



DEVELOPMENT AREA A
(PARCELS 01, 02, 03, 04, 05, 06, 07, 08)

DEVELOPMENT AREA B
(PARCEL 09)

DEVELOPMENT AREA C
(PARCEL 10)

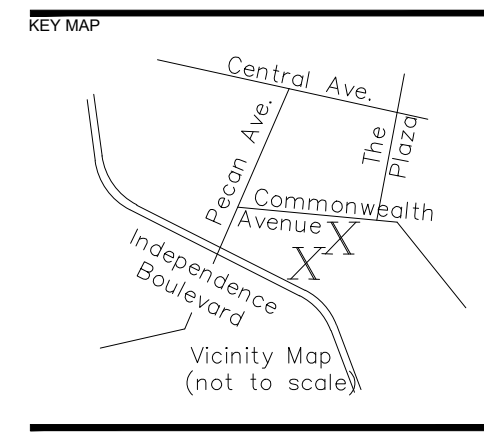
DEVELOPMENT AREA D
(PARCEL 11)

EXISTING 20' ACCESS EASEMENT

CATS SILVER LINE RIGHT-OF-WAY RESERVATION

SITE DEVELOPMENT DATA:

- ACREAGE: ±2.589 ACRES
- TAX PARCEL #: 081-176-05, 06, 07, 08, 11, 12, 13, 16, 17, 18 AND 19
- EXISTING ZONING: NC
- PROPOSED ZONING: COMMUNITY ACTIVITY CENTER-2 (CONDITIONAL DISTRICT) - CAC-2(CD)
- EXISTING USES: COMMERCIAL USES, A CELL TOWER, A BILLBOARD, AND VACANT
- PROPOSED USES: USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, INCLUDING THE EXISTING CELL TOWER AND BILLBOARD, AS ALLOWED IN THE CAC-2 ZONING DISTRICT (AS MAY BE MORE SPECIFICALLY DESCRIBED IN SECTION 2 - SHEET R22.00). THE EXISTING BUILDINGS LOCATED ON THE PARCELS MAY REMAIN AND MAY UNDERGO CHANGE OF USES, EXPANSIONS OR MAY BE DEMOLISHED TO ALLOW REDEVELOPMENT ALL AS ALLOWED BY THE UDO.
- BUILDING HEIGHT: UP TO 126 FEET AS MEASURED BY THE ORDINANCE. *IT IS UNDERSTOOD THAT ANY HEIGHT ABOVE 80 FEET WILL UTILIZE BONUS MENU OPTIONS AS DESCRIBED IN SECTION 2 (SHEET R22.00).



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XXXXX XXXXXXXX REG # 02/29/23

NOT FOR CONSTRUCTION

COMMONWEALTH AVENUE REZONING

WHITE POINT
COMMONWEALTH AVENUE
CHARLOTTE, NC

PROJECT: 10212135

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	REVISIONS PER COMMENTS	02-12-2024
2	REVISIONS PER COMMENTS	03-21-2024

DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

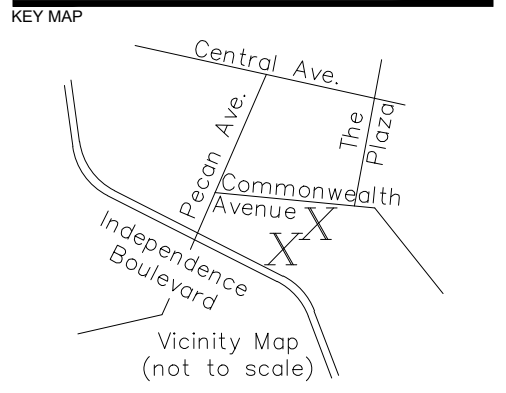
SCALE: NORTH

VERT: N/A
HORZ: 1" = 20'

ORIGINAL SHEET SIZE: 30" x 42"

TECHNICAL DATA SHEET

SHEET NUMBER: **RZ1.00**



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XXXXX XXXXXXXX ### 8/29/23
ENGINEER REG.# DATE

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**COMMONWEALTH
AVENUE
REZONING**

WHITE POINT
COMMONWEALTH AVENUE
CHARLOTTE, NC

LANDDESIGN PROJ.# 10212135

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DESIGNED BY: LD
DRAWN BY: LD
CHECKED BY: LD

