

**VICINITY MAP** N.T.S.

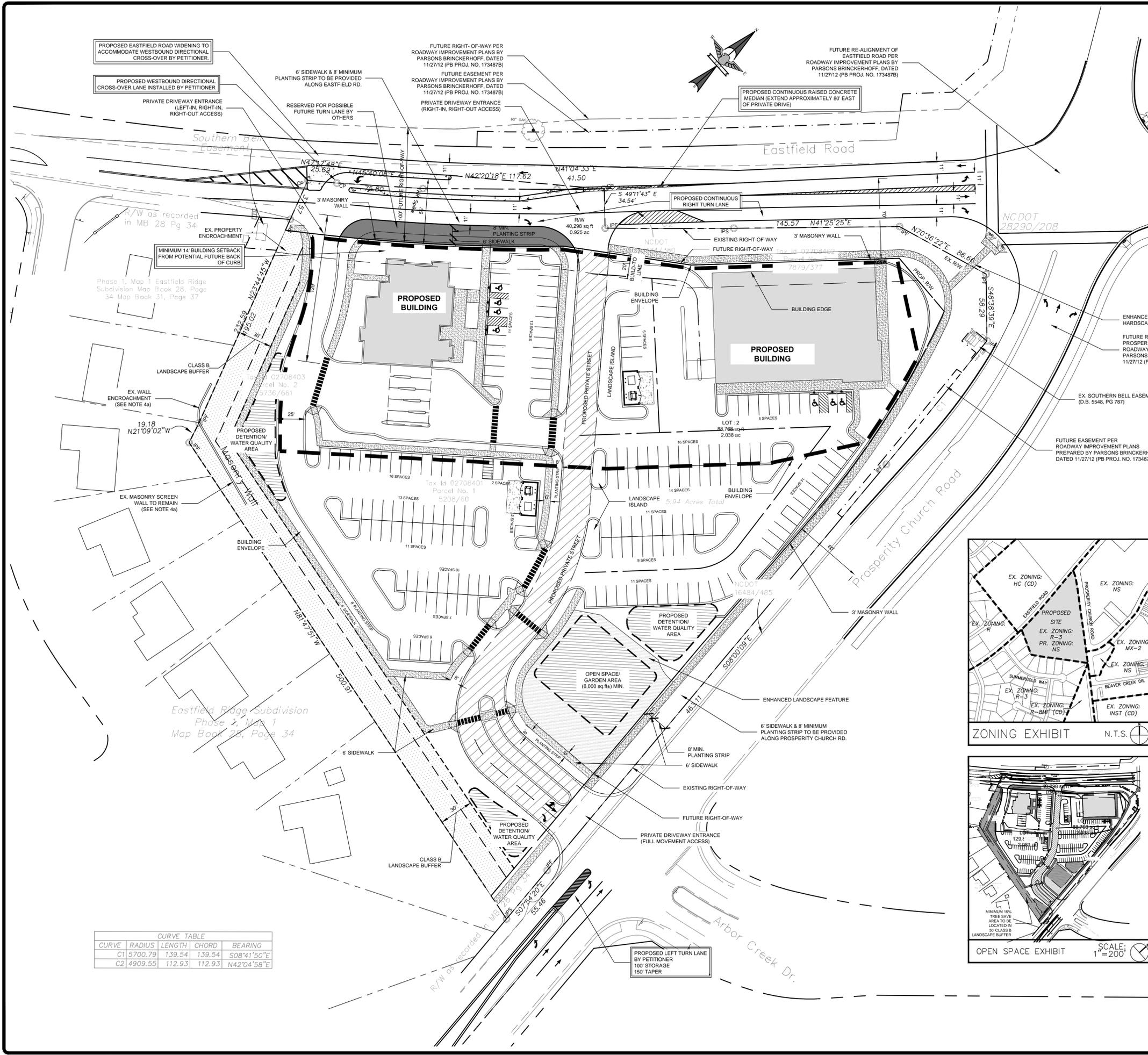
**SURVEY DISCLAIMER**  
TOPOGRAPHIC OR "ALTA"/ASCM LAND TITLE SURVEY SURVEY DATED JUNE 18, 2013, PROVIDED BY LAWRENCE ASSOCIATES, 106 WEST JEFFERSON STREET, MONROE, NC 28122, (704) 289-1013

