

**ColeJenest
& Stone**

Shaping the Environment
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Land Planning
Landscape Architecture
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MINTWORTH DEI, LLC 1531 Ormsby Station Court Louisville Kentucky 40223

MINTWORTH COMMONS REZONING

Charlotte
North Carolina 28284

TECHNICAL DATA SHEET

Project No.

4360.00

Issued

10/27/14

Revised

1 12/19/14 - CITY OF CHARLOTTE COMMENTS

2 01/16/15 - 3RD REZONING SUBMITTAL



SCALE: 1"=60'

0 30 60 120

RZ-100

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PARKING CALCULATIONS

EXISTING SHOPPING CENTER: 57,785± SF + 6,418 SF = 64,203 SF

IDLEWILD ROAD FREESTANDING BUILDINGS - OPTION A
64,203 SF (EXISTING) + 5,500± SF (PROPOSED) + 7,500± SF (PROPOSED MAXIMUM,
RESTAURANT + RESTAURANT) = 77,203± SF
CODE REQUIRED PARKING (SHOPPING CENTERS, GREAT THAN 50,000 SF)
1 SPACE PER 250 SF
77,203± SF / 250 SF = 309 SPACES REQUIRED
PARKING PROVIDED = 376 (EXISTING) + 64 (PROPOSED) = 440 SPACES PROVIDED

IDLEWILD ROAD FREESTANDING BUILDINGS - OPTION B
64,203 SF (EXISTING) + 5,500± SF (PROPOSED) + 9,500± SF (PROPOSED MAXIMUM,
RESTAURANT + OTHER USE) = 79,203± SF
CODE REQUIRED PARKING (SHOPPING CENTERS, GREAT THAN 50,000 SF)
1 SPACE PER 250 SF
79,203± SF / 250 SF = 317 SPACES REQUIRED
PARKING PROVIDED = 376 (EXISTING) + 432 (PROPOSED) = 432 SPACES PROVIDED

IDLEWILD ROAD FREESTANDING BUILDINGS - OPTION C
64,203 SF (EXISTING) + 5,500± SF (PROPOSED) + 9,500± SF (PROPOSED MAXIMUM,
RESTAURANT + OTHER USE) = 79,203± SF
CODE REQUIRED PARKING (SHOPPING CENTERS, GREAT THAN 50,000 SF)
1 SPACE PER 250 SF
79,203± SF / 250 SF = 317 SPACES REQUIRED
PARKING PROVIDED = 376 (EXISTING) + 54 (PROPOSED) = 430 SPACES PROVIDED

IDLEWILD ROAD FREESTANDING BUILDINGS - OPTION D
64,203 SF (EXISTING) + 5,500± SF (PROPOSED) + 10,580± SF (PROPOSED MAXIMUM,
AUTOMOTIVE SERVICE STATION + OTHER USE) = 80,283± SF
CODE REQUIRED PARKING (SHOPPING CENTERS, GREAT THAN 50,000 SF)
1 SPACE PER 250 SF
80,283± SF / 250 SF = 322 SPACES REQUIRED
PARKING PROVIDED = 376 (EXISTING) + 64 (PROPOSED) = 440 SPACES PROVIDED

REZONING SUMMARY

PETITIONER:

MINTWORTH DEI, LLC.
1531 ORMSBY STATION COURT
LOUISVILLE, KY 40223

PROPERTY OWNER:

MINTWORTH DEI, LLC.
1531 ORMSBY STATION COURT
LOUISVILLE, KY 40223

REZONING SITE AREA:

TOTAL: 10.007 AC

TAX PARCEL #:

193-043-68

EXISTING ZONING:

NS-SPA PER PETITION NUMBER 2004-038

PROPOSED ZONING:

NS-SPA

EXISTING USE:

COMMERCIAL CENTER
VACANT

PROPOSED USE:

COMMERCIAL CENTER

MINIMUM SETBACK:

