

REZONING
PETITION
2019-29

CRESCENT - 7TH
AND CASWELL

CRESCENT COMMUNITIES

1950 E. 7TH STREET

CHARLOTTE, NC 28204

LANDDESIGN PROJ.# 1018528

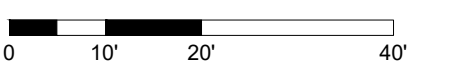
REVISION / ISSUANCE

NO.	DESCRIPTION	DATE
1	REZONING SUB 1	02/15/2019
2	REZONING SUB 2	04/15/2019
3	REZONING SUB 3	05/13/2019
4	REZONING SUB 4	06/17/2019
5	REZONING SUB 5	07/22/2019
6	REZONING SUB 6	08/22/2019

DESIGNED BY: SAM
DRAWN BY: SAM
CHECKED BY: SAM/NO

SCALE NORTH

VERT: 1"=20'
HORZ: 1"=20'



SHEET TITLE

TECHNICAL DATA PLAN

SHEET NUMBER

RZ-01

NOTES:
1. THE IMAGES SHOWN ARE ILLUSTRATIVE TO SHOW GENERAL INTENT, CHARACTER, RELATIONSHIPS OF USES, CIRCULATION, AND BUILDING CONFIGURATION FOR THE PURPOSES OF REZONING. FINAL CONSTRUCTION MAY VARY BASED ON PERMITTING AND UNFORESEEN FIELD CONDITIONS.
2. REFER TO SHEETS AND NOTES AS PART OF THIS SET FOR ADDITIONAL INFORMATION.

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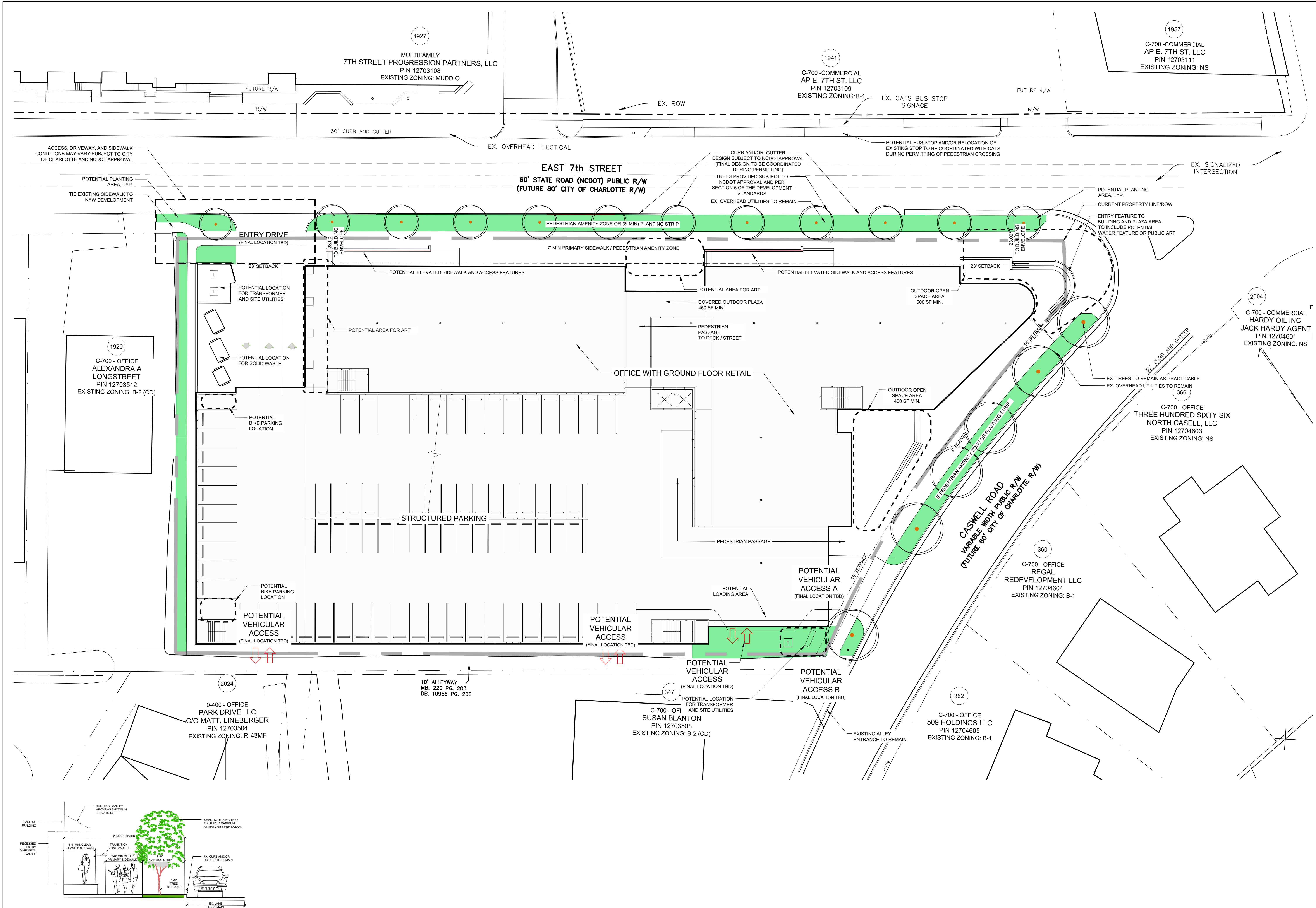
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SCALE
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SHEET TITLE

