

Hines – Carnegie Blvd. Mixed-Use Development
Development Standards
December 15, 2025

Rezoning Petition No. 2025-119
[TIER 1 CONDITIONAL REZONING]

Site Development Data:

- Acreage:** ±3.87 acres
- Tax Parcel #:** 177-091-07 and 177-091-06
- Existing Zoning:** B-1SCD & MUDD-O
- Proposed Zoning:** Regional Activity Center (Conditional District) – RAC (CD)
- Existing Uses:** Commercial
- Proposed Uses:** A mixed-used development that may include multi-family stacked residential units, commercial uses such as office, retail, restaurant/bar, personal services, and fitness uses and all other uses, including accessory uses, as allowed in the RAC zoning district (as may be more specifically described and limited in Section 2 below).
- Building Height:** up to 275 feet as measured by and as allowed by the Ordinance in the RAC zoning district; it being understood that that any building height above 150' will utilize bonus menu options of the Ordinance; and provided that the portions of buildings developed on the Site with building heights exceeding 150 feet shall have a combined aggregate footprint for the portion of such buildings exceeding 150 feet in height of not greater than 50% of the combined aggregate land area of the entire Site. For illustrative purposes only, if the combined aggregate land area of the entire Site is determined to be 170,000 square feet, the combined aggregate footprint for the portions of buildings exceeding 150 feet in height shall not exceed 85,000 square feet.

CONTEXT/VISION: MIXED USE REDEVELOPMENT CONSISTENT WITH REGIONAL ACTIVITY CENTER PLACE TYPE & SOUTHPARK FORWARD 2035 VISION PLAN

The redevelopment of this Site located along Carnegie Boulevard in the heart of South Park directly across from the South Park Mall is consistent with the designated RAC Place Type and seeks to support the goals of the SouthPark Forward 2035 Vision Plan to positively shape SouthPark's commercial core promoting *"its evolution to a more urban, walkable, mixed-use district that serves a variety of stakeholders."* The planned mix of residential uses and commercial uses along inviting pedestrian open space areas support the Vision Plan as a *"tool for a more walkable and energetic SouthPark."* Replacement of the existing nearly 30-year-old suburban designed structures and existing surface parking will enhance the built environment along Carnegie Boulevard.

1. General Provisions:

- a. **Site Location.** These Development Standards and the Technical Data Sheet/graphics, if any, set forth on the attached Sheet(s) form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Hines ("Petitioner") for the site located on the north side of Carnegie Boulevard west of Sharon Road and consisting of Tax Parcel #s 177-091-07 and 177-091-06 (the "Site"). This Rezoning Plan and rezoning shall super-cede prior rezoning petitions, but the existing development on the Site may remain until redevelopment contemplated by this rezoning takes place, which is contemplated to take place on a phased basis.

- b. **Zoning District/Unified Development Ordinance.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Unified Development Ordinance (the “Ordinance”). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the RAC zoning district shall govern all development taking place on the Site.
- c. **Environment.** It is understood a tree survey is required for all city trees eight inches DBH or greater.

2. Permitted Uses & Development Provisions:

- a. The Site may be redeveloped as mixed-used development and may include multi-family stacked residential units, commercial uses such as office, retail, restaurant/bar, personal services, and fitness uses and all other uses, including uses under prescribed conditions and accessory uses, as allowed in the RAC zoning district; provided, however, in addition to uses such as drive-through establishments not permitted within RAC, the following uses are not permitted: live performance venue indoor, vehicle dealership enclosed or outdoor, vehicle rental outdoor, public health and social services uses, passenger terminal, public transit facility and industrial uses. It is further understood that the existing development may remain until redevelopment contemplated by this rezoning takes place.
- b. Ground floor activation shall be provided along 90% of the ground floor building length along Carnegie Boulevard and 60% of the ground floor building length along the proposed new Adair Court frontage (described below in Section 3.a.) for each redevelopment area, excluding areas of vehicular and pedestrian ingress and egress, fire stairs, and mechanical or electrical equipment rooms. At least 50% of the ground floor activation provided along each frontage shall include nonresidential active uses.
- c. Redevelopment on the Site is contemplated to take place on a phased basis. Redevelopment Area 1 includes the portion of the Site located south of the proposed new Adair Court street (described below in Section 3.a.) which is located adjacent to the existing Walgreens parcel. Redevelopment Area 2 includes the portion of the Site located north of the new Adair Court street (described below in Section 3.a.). Redevelopment for the first phase, whether Redevelopment Area 1 or Redevelopment Area 2, will include the installation of the new Adair Court street as described in Section 3.a. below. Furthermore, redevelopment of Redevelopment Area 1 shall include the installation of activated publicly accessible open space areas located along such new Adair Court street and such publicly accessible open space areas shall include pedestrian sidewalk and plaza areas with seating and landscaping features to promote an active pedestrian experience at the ground level.

3. Transportation:

- a. Adair Court is currently a private easement to access only the two tax parcels that make up the Site. Adair Court will be redeveloped as a non-network required private street (built to public street standards) and such street will be extended to the northern boundary of the Site in common with the Colony development (which abuts the Site to the north and is governed by Petition #2023-128). The Petitioner is willing to provide for the vehicular and pedestrian connection of the new Adair Court street to be installed by Petitioner into the Colony development if the owners of the Colony development approve of such connection now or in the future, but this Petition only

requires the installation of such new Adair Court street to the common boundary with the Colony development and not the actual vehicular and pedestrian connection unless allowed by the owners of the Colony development.

The installation of the new Adair Court street as described herein is beyond what is required by the UDO. Upon installation of the new Adair Court street, it shall be privately owned and maintained but shall be open to the public to allow pedestrian, bicycle, and vehicular traffic to travel within the Site and if approved by the owner of the Colony development to and from the Colony development. However, this shall not preclude the Petitioner from temporarily closing the private street for, but not limited to, maintenance and repairs, special events, festivals, public markets, concerts, block parties, or similar events. Petitioner reserves the right to rename Adair Court as long as it conforms to applicable municipal standards.

- b. It is understood that 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 (not private street such as Adair Court extension) by a private individual, group, business, or homeowner's/business association. It is understood that an encroachment agreement must be approved by CDOT prior to construction/installation.
- c. The Petitioner shall dedicate and convey in fee simple all rights-of-way, if any, in and to Carnegie Boulevard required to be so dedicated to the City before the Site's first building certificate of occupancy is issued. CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible.
- d. All transportation improvements that may be required, if any, such as installation of the new Adair Court street as described above, will be approved and constructed prior to the Site's first building certificate of occupancy is issued.

4. 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 or area of the Site affected by such amendment in accordance with the provisions herein and of Article 37.3 of the Ordinance.

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