**LEGEND**

**SYMBOL**

[Solid Grey Box]	BUILDING ENVELOPE
[Dotted Box]	BUFFERYARD
[Cross-hatched Box]	TREE SAVE AREA
[Thick Black Line]	BUILDING ENVELOPE

NO.	DATE	BY	ISSUE
1	02/02/14	KEL	REVISIONS TO PAVING PLAN
2	02/20/14	KEL	REVISIONS TO PAVING PLAN



**CURVE TABLE**

CURVE	RADIUS	LENGTH	CHORD	BEARING
C1	5700.79	139.54	139.54	S08°41'50"E
C2	4909.55	112.93	112.93	N42°04'58"E

**REZONING SUMMARY**

**PETITIONER:** FULL MOON OF UNION LLC  
231 POST OFFICE DRIVE SUITE B8 INDIAN TRAIL, NC 28079

**PROPERTY OWNER:** FULL MOON OF UNION LLC  
231 POST OFFICE DRIVE SUITE B8 INDIAN TRAIL, NC 28079

**REZONING SITE AREA:** ±5.943 ACRES (GROSS)

**AREA TO BE DEDICATED:** ±0.925 ACRES (EASTFIELD RD. & PROSPERITY CHURCH RD.)

**REZONING SITE AREA:** ±5.018 ACRES (NET)

**TAX PARCEL #:** 02708401, 02708402, 02708403

**EXISTING ZONING:** R-3

**PROPOSED ZONING:** NS - NEIGHBORHOOD SERVICES

**EXISTING USE:** VACANT RESIDENTIAL

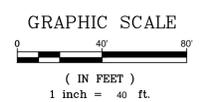
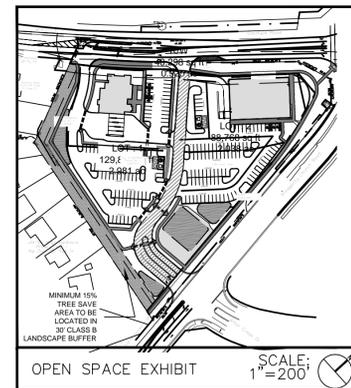
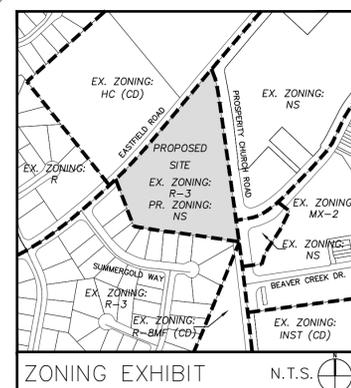
**PROPOSED USES:** UP TO 22,000 SQ. FT. OF USES ALLOWED IN THE NS DISTRICT AND AS MORE SPECIFICALLY DEFINED ON SHEET RZ-1.1

**MAX. FLOOR AREA RATIO:** 2.0 PER THE ORDINANCE

**MAX. BUILDING HEIGHT:** SIXTY (60) FEET PER THE ORDINANCE

**PARKING:** REQUIRED: 1/600 SQ. FT. (MINIMUM)

**REQUIRED OPEN SPACE:** A MINIMUM OF 15% OF THE SITE WILL BE ESTABLISHED AS TREE SAVE/OPEN SPACE AREAS AS DEFINED BY THE TREE ORDINANCE.



