

SITE DEVELOPMENT DATA:

--ACREAGE: ± 2.841 ACRES --TAX PARCEL #: 219-010-05

-- TAX PARCEL #: 219-010-0

--PROPOSED ZONING: NS (SPA)

--EXISTING USES: VACANT
--PROPOSED USES: RETAIL, PERSONAL SERVICE, EDEE (RESTAURANTS) AND OTHER USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS
TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE NS ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 2).
--PROHIBITED USES: THE FOLLOWING USES ARE NOT PERMITTED ON THE SITE: AUTOMOTIVE SERVICE STATIONS WITH OR WITHOUT A CONVENIENCE STORE,
AND EDEE /RETAIL USES WITH AN ACCESSORY DRIVE-THROUGH WINDOW.

--MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 30,500 SQUARE FEET OF GROSS FLOOR AREA.

--MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE.
--PARKING: PARKING WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

1. **GENERAL PROVISIONS**:

a. **SITE LOCATION**. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN (THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY LIDL US OPERATIONS, LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A COMMERCIAL BUILDING WITH UP TO 30,500 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED IN THE NS ZONING DISTRICT ON APPROXIMATELY 2.841 ACRE SITE LOCATED AT THE INTERSECTION OF S. TRYON STREET AND MOSS ROAD (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 NS ZONING CLASSIFICATION SHALL GOVERN.

c. **GRAPHICS AND ALTERATIONS**. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, 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, 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:

i. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT 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 SHALL NOT EXCEED ONE (1). 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 LOCATED ON THE SITE.

2. <u>PERMITTED USES & DEVELOPMENT AREA LIMITATION:</u>

a. EXCEPT AS SET FORTH BELOW IN SUBSECTION 2.B., THE SITE MAY BE DEVELOPED WITH UP TO 30,500 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED IN THE NS ZONING DISTRICT, TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE NS ZONING DISTRICT.

FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH IN THESE DEVELOPMENT STANDARDS (BUT NOT TO BE CONSTRUED AS A LIMITATION ON FAR REQUIREMENTS), THE FOLLOWING ITEMS WILL NOT BE COUNTED AS PART OF THE ALLOWED GROSS FLOOR AREA (FLOOR AREA AS DEFINED BY THE ORDINANCE) FOR THE SITE: SURFACE OR STRUCTURED PARKING FACILITIES, AND ALL LOADING DOCK AREAS (OPEN OR ENCLOSED) AND OUTDOOR SEATING OR SERVICE AREAS.

b. THE FOLLOWING USES WILL NOT ALLOWED ON THE SITE: AUTOMOTIVE SERVICE STATIONS WITH OR WITHOUT A CONVENIENCE STORE, AND EDEE/RETAIL USES WITH AN ACCESSORY DRIVE-THROUGH WINDOW (EDEE AND RETAIL USES WITHOUT AN ACCESSORY DRIVE-THROUGH WINDOW ARE ALLOWED USES).

3. ACCESS AND TRANSPORTATION:

a. VEHICULAR ACCESS TO THE SITE WILL BE FROM S. TRYON STREET AND MOSS ROAD IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN.

b. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

c. THE ALIGNMENT OF THE INTERNAL 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 CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

d. REQUIRED TRANSPORTATION IMPROVEMENTS, IF ANY, WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST CERTIFICATE OF OCCUPANCY IS

4. ARCHITECTURAL STANDARDS:

a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, BRICK VENEER, MANUFACTURED STONE, SPLIT-FACE CONCRETE MASONRY UNITS, PRECAST CONCRETE, CAST-IN-PLACE CONCRETE, CEMENTITIOUS SIDING, ARCHITECTURAL METALS, STUCCO, EIFS, DECORATIVE BLOCK, TRANSPARENT GLAZING, AND SPANDREL GLAZING. VINYL AS A BUILDING MATERIAL IS ACCEPTABLE ONLY ON WINDOWS, SOFFITS, AND HANDRAILS / RAILINGS.

