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Keith Corp  
Development Standards  
5/12/17  
Rezoning Petition No. 2017-058

Site Development Data:

- Acreage: ± 11.1  
--Tax Parcel #: 027-033-01  
--Existing Zoning: RE-1  
--Proposed Zoning: RE-3(O)  
--Existing Uses: Office/Vacant  
--Proposed Uses: Office and commercial uses as allowed in the RE-3(O) zoning district (as more specifically described and restricted below in Section 3).  
--Maximum Amount of Development: Up to 150,000 square feet of gross floor area of non-residential uses, including, without limitation, 70,000 square feet of existing office use, 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.  
--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 additional office and commercial uses on an approximately ± 11 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 (collectively 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 Ordinance for the RE-3(O) 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.
- 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 building so as 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, all loading dock areas (open or enclosed) and outdoor dining areas whether on the roof of the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

- 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.

- a. The Petitioner seeks the Optional Provision to allow service lanes associated with a drive-through window to be located to the side of the building and to abut public or private streets as set forth in Section 7.

- b. The Petitioner seeks the Optional Provision to provide a twenty-four (24') foot setback as measured from the future back of curb along Mallard Creek Road, as generally depicted on the Rezoning Plan, in response to existing site conditions.

- c. The Petitioner seeks the Optional Provision to provide a thirty (30') foot setback as measured from the future back of curb along 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 three (3') foot planting strip and five (5') foot sidewalk along Medical Plaza Drive as generally depicted on the Rezoning Plan to preserve existing mature trees and in response to site conditions.

- d. The Petitioner seeks the Optional Provision to provide a sixty (60') foot setback along W.T. Harris Boulevard as generally depicted on the Rezoning Plan.

- e. The Petitioner seeks the Optional Provision to allow parking and maneuvering 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 for proposed buildings will be screened from the public streets at grade.

- f. The Petitioner seeks the Optional Provision to allow existing parking to remain in the setback on Mallard Creek Road as generally depicted on the Rezoning Plan.

- g. The Petitioner seeks the Optional Provision to allow opaque and spandrel glass subject to the provisions set forth in Section 7.

3. Permitted Uses, Development Area Limitations:

- a. Development Areas A, B, C, and D of the Site may be collectively developed with up to 150,000 square feet of gross floor area of permitted uses, of which 70,000 square feet currently exists in Development Area D, allowed in the RE-3 zoning district including, without limitation, (retail) restaurant (EDEE) uses, (Personal Services) office and medical office uses along with accessory uses, subject to the restrictions listed below.

- i. 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, (subject to the provisions set forth in Section 7)

- 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.

4. Transportation Improvements:

1. Proposed Improvements.

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions on the Site:

- a. Construct Private Street A connection between Mallard Creek Road and Medical Plaza Drive as generally depicted on the Rezoning Plan.

The above referenced improvements shall be substantially completed prior to the issuance of the first certificate of occupancy for the first new building constructed on the Site.

II. Standards, Phasing and Other Provisions.

- a. **CDOT/NC DOT 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 4.1 above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.11.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.

- c. **Right-of-way Availability.** It is understood that some of the public roadway 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.

5. Access and Right-of-way Dedication:

- a. Vehicular access to the Site shall be provided as generally depicted on the Technical Data Sheet (Sheet RZ-01). 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 ("NC DOT").

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

- d. All new streets shall be designed per CDOT standards.

6. Streetscape, Landscaping Open Space and Screening:

- a. A twenty four (24') foot setback, as measured from future back of curb, will be provided on Mallard Creek Drive as generally depicted on Sheet RZ-01

- b. A thirty (30') foot setback as measured from future back of curb, will be provided on Medical Plaza Drive as generally depicted on Sheet RZ-01.

- c. A sixty (60') foot setback, as measured from the future back of curb, will be provided on W.T. Harris as generally depicted on Sheet RZ-01.

- d. A sidewalk will be constructed by NCDOT along the Site's frontage on Mallard Creek Drive as part of the NCDOT project funded by NCDOT.

