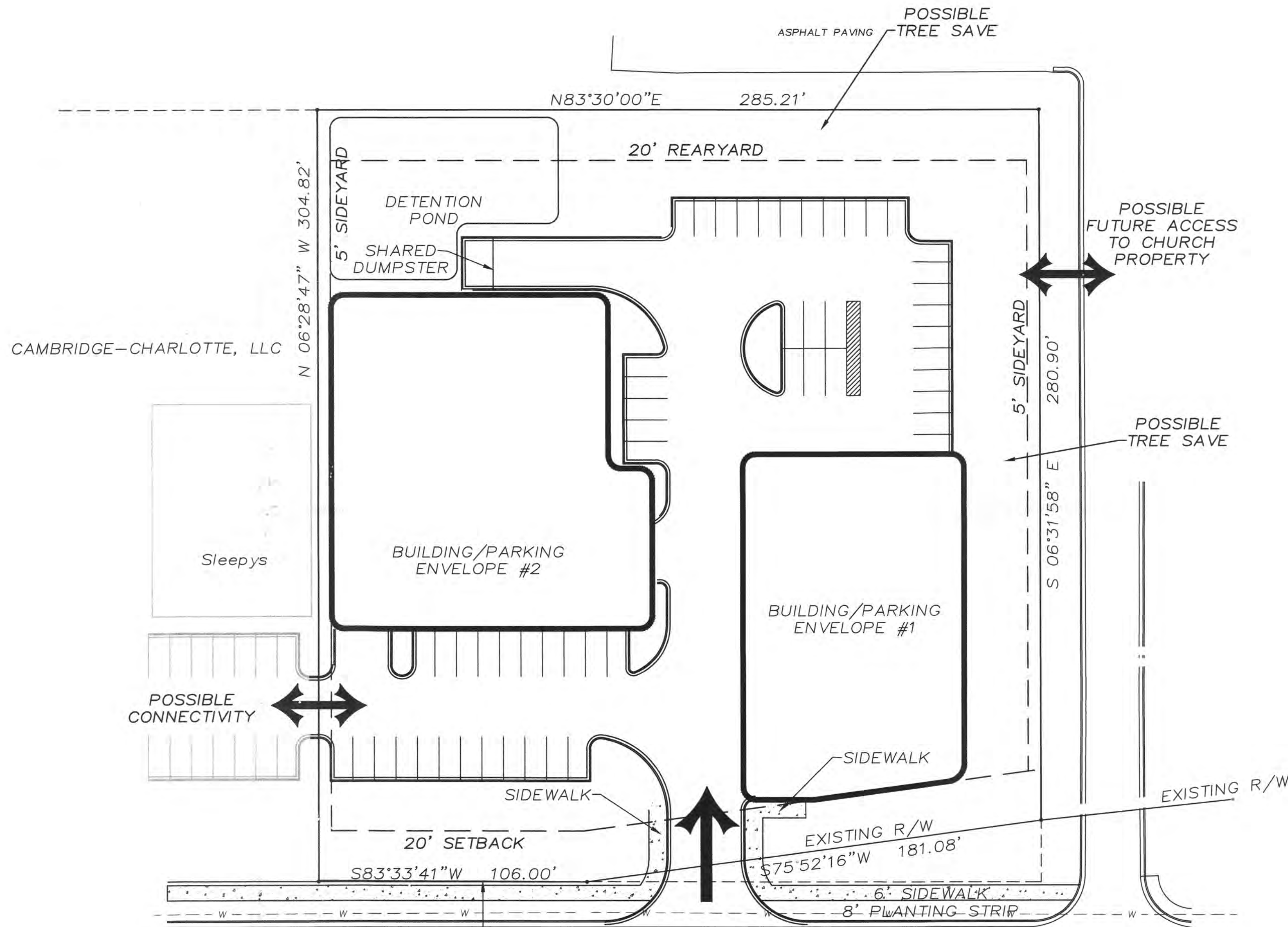


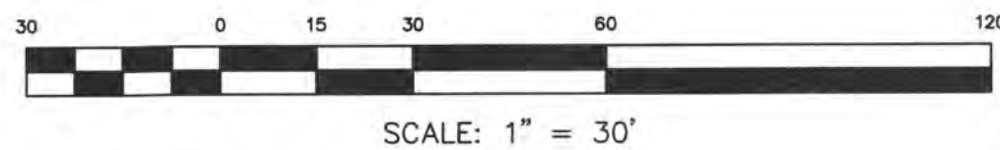
CORNERSTONE BAPTIST CHURCH OF CHARLOTTE DEED 16797 P.826



