DEVELOPMENT STANDARDS

December 16, 2019

GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Albemarle Road Partners, LLC (the "Petitioner") for an approximately 1.217 acre site located on the north side of Albemarle Road between Hollirose Drive and Circumferential Road, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel No. 109-102-04.
- 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
- C. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Neighborhood Services ("NS") zoning district shall govern the development and use of the Site.
- The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with the setback, yard and landscape area requirements set forth on this Rezoning Plan and the Development Standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent 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.

PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. Subject to the limitations set out below, the Site may be devoted to any use or uses allowed by right or under prescribed conditions in the NS zoning district, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the NS zoning district, including, without limitation, drive-through service lanes/windows and outdoor dining.
- B. The maximum gross floor area of the principal building to be constructed on the Site shall be 4,700 square feet.

- C. An eating, drinking and entertainment establishment with accessory drive-through service anes/windows shall have indoor seating that can accommodate a minimum of 50 patrons.
- The maximum size of an outdoor dining patio located on the Site shall be 1,000 square

3. TRANSPORTATION

Planning Department

APPROVED BY CITY COUNCIL

December 16, 2019

- Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and
- B. The alignments of the internal drives and circulation areas to be located on the Site are subject to any minor modifications or alterations required during the construction
- Internal sidewalks and pedestrian connections shall be provided on the Site as generally

square feet of gross floor area for the principal building to be located on the Site.

- D. Off-street vehicular parking shall be provided at the rate of 1 parking space per 145
- The commercial driveway providing access to and from the Site from and to Albemarle
- Petitioner shall install a stop sign at the driveway connection to the adjacent property
- A stub driveway shall be provided to the western boundary line of the Site as generally depicted on the Rezoning Plan. This stub driveway shall be opened to vehicular traffic from the parcel of land located to the west of the Site only in the event that the parcel of land located to the west of the Site is redeveloped for non-residential purposes and an appropriate reciprocal cross-easement agreement is entered into by the owner of the Site

- Petitioner shall dedicate and convey all relevant right of way to the City of Charlotte prior to the issuance of the first certificate of occupancy for a new building constructed on the Site. The right of way shall be setback 2 feet behind the multi-use path where feasible. If it is not feasible, the multi-use path, or portions thereof, may be located in a sidewalk utility easement.
- Subject to the approval of NCDOT and prior to the issuance of the first certificate of occupancy for the new building to be constructed on the Site, Petitioner shall substantially complete the transportation improvement set out below.
- (1) A westbound right turn lane on Albemarle Road at the vehicular access point into the Site from Albemarle Road as generally depicted on the Rezoning Plan.
- Notwithstanding the foregoing, this transportation improvement may be modified by NCDOT during the permitting process.
- In connection with the construction and installation of the right turn lane described above \langle in paragraph L, Petitioner shall relocate that portion of the existing 6 foot wide sidewalk \ located to the east of the Site between the eastern boundary of the Site and the existing driveway into Tax Parcel No. 109-102-08 as generally depicted on the Rezoning Plan. The relocated sidewalk shall have a width of 6 feet. Additionally, Petitioner will acquire) and dedicate right of way to accommodate the future upgrade (by others) of the relocated) 6 foot wide sidewalk to a 12 foot wide multi-use path.
- ARCHITECTURAL STANDARDS

8. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

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

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 reference to the Ordinance herein shall be deemed to refer to the requirements of the

CHARLOTTE

ALBEMARLE, LLC

LOT 1, M.B. 59 PG. 210 D.B. 31554 PG. 443

ZONMG: B-1(CD)

\S07°17'40"E 371.76"

MINIMUM 5' PLANTING STRIP

and inure to the benefit of Petitioner and the current and subsequent owners of the Site

Throughout these Development Standards, the term "Petitioner" shall be deemed to

A. If this Rezoning Petition is approved, all conditions applicable to the use and

Ordinance in effect as of the date this Rezoning Petition is approved.

and their respective successors in interest and assigns.

any future development thereof.