- e. A twelve (12') foot multi-use path that transitions to a five (5') foot sidewalk adjacent to the existing basin will be provided along W.T. Harris as generally depicted on Sheet RZ-01 upon approval of NCDOT.

- f. A three (3') foot planting strip as allowed by the optional provisions, and a five (5') foot sidewalk will be provided along Medical Plaza Drive as generally depicted on Sheet RZ-01 to preserve existing large mature trees. Where there are not existing trees, an eight (8') foot planting strip and a six (6') foot sidewalk shall be provided.

The above referenced improvements will be completed as development occurs with respect to the applicable parcels and street frontages.

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

- a. 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 60% transparent glass between two (2') feet and ten (10') feet on the first floor in Development Areas A and C and a minimum of 40% transparent glass between two (2') feet and ten (10') in Development Area B. Shadow boxes, window graphics, and/or opaque spandrel glass may be utilized to screen bathrooms, back of house, or kitchens, but may not exceed more than 20% of the total required building transparency requirement.

- c. All (new) 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. (However, a five foot (5') sidewalk shall be provided on both sides of Private Street A)

- 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.

- g. The scale and massing of 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.

- h. Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three 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.

- i. Buildings for principal uses in Development Areas A and C shall have a minimum height of twenty-two (22') feet including the parapet.

- j. If an accessory drive through facility is developed in Development Area C it shall only be provided as an accessory use to a financial institution, pharmacy or EDEE subject to the following standards:

- (i) Service lanes and/or maneuvering may not be located between the building and Medical Plaza Drive and/or WT Harris.

- (ii) The drive through window may be located on the north or west façade of the building such that the service lanes may abut Medical Plaza Drive and/or WT Harris. The drive through window shall not directly orient to WT Harris or Medical Plaza Drive.

- (iii) Service lanes that abut public streets shall be screened with a low masonry wall with materials complimentary to the principal structure and landscaping.

- (iv) A drive through window facility associated with an EDEE use shall only be permitted provided if is part of a multi-tenant building and the EDEE use shall not exceed 2,000 square feet. The second tenant shall occupy double the length of primary street frontage as the use associated with the drive through window facility.

- k. 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:

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

9. Signage:

- a. 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 re-enforce the image of the University Research Park. Signs will be integrated into the landscape setbacks with accent plants and seasonal color.

10. Lighting:

- 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.

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

12. 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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PROJECT  
NUMBER

DESIGN  
BY

APPROVED  
BY

DRAWN  
BY

DATE

DIGITAL FILE

1. PER FIRST CYCLE REVIEW COMMENTS 05.12.2017

REVISION

TKC CLIV, LLC

5935 Carnegie Blvd.  
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FOR PUBLIC HEARING

PETITION NUMBER

2017-058

8401  
MEDICAL PLAZA  
DRIVE  
CHARLOTTE  
NORTH CAROLINA

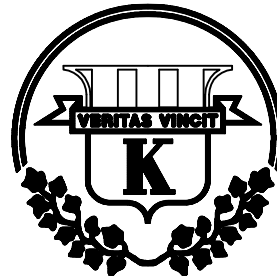
TECHNICAL DATA  
SHEET

RZ-3

PRINTING SHEET SIZE 24X36



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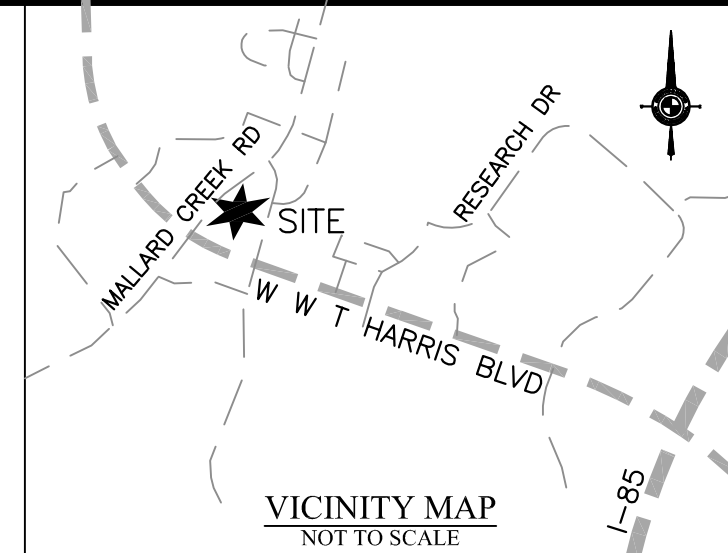
8401  
MEDICAL PLAZA  
DRIVE  
CHARLOTTE  
NORTH CAROLINA

