

HAND AND CHOATE INVESTMENTS LLC
DB 9114, PG 861
801 BAXTER ST
TAX PARCEL: 12517303
ZONED: B-2

CHARLOTTE-MECKLENBURG HOSPITAL AUTHORITY
DB 9215, PG 225
801 S MCDOWELL ST
TAX PARCEL: 12520155
ZONED: MUDD-O

DUNCAN-PARNELL CO
DB 3387, PG 511
900 S MCDOWELL ST
TAX PARCEL: 12517302
ZONED: B-2

LOOKOUT NC PROPERTIES, LLC
DB 35267, PG 192
900 BAXTER ST
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COFFEY CREEK COMMERCE CENTER I LLC
DB 29663, PG 114
817 EAST MOREHEAD ST
TAX PARCEL: 12517321
ZONED: B-1

WILLIAM STAFFORD GORDON III, ET AL.
BD 33772, PG 323
915 S MCDOWELL ST
TAX PARCEL: 12520101
ZONED: B-1

919 S. MCDOWELL, LLC
DB 28887, PG 48
919 S MCDOWELL ST
TAX PARCEL: 12520186
ZONED: B-1

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1011 EAST MOREHEAD STREET, LLC
DB 11137, PG 969
1011 EAST MOREHEAD ST
TAX PARCEL: 12520106
ZONED: O-2

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THE DUKE ENDOWMENT
100 NORTH TRYON ST SUITE 3500
CHARLOTTE NC 28202

MOREHEAD STREET REAL ESTATE LLC
PO BOX 32721
CHARLOTTE NC 28232

ORIOLE STREET REAL ESTATE LLC
800 E. MOREHEAD ST.
CHARLOTTE NC 28202

CYNTHIA B HALL
7207 PENCE RD
CHARLOTTE NC 28215

JAY H BRYSON
MARGARET M COMMINS
1148 DILWORTH CRESCENT ROW
CHARLOTTE NC 28203

THOMAS WOJCIECHOWSKI
JULIA WOJCIECHOWSKI
1144 DILWORTH CRESCENT ROW
CHARLOTTE NC 28203

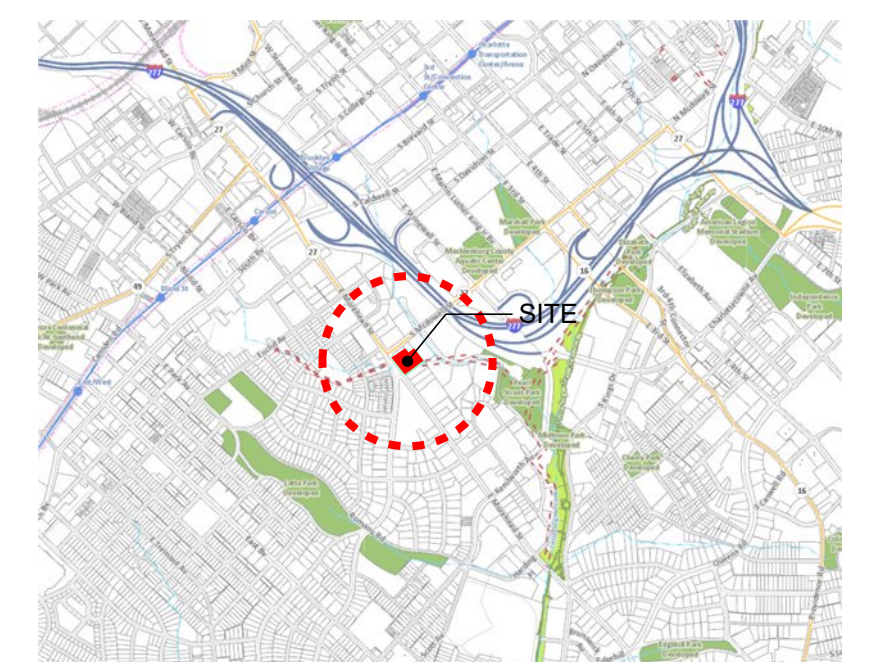
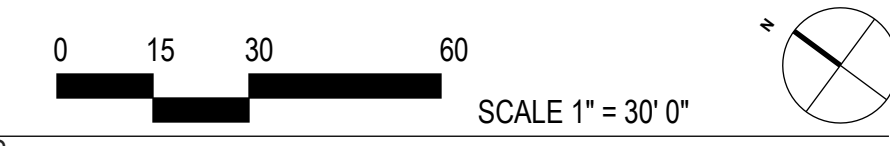
KATHRYN M BLUNKNER
1140 DILWORTH CRESCENT ROW
CHARLOTTE NC 28206