SCHEMATIC SITE PLAN

RZ-02



NOTES:
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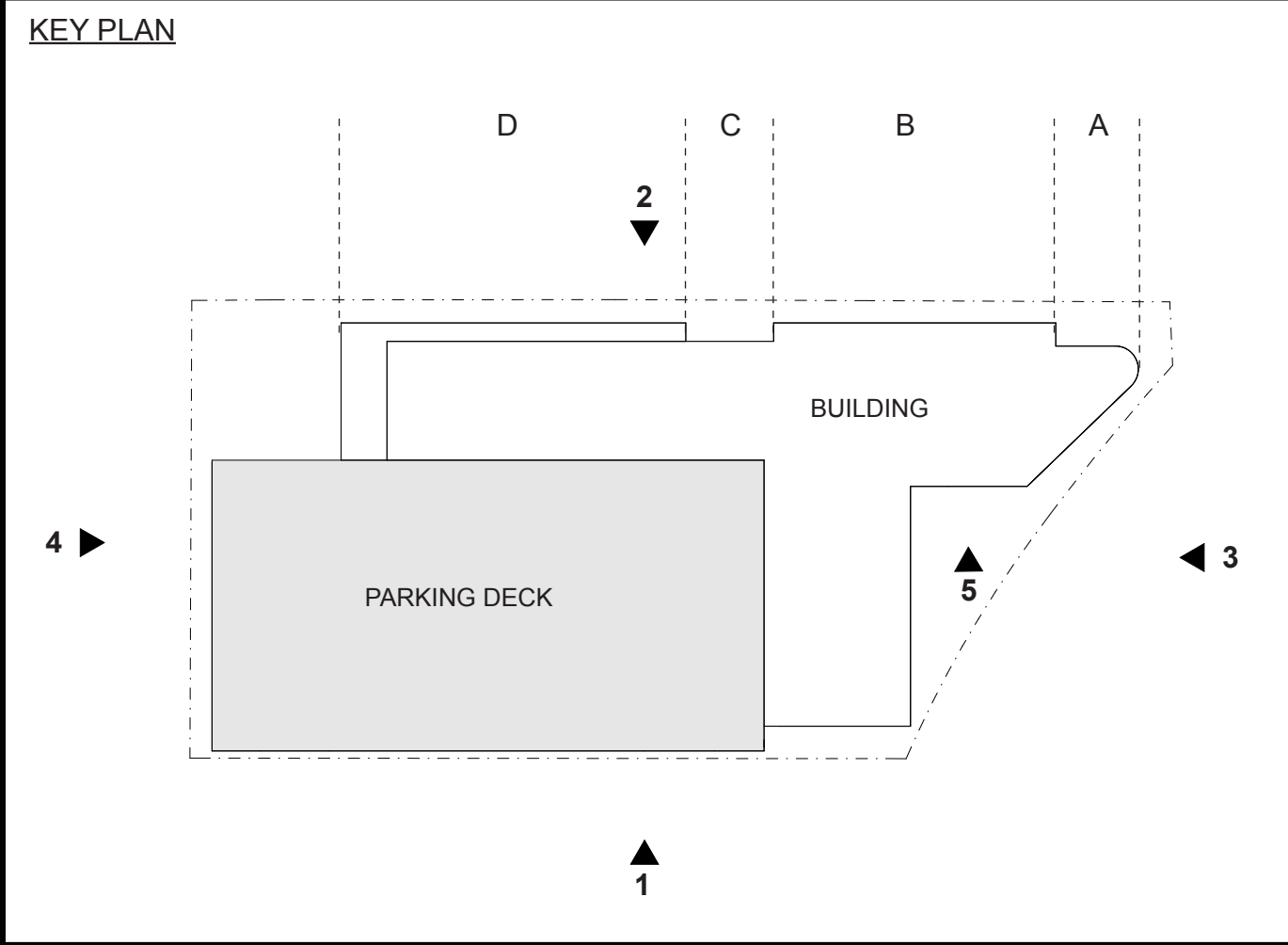
SHEET TITLE
SCHEMATIC
ARCHITECTURAL
ELEVATIONS

