

VICINITY MAP  
NOT TO SCALE

DEVELOPMENT STANDARDS  
Petitioner: Levine Properties, Inc  
Rezoning Petition No. 2020-068  
12/15/2020

**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. Freestanding 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 form 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 Hedge Moore 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 freestanding structured parking and (v) 7,500 square feet of retail, personal services, 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/or 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 Hedge Moore 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 IV.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. At the intersection of Park Road and Abbey Place (signalized), the Petitioner shall complete the following transportation improvements:
  - 1. Install appropriate signal head to allow for permitted-protected northbound left-turn phasing on Park Road;
  - 2. Install APS pushbuttons; and
  - 3. Upgrade the existing pedestrian ramps.
- c. The Petitioner shall continue to work toward a solution for contributions to the Cross Charlotte Trail in coordination with CDOT and Mecklenburg County Park & Recreation.
- d. 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.
- e. All transportation improvements for the east side of Hedge Moore Drive shall be substantially completed before the issuance of the first building certificate of occupancy for new buildings within Building Envelopes 1, 2, 3, or 4. All transportation improvements for the west side of Hedge Moore Drive and Mockingbird Lane shall be completed before the issuance of the first building certificate of occupancy for new buildings within Building Envelope 6. [Note: Building Envelope 5 has been removed from the Rezoning Plan and does not exist.]
- f. 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:**

- General Design Guidelines.** The following maximum building height for each Building Envelope as measured per the Ordinance shall be:
  - i. Principal buildings within Building Envelope 1 (shown on Rezoning Plan as "Existing Building 1 to Remain") 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; [Building Envelope 5 removed from Rezoning Request]; and
  - v. 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 Hedge Moore 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 hard-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.
- 6. **Architectural Standards related to Building 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.
- 7. 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.
- 8. The first floors of buildings located within Building Envelope 2, Building Envelope 4, and Building Envelope 6 shall exceed minimum standards under the Ordinance for encouraging and complementing pedestrian-scale activity.
  - i. Building Envelope 2: building frontage along Hedge Moore Drive shall, at a minimum, provide at least 80% of the length of the first floor street frontage designed for pedestrian-scale activity per the street walls provision in Section 9.8506(2)(a) of the Ordinance. Of the provided 80% street wall design, a minimum of 60% of which shall be met through the use of transparent glass, as further defined in subsection V1.b.4.iv, below.
  - ii. Building Envelope 4: building frontage along Hedge Moore Drive shall, at a minimum, provide at least 80% of the length of the first floor street frontage designed for pedestrian-scale activity per the street walls provision in Section 9.8506(2)(a) of the Ordinance. Of the provided 80% street wall design, a minimum of 60% of which shall be met through the use of transparent glass, as further defined in subsection V1.b.4.iv, below.
  - iii. Building Envelope 6: building frontage along Hedge Moore Drive and Mockingbird Lane shall, at a minimum, provide at least 80% of the length of the first floor street frontage designed for pedestrian-scale activity per the street walls provision in Section 9.8506(2)(a) of the Ordinance. Of the provided 80% street wall design, a minimum of 30% of which shall be met through the use of transparent glass, as further defined in subsection V1.b.4.iv, below. (To clarify, transparent glass is intended to be included as part of the lobby level adjacent to pedestrian access along the building frontage and is not intended to imply transparent glass will be provided along lower levels of potentially exposed parking deck areas, due to grade differences.)
  - iv. Transparent Glass: The above-referenced transparent glass percentages shall be calculated based on a combination of windows and operable doors with transparent glass between 2' and 10' on the first floor. Up to 10% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments.
- 9. **Design Standards Related to Residential Uses**
  - 1. Building Massing and Height shall be designed to break up long monolithic building forms as follows:
    - i. Building sides greater than 120 feet in length shall include modulations of the building massing facade plane (such as recesses, projections, and architectural details). Modulations shall be a minimum of five (5) feet wide and shall project or recess a minimum of one (1) foot extending through at least a full floor.
    - ii. Architectural Elevation Design - elevations shall be designed to create visual interest as follows:
      - i. Building elevations shall be designed with vertical bays or articulated architectural facade features which may include but not be limited to a combination of exterior wall offsets, projections, recesses, pilasters, banding and change in materials or colors.
      - ii. If structured parking is developed, exposed multi-level parking decks shall provide screening so that cars are not visible from network-required public streets.
    - iii. Sidewalk extensions shall be provided between all network-required public and private streets when parking is adjacent.
- 10. **Design Standards Related to Commercial Uses**
  - 1. New Building elevations shall be designed with vertical bays or articulated architectural features which may include the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.
  - 2. Building elevations facing Hedge Moore Drive shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

**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 Hedge Moore 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 Hedge Moore 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 hardscape and softscape, seating, landscaping, art, fountains, and/or other similar pedestrian-scale amenities.

**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 Hedge Moore Drive where feasible and make commercially reasonable efforts to avoid conflicts for tree preservation.

