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NC LICENSE #F-0102

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ONSTRUCTION

DATE

01/27/2023

SCALE AS SHOWN

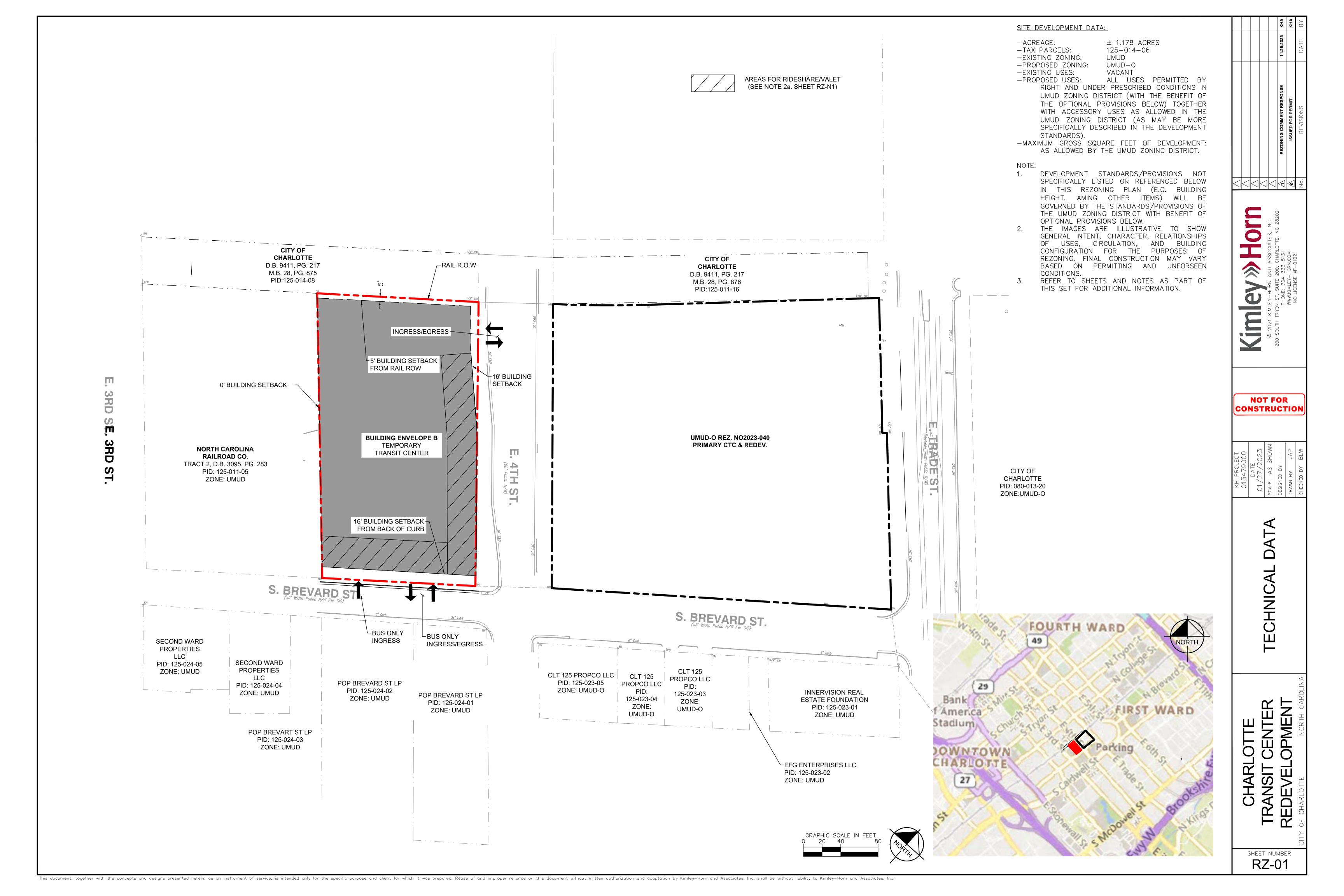
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RZ-EC