DAVID R ENNA
DEBORAH JENNA
1136 DILWORTH CRESCENT ROW
CHARLOTTE NC 28203

DAVID C HODGKINS
DONNA M HODGKINS
1132 DILWORTH CRESCENT ROW
CHARLOTTE NC 28203

ROGER CLEVELAND
1128 DILWORTH CRESCENT ROW
CHARLOTTE NC 28203

SITE PLAN



VICINITY MAP N.T.S.

REZONING PLAN SHEETS
RZ 0.0 SITE SURVEY
RZ 1.0 EXISTING CONDITIONS
RZ 2.0 REZONING SITE PLAN
RZ 3.0 DEVELOPMENT NOTES

LEGEND
— — — — — PROPERTY LINE
- - - - - ADJACENT PROPERTY

Acres: ± 1.623 acres

Tax Parcel #: 125-201-04

Existing Zoning: B-1(PED)

Proposed Zoning: MUDD-O

Existing Uses: Commercial uses.

911 EAST MOREHEAD STREET

THE KEITH CORPORATION

LS3P

227 WEST TRADE STREET SUITE 700
CHARLOTTE, NORTH CAROLINA 28202
TEL. 704.333.6686 FAX 704.333.2926

911 EAST MOREHEAD STREET
REZONING
PETITION RZP-2022-209

EXISTING
CONDITIONS

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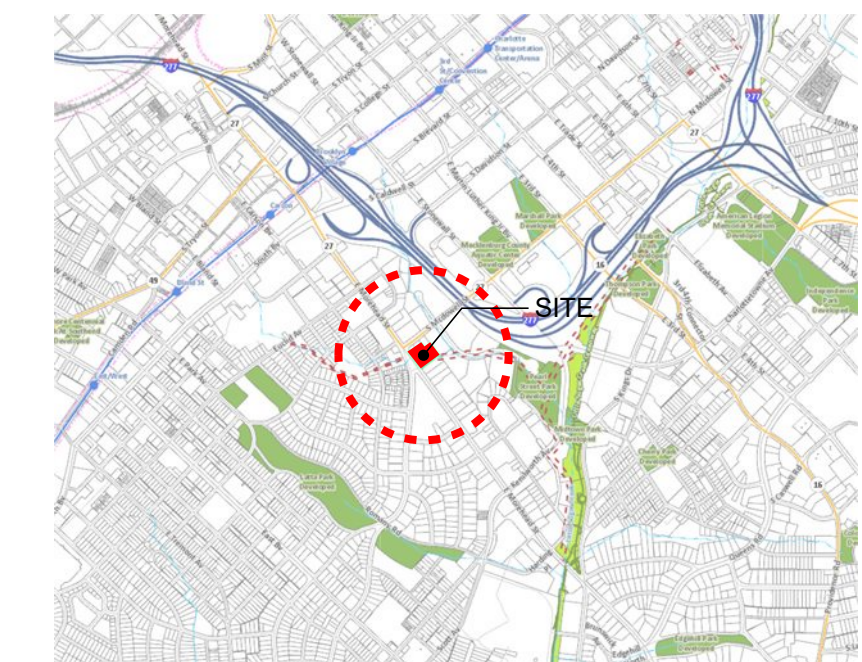
REVISIONS:

No.	Description	Date
1	REVISION	05/15/2023
2	REVISION	06/12/2023

PROJECT:
DATE: 08 NOV 2022
DRAWN BY:
CHECKED BY:

RZ 1.0

REZONING



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TECHNICAL DATE SHEET

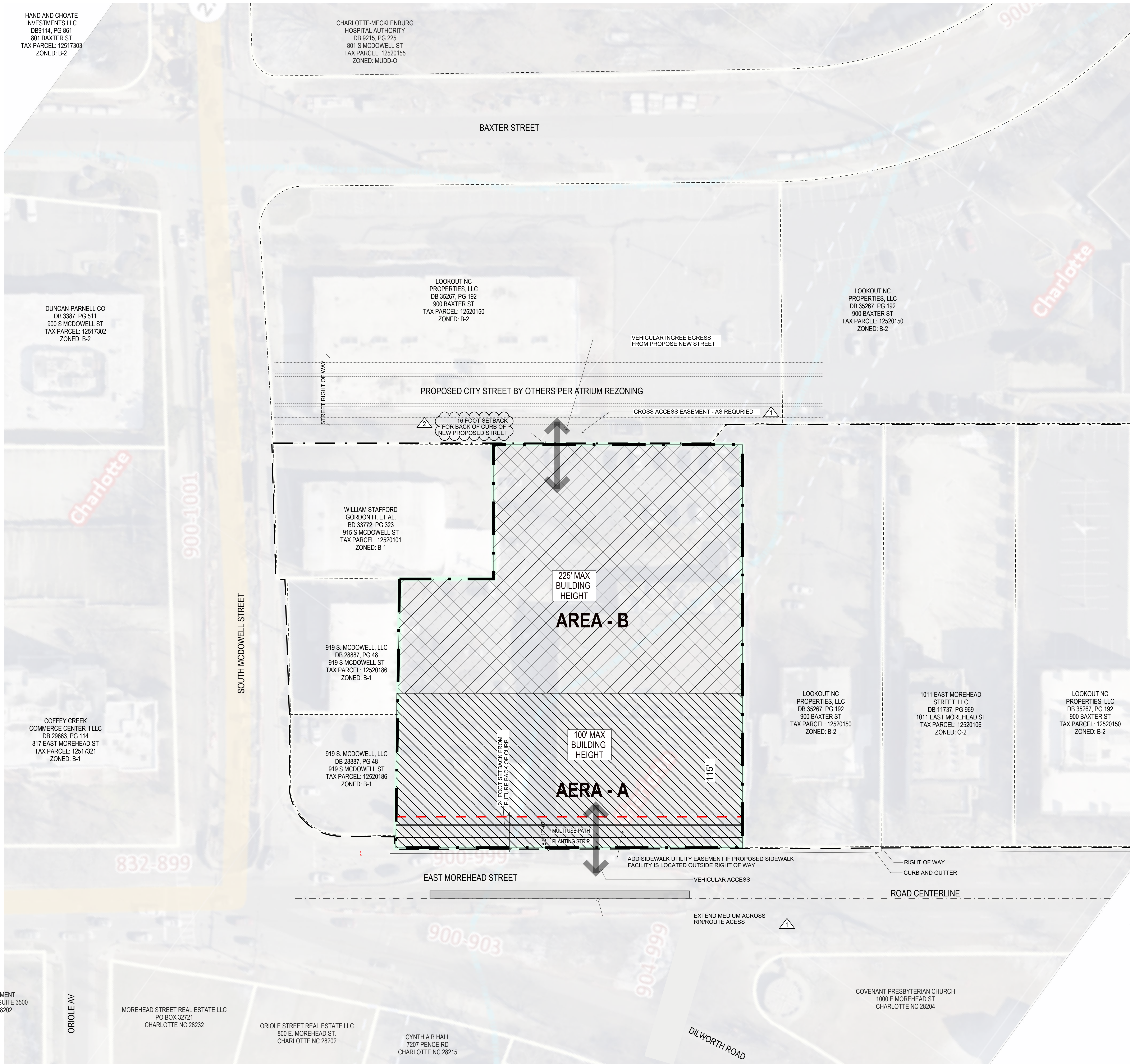
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 MARGARET M COMMS
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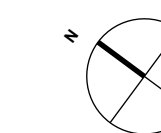
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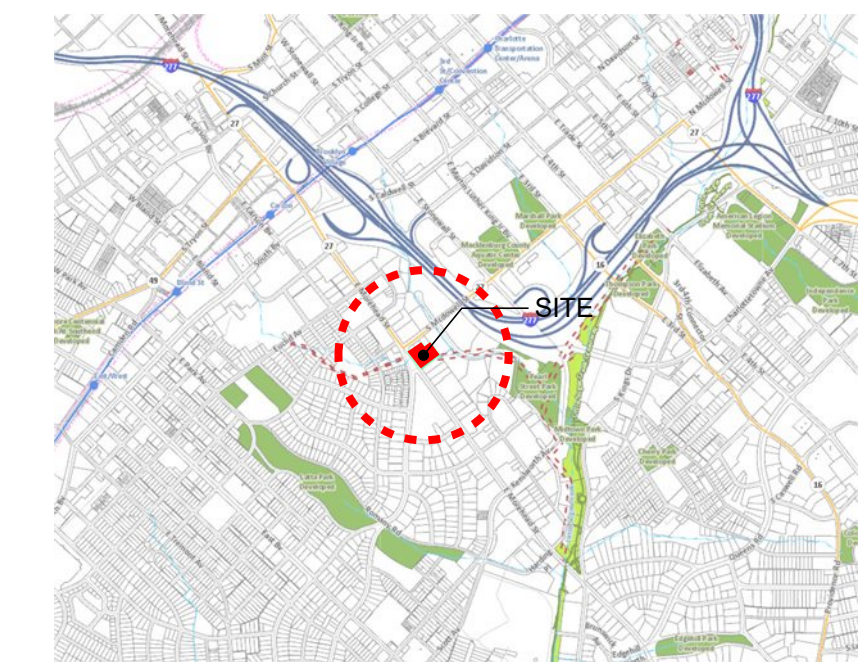
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VICINITY MAP N.T.S.

