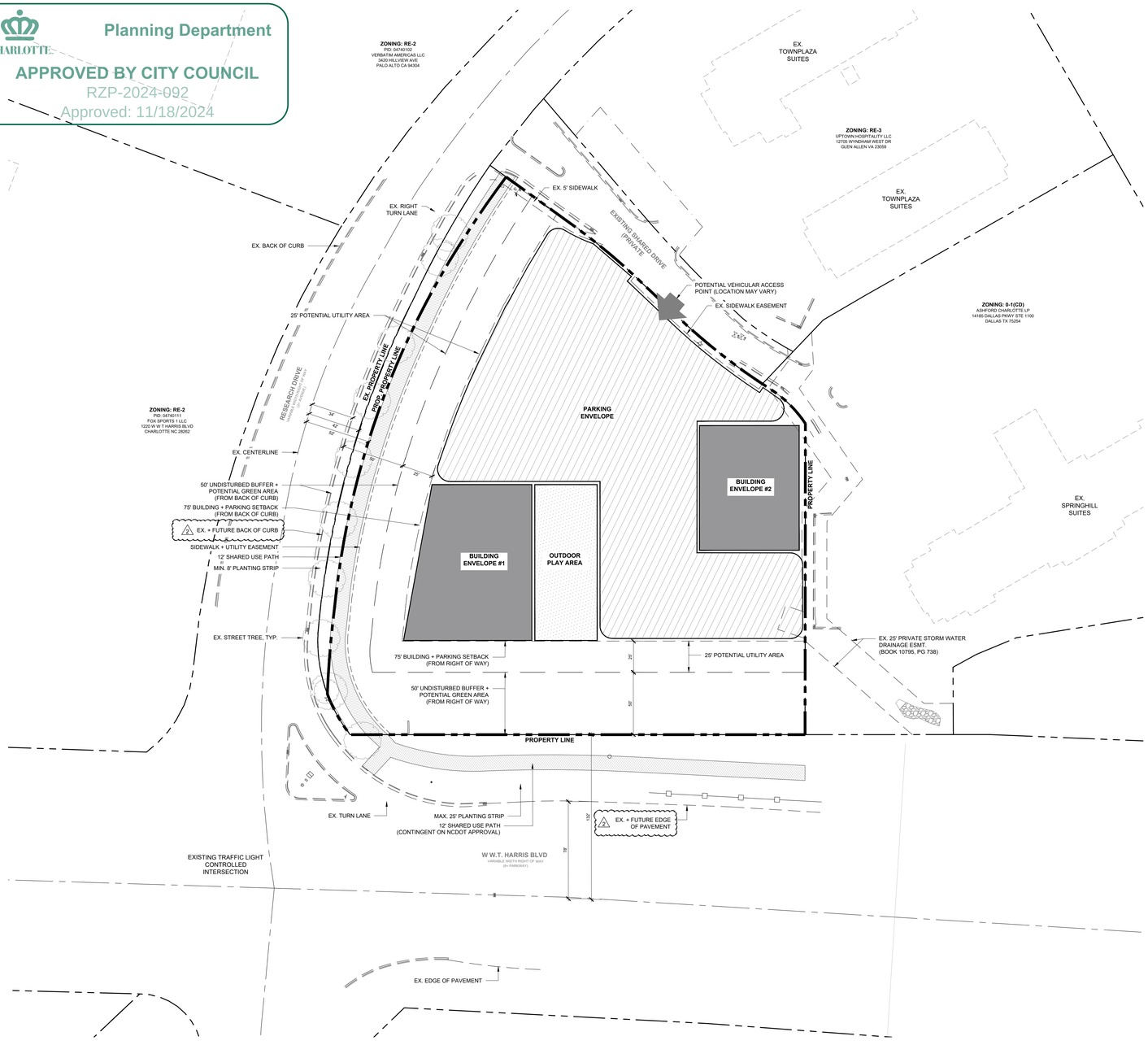
Planning Department

CHARLOTTE

APPROVED BY CITY COUNCIL

RZP-2024-092

Approved: 11/18/2024



CONCEPTUAL SITE PLAN

SCALE: 1" = 40'
0 20' 40' 80'

Lucern Capital Partners
Development Standards - Research Drive
10/24/2024
Rezoning Petition No. 2024-092

Site Development Data:
--**Acreage:** ± 3.07
--**Tax Parcel #s:** 047-141-18
--**Existing Zoning:** RE-3(CD)
--**Proposed Zoning:** CAC-1(EX)
--**Existing Uses:** Commercial
--**Proposed Uses:** Up to 10,000 square feet for a childcare center and up to 8,000 square feet of commercial uses permitted by right and under prescribed conditions in the CAC-1 zoning district together with accessory uses as allowed in the CAC-1 zoning district (as more specifically described below).
--**Maximum Building Height:** As per the CAC-1 building height standards.
--**Parking:** As required by the Ordinance.

