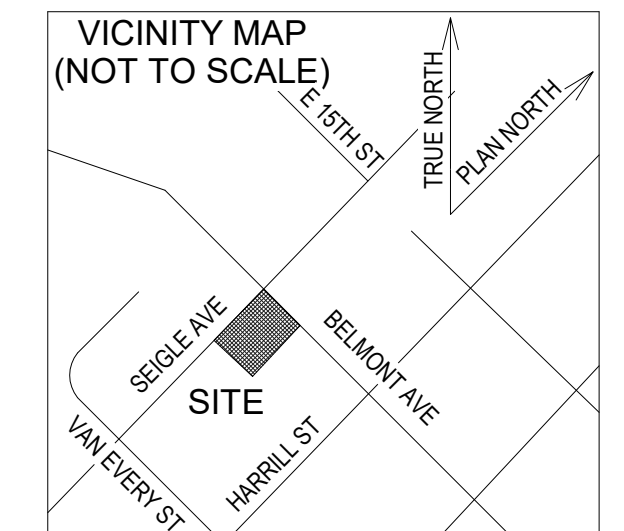
**B-B SCHEMATIC SITE SECTION (VIEW FROM SEIGLE AVE)**

SITE DEVELOPMENT DATA	
SITE ACREAGE:	+/- 0.344 ACRES
LOT AREA:	15,000 SF
TAX PARCEL #:	081-124-12
EXISTING ZONING:	B-1
PROPOSED ZONING:	MUDD-O WITH 5-YEAR VESTED RIGHTS
EXISTING USE:	BUSINESS, AUTO REPAIR
PROPOSED USE OPTIONS:	MIXED USE BUILDING (3-STORY MAX) (SEE NOTE 4): -ANY MUDD USES ALLOWED PER RIGHT (PER 9.8502) -BREWERIES (SUBJECT TO 12.544) -EATING, DRINKING & ENTERTAINMENT (TYPE 2) (SUBJECT TO 12.546)
PROPOSED MAX BUILDING SIZE:	9,000 SF
MAX AREA PER FLOOR (GROSS):	3,000 SF (3 X 3,000 = 9,000 SF BUILDING TOTAL)
MIN SETBACK:	14' FROM BACK OF EXISTING CURB (SEIGLE & BELMONT)
MIN SIDE YARD:	20'
MIN REAR YARD:	40'
MAX RESIDENTIAL DENSITY:	17.42 DWELLING UNITS PER ACRE (UP TO 6 DWELLING UNITS)
MAX BUILDING HEIGHT:	50' (SEE NOTE 2C (1))
PARKING PROVIDED:	PER ORDINANCE STANDARDS (1 PER DWELLING UNIT, 1 PER 600 GSF OF OTHER USES) BUT NOT LESS THAN 14 SPACES + 1 HC VAN ACCESSIBLE SPACE TOTAL
BICYCLE PARKING PROVIDED:	PER ORDINANCE STANDARDS (PER TABLE 12.202) & NOTE 8D
OPEN SPACE REQ'D:	45 SF (BASED ON 1 SF PER 200 GSF OF 9,000 SF) (PER 9.8506(4))
OPEN SPACE PROPOSED:	+/- 800 SF

TREE SAVE DATA	
SITE AREA:	15,000 SF
REQUIRED TREE SAVE AREA:	15% OF SITE = 2,250 SF
TREE SAVE PROVIDED:	2,500+ SF
(PER 21-93(a)), 10'-TO-STRUCTURE EXEMPTION PROVIDED FOR "URBAN ZONES"	



**1030 SEIGLE AVE**  
DEVELOPER: 1030 SEIGLE, LLC  
2820 SELWYN AVE, SUITE 130, #719  
CHARLOTTE, NORTH CAROLINA 28209



VICINITY MAP (NOT TO SCALE)