

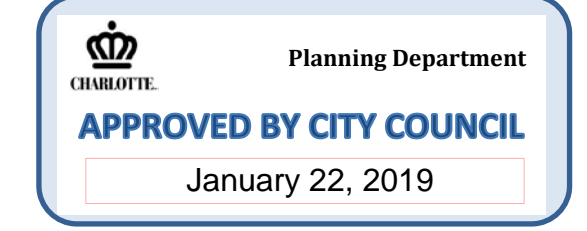
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REZONING PETITION NO. 2018-106



SITE DEVELOPMENT AREA

TAX PARCEL NUMBER: 177-063-05
REZONING PETITION NO.: 2018-106
ZONING CLASSIFICATION
CURRENT: MUDD-O (PETITION NO.: 2010-56)
PROPOSED: MUDD-O SPA
EXISTING USES: VACANT

PROPOSED USES: USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT

MAXIMUM DEVELOPMENT (SUBJECT TO CONVERSION RIGHTS AS DEFINED HEREIN):
OFFICE: 340,000 SQUARE FEET
RETAIL / EDEE: 16,000 SQUARE FEET

NET LAND AREA: ±2.58 ACRES

MINIMUM SETBACK:
PROVIDED SETBACKS ON SITE PLAN FOR ALL STREETS

REQUIRED SCREENING:
PER ORDINANCE - REQUIRED FOR THE SERVICE ENTRANCE / UTILITY STRUCTURES, LOADING DOCKS, PARKING DECKS, DUMPSTERS

DOOR LOCATIONS SHOWN ARE PRELIMINARY.
FINAL LOCATION AND QUANTITIES MAY VARY

MAXIMUM BUILDING HEIGHT: UP TO 180 FEET AS REQUESTED IN THE OPTIONAL PROVISIONS TO THE MUDD-O ZONING DISTRICT

VEHICULAR PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD ZONING DISTRICT

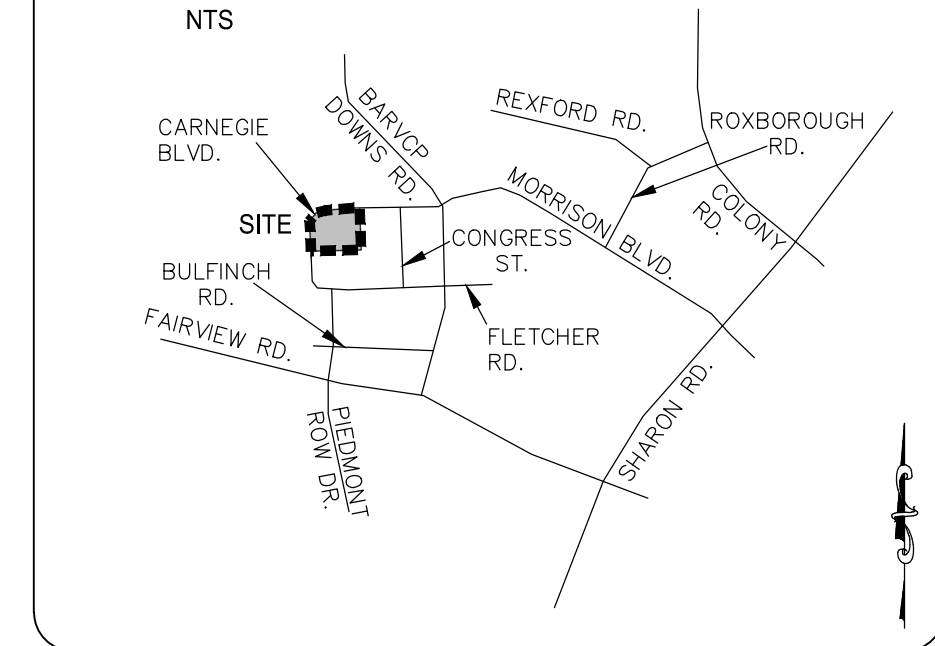
BICYCLE PARKING: AS REQUIRED BY THE ORDINANCE FOR THE MUDD ZONING DISTRICT

URBAN OPEN SPACE:
±4,000 SF PROVIDED

PARCEL BOUNDARY INFORMATION

CURVE LENGTH	RADIUS	CHORD BEARING	CHORD
C1	157.12'	100.00'	S 44°49'00" W 141.45'
C2	4.14'	5.50'	N 68°27'29" E 4.04'
C3	14.71'	57.50'	S 37°51'29" W 14.67'
C4	5.71'	5.50'	N 29°44'12" E 5.46'