1. **General Provisions:**

a. Site Location. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Lucern Capital Partners ("Petitioner") to accommodate modifications to the existing development or the potential redevelop of the existing community with a mix of uses on the approximately 3.07-acre site located along the east side of Research Drive (the "Site").

b. 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 Unified Development Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the CAC-1 zoning classification shall govern all development taking place on the Site.

c. Number of Buildings Principal and Accessory. The site may be developed with up to two principal buildings as generally depicted on the Rezoning Plan.

2. **Exception Provisions:**

a. Purpose. The exception (EX) district zoning map amendment found in Article 37.2.C.3 of the Ordinance serves as a mechanism for altering or modifying the quantitative zoning standards for proposed development. It provides a mechanism for City Council to review and consider new development concepts, innovative designs, special problems, and other unique proposals or circumstances that cannot be accommodated by the standards of a zoning district, while addressing the conformance of the development and use of the Site to other applicable standards.

b. Public Benefits. An exception (EX) district is required to provide public benefits. 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. The public benefits requirement is proposed to be met by the following two actions: on-site renewable energy generation through the inclusion of rooftop solar panels on both buildings; and donating $10,000 to the City of Charlotte for pedestrian improvements in the broader Research Park area.

c. EX Modified Standards. The Exceptions from the dimensional, design, and other standards of the Ordinance applicable to the CAC district as described below in this section are hereby allowed in connection with development of the Site.

a. Frontage Setback Line
Required: A 20' setback from future back of curb is required along Research Drive and a 20' setback from right-of-way is required along W. W.T. Harris.
Modified Standard: A seventy-five (75) foot building and parking setback shall be provided from the closest point of the existing back of curb along Research Drive as generally depicted on the Rezoning Plan. A seventy-five (75) foot building and parking setback shall be provided from the existing right-of-way along W. W.T. Harris Boulevard. A fifty (50) foot landscape yard shall be provided along Research Drive and W. W.T. Harris Boulevard as generally depicted on the Rezoning Plan.

b. Ground Floor Transparency
Required: 50% ground floor transparency along Research Drive and 30% along W. W.T. Harris Boulevard, measured between 3' and 10' from grade.
Modified Standard: The increased setbacks and fifty (50) foot landscape yards along the Site's frontages will significantly reduce visibility of the buildings from the public right-of-way. As such, the buildings will be designed to meet the CAC-1 architectural requirements for 50% ground floor transparency along the longer internal facades and 30% along the shorter internal facade abutting the parking area.

c. Prominent Entrances
Required: Frontages shall have a minimum of one prominent entrance.
Modified Standard: The increased setbacks and fifty (50) foot landscape yards along the Site's frontages will significantly reduce visibility of the buildings from the public right-of-way. As such, the buildings will be designed to meet the CAC-1 architectural requirements for prominent entrances along the internal facades abutting the parking area.

3. **Permitted Uses & Development Area Limitations:**

a. Permitted Uses. The Site may be developed with up to 10,000 square feet of childcare facilities and up to 8,000 square feet of commercial uses. In the event childcare facilities are not developed on the Site, the 10,000 square foot building may be developed with commercial uses. Development of the Site is subject to the following:
In no event shall the following uses be permitted:

- Car Wash
- Self-Storage Facility
- Tobacco and/or Vape Sales
- Vehicle Dealership
- Vehicle Rental
- Vehicle Fueling Station

4. **Access and Transportation Improvements:**

a. Access to the Site will be from Research Drive. Research Drive is designated as a 2+ Lane Avenue on the adopted Charlotte Streets Map. The petitioner shall dedicate 52' of right-of-way from the centerline of Research Drive. The placement and configuration of the access points are subject to any minor modifications required by CDOT and/or NCDOT in accordance with applicable published standards.

b. The petitioner shall dedicate 100' of right-of-way from the centerline of WT Harris Boulevard.

c. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with published standards.

d. All traffic improvements 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's ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.

e. The Petitioner will dedicate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy.

f. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks that are located along the public streets and outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

g. In the event a Right-of-Way Encroachment Agreement is necessary for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City maintained street right-of-way by a private individual, group, business, or homeowner's/business association, an encroachment agreement will be submitted for approval by CDOT prior to construction/installation.

h. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad northeastern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

i. The Petitioner shall coordinate with NCDOT and CDOT regarding pedestrian improvements at the intersection of Research Drive and WT Harris Boulevard.

