

REZONING PETITION
#2016-XXX

FOR PUBLIC HEARING

NEW ANIMAL SHELTER
2401 BERRYHILL RD., CHARLOTTE, NC 28208
HUMANE SOCIETY OF CHARLOTTE
2700 TOOMEY AVENUE
CHARLOTTE, NORTH CAROLINA 28203
704-377-0534

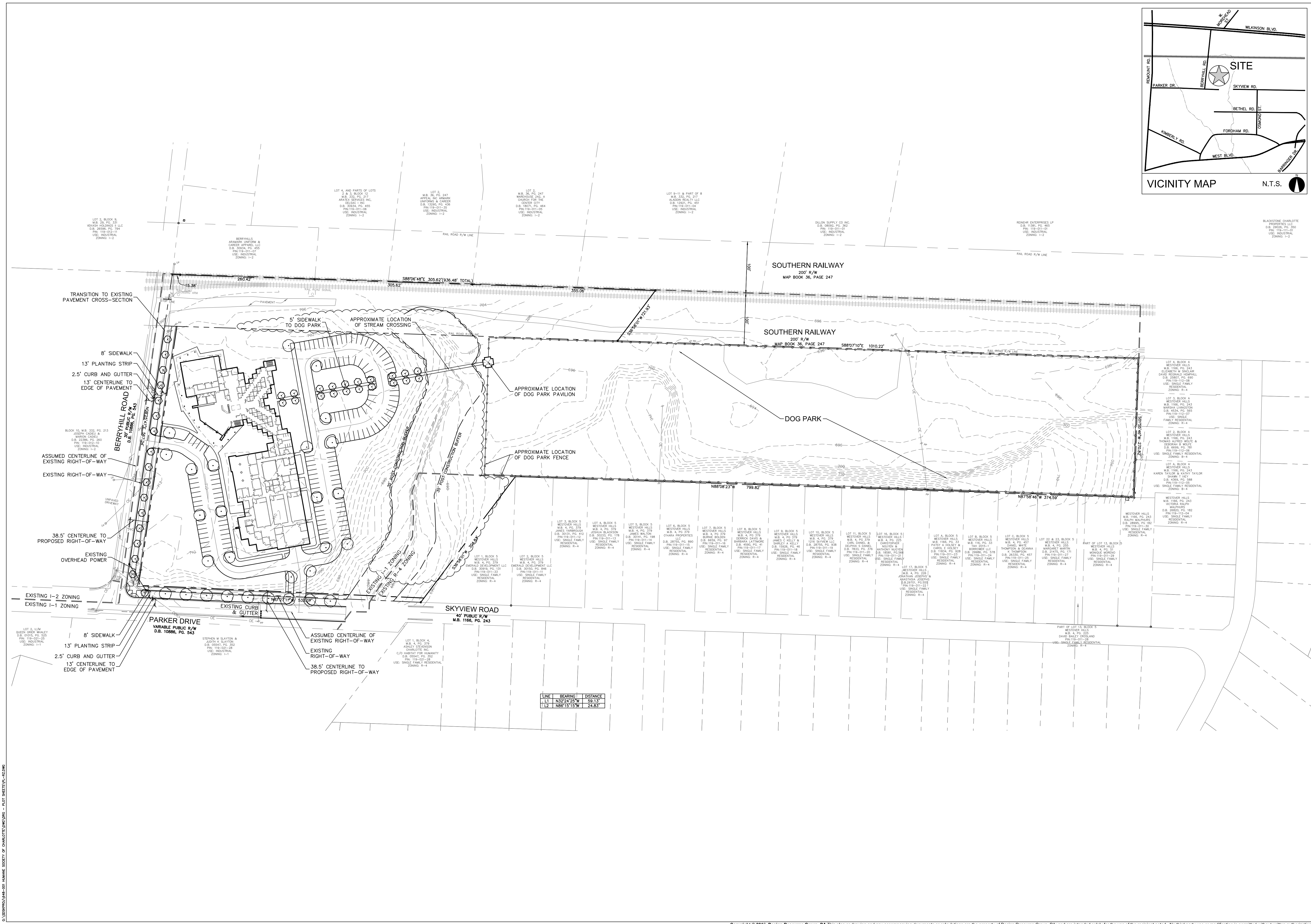
**SCHEMATIC
SITE PLAN**

80 0 40 80
SCALE: 1" = 80'

PROJECT #: 648-002
DRAWN BY: DK
CHECKED BY: SK

OCTOBER 24, 2016

REVISIONS:



SITE DATA

TAX ID#: 119-011-09 & 119-011-31
ACREAGE: 17.49 AC
EXISTING ZONING: I-1 & R-4
PROPOSED ZONING: MUDD-0
PROPOSED USE: A PET SERVICES INDOOR/OUTDOOR FACILITY AND ACCESSORY USES RELATING THERETO THAT ARE ALLOWED IN THE MUDD ZONING DISTRICT AND THAT ARE DEFINED IN THE DEVELOPMENT STANDARDS UNDER NOTE 3 PERMITTED USES / DEVELOPMENT LIMITATIONS.

DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan (comprised of Sheets RZ1.0 and RZ2.0) associated with the Rezoning Petition filed by Humane Society of Charlotte, Inc. (the "Petitioner") to accommodate the development and operation of a pet services indoor/outdoor facility and accessory uses on that approximately 17.49 acre site located on the northeast corner of the intersection of Berryhill Road and Parker Drive, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 119-011-31 and 119-011-09.
- B. 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"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD") zoning district shall govern the development and use of the Site.
- C. The parcels of land that comprise the Site may be recombined at the option of the Petitioner.
- D. 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 and yard 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.
- E. Internal sidewalks generally depicted on the Rezoning Plan may be altered provided that such alterations do not materially change the design intent generally depicted on the Rezoning Plan.
- 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.

