

DEVELOPMENT STANDARDS

December 19, 2016

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan (comprised of Sheets RZ1.0 and RZ2.0) associated with the Rezoning Petition filed by Humane Society of Charlotte, Inc. (the “Petitioner”) to accommodate the development and operation of a pet services indoor/outdoor facility and other uses on that approximately 17.49 acre site located on the northeast corner of the intersection of Berryhill Road and Parker Drive, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the “Site”). The Site is comprised of Tax Parcel Nos. 119-011-31 and 119-011-09.
- B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provision set out below, the regulations established under the Ordinance for the Mixed Use Development District (“MUDD”) zoning district shall govern the development and use of the Site.
- C. The parcels of land that comprise the Site may be recombined at the option of the Petitioner.
- D. The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configuration, placement and size of the building footprint, the other improvements and the internal drives and parking areas depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.
- E. Internal sidewalks generally depicted on the Rezoning Plan may be altered provided that such alterations do not materially change the design intent generally depicted on the Rezoning Plan.
- F. Future amendments to the Rezoning Plan and/or 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. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. OPTIONAL PROVISION

The following optional provision shall apply to the development and use of the Site:

- A. The requirement set out in Section 12.541(1) of the Ordinance that all outdoor uses shall be located at least 300 feet from any lot in a residential zoning district or in residential use shall not apply to the Site or to the proposed pet services indoor/outdoor facility.

3. PERMITTED USES

- A. The Site may only be devoted to the uses set out below.
 - (1) A pet services indoor/outdoor facility and accessory uses relating thereto that are allowed in the MUDD zoning district.
 - (2) An eating, drinking and entertainment establishment (Type 1), and/or an eating, drinking and entertainment establishment (Type 2) subject to the applicable regulations of Section 12.546 of the Ordinance.
- B. Accessory structures with a roof supported only by columns (not walls) that will provide protection from the elements for persons and animals may be located within the dog park, provided that such accessory structures may not exceed one story in height.
- C. A pavilion/gazebo may be located on the Site.
- D. Fenced animal enclosures may be located within the dog park.
- E. Petitioner may hold fund raising events on the Site.

4. DEVELOPMENT LIMITATIONS

- A. The maximum gross floor area of the principal building to be constructed on the Site shall be 55,000 square feet. The gross floor area of patios (whether on the ground floor of the principal building or on the second floor of the principal building) and the gross floor area of the pavilion/gazebo and any other accessory structures shall not be counted towards the maximum gross floor area of the principal building.
- B. The maximum gross floor area of the principal building that may be devoted to an eating, drinking and entertainment establishment (Type 1), and/or an eating, drinking and entertainment establishment (Type 2) shall be 1,500 square feet.
- C. An eating, drinking and entertainment establishment (Type 1), and/or an eating, drinking and entertainment establishment (Type 2) must be located within the principal building to be located on the Site.
- D. The boarding facilities for all animals boarded on the Site shall be located within interior and fully enclosed portions of the principal building to be located on the Site. No animals may be boarded in outdoor facilities or in facilities that are not located within interior and fully enclosed portions of the principal building.

- E. All animals boarded on the Site shall be maintained within the principal building to be located on the Site except for such periods of time when the animals are being exercised in the dog park and traveling to and from the principal building from and to the dog park.
- F. No domesticated animals other than dogs shall be allowed within the dog park.
- G. Except for certain designated areas within the dog park where a dog may be unleashed, all dogs must be leashed within the dog park.

4. TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation.
- B. A minimum of 100 off-street vehicular parking spaces shall be provided on the Site.
- 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 the Charlotte Department of Transportation in accordance with applicable published standards.
- D. Prior to the issuance of a certificate of occupancy for the principal building to be constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Berryhill Road as required to provide right of way measuring 38.5 feet from the existing centerline of Berryhill Road, to the extent that such right of way does not already exist.
- E. Prior to the issuance of a certificate of occupancy for the principal building to be constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Parker Drive as required to provide right of way measuring 38.5 feet from the existing centerline of Parker Drive, to the extent that such right of way does not already exist.
- F. Petitioner may gate portions of the parking lot for security purposes.

5. ARCHITECTURAL STANDARDS

- A. The maximum height in stories of the principal building to be constructed on the Site shall be 2 stories.
- B. The maximum height in feet of the principal building to be constructed on the Site shall be 40 feet.