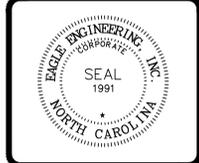
**EASTFIELD & PROSPERITY RD**  
Charlotte, NC

**Full Moon Of Union, LLC**  
231 Post Office Drive Suite B8  
Indian Trail, NC 28079

**REZONING PLAN**

**PETITION NO. 2013-072**

DESIGNED BY	KEL	CHECKED BY	JHR
DRAWN BY	KEL	DATE	12-16-2013
AS SHOWN		JOB NUMBER	5073



## Site Development Data

- Site Acreage (Gross):	5.943 Acres
- Site Acreage to be Dedicated:	0.925 Acres
- Site Acreage to be Rezoned (Net):	5.018 Acres
- Tax Parcel #:	02708401, 02708402, 02708403
- Existing Zoning:	R-3
- Proposed Zoning:	NS - Neighborhood Services
- Existing Use(s):	Vacant Residential
- Proposed Use(s):	(1) Up to 22,000 sq. ft. of uses allowed in the NS district or as more specifically defined below.
- Max. Building Height:	Sixty (60) feet per the Ordinance
- Parking:	Required - 1/600 sq. ft.
- Open Space:	A minimum of 15% of the site will be established as tree save/open space areas as defined in the Tree Ordinance.

## General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Full Moon OF Union, LLC, to rezone an approximately 5.94 acre site located at the southwestern quadrant of the intersection of Eastfield Road and Prosperity Church Road (the "Site").

Unless more stringent standards are established by the Technical Data Sheet or these Development Standards, all development standards established under the Charlotte Zoning Ordinance ("the Ordinance") for the NS Zoning District shall govern development taking place on the Site.

The Petitioner has also provided a Schematic Site Plan that is intended to reflect the arrangement of proposed uses on the Site, but the final configurations, placements and sizes of individual Site elements may be altered or modified so long as the maximum building envelope lines and intensity limitations established on the Technical Data Sheet are not violated and the proposed alterations or modifications do not exceed the parameters established under these Development Standards and under the Ordinance for the NS Zoning District. However, any alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the Technical Data Sheet or its respective conditions as well as any changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

## 1. Permitted Uses

The Site may be devoted to retail pharmacy/drugstore, financial service uses and any other use (including any accessory use) which is permitted under the Ordinance by right or under prescribed conditions in the NS Zoning District; provided, however, that the following uses shall not be permitted:

- Convenience stores with gasoline sales
- Automobile service stations
- Pet crematoriums
- Funeral homes
- Nightclubs, bars and lounges

Any drive-through service lane/window shall be permitted as an accessory use and comply with the requirements of Section 12.413 of the Ordinance. No more than two uses with accessory drive thru windows will be allowed on the site.

A maximum of 22,000 square feet of gross floor area may be developed on the Site.

## 2. Transportation

a. Vehicular access to the Site shall be as generally depicted on the Technical Data Sheet. The placement and configuration of the 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 Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT"), including alterations to accommodate any right-of-way needs and/or construction easements.

b. Additional right-of-way as identified on sheet RZ1.0 will be dedicated in fee simple prior to the first building permit being issued.

c. A public access easement will be provided for the private road.

d. Private road shall have an 8' planting strip and 6' sidewalk along one side.

e. Circulation for an accessory service window will not be permitted between the public right-of-way and the building.

f. The Petitioner will be responsible for the installation of all proposed traffic improvements as generally indicated on sheet RZ-1.0

g. The Petitioner will install a right turn lane from eastbound Eastfield Road to southbound Prosperity Church Road as generally indicated on sheet RZ-1.0

h. The petitioner will construct directional cross-over for westbound traffic on Eastfield Road to the site's western most driveways as generally depicted on sheet RZ-1.0. This proposed directional cross-over for westbound traffic on Eastfield Road is not a required improvement to mitigate the site's traffic impact, therefore, the petitioner may choose not to construct this directional cross-over. If a westbound left-over is not constructed as described above, a continuous four foot wide raised concrete median shall be installed by the petitioner between the Site's western property line and approximately 80 feet east of the proposed private street.