SHEET NUMBER

RZ-A1

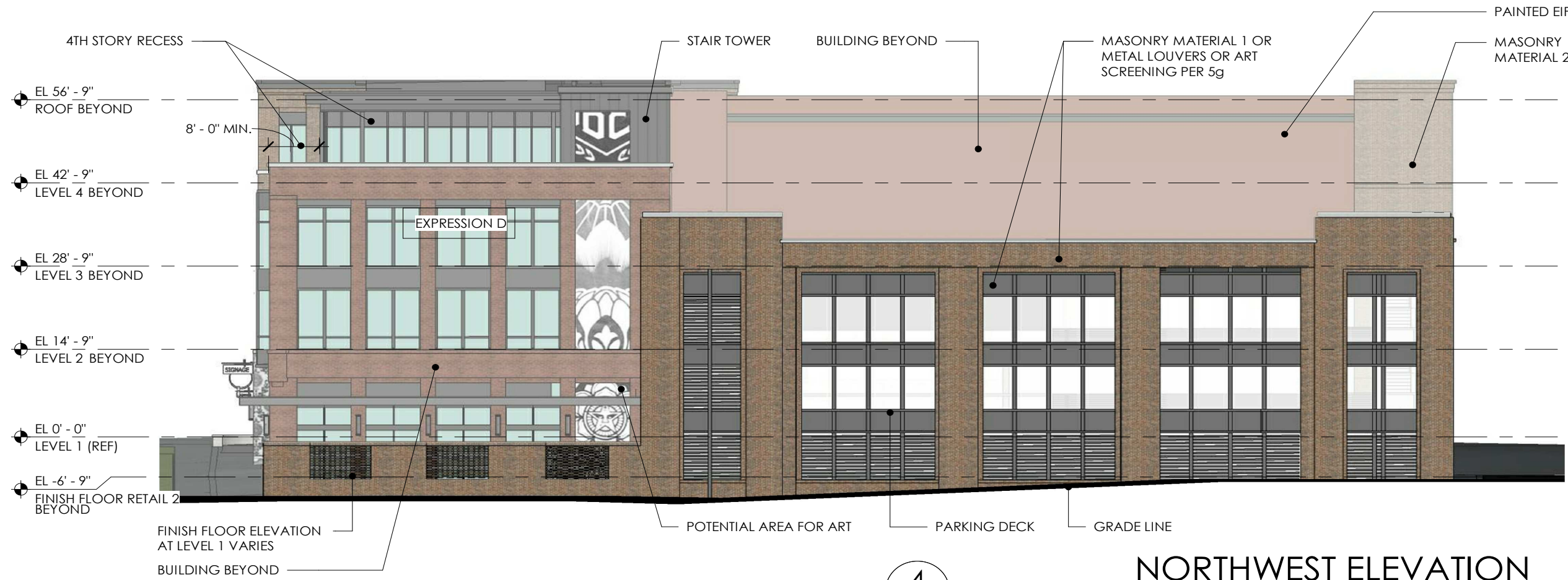
NOTES:
1. THESE ELEVATIONS ARE CONCEPTUAL IN NATURE ONLY AND ARE INTENDED TO REFLECT THE OVERALL SCALE OF THE BUILDING AND VARIOUS BUILDING EXPRESSIONS. HEIGHT SHALL BE PERMITTED AS SET FORTH IN SECTION 5 OF THESE DEVELOPMENT STANDARDS. THE ACTUAL BUILDING TO BE CONSTRUCTED ON THE SITE MAY VARY.