14' FROM RIGHTS-OF-WAY OF MARGARET WALLACE
AND IDLEWILD ROADS

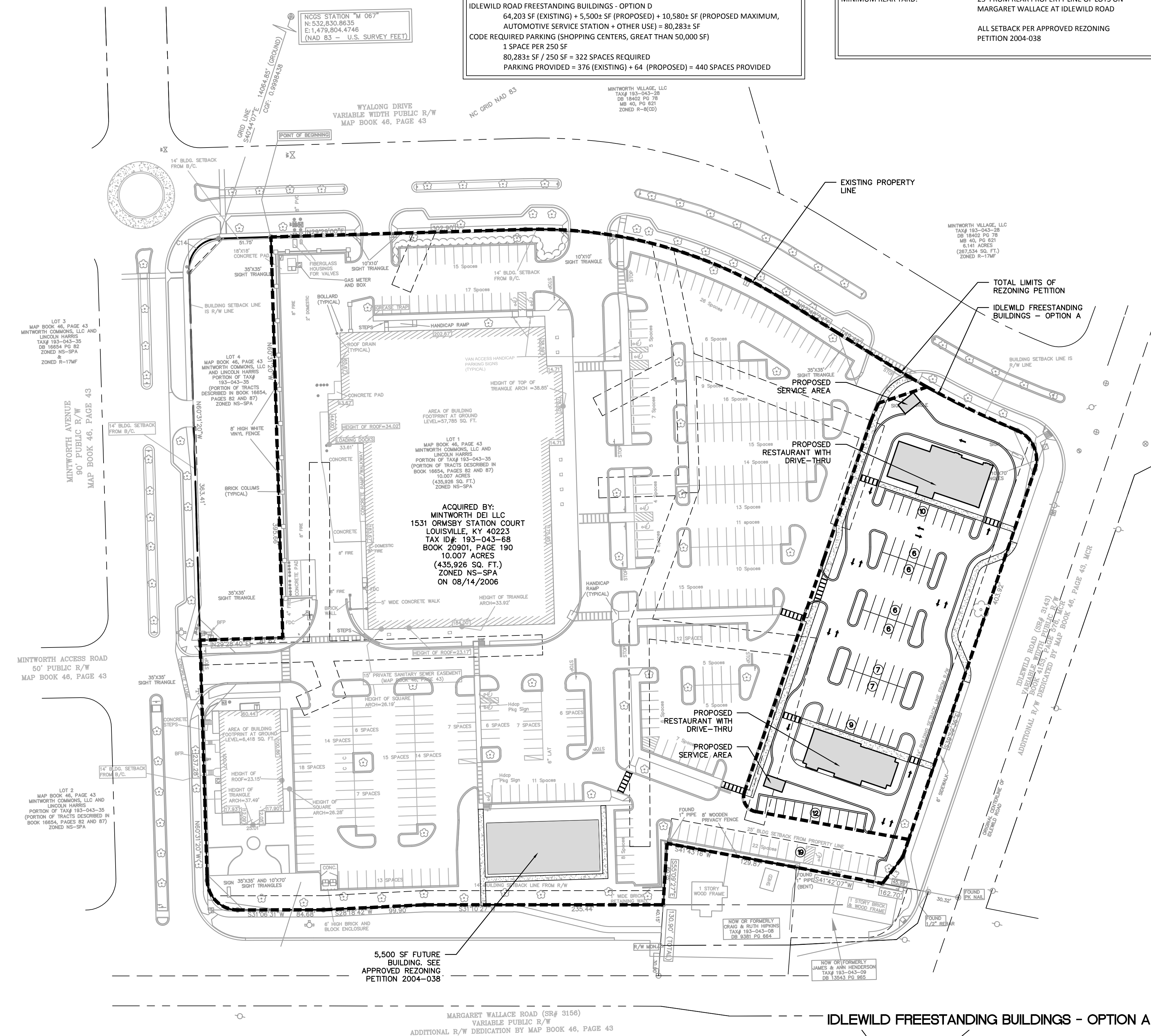
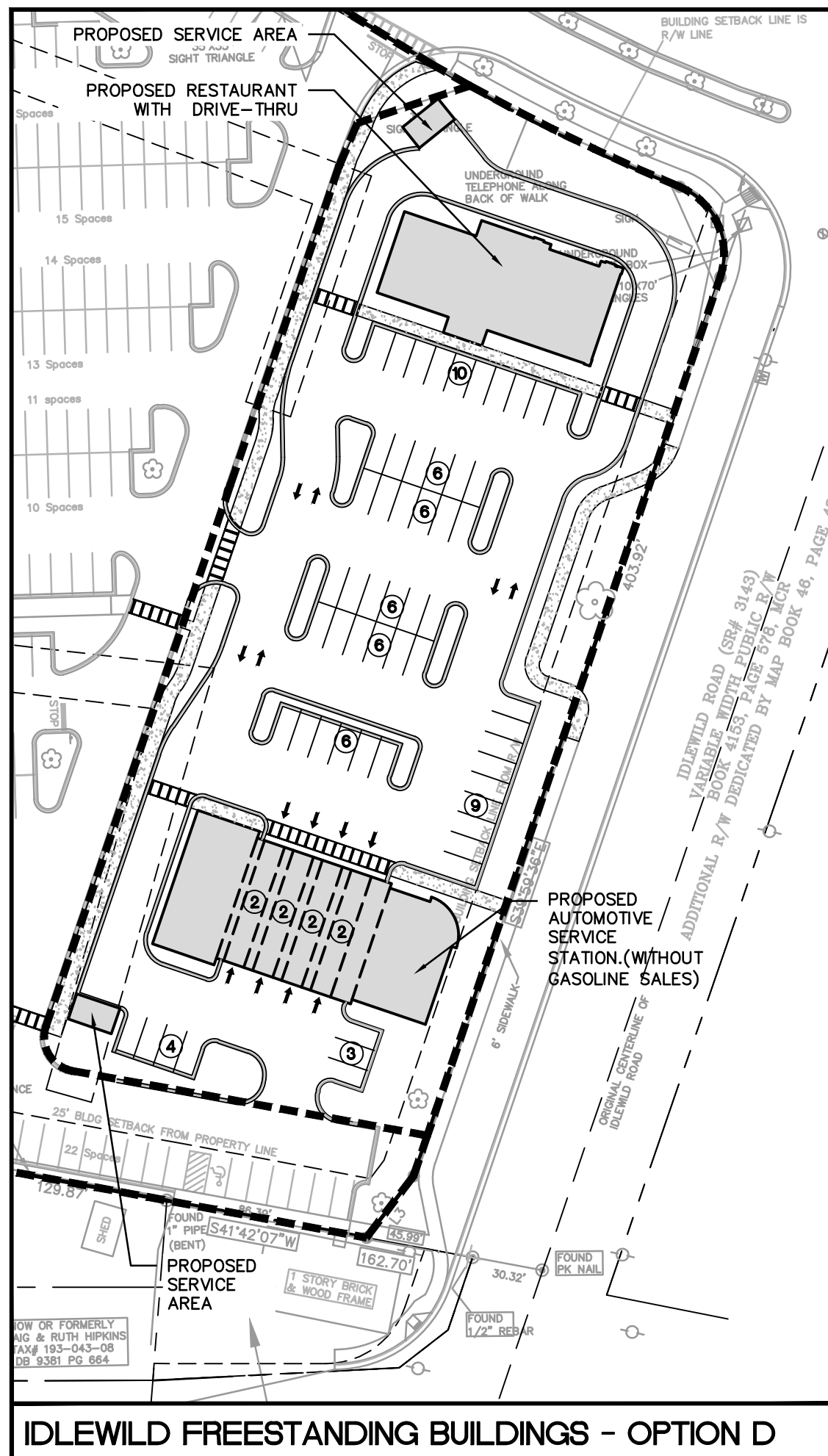
