
 Planning Department
APPROVED BY CITY COUNCIL
 7/19/21



KEY MAP

SEAL

NOT FOR CONSTRUCTION
PUBLIX CARMEL COMMONS


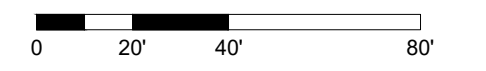
THE MORGAN COMPANIES
 CHARLOTTE, NC
 REZONING PETITION # 2021-008

LANDESIGN PROJ.# 1020283

REVISION / ISSUANCE

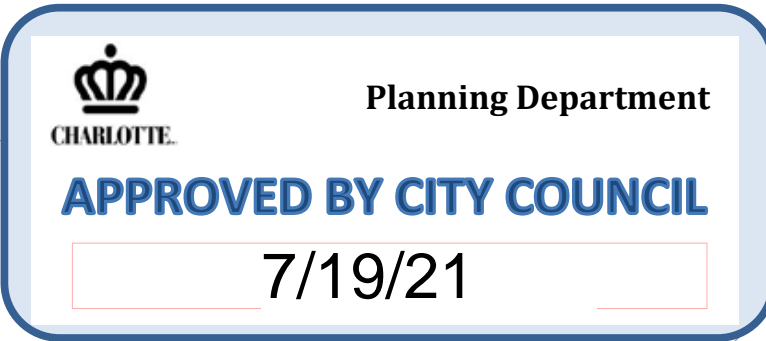
NO.	DESCRIPTION	DATE
1	1ST REZONING SUBMITTAL	12.22.2020
2	2ND REZONING SUBMITTAL	04.12.2021
3	3RD REZONING SUBMITTAL	05.17.2021
4	4TH REZONING SUBMITTAL	06.24.2021

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

SCALE: 
 VERT: N/A
 HORZ: 1"=40'


SHEET TITLE
CONCEPT PLAN

SHEET NUMBER
RZ-CP



SITE DEVELOPMENT DATA:

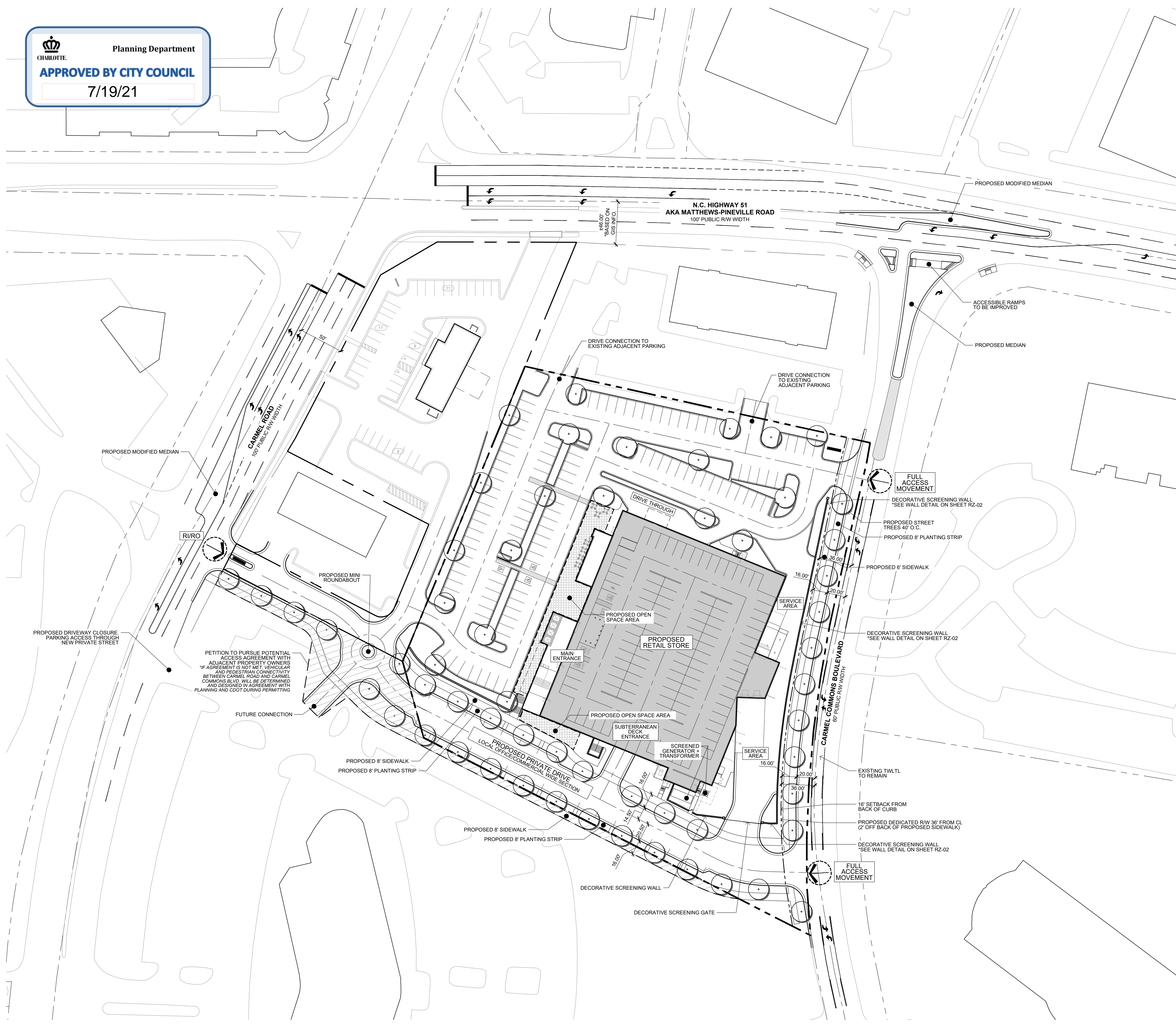
- **ACREAGE:** +/- 4.41 ACRES
- **TAX PARCELS:** 221-202-02
- **EXISTING ZONING:** O-1
- **PROPOSED ZONING:** MUDD-O
- **EXISTING USES:** OFFICE
- **PROPOSED USES:** RETAIL
- **MAX. DEVELOPMENT:** 55,000 SQUARE FEET
- **MAX. BUILDING HEIGHT:** 50 FEET
- **PARKING:** SHALL MEET OR EXCEED MUDD ORDINANCE STANDARDS
- **TREE SAVE:** SITE IS LOCATED WITHIN A CENTER ALLOWING FOR MITIGATION OPTIONS AT 100% INCLUDING:
 - PROVIDE TREE SAVE ON SITE (ENTIRE OR IN COMBINATION)
 - PLANT OR REPLANT TREES AT A RATE OF 36 TREES PER ACRE ON-SITE (ENTIRE OR IN COMBINATION)
 - INSTALL A GREEN ROOF (ENTIRE OR IN COMBINATION)
 - UNDERTAKE EITHER OFF-SITE MITIGATION (ENTIRE OR IN COMBINATION; MAY NOT BE USED WITH PAYMENT IN LIEU)
 - PAYMENT IN LIEU (ENTIRE OR IN COMBINATION; MAY NOT BE USED WITH OFF-SITE MITIGATION)

NOTES:

1. THE IMAGES ARE ILLUSTRATIVE TO SHOW GENERAL INTENT, CHARACTER, RELATIONSHIPS OF USES, CIRCULATION, AND BUILDING CONFIGURATION FOR THE PURPOSES OF REZONING. FINAL CONSTRUCTION MAY VARY BASED ON PERMITTING AND UNFORESEEN CONDITIONS.
2. REFER TO EXISTING CONDITIONS AND DEVELOPMENT STANDARDS SHEETS FOR ADDITIONAL INFORMATION.