2. REFER TO SHEETS AND NOTES AS PART OF THIS SET FOR ADDITIONAL INFORMATION.



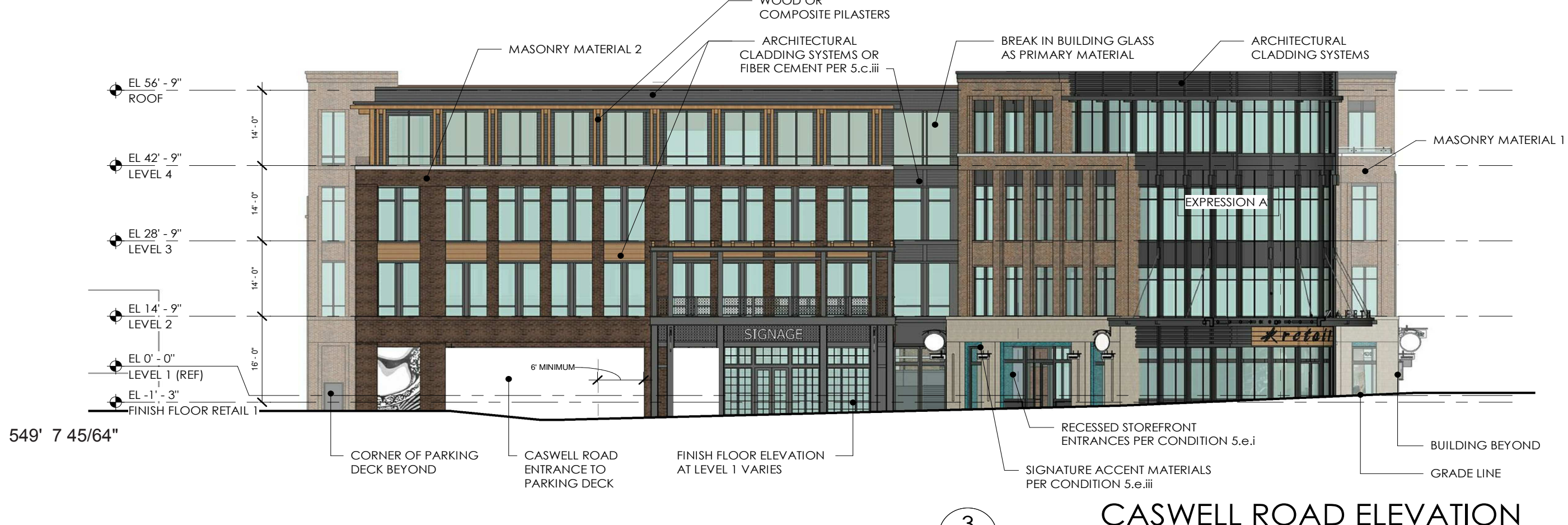
CASWELL ROAD PARTIAL
ELEVATION

5
EX4.06



NORTHWEST ELEVATION

4
EX4.06



CASWELL ROAD ELEVATION

3
EX4.06



E 7TH STREET ELEVATION

2
EX4.06



ALLEY ELEVATION

1
EX4.06

Crescent Communities
Development Standards
7/22/2019
Rezoning Petition No. 2019-29

Site Development Data:

--Acreage: ± 1.679 acres
--Tax Parcel #: 127-035-09
--Existing Zoning: MUDD-O
--Proposed Zoning: MUDD-O (SPA)
--Existing Uses: Vacant.
--Proposed Uses: Retail; Eating, Drinking and Entertainment, Establishments (EDEE); financial institutions; professional business and general office uses; and Personal Service Uses as permitted by right, under prescribed conditions, and by the Optional provisions below, together with accessory uses, as allowed in the MUDD zoning district (as more specifically described and restricted below in Section 3).
--Maximum Gross Square feet of Development: Up to 103,500 square feet of gross floor area of permitted uses, of which no more than 23,000 square feet of gross floor area may be devoted to retail and/or EDEE and of which no more than fifty (50) percent shall be devoted to medical office use as allowed in the MUDD zoning district (as more specifically described and restricted below in Section 3).
-- Maximum Building Height: Buildings will be limited to a maximum building height of sixty-five (65) feet as measured by Ordinance and as further described in Section 5 below.
--Parking: 3.2 spaces per 1,000 square feet of gross floor area
--Urban Open Space: Will be provided 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 Crescent Communities to accommodate development of a mix of retail and office uses allowed in the MUDD zoning district on an approximately ± 1.679 acre site located on the southwest side of East 7th Street between N. Caswell Road and Clement Avenue (the "Site").

b. Zoning District/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 classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.

c. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, building elevations, 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 documentation 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; such as minor modifications to the configurations of the Development Areas (as defined below), street dimensions and the like as long as the modifications maintain the general building/parking orientation and character of the development generally depicted on the Rezoning Plan; or
- modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the external setbacks, side or rear yards) indicated on Sheet RZ-1; or
- modifications to allow minor increases or decreases in the mass of the buildings that do not materially change the design intent depicted on or described in 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 to be developed on the Site will be limited to one (1) building not including the accessory parking structure. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building(s) located within the same Development Area as the accessory structure/building.

e. Gross Floor Area. When determining the maximum development levels set forth in this Rezoning Plan, gross floor area as defined in the Ordinance shall exclude any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities) and enclosed loading dock/service areas.

f. Personal Services. 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 merchandise 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, Spa's, Yoga

and exercise studios, nail salons, massage shops, martial art training studios, dry cleaning establishments, locksmiths, wellness services, and alike.

g. Principal Building. The term "Principal Building" shall refer to the office and retail building to be constructed on the site. Provisions set forth herein specific to the Principal Building shall not apply to the accessory structure parking unless otherwise noted.

