

VICINITY MAP: N.T.S.

#### GENERAL PROVISIONS

- A. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY BOJANGLES' RESTAURANTS, INC. (THE "PETITIONER") TO ACCOMMODATE THE REDEVELOPMENT OF THAT APPROXIMATELY .909 ACRE SITE LOCATED AT 1401 WEST TRADE STREET, WHICH SITE IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). MORE SPECIFICALLY, THE PETITIONER DESIRES TO DEMOLISH THE EXISTING BUILDING WITH AN ACCESSORY DRIVE-THROUGH WINDOW LOCATED ON THE SITE AND TO CONSTRUCT A NEW BUILDING WITH AN ACCESSORY DRIVE-THROUGH WINDOW ON THE SITE TO ACCOMMODATE ITS EXISTING RESTAURANT USE.
- B. SUBJECT TO PARAGRAPH E BELOW, THE REDEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN, THESE DEVELOPMENT STANDARDS AND THE APPLICATIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE B-1 (PED-O) ZONING DISTRICT SHALL GOVERN THE REDEVELOPMENT AND USE OF THE SITE.
- C. 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 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.
- D. PARKING LAYOUTS AND DRIVEWAYS MAY BE MODIFIED TO ACCOMMODATE THE FINAL BUILDING LOCATIONS. SIDEWALKS GENERALLY DEPICTED ON THE REZONING PLAN ARE INTENDED TO REFLECT THE GENERAL PEDESTRIAN CIRCULATION FOR DEVELOPMENT ON THE SITE BUT THE SPECIFIC LOCATIONS OF SUCH SIDEWALKS MAY BE SUBJECT TO VARIATIONS THAT DO NOT MATERIALLY CHANGE THE DESIGN INTENT GENERALLY DEPICTED ON THE REZONING PLAN.
- E. THE REZONING PLAN DEPICTS ONE REDEVELOPMENT SCENARIO FOR THE SITE, NAMELY, A BUILDING DEVOTED TO AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT WITH AN ACCESSORY DRIVE THROUGH WINDOW. THE SITE MAY BE REDEVELOPED WITH A BUILDING DEVOTED TO A USE OR USES OTHER THAN AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT WITH AN ACCESSORY DRIVE THROUGH WINDOW, IN WHICH EVENT THE REZONING PLAN AND THESE DEVELOPMENT STANDARD SHALL NOT GOVERN THE DEVELOPMENT AND USE OF THE SITE, AND THE DEVELOPMENT AND USE OF THE SITE SHALL BE GOVERNED ONLY BY THE ORDINANCE AND THE REGULATIONS ESTABLISHED FOR THE B-1 (PED) ZONING DISTRICT. UNDER THIS ALTERNATIVE DEVELOPMENT SCENARIO, THE OPTIONAL PROVISIONS SET OUT BELOW SHALL NOT APPLY TO THE SITE.
- 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.

#### OPTIONAL PROVISIONS

THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE REDEVELOPMENT OF THE SITE WITH A BUILDING DEVOTED TO AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT WITH AN ACCESSORY DRIVE THROUGH WINDOW:

- A. AN ACCESSORY DRIVE THROUGH WINDOW ASSOCIATED WITH AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT SHALL BE PERMITTED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- B. NO MINIMUM REAR YARD SHALL BE PROVIDED AS DEPICTED ON THE REZONING PLAN.
- C. PARKING AND DRIVEWAYS LOCATED TO THE SIDE OF THE PRIMARY STRUCTURE MAY COVER MORE THAN 35 PERCENT OF THE TOTAL LOT WIDTH AS DEPICTED ON THE REZONING PLAN.
- D. THE SCREENING OF THE PARKING LOT UNDER SECTION 10.812(4)(A) OF THE ORDINANCE SHALL NOT BE REQUIRED ALONG THE REAR BOUNDARY LINE OF THE SITE AS DEPICTED ON THE REZONING PLAN.
- E. THE DUMPSTER AREA MAY BE LOCATED ON THE SITE IN THE GENERAL LOCATION DEPICTED ON THE REZONING PLAN.
- F. THE BUFFER UNDER SECTION 10.812(5) OF THE ORDINANCE SHALL NOT BE PROVIDED.
- G. THE EXISTING SIDEWALK LOCATED ALONG THE SITE'S FRONTAGE ON WEST TRADE STREET AND THE EXISTING PLANTING AREA LOCATED BEHIND THE SIDEWALK MAY REMAIN IN PLACE.

