

THE OLDE MECKLENBURG BREWERY, LLC
DEVELOPMENT STANDARDS
7/21/2016

REZONING PETITION NO. 2016-102

SITE DEVELOPMENT DATA:

- ACREAGE: ± 9.52 ACRES
--TAX PARCEL #S: 149-03-201, 149-03-202 AND 149-03-211
--EXISTING ZONING: I-2
--PROPOSED ZONING: I-2 TS-O
--EXISTING USES: BREWERY, EDEE, MANUFACTURING AND OFFICE
--PROPOSED USES: EXPANSION OF THE EXISTING USES AS PERMITTED BY RIGHT, AND UNDER PRESCRIBED CONDITIONS, AND BY THE OPTIONAL PROVISIONS BELOW, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE TS OVERLAY ZONING DISTRICT (ALL AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 3).
--MAXIMUM BUILDING HEIGHT: BUILDING HEIGHT AS PERMITTED BY ORDINANCE.
--PARKING: EDEE 1:150, OUTDOOR DINING 1:600, AS REQUIRED BY THE ORDINANCE FOR ALL OTHER USES.

1. GENERAL PROVISIONS:

- a. SITE LOCATION. THESE DEVELOPMENT STANDARDS AND SCHEMATIC SITE PLAN FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY THE OLDE MECKLENBURG BREWERY, LLC. ("PETITIONER") TO ACCOMMODATE THE EXPANSION OF EXISTING USES IN A PATTERN MORE CONSISTENT WITH CURRENT DEVELOPMENT INITIATIVES AND PROXIMITY TO THE SCALEYBARK STATION AND THE AREA OF INFLUENCE FOR THE SCALEYBARK STATION AREA PLAN ON AN APPROXIMATELY 9.52 ACRE SITE LOCATED ON YANCEY ROAD AT THE TERMINUS OF SOUTHSIDE DRIVE WITH FRONTAGE ON TRYON 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 TS-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, PERMISSIBLE BUILDING AREAS (AS DEFINED BELOW) 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 FOR FUTURE PROPOSED EXPANSION, 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 AND STAY WITHIN THE SETBACKS AND YARDS DEPICTED ON 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. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED THREE (3). 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.

2. OPTIONAL PROVISIONS:

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

- a. TO ALLOW FOR AN 8' SIDEWALK TO BE PROVIDED AT THE BACK OF EXISTING CURB ON YANCEY ROAD.
b. TO ALLOW NEW STREET TREES TO BE PROVIDED BEHIND THE NEW SIDEWALK ON PARCEL 149-03-211 AND TO ALLOW FOR THE EXISTING LARGE MATURING TREES PLANTED BEHIND THE EXISTING FENCE ON PARCEL 149-03-201 TO BE LOCATED BEHIND THE SIDEWALK.
c. TO ALLOW OUTDOOR EDEE USES TO PARK AT A RATIO OF 1:600.
d. TO ALLOW BREWERY USES TO EXCEED 15,000.
e. TO ALLOW THE EXISTING PARKING AND MANEUVERING AREAS LOCATED BETWEEN THE EXISTING BUILDING AND THE STREETS TO REMAIN.
f. TO ALLOW THE EXISTING BUILDING TO NOT HAVE TO MEET THE STREET WALL REQUIREMENTS OF THE TS ZONING DISTRICT.
g. TO ALLOW THE EXISTING SIDEWALK AND PLANTING STRIP ON TRYON STREET TO REMAIN IN ITS CURRENT FORM UNTIL SUCH TIME THAT DRIVEWAY ACCESS FROM TRYON IS UTILIZED AND THE FUTURE BUILDING DEPICTED ON SHEET RZ-2 IS DEVELOPED.

TO ALLOW THE FLOOR AREA RATIO OF THE BUILDINGS TO BE .16

3. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

- a. THE EXISTING PRINCIPAL BUILDINGS AND PROPOSED NEW BUILDING CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH BREWERY, OFFICE, MANUFACTURING AND EDEE USES AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND PER THE OPTIONAL PROVISIONS ABOVE TOGETHER WITH ACCESSORY USES ALLOWED IN THE TS-O ZONING DISTRICT.

4. ACCESS:

- a. PRIMARY ACCESS TO THE SITE WILL BE FROM YANCEY ROAD WITH SERVICE ACCESS FROM TRYON STREET AS GENERALLY DEPICTED ON THE REZONING PLAN, SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.
b. THE ALIGNMENT OF THE VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) IN ACCORDANCE WITH PUBLISHED STANDARDS SO LONG AS THE STREET NETWORK SET FORTH ON THE REZONING PLAN IS NOT MATERIALLY ALTERED.
c. THE THREE EXISTING DRIVEWAYS ON YANCEY WILL BE REPLACED TO ACCOMMODATE THE NEW SIDEWALK.
d. THE PERMISSIBLE ON-STREET PARKING SPACES ON YANCEY WILL NOT BE STRIPED.