ALBEMARLE ROAD PUBLIC R/W VARIES

NATIONAL RETAIL PROPERTIES, LP DEED 22085 P.927

FIRST CITIZENS BANK & TRUST DEED 15848 P.698



Development Standards (2016)
Rezoning Ordinance No. 2016-114

Site Development Data:

- Acreage: ± 1.95 acres
- Tax Parcel #: 109-102-05
- Existing Zoning: B-1(CD)
- Proposed Zoning: B-2(CD)
- Existing Uses: Vacant
- Proposed Uses: Retail, personal service, EDDE (restaurants) and other uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the B-2(CD) zoning district (as more specifically described and restricted below in Section 2).
- Prohibited Uses: The following uses are not permitted on the Site: commercial outdoor amusement; automotive service stations with or without a convenience store; automobile sales and repair including tractor-trucks; armories for meetings and training of military organizations; auction sales; automobile repair garages including engine overhaul, body and paint shops; wholesale bakeries; boat and ship sales and repair; building maintenance services; car washes; catalog and mail order houses; contractors offices with accessory storage; residential dwelling units of any type; engraving; equipment rental and leasing, outdoor; fabric sample assembly; fences and fence material sales outdoor; florist, wholesale; hotels and motels; manufactured housing sales and repairs; pest control and disinfecting services; repair or servicing of any article, the sale of which is permitted in the district; sign painting; theaters, motion picture; tire recapping and retreading; wholesale sales within related storage and warehousing; adult establishments; boarding stables; building material sales; riding academies; and short term care facilities.
- Maximum Gross Square Feet of Development: Up to 15,000 square feet of gross floor area.
- Maximum Building Height: Up to two (2) stories and not to exceed 40 feet.
- 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 Harris Doulaveris ("Petitioner") to accommodate the development of a small commercial center with up to 15,000 square feet of gross floor area of uses allowed in the B-2 zoning district on approximately 1.95-acre site located at 8915 Albemarle 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 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:

- i. 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 three (3). 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.

e. **Building/Parking Envelopes.** Two (2) Building and Parking Envelopes have been indicated on the Rezoning Plan. The principal buildings constructed on the Site must be located within the indicated Building and Parking Envelopes. Portions of the Building and Parking Envelopes may also be used for supplemental parking and maneuvering areas for the proposed uses subject to the restrictions below in Section 2.g.

f. **Parcel Subdivision.** The Petitioner may subdivide the Site. If the Site is subdivided into lots, other separation standards will not be required between the internal property lines and the Site will be treated as a unified development.

2. Permitted Uses & Development Area Limitation:

a. The Rezoning Plan sets forth two (2) Building and Parking Envelopes as generally depicted on the Rezoning Plan as Building and Parking Envelopes 1 and 2 (each a "Building and Parking Envelope" and collectively the "Building and Parking Envelopes"). The Building and Parking Envelopes may be developed with a variety of retail and restaurant (EDDE) uses as allowed in the B-2 zoning district as further defined and restricted below in Section 4.

b. The Site may be developed with up to 15,000 square feet of gross floor area of uses allowed in the B-2 zoning district, together with accessory uses as allowed in the B-2 zoning district, subject to the restrictions below. A sit down eating/drinking/entertainment establishment without an accessory drive-through window will be one of the uses constructed on the Site.

c. Only one of the following will be allowed on the Site: (i) a use with accessory drive-through window(s); or (ii) drive-in eating, drinking and entertainment establishment. This allowed use may only be constructed within Building and Parking Envelope #2. 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).