i. Because the intersection of Eastfield Road and Prosperity Church Road must be re-aligned in the future and any curb and gutter installed as part of this petition along Eastfield Road would have to be removed to allow for the re-alignment of this intersection and in consideration for the .925 acres of additional right-of-way the petitioner is dedicating to the City of Charlotte to facilitate the re-alignment of the intersection the petitioner will not be required to provide curb and gutter along Eastfield Road as part of the development of this site.

j. The petitioner as part of the required roadway improvements for the site will not be responsible for the relocation of any of the traffic signal poles or cabinets located at the intersection of Prosperity Church Road and Eastfield Road.

k. All of the foregoing 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 broad north Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

l. *It is understood that some of the public roadway improvements referenced above may not be possible without the acquisition of additional right of way.*

*If after the exercise of diligent good faith efforts, as specified by the city of charlotte right-of-way acquisition process as administered by the City of Charlotte's Engineering & Property Management department, 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 above are delayed because of delays in the acquisition of additional right-of-way, then the petitioner will contact the Planning Department and CDOT regarding an appropriate infrastructure phasing plan that appropriately matches the scale of the development proposed to the public infrastructure mitigations. If after contacting the Planning Department and CDOT to determine the appropriate infrastructure phasing plan, delays in the acquisition of additional right-of-way extends beyond the time that the petitioner seeks to obtain a certificate of occupancy for the building(s) on the site in connection with related development, then CDOT will instruct applicable authorities 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.*

## 3. Architectural Standards

a. Building materials for the buildings to be constructed on the Site shall include brick, architectural concrete block, and/or stucco. Architectural accent features may be composed of other materials. Expanses of blank walls over twenty (20) feet will be avoided through the introduction of articulated facades, decorative awnings, transom windows, variations in color and design of brickwork and other specially designed architectural elements. No aluminum or vinyl siding or spandrel glass may be used on the elevations of the building.

b. All buildings on the site shall utilize the same building materials, architectural style and color.

c. The two buildings shall be architecturally oriented toward Eastfield Road with clear glass windows that address the street. Clear glass windows shall be used on a minimum of 40% of the Eastfield Road facades. However, if one of the buildings constructed on the Site is used for pharmacy/drug store the percentage of glass provided along Eastfield Road facade for the pharmacy/drug store may be reduced to 30% provided the following additional architectural features are added to the facade: (i) a water table; (ii) false windows (i.e. an area of the building wall that gives the appearance of having been a window that has been filled in); (iii) decorative off-sets in the building facade to create a rhythm of bays; and (iv) EIFS trim elements.

d. The clear glass windows required along Eastfield Roadway not be covered up with graphics, merchandising cabinets, store fixtures or other devices that do not allow visibility into the building.

e. Buildings shall be located not greater than 20 feet from the future Eastfield Road right-of-way.

f. *A landscape area will be provided at the intersection of Prosperity Church Road and Eastfield Road between the proposed building and the low screen wall.*

g. *The petitioner will extend the existing brick wall along the western property boundary from its current terminus to the Eastfield Road right-of-way as indicated on the sheet RZ-1.0. The wall may be extend from its current terminus at 6746 Summergold Way if an easement from the adjoining property owner can be secured or the wall will be extended from a location on the site if an easement to extend the wall from its current terminus at 6746 Summergold Way cannot be secured. The existing wall located on 6746 Summergold Way will be demolished if an easement cannot be secured to allow the wall to remain.*

h. *The petitioner will add metal pickets to a portion of the existing wall along the southern property line to increase the height of the wall to no less than five feet. The area of the wall where metal pickets will be added is generally depicted on sheet RZ-1.0.*

i. Off street loading spaces shall be provided per code and shall not be located between proposed buildings and existing public street right of way.

j. Proposed dumpsters will not be located adjacent to the 30' landscape buffer.