VICINITY MAP



PETITION #: 2018-106
CITY OF CHARLOTTE
PETITIONER: LINCOLN HARRIS

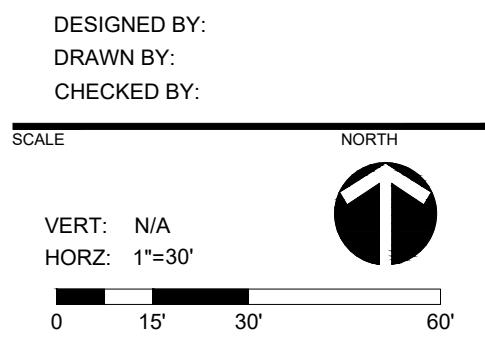
5954 CARNEGIE BLVD.

LINCOLN HARRIS
5954 CARNEGIE
CHARLOTTE, NC

LANDDESIGN PROJ.# 1018301

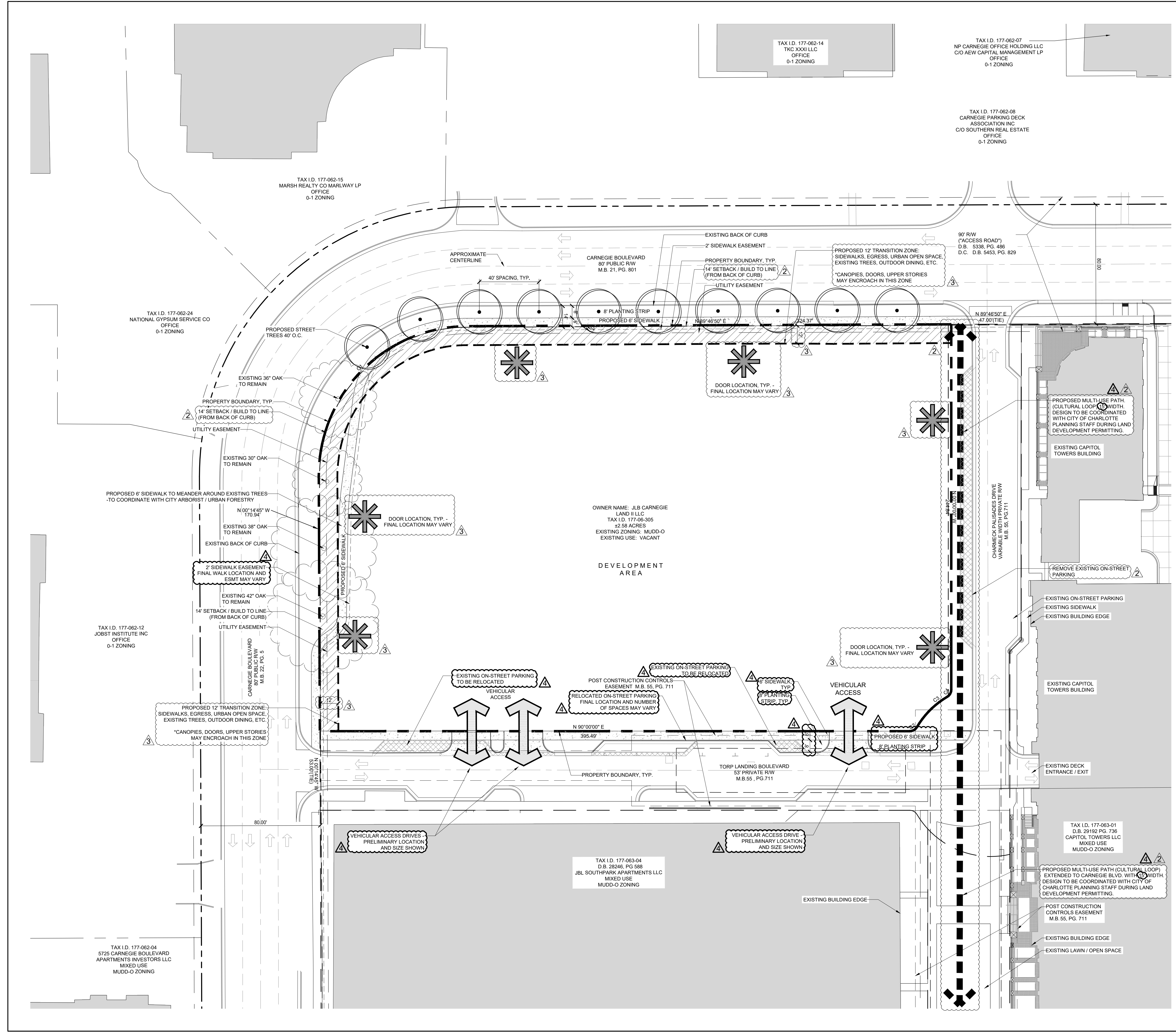
NO.	DESCRIPTION	DATE
1	1st SUBMITTAL	08.20.2018
2	2nd SUBMITTAL	10.15.2018
3	3rd SUBMITTAL	11.09.2018
4	4th SUBMITTAL	12.20.2018

