

Kimley»Horn

NC License #F-0102 200 SOUTH TRYON ST. SUITE 200 CHARLOTTE,

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REZONING SITE PLAN Petition No: 2016-131

DRAWN BY: ARR CHECKED BY:

DATE: 3/13/2017 PROJECT#: 018667015

RZ-1

SITE DEVELOPMENT DATA:

- **ACREAGE**: ± 1.623 ACRES
- TAX PARCEL #: 029-312-01
- EXISTING ZONING: UR-2(CD) AND NS
- **PROPOSED ZONING:** NS AND NS(SPA)
- EXISTING USES: VACANT
- (PROPOSED USES: ŘÉTAIL, PERSONAL SERVICE, EDEE (RESTAURANTS), PROFESSIONAL \
 BUSINESSES, AND GENERAL AND MEDICAL OFFICE USES AS 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 USE IS NOT PERMITTED ON THE SITE: AUTOMOTIVE SERVICE STATIONS WITH OR WITHOUT A CONVENIENCE STORE.
- MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 5,000 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 ASSOCIATED WITH THE REZONING PETITION FILED BY HALVORSEN DEVELOPMENT CORPORATION ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A COMMERCIAL BUILDING WITH UP TO 5,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED IN THE NS ZONING DISTRICT ON APPROXIMATELY 1.623 ACRE SITE LOCATED AT 5920 PROSPERITY CHURCH 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: 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. PERMITTED USES & DEVELOPMENT AREA LIMITATION:

- A. THE SITE MAY BE DEVELOPED WITH UP TO 5,000 SQUARE FEET OF GROSS FLOOR AREA OF RETAIL, EDEE (RESTAURANTS), PERSONAL SERVICE USES, PROFESSIONAL BUSINESSES, AND GENERAL AND MEDICAL OFFICE USES AS ALLOWED IN THE NS ZONING DISTRICT, TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE NS ZONING DISTRICT.
- B. ONLY ONE USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW WILL BE ALLOWED ON THE SITE. THE PROPOSED ACCESSORY DRIVE-THROUGH WINDOW WILL BE DESIGNED SO THAT MANEUVERING AND ACCESS TO ACCESSORY DRIVE-THROUGH WINDOW WILL NOT OCCUR BETWEEN THE PROPOSED BUILDING AND RIDGE ROAD OR PROSPERITY CHURCH ROAD.

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 (PARKING WILL BE PROVIDED FOR OUTDOOR SEATING AREAS ASSOCIATED WITH A RESTAURANT).

- C. THE FOLLOWING USE IS NOT ALLOWED ON THE SITE: AUTOMOTIVE SERVICE STATIONS WITH OR WITHOUT A CONVENIENCE STORE.
- D. THE SETBACK ALONG EACH OF THE ABUTTING PUBLIC STREETS (RIDGE ROAD, PROSPERITY CHURCH ROAD AND OLD RIDGE ROAD) WILL BE 14 FEET AS MEASURED FROM THE FUTURE BACK OF CURB, AS GENERALLY DEPICTED ON THE REZONING PLAN.

3. ACCESS AND TRANSPORTATION:

- A. VEHICULAR ACCESS TO THE SITE WILL BE FROM PROSPERITY CHURCH ROAD AND OLD RIDGE ROAD IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN. VEHICULAR ACCESS TO RIDGE ROAD WILL NOT BE ALLOWED.
- B. THE PETITIONER AGREES TO COOPERATE WITH THE CITY AND/OR THE ADJOINING PROPERTY OWNER TO RE-ALIGN/RECONFIGURE THE PROPOSED DRIVEWAY TO OLD RIDGE ROAD SHOULD THE CURRENT ALIGNMENT OF OLD RIDGE ROAD BE CHANGED.