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

6. STREETScape AND LANDSCAPING

- A. Petitioner shall install a minimum 8 foot wide planting strip and a minimum 8 foot wide sidewalk along the Site's frontage on Berryhill Road and along that portion of the Site's frontage on Parker Drive that is more particularly depicted on the Rezoning Plan if on-street parking is provided.
- B. Petitioner shall install a minimum 14 foot wide planting strip and a minimum 8 foot wide sidewalk along the Site's frontage on Berryhill Road and along that portion of the Site's frontage on Parker Drive that is more particularly depicted on the Rezoning Plan if on-street parking is not provided.
- C. Portions of the minimum 8 foot wide sidewalk may be located in a sidewalk utility easement rather than in public right of way.
- D. Internal sidewalks and pedestrian connections shall be installed within the Site as generally depicted on the Rezoning Plan.
- E. A pedestrian connection shall be installed that connects Skyview Road to the Site.
- F. A minimum 6 foot tall chain link fence shall be installed along the northern, eastern and southern boundaries of the dog park as generally depicted on the Rezoning Plan. That portion of the minimum 6 foot tall chain link fence installed along the southern and eastern boundaries of the dog park shall have webbing. That portion of the minimum 6 foot tall chain link fence installed along the northern boundary of the dog park shall not be required to have webbing.
- G. A minimum 5 foot tall fence shall be installed along the western boundary of the dog park as generally depicted on the Rezoning Plan. The material for the fence shall be determined by the Petitioner.
- H. Petitioner may, at its option, install a fence around the entire perimeter of the Site.
- I. A minimum 50 foot wide landscape area shall be established along the southern and eastern boundary lines of the Site as depicted on Sheet RZ2.0 of the Rezoning Plan. This 50 foot wide landscape area shall remain undisturbed except as required to install the minimum 6 foot tall chain link fence described above. Additionally, Petitioner may remove dead and dying trees and shrubs from the landscape area.

7. ENVIRONMENTAL FEATURES

- A. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

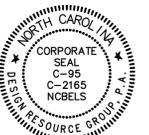
B. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

8. LIGHTING

- A. All freestanding lighting fixtures installed on the Site (excluding street lights and lower, decorative lighting that may be installed along and/or on the driveways, sidewalks, parking areas, patios and landscaped areas) 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. Except for that portion of the Site designated as the dog park on the Rezoning Plan, the maximum height of any freestanding lighting fixture installed on the Site shall be 22 feet.
- C. The maximum height of any freestanding lighting fixture installed on that portion of the Site designated as the dog park on the Rezoning Plan shall be 10 feet.
- D. Any lighting fixtures attached to any structure to be constructed on the Site shall be capped and downwardly directed.

9. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- B. Throughout these Development Standards, the term “Petitioner” shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- C. 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.