CATS/WPTP BREVARD, LLC - 4TH STREET PARCEL UMUD-O REZONING Development Standards

11/29/2023 Rezoning Petition No. 2023-041

Site Development Data:

- --Acreage: ± 1.178 acres
- --**Tax Parcel** #: 125-014-06
- --Existing Zoning: UMUD
- --Proposed Zoning: UMUD-O
- -- Existing Uses: Vacant
- --Proposed Uses: All uses permitted by right and under prescribed conditions in UMUD zoning district (with the benefit of the Optional provisions below) together with accessory uses as allowed in the UMUD zoning district (as may be more specifically described in Section 3 below).
- -- Maximum Gross Square feet of Development: As allowed by the UMUD zoning district.

NOTE A - PURPOSE OF REZONING FILING:

The City and CATS along with WPTP Brevard, LLC continue design activity in connection with the possible redevelopment of the current transit center for a new Charlotte Transit Center and mixed-use development on property located across 4th Street from the Site herein; this includes design elements for an interim transit facility on this Site; all as generally depicted on Sheet RZ-EC.

Sheet RZ-EC reflects for illustration purposes both the parcel contemplated for the CTC primary facility and redevelopment across 4th street from the Site herein, which is the subject of a separate but coordinated requested rezoning petition, and the parcel that is the Site herein contemplated for the interim facility and redevelopment which is the subject of a this requested UMUD-O rezoning petition.

NOTE B: Development standards/provisions not specifically listed or referenced below in this Rezoning Plan (e.g. building height, among other items) will be governed by the standards/provisions of the UMUD zoning district of the Ordinance (as defined below) subject to Optional provisions below.

1. General Provisions:

- a. Site Location. These Development Standards and the Technical Data Sheet and other graphics, if any, set forth on the attached Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by WPTP Brevard, LLC ("Petitioner") for an approximately ± 1.178 acre site located at the intersection of East 4th Street and S. Brevard Street (the "Site") as generally depicted on Sheet RZ-1. This Rezoning Plan and Rezoning shall supercede prior rezoning petitions, if any.
- b. 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 in effective as of the date of filing of this Rezoning on or prior to January 31, 2023 (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the UMUD-O zoning classification shall govern all development taking place on the Site, with the benefit of Optional Provisions provided below.
- c. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, building envelopes, driveways, streets and other development matters and site elements (collectively the "Development/Site Elements") if 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. 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.
- d. Number of Buildings Principal and Accessory. The total number of principal buildings to be developed on the Site is expected not to exceed 3 but shall be not be limited except to

the extent expressly limited by the regulations established under the Ordinance for the UMUD-O zoning classification, and with the benefit of the Optional Provisions provided below.

e. Planned/Unified Development; Development Coordination for Main CTC Facility with Development of Site for Interim CTC Facility.

- (i) The Site may be viewed in the aggregate as a planned/unified development plan as to development taking place on the Site. As such, side and rear yards, buffers, building height separation standards, and other similar zoning standards, if applicable at all, will not be required internally between improvements and other site elements located on the Site.
- (ii) It is contemplated that development of the Site for the possible Interim CTC Facility use as permitted, among other uses under Section 3 below, shall be coordinated generally with redevelopment of the [2.571] acre parcel located at the intersection of East 4th Street, S. Brevard Street and Trade Street as generally depicted on the Rezoning Plan (the "CTC Main Parcel").
- Phasing. Streetscape and roadway improvements shall be implemented as development occurs within the limits and/or frontage of the associated building construction. Each building(s) certificate of occupancy will not be issued until completion of any transportation improvements, if any, specified herein, as approved by CDOT during permitting, but it is understood that phasing flexibility will be determined during development stage. It is further acknowledged that the interim transit facility is contemplated to be developed and located on the Site on an interim basis while the primary transit facility and associated development takes place. It is further acknowledged, however, that development beyond the interim transit facility is contemplated for the Site in the event the interim transit facility is not developed or use of such facility is discontinued and any associated development elements may be phased accordingly.
- g. Encroachment Agreement. All non-standard transportation improvements (i.e. granite band, bollards, special pavers, all items not within the CLDSM etc.), if any, that may be proposed within the public/City maintained street right-of-way will require approval by CDOT through an encroachment agreement. The encroachment agreement shall specify the maintenance responsibility for each non-standard transportation improvement item as proposed on site plans/cross-sections. An encroachment agreement must be approved by CDOT prior to the construction/installation of the non-standard item(s).

h. INTENTIONALLY DELETED.