CONSTRUCTION OF THE PROPOSED FUTURE MANUFACTURING OFFICE BUILDING WILL NOT PRECLUDE THE ABILITY FOR A FUTURE DRIVEWAY CONNECTION FROM TRYON STREET TO YANCEY ROAD TO BE MADE ON THE SOUTH SIDE OF THE EXISTING BUILDING. SUCH A DRIVEWAY CONNECTION MAY BE OFFSET FROM BOTH SOUTHSIDE DRIVE AND ORCHARD CIRCLE. THE PETITIONER WILL CREATE THE FUNCTIONAL DRIVEWAY CONNECTION THROUGH THE SITE UPON DEVELOPMENT OF THE FUTURE MANUFACTURING/OFFICE BUILDING.

5. STREETScape, BUFFER, LANDSCAPING OPEN SPACE AND SCREENING:

- a. A 16 FOOT SETBACK AS MEASURED FROM THE FUTURE BACK OF CURB ALONG YANCEY ROAD AND TRYON STREET WILL BE PROVIDED, AS GENERALLY DEPICTED ON SHEET RZ-1.
b. A EIGHT (8) FOOT SIDEWALK WILL BE PROVIDED AT THE BACK OF EXISTING CURB ALONG YANCEY STREET. THE EXISTING SIDEWALK ON TRYON STREET WILL REMAIN IN ITS CURRENT FORM UNTIL SUCH TIME THAT DRIVEWAY ACCESS FROM TRYON IS UTILIZED AND THE FUTURE BUILDING DEPICTED ON SHEET RZ-1 IS DEVELOPED. AT SUCH TIME, AN 8' PLANTING STRIP AND 6' SIDEWALK SHALL BE PROVIDED.
c. THE PETITIONER WILL PROVIDE CLASS C BUFFER PLANTING IN THE 20' SIDYARD CONSISTING OF THE EXISTING EVERGREEN TREES PLANTED 20' ON CENTER SUPPLEMENTED WITH ADDITIONAL EVERGREEN TREES AND DECIDUOUS SHRUBS.
d. A 5' PLANTING AREA WITH EVERGREEN SHRUBS SHALL BE PROVIDED BEHIND THE SETBACK TO SCREEN THE PARKING BETWEEN THE BUILDING AND THE STREET ON PARCEL 149-032-01 AS GENERALLY DEPICTED ON SHEET RZ-1.

6. GENERAL DESIGN GUIDELINES:

- a. NOT APPLICABLE

7. ENVIRONMENTAL FEATURES:

- a. THE SITE SHALL COMPLY WITH THE CHARLOTTE POST CONSTRUCTION CONTROLS ORDINANCE.
b. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEM DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL 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.
c. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.

8. SIGNAGE:

- a. NOT APPLICABLE

9. LIGHTING:

- a. ALL NEW ATTACHED AND DETACHED LIGHTING SHALL BE FULLY SHIELDED DOWNWARDLY DIRECTED AND FULL CUT OFF FIXTURE TYPE LIGHTING EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.
b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 21 FEET IN HEIGHT.

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.

11. 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.

July 21, 2016 - 11:16am By: AlexRichards
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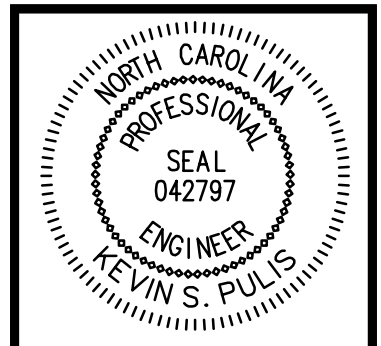


Table with columns: NO., DATE, REVISIONS. Includes entries for 7/21/16 and 6/20/16 with descriptions like 'PER CITY STAFF COMMENTS'.

CLIENT: THE OLDE MECKLENBURG BREWERY
4150 YANCEY ROAD
CHARLOTTE, NC 28217

PROJECT: OLDE MECKLENBURG BREWERY
4150 AND 4210 YANCEY ROAD
CHARLOTTE, MECKLENBURG COUNTY
NORTH CAROLINA

TITLE: REZONING PETITION # 2016-102 DEVELOPMENT STANDARDS

Table with project details: DESIGNED BY: DMH, DRAWN BY: DMH, CHECKED BY: KSP, DATE: 04/20/2016, PROJECT#: 017210001

RZ-2