2. Optional Provisions.

a. Upper level balconies, window boxes, and architectural features for façade articulation may encroach up to 5 feet into the setbacks from East 7th Street and N. Caswell Road above the second story.

b. The outdoor plaza (the "Plaza") at the corner of East 7th Street and N. Caswell Road and similar terraced entry features and/or stairs, along 7th Street may encroach into the setbacks and portions of the Plaza may encroach into the right of way subject to obtaining encroachment agreements.

c. To not require doorways to be recessed into the face of the building(s).

d. To allow to the use of opaque and spandrel glass per Section 5 below.

e. To allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.

f. To allow twelve (12) additional compact parking spaces above what is permitted by Ordinance.

3. Permitted Uses & Development Limitations:

- The Site may be developed with up to 103,500 square feet of gross floor area devoted to: retail, EDEE, professional business and general office uses, financial institutions, and Personal Service uses as permitted by right, under prescribed conditions and per the Optional provisions above together with accessory uses allowed in the MUDD-O zoning district; provided the following:
 - No more than 23,000 square feet of gross floor area may be devoted to retail and EDEE uses;
 - No more than fifty (50) percent of the gross floor area shall be devoted to medical office uses;
 - No more than 3,500 square feet of gross floor area may be devoted to fitness and/or exercise studios.

4. Transportation and Access:

a. Access to the Site shall be provided as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by CDOT and/or NCDOT.

b. The Petitioner may provide additional access points from the structured parking to the alley as generally depicted on Sheet RZ-01.

c. The alignment of the internal vehicular circulation areas and driveways may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.

d. The East 7th Street Access Point shall be a full movement access with two egress lanes and one ingress lane subject to CDOT and/or NCDOT approval.

e. The Caswell Street Access Point shall be restricted to right-in, right-out vehicular movements subject to CDOT approval. This restriction shall be implemented through the installation of appropriate signage.

f. The Petitioner will provide a permanent sidewalk easement for any of the proposed primary 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 primary sidewalk where feasible excluding the elevated sidewalk as generally depicted on Sheet RZ-02.

g. All transportation improvements that are the responsibility of the Petitioner, shall be approved and constructed prior to the release of the first certificate of occupancy for the Site subject to the Petitioner's ability to post a bond for any improvements not in place at the time of the issuance of the first certificate of occupancy.

h. In the event that Vehicular Access is established on the Alley, the Petitioner shall install a sign at each access point that limits vehicular turning movements from the structured parking facility toward N. Caswell Road. Notwithstanding the foregoing, the signs shall not prohibit vehicles exiting the structured parking by way of Vehicular Access from turning right on the Alley for purposes of entering the parking facility at an another entrance.

i. The Petitioner will provide a pedestrian signal to facilitate midblock pedestrian crossing on 7th Street contingent upon NCDOT and CDOT approvals.

j. The Petitioner will provide ADA accessible ramps, APS buttons, and associated pedestrian signals or similar to facilitate pedestrian crossing that meets current ADA standards at the intersection of Caswell and 7th Street and Caswell and 5th Street contingent upon NCDOT and CDOT approvals as applicable.

k. The Petitioner shall provide a pedestrian refuge island at the southwest corner of the intersection of Caswell and 5th Street.

5. Architectural Guidelines:

Overall Building Architecture. The building shall be designed with architectural features and details along the 7th Street façade to create the appearance of four distinct yet complementary sections. The Architectural provision listed herein will reference the "iconic" portion of the building at the corner of 7th Street and Caswell as "Building Expression A", the second as "Building Expression B", the middle and structured parking pedestrian access as "Building Expression C" and the portion of the building closest to the southern property line (parcel 12703512) as "Building Expression D" as generally depicted on Sheet RZ-A1.

a. Building Height: The maximum building height shall be four (4) stories and sixty-five (65') feet as measured per Ordinance however the building shall be no taller than sixty (60) feet at the corner of 7th Street and Caswell (Building Expression A) as measured from the public sidewalk at the corner of 7th and Caswell to the top of the parapet.

b. Conceptual Renderings. Set out on Sheet RZ-A1 of the Rezoning Plan are conceptual, architectural renderings that are intended to depict the general conceptual architectural style, character of the building, and overall design intent. Accordingly, each elevation shall be designed and constructed so that each elevation is substantially similar in appearance to the relevant conceptual, architectural elevation with respect to architectural style and character. As such, the use of color is not intended to depict a specific material or the location and amount of a material unless otherwise noted. Notwithstanding the foregoing, changes, refinements, and further development to the exterior of the building which do not materially change the overall conceptual architectural style and character shall be permitted.

