

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM

REZONING

PETITION

NUMBER

2023-___

NOT FOR

718 CENTRAL AVE

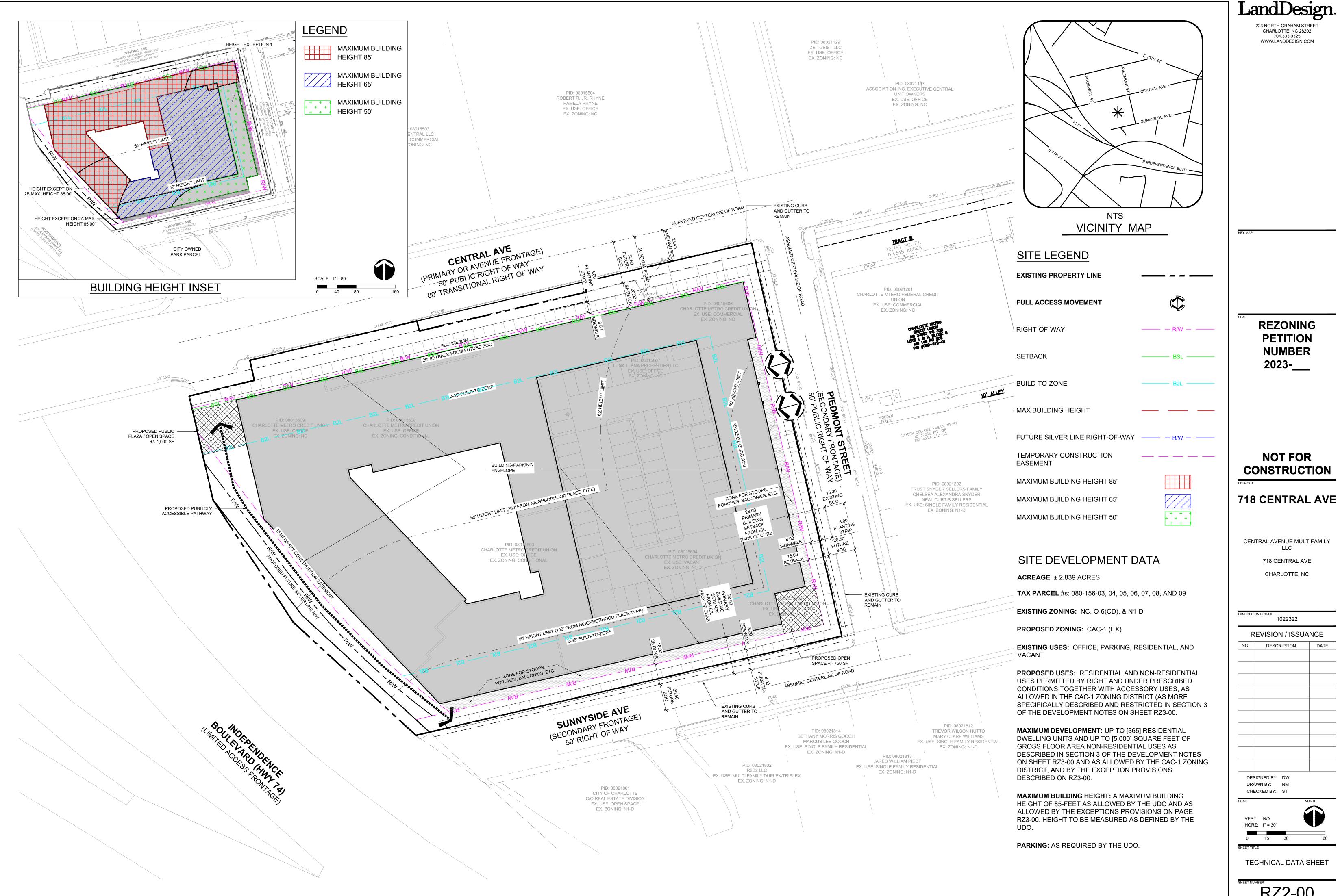
CHARLOTTE, NC

REVISION / ISSUANCE

DESIGNED BY: DW DRAWN BY: NM CHECKED BY: ST

EXISTING CONDITIONS PLAN

RZ1-00



11/22/2023 11:58 AM DENNIS WALLS P:\CLT\ 2022\1022322\CAD\DOCUMENTATION\ENTITLEMENTS\1022322 RZN TDS.DWG

RZ2-00

ORIGINAL SHEET SIZE: 24" X 36"

Central Avenue Multifamily LLC Development Standards 11/21 /23 Rezoning Petition No. 2023-

--Acreage: ± [2.839] acres --Tax Parcel #: 080-156-03,04,05,06,07,08, and 09

--Existing Zoning: NC, O-6(CD), & N1-D

--Proposed Zoning: CAC-1(EX)
--Existing Uses: Office, Parking, Residential and Vacant.