j. The Petitioner shall coordinate with NCDOT and CDOT to adjust storm drainage located along the right turn lane on WT Harris Boulevard to create a consistent lane width for the right turn lane.

k. A Traffic Impact Study (TIS) is not required for the site due to the development generating site trips under ordinance thresholds and not triggering any other City TIS requirements. The proposed zoning falls within the medium to high intensity development threshold and based on the daily trips, the petitioner will be required to satisfy Tier 1 multimodal assessment (5 points) and Tier 1 for transportation demand management assessment (2 points). Possible mitigation options are indicated in the attached Comprehensive Transportation Review (CTR) summary table. These possible options include a SUP along Research Drive for the multimodal assessment points and education, marketing, and outreach along with a bicycle repair station for the transportation demand management assessment points.

5. **Streetscape, Landscape Yards, Open Space, and Landscaping:**

a. The following streetscape improvements will be provided as development occurs on the site:

i. Existing street trees shall remain where feasible.

ii. An eight (8) foot planting strip and twelve (12) foot shared use path shall be provided along Research Drive. The shared use path shall be permitted within the fifty (50) foot landscape yard in order to preserve the existing mature trees onsite. The width of the shared use path may be reduced to ten (10) feet at the pinch points within the critical root zone where existing trees are being maintained.

iii. An eight (8) foot planting strip and twelve (12) foot shared-use path will be provided along W. W.T. Harris Boulevard. The Petitioner reserves the right to request a transportation adjustment per Article 32.2.C if it is determined that NCDOT will not permit the cross-section required by the Charlotte Streets Map. Adjustments may include providing the sidewalk in a sidewalk utility easement outside the right of way or at the back of the right of way in coordination with NCDOT and CDOT.

b. Open space will be provided per the CAC-1 requirements found in Article 11.4.

6. **Environmental Features:**

a. The Site shall comply with the Charlotte City Council approved and adopted Unified Development Ordinance Stormwater Articles 23 through 28.

b. The existing storm pipe may be relocated within the seventy-five (75) foot building and parking setback, so long as it outside the fifty (50) foot landscape yard.

c. The Site will comply with the Tree provisions of the Ordinance found in Article 20.

d. Development within any SWIM/PCSO Buffer shall be coordinated with and subject to approval by Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance. Stream Delineation Reports are subject to review and approval by Charlotte Storm Water Services.

7. **Lighting:**

a. All freestanding exterior lighting installed on the Site shall comply with Article 16.2 of the Ordinance.

8. **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 37.3 of the Ordinance.

9. **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 Ordinance, 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.

CTR SUMMARY

CTR MULTI MODEL (5 PTS REQUIRED)
- SIDEWALK/ SHARED USE PATH ALONG RESEARCH DR = 9.5 PTS

CTR TDM (2 PTS REQUIRED)
- EDUCATION, MARKETING AND OUTREACH: 1 PT
- BICYCLE REPAIR STATION: 1 PT

dpr design
master planning . civil engineering
urban design . landscape architecture
919 berryhill rd. ste 101 . charlotte, nc 28208
704.332.1204 . www.dpr.design
NC Eng. Firm #C-0650 | LA Firm #C-032

CLIENT / OWNER
LUCERN CAPITAL PARTNERS
218 BROAD ST
RED BANK, NEW JERSEY 07701
--

CONSULTANT
MOORE & VAN ALLEN, PLLC
100 N. TRYON ST #4700
CHARLOTTE, NORTH CAROLINA 28202

PROJECT
RESEARCH DRIVE

8620 RESEARCH DRIVE
CHARLOTTE, NORTH CAROLINA 28262

PROJECT NUMBER
24023

DATE
07/15/2024

ISSUED FOR
REZONING

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	9/14/2024	REVISIONS PER STAFF COMMENTS	JM
2	10/24/2024	REVISIONS PER STAFF COMMENTS	JM

SCALE
AS INDICATED

DRAWING
REZONING PLAN

RZ1.0

Plotted: 24023-RZ2.0.dwg / 10/24/2024 4:52 PM

COPYRIGHT © 2024 DPR ASSOCIATES, INC. THE PLAN OR DRAWING AND ANY ACCOMPANYING DOCUMENTS OR CALCULATIONS ARE THE PROPERTY OF DPR ASSOCIATES, INC. AND ARE INTENDED SOLELY FOR THE USE OF THE RECIPIENT NOTED. NO THIRD PARTY USE OR MODIFICATION IS PERMITTED WITHOUT WRITTEN AUTHORIZATION.

ORIGINAL SHEET SIZE: 30" X 42"