- C. THE PETITIONER AGREES TO COOPERATE IN THE ABANDONMENT AND CLOSURE OF EXISTING OLD RIDGE ROAD TO FACILITATE THE REDEVELOPMENT OF THE ADJOINING PROPERTY AS LONG AS THE PETITIONER CAN MAINTAIN ACCESS TO THE SITE FROM THE PUBLIC OR PRIVATE STREET THAT REPLACES OLD RIDGE ROAD AND THE EXISTING USE IS NOT NEGATIVELY IMPACTED. THE PETITIONER AGREES TO CONSIDER AS PART OF THE ABANDONMENT OF THE OLD RIDGE ROAD RIGHT-OF-WAY ALLOWING THE PORTION OF OLD RIDGE ROAD RIGHT-OF-WAY THAT WOULD BECOME PART OF THE ADJOINING PROPERTY.
- D. THE PROPOSED DRIVEWAY TO PROSPERITY CHURCH ROAD WILL BE LIMITED TO A RIGHT-IN RIGHT-OUT DRIVEWAY. THE PETITIONER WILL CONSTRUCT A MEDIAN IN PROSPERITY CHURCH ROAD AS GENERALLY DEPICTED TO CREATE THE RIGHT-IN RIGHT-OUT DRIVEWAY.
- E. THE PETITIONER WILL CONSTRUCT A SOUTHBOUND LEFT TURN LANE WITH 150 FEET OF STORAGE AND APPROPRIATE TAPER ON PROSPERITY CHURCH ROAD TO OLD RIDGE ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN.
- F. THE PETITIONER WILL MILL AND RESTRIPE RIDGE ROAD AND PROSPERITY CHURCH ROAD FOR THE FULL WIDTH OF THE ROADWAY ALONG THE SITE'S FRONTAGE. AS GENERALLY DEPICTED ON REZONING PLAN
- G. THE PROPOSED ROADWAY IMPROVEMENTS WILL BE CONSTRUCTED AND APPROVED BEFORE THE SITE'S FIRST CERTIFICATE OF OCCUPANCY IS ISSUED. THE PETITIONER RESERVES THE RIGHT TO POST A LETTER OF CREDIT FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME OF THE ISSUANCE OF FIRST CERTIFICATE OF OCCUPANCY.
- H. THE PETITIONER WILL CONVEY TO THE CITY OF CHARLOTTE 50 FEET OF RIGHT-OF-WAY FROM THE EXISTING CENTER LINE OF RIDGE ROAD, AND WILL CONVEY 35 FEET FROM THE EXISTING CENTER LINE OF PROSPERITY CHURCH ROAD. THE ADDITIONAL RIGHT-OF-WAY ALONG EACH OF THESE PUBLIC STREETS WILL BE CONVEYED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE BUILDING CONSTRUCTED ON THE SITE.
- I. 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.
- J. 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.

4. ARCHITECTURAL STANDARDS:

- A. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS SIDING (SUCH AS HARDI-PLANK), STUCCO, EIFS, DECORATIVE BLOCK, ARCHITECTURAL METAL PANELS AND/OR WOOD. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, AND ON HANDRAILS/RAILINGS.
- B. THE PROPOSED BUILDING WILL BE LOCATED AT THE CORNER OF PROSPERITY CHURCH ROAD AND RIDGE ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE BUILDING WALLS ALONG RIDGE ROAD AND PROSPERITY CHURCH ROAD WILL BE DESIGNED TO HAVE STORE FRONTS WITH CLEAR GLASS FACING EACH STREET AS GENERALLY DEPICTED ON THE ATTACHED BUILDING ELEVATIONS.
- C. THE GROUND FLOOR OF THE BUILDING FACING PROSPERITY CHURCH ROAD AND RIDGE ROAD, WILL HAVE BUILDING ENTRANCE THAT ORIENTS AND CONNECTS TO THE SIDEWALK SYSTEM ALONG PROSPERITY CHURCH ROAD AND RIDGE ROAD (IF MORE THAN ONE COMMERCIAL ESTABLISHMENT IS CONSTRUCTED EACH ESTABLISHMENT SHALL HAVE AN ENTRANCE TO THE ABUTTING PUBLIC STREET AND EACH ENTRANCE WILL BE AN OPERABLE PEDESTRIAN DOOR). THE ENTRANCES TO THE SIDEWALKS ALONG THE ABUTTING STREETS WILL BE OPEN AND OPERABLE DURING THE BUSINESS HOURS OF THE ASSOCIATED USE.
- D. THE SERVICE SIDE OF THE BUILDING MAY NOT BE ORIENTED TO RIDGE ROAD OR PROSPERITY CHURCH ROAD.

- E. THE PETITIONER WILL PROVIDE THREE (3) IMPROVED OPEN SPACE AREAS ON THE SITE. ONE AREA WILL BE LOCATED BETWEEN THE PROPOSED BUILDING AND RIDGE ROAD (OUTDOOR DINING AREA FOR RESTAURANT), ANOTHER AT THE INTERSECTION OF RIDGE ROAD AND OLD RIDGE ROAD AND THIRD OPEN SPACE AREA AT THE INTERSECTION OF PROSPERITY CHURCH ROAD AND OLD RIDGE ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THESE OPEN SPACE AREAS WILL BE IMPROVED WITH SITTING AREAS, LANDSCAPING, AND OTHER AMENITIES. THESE OPEN SPACE AREAS WILL BE LOCATED OUTSIDE OF THE SETBACK AND THE FUTURE RIGHT-OF-WAY FOR EACH OF THE ABUTTING PUBLIC STREETS.
- F. THE PROPOSED BUILDING WILL BE DESIGNED TO HAVE THE APPEARANCE OF A TWO STORY BUILDING AS GENERALLY DEPICTED ON THE ATTACHED ILLUSTRATIVE BUILDING ELEVATIONS.

