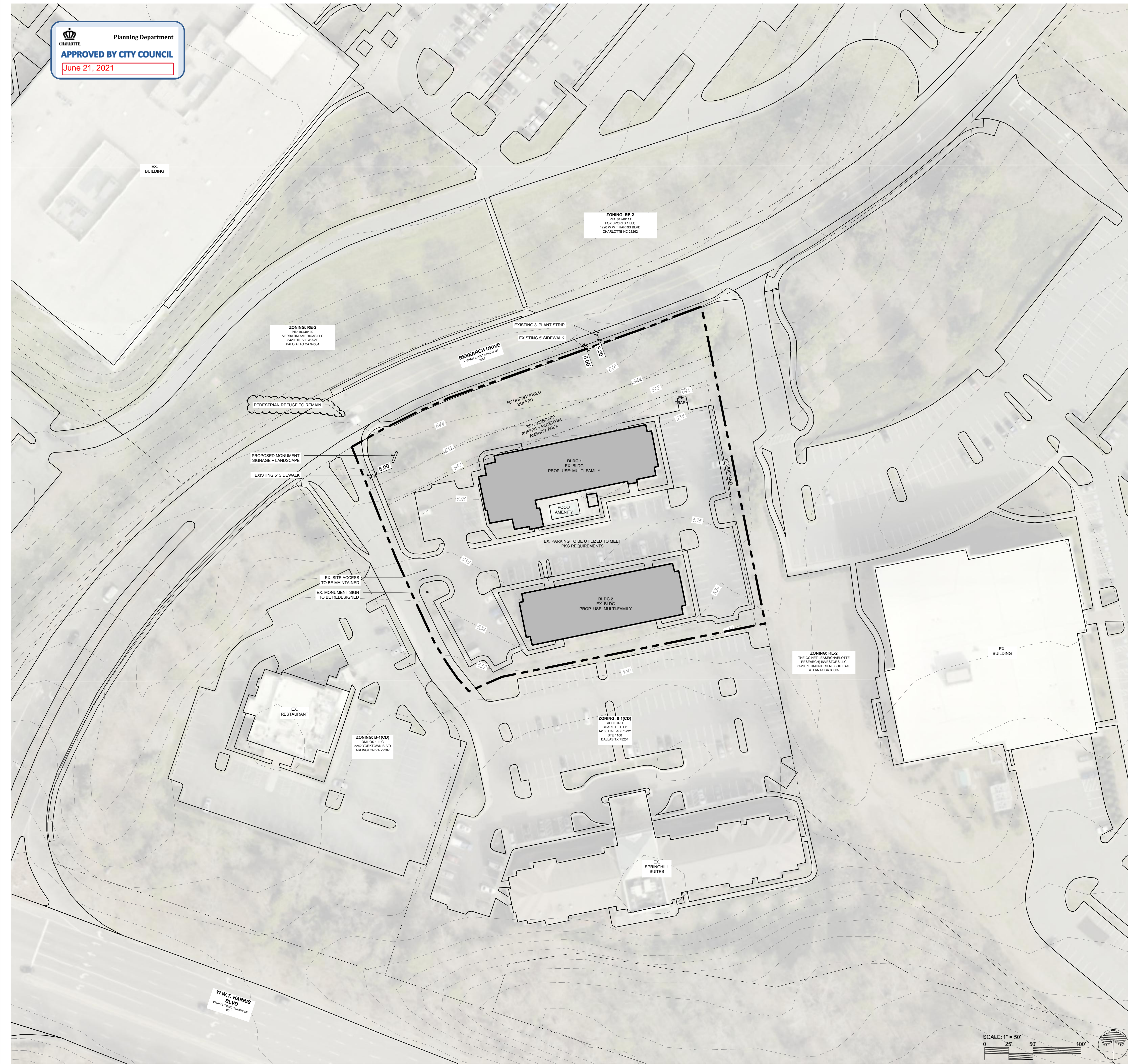

**Planning Department**  
**APPROVED BY CITY COUNCIL**  
 June 21, 2021



**Site Development Data:**  
 -Acreage: ± 2.550 acres  
 -Tax Parcel #: 04714119  
 -Existing Zoning: O-1(CD)  
 -Proposed Zoning: RE-3(O)  
 -Existing Uses: Hotel  
 -Proposed Uses: Up to ninety-six (96) multi-family residential dwelling units or ninety-six (96) hotel rooms as permitted by right, under prescribed conditions and by the Optional provisions below together with accessory uses, as allowed in the RE-3 zoning district (as more specifically described and restricted below in Section 3)  
 -Maximum Building Height: Maximum building height will not exceed the height of the existing building.  
 -Parking: Parking per the Optional Provisions below.