#### PERMITTED USES

- A. THE SITE MAY BE DEVOTED TO ANY USE ALLOWED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE B-1 (PED) ZONING DISTRICT, TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED IN THE B-1(PED) ZONING DISTRICT.
- B. ADDITIONALLY, PURSUANT TO THE OPTIONAL PROVISIONS SET OUT ABOVE, AN ACCESSORY DRIVE THROUGH WINDOW ASSOCIATED WITH AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT SHALL BE PERMITTED ON THE SITE.

#### DEVELOPMENT LIMITATIONS

- A. THE MAXIMUM GROSS FLOOR AREA OF A BUILDING LOCATED ON THE SITE THAT IS DEVOTED TO AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT WITH AN ACCESSORY DRIVE THROUGH WINDOW SHALL BE 4,100 SQUARE FEET.
- B. IN THE EVENT THAT THE SITE IS REDEVELOPED WITH A BUILDING DEVOTED TO A USE OR USES OTHER THAN AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT WITH AN ACCESSORY DRIVE THROUGH WINDOW, THE MAXIMUM GROSS FLOOR AREA OF THE BUILDING SHALL BE AS ALLOWED UNDER THE ORDINANCE.

#### 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 ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- B. OFF-STREET VEHICULAR PARKING SHALL MEET THE MINIMUM REQUIREMENTS OF THE ORDINANCE.
- C. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AREAS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

#### ARCHITECTURAL AND DESIGN STANDARDS

- A. ATTACHED TO THE REZONING PLAN ARE SCHEMATIC ARCHITECTURAL RENDERINGS OF THE FRONT, SIDE AND REAR ELEVATIONS OF A BUILDING THAT COULD BE CONSTRUCTED ON THE SITE THAT WOULD BE DEVOTED TO AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT WITH AN ACCESSORY DRIVE THROUGH WINDOW THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE, CHARACTER AND QUALITY OF THE FRONT, SIDE AND REAR ELEVATIONS OF SUCH BUILDING. IN THE EVENT THAT A BUILDING IS CONSTRUCTED ON THE SITE THAT IS DEVOTED TO AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT WITH AN ACCESSORY DRIVE THROUGH WINDOW, THE FRONT, SIDE AND REAR ELEVATIONS OF SUCH BUILDING SHALL BE DESIGNED AND CONSTRUCTED SO THAT EACH ELEVATION IS SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE RELEVANT SCHEMATIC ARCHITECTURAL RENDERING ATTACHED TO THE REZONING PLAN. NOTWITHSTANDING THE FOREGOING, CHANGES AND ALTERATIONS WHICH DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE, CHARACTER AND QUALITY OF THE BUILDING ARE PERMITTED.
- B. IN THE EVENT THAT THE SITE IS REDEVELOPED AT ANY TIME WITH A BUILDING THAT IS NOT DEVOTED TO AN EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENT WITH AN ACCESSORY DRIVE THROUGH WINDOW, THEN THE DESIGN OF THE BUILDING SHALL BE SUBJECT ONLY TO THE REQUIREMENTS OF THE ORDINANCE.
- C. DUMPSTER AND RECYCLING AREAS WILL BE SCREENED FROM ADJACENT PROPERTY AND FROM PUBLIC VIEW WITH A MINIMUM 6 FOOT HIGH SOLID AND FINISHED MASONRY WALL WITH A SOLID A CLOSEABLE GATE.

#### SETBACK AND YARDS/STREETScape

- A. SUBJECT TO THE OPTIONAL PROVISIONS SET OUT ABOVE, THE DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE SETBACK, SIDE YARD AND REAR YARD REQUIREMENTS OF THE B-1 (PED-O) ZONING DISTRICT.