DESIGNED BY:
DRAWN BY:
CHECKED BY:



TECHNICAL DATA SHEET - DEVELOPMENT STANDARDS

SHEET NUMBER **RZ-1**



Site Development Data:

- Acreage: ± 2.58 acres
- Tax Parcels: 177-063-05
- Existing Zoning: MUDD-O
- Proposed Zoning: MUDD-O SPA
- Existing Uses: Vacant
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district (and as further restricted in Section III, below)
- Maximum Development: (subject to conversion rights as defined herein)
 - Office: 340,000 square feet
 - Retail/EDEE: 16,000 square feet
- Maximum Building Height: Up to 180 feet as requested in the Optional Provisions to the MUDD-O zoning district, 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 Lincoln Harris, LLC ("Petitioner") to accommodate development of an office development with ground-floor commercial uses on an approximately 2.58 acre site located at 5954 Carnegie Boulevard (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 Southpark Small Area Plan. Development of the Site would include a horizontally/vertically integrated mixture of uses, including office, retail, and other ground floor commercial uses within walking distance of other Southpark area amenities. The Petitioner seeks to create a street level public realm with the pedestrian experience in mind. The overall development plan is intended to allow the Site to evolve 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.
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 for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Optional Provisions provided below.
- c. Graphics and Alterations/Modifications. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, 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 for 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 allowed without requiring the administrative amendment process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are:
 - i. Minor and do not materially change the overall design intent depicted on the Rezoning Plan, such as minor modifications to the configurations of the street dimensions and the like as long as the modifications maintain the general building/parking orientation and character of the development generally depicted on the Rezoning Plan; or
 - ii. Modifications to allow minor increases in the mass of the building that does not materially change the design intent depicted on or described in the Rezoning Plan.

II. Optional Provisions for the MUDD-O Zoning District

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

- a. To allow up to 180 feet of building height within the Site, including architectural features.
- b. To allow wall signs having up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.
- c. To allow one (1) detached, ground mounted sign per street front. The detached signs may be up to five (5) feet in height and contain up to 60 square feet of sign area.
- d. To allow surface level vehicular (parallel) parking and maneuvering areas for service and delivery into a service dock between buildings and Torp Landing Boulevard.
- e. To allow drop off areas in front of office buildings, pick up and drop off areas in front of EDEE uses, valet parking, and service areas for uses such as mail delivery, loading and parking.
- f. To allow the "base" of building requirements of Section 9.8506(2)(i) to be satisfied by providing taller and architecturally differentiated ground floors that distinguish ground floor levels from upper stories, as generally depicted in the conceptual elevations provided as part of the Rezoning Plan.
- g. To allow an alternative streetscape on Carnegie Boulevard for the purposes of existing tree preservation and to provide unique urban space as described in Section VII c. Sidewalks may meander to preserve existing trees.

III. Permitted Uses

- a. Subject to the Maximum Development provisions set forth under Section 4 below, the Site may be devoted to any commercial uses permitted by right or under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith, except for the following:
 - 1. Car washes;
 - 2. Automobile service stations; and
 - 3. EDEEs with drive-through service windows.
- b. No residential units are proposed for the Site.

IV. Maximum Development

- a. The principal building may be developed with up to 340,000 square feet of gross floor area of commercial non-residential uses permitted by right and under prescribed conditions, along with any accessory uses allowed in the MUDD zoning district. However, the total square footage devoted to retail and Eating, Drinking, and Entertainment uses may not exceed 16,000 square feet.
- b. For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements) the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).
- c. Petitioner shall provide at least 5,000 square feet of ground floor space that is designed and constructed to accommodate retail activities (leasing offices, fitness centers, lobbies, and other areas that are accessory to residential or office uses shall not be considered retail space for purposes of this provision).