**1. General Provisions:**  
**a. Site Location:** These Development Standards, and the Technical Data Sheet form the rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Lucern Capital ("Petitioner") to accommodate the reuse of the existing buildings on the parcel for residential uses as described above and allowed by the RE-3 zoning district and the Optional Provisions below on an approximately ±2.55 acre site located at 8710 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 Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the RE-3 zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.  
**c. Graphics and Alterations:** The depictions of the building and parking envelopes, sidewalks, driveways, and other development matters and site elements (collectively the "Development/Site Elements") set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements. Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

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 of the Development/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 don't materially change the overall design intent and stay within the setbacks and yards depicted on the Rezoning Plan;
- The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in each instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.

**d. Number of Buildings Principal and Accessory:** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings on the Site will be limited to two (2). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site.  
**2. Optional Provisions:**  
**The following optional provisions shall apply to the Site:**  
**a.** Parking shall be permitted between the building and the street as generally depicted on the Rezoning Plan.  
**b.** To maintain the existing planting strip and sidewalk along Research Drive.  
**c.** To allow parking at one space per unit.  
**d.** To not require existing buildings to adhere to the provisions set forth in Section 11.706 Design Standards of the Ordinance.

**3. Permitted Uses, Development Area Limitations:**  
**a.** The Site may be developed with up to with up to ninety-six (96) multi-family residential units or ninety-six (96) hotel rooms as permitted by right and under prescribed conditions in the RE-3 zoning district together with accessory uses as allowed in the RE-3 zoning district subject to the following:  
**i.** In no event shall uses on the Site be mixed; multi-family residential units and hotel units are not permitted in combination.

**4. Access:**  
**a.** Access to the Site will be from Research Drive as generally depicted on the Rezoning Plan.  
**b.** The Petitioner shall dedicate 41-feet of right-of-way from centerline of Research Drive to accommodate for a future eight (8) foot planting strip and twelve (12) foot shared-use path to be constructed by others.  
**c.** Alignment of the 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 the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.  
**d.** Any required roadway improvement 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 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, the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy. The Petitioner will provide a permanent sidewalk easement for any of the proposed sidewalks located along the public streets located outside of the right-of-way. The permanent sidewalk easement will be located a minimum of two (2) feet behind the sidewalk where feasible.

**5. Environmental Features:**  
**a.** The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.  
**b.** The Site shall comply with the Tree Ordinance.  
**c.** The Petitioner shall provide a minimum of 800 square feet of amenitized open space.

**6. Lighting:**  
**a.** All new detached and attached lighting shall be full cut-off type lighting fixtures excluding: low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.  
**b.** The maximum height of detached lights in the parking area will be limited to twenty-one (21) feet and shall be cut-off type lighting fixtures.  
**c.** The existing building flood light will be removed or replaced with a full cut-off fixture as part of the adaptive re-use of the building.

**7. Signs:**  
**a.** As allowed by 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 portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

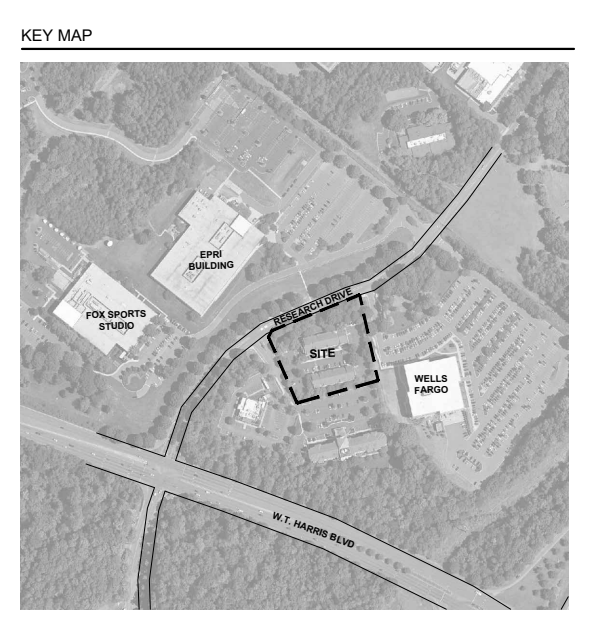
**9. Binding Effect of the Rezoning Application:**  
**a.** If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit 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.



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 CHARLOTTE, NORTH CAROLINA 28202  
 704.331.1000



# RESEARCH DR. ADAPTIVE RE-USE

8710 RESEARCH DRIVE  
 CHARLOTTE, NORTH CAROLINA 28262

**PROJECT NUMBER**  
 21002  
**DATE**  
 01/14/2021

## REZONING PLAN

NO.	DATE	DESCRIPTION	BY
1	04/12/21	FIRST REVISION	CMTW
2	06/03/21	SECOND REVISION	CM

**PROJ. MANAGER:** C.M.  
**DRAWN BY:** T.W.  
**CHECKED BY:** C.M.

**SCALE**  
 AS INDICATED  
**DRAWING**  
 REZONING PLAN

# RZ1.00

Plotted: 21002-REZONING\_PLAN1.dwg / 6/3/2021 2:44 PM