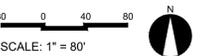
REZONING PETITION
#2017-014

FOR PUBLIC HEARING

NEW ANIMAL SHELTER
2401 BERRYHILL RD., CHARLOTTE, NC 28208

HUMANE SOCIETY OF CHARLOTTE
2700 TOOMEY AVENUE
CHARLOTTE, NORTH CAROLINA 28203
704-377-0534

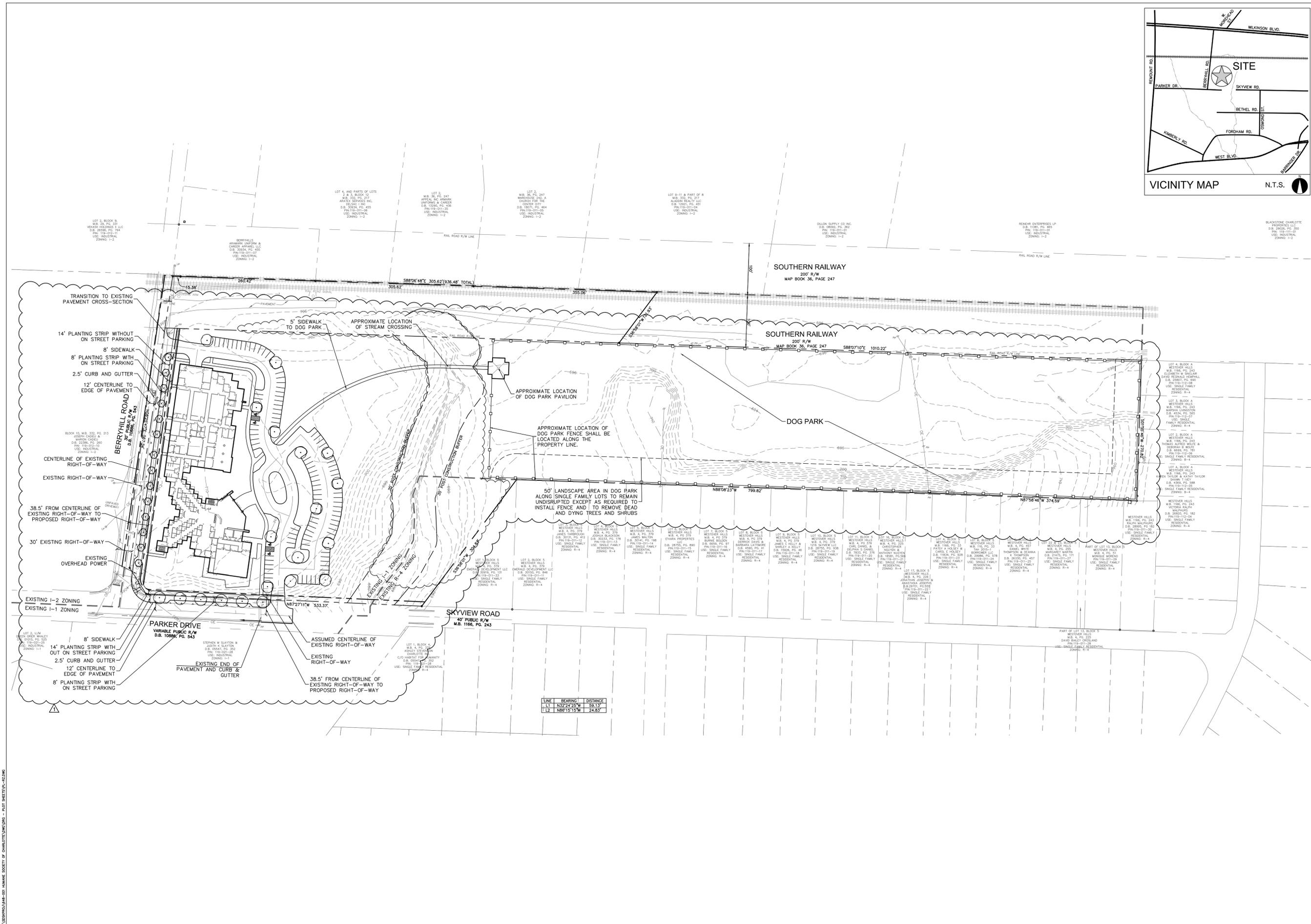
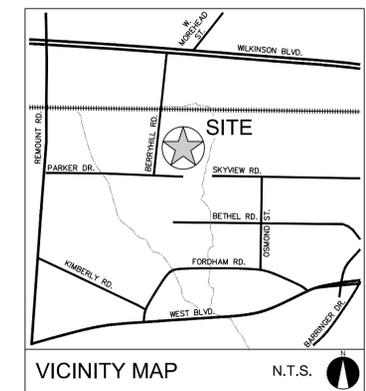
**SCHEMATIC
SITE PLAN**

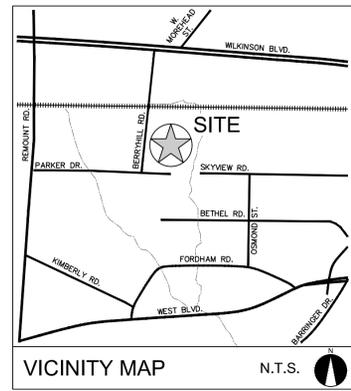


PROJECT #: 648-002
DRAWN BY: DK
CHECKED BY: SK

OCTOBER 24, 2016

REVISIONS:
DECEMBER 19, 2016 PER STAFF COMMENTS





SITE DATA

TAX ID#: 119-011-09 & 119-011-31
ACREAGE: 17.49 AC
EXISTING ZONING: I-1 & R-4
PROPOSED ZONING: MUDD-0

PROPOSED USE: A PET SERVICES INDOOR/OUTDOOR FACILITY AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE MUDD ZONING DISTRICT AND THAT ARE DEFINED IN THE DEVELOPMENT STANDARDS UNDER NOTE 3 PERMITTED USES / DEVELOPMENT LIMITATIONS.

DEVELOPMENT STANDARDS

- GENERAL PROVISIONS
 - These Development Standards form a part of the Rezoning Plan (comprised of Sheets R21.0 and R22.0) associated with the Rezoning Petition filed by Humane Society of Charlotte, Inc. (the "Petitioner") to accommodate the development and operation of a pet services indoor/outdoor facility and other uses on that approximately 17.49 acre site located on the northeast corner of the intersection of Berrymill Road and Parker Drive, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 119-011-31 and 119-011-09.
 - The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provision set out below, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD") zoning district shall govern the development and use of the Site.
 - The parcels of land that comprise the Site may be recombined at the option of the Petitioner.
 - The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the configuration, placement and size of the building footprint, the other improvements and the internal drives and parking areas depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.
 - Internal sidewalks generally depicted on the Rezoning Plan may be altered provided that such alterations do not materially change the design intent generally depicted on the Rezoning Plan.
 - Future amendments to the Rezoning Plan and/or 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. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.
- OPTIONAL PROVISION