V. Transportation

- a. 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 south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.
- b. Where necessary, the Petitioner shall dedicate and convey in fee simple all rights of way to the City of Charlotte and NCDOT before the Site's first building certificate of occupancy is issued.

In lieu of off-site vehicular transportation improvements, Petitioner shall construct or contribute funds for pedestrian and bicycle improvements associated with the proposed "cultural loop" as provided in Section VII a herein.

The Petitioner shall provide or cause to be provided the following off-site transportation improvements:

- 1. At the intersection of Barclay Downs Road and Fairview Road:
 - a. Provide second southbound left turn lane with approximately 325 linear feet of storage on Barclay Downs Drive to Fairview Road;
 - b. Install audible push buttons for all crosswalks not already improved;
 - c. Install 2-message blank out signs ("No Turn on Red" and "Right Yield to Pedestrians") for all approaches;
 - d. Convert Barclay Downs Drive northbound left signal heads to four-section flashing yellow signal heads and pursue a signal agreement, as required, including payment of associated costs in coordination with CDOT; and
 - e. Install ADA ramps as required.
- 2. At the southern intersection of Carnegie Boulevard and Barclay Downs Drive:
 - a. Install audible push buttons for all crosswalks not already improved;
 - b. Install 2-message blank out signs ("No Turn on Red" and "Right Yield to Pedestrians") for all approaches;
 - c. Convert left turn signals to four-section flashing yellow signal heads for northbound and southbound approaches and pursue a signal agreement, as required, including payment of associated costs in coordination with CDOT; and
 - d. Install ADA ramps as required.
- 3. At the northern intersection of Carnegie Boulevard and Barclay Downs Drive:
 - a. Install audible push buttons for all crosswalks not already improved;
 - b. Install 2-message blank out signs ("No Turn on Red" and "Right Yield to Pedestrians") for all approaches;
 - c. Convert left turn signals to four-section flashing yellow signal heads and pursue a signal agreement, as required, including payment of associated costs in coordination with CDOT; and
 - d. Install ADA ramps as required.
- 4. Install or contribute funds for approximately 700 linear feet of multi-modal trail ("The Loop") in the area as generally depicted on the Rezoning Plan bisecting Carnegie Boulevard, as further described in Section VII a.
- 5. Petitioner and City Staff shall work to identify other pedestrian improvements within the Site's area of influence. If City Staff and the Petitioner mutually agree upon such additional improvements, Petitioner agrees to install said improvements as long as construction costs do not exceed \$125,000.00. If an improvement project is not identified prior to the issuance of the first certificate of occupancy for a building on the Site, the Petitioner shall contribute \$125,000.00 to the City of Charlotte for pedestrian improvements related to "The Loop" within the SouthPark area.

All transportation improvements shall be substantially completed before the Site's first building certificate of occupancy is issued.

- 1. 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 in connection with related development phasing described above, 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.

Access:

- 1. Access to the Site from external public streets will be as generally depicted on the Rezoning Plan, subject to adjustments as set forth below. (There shall be no direct vehicular access points on Carnegie Boulevard)
- 2. The Rezoning Plan identifies potential vehicular access points which could be surface drives or entrances to structured parking facilities. (There shall be a maximum of three (3) access points, 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.
- 3. The Petitioner reserves the right to request the installation of pavers and/or stamped or colored asphalt within streets abutting the Site in order to designate and define pedestrian cross-walks. The Petitioner will coordinate the design of any decorative pavement elements proposed within the public right-of-way with CDOT and NCDOT during the driveway permit process. Furthermore, the Petitioner understands that an encroachment and maintenance agreement must be obtained from CDOT and NCDOT before any decorative pavers and/or stamped pavement proposed in the public right-of-way may be installed.
- 4. The alignment of vehicular circulation and driveways may be modified by the Petitioner, subject to CDOT and NCDOT's final approval.

In lieu of off-site vehicular transportation improvements, Petitioner shall construct or contribute funds for pedestrian and bicycle improvements associated with the proposed "cultural loop" as provided in Section VII a herein.

VI. Design Guidelines

a. General Design Guidelines.