d. The following use is not allowed on the Site: commercial outdoor amusement; automotive service stations with or without a convenience store; automobile sales and repair including tractor-trucks; armories for meetings and training of military organizations; auction sales; automobile repair garages including engine overhaul, body and paint shops; wholesale bakeries; boat and ship sales and repair; building maintenance services; car washes; catalog and mail order houses; contractors offices with accessory storage; residential dwelling units of any type; engraving; equipment rental and leasing, outdoor; fabric sample assembly; fences and fence material sales outdoor; florist, wholesale; hotels and motels; manufactured housing sales and repairs; pest control and disinfecting services; repair or servicing of any article, the sale of which is permitted in the district; sign painting; theaters, motion picture; tire recapping and retreading; wholesale sales within related storage and warehousing; adult establishments; boarding stables; building material sales; riding academies; and short term care facilities.

e. The Petitioner will begin the construction (secure a building permit and call for a footing and foundation inspection) of the proposed building within Building and Parking Envelope #1 prior to the issuance of a building permit for the allowed building within Building and Parking Envelope #2.

f. The setback along Albemarle Road will be 20 feet as measured from the existing right-of-way line, as generally depicted on the Rezoning Plan.

g. Parking will not be allowed between the building developed/constructed in Building and Parking Envelope #1 and Albemarle Road.

3. Access and Transportation:

a. Access to the Site will be from Albemarle Road in the manner generally depicted on the Rezoning Plan. Access and connections to the Site from the adjacent parcel (tax parcel # 109-102-10) will also be allowed as generally depicted on the Rezoning Plan, subject to the Petitioner securing a cross-access easement.

b. The Site may be allowed to provide a vehicular and pedestrian access to the adjoining church property on tax parcel # 109-102-06 (Corner Stone Baptist Church) subject to the securing of appropriate cross access easements.

c. 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.

d. 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.

e. Any required transportation improvements will be approved and constructed prior to the issuance of the Site's first certificate of occupancy. In the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for buildings on the Site in connection with related development phasing, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

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 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 building constructed within Building and Parking Envelope #1 will be designed so the building facade facing Albemarle Road will have windows and a door oriented toward Albemarle Road as generally depicted on the Rezoning Plan.

c. The service side of the buildings may not be oriented to Albemarle.

5. Streetscape, Buffers, Yards and Landscaping:

a. Along the Site's frontage on Albemarle Road the Petitioner will provide an eight (8) foot planting strip and a six (6) foot sidewalk as generally depicted on the Rezoning Plan. If the proposed sidewalk falls outside of the right-of-way a sidewalk easement will be provided.

b. The Petitioner will provide a sidewalk network that links each building on the Site to the sidewalk along Albemarle Road in the manner generally depicted on the Rezoning Plan. The minimum width for this internal sidewalk will be five (5) feet.

c. Above-ground backflow preventers will be screened from public view and will be located outside of the required setbacks.

d. Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate. The wall or fence 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 location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

7. Lighting:

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.

8. CATS Pad for Passengers:

a. The Petitioner will construct a concrete waiting pad for bus passengers along Albemarle Road per CLDSM 60.02A (Waiting Pad and Bench with Planting Strip). The pad to be constructed when development occurs. The Petitioner to coordinate the location of the pad with CATS during the land development approval process. The Petitioner will provide a permanent easement if the existing is insufficient to accommodate the pad.

9. 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.

10. 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.

PROJECT NUMBER	PROJECT DATE	PROJECT NAME	PROJECT DATE

GEO SCIENCE GROUP
10000 Albemarle Road
Charlotte, NC 28217
Phone: 704.525.2000
www.giosciencegroup.com
NC PIN LICENSE #C-080704

OCT 11 2016

ALBEMARLE ROAD MIXED USE
CHARLOTTE, NORTH CAROLINA

APPROVED BY CITY COUNCIL
OCT 17 2016

REZONING PETITION

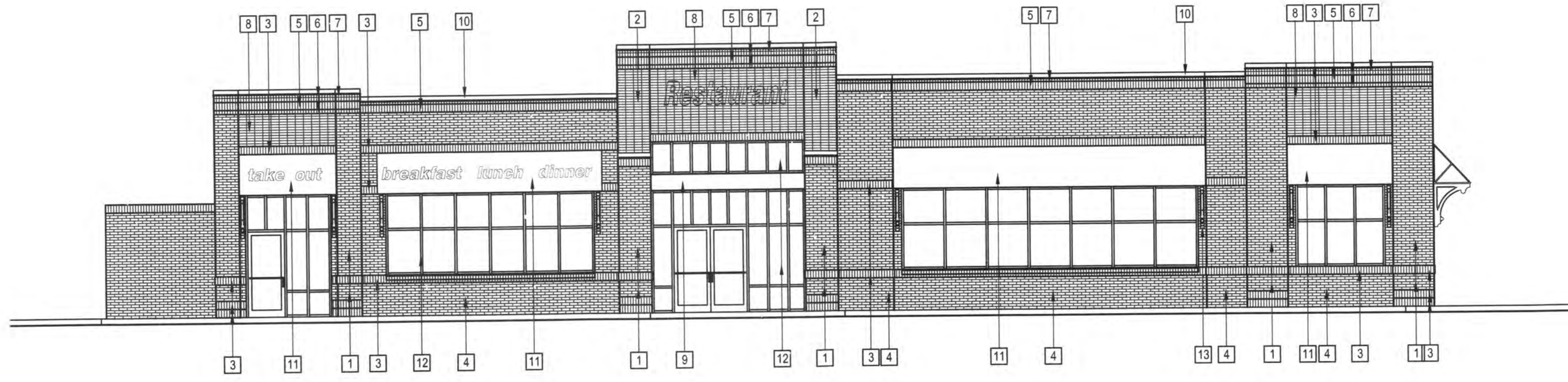
RZ1-0

- PRELIMINARY NOT FOR CONSTRUCTION
- ISSUED FOR BIDDING
- ISSUED FOR PERMIT
- ISSUED FOR CONSTRUCTION

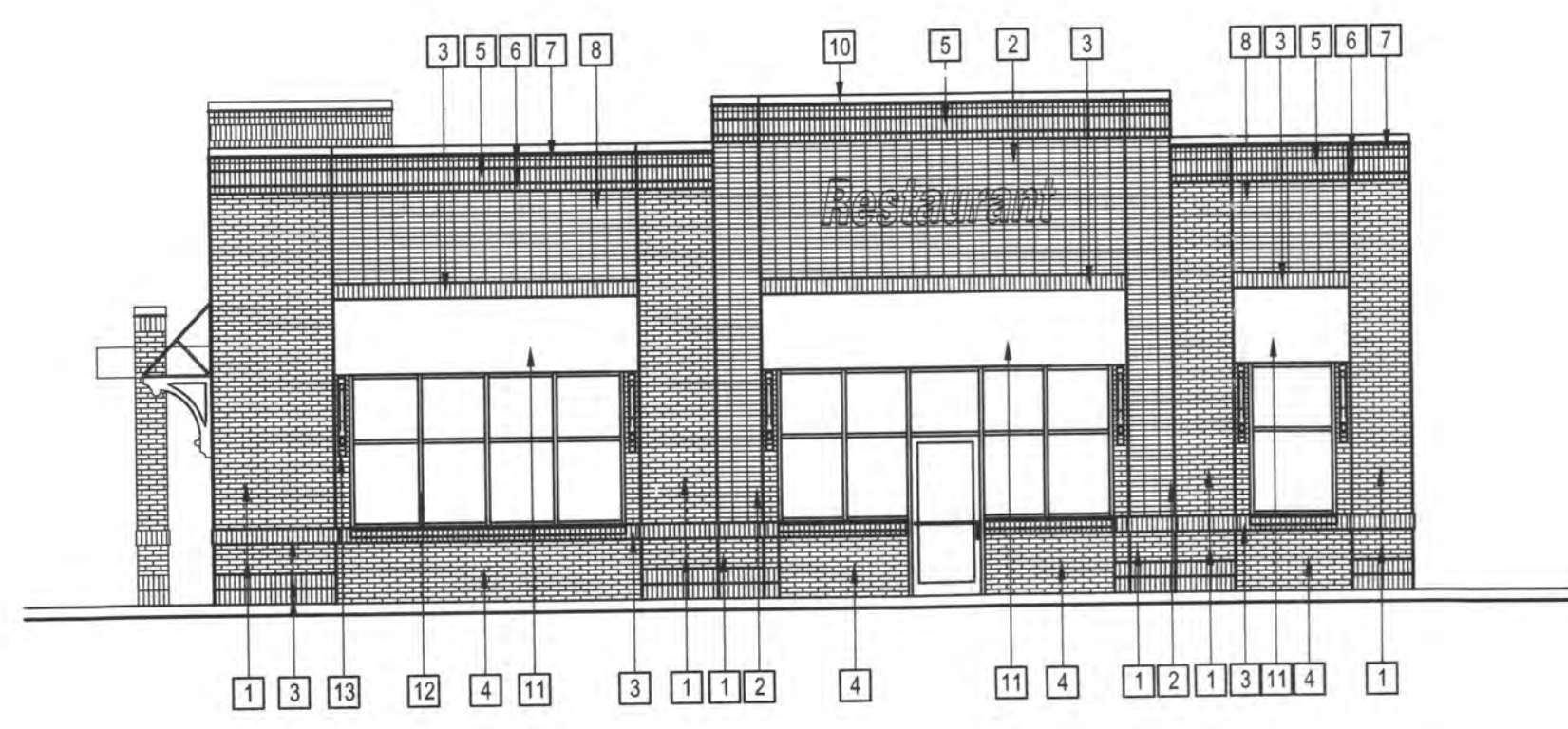
Drawing Status

1 ON 1

ONE on ONE DESIGN, Ltd.
 "a division of one"
 2719 LILLY MILL RD.
 CHARLOTTE, NC 28210
 phone: 704 643-8697
 fax: 704 643-8621
 email: otcvetros@carolina.rr.com



101 SOUTH ELEVATION 1/8"=1'-0"



102 EAST ELEVATION 1/8"=1'-0"

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

103 ELEVATION NOTE

EXTERIOR MATERIAL SCHEDULE	
1	MODULAR BRICK COURSE WITH COURSEWORK
2	MODULAR BRICK COURSE WITH COURSEWORK
3	MODULAR BRICK COURSE WITH COURSEWORK
4	MODULAR BRICK COURSE WITH COURSEWORK
5	MODULAR BRICK COURSE WITH COURSEWORK
6	MODULAR BRICK COURSE WITH COURSEWORK
7	MODULAR BRICK COURSE WITH COURSEWORK
8	MODULAR BRICK COURSE WITH COURSEWORK
9	STRECCAMOPY
10	PREPARED SHARPCOR CORNER SYSTEM
11	CADWAS SWININGS
12	ALUMINUM THERMOFORM SYSTEM WITH INSULATION GLAZING
13	PREPARED SHARPCOR CORNER SYSTEM WITH COURSEWORK

104 EXTERIOR FINISH MATERIAL SCHEDULE

APPROVED BY
CITY COUNCIL
OCT 17 2016

ALBEMARLE ROAD MIXED USE
CHARLOTTE NC

PRELIMINARY ELEVATIONS AND NOTES

Drawn By
CNV
Issue Date August 6, 2016
Drawing File Name
1016_RZ1-1_Plan and Elevations.dwg
Revisions
No. Date
No. Date
No. Date
No. Date

Project Number
1016
Building

Sheet Of
RZ1-1

Owner

Project

Sheet Title



101 SOUTH ELEVATION



102 EAST ELEVATION

103 ELEVATION NOTE

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

PRELIMINARY NOT FOR CONSTRUCTION

ISSUED FOR BIDDING

ISSUED FOR PERMIT

ISSUED FOR CONSTRUCTION

Drawing Status



ONE on ONE
DESIGN, Ltd.
"a division of one"
2719 LILLY MILL RD.
CHARLOTTE, NC 28210
phone: 704 643-8697
fax: 704 643-8621
email:
clcvrettos@carolina.rr.com

Owner

ALBEMARLE
ROAD MIXED USE
CHARLOTTE NC

Project

APPROVED BY
CITY COUNCIL
OCT 17, 2016

ELEVATIONS

Sheet Title

Drawn By
CNV

Issue Date: August 6, 2016

Drawing File Name
1016_RZ1-2_Elevations.dwg

Revisions

No.	Date

Project Number

1016

Building

Sheet Of
RZ1-2