

VICINITY MAP
NOT TO SCALE

DEVELOPMENT STANDARDS
Petitioner: Levine Properties, Inc
Rezoning Petition No. 2020-068
9/14/2020

Site Development Data:

- Acreage: ± 8.5 acres
- Tax Parcels: 175-146-88, 175-146-87, and 175-143-07
- Existing Zoning: O-1 and MUDD(CD)
- Proposed Zoning: MUDD-O
- Existing Uses: Office
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district not otherwise limited herein
- Maximum Development: Subject to conversion rights in Section IV,
 - a. Up to 327,000 square feet of office uses (including existing office of 147,000 square feet);
 - b. Up to 250 multi-family residential units;
 - c. 120 hotel rooms;
 - d. Free-standing structured parking up to 280,000 square feet; and
 - e. Up to 7,500 square feet of retail, EDEE or personal service or other non-residential uses.
- Maximum Building Height: As required by the Ordinance for the MUDD zoning district or as outlined in the Optional Provision below
- Parking: As required by the Ordinance for the MUDD zoning district.

I. General Provisions:

- a. **Site Description.** These Development Standards and the Technical Data Sheet from the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Levine Properties, Inc. ("Petitioner") to accommodate development of a mixed use office and residential community with retail components on an approximately 8.5-acre site located on Hedgemore Drive, at the intersection with Mockingbird Lane, more particularly described as Mecklenburg County Tax Parcel Numbers 175-146-88, 175-146-87, and 175-143-07 (the "Site").
- b. **Intent.** This Rezoning is intended to accommodate development on the Site of an integrated mixture of MUDD-permitted uses including but not limited to office, residential, retail and other commercial uses, including the revitalization of an aging existing office building.
- c. **Zoning Districts/Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the Mecklenburg County Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards or as otherwise provided in the Optional Provisions below, the regulations established under the Ordinance for the MUDD zoning district shall govern all development taking place on the Site.
- d. **Planned Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, setbacks, side and rear yards, buffers, building height separation standards, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, and public/private street frontage requirements, provided, however, that all such separation standards along the exterior boundary of the Site shall be adhered to and treated as the Site as a whole and not individual portions or lots located therein.

II. Permitted Uses & Maximum Development

- Subject to the Maximum Development, Restrictions and Conversion Rights set forth below, the Site may be devoted to all uses permitted by right or under prescribed conditions in the MUDD Zoning District, together with any incidental or accessory uses associated therewith.
- a. Subject to the restrictions, limitations, and conversion rights listed below, the principal buildings constructed may be developed with up to: (i) 327,000 square feet of gross floor area of office uses; (ii) 250 multi-family residential units, along with any accessory uses allowed in the MUDD zoning district; (iii) 120 hotel rooms; (iv) 280,000 square feet of free-standing structured parking and (v) 7,500 square feet of retail, personal service, EDEE, and other commercial uses permitted by right and under prescribed conditions in the MUDD zoning district, along with any accessory uses allowed in the MUDD zoning district. Parking deck square footage shall not be included as part of these calculations.
- b. **Prohibited Uses:** Car washes (except for residential car wash stations); Automobile Service Stations; EDEEs with accessory drive-through service windows.
- c. **Restrictions:** Hotel uses shall be restricted to the areas generally located as Buildings 3, 4, and 6 as labeled on the Rezoning Plan.

III. Optional Provisions

- a. With respect to maximum building height, the Petitioner requests the ability to:
 - 1. Allow the existing building to maintain its current height of approximately one hundred thirty-one (131) feet;
 - 2. Allow a maximum building height of one hundred forty (140) feet for new buildings located within Building Envelope 1;
 - 3. Allow a maximum building height of one hundred sixty (160) feet for new buildings located within Building Envelope 2; and
 - 4. Allow maximum building height of one hundred eighty (180) feet for new buildings located within Building Envelope 6, however excluding walkout basements along Hedgemore Drive from the height calculation due to grade differences.