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DEVELOPMENT
NOTES

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PROJECT:
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CHECKED BY:

- i. Buildings shall be placed to present a front or side façade to all network required streets (public or private).
- ii. Buildings shall front a minimum of 75% of the total street frontage along E. Morehead Street (exclusive of driveways, pedestrian access, points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities).
- iii. **Ground Floor Transparency** (% of wall area between 3' and 10' from grade). Along E. Morehead St. a minimum of 50% ground floor transparency will be provided.
- iv. **Upper Floor Transparency** (% of wall area per Story). A minimum of 15% upper floor transparency will be provided (this does not apply to parking structures).

Transparency is defined as: The required amount of window area as a percentage of the specified facade area. Doors are included in ground floor transparency when such doors are designed with glass or other transparent materials. Garage entrances shall not be included in ground floor transparency.

- 1. To qualify as transparent for the calculation, the glazing shall meet the following standards:
 - a. Glazing shall have a minimum of 40% VLT and no more than 15% VLR.
 - b. The following do not meet the ground floor or upper floor transparency requirements and do not count in meeting the standard:
 - i. Windows with shadowboxes on the interior
 - ii. Glass block
 - iii. Printed window film, regardless of whether it allows views into or out of the building.
- 2. Visible Light Transmittance (VLT) and Visible Light Reflectance (VLR) are defined as
 - a. Visible Light Reflectance (VLR): The amount of visible light that is reflected out by a glazing system. A high VLR percentage blocks more daylight from passing through the window.
 - b. Visible Light Transmission (VLT): The amount of light (daylight) that travels through a glazing system. A high VLT percentage allows more daylight to pass through
- d. Architectural Elevation Design – elevations shall be designed to create visual interest as follows:
 - i. Buildings shall be designed with a recognizable architectural base on all facades facing network required public or private streets.
 - iii. The maximum contiguous area without windows or doors on any floor shall not exceed 20 feet in length. Where blank or unarticulated walls 20' or greater cannot be addressed principally with doors or windows, they shall be treated with a combination the