2. OPTIONAL PROVISIONS

The following optional provisions shall apply to the development and use of the Site:

- A. Surface parking and vehicular maneuvering areas shall be permitted between the building and structures to be located on the Site and the required setbacks from all adjacent public streets as more particularly depicted on the Rezoning Plan.
- B. The requirement set out in Section 12.541(1) of the Ordinance that all outdoor uses shall be located at least 300 feet from any lot in a residential zoning district or in residential use shall not apply to the Site or to the proposed pet services indoor/outdoor facility.
- C. Valet parking service area(s) may be located between the building and structures located on the Site and the adjacent public streets.

3. PERMITTED USES/DEVELOPMENT LIMITATIONS

- A. The Site may only be devoted to the uses set out below.
- (1) A pet services indoor/outdoor facility and accessory uses relating thereto that are allowed in the MUDD zoning district.
- (2) An accessory eating, drinking and entertainment establishment (Type 1), and/or an accessory eating, drinking and entertainment establishment (Type 2) subject to the applicable regulations of Section 12.546 of the Ordinance.
- B. The maximum gross floor area of the principal building to be constructed on the Site shall be 55,000 square feet. The gross floor area of the dog park pavilion and any other accessory structures shall not be counted towards the maximum gross floor area of the principal building.
- C. An accessory eating, drinking and entertainment establishment (Type 1 and Type 2) may not play live, recorded or broadcast music outdoors between the hours of 10 PM and 8 AM.

4. 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.
- B. A minimum of 100 off-street vehicular parking spaces shall be provided on the Site.
- C. The alignment of the internal vehicular circulation areas and driveways may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation in accordance with applicable published standards.

5. ARCHITECTURAL STANDARDS

- A. The maximum height in stories of the principal building to be constructed on the Site shall be 2 stories.
- B. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- C. Dumpster and recycling areas will be enclosed on all four sides, with three sides being enclosed by opaque walls and one side being enclosed by a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of the building, then the side wall or rear wall of the building may be substituted for the wall along each such side.

6. STREETScape AND LANDSCAPING

- A. Petitioner shall install a minimum 13 foot wide planting strip and a minimum 8 foot wide sidewalk along the Site's frontages on Berryhill Road and Parker Drive as generally depicted on the Rezoning Plan. Those portions of the minimum 8 foot wide sidewalks that are located outside of the existing right of way may be located within a sidewalk utility easement rather than in public right of way as generally depicted on the Rezoning Plan.
- B. Notwithstanding Section 6.A. above, the 13 foot wide planting strip may be reduced in width to 8 feet to accommodate on-street parking.
- C. Internal sidewalks and pedestrian connections shall be installed within

the Site as generally depicted on the Rezoning Plan.

7. ENVIRONMENTAL FEATURES

- A. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

- B. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

8. LIGHTING

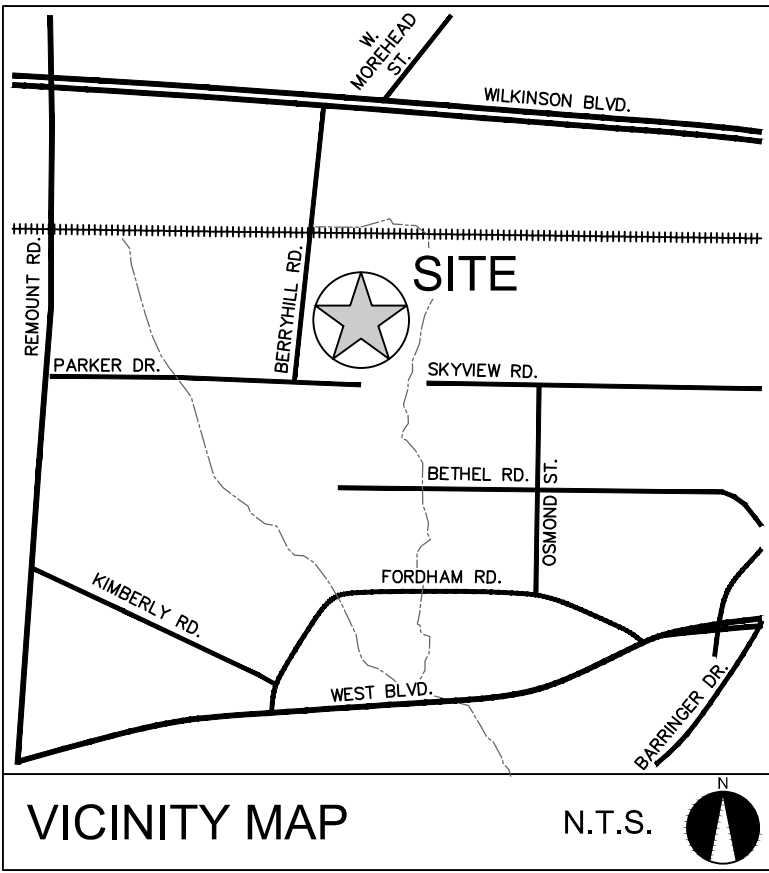
- A. All freestanding lighting fixtures installed on the Site (excluding street lights and lower, decorative lighting that may be installed along and/or on the driveways, sidewalks, parking areas, patios and landscaped areas) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.

- B. The maximum height of any freestanding lighting fixture installed on the Site shall be 22 feet.

- C. Any lighting fixtures attached to the building to be constructed on the Site shall be decorative, capped and downwardly directed.

9. 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.



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
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