

LandDesign

EZONING PETITIO #2014-XXX

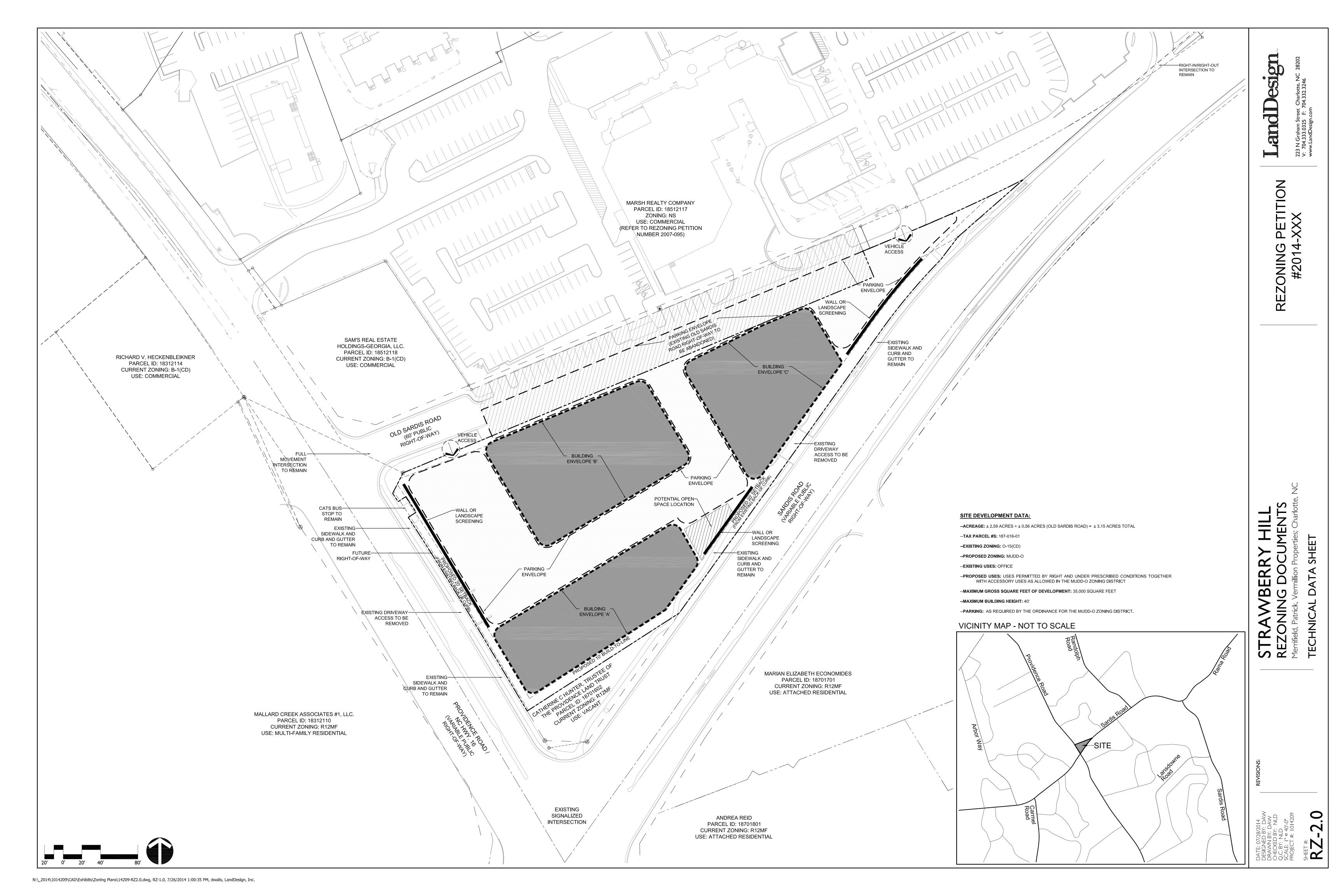
WBERRY HILL

VING DOCUMENTS

CONDITIONS

REVISIONS:

DESIGNED BY: SURVEYOR
DRAWN BY: SURVEYOR
CHECKED BY: SURVEYOR
Q.C. BY: SURVEYOR
SCALE: I" = 40'-0"
PROJECT #: 1014209



ZONING ORDINANCE (THE "ORDINANCE").

THE PURPOSE OF THIS REZONING REQUEST IS TO ACCOMMODATE THE REDEVELOPMENT OF AN APPROXIMATELY 3.15 ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF PROVIDENCE ROAD AND SARDIS ROAD ALSO IDENTIFIED AS MECKLENBURG COUNTY TAX PARCEL 187-016-01 (THE "SITE"). DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE ACCOMPANYING TECHNICAL DATA SHEET, THESE DEVELOPMENT STANDARDS AND THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE

EXCEPT AS OTHERWISE PROVIDED UNDER THE MUDD-OPTIONAL PROVISIONS SET FORTH UNDER SECTION 2 HEREOF AND UNLESS THE TECHNICAL DATA SHEET OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD ZONING DISTRICT SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.

THE DEVELOPMENT DEPICTED ON THE TECHNICAL DATA SHEET IS INTENDED TO REFLECT THE SETBACKS, BUILDING ENVELOPES AND VEHICULAR ACCESS POINT RELATED TO THE PROPOSED DEVELOPMENT ON THE SITE.

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.

2. <u>MUDD-O OPTIONAL PROVISIONS</u>

THE PETITIONER PROPOSES TO UTILIZE THE MUDD-O PROVISIONS OF THE ORDINANCE IN ORDER TO ACCOMMODATE THE FOLLOWING:

(a) A MAXIMUM OF TWO DRIVE-THROUGH SERVICE WINDOWS. HOWEVER, DRIVE-THROUGH SERVICE WINDOWS SHALL NOT BE PERMITTED AS AN ACCESSORY TO RESTAURANT USES.