following options: (i) a higher level of transparency on the ground floor (exaggerated or larger windows indicative of living areas); (ii) horizontal and vertical variations in wall planes; and (iii) banding, medallions, artwork such as murals and mosaics, change in the wall plane of at least three inches, or other architectural or material embellishment.

iv. Minimum Ground Floor Height (Finished Floor Elevation to Finished Floor Elevation). A minimum ground floor height of 16 feet will be provided. At least 70% of the total ground floor measured as a percentage of the interior space, shall meet the minimum ground floor height requirement.

v. A prominent building entry shall be located at least every 250 feet along E. Morehead St.

A Prominent Entrance is defined as: A building entrance that is visually distinctive from the remaining portions of the façade where it is located and is parallel and directly connected to adjacent pedestrian facilities. A prominent entrance must be a pedestrian-only entrance. Emergency egress doors and doors to mechanical rooms or stairwells are not considered a prominent entrance.

Entrances that contain at least three of the following are considered prominent entrance: decorative pedestrian lighting/sconces; architectural details carried through upper stories; covered porches; canopies, awnings, or sunshades; archways; transom or sidelight windows; terrace or raised planters; common outdoor seating enhanced with specialty details, paving, landscaping, or water features, double doors, stoops or stairs.

e. Service equipment such as dumpsters, refuse areas, recycling and storage are screened from view from public streets with materials and design to be compatible with principal structures. Such design includes a minimum 20% Preferred Exterior Building Materials

- 7. **Signage:**
 - a. Signs as allowed by the Zoning Ordinance may be provided.
- 8. **Lighting:**
 - a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and courtyards.
- 9. **Environmental Features:**
 - a. The Site will comply with the Tree Ordinance.
- 10. **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 Chapter 6 of the Ordinance.

- 10. **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.

- a. Up to 275,000 square feet of gross floor area of office uses, and up to 15,000 square feet of gross floor area of retail, EDEE, personal service uses, as allowed by the MUDD zoning district.
 - b. A minimum of 8,000 square feet of gross floor area devoted to retail, EDEE, or personal services uses will be provided on the ground floor of the proposed building.
 - c. **High Performance Construction Standards:** The office building constructed on the Site will be designed to meet LEED Silver or an equivalent standard.
 - d. The following uses will not be allowed on the Site: Automotive service stations, warehousing within an enclosed building for a self-storage facility, uses with accessory drive-through windows.
- (Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, Spas, Yoga and exercise studios, nail salons, massage shops, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and alike)*
- 4. **Access & Streets.**
 - a. Vehicular access to the Site will be from E. Morehead Street and a future public/private street to be constructed by others that is to be located at the rear of the Site as generally depicted on the Rezoning Plan and subject to adjustments as set forth below. The vehicular access to the Site from E. Morehead Street will be limited to right-in right-out only.
 - b. The existing concrete median on E. Morehead Street will be extended to the Dilworth Rd. connector so that the Site's access to E. Morehead St. is limited to a right-in right-out access.
 - c. The proposed public/private street at the rear of the Site is to be constructed by others. The Petitioner will work the adjoining property owner to secure and easement to access this future street.
 - d. The exact alignment, dimensions, and locations of the access points to the Site and the driveways on the Site may be modified from the elements shown on the Rezoning Plan provided that the overall design intent is not materially altered, and requirements described in this Section are met.
 - e. 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 request that CDOT allow a bond to be posted for any improvements not in place at the time of the issuance of the first certificate of occupancy.
 - f. The Petitioner will dedicate and convey 40 feet of r/w from the existing center line of E. Morehead St. to CDOT/NC DOT 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.