- A. The maximum height in feet of any building constructed on the Site shall be 40 feet as measured under the Ordinance.
- B. The architectural and design standards set out below shall apply to any building constructed on the Site.
- (1) Facades fronting streets shall include a combination of windows and operable doors for a minimum of 60% of each frontage elevation with transparent glass between 2 feet and 10 feet on the first floor. Up to 20% of this requirement may be comprised of display windows. These display windows must maintain a minimum of 3 foot clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4 feet above the adjacent street
- (2) The facades of first/ground floor of the buildings along streets shall incorporate a minimum of 30% masonry materials such as brick or stone.
- (3) Direct pedestrian connection should be provided between street facing doors, corner features to sidewalks on adjacent streets.

EXISTING O'Reilly AUTO PARTS

- (4) Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as but not limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank
- (5) Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change
- (6) Multi-story buildings should have a minimum of 20% transparency on all upper stories.

An 8 foot wide planting strip and a 12 foot wide multi-use path shall be installed along the Site's frontage on Albemarle Road as generally depicted on the Rezoning Plan. The southern edge of the 8 foot wide planting strip shall be located 52 feet from the existing centerline of Albemarle Road, and the southern edge of the 12 foot wide multi-use path

6. ENVIRONMENTAL FEATURES

- Development of the Site shall comply with the requirements of the City of Charlotte Tree
- Construction Stormwater Ordinance.
- decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) 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.

EXISTING D/W

DEVELOPMENT DATA:

2. SITE ADDRESS: 8837 ALBEMARLE ROAD

CHARLOTTE, NC 28227

PROPOSED USE: SEE DEVELOPMENT STANDARDS

PARKING RATIO FOR BLDG: 1 PER 145 S.F. = 32 SPACES

HANDICAP PARKING REQ'D = 2 SPACES, PROVIDED = 2

. THIS PROPERTY IS NOT LOCATED WITHIN A FEMA FLOOD

ZONE AS PER FEMA FLOOD PANEL #: 3710459300K,

PARKING RATIO FOR PATIO: 1 PER 150 S.F. = 7 SPACES

4. PROPOSED BUILDING AREA: MAXIMUM 4,700 S.F.

. PARCEL ID: 109-102-04

DB: 33210, PG. 306

LEGAL DESC.: M4-643

SITE AREA: ±1.217 AC.

3. EXISTING ZONING: B-1 (CD)

EXISTING USE: RESIDENTIAL

5. MAXIMUM BUILDING HEIGHT: 40'

6. ADDITIONS: ±1000 S.F. OUTDOOR PATIO

7. SETBACKS AND YARDS: PER NS ZONING

TOTAL PARKING REQUIRED = 39 SPACES

PARKING PROVIDED = 45 SPACES

SPACES ALL VAN ACCESSIBLE.

DATED: 02/19/2014

PROPOSED ZONING: NS

8. PARKING:

-6 TREES/100 F.T.

PENCE RD

VIOLA DR

VICINITY MAP

20' WIDE LANDSCAPE AREA ADJACENT TO RESIDENTIAL, PLANTED AS CLASS "B" BUFFER ALBEMARLE ROAD PARTNERS, LLC

28227

568 JETTON STREET SUITE 200 DAVIDSON, NC 28036 PH: 704-895-2084 atson@piedmontlanddevelopment.co

OCTOBER 14, 2019

DATE

ENGINEERING, INC

16507-A NORTHCROSS DRIVE

HUNTERSVILLE, N.C. 28078

PHONE: (704) 895-8484

FAX: (704) 237-4362

N.C. CORP. LIC. C-1815

07 NC 0 $\overline{}$ 0 $\overline{}$ 20

AD ALBEMARL

NOLLI

PE

REVISIONS

8837

PROJECT NO.: 2019.13

SCALE: 1" = 20' DRAWN BY: PAB

CHECKED BY: JLW

SHEET NO:

PROPOSED **OUTDOOR PATIO** SHRUBS 5' O.C. BENNY F. & **DINING AREA** FOR PARKING LOT CAROL S. NORWOOD SCREENING (TYP) D.B. 10491 PG. 941 ZONING: R−3

north BENNY F. & CAROL S. NORWOOD! D.B. 10491 PG. 941 ZONING: R-3 20' REAR YARD & -LANDSCAPED AREA PLANTED AS A CLASS

"B" BUFFER TO SCREEN BETWEEN USES

CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO REGINNING CONSTRUCTION. CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY

ILL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO ERPLACED ACCORDING TO STANDARDS OF THE NORTH AROLINA DEPARTMENT OF TRANSPORTATION.

 SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMMENDED. Know what's **below.** Call before you dig.

configuration of the vehicular access points are subject to any minor modifications required by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation ("NCDOT").

permitting process.

depicted on the Rezoning Plan.

Off-street vehicular parking shall be provided at the rate of 1 parking space per 150 square feet of gross floor area for the outdoor dining patio to be located on the Site.

Road shall be designed and constructed in accordance with the Charlotte Land Development Design Standards Manual (CLDSM) 10.25E – Type II Modified Driveway.

Petitioner shall install a 12 foot wide multi-use path along the Site's frontage on Albemarle Road.

located to the east of the Site where the driveway enters the Site.

and the owner of the parcel of land located to the west of the Site.

Cross access shall be provided to and from the Site from and to Tax Parcel No. 109-102-08 located to the east of the Site by way of the 30 foot wide driveway connection depicted on the Rezoning Plan as contemplated under Rezoning Petition No. 2014-111.

> - PROP. GATED & SCREENED DUMPSTER ENCLOSURE

> > MINIMUM 5' PLANTING STRIP

20' LANDSCAPED AREA-

"B" BUFFER TO SCREEN

PLANTED AS A CLASS

BETWEEN USES

ASPHALT

PARKING

treatment of such walls.

in materials or colors, awnings, arcades, or other architectural elements.

5. STREETSCAPE AND LANDSCAPING

- shall be located 60 feet from the existing centerline of Albemarle Road.
- A minimum 20 foot wide landscape area that is planted to the standards of a Class B buffer shall be established along the western and northern boundary lines of the Site as depicted on the Rezoning Plan.

- Petitioner shall comply with the Charlotte City Council approved and adopted Post-

LIGHTING

- All freestanding lighting fixtures installed on the Site (excluding street lights, lower,
- The maximum height of any freestanding lighting fixture installed on the Site shall be 21
- Any lighting fixtures attached to the buildings to be constructed on the Site shall be decorative, capped and downwardly directed.

30' DRIVEWAY

TO ADJACENT

PROPERTY

ACCESSIBLE PARKING & SIGNAGE

PROPOSED

ASPHALT

PARKING

PROPOSED 1'-6" CURB

AND GUTTER (TYP.)

EASEMENT FOR 12' MULTI-PURPOSE PATH TO BE OBTAINED BY DEVELOPER EASEMENT 72' FROM CL OF ALBEMARLE ROAD

> 6' SIDEWALK ROAD IMPROVEMENTS TO ALBEMARLE ROAD TO BE

RELOCATE EX

COORDINATED WITH NCDOT & CDOT DURING FINAL DESIGN. (A)5.5

-CONNECTION PURSUANT

TO REZONING PET. 2014-111

COMMO

M.B. 58 PG

MINIMUM 5' PLANTING STRIP

RIGHT TURN

NEW STREET TREES @ 40' O.C

LANE

52' TO FRONT EDGE OF 8' PLANTING STRIP 12' MULTI-USE PATH

8' PLANTING STRIP 60' TO FRONT EDGE OF 12' MULTI-USE PATH PROPOSED

MONUMENT NO LEFT TURN

(F.O.C.)

55' FROM EX. CL

GRAPHIC SCALE

(IN FEET) 1 inch = 20 ft.