- 1. Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 20% of that building's entire facade facing such network street using brick, glass, natural stone (or its synthetic equivalent), stucco, fiber cement, corrugated metal, steel accents, architectural shingles or other material approved by the Planning Director.
- 2. Prohibited Exterior Building Materials: The Petitioner will not utilize (1) vinyl siding (but not vinyl hand rails, windows or door trim) or (2) concrete masonry units not architecturally finished.
- 3. The Activated ground floor area shall be provided along a minimum of 60% of each building facade along Carnegie Boulevard (shall contain a minimum of 60% visible active use).
- 4. A minimum of six (6) ground-level building entrances shall be provided along Carnegie Boulevard into either retail/EDEE or office uses.
- 5. 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.
- 6. Rooftop HVAC and related mechanical equipment will be screened from public view at grade from public or private streets.
- 7. Dumpsters, loading and services areas shall be screened from streets, common open spaces and any adjacent residential uses with materials complimentary to the principal structure. Dumpster enclosures will not directly abut the back of a sidewalk.
- 8. Backflow preventers and transformers shall be screened and located outside the setback, but can be located in a four (4) foot transition zone. Backflow prevention devices may also be located inside buildings, as permitted in the optional provisions above.
- 9. With the exception of structured parking facilities, multi-story buildings shall have a minimum of 20% percent transparency on all upper stories.

VII. Parking & Pedestrian Areas

The Petitioner is supportive of a multi-use path ("cultural The Loop") extended to Carnegie Boulevard, as generally depicted on the Rezoning Plan, design of which to be coordinated with the City of Charlotte Planning Staff during land development permitting. Petitioner shall endeavor to design and construct the approximately 700 linear foot portion of the cultural loop extending the northern and southern connections of Carnegie Boulevard. However, if Petitioner's construction is not possible, Petitioner shall instead contribute the equitable amount of funds for the approximately 700 linear foot section of The Loop to the City of Charlotte, cost of which to be mutually agreed upon with the City of Charlotte, however in no case shall the contribution amount exceed \$XXXX to the City of Charlotte for future implementation of the cultural loop. 340,000.00. If the equitable cost of the approximately 700 linear foot section of The Loop is priced at less than \$340,000, the Petitioner shall only be required to contribute the mutually agreed upon amount.

(As stated in Optional Provision request II.f. above (Unless otherwise stated herein) the Petitioner shall provide a minimum eight (8) foot wide planting strip and six (6) foot wide sidewalk along all public right-of-way. The Site's frontage on Carnegie Boulevard. The petitioner shall also also provide a minimum eight (8) foot wide planting strip and six (6) foot wide sidewalk along the Site's frontage on Torp Landing Boulevard or alternative dimensions that match the existing planting strip and sidewalk conditions on the opposite side of Torp Landing Boulevard, if approved by CDOT.

- c. The Petitioner shall provide a minimum of 4,000 square feet of urban open space at the corner of the Site's frontage on Carnegie Boulevard to include a minimum of three of the following elements: outdoor seating and dining area, enhanced lighting, public sidewalks, enhanced landscaping, preserved large mature trees, public art or sculptures.
- d. Structured parking facilities shall be designed to encourage and complement pedestrian-scale interest and activity on the ground floor and be architecturally compatible with primary buildings on all levels.
- e. Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design.
- f. On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances.

VIII. Environmental Features

- a. The Petitioner shall satisfy the requirements of the Post Construction Controls Ordinance and in addition, provide for a reduction of the peak flow in a 100-year storm event by 50% or more over the conditions of the Site as they exist at the time this Rezoning Petition is approved.
- b. The Petitioner shall comply with the Post Construction Stormwater Ordinance and Tree Ordinance.

IX. Signage

Signage as allowed by the Ordinance and by the Optional Provisions set forth under Section II above may be provided.

X. Lighting

Attached and detached lighting shall be downwardly directed. However, upward facing accent lighting shall be permitted. Detached lighting on the Site, except street lights located along public streets, will be limited to 30 feet in height.