- g. The Petitioner will dedicate via fee simple conveyance any required 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.
- h. A Right-of-Way Encroachment Agreement is required 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 must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.

- i. 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 central/mid-town Mecklenburg area, by way of a private/public partnership effort or other public sector project support

- 5. **Streetscape and Setbacks.**
 - a. A 24-foot setback as measured from the future back of curb of E. Morehead Street will be provided as generally indicated on the Rezoning Plan. Along the future public/private street located at the rear of the Site, a 16-foot-setback as measured from the proposed back of curb will be provided.
 - b. An eight (8) foot planting strip and a 12-foot multi-use path will be provided along E. Morehead Street.
- 6. **Architectural Standards.**
 - a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, glass, cementitious fiber board, stucco, EIFS, metal, decorative block and/or wood, defined as the "Preferred Building Materials". Vinyl as a building material may only be used on windows, soffits and on handrails/railings, concrete masonry units not architecturally finished will not be allowed. The railings utilized on balconies and patios must be metal railings.
 - b. The use of synthetic stucco or EIFS as a principal building material will only be allowed above the fourth (4th) floor of the proposed building (EIFS or synthetic stucco may be used as an accent material on the first four floors of the building).
 - c. Building Placement and Site Design shall focus on and enhance the pedestrian environment through the following:

Site Development Data:

- Acreage: ± 1.623 acres
- Tax Parcel #: 125-201-04
- Existing Zoning: B-1 (PED)
- Proposed Zoning: MUDD-O.
- Existing Uses: Commercial uses.
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district (as more specifically described below in Section 3).
- Maximum Development Levels: Up to 275,000 square feet of gross floor area of office uses, and up to 15,000 square feet of gross floor area of retail, EDEE, personal service uses; as allowed by the MUDD zoning district, and the Optional Provisions below.

--Maximum Building Height: A maximum building height of up to 100 feet within Development Area A and a maximum height of 225 feet within Development Area B as generally depicted on the Rezoning Plan, and as allowed by the Optional Provisions below.

--Parking: As required by the Ordinance, and with the following additional standards for parking spaces constructed on the Site: (i) 20% of the parking spaces will be Electrical Vehicle (EV) Capable; (ii) 10% of the parking spaces will be EV Ready; and (iii) 2% of the parking spaces will have EV Charging Stations Installed (EVSE-Installed).

EV-Capable: Reservation of space in the electrical room for a panel to serve the future EV chargers and continuous raceway from the reserved panel space to the future EV parking space.

EV-Ready: Installation of electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt outlet accessible to parking space.

EVSE-Installed: EV charging stations capable of providing a minimum of 32amp 7.2 kW

I. General Provisions:

- a. **Site Location:** These Development Standards, and the Technical Data Sheet set forth on attached RZ Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by The Keith Corporation ("Petitioner") to accommodate development of a mixed-use development on an approximately 1.623-acre site located at 911 E. Morehead Street (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 MUDD-O zoning district shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

c. **Graphics and Alterations/Modifications:** The schematic depictions of sidewalks, 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:

- (i) minor and don't materially change the overall design intent depicted on the Rezoning Plan, such as minor modifications to the configurations of the street dimensions and the alike.

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. **Existing Use and Structures:** The Petitioner and/or Property owner, after the approval of the conditional rezoning petition, may continue to use the existing uses and buildings located on the Site as legal non-conforming uses and structures as allowed by Chapter 7 of the Ordinance (Nonconformities), until such time as the Site is redeveloped as allowed by the approved conditional plan.

2. Optional Provisions.

The following optional provisions shall apply to the Site:

a. **Maximum Building Height.** To allow the height of the principal buildings constructed on the Site within Development Area B to exceed the allowed 120-foot maximum building height of the MUDD zoning district, by allowing a maximum building height of 225 feet as generally depicted on the Rezoning Plan.

3. Permitted Uses:

Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district (as more specifically described below).