SCALE: NORTH

VERT: N/A
HORZ: N/A

ORIGINAL SHEET SIZE: 24" X 36"

SHEET TITLE
DEVELOPMENT STANDARDS
SHEET NUMBER
RZ2.00

**White Point Partners – Commonwealth Ave Rez. -CAC-2(CD)
Development Standards**

03/21/2024

Rezoning Petition No. 2023-062

Site Development Data:

- Acreage: ±2.589 acres
- Tax Parcel # 081-176-0506, 07, 08, 11, 12, 13, 16, 17, 18 and 19
- Existing Zoning: NC
- Proposed Zoning: Community Activity Center-2 (Conditional District) – CAC-2(CD)
- Existing Uses: Commercial uses, a cell tower, a billboard, and vacant
- Proposed Uses: Uses allowed by right and under prescribed conditions together with accessory uses, including the existing cell tower and billboard, as allowed in the CAC-2 zoning district (as may be more specifically described in Section 2 below). The existing buildings located on the parcels may remain and may undergo change of uses, expansions or may be demolished to allow redevelopment all as allowed by the UDO.
- Building Height: Up to 126 feet as measured by the Ordinance. *It is understood that any height above 80 feet will utilize bonus menu options as described in Section 2 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 White Point Partners ("Petitioner") for the Site located on the southside of Commonwealth Ave. between Gordon St. and The Plaza as generally depicted on RZ-1.0.
- b. **Zoning District/Unified Development Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Unified Development Ordinance effective as of June 1, 2023 (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the CAC-2 zoning district shall govern all development taking place on the Site.
- c. **Graphics and Alterations.** The schematic depictions, if any, of the uses, parking areas, sidewalks, building envelopes, driveways, streets and/or 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 the Ordinance.
- d. **Development Areas.** For ease of reference and as an organizing principal associated with the master planned community, the Rezoning Plan sets forth four (4) general development areas (and other sub-areas within the Development Areas) as generally depicted on the Technical Data Sheet as Development Areas A, B, C, and D (each a "Development Area" and collectively the "Development Areas").

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- e. **Environment.** The petitioner shall comply with the Charlotte Post Construction Stormwater Regulations (UDO Article 25). It is understood a tree survey is required for all city trees eight inches DBH or greater.

2. Permitted Uses/Development Limitations:

- a. The Development Areas (Development Areas A, B, C, and D) may be developed with any of the uses allowed in the CAC-2 zoning district under prescribed conditions or by right together with accessory uses as allowed in the CAC-2 zoning district.
- b. The existing buildings located on the parcels may remain and may undergo change of uses, may be expanded, or may be demolished to allow redevelopment all as allowed by the UDO. Accessory uses and structures may also be added to each parcel subject to the standards of the UDO.

c. As part of the redevelopment of Development Areas A and B with new buildings as allowed by the CAC-2 zoning district the ground floor of the new structure(s) will be designed to activate the Commonwealth Ave. Street frontage by providing ground floor non-residential commercial uses that make up a minimum of 40% of the ground floor area exclusive of vehicular circulation areas, loading areas and parking areas.

d. As part of the redevelopment of Development Areas A and B with new buildings at least one small (less than 2,000 square feet) leasable non-residential commercial space will be provided.

e. **Bonus Provisions:** The following bonus provisions will be utilized to increase the allowed building Height above 80 feet.

- (i) New buildings constructed within Development Areas A, B, C and D must utilize the Development Bonus provisions of Article 16.3 of the UDO to increase allowable building height above 80 feet and up to 126 feet as allowed by the Rezoning Plan.

f. When construction is occurring on the Site, within any of the development areas, parking to support the construction may occur through the Site.

3. Transportation, Streetscape and Shared Use Path:

a. The Rezoning Plan does not restrict or address the location or number of driveways to the parcels that are part of the Petition. The number, location, and design of the access points will be determined during the land development approval process for the Site per Article 31 of the UDO.

b. It is understood, a Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. It is understood, an encroachment agreement must be approved by CDOT prior to construction/installation.

c. The Petitioner shall dedicate and convey in fee simple all rights-of-way to the City before the Site's first building certificate of occupancy is issued. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible.