b. UNINTERRUPTED BLANK WALLS SHALL BE LIMITED TO FIFTY (50) FEET MEASURED HORIZONTALLY FROM THE NEAREST ARCHITECTURAL ELEMENT. THE INTENT IS TO MINIMIZE THE APPEARANCE OF UNINTERRUPTED BLANK WALLS ALONG PUBLIC FACING RIGHT OF WAYS. THIS MAY BE SATISFIED BY ANY ONE OR A COMBINATION OF THE FOLLOWING ELEMENTS: CHANGE OF MATERIALS, FENESTRATIONS INCLUDING OPENINGS, DOORS, AND WINDOWS, PROJECTIONS INCLUDING CANOPIES, AWNINGS, OVERHANGS, COLUMNS, AND PILASTERS IN EXCESS OF FOUR (4) INCHES IN DEPTH, STOREFRONT / CURTAINWALL MULLIONS,

AND/OR SIGNAGE.
c. THE SERVICE SIDE OF THE BUILDING MAY NOT BE ORIENTED DIRECTLY TO MOSS ROAD OR S. TRYON STREET.

5. STREETSCAPE, BUFFERS, YARDS AND LANDSCAPING:

a. THE SETBACK ALONG S. TRYON STREET AND MOSS ROAD WILL BE 14 FEET AS MEASURED FROM THE EXISTING BACK OF CURB, AS GENERALLY DEPICTED ON THE REZONING PLAN

b. ALONG THE SITE'S FRONTAGE ON S. TRYON STREET THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK AS GENERALLY DEPICTED ON THE REZONING PLAN.

c. THE PETITIONER WILL PROVIDE A SIDEWALK NETWORK THAT LINKS THE PROPOSED BUILDING ON THE SITE TO THE SIDEWALK ALONG EACH OF THE ABUTTING PUBLIC STREETS IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN. THE MINIMUM WIDTH FOR INTERNAL SIDEWALKS WILL BE FIVE

d. ABOVE-GROUND BACKFLOW PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW AND WILL BE LOCATED OUTSIDE OF THE REQUIRED SETBACKS.

e. A 15 FOOT BUFFER WITH A FENCE WILL BE PROVIDED ALONG THE WESTERN AND SOUTHERN PROPERTY BOUNDARIES AS GENERALLY DEPICTED ON THE

f. DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL OR FENCE USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDING.

6. <u>ENVIRONMENTAL FEATURES</u>:

a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION ORDINANCE.b. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.

SIGNAGE:

7. SIGNAGE:

a. RESERVED.

a. ALL NEW DETACHED AND ATTACHED LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.

9. AMENDMENTS TO THE REZONING PLAN:

b. DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 26 FEET IN HEIGHT.

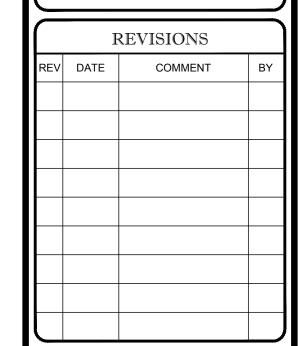
a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

10. 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.









NOT APPROVED FOR CONSTRUCTION

PROJECT No.:
DRAWN BY:
CHECKED BY:
DATE:
SCALE:
CAD I.D.:

PROP.
REZONING

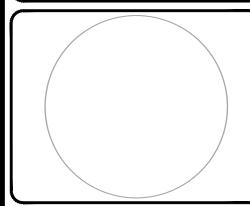
N.T.S.

