

RZ-1

GRAPHIC SCALE IN FEET PRINTING SHEET SIZE 24X36



ACREAGE:	11.06 AC
ID:	027-033-01
TING ZONING:	RE-1
POSED ZONING:	RE-3
TING USES:	OFFICE
POSED USES:	ALL USES IN RE-3
DR AREA RATIO:	PER ZONING ORDINANCE
IMUM BUILDING HEIGHT:	PER NOTES
OF PARKING SPACES:	PER ZONING ORDINANCE
AN OPEN SPACE:	PER ZONING ORDINANCE

TKC CLIV, LLC 5935 Carnegie Blvd. Charlotte, North Carolina 28209 704.365.6000 (f)704.365.0733 FOR PUBLIC HEARING PETITION NUMBER 8401 MEDICAL PLAZA DRIVE CHARLOTTE NORTH CAROLINA **E ILLUSTRATIVE** SITE PLAN

RZ-2

Site Development Data:

- **--Acreage:** ± 11.1
- --Tax Parcel #s: 027-033-01
- --Existing Zoning: RE-1
- --Proposed Zoning: RE-3(O) --Existing Uses: Office/Vacant
- more specifically described and restricted below in Section 3).
- --Parking: Parking as required by the Ordinance.

1. General Provisions:

a. **Site Location**. These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by The Keith Corporation to accommodate development of an additional office and commercial development on an approximately $11 \pm acre$ Site located along Mallard Creek Road and Medical Plaza Drive at W.T. Harris Boulevard (the "Site").

b. **Zoning Districts/Ordinance**. Development of the Site will be governed by the attached Technical Data Sheet and Schematic Site Plan and these Development Standards (together with the site plan referred to as the "Rezoning Plan") as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan or the Supplemental Sheets establish more stringent standards, the regulations established under the Charlotte Zoning Ordinance (the "Ordinance") for the RE-3 Conditional District zoning district classification, subject to the Optional Provisions provided below, shall govern all new development on the Site.

c. **Graphics and Alterations**. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, driveways, streets, 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 proposed. 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:

minor and don't materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director, or designee 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 to be developed on the Site shall not exceed five (5). The Petitioner reserves the right to combine or split to have a greater number of buildings than is illustrated on the Schematic Site Plan. Accessory building and structures shall not be considered in any limitation on the number of buildings on each of the Parcels.

e. Gross Floor Area. 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, and all loading dock areas (open or enclosed).

f. The Site may be considered a unified development plan and as such internal separation standards such as buffers, side and/or rear yards may be eliminated, subject to the normally required Staff review and approval process.

2. **Optional Provisions**.

façade and abutting public or private streets.

The Petitioner seeks the Optional provision to provide a 24 foot setback as measured from the future back of curb along Mallard Creek Road and Medical Plaza Drive, as generally depicted on the Rezoning Plan, to preserve existing mature trees and in response to site conditions.

c. The Petitioner seeks the Optional Provision to provide a 4 foot planting strip and 6 foot sidewalk along Medical Plaza Drive as indicated on the Rezoning Plan to preserve existing mature trees.

d. The Petitioner seeks the Optional Provision to provide a 50 foot setback along W.T. Harris Boulevard as indicated on the Rezoning Plan.

--Proposed Uses: Office and commercial uses as allowed in the RE-3(O) zoning district (as

--Maximum Amount of Development: Up to 160,000 square feet of gross floor area of nonresidential uses, including 70,000 square feet of existing office use, subject to the conversion rights described below, together with accessory uses as allowed in the RE-3 district (as more specifically described and restricted below in Section 3). --Maximum Building Height: A maximum building height of 50 feet as allowed by the Ordinance. Building height to be measured as required by the Ordinance.

a. To allow service lanes associated with a drive-in window to be located between the

The Petitioner seeks the Optional provision to allow parking and maneuvering for e. parking to be located between the existing and proposed buildings and Mallard Creek Road, Medical Plaza Drive and W.T. Harris Boulevard, as generally depicted on the Rezoning Plan. These proposed parking and maneuvering areas will be screened from the public streets.

Permitted Uses, Development Area Limitations and (Conversion/Transfer Rights):

a. Development Areas A, B, C, and D of the Site may be collectively developed with up to 160,000 square feet of gross floor area uses, of which 70,000 currently exists in Development Area D, allowed in the RE-3 zoning district including, without limitation, restaurant (EDEE) uses, office and medical office uses along with accessory uses, subject to the restrictions listed below.

No more than one use may include accessory drive-through window facilities within the Site. The use with the drive-through facilities may be located in Development Area C.

ii. The number of drive-through lanes will be limited to one for uses allowed to have an accessory drive-through window except financial institutions (e.g. banks) which may have up to four (4) drive-through lanes including a lane for a drive up automatic teller machine (ATM) if an ATM is provided.