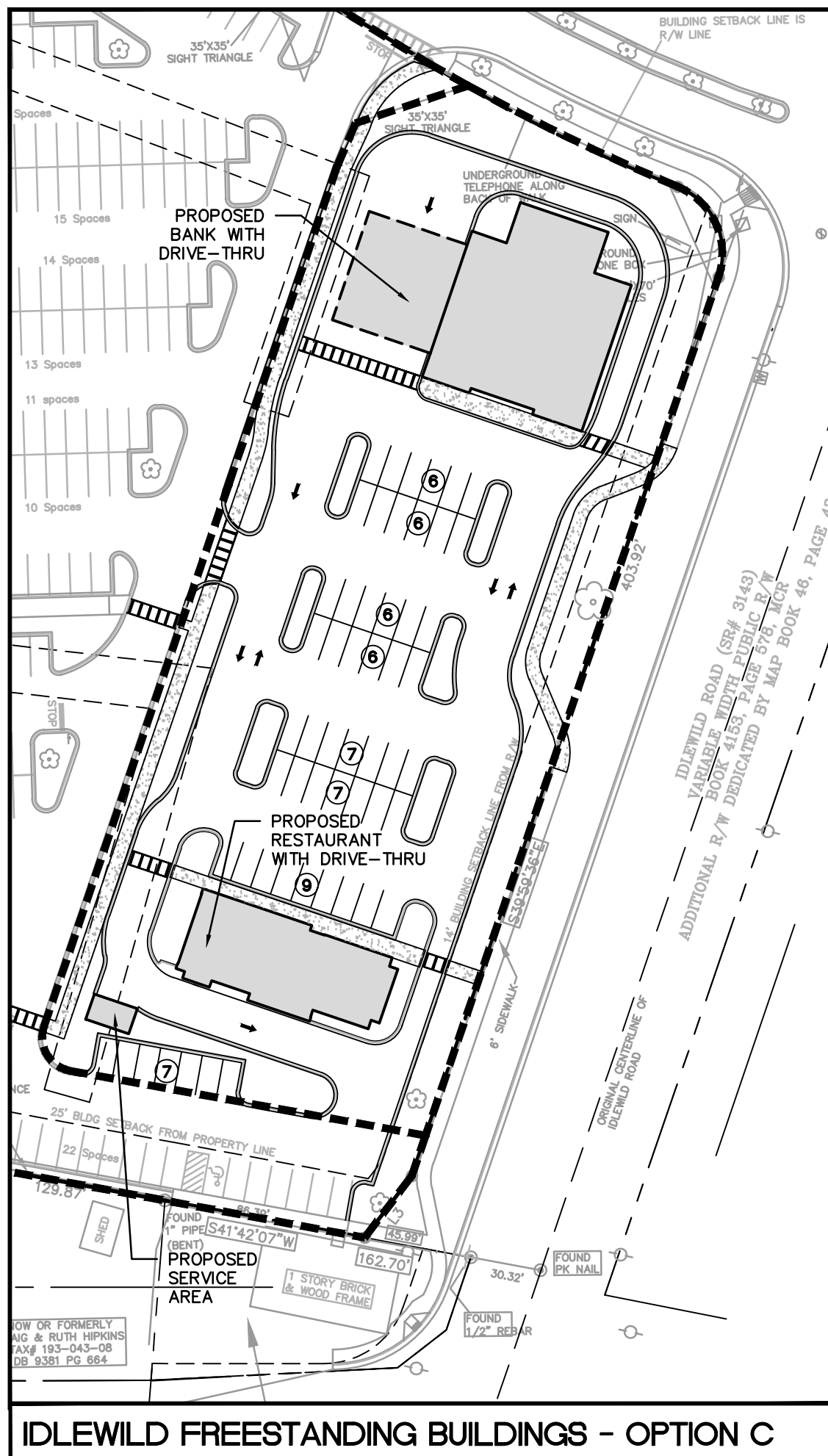
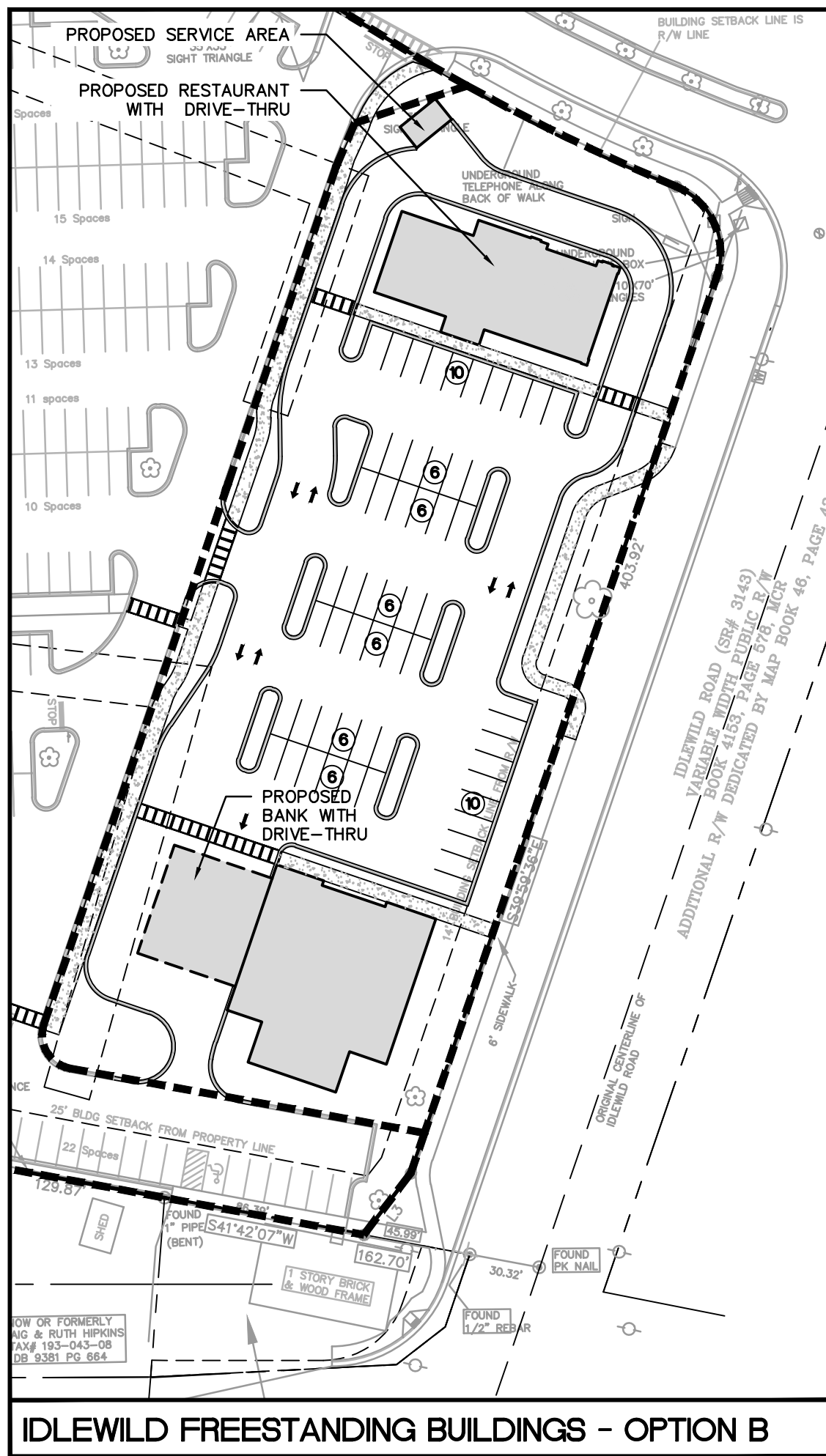
MINIMUM SIDE YARD:

14' FROM BACK OF CURB (ALONG BACK OF SIDEWALK)
OR AT RIGHT-OF-WAY LINE, WHICHEVER IS GREATER,
FOR SIDES ALONG MINTWORTH AVE AND
WYALONG DRIVE

MINIMUM REAR YARD:

25' FROM REAR PROPERTY LINE OF LOTS ON
MARGARET WALLACE AT IDLEWILD ROAD

ALL SETBACK PER APPROVED REZONING
PETITION 2004-038



DEVELOPMENT STANDARDS

January 16, 2015

GENERAL PROVISIONS

- These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Mintworth DEI, LLC to amend the approved NS conditional rezoning plan for an approximately 10.007 acre site located on the southwest corner of the intersection of Idlewild Road and Margaret Wallace Road, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the “Site”).
- The Site is designated as Tax Parcel No. 193-043-68, and the Site is an approximately 10.007 acre portion of an approximately 22.02 acre site (the “Original Rezoning Site”) that was the subject of a site plan amendment approved by the Charlotte City Council on April 19, 2004 pursuant to Rezoning Petition No. 2004-038. The purpose of the 2004 site plan amendment is to accommodate the development of a mixed use center on the Original Rezoning Site that may contain up to 122,550 square feet of gross floor area devoted to retail, office and restaurant uses. The maximum amount of gross floor area that can be devoted to retail and restaurant uses under the approved conditional rezoning plan relating to the 2004 site plan amendment (the “2004 Rezoning Plan”) is 92,550 square feet. The Original Rezoning Site is designated as Parcels A and C on the 2004 Rezoning Plan.
- The 2004 Rezoning Plan prohibits restaurants with drive through facilities on the Original Rezoning Site, with the exception that one Chick-Fil-A restaurant with drive through facilities is permitted on the Original Rezoning Site. The 2004 Rezoning Plan limits the number of freestanding buildings that may have drive through facilities to three and the following limitations apply to these uses:

- One of the three freestanding buildings with drive through facilities may be a bank;
 - One of the three freestanding buildings with drive through facilities may be a Chick-Fil-A restaurant; and
 - One of the three freestanding buildings with drive through facilities may be any other retail or office use.
- Mintworth Commons Shopping Center is located on the Site.