**X. Signage**

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

**XI. Lighting:**

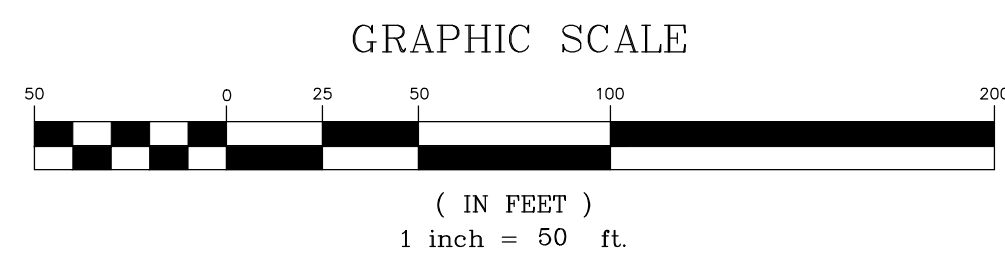
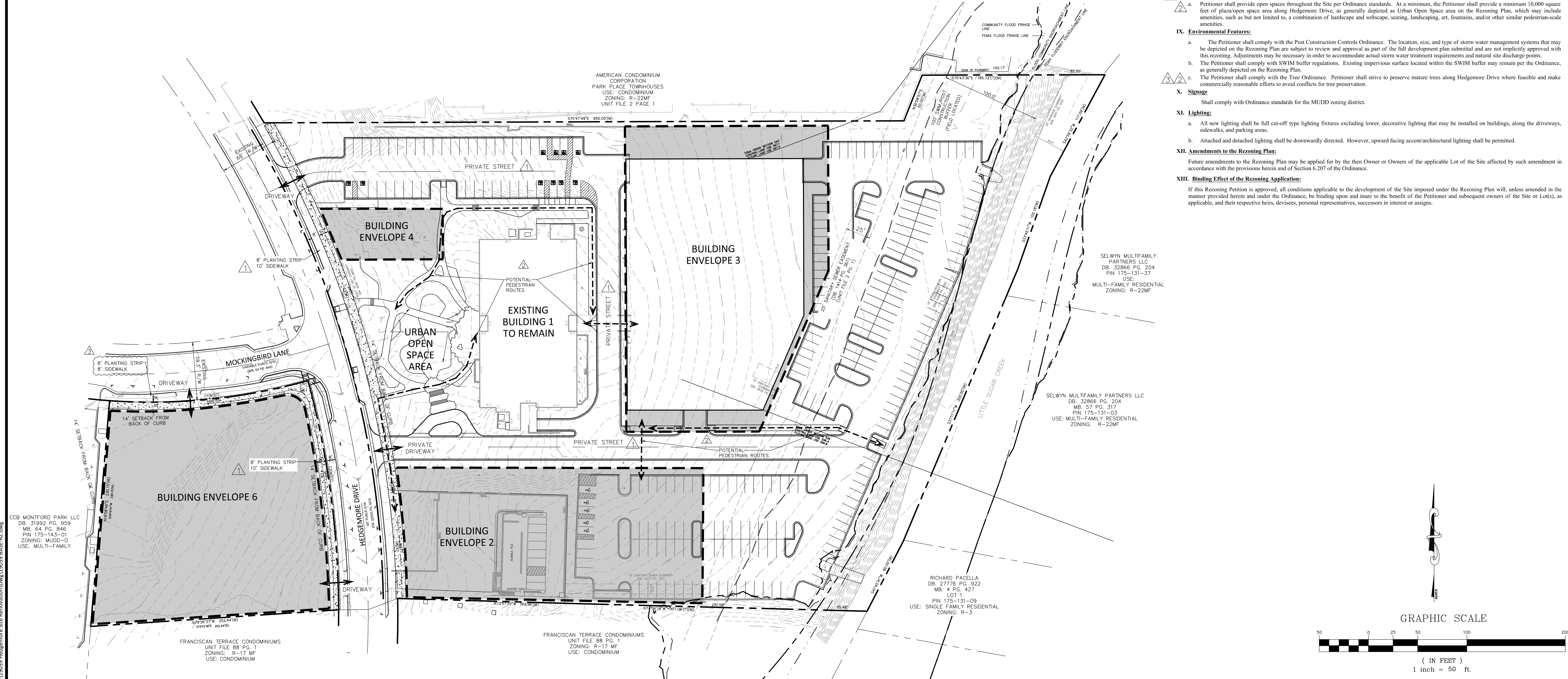
- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed on buildings, along the driveways, sidewalks, and parking areas.
- b. Attached and detached lighting shall be downwardly directed. However, upward facing accent/architectural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



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

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

**NORTH CAROLINA**  
PLANNING COMMISSION  
C-3139

NO.	DATE	REVISIONS
1	03/27/20	PER PLANNING REVIEW COMMENTS
2	09/14/20	PER PLANNING REVIEW COMMENTS
3	06/15/20	PER PLANNING REVIEW COMMENTS

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

December 11, 2020 - 4:11pm By: JMW/chr  
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