c. Building Materials. Building materials for the principal building constructed on the site shall meet the following provisions:

i. The primary building material shall be brick. The brick utilized on Building Expression B shall be different in color than the brick utilized on Building Expression D. Building Expression C shall be primarily comprised of masonry, metal, and glass. Building Expression A will be iconic in nature and will be unique to the other expressions.

ii. All glazing on the ground floor shall be clear vision glass. The use of spandrel glass shall be limited to the upper stories of the building.

iii. Glass utilized on upper stories will have a reflectivity level to balance low reflectivity with energy code requirements.

iv. Building materials shall be utilized to architecturally differentiate the ground floor from upper stories along public streets.

v. The use of exposed non-architectural CMU masonry on the exterior of the principal building shall not be permitted. Thin brick shall not be permitted as a principal material on the exterior of the building.

vi. Vinyl shall not be a permitted exterior cladding material on the building.

vii. EIFS (synthetic stucco), aluminum siding, corrugated metal, and CMU block (concrete block) shall not be permitted exterior building materials on the 7th Street and Caswell facades of the principal building(s) to be constructed on the Site. The aforementioned materials are permitted on the proposed parking structure and on the alley façade of the principal building as generally depicted on Sheet RZ-A1.

viii. The exterior building materials for all retaining walls installed on the Site shall be brick, stone or architectural block.

viii. Unless otherwise noted on Sheet RZ-A1, fibercement and hardiplank shall not be permitted.

d. 7th Street & N. Caswell Building Articulation and Stepbacks. The following provisions shall apply to the 7th Street façade elevation to provide visual interest and the aforementioned three distinct Building Expressions:

i. The building shall be designed with a minimum of three distinct levels (base, middle, top) as generally depicted on Sheet RZ-A1.

ii. The ground floor shall be a minimum of sixteen (16) feet floor to floor height.

iii. Building Expression C shall be recessed eight (8) feet from the face of Building Expression B and Building Expression D and include a direct pedestrian connection to the office building lobby and structured parking along the 7th Street frontage.

iv. Building Expression D shall include a setback at the third story with a minimum depth of eight (8) feet along the 7th Street frontage and along the driveway side façade as generally depicted on Sheet RZ-03.

e. 7th Street & N. Caswell Pedestrian Level Features. The following provisions shall apply to the ground floor elevation along 7th Street & N. Caswell:

i. Recessed entrances shall be provided for a minimum of fifty (50) percent of the individual storefronts on Building Expression B.

ii. Canopies shall be provided for a minimum of fifty (50) percent of the individual entrances on Building Expression D to enhance the pedestrian scale

iii. A mix of signature accent materials including but not limited to green glazed brick, metal, and wood shall be utilized on individual storefronts. Green glazed tile shall be utilized on a minimum of fifty (50) percent of the individual entrances on Building Expression B.

iii. The building elevations shall incorporate a minimum of two (2) public art expressions as generally depicted on Sheet RZ-02. The final locations may change.

f. 7th Street & Caswell Iconic Features. The architectural and landscape details on the corner of 7th Street and Caswell are intended to create an iconic corner through the incorporation of the following:

- An open space amenity area a minimum of five hundred (500) square feet as generally depicted on RZ-02 including the following:
 - A minimum eighteen (18) inch tall brick seatwall
 - A water feature and/or public art feature

- Enhanced landscaping

ii. Expression A architecture differentiated from Building Expression B.

g. Structured Parking. The exterior vertical walls of the structured parking facility that are visible from public rights of way, the Alley or adjacent parcels of land shall be clad in brick and brick clad precast with masonry accents and/or include public art or screening as generally depicted on the relevant conceptual, architectural renderings.

h. Screening. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.

i. Loading and Trash. All loading and trash related aspects shall occur in the motor court as generally depicted on Sheet RZ-02 or within the structured parking deck. The final location of the loading and trash related aspects shall be determined during land development permitting.

j. Parking. Parking shall be provided at a rate of 3.2 parking spaces per 1,000 square feet of gross floor area. Bike parking shall be provided per ordinance. The final location of the bike parking shall be determined during land development permitting.

