DEVELOPMENT STANDARDS

June 27, 2019

1. 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.

B. 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").

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.

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, 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.

E. 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. 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 lanes/windows shall have indoor seating that can accommodate a minimum of 50 patrons.

D. An eating, drinking and entertainment establishment that does not have accessory drive-through service lanes/windows shall not be required to have indoor seating that can accommodate a minimum of 50 patrons.

E. The building to be constructed on the Site may contain two separate eating, drinking and entertainment establishments, one with accessory drive-through service lanes/windows and one without accessory drive-through service lanes/windows. As noted above, an eating, drinking and entertainment establishment without accessory drive-through service lanes/windows shall not be required to have indoor seating that can accommodate a minimum of 50 patrons.

F. The maximum size of an outdoor dining patio located on the Site shall be 1,000 square feet.

3. TRANSPORTATION

A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and 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.

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 permitting process.

C. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.

D. Off-street vehicular parking shall be provided at the rate of 1 parking space per 115 square feet of gross floor area for the principal building to be located on the Site.

E. 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.

4. ARCHITECTURAL STANDARDS

A. The maximum height in feet of any building constructed on the Site shall be 40 feet as measured under the Ordinance.

5. STREETSCAPE AND LANDSCAPING

A. An 8 foot wide planting strip and a 6 foot wide sidewalk 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 6 foot wide sidewalk shall be located 60 feet from the existing centerline of Albemarle Road.

B. 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.

6. ENVIRONMENTAL FEATURES

A. Development of the Site shall comply with the requirements of the City of Charlotte Tree Ordinance.

B. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.

7. LIGHTING

A. All freestanding lighting fixtures installed on the Site (excluding street lights, lower, 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.

B. The maximum height of any freestanding lighting fixture installed on the Site shall be 21 feet.

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

8. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

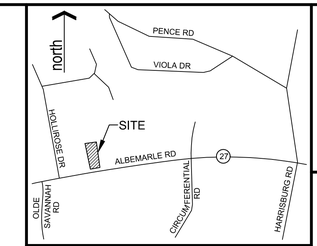
A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current 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.

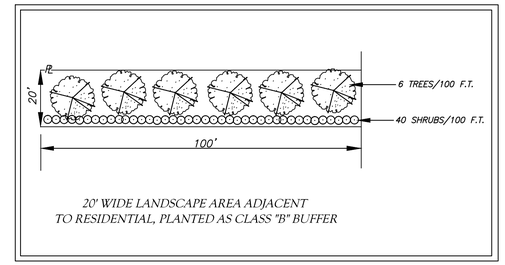
C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

DEVELOPMENT DATA:

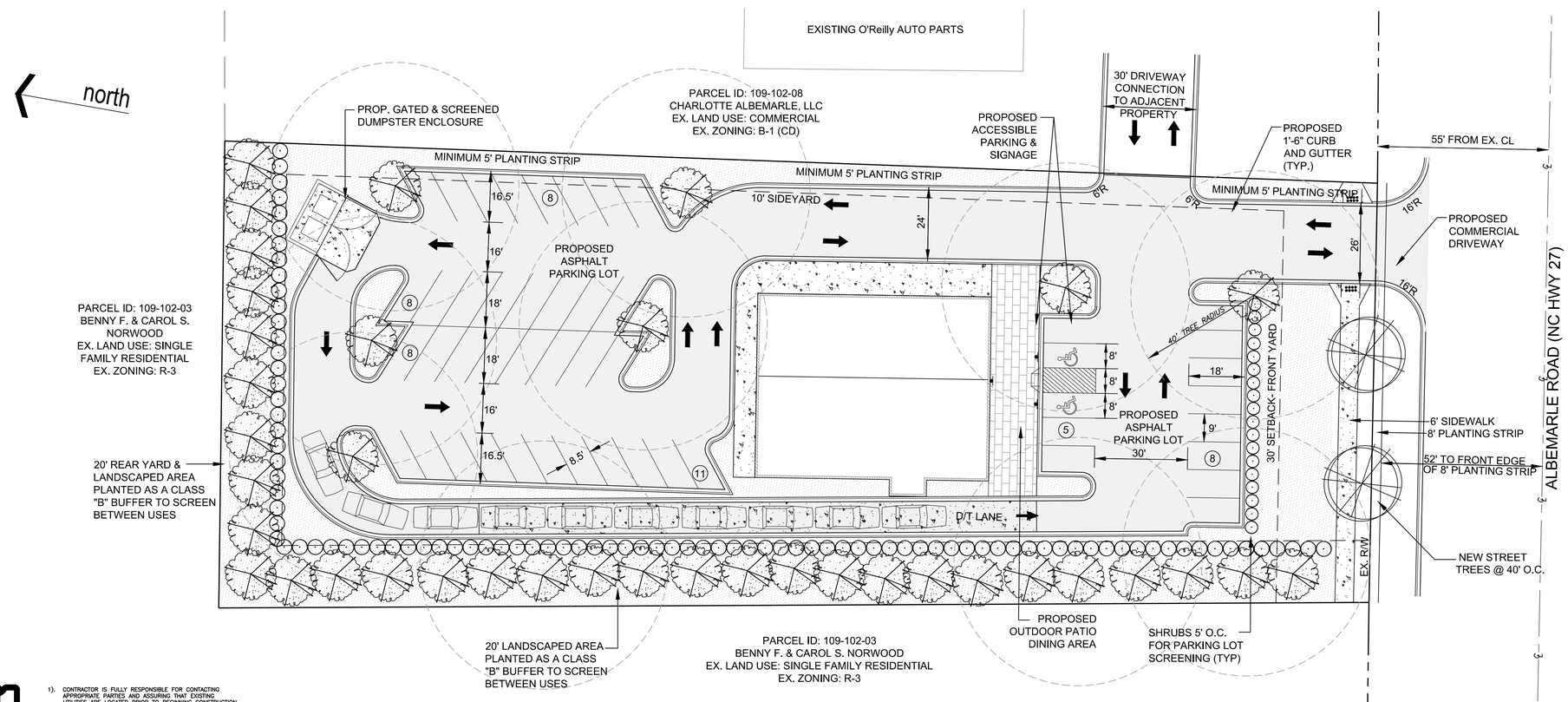
1. PARCEL ID: 109-102-04
   DB: 33210, PG. 306
   LEGAL DESC.: M4-643
   SITE AREA: ±1.217 AC.
2. SITE ADDRESS: 8837 ALBEMARLE ROAD
   CHARLOTTE, NC 28227
3. EXISTING ZONING: B-1 (CD)
   PROPOSED ZONING: NS
   EXISTING USE: RESIDENTIAL
   PROPOSED USE: SEE DEVELOPMENT STANDARDS
4. PROPOSED BUILDING AREA: MAXIMUM 4,700 S.F.
5. MAXIMUM BUILDING HEIGHT: 40'
6. ADDITIONS: ±1000 S.F. OUTDOOR PATIO
7. SETBACKS AND YARDS: PER NS ZONING
8. PARKING:
   PARKING RATIO FOR BLDG: 1 PER 115 S.F. = 41 SPACES
   PARKING RATIO FOR PATIO: 1 PER 150 S.F. = 7 SPACES
   TOTAL PARKING REQUIRED = 48 SPACES
   PARKING PROVIDED = 48 SPACES
   HANDICAP PARKING REQ'D = 2 SPACES, PROVIDED = 2 SPACES ALL VAN ACCESSIBLE.
9. THIS PROPERTY IS NOT LOCATED WITHIN A FEMA FLOOD ZONE AS PER FEMA FLOOD PANEL #: 3710459300K, DATED: 02/19/2014



VICINITY MAP
N.T.S.



20' WIDE LANDSCAPE AREA ADJACENT TO RESIDENTIAL, PLANTED AS CLASS "B" BUFFER



GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

811
Know what's **below.**
Call before you dig.

1). CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.

2). CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.

3). ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION.

4). SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART P, OR AS AMMENDED.

LWE
LATHAM-WALTERS ENGINEERING, INC.
N.C. CORP. LIC. C-1815
16507-A NORTHCROSS DRIVE
HUNTERSVILLE, N.C. 28078
PHONE: (704) 895-8484
FAX: (704) 237-4362

NORTH CAROLINA PROFESSIONAL SEAL 18584 ENGINEER JAMES L. WALTERS
6/26/19

NOT ISSUED FOR CONSTRUCTION
JUNE 26, 2019
DATE

ALBEMARLE ROAD PARTNERS, LLC

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

PETITION NO. 2019-XXX
8837 ALBEMARLE ROAD CHARLOTTE, NC 28227

REZONING PLAN

REVISIONS

PROJECT NO.: 2019.13
SCALE: 1" = 20'
DRAWN BY: PAB
CHECKED BY: JLW

SHEET NO:
RZ-1