#### SIGNS

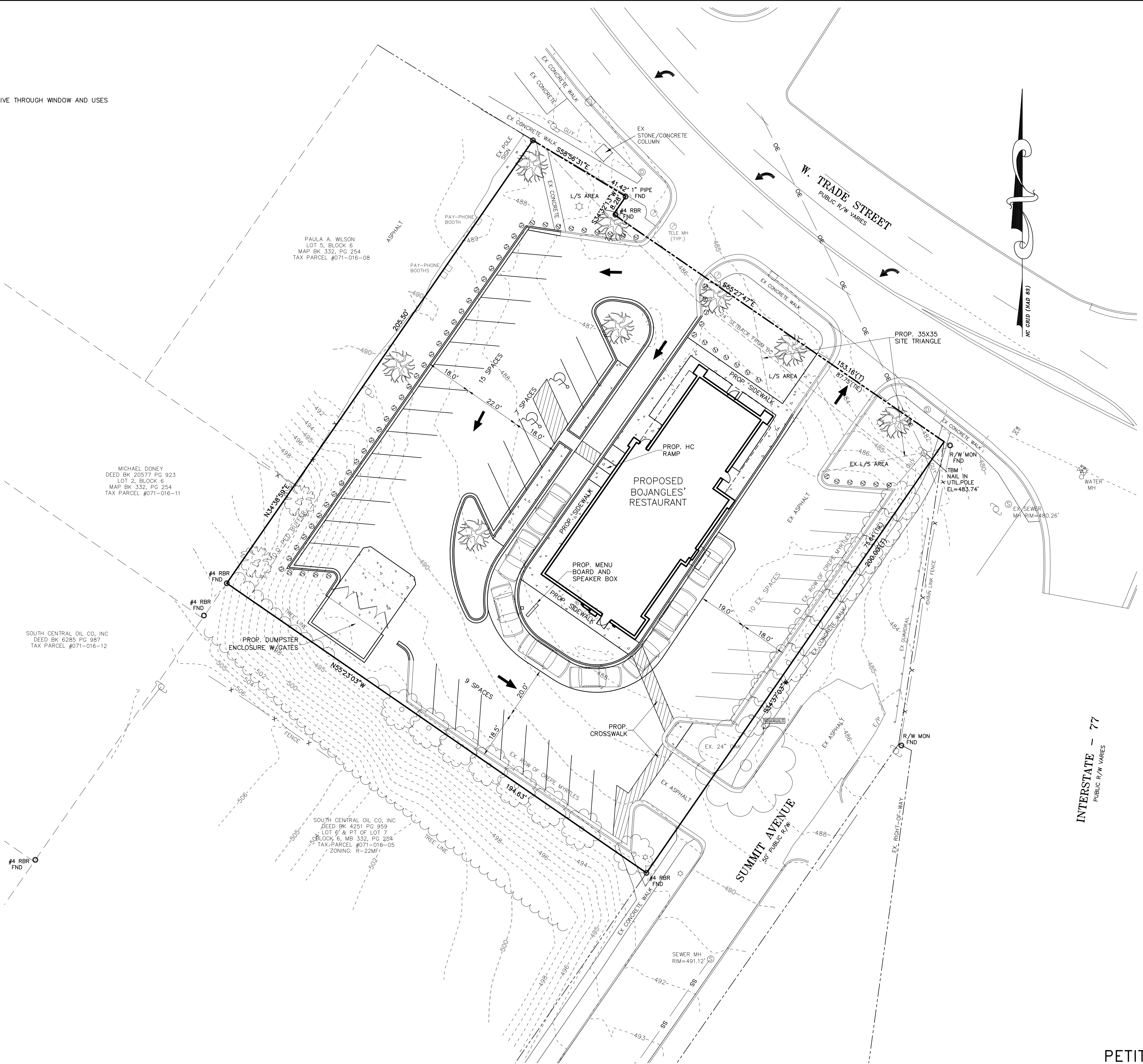
ALL NEW SIGNS INSTALLED ON THE SITE SHALL COMPLY WITH THE REQUIREMENTS OF THE ORDINANCE.

#### BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

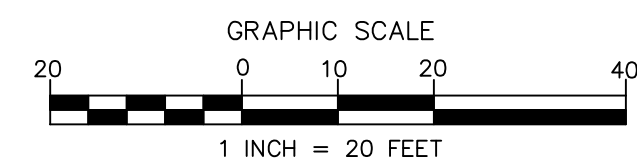
- A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF PETITIONER AND THE 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.

#### DEVELOPMENT DATA:

TOTAL PROPERTY AREA: 0.909 ACRES  
TAX PARCEL: 07101614  
EXISTING ZONING: B-1 (PED)  
PROPOSED ZONING: B-1 (PED-O)  
EXISTING USE: FAST FOOD RESTAURANT  
PROPOSED USE: RESTAURANT WITH ACCESSORY DRIVE THROUGH WINDOW AND USES  
ALLOWED UNDER THE ORDINANCE  
PARKING PROVIDED: PER ORDINANCE  
LOT SETBACK: FRONT: 24' (FROM BACK OF CURB)  
SIDE: 5'



INTERSTATE - 77  
PUBLIC R/W VARIES



PRELIMINARY  
DO NOT USE FOR CONSTRUCTION

NO.	BY	DATE	REVISION

PETITION #2015-XXX

Project:	BOJANGLE'S 1401 W TRADE STREET CHARLOTTE, NORTH CAROLINA		
Title:	REZONING PLAN		
File #:	14296-RZ.DWG	Date:	03/20/15
Project Egr:	BTU	Design By:	BTU
Drawn By:	CBH	Scale:	1"=20'
8720 RED OAK BOULEVARD, SUITE 420 CHARLOTTE, N.C. 28217 PHONE (704) 527-3440 FAX (704) 527-8335			
RZ1.0			

[illegible]

DATE: 03.04.15  
PROJECT #: -  
DRAWN BY: WCH  
CADD FILE NAME:  
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Sheet (1)

**ELEVATIONS**

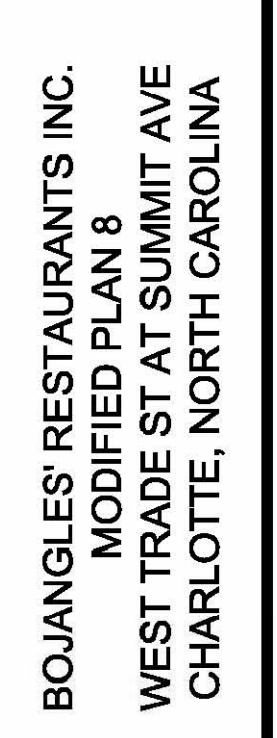




DATE: 03.04.15  
PROJECT #: —  
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Sheet (2)

ELEVATIONS

EXTERIOR FINISH SCHEDULE					
MATERIAL	DESCRIPTION	MANUFACTURER	STYLE / MODEL	COLOR / FINISH	REMARKS
EPKS	EXTERIOR WALL/FINISH SYSTEM WITH DRAINAGE	EGG CORP.	CLASSIC NEUTRAL RELAXED	NA2002010101000000	EXTERIOR WALL FINISH SYSTEM WITH DRAINAGE
BRICK	MODULAR MASONRY UNITS	EGG CORP.	EGG SOUTH ENGLISH	NA2002010101000000	BRICK
CONCRETE	CONCRETE	EGG CORP.	EGG SOUTH ENGLISH	NA2002010101000000	CONCRETE
METAL ROOF	STEEL ROOFING AND FLASHINGS	EGG CORP.	EGG SOUTH ENGLISH	NA2002010101000000	METAL ROOF
METAL ROOF	STEEL ROOFING AND FLASHINGS	EGG CORP.	EGG SOUTH ENGLISH	NA2002010101000000	METAL ROOF
GLASS CAP	GLASS CAP ON PARAPET	EGG CORP.	EGG SOUTH ENGLISH	NA2002010101000000	GLASS CAP
GLASS BLOCK	PRE-ADORNED GLASS BLOCK	EGG CORP.	EGG SOUTH ENGLISH	NA2002010101000000	GLASS BLOCK



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	Scale:	1"=101.5'		
8720 RED OAK BOULEVARD, SUITE 420 CHARLOTTE, N.C. 28217 PHONE (704) 527-3440 FAX (704) 527-8335				

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