

DEVELOPMENT STANDARDS

I. GENERAL PROVISIONS

a. **SITE DESCRIPTION.** THESE DEVELOPMENT STANDARDS AND THE TECHNICAL DATA SHEET FORM THE REZONING PLAN (HEREAFTER COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY CHIPOTLE MEXICAN GRILL OF COLORADO, LLC (PETITIONER) TO ACCOMMODATE DEVELOPMENT OF A RETAIL AND/OR EDEE BUILDING ON THE APPROXIMATELY 0.86-ACRE PROPERTY LOCATED AT THE NORTHWEST CORNER OF PARK ROAD AND WOODLAWN ROAD, MORE PARTICULARLY DESCRIBED AS MECKLENBURG TAX PARCEL NUMBER 149-206-19 (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 DEVELOPMENT OF A RETAIL AND/OR EDEE BUILDING ON THE APPROXIMATELY 0.86-ACRE PROPERTY LOCATED AT THE NORTHWEST CORNER OF PARK ROAD AND WOODLAWN ROAD, MORE PARTICULARLY DESCRIBED AS MECKLENBURG TAX PARCEL NUMBER 149-206-19 (THE "SITE").

c. **GRAPHICS AND ALTERATIONS/MODIFICATIONS.** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS (IF PROVIDED), BUILDING MATERIALS, STREETScape PERSPECTIVES, DRIVEWAYS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS SET FORTH ON THE REZONING PLAN ARE INTENDED TO BE CONCEPTUAL IN NATURE. 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 AND RENDERINGS OF THE DEVELOPMENT MATTERS AND SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE PERMITTED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE.

II. PERMITTED USES & MAXIMUM DEVELOPMENT

1. THE SITE MAY BE DEVOTED TO ANY USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE MUDD ZONING DISTRICT TOGETHER WITH ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH, EXCEPT FOR THE FOLLOWING:

- i. CAR WASHES;
- ii. DRIVE-THROUGH USE, EDEE OR OTHERWISE;
- iii. GAS STATIONS, WITH OR WITHOUT A CONVENIENCE STORE;
- iv. AUTOMOBILE SERVICE STATIONS; AND/OR
- v. SELF-STORAGE FACILITY (AS A PRINCIPAL USE)

2. THE PRINCIPAL BUILDING ON THE SITE MAY BE DEVELOPED WITH A MAXIMUM OF 3,000 SQUARE FEET OF RETAIL/EDEE/COMMERCIAL USES ALONG WITH ANY INCIDENTAL AND/OR ACCESSORY USES ALLOWED IN THE MUDD ZONING DISTRICT, INCLUDING PEDESTRIAN WALK-UP WINDOWS (NOT VEHICULAR DRIVE-THROUGH WINDOWS). OUTDOOR DINING AREAS SHALL NOT BE COUNTED TOWARD THE GROSS SQUARE FOOTAGE CALCULATIONS, HOWEVER, PARKING FOR OUTDOOR DINING AREAS WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

III. TRANSPORTATION

a. ACCESS TO THE SITE SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE EXACT NUMBER AND LOCATION OF VEHICULAR ACCESS POINTS SHALL BE DETERMINED DURING THE DESIGN PROCESS AND THEREAFTER WITH APPROVAL FROM APPROPRIATE GOVERNMENTAL AUTHORITIES, SUBJECT TO APPLICABLE STATUTES, ORDINANCES AND REGULATIONS SUCH AS SUBDIVISION AND DRIVEWAY REGULATIONS. PETITIONER, IN ITS DISCRETION MAY LIMIT INGRESS AND EGRESS MOVEMENTS OR RESTRICT CERTAIN VEHICULAR ACCESS POINTS TO ONE-WAY TRAFFIC IF NECESSARY. PROPOSED ACCESS POINTS ON WOODLAWN ROAD AND PARK ROAD SHALL BE RIGHT-IN/RIGHT-OUT ONLY UNLESS OTHERWISE AUTHORIZED BY CDOT/NCDDOT