LEGEND:

- EXISTING PROPERTY LINE
*BASED ON GIS INFORMATION
- PROPOSED DEDICATED R/W
- PROPOSED SETBACK
- VEHICULAR MOVEMENT



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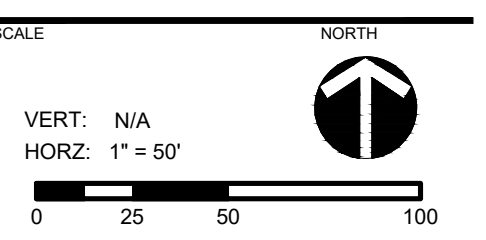
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CHECKED BY: LD



TECHNICAL DATA

SHEET NUMBER
RZ-01


Planning Department
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DRAWN BY: LD
CHECKED BY: LD

SCALE NORTH

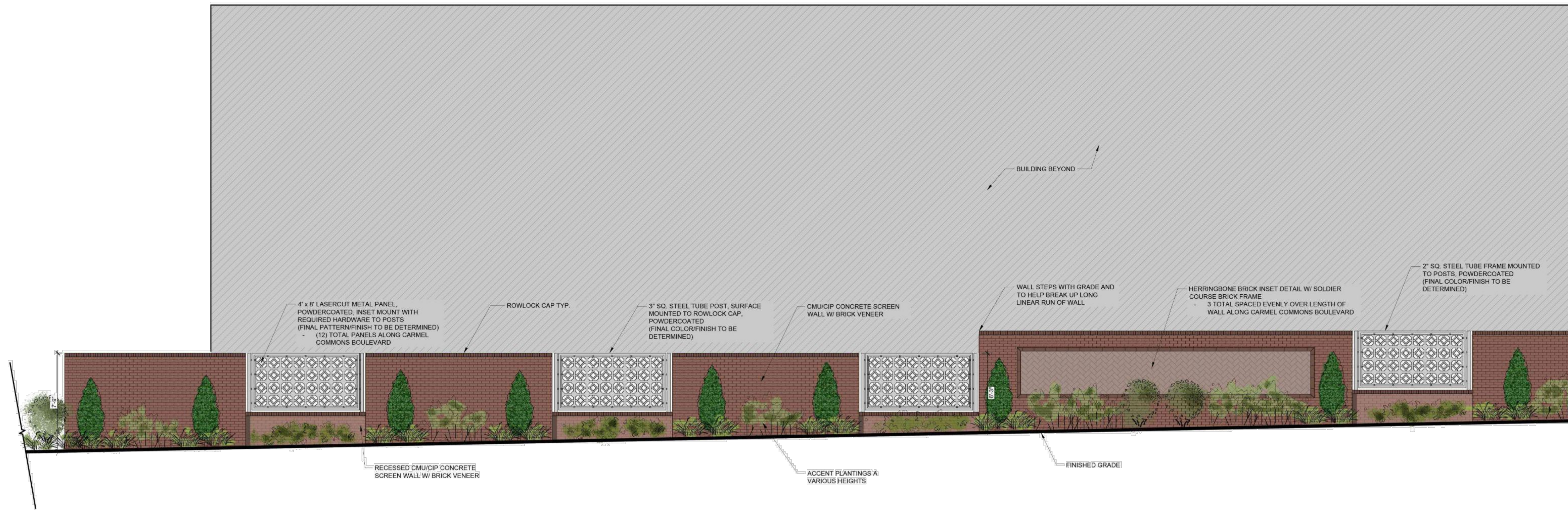
VERT: N/A
HORZ: AS NOTED

SHEET TITLE

SECTIONS

SHEET NUMBER

RZ-02



SCREEN WALL ELEVATION

THE MORGAN COMPANIES

REZONING PETITION NO. 2021-008

06/24/2021

SITE DEVELOPMENT DATA:

- Acreage: +/- 4.41 acres
- Tax Parcels: 221-202-02
- Existing Zoning: O-1
- Proposed Zoning: MUDD-O
- Existing Uses: Office
- Proposed Uses: Retail
- Maximum Development: 55,000 square feet
- Maximum Building Height: 50 feet
- Parking: Shall meet or exceed MUDD Ordinance Standards