2. Optional Provisions.

The following optional provisions shall apply to the Site, and except as set for the below those items labeled as *INTERIM FACILITY OPTIONAL* shall only apply in connection with the development of the interim transit facility:

- a. To allow flexibility in the measurement of setback along Brevard St. An optional provision to reduce the Setback along Brevard Street from 22-feet to [16-feet] as measured from the existing back of curb. [INTERIM FACILITY OPTIONAL].
- b. An Optional provision to reduce the Rail Transit Setback from 35-feet from the rail line centerline to 5-feet from the rail line right-of-way or easement.
- c. An Optional provision to allow two (2) vehicular access points from Brevard Steet to the Interim Facility. [INTERIM FACILITY OPTIONAL].
- **d.** An Optional provision to not require 50% of the net first floor area of the building to be occupied by retail activities and an Optional Provision to not provide street level retail activities along the Brevard St. and 4th Street first floor building facades. [INTERIM FACILITY OPTIONAL].

- e. An Optional provision to reduce the 75% first floor façade designed for retail activities to 35% along 4th Street.
- **f.** An Optional provision to exceed the 60-foot maximum building height along Brevard St. without providing a 20-foot building stepback.
- g. An Optional provision to elimination of on-street parking along Brevard St. and E. 4th Street. [INTERIM FACILITY OPTIONAL].
- **h.** An Optional provision to eliminate required street trees and a 6-foot planting strip along Brevard Street. A 12-foot sidewalk will be provided. [INTERIM FACILITY OPTIONAL]
- i. An Optional provision to allow permitted wall signs, projecting signs, and marquee signs to have changeable electronic messages or manual changeable copy that is equal to 100% of the total allowed sign area.
- j. In light of the unique nature of the interim transit facility contemplated by this Petition, without limiting the above optional provisions, variations from UMUD standards and the above provisions may also be sought as part of the interim transit facility provided that such additional variations comply with the standards applicable to the Urban Center district under the UDO in effect at the time of permitting for the interim transit facility. [INTERIM FACILITY OPTIONAL]

3. Permitted Uses:

The Site may be developed with uses permitted by right and under prescribed conditions in the UMUD zoning district together with accessory uses as allowed in the UMUD zoning district, with the benefits of the Optional Provisions above, and including without limitation in the foregoing an interim bus/transit facility use, retail/personal services and EDEE uses, residential uses, hotel/hospitality uses, office uses, and entertainment uses, among all others permitted under UMUD which shall be viewed and interpreted expansively. Portions of the uses may be above and/or below grade.

. Miscellaneous:

- a. The project shall comply with the Charlotte City Council approved and adopted Post Construction Storm Water Ordinance in existence as of the date of filing of the Rezoning Petition.
- **b.** [Petitioner will work in good faith with CATS and the Planning Department in connection with coordination associated with the Rail Trail.]
- c. The project shall comply with the Charlotte Tree Ordinance in existence as of the date of filing of the Rezoning.

5. Amendments to the Rezoning Plan:

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable portion or area of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

6. **Binding Effect of the Rezoning Application:**

a. If this Rezoning Petition is approved, it will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

\triangleleft	REZONING COMMENT RESPONSE	11/29/2023	×
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No.	REVISIONS	DATE	ш



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DATE
01/27/2023
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DEVELOPMENT STANDARDS

CHARLOTTE TRANSIT CENTER REDEVELOPMENT

SHEET NUMBER
RZ-N1