IV. Conversion Rights

- a. Unused residential units may be converted to additional office square footage at a rate of one (1) residential unit to 1,000 square feet of office square footage, and vice versa subject to the conversion cap in Section V.c., below.
- b. Unused residential units may be converted to hotel rooms at a rate of one (1) residential unit to one (1) hotel room, subject to the conversion cap in Section IV.c., below.
- c. Maximum Conversions: at no point shall the amount of office square footage converted from residential units exceed 100,000 additional square feet of office space (for a total of 427,000 square feet of office, if full conversion). Similarly, at no point shall the number of residential units converted from office square footage (and/or hotel rooms) exceed 150 additional residential units (for a total of 300 residential units, if full conversion). The total number of hotel rooms converted from residential units shall not exceed 130 additional hotel rooms (for a total of 250 hotel rooms, if full conversion).

V. Transportation

- a. Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access points 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. Where necessary, the Petitioner shall dedicate and convey in fee simple all rights-of-way to the City of Charlotte before the Site's first building certificate of occupancy is issued.
- c. All transportation improvements for the east side of Hedgemore Drive shall be substantially completed before the issuance of the first building certificate of occupancy for new buildings within Building Envelopes 1, 2, 3, 4, or 5. All transportation improvements for the west side of Hedgemore Drive and Mockingbird Lane shall be completed before the issuance of the first building certificate of occupancy for new buildings within Building Envelope 6.
- 1. Reference to "substantially complete" shall mean completion of the roadway improvements in accordance with the Technical Data Sheet provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or bond for any improvements not in place at the time such certificate of occupancy is issued to secure completion of the applicable improvements.

VI. Design Guidelines:

- a. **General Design Guidelines.**
 - i. Maximum Building Height. The following maximum building height for each Building Envelope as measured per the Ordinance shall be:
 - i. Principal buildings within Building Envelope 1 shall be a maximum of one hundred thirty-one (131) feet per the Optional Provision in Section III;
 - ii. Principal buildings within Building Envelope 2 shall be a maximum of one hundred sixty (160) feet, per the Optional Provision in Section III;
 - iii. Principal buildings within Building Envelope 3 shall be a maximum of sixty-five (65) feet;
 - iv. Principal buildings within Building Envelope 4 shall be a maximum of forty (40) feet;
 - v. [Building Envelope 5 removed from Rezoning Request]; and
 - vi. Principal buildings within Building Envelope 6 shall be a maximum of one hundred eighty (180) feet, per the Optional Provision in Section III, however excluding walkout basements from height calculations along Hedgemore Drive due to grade differences.
 - 2. The principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings will be a combination of any of the following: glass, brick, metal, stone, simulated stone, pre-cast stone, architectural precast concrete, synthetic stone, stucco/E.F.S., cementitious siding (such as hardi-plank), or wood/composite wood. Vinyl, as a building material, will only be allowed on windows, soffits and trim features.
 - 3. Streetscape treatment will be a unifying element throughout the Site through the use of consistent paving, lighting, landscaping, and, when provided, site furnishings.
 - 4. Meter banks shall be located outside of the setback.
 - 5. All dumpster enclosure areas shall be screened from network required public or private streets, common open spaces and any adjacent residential uses with materials complementary to the principal structure.
- b. **Architectural Standards related to Buildings Envelopes 2, 4, and 6.** As generally depicted on the Rezoning Plan, Building Placement and Site Design shall focus on and enhance the pedestrian environment on public or private network required streets, through the following:
 - 1. Buildings shall be placed so as to present a front or enhanced side facade to all network-required public streets.
 - 2. Direct pedestrian connection should be provided between street facing doors, corner entrance features to sidewalks on adjacent streets.
 - 3. Building elevations shall be designed with vertical bays or articulated architectural features which shall include, a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.

VII. Streetscape, Pedestrian Access and Circulation Design Guidelines.

- a. Petitioner will provide a sidewalk and a cross-walk network internal to the Site that connects to main entrances of buildings, parking areas and/or areas of interest on the Site. Sidewalk network and pathways will be provided between buildings, location of which to be coordinated during permitting. Such sidewalk network and pathways shown on the Rezoning Plan are for illustrative purposes only and not necessarily reflective of final locations, which will be coordinated during the permitting phase of development.
- b. Petitioner shall construct a minimum eight (8) foot wide planting strip and ten (10) foot wide sidewalk along the Site's frontage of Hedgemore Drive.
- c. Petitioner shall construct a minimum eight (8) foot wide planting strip and eight (8) foot wide sidewalk along the Site's frontage of Mockingbird Lane.
- d. Deviations from typical sidewalk and planting strip requirements are allowable upon approval by CDOT and the Planning Director. Any changes to dimensional requirements are allowable only in cases of hardship.