XI. Amendments to the Rezoning Plan:

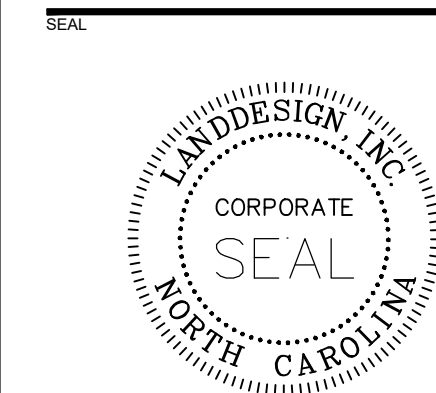
Future amendments to the Rezoning Plan may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

XII. 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 Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



REZONING
PETITION NO.
2018-106



5954 CARNEGIE
BLVD.

LINCOLN HARRIS
5954 CARNEGIE
CHARLOTTE, NC

LANDDESIGN PROJ.# 1018301

REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
	1st SUBMITTAL	08.20.2018
	2nd SUBMITTAL	10.15.2018
	3rd SUBMITTAL	11.09.2018
	4th SUBMITTAL	12.20.2018

DESIGNED BY:
DRAWN BY:
CHECKED BY:

SCALE: NORTH

VERT: N/A
HORZ: NTS

(NOT TO SCALE)

SHEET TITLE
DEVELOPMENT STANDARD
NOTES

SHEET NUMBER

RZ-2



BUILDING BASE

MAIN BUILDING ENTRANCE

CLEAR GLASS ON STREET LEVEL



LINCOLN
HARRIS

5954 CARNEGIE
PERSPECTIVE VIEWS
CHARLOTTE, NC





BUILDING BASE

MAIN BUILDING ENTRANCE

OUTDOOR DINING

CLEAR GLASS ON STREET LEVEL

LS3P



LINCOLN
HARRIS

5954 CARNEGIE
PERSPECTIVE VIEWS
CHARLOTTE, NC





NOTE: THE INTENT OF THE GRAPHICS IS TO SHOW RELATIONSHIP TO THE SURROUNDING DEVELOPMENT



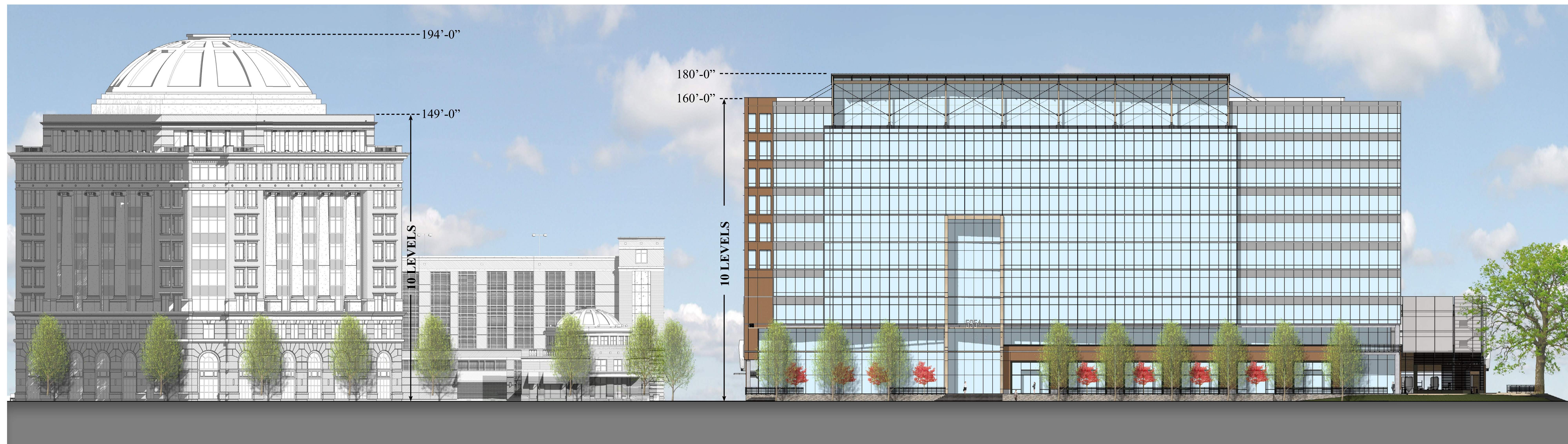
LINCOLN HARRIS

5954 CARNEGIE
PERSPECTIVE VIEWS
CHARLOTTE, NC





NOTE: THE INTENT OF THE GRAPHICS IS TO SHOW RELATIONSHIP TO THE SURROUNDING DEVELOPMENT



5954 CARNEGIE
 CARNEGIE STREET ELEVATIONS
 CHARLOTTE, NC