--Proposed Uses: Residential and non-residential uses as permitted by right and under prescribed conditions together with accessory uses, as allowed in the CAC-1 zoning district (as more specifically described and restricted below in Section 3).

--Maximum Development Levels: Up to [365] residential dwelling units and up to [5,000] square feet of gross floor area non-residential uses as described in Section 3 and as allowed by the CAC-1 zoning district, and by the Exception Provisions described below.

--Maximum Building Height: A maximum building height of 85-feet as allowed by the UDO and as allowed by the Exceptions Provisions below. Height to be measured as defined by the UDO.
--Parking: As required by the UDO.

1. General Provisions:

Site Development Data:

a. <u>Site Location</u>. These Development Standards, and the Technical Data Sheet set forth on attached RZ Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Central Ave. Multi-Family LLC ("Petitioner") to accommodate the development of residential community with accessory ground floor non-residential uses as allowed in the CAC-1 zoning district on an approximately 2.839-acre site located at 718 Central Ave. (the "Site").

b. **Zoning Districts/UDO**. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the Unified Development Ordinance for the City of Charlotte (the "UDO"). Unless the Rezoning Plan establishes more stringent standards or exceptions, the regulations established under the UDO for the CAC-1 zoning district and the other applicable provisions of the UDO shall govern all development taking place on the Site, subject to the Exception Provisions (EX) provided below.

c. <u>Graphics and Alterations/Modifications</u>. The schematic depictions 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 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 Article 37.3 of the UDO.

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 Minor Amendment Process per Article 37.3 of the UDO. These instances would include changes to graphics if they are:

(i) minor and don't materially change the overall design intent depicted on the Rezoning Plan, such as minor modifications to the configurations of the street dimensions and the alike.

The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Minor Amendment Process per Article 37.3 of the UDO; in each instance, however, subject to the Petitioner's appeal rights set forth in the UDO.

2. Exception (EX) Provisions.

- Public benefits shall include one or more actions from at least two of the following categories: 1) sustainability; 2) public amenity; and 3) city improvement.
- a. Below are the public benefits provided by the proposed CAC-1(EX) for the Site.
- <u>City Improvement:</u> Construction of a publicly accessible 8-foot multi-use path (MUP) along the western property line as generally depicted on the Rezoning Plan.
- <u>Public Amenity:</u> Creation of publicly accessible plaza/open space along Central Avenue at the future LYNX Silver Line station as generally depicted on the Rezoning Plan. The Petitioner will provide a public accessible plaza/open space with approximately 1,000 square feet as generally depicted on the Rezoning Plan. The publicly accessible open space will be improved with hardscape areas, seating areas, landscaping, and lighting.
- b. Below are the requested modifications of the exception (EX) district request to accommodate the construction of two new network required streets within the existing conditions on the
- Article 11.3.B. (Table 11-2 Footnote #3) CAC Zoning Districts Building Height Standards) to modify the allowed maximum building height within 100-feet and 200 feet of the N1 Place Type as described below. To allow a maximum building height of 85 feet instead of 65 feet for the portion of the building at the corner of Piedmont St. and Central Ave. (Height Exception #1). To allow a maximum building height of 65 feet and 85 feet instead of 50 feet and 65 feet respectively for the portion of building at the end of Sunnyside Ave. (Height Exception #2A and #2B) all as generally depicted on Rezoning Plan. Height Exception #2A and #2B are based on the portion of the building within 100 and 200 feet of the city owned parcel at the end of Sunnyside Ave. tax parcel #080-218-01.

3. Permitted Us

Residential uses and non-residential use as permitted by right and under prescribed conditions together with accessory uses, as allowed in the CAC-1(EX) zoning district (as more specifically described and restricted below).

a. Up to [365] residential dwelling units and up to 5,000 square feet of gross floor area of non-residential uses as permitted by right and under prescribed conditions together with accessory uses, as allowed in the CAC-1 zoning district.

b. The following uses will not be allowed; Alternative Correction Facility, Drug Treatment Clinic, and Single-Room Occupancy (SRO).