VIII. Open Space and Amenity Areas.

- a. Petitioner shall provide open spaces throughout the Site per Ordinance standards. At a minimum, the Petitioner shall provide a minimum 10,000 square feet of plaza/open space area along Hedgemore Drive, as generally depicted as Urban Open Space area on the Rezoning Plan, which may include amenities, such as but not limited to, a combination of landscape and softscape, seating, landscaping, art, fountains, and/or other similar pedestrian-scale amenities.
- b. The Petitioner shall comply with the Tree Ordinance. Petitioner shall strive to preserve mature trees along Hedgemore Drive where feasible and not in conflict with proposed driveways, sidewalks, utilities, or other Site components.

IX. Environmental Features:

- a. The Petitioner shall comply with the Post Construction Controls Ordinance. The location, size, and type of storm water management systems that may be depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
- b. The Petitioner shall comply with SWIM buffer regulations. Existing impervious surface located within the SWIM buffer may remain per the Ordinance, as generally depicted on the Rezoning Plan.
- c. The Petitioner shall comply with the Tree Ordinance. Petitioner shall strive to preserve mature trees along Hedgemore Drive where feasible and not in conflict with proposed driveways, sidewalks, utilities, or other Site components.

X. Signage

- a. Shall comply with Ordinance standards for the MUDD zoning district.