- The 2004 Rezoning Plan depicts, among other things, an approximately 4,000 square foot freestanding building and an approximately 3,000 square foot freestanding building located along the Site's frontage on Idlewild Road (the “Idlewild Road Freestanding Buildings”). Pursuant to this Rezoning Petition, the Petitioner is requesting an amendment to the 2004 Rezoning Plan as it relates to the Site to allow each of the Idlewild Road Freestanding Buildings to have accessory drive through windows, and to allow such drive through windows to be associated with eating, drinking and entertainment establishments (Type 1 and Type 2), a bank or financial institution or a retail use. Additionally, as set forth below, the Petitioner is requesting to increase the permitted size of the Idlewild Road Freestanding Buildings, and to allow an automotive service station (without gasoline sales) to be located on the Site. The area of the Site on which the Idlewild Road Freestanding Buildings will be located is hereinafter referred to as the “Idlewild Road Building Envelope.”
- The requested site plan amendment applies only to the Site and not to any other portions of the Original Rezoning Site.
- 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"). The regulations established under the Ordinance for the NS zoning district shall govern the development of the Site.
- 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 configurations, placements and sizes of the building footprints as well as the parking areas and internal drive network depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, may be altered or modified during design development and construction document phases.
- Future amendments to the Rezoning Plan and 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 or these Development Standards are subject to Section 6.207 of the Ordinance.

PERMITTED USES

- The Site may be devoted to retail uses, office uses, personal service uses, eating, drinking and entertainment establishments (Type 1 and Type 2) and an automotive service station (without gasoline sales), including minor adjustments, repairs and lubrication, together with any incidental or accessory uses relating thereto that are permitted in the NS zoning district.
- Notwithstanding anything contained herein to the contrary, a maximum of two uses located on the Site may have accessory drive through windows. At the option of the Petitioner, both such uses may be eating, drinking and entertainment establishments (Type 1 and Type 2).
- Notwithstanding anything contained herein to the contrary, a maximum of one automotive service station (without gasoline sales), including minor adjustments, repairs and lubrication, may be located on the Site.
- Notwithstanding paragraph 1 above, the following uses shall be prohibited on the Site: convenience stores and car washes.

DEVELOPMENT LIMITATIONS

A. Site

- A maximum of 80,300 square feet of gross floor area may be located on the Site. Areas devoted to surface parking, outdoor dining and seating, and courtyards and plazas shall not be counted towards the maximum allowed gross floor area, however, outdoor dining areas shall be considered when determining the amount of required off-street parking for the Site.
- Accessory drive through windows may only be located within the Idlewild Road Building Envelope.
- An automotive service station (without gasoline sales), including minor adjustments, repairs and lubrication, may only be located within the Idlewild Road Building Envelope.

B. Idlewild Road Building Envelope

- Up to two buildings may be located within the Idlewild Road Building Envelope.
- Subject to the limitations set out below, a maximum of 10,580 square feet of gross floor area may be located within the Idlewild Road Building Envelope.
- A maximum of two uses located in the Idlewild Road Building Envelope may have accessory drive through windows. Both uses may be an eating, drinking and entertainment establishment (Type 1 or Type 2) at the option of the Petitioner. The accessory drive through windows may also be associated with a bank or financial institution or a retail use.
- The maximum size of a building located within the Idlewild Road Building Envelope that is devoted to an eating, drinking and entertainment establishment (Type 1 or Type 2) shall be 4,000 square feet of gross floor area. In the event that both buildings located within the Idlewild Road Building Envelope are devoted to an eating, drinking and entertainment establishment (Type 1 or Type 2), the combined maximum size of the two buildings shall be 7,500 square feet of gross floor area.
- The maximum size of a building devoted to a bank or financial institution shall be 5,500 square feet of gross floor area.
- The maximum size of a building devoted to an automotive service station (without gasoline sales), including minor adjustments, repairs and lubrication, shall be 6,580 square feet of gross floor area.

TRANSPORTATION

- 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.
- Off-street parking will meet the minimum requirements of the Ordinance.
- Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.
- Sidewalk connections to the adjoining public streets shall be provided as generally depicted on the Rezoning Plan.

