

SHEET NUMBER RZ-1.0

- 1. GENERAL PROVISIONS
- A. **Site.** These Development Standards and the Technical Data Sheet and other graphics set forth on Sheets RZ-1.0 and RZ-2.0 form the rezoning plan (collectively referred to as the "**Rezoning Plan**") associated with the Rezoning Petition filed by The Charlotte-Mecklenburg Hospital Authority (the "**Petitioner**") for an approximately 3.139 acre site that is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "**Site**"). The Site is comprised of Tax Parcel Nos. 123-054-03 and 123-054-02.
- B. **Zoning District/Ordinance.** The development and use 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**"). Subject to the optional provision set out below, the regulations established under the Ordinance for the Mixed Use Development District ("**MUDD**") zoning district shall govern the development and use of the Site.
- C. The schematic depictions of the uses, sidewalks, driveways, streets, development area boundary 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 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.

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 modifications will be allowed without requiring the administrative amendment process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:

(1) Minor and do not materially change the overall design intent depicted on the Rezoning

The Planning Director will determine if such minor modifications are allowed pursuant to this amendment process, and if it is determined that the alteration does not meet the criteria described above, Petitioner shall then follow the administrative amendment process pursuant to Section 6.207 of the Ordinance in each instance, however, subject to Petitioner's appeal rights set forth in the Ordinance.

D. **Building and Parking Envelope.** The building and parking envelope for the Site is hatched on the Rezoning Plan and designated on the Legend as the Buildable and Parking Envelope.

All principal buildings, accessory structures, structured parking facilities and surface parking areas developed on the Site shall be located within the building and parking envelope. This Rezoning Plan does not limit the number of principal buildings, accessory structures, structured parking facilities and surface parking areas that may be located within the building and parking envelope or on the Site. The number of principal buildings, accessory structures, structured parking facilities and surface parking areas that may be located on the Site or within the building and parking envelope shall be governed by the applicable provisions of the Ordinance. Additionally, public streets, private streets and private drives may be located within the building and parking envelope.

- E. **Vested Rights.** Pursuant to Section 1.110 of the Ordinance and Section 160D-108.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.
- F. **Amendments.** Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.
- 2. OPTIONAL PROVISION
- The optional provision set out below shall apply to the development and use of the Site.
- A. Subject to the building height envelopes described below in paragraph 5.A., the maximum height of any building constructed on the Site shall be 150 feet.
- 3. PERMITTED USES/DEVELOPMENT LIMITATIONS
- A. Subject to the limitations set out herein, the Site may only be devoted to the uses set out below (including any combination of such uses) and to any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district.
- (1) Multi-family dwelling units.
- (2) Eating, drinking and entertainment establishments (Type 1), and eating, drinking and entertainment establishments (Type 2) subject to the applicable regulations of Section 12.546 of the Ordinance.
- (3) Art galleries.
  - Colleges, universities, commercial schools and schools providing adult training in any of the sciences, trades and professions.
- (5) Professional business and general offices, including clinics, medical, dental and doctors' offices.
- (6) Retail sales
- (7) Services, including, without limitation, beauty shops and barbershops, spas and fitness centers.
- (8) Structured parking facilities as an accessory use.
- (9) Studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths, and designers of ornamental and precious jewelry.
- (10) Breweries, subject to the regulations of Section 12.544 of the Ordinance.
- (11) Wineries, subject to the regulations of Section 12.544 of the Ordinance.
- B. A maximum of 450 multi-family dwelling units may be developed on the Site.
- The overall multi-family component of the development shall maintain monthly rents that are income restricted to households earning on average 60% of the area median income for a period of not less than 30 years from the date of the issuance of the first certificate of occupancy for a new building constructed on the Site.
- D. A maximum of 15,000 square feet of gross floor area devoted to the non-residential uses permitted under these Development Standards may be developed on the Site.

- E. For purposes of these development limitations and the development standards in general, the term "gross floor area" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building on the Site measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude structured parking facilities, surface parking facilities, areas used for building and equipment access (such as stairs, elevator shafts, vestibules, roof top equipment rooms and maintenance crawl spaces), all loading dock areas (open or enclosed), outdoor coolers and outdoor dining areas whether on the roof of the building(s) or at street level.
- F. As provided in paragraph 3.E. above, the gross floor area of any structured parking facilities located on the Site shall not be considered or counted towards the maximum gross floor area or density allowed on the Site.
- 4. TRANSPORTATION
- Vehicular access shall be as generally depicted on the Rezoning Plan. Notwithstanding the foregoing, the placement and configuration of the vehicular access points may be modified by Petitioner during the permitting process to accommodate changes in traffic patterns, changes in building and parking layouts and site constraints and to accommodate any modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
- B. The alignments and locations of the internal private drives, vehicular circulation areas and driveways depicted on the Rezoning Plan may be modified by Petitioner during the permitting process to accommodate changes in traffic patterns, changes in building and parking layouts and site constraints and to accommodate any modifications required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
- S. ARCHITECTURAL STANDARDS
- A. The maximum height of any building (or portions thereof) located within the 50 foot building height envelope depicted on the Rezoning Plan shall be 50 feet. The maximum height of any building (or portions thereof) located within the 65 foot building height envelope depicted on the Rezoning Plan shall be 65 feet. The maximum height of any building (or portions thereof) located within the 150 foot building height envelope depicted on the Rezoning Plan shall be 150 feet.
- . STREETSCAPE/LANDSCAPING
- A. A minimum 8 foot wide planting strip and a minimum 8 foot wide sidewalk shall be installed along the Site's frontage on East Morehead Street.
- B. A minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk shall be installed along the Site's frontage on Euclid Avenue.
- C. A minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk shall be installed along the Site's frontage on Myrtle Avenue.
- D. A minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk shall be installed along the Site's frontage on Lexington Avenue.
- 7. ENVIRONMENTAL FEATURES
- A. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance, subject, however, to any superseding or limiting state statute or legislation.
- B. Development of the Site shall comply with the applicable requirements of the City of Charlotte Tree Ordinance.
- 8. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS
- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

		<b>□</b>		© 2023 KIMLEY-HORN AND ASSOCIATES, INC.	200 SOUTH TRYON ST, SUITE 200, CHARLOTTE, NC 28202	PHONE: 704-333-5131 WWW.KIMLEY-HORN.COM	NO LOUND HE CASO
KH PROJECT	015031151	DATE	01/30/2023	SCALE AS SHOWN	DESIGNED BY PC	DRAWN BY PC	
		-					

DEVELOPMENT
STANDARDS

ST MOREHEA PREPARED FOR RIUM HEALTH

SHEET NUMBER RZ-2.0

0

2