6. Streetscape, Landscaping, Sidewalks:

a. Subject to the optional provisions set out above, development of the Site shall comply with the applicable setback, side yard and rear yard requirements. As depicted on the Rezoning Plan, the setback on East 7th Street shall be twenty-three (23) feet from the back of the existing curb, and the setback on N. Caswell Road shall be sixteen (16) feet from the back of the existing curb.

b. The development of the Site shall comply with the applicable landscaping and screening requirements of the Ordinance.

c. Urban open space will be provided on the Site as required by the Ordinance. Options for the urban open space are depicted and described on the Rezoning Plan.

d. The Petitioner shall provide trees in an eight (8) foot wide planting strip with a minimum fifteen (15) foot wide sidewalk/pedestrian amenity area along the Site's frontage on East 7th Street as generally depicted on Sheet RZ-02 subject to the following provisions:

- Trees planted in grates are not permitted.
- A seven (7) foot minimum clear zone shall be maintained for the primary sidewalk in all instances.
- The Petitioner shall plant Chinese Pistache a minimum of four (4) inch caliper in the planting strip along East 7th Street per City requirements and subject to the City of Charlotte and/or NCDOT approval and/or species availability.
- The planting strip may include grasses, small shrubs, and other plantings subject to City of Charlotte and/or NCDOT approval.

e. Petitioner shall install a minimum eight (8) foot wide planting strip and a minimum eight (8) foot wide sidewalk along the Site's frontage on N. Caswell Road as generally depicted on the Rezoning Plan.

f. As depicted on the Rezoning Plan, the Plaza shall be established at the corner of East 7th Street and N. Caswell Road and the Plaza shall contain, among other things, at least two of the following: landscaping, hardscape, steps, seat walls and art. Subject to the terms set forth herein, the Plaza shall be located outside of the public right of way and within a portion of the twenty-three (23) foot setback from East 7th Street (provided that a seven (7) foot wide clear sidewalk zone is maintained along East 7th Street), and the Plaza shall be located outside of the public right of way for N. Caswell Road and may be located within a portion of the setback from N. Caswell Road. To the extent that Petitioner determines, at its option, to extend any portion of the Plaza within the public right of way, Petitioner must secure and enter into an encroachment agreement with the City of Charlotte and/or the North Carolina Department of Transportation, as applicable.

g. The Plaza shall contain decorative pavers, stamped concrete or other decorative surfaces, and such surfaces may have a variety of colors.

7. Environmental Features:

a. Development of the Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance and Tree Ordinance.

8. Signage:

a. Signage as allowed by the MUDD-O zoning district and by the Optional Provisions set for above may be provided.

9. Lighting:

a. All freestanding lighting fixtures installed on the Site (excluding street lights, lower, decorative lighting that may be installed along the driveways, sidewalks and parking areas and landscaping lighting and building accent lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.

b. The maximum height of any freestanding lighting fixture installed on the Site shall be 21 feet.

c. Any lighting fixtures attached to a building to be constructed on the Site shall be decorative, capped and downwardly directed.

10. CATS:

a. The Petitioner shall install a standard concrete or an alternative approved bus waiting pad along 7th Street in a location reasonably acceptable to CATS and the Petitioner.

11. Construction and Miscellaneous Provisions:

a. During the construction of the buildings to be located on the Site, all vehicles transporting construction workers to and from the Site shall park on the Site or at a remote off-street location secured by Petitioner. Construction vehicles transporting construction workers to and from the Site, personal vehicles of any construction workers and supply trucks serving the trades on the Site shall be prohibited from parking on neighborhood public streets. Notwithstanding the foregoing, vehicles delivering construction materials and supplies to the Site may park on the Alley, and such vehicles may park on a public street located adjacent to the Site with the permission of CDOT or NCDOT as applicable while delivering construction materials and supplies to the Site.

b. Outdoor construction activities (collectively "outdoor construction and delivery activities") utilizing backhoes; dump trucks; pavers; heavy materials delivery trucks; other similar heavy equipment; air compressors; extended outdoor hammering, banging, foundation drilling, blasting or other outdoor activities that create material vibrations felt or heard off-site, may not be conducted on the Site on Sundays. Such activities are limited to 7:00 AM to 7:00 PM Monday through Friday and 9:00 AM to 7:00 PM on Saturdays. Provided however, such outdoor construction and delivery activities for tasks that require more than 12 hours to complete, such as a major concrete pour or when specific hours are required by the City or the ability of the supplier to deliver materials, may exceed the above-referenced time limits up to ten (10) times during the construction of the proposed building.

c. The trash containers and the recycling containers may only be emptied between the hours of 7 AM and 8 PM Monday through Friday. Trash and recycling will be maintained and emptied from within the building footprint and/or screened service aisles.

d. The Petitioner shall contribute \$35,000 to the Elizabeth Community Association (the "ECA") within 120 days of City Council approval of this Rezoning Petition. The funds may be used at the sole discretion of the ECA.

e. Eating, drinking and entertainment establishments (Type 1 and Type 2) may not play live, recorded, or broadcast music outdoors between the hours of 11 PM and 6 AM.