ARCHITECTURAL STANDARDS

- Buildings constructed along Margaret Wallace Road and Idlewild Road will contain windows that face these streets. Large expanses of solid walls for these buildings will be avoided through the introduction of articulated facades and other specially designed architectural elements.
- Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of such building may be substituted for the wall or fence along each such side.
- All roof mounted mechanical equipment will be screened from view from adjoining public rights of way and abutting properties as viewed from grade.
- The design treatment shall include, at a minimum, outdoor dining and seating areas.

STREETSCAPE AND LANDSCAPING

- The existing sidewalks and planting strips located along the Site's frontages on Margaret Wallace Road, Idlewild Road, Wyalong Drive and Mintworth Avenue shall remain in place, provided, however, that a portion of the sidewalk located along the Site's frontage on Idlewild Road shall be relocated as generally depicted on the Rezoning Plan in coordination with City of Charlotte Urban Forestry Staff.

- The streetscape treatment along the Site's frontages on Margaret Wallace Road and Idlewild Road shall include large maturing trees and supplemental shrubbery. The streetscape treatment may be located within the right of way and/or within easements.
- Outdoor dining and courtyard areas may be located within the established setback along Margaret Wallace Road and Idlewild Road, but outside of the required setback.
- Parking areas may not be located between a building and the adjoining public street. However, vehicular drives may be located between the Idlewild Road Freestanding Buildings and Idlewild Road as depicted on the Rezoning Plan.