3. PERMITTED USES AND MAXIMUM DEVELOPMENT

THE SITE MAY BE DEVELOPED WITH UP TO 35,000 SQUARE FEET OF COMMERCIAL FLOOR AREA. PERMITTED USES SHALL INCLUDE ALL PRINCIPAL AND ACCESSORY USES PERMITTED IN THE MUDD ZONING DISTRICT AS WELL AS ANY DRIVE-THROUGH SERVICE WINDOWS PERMITTED SUBJECT TO THE OPTIONAL PROVISIONS IN PARAGRAPH 2 ABOVE.

4. TRANSPORTATION

(a) VEHICULAR ACCESS WILL BE AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. THE PLACEMENTS AND CONFIGURATIONS OF THE VEHICULAR ACCESS POINT SHOWN ON THE TECHNICAL DATA SHEET ARE SUBJECT TO ANY MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND TO ANY ADJUSTMENTS REQUIRED BY CDOT FOR APPROVAL.

(b) PETITIONERS SHALL ELIMINATE ONE EXISTING DRIVEWAY ACCESS TO PROVIDENCE ROAD AND ONE EXISTING DRIVEWAY ACCESS TO SARDIS ROAD AS GENERALLY DEPICTED ON THE TECHNICAL DATA

(c) THE PETITIONERS RESERVE THE RIGHT TO DEVIATE FROM THE STREET DESIGN DEPICTED ON THE TECHNICAL DATA SHEET, PROVIDED ANY PROPOSED CHANGE IS APPROVED IN ADVANCE BY CDOT.

(c) ALL PRIVATE STREETS MAY BE CONVERTED TO PUBLIC STREETS AT THE PETITIONERS' OPTION, PROVIDED THEY ARE DESIGNED TO PUBLIC STREET STANDARDS.

(d) PETITIONER SHALL PETITION FOR THE ABANDONMENT OF A PORTION OF THE OLD SARDIS ROAD RIGHT-OF-WAY AS GENERALLY DEPICTED ON THE TECHNICAL DATA SHEET. IN THE EVENT THAT A PORTION OF THE OLD SARDIS ROAD RIGHT-OF-WAY IS ABANDONED, THE ABANDONED AREA SHALL BE SUBJECT TO THE PROVISIONS OF THE REZONING PLAN.

(e) PETITIONER SHALL COORDINATE WITH CATS STAFF TO RELOCATE THE EXISTING PARK-AND-RIDE EASEMENT LYING WITHIN THE OLD SARDIS ROAD RIGHT-OF-WAY.

5. ARCHITECTURAL STANDARDS

(a) EXTERIOR BUILDING MATERIALS MAY INCLUDE BRICK, STONE, CAST STONE, PRECAST CONCRETE, CEMENTITIOUS SIDING, STUCCO, EIFS, AND METAL PANEL.

(b) ALL ROOF MOUNTED MECHANICAL EQUIPMENT WILL BE SCREENED FROM VIEW FROM ADJOINING PUBLIC RIGHTS-OF-WAY AND ABUTTING PROPERTIES AS VIEWED FROM GRADE.

(c) DUMPSTER AREAS WILL BE ENCLOSED ON ALL FOUR SIDES BY AN OPAQUE WALL WITH ONE SIDE BEING A HINGED OPAQUE GATE. IF ONE OR MORE SIDES OF A DUMPSTER AREA ADJOIN A SIDE OR REAR WALL OF A BUILDING, THEN THE SIDE OR REAR WALL MAY BE SUBSTITUTED FOR A SIDE.

6. STREETSCAPE AND LANDSCAPING

(a) PETITIONERS SHALL PROVIDE A TWENTY (20) FOOT SETBACK ALONG THE PORTIONS OF THE SITE THAT FRONT PROVIDENCE ROAD AND SARDIS ROAD.

(b) PETITIONER SHALL MAINTAIN THE EXISTING CURB LINES AND SIDEWALKS ALONG PROVIDENCE ROAD AND SARDIS ROAD.

7. ENVIRONMENTAL FEATURES

DEVELOPMENT ON THE SITE SHALL COMPLY WITH THE POST CONSTRUCTION CONTROLS ORDINANCE. PETITIONER MAY UTILIZE PORTIONS THE PROPERTY LYING TO THE NORTH OF THE SITE (CURRENTLY IDENTIFIED AS MECKLENBURG COUNTY TAX PARCEL 185-121-17) TO ACCOMMODATE STORMWATER FACILITIES THAT WILL SERVE THE SITE.

DEVELOPMENT ON THE SITE SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE. REDEVELOPMENT ACTIVITY ON THE SITE IS EXEMPT FROM TREE SAVE REQUIREMENTS UNDER TREE ORDINANCE. HOWEVER, PETITIONER WILL PRESERVE TREES OVER EIGHT (8) INCHES DBH LOCATED WITHIN FOURTEEN (14) FEET OF THE BACK OF CURB ALONG THE PROVIDENCE ROAD AND SARDIS ROAD RIGHT-OF-WAYS.

8. OPEN SPACE

OPEN SPACES SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

9. FIRE PROTECTION

FIRE PROTECTION SHALL BE PROVIDED IN CONFORMITY WITH THE SPECIFICATIONS OF THE FIRE MARSHALL.

10. SIGNAGE

SIGNAGE SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF THE ORDINANCE.

11. LIGHTING

(a) FREESTANDING LIGHTS SHALL NOT EXCEED 20 FEET IN HEIGHT.

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