XI. Lighting:

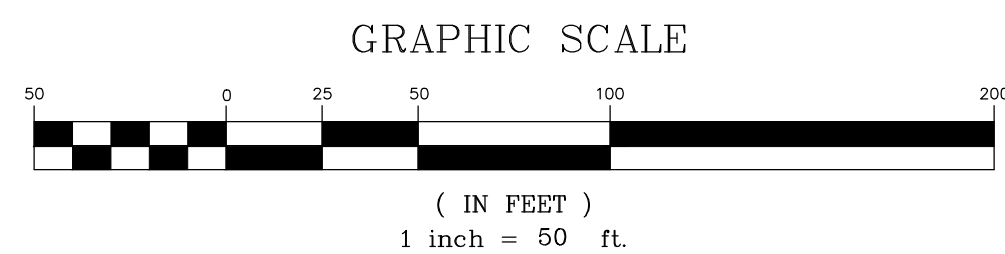
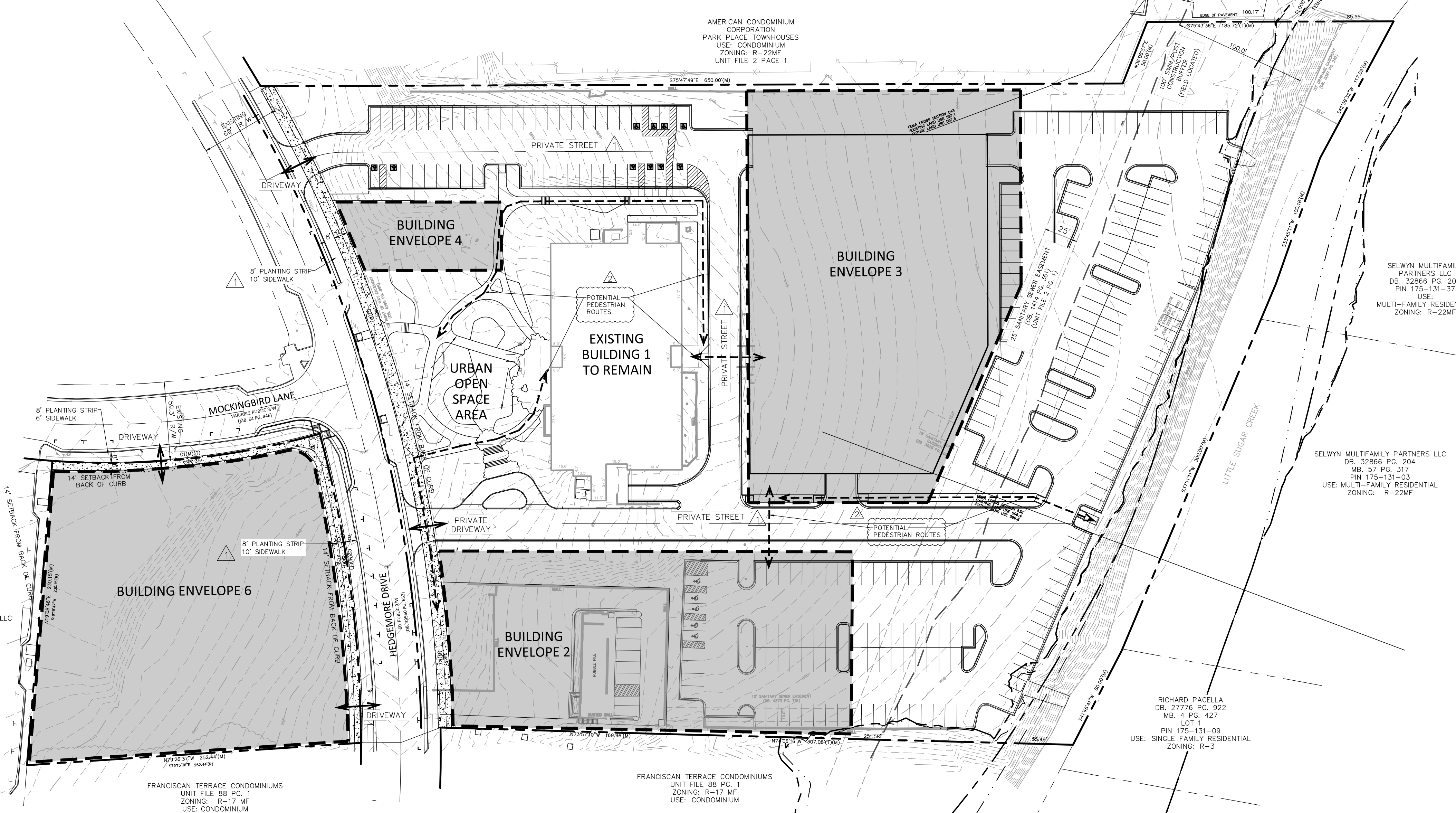
- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed on buildings, along the driveways, sidewalks, and parking areas.
- b. Attached and detached lighting shall be downwardly directed. However, upward facing accent/architectural lighting shall be permitted.

XII. Amendments to the Rezoning Plan:

Future amendments to the Rezoning Plan may be applied for by the then Owner or Owners of the applicable Lot of the Site affected by such amendment in accordance with the provisions herein and of Section 6.207 of the Ordinance.

XIII. Binding Effect of the Rezoning Application:

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 and inure to the benefit of the Petitioner and subsequent owners of the Site or Lot(s), as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



ORSBORN ENGINEERING GROUP
6310 EAST MOREHEAD STREET, SUITE 106
CHARLOTTE, NC 28202
P | 704-749-1432 • F | 704-749-1433

SCHEMATIC SITE PLAN
PETITION # 2020-068
FOR
HEDGEMORE - MONTFORD PARK
CHARLOTTE, NORTH CAROLINA 28209

GOLDEN TRIANGLE
#9-HEDGEMORE LLC
8514 MCALPINE PARK DRIVE
SUITE 190
CHARLOTTE, NORTH CAROLINA
28211

NORTH CAROLINA
PLANNING COMMISSION
C-3139

DATE	REVISIONS
09/14/20	PER PLANNING REVIEW COMMENTS
06/15/20	PER PLANNING REVIEW COMMENTS

JOB #	19059
DATE:	03/27/20
SCALE:	1" = 50'
DRAWN BY:	LWL
APPROVED BY:	JCO

RZ-1

September 14, 2020, 4:13pm By: J. K. Kitcher
P:\19059 Hedgemore Site Remediation\Drawings\19059 BASE-RZ.dwg