5. <u>STREETSCAPE</u>, BUFFERS, YARDS AND LANDSCAPING:

- A. ALONG THE SITE'S FRONTAGE ON EACH OF THE ABUTTING PUBLIC STREETS (RIDGE ROAD, PROSPERITY CHURCH ROAD AND OLD RIDGE ROAD) THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK AS GENERALLY DEPICTED ON THE REZONING PLAN AND AS REQUIRED BY THE APPROVED PROSPERITY HUCKS AREA PLAN.)
- B. 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 THIS INTERNAL SIDEWALK WILL BE FIVE (5) FEET.
- C. THE PETITIONER WILL PROVIDE A LOW (3.0 FOOT HIGH) DECORATIVE MASONRY WALL ALONG PROSPERITY CHURCH ROAD AND RIDGE ROAD TO SCREEN PARKING AREAS AND DRIVE-THRU AREAS AS GENERALLY DEPICTED ON THE REZONING PLAN.
- D. ABOVE-GROUND BACKFLOW PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW.

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

6. ENVIRONMENTAL FEATURES:

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 (STORM WATER CONTROL ORDINANCE). THE SITE IS LOCATED IN A DESIGNATED MIXED-USE CENTER AS A RESULT THE PETITIONER MAY UTILIZE THE TREE SAVE OPTIONS AVAILABLE TO SITE'S THAT ARE PART OF A DESIGNATED MIXED-USE CENTER.

SIGNAGE:

8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |

A. AS REQUIRED BY ORDINANCE

8. <u>LIGHTING</u>:

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.

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

9. CATS PASSENGER WAITING PAD:

A. THE PETITIONER WILL PROVIDE WITHIN THE PROSPERITY CHURCH ROAD RIGHT-OF-WAY, A PASSENGER WAITING PAD PER THE CHARLOTTE LAND DEVELOPMENT STANDARDS MANUAL (CLDSM) STD. 60.01B. THE LOCATION OF THE PASSENGER WAITING PAD TO BE COORDINATED WITH CATS DURING THE LAND DEVELOPMENT APPROVAL PROCESS. THE WAITING PAD WILL BE INSTALLED PRIOR TO THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY.

10.-AMENDMENTS TO THE REZONING PLAN:-----

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.

11. 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.

PETITION NO. 2016-131 FOR PUBLIC HEARING



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NO. DATE REVISIONS

HALVORSEN DEVELOPMENT
CORPORATION

851 SOUTH FEDERAL HIGHWAY
SUITE 201
BOCA RATON, FLORIDA 33432

RIDGE ROAD
TRACT 3
PROSPERITY CHURCH RD AT
CHARLOTTE
MECKLENBURG COUNT

STANDARDS Petition No. 2016-131

DESIGNED BY: ARR
DRAWN BY: ARR
CHECKED BY: ECH
DATE: 3/13/2017

PROJECT#: 018667015

|| KZ-2



Perspective View - Play Area



General modifications to the building template for exterior and interior design

Exterior Modifications

Modifications to materials and colors; changes building design, including window sizes and configurations, and addition of classical elements (eg. cornice with dentils).

Interior Modifications

Interstate restrooms added

Front of House Modifications

Small changes resulting from interstate restrooms

Back of House Modifications

Small changes resulting from interstate restrooms (location of kitchen door at restroom vestibule

These persepectives are provided to reflect the architectural style and quality of the building to be constructed on the Site. The actual building constructed on the Site may only have minor variation from this illustration that adhere to the general architectural concepts and intent illustrated is maintained.



Perspective View - Drive-Thru



Perspective View - Service Entrance









Perspective View - East Plaza



Perspective Views - North Plaza

02/20/2017

Phick-fil-X



Perspective View - Street Level View



Perspective View - Street Level View







Perspective View - Street Level View



Perspective View - Street Level View







Elevation - Entry & Service Yard



Elevation - Entry

02/20/2017

Exterior Elevations

The elevations are provided to relfect the architectural style and quality of the building to be constructed on the Site. The actual building constructed on the Site may only have minor variations from this illustration that adhere to the general architectural concepts and intent illustrated is maintained.





Elevation - Drive-Thru



Elevation - Main Entry

Exterior Elevations