- **Transportation Improvements:**
- Proposed Improvements.
- a. TO BE FORTHCOMING

II. Standards, Phasing and Other Provisions.

a. **CDOT/NCDOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT as applicable. 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 area, by way of a private/public partnership effort or other public sector project support.

b. Substantial Completion. Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.I above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.a above provided, however, in the event all roadway improvements 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 the Petitioner will work with City Staff to determine a process 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.

Right-of-way Availability. It is understood that some of the public roadway c. improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such

additional right of way upon commercially reasonable terms and at market prices, then CDOT. the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond 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 the Petitioner will work with City Staff to determine a process to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; 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.

d. Alternative Improvements. Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, and the Planning Director as applicable, provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

Access and Right-of-way Dedication:

Vehicular access to the Site shall be provided as generally depicted on the Technical Data Sheet (Sheet RZ-1). The number and locations of driveways connecting to the interior public streets is not limited by what is indicated on the Technical Data Sheet; the location and number will be determined during the land development process.

b. The placements and configurations of these vehicular access points are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the CDOT and/or the North Carolina Department of Transportation ("NCDOT").

c. The Site's internal Private Street will be designed to include sidewalks and planting strips as generally depicted on RZ-01.

- All new streets shall be designed per CDOT and Subdivision standards.
- Streetscape, Landscaping Open Space and Screening:

A 24 foot setback, as measured from future back of curb, will be provided on Mallard Creek Drive and Medical Plaza Drive as generally depicted on RZ-01

b. A 50 foot setback, as measured from the future back of curb, will be provided on W.T. Harris as generally depicted on RZ-01.

c. A sidewalk will be constructed along the Site's frontage on Mallard Creek Drive as part of an NCDOT project.

d. A 6 foot sidewalk will be provided along W.T. Harris as generally depicted on RZ-01. The sidewalk will be located outside of the right of way and within the setback.

e. A 4 foot planting strip, as allowed by the optional provisions, and a 6 foot sidewalk will be provided along Mallard Creek Road and Medical Plaza Drive as generally depicted on RZ-01 to preserve existing large mature trees. Where there are not existing trees, an 8 foot planting strip and a 6 foot sidewalk shall be provided.

7. General Design Guidelines. (Starting General Design Standards)

Buildings fronting on Medical Plaza Drive and W.T. Harris Boulevard will be articulated such that expanses of solid walls exceeding 20 linear feet will be avoided with either horizontal and vertical variations in wall planes, materials and/or building color.

b. New buildings fronting on public streets shall include a minimum of 40% transparent glass between four (4') feet and eight (8') feet on the first floor. Shadow boxes or window graphics may be utilized behind transparent glass to screen bathrooms, back of house or kitchens, but may not exceed more that 40% of the total required building transparency requirement.

c. All buildings must be sited maintaining pedestrian interconnectivity between buildings and through parking areas. This will be done by providing a minimum of a six (6) foot sidewalk between buildings and through parking areas and connecting each building to the sidewalk network that will be provided throughout the Site.

d. All buildings located within the Site will be architecturally integrated to complement one another by using similar or compatible architectural styles, building materials, landscape elements, plants and signage treatments to create a unified and cohesive development. In addition, buildings located on Parcels A and B must be designed using a similar; (i) architectural style, (ii) building materials, (iii) colors and (iv) signage so that development on these Parcels creates a cohesive whole and not a series of buildings with unrelated and wholly dissimilar architectural styles, building materials, colors and signage.

e. The buildings constructed on the Site will use a variety of building materials. The building materials used on the will be a combination of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementations siding (such as hardi-plank), stucco, EFIS or wood. At least 40% of each building façade exclusive of windows, doors and roofs will be constructed of brick, stone, synthetic stone, or precast stone. Vinyl as a building material may only be used on windows and soffits.

f. All sides of the buildings to be constructed on the Site will be built using four-sided architecture.

The scale and massing of non-residential buildings longer than 150 feet along a street shall be minimized by utilizing a combination of the following options: (1) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (2) building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (3) horizontal and vertical variations in wall planes; and/or (4) architectural protrusion.

Utilities shall be screened and shall not be visible from the public street. This includes, mechanical and electrical equipment, utility meters, dumpsters, and backflow preventers. No fencing shall be located between the building and the public street.

8. Environmental Features:

Development on the Site shall comply with the Charlotte City Council approved and adopted Post Construction Ordinance (PCO) and Tree Ordinance.

9. <u>Signage:</u>

The detached signs installed throughout the Site will utilize similar materials and colors so as to create a unified design. In addition the signs will utilize materials and colors that reenforce the image of the University Research Park. Signs will be integrated into the landscape setbacks with accent plants and seasonal color.

10. <u>Lighting:</u>

a. All lighting fixtures located on the Site shall be full cut-off type lighting fixtures with the exception of lower, decorative lighting that is not visible from off-Site residentially zoned or used property that may be installed along the internal sidewalks.

The maximum height of detached lights shall not exceed 31 feet.

11. <u>Amendments to the Rezoning Plan:</u>

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 portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

12. <u>Binding Effect of the Rezoning Application</u>:

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.