LIDL US OPERATIONS, LLC

> LOCATION OF SITE S. TRYON STREET & MOSS ROAD CHARLOTTE, NC



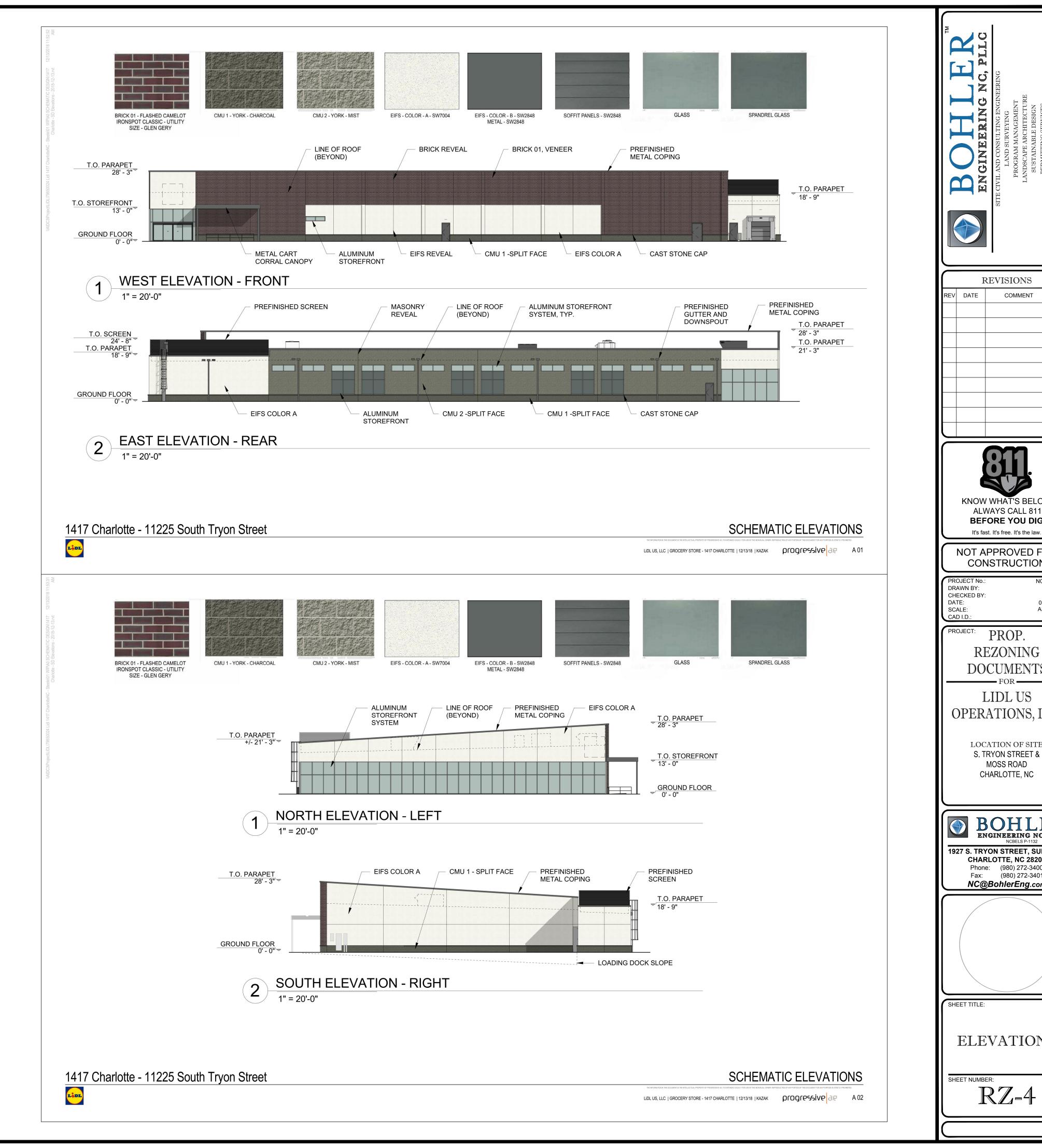
P27 S. TRYON STREET, SUITE 310 CHARLOTTE, NC 28203 Phone: (980) 272-3400 Fax: (980) 272-3401 NC@BohlerEng.com

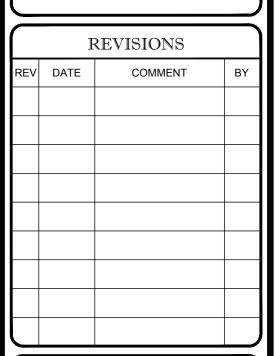


SHEET TITLE:

DEVELOPMENT STANDARDS

R 7.3







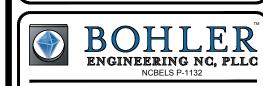
NOT APPROVED FOR CONSTRUCTION

01/11/2019 AS NOTED RZ0

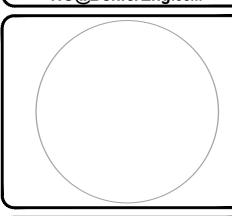
PROP. REZONING DOCUMENTS

LIDL US OPERATIONS, LLC

> LOCATION OF SITE S. TRYON STREET & MOSS ROAD CHARLOTTE, NC



1927 S. TRYON STREET, SUITE 310 **CHARLOTTE, NC 28203** Phone: (980) 272-3400 Fax: (980) 272-3401 NC@BohlerEng.com



ELEVATIONS

C:\USERS\RBRINKMAN\APPDATA\LOCAL\TEMP\ACPUBLISH_9024\NCC181009RZ0.DWG PRINTED BY: RBRINKMAN 1.11.19 @ 1:04 PM LAST SAVED BY: RBRINKMAN