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 the Morgan Companies ("Petitioner") to accommodate development of a retail development on an approximately 4.41-acre property located at 11525 Carmel Commons Boulevard, more particularly described as Mecklenburg Tax Parcel Number 221-202-02 (the "Site").
- b. Intent. This Rezoning is intended to accommodate development on the Site in a manner consistent with the objectives set forth in the South District Plan. Development on the Site is intended to include grocery uses within walking distance of other Carmel Commons area amenities. The Petitioner seeks to develop the Site in a manner that is consistent with the future vision for the area, resulting in a well-designed, quality experience for nearby residents, employees, and visitors, as well as the larger community.
- c. Zoning Districts/Ordinance. Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.
- d. Graphics and Alterations/Modifications. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations (if provided), building materials, streetscape perspectives, driveways and other development matters and site elements set forth on the Rezoning Plan are intended to be conceptual in nature. Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide flexibility in allowing some alterations or modifications from the graphic representations and renderings of the development matters and site elements. Therefore, there may be instances where minor modifications will be permitted without requiring the administrative amendment process per Section 6.207 of the Ordinance.

II. OPTIONAL PROVISIONS

The following optional provisions are provided to accommodate deviations from the MUDD Ordinance standards:

- a. Parking and maneuvering areas between buildings and streets where generally depicted on the Rezoning Plan; and
- b. The allowance of drive-through service windows for pharmacy, grocery, and financial institution uses.

III. PERMITTED USES

- a. Subject to the Maximum Development provisions set forth under Section IV. below, the Site may be devoted to any non-residential uses permitted by right and under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith, except for the following:
 - i. Car washes;
 - ii. Gas stations, with or without a convenience store;
 - iii. Automobile service stations; and
 - iv. EDEEs with drive-through service windows.
- b. Residential units are prohibited on the Site.

IV. MAXIMUM DEVELOPMENT

- a. The principal buildings on the Site may be developed with up to 55,000 square feet of gross floor area of non-residential uses permitted by right and under prescribed conditions, along with any accessory uses allowed in the MUDD zoning district.
- b. For purposes of the development limitations set forth in these Development Standards, the following items shall not be counted as part of the allowed gross floor area for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas (however, parking for outdoor dining areas will be provided as required by the Ordinance).

V. TRANSPORTATION

- a. Access to the Site from external public streets shall be as generally depicted on the Rezoning Plan. The exact number and location of vehicular access points will be determined during the design process and thereafter with approval from appropriate governmental authorities, subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations. Petitioner, in its discretion may limit ingress and egress movements or restrict certain vehicular access points to one-way traffic if necessary.
- b. The alignment of vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT and NCDOT's final approval.

c. The Petitioner shall construct the following off-site transportation improvements:

- a. Pineville-Matthews Road & McMahon Drive (Unsignalized)
 - i. Restripe the southbound leg of McMahon Drive in order to allow for a combined thru-left turn lane and a separate right turn lane with 100 feet of storage.
- b. Pineville-Matthews Road & Carmel Road (Signalized)
 - i. Implement LPI+ (right turn FYA and 2-message blank out signs); and
 - ii. Upgrade all pedestrian signals to APS pushbuttons and reduced radii/added truck aprons.
- c. Pineville-Matthews Road & Carmel Commons Boulevard (Unsignalized)
 - i. Convert the intersection to a directional crossover, restricting northbound left turn movements on Carmel Commons Boulevard.
- d. Pineville-Matthews Road & Bannington Road (Unsignalized)
 - i. Restripe the southbound leg of Bannington Road in order to allow for a combined thru-right turn lane and a separate left turn lane with 150 feet of storage.
- e. Carmel Road & Carmel Commons Shopping Center Driveway/Access "A" (Unsignalized)
 - i. Construct a modified median to ensure Access "A" is limited to RI/RO and maintain the existing northbound left-turn lane on Carmel Road.