EXISTING  
CONDITION

RZ-1

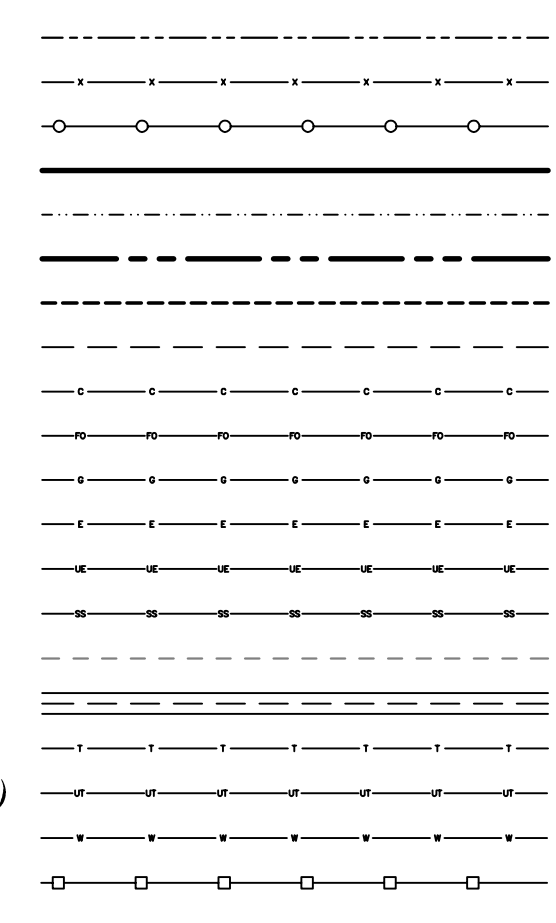
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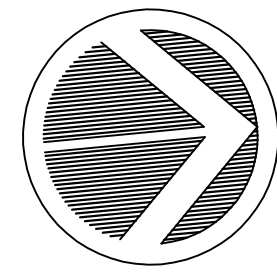
### LINE LEGEND:

- EASEMENT
- FENCE
- GUARD RAIL
- PROPERTY LINE
- PROPERTY LINE (NOT SURVEYED)
- RIGHT-OF-WAY
- RIGHT-OF-WAY (NOT SURVEYED)
- SETBACK
- CABLE TV LINE
- FIBER OPTIC LINE
- GAS LINE
- POWER LINE
- POWER LINE (UNDERGROUND)
- SANITARY SEWER PIPE
- STORM DRAIN PIPE
- STORM DRAIN PIPE >12"
- TELEPHONE LINE
- TELEPHONE LINE (UNDERGROUND)
- WATER LINE
- WOOD FENCE



### SYMBOL LEGEND

- POWER POLE (P.P.)
- SEWER MAN HOLE
- DRAINAGE MAN HOLE
- E-E-ELECTRIC LINE
- LIGHT POLE (L.P.)
- WELL
- U.G. PIPE
- N.I.R. NEW IRON REBAR
- E.I.R. EXISTING IRON REBAR
- E.I.P. EXISTING IRON PIPE
- FIRE HYDRANT
- U.G. FIBER OPTIC CABLE
- CURB INLET



0 50 100 150  
SCALE: 1"=100'  
GRAPHIC SCALE IN FEET  
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