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2

- d. All transportation improvements will be approved and constructed prior to the Site's first building certificate of occupancy is issued.

e. The Petitioner, at the time of redevelopment of Development Area A, will work with the City and PMMA to replace the existing streetscape treatment along Commonwealth Ave. to create a streetscape treatment that prioritizes pedestrians and outdoor seating areas over parking for cars. The ability to implement this change is subject to the review and approval by the City.

f. If at the time of redevelopment, of the Site, the City and/or CATS adopted plans call for a shared use path (SUP) along the Site's frontage on the Silver Line rapid transit corridor the redevelopment plans for the Site will incorporate the proposed SUP into the proposed plans.

g. The Petitioner reserves the right to request the abandonment of portions or all of the alley located on the property.

4. CATS Silver Line Right-of-Way Reservation.

a. The Petitioner will reserve for future acquisition by CATS the right-of-way indicated on the Rezoning Plan. The reserved right-of-way will comply with Article 32.3 of the UDO with the following changes: The proposed right-of-way will be reserved for a minimum of 5 years from the date of the approve of the rezoning petition. The following uses will be allowed within the reserved right-of-way outdoor seating and entertainment, dining areas, arbors, trellis, shade canopies, and other similar open structures.

5. Commonwealth Morningside Neighborhood Association and Plaza Midwood Merchants Association Membership and Contributions.

a. At the time of redevelopment, as defined below, a contribution to the Plaza Midwood Merchants Association (PMMA) will be made as follows:

- Redevelopment of 6,000 square feet of gross floor area or less no contribution required.
- Redevelopment between 6,000 and 15,000 square feet of gross floor area a contribution of \$5,000 will be required.
- Redevelopment greater than 15,000 gross square feet a contribution of \$10,000 will be required.
- Only one contribution per Development Area is required.
- If at the time of redevelopment, the City has approved the creation of a Municipal Service District (MSD) for Plaza Midwood that includes the Site then a contribution is not required.

Redevelopment will be defined as new development that removes the existing building(s) and/or uses and replaces them with new a building(s) and uses. Redevelopment does not include renovation and rehabilitation of existing structures or the addition of accessory structures or outdoor seating and gathering areas to the existing buildings or the removal or addition of parking areas to support the existing uses.

b. The Petitioner (White Point Partners) within one-year of the approval of the Petition will become a member of the PMMA for a minimum of 15 years. The owners of Development Areas B, C, and D are not required to become member of the PMMA.

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3

c. When a Development Area is redeveloped with residential uses the new residential community will join the Commonwealth Morningside Neighborhood Association as a dues-paying member for a minimum of 15 years.

6. 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 the Ordinance.

7. Binding Effect of the Rezoning Application:

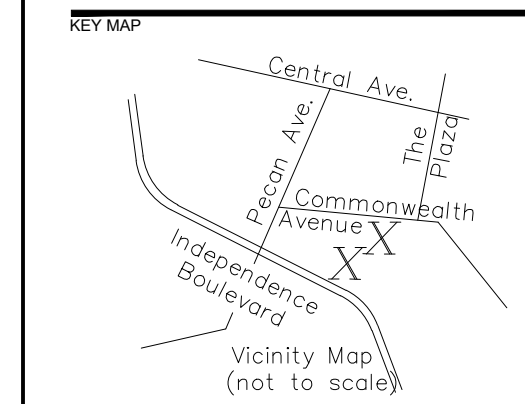
a. If this Rezoning Petition is approved, it will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site, as applicable, and their respective heirs, devisees, personal representatives, successors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

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4



*** CAUTION NOTE ***
THERE MAY BE UTILITIES OTHER THAN THOSE SHOWN.
THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR WHETHER
NOT SHOWN HEREON. IT IS THE CONTRACTOR'S
RESPONSIBILITY TO VERIFY THEIR LOCATIONS.
1-800-432-4949
CALL BEFORE YOU DIG



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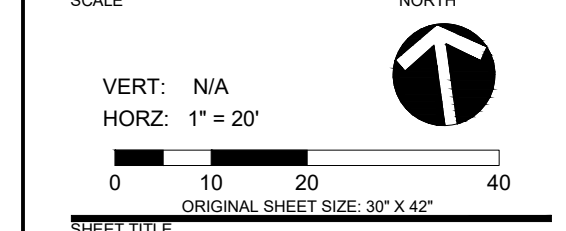
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DESIGNER PROJ# 10212135

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EXISTING CONDITIONS

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RZ3.00