d. 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.

e. All transportation improvements shall be substantially completed prior to the issuance of the Site's first building certificate of occupancy.

i. "Substantial completion" shall mean completion of the roadway improvements in accordance with the standards set forth herein provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT and NCDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site, then CDOT and/or NCDOT 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 a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

VI. DESIGN GUIDELINES

- a. Preferred Exterior Building Materials: all principal and accessory buildings abutting a network-required public or private street shall comprise a minimum of 60% of that building's entire façade facing such network street using brick, glass, decorative block, wood, natural stone (or its synthetic equivalent), stucco, fiber cement, corrugated metal, steel accents, architectural shingles, or other material approved by the Planning Director or its designee.
 - a. Facades of first/ground floor of buildings along public streets shall incorporate a minimum of 30% masonry materials such as brick or stone.
- b. Facades fronting public streets shall meet all MUDD activation standards.
- c. Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three (3) 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.
- d. Buildings shall be a minimum height of twenty (20) feet. Multi-story buildings shall have a minimum of 20% transparency on all upper stories.
- e. All new building entrances shall connect to parking areas and sidewalks along existing and proposed streets via a minimum five (5) foot wide pedestrian pathway or sidewalk.
- f. Meter banks will be screened where visible from public view at grade from public or private streets and shall be located outside of the setback.
- g. Rooftop HVAC and related mechanical equipment will be screened from public view at grade from all public or private streets.
- h. Dumpsters, loading and service areas shall be screened from streets and common open spaces with materials complimentary to the principal structure. Dumpster enclosures shall not directly abut the back of a sidewalk.
 - a. Decorative screening shall be provided for the proposed service and loading area as generally depicted on the Rezoning Plan, using screening methods such as, but not limited to: decorative brick with plantings, concrete wall with cables and vines, board from concrete, or laser-cut panels/corten wall accents, as illustrated to serve as examples in the Rezoning Plan.

VII. URBAN OPEN SPACE

The Petitioner shall provide a minimum 5,000 square feet of urban open spaces, in the area as generally depicted on the Rezoning Plan, which may include but shall not be limited to benches, tables, umbrellas, enhanced landscaping, public art, and/or decorative fountains.

VIII. ENVIRONMENTAL FEATURES

- a. The Petitioner shall satisfy the requirements of the Post Construction Stormwater Ordinance (PCSO) and Tree Ordinance.
- b. The location, size and type of storm water management systems are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this Rezoning Plan. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

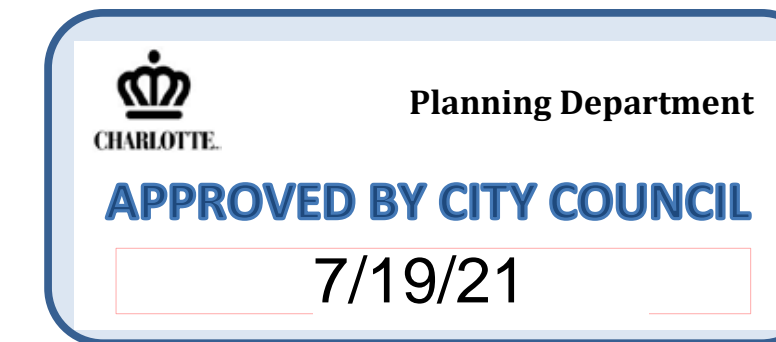
IX. LIGHTING

- a. All free-standing lighting fixtures shall be shielded with full cut-off fixtures.

X. BINDING EFFECT OF THE REZONING APPLICATION

a. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Rezoning Plan and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.

b. Throughout these Development Standards, the terms "Petitioner" and "Owner(s)" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or Owner(s) of any part of the Site from time to time who may be involved in any future development thereof.



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DESIGNED BY: LD
 DRAWN BY: LD
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SCALE NORTH

VERT: N/A
 HORZ: N/A

SHEET TITLE

DEVELOPMENT STANDARDS

SHEET NUMBER

RZ-N1