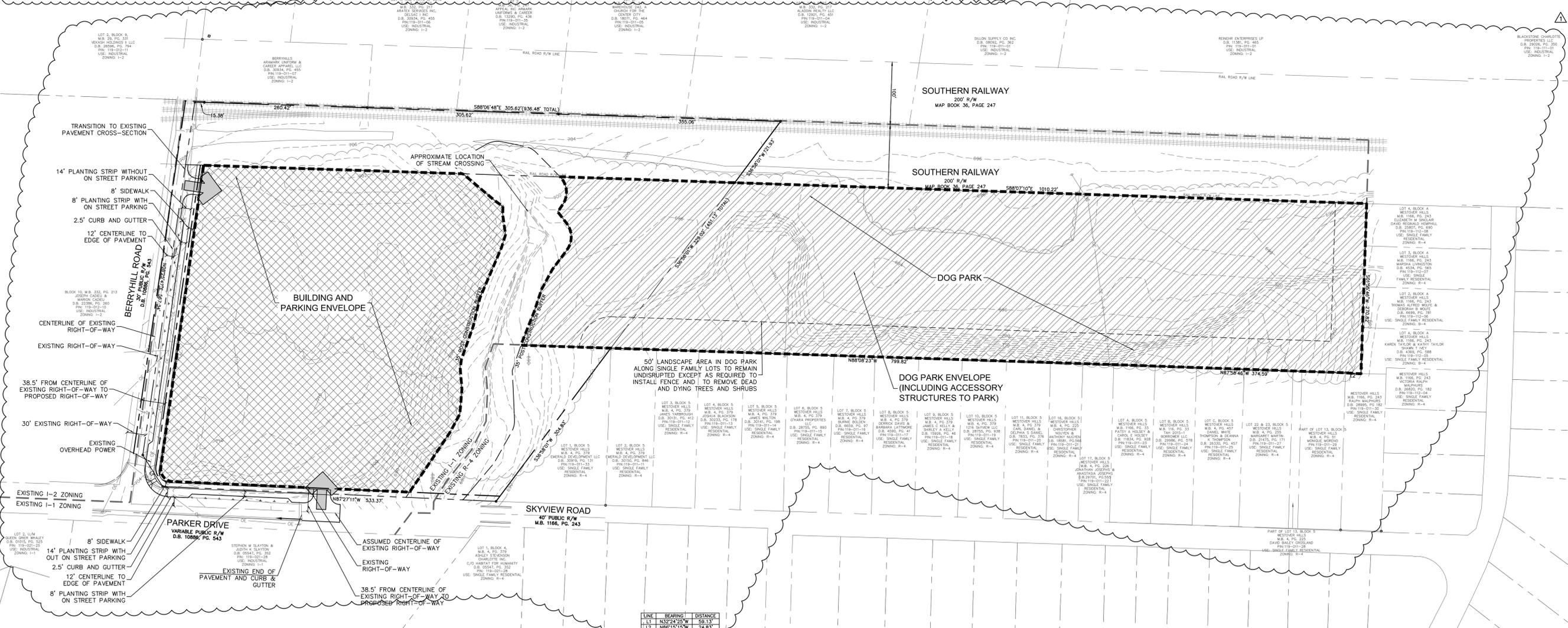
The following optional provision shall apply to the development and use of the Site:

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- PERMITTED USES
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- Accessory structures with a roof supported only by columns (not walls) that will provide protection from the elements for persons and animals may be located within the dog park, provided that such accessory structures may not exceed one story in height.
 - A pavilion/gazebo may be located on the Site.
 - Fenced animal enclosures may be located within the dog park.
 - Petitioner may hold fund raising events on the Site.
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 - No domesticated animals other than dogs shall be allowed within the dog park.
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 - Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation.
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- STREETSCAPE AND LANDSCAPING
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- Petitioner may, at its option, install a fence around the entire perimeter of the Site.
 - A minimum 50 foot wide landscape area shall be established along the southern and eastern boundary lines of the Site as depicted on Sheet R22.0 of the Rezoning Plan. This 50 foot wide landscape area shall remain undisturbed except as required to install the minimum 6 foot tall chain link fence described above. Additionally, Petitioner may remove dead and dying trees and shrubs from the landscape area.
- ENVIRONMENTAL FEATURES
 - The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
 - Development of the Site shall comply with the City of Charlotte Tree Ordinance.
 - LIGHTING
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 - Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner 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.



LINE	BEARING	DISTANCE
L1	N82°24'20"W	58.13'
L2	N86°10'15"W	24.83'