SIGNS

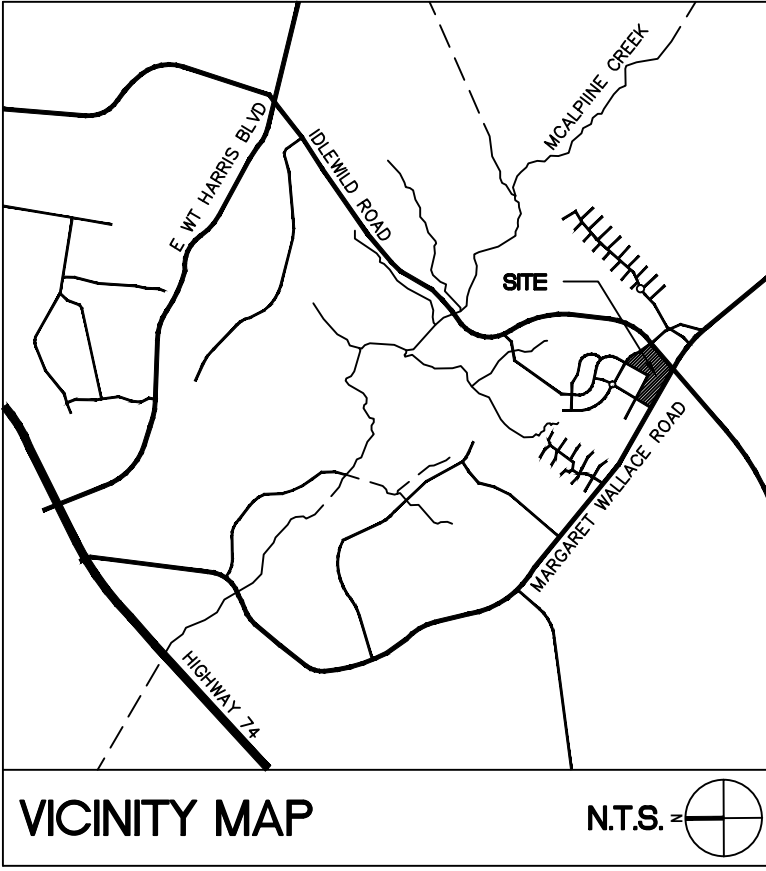
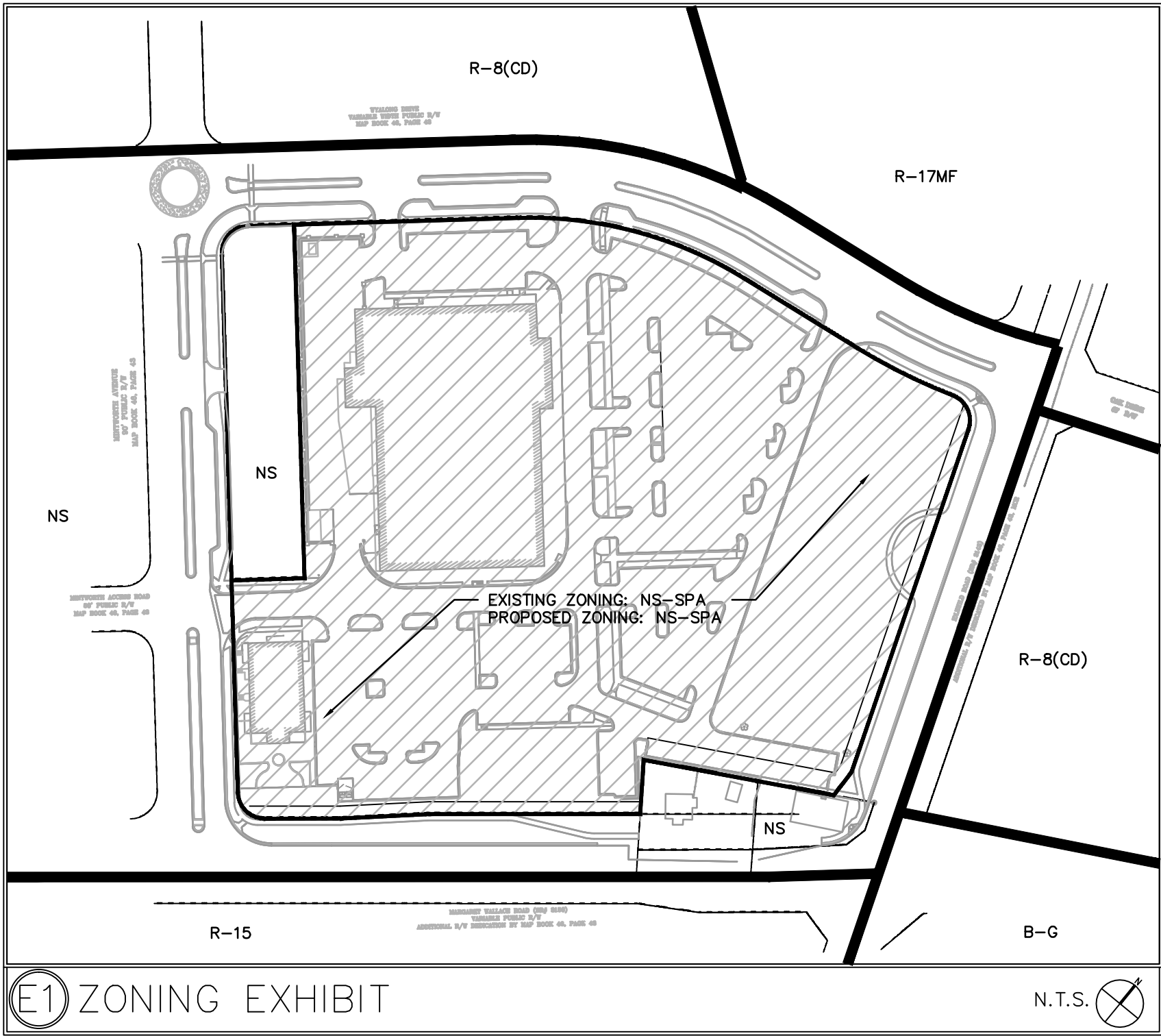
All signs installed on the Site shall comply with the requirements of the Ordinance.

LIGHTING

- All newly installed freestanding lighting fixtures on the Site (excluding lower, decorative lighting that may be installed along the driveways, sidewalks and parking 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.
- The maximum height of any newly installed freestanding lighting fixture on the Site shall be 25 feet.
- Any newly installed lighting fixtures attached to the structures on the Site shall be decorative, capped and downwardly directed.

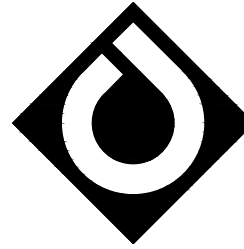
BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- 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.
- 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.



SURVEY DISCLAIMER

"ALTA"/ASCM LAND TITLE "SURVEY" SURVEY ISSUE DATE MAY 4, 2006. REVISED AUGUST 2, 2006, PROVIDED BY THE SURVEY COMPANY, INC., 4105-B STUART ANDREW BLVD., CHARLOTTE, NC 28217, 704-561-9970



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**DEVELOPMENT
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1 12/19/14 - CITY OF CHARLOTTE COMMENTS

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RZ-200

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