4. Access & Stre

- a. Vehicular access to the Site will be from Piedmont St. as generally depicted on the Rezoning Plan and subject to adjustments as set forth below.
 b. The existing curb will be maintained along Sunnyside Ave. and Piedmont St. The setback required by UDO will be measured from the future back of curb.
- c. The exact alignment, dimensions, and locations of the access points to the Site and the driveways on the Site may be modified from the elements shown on the Rezoning Plan provided that the overall design intent is not materially altered, and requirements described in this Section are met.
- d. Any required roadway improvement will be approved and constructed prior to the issuance of the certificate of occupancy for the first building on the Site subject to the Petitioner ability request that CDOT allow a bond to be posted for any improvements not in place at the time of the issuance of the first certificate of occupancy.

5. Streetscape, Setbacks and Open Space.

- a. Setbacks as required by the UDO and as outlined below will be provided.
- (i) Along Central Ave. a 20-foot setback as measured from the future back of curb will be provided as generally depicted on the Rezoning Plan.
- (ii) Along Sunnyside Ave. a primary building setback of 28 feet as measured from the existing back of curb will be provided. Covered porches, balconies, or stoops may encroach into the primary building setback but must adhere to the 16-foot setback as required by the UDO as measured from the future back of curb.
- (iii) Along Piedmont Ave. a primary building setback of 28 feet as measured from the existing back of curb will be provided for the portion of the building south of the proposed driveway. Covered porches, balconies, or stoops may encroach into the primary building setback and will adhere to the 16-foot setback as required by the UDO as measured from the future back of curb. The portion of the building north of the driveway will adhere to the setback as required by the UDO as measured from the future back of curb. Extension into the required frontage setback as allowed by Article 18.3 of UDO are permitted.

b. Streetscape improvements as required by the UDO will be provided along Central Ave. Along Piedmont Street and Sunnyside Ave. the following streetscape improvements will be provided; an eight (8) foot planting strip and an eight (8) foot sidewalk as measured from the existing back of curb will be provided, the remaining area between the back of sidewalk and the required 16 foot setback (approximately 5.20 feet) may be used as landscape area.

- c. The Petitioner will construct an 8-foot publicly accessible multi-use path (MUP) along the western property boundary as generally depicted on the Rezoning Plan.
 d. The Petitioner will provide a publicly accessible Plaza/ Open Space along Central Ave. at the future Lynx Silver Line Station. The Plaza will have a minimum of 1,000 square feet.
- The publicly accessible open space will be improved with hardscape areas, seating areas, landscaping, and lighting.

 e. The Petitioner will provide a minimum of 750 square feet of improved open space at the corner of Piedmont St. and Sunnyside Ave. as generally depicted on the Rezoning Plan. This open space area will be improved with hardscape areas, seating areas, landscaping, and lighting
- 6. Architectural Standards.
- a. Reserved.
- 7. Signage:

a. Reserved.

- 8. <u>Lighting:</u>
- a. Reserved.
- 9. Environmental Features.a. The Site will comply with Article 20 Landscape, Screening & Tree Preservation of the UDO.
- b. The Site will comply with Article 24 Drainage and Article 25 Post-Construction Stormwater Regulations of the UDO.
- 10. CATS Right-of-Way Reservation for the Future Lynx Silver Line.

a. The Petitioner will reserve for future acquisition by CATS the portion of the property indicated along the western property line (Reserved Future CATS R/W and Temporary Construction Easement) as generally depicted on the Rezoning Plan.

11. 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 Development Area or portion of the Site affected by such amendment in accordance with the provisions herein and of Article 37 of the UDO.

11. 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 UDO, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

LandDesign.

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> REZONING PETITION NUMBER 2023-___

NOT FOR CONSTRUCTION

718 CENTRAL AVE

CENTRAL AVENUE MULTIFAMILY

718 CENTRAL AVE CHARLOTTE, NC

1022322

REVISION / ISSUANCE

NO. DESCRIPTION DATE

DESIGNED BY: DW

DRAWN BY: NM
CHECKED BY: ST

VERT: N/A HORZ: N/A

DEVELOPMENT STANDARDS

273 00