12. 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 of Chapter 6 of the Ordinance.

13. 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 under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

KEY MAP

REAL

PROJECT

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AND CASWELL

CRESCENT COMMUNITIES

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RZ-N1

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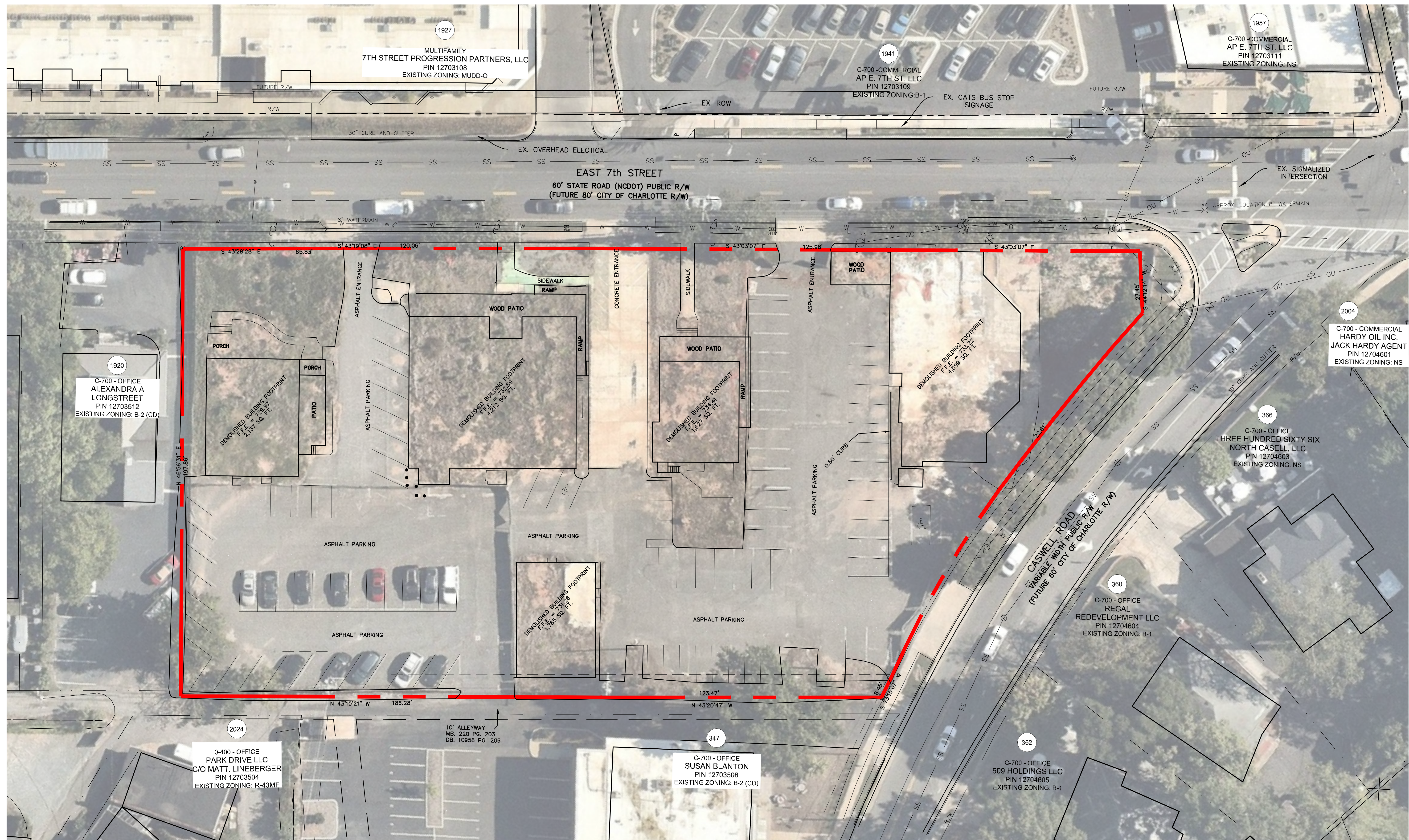
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SHEET TITLE

EXISTING CONDITIONS PLAN

SHEET NUMBER

RZ-EC



NOTES:
EXISTING CONDITION PLAN DERIVED FROM VARYING SOURCES (I.E. MULTIPLE SURVEYS, GIS, AERIAL RECONNAISSANCE, AND SITE OBSERVATIONS). ACTUAL SITE AND/OR CONTEXT CONDITIONS MAY VARY. TO THE FULL KNOWLEDGE OF THE PETITIONER ALL KNOWN EXISTING EASEMENTS AND ROW RESERVATIONS ARE SHOWN.