## 4. Streetscape and Landscaping

Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance.

a. The Petitioner shall provide and maintain a 30 foot wide class 'B' buffer along the Site's southern property boundary as generally depicted on the Technical Data Sheet. The Petitioner shall maintain and/or enhance the existing wall in that location, except as such existing wall may encroach onto neighboring properties in which case Petitioner will submit plans for the wall encroachment along the adjacent single-family to the appropriate homeowners and provide a letter of approval from the homeowners to the Charlotte-Mecklenburg Planning Department before submitting for Commercial Plan review. Should the homeowner not approve the wall encroachment, the petitioner will make provisions to remove the wall.

b. All vegetation to be preserved within the 30' landscaped shall be protected during construction. the removal of trees and other landscaping/screening within this specified area is prohibited.

c. Dumpster areas will be enclosed on all four sides by an opaque wall with one side being a hinged opaque gate. If one side of a dumpster area adjoins a side or rear wall of a building, then the side or rear wall may be substituted for a side.

d. Dumpster enclosures shall be built with the same material as the principle structure.

e. Petitioner shall provide eight foot planting strips and six foot sidewalks along all public streets.

f. Petitioner shall provide a (3) foot tall masonry wall and shrubs between the proposed parking envelope and the proposed right-of-ways of Eastfield Road and prosperity Church Road. These walls shall be located a minimum three (3) feet behind the edge of the sidewalk.

## 5. Environmental Features

The Site shall comply with the requirements of the Post Construction Controls Ordinance. The location, size, and type of storm water management systems depicted on the rezoning plan are subject to review and approval as part of the full development plan submitted and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

Storm water runoff from the site (except runoff from landscaped zoning buffers where such runoff is consistent with natural, pre-development drainage patterns) shall not discharge onto the adjoining single-family subdivision.

## 6. Parks, Greenways and Open Space

a. Petitioner shall provide an open space garden area fronting Prosperity Church Road as generally depicted on sheet RZ- 1.0. The garden area will be attractively landscaped to provide a focal feature along the Prosperity Church Road frontage.

b. Tree save areas equaling at least 15% of the area of the Site shall be provided. The entirety of the required tree save area will be provided in the 30' Class 'B' buffer along the site's southern property boundary as generally depicted on the Technical Data Sheet.

## 7. Signage

Signage shall comply with the requirements of the Ordinance. Signs will be ground mounted.

## 8. Lighting

a. The maximum height of any freestanding light fixtures erected on the Site shall not exceed twenty five (25) feet.

b. All lighting fixtures installed within the Site shall be shielded with full cut-off fixtures, capped and downwardly directed.

## 9. Amendments to the Rezoning Plan

Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

## Binding Effect of the Rezoning Documents and Definitions

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under these Development Standards and the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioners and the current and subsequent owners of the Site and their respective successors in interest and assigns.

Throughout these Development Standards, the terms, "Petitioners" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioners or the Owner or Owners of the Site from time to time who may be involved in any future development thereof.

Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



2013-A Van Buren Avenue  
Indian Trail, NC 28079  
(704) 882-4222  
(678) 339-0640  
www.eagleonline.net

NO. 1  
DATE: 02/21/14  
BY: KEL  
ISSUE: Revised notes 2, 3, & 4 per City planning comments  
REVIEWED: Revised per comments from City of Charlotte and NCDOT

EASTFIELD & PROSPERITY RD  
Charlotte, NC

Full Moon Of Union, LLC  
231 Post Office Drive Suite B8  
Indian Trail, NC 28079

REZONING NOTES

PETITION NO. 2013-072

DESIGNED BY	KEL	CHECKED BY	JHR
DRAWN BY	KEL	JOB NUMBER	5073
DATE	12-16-2013		
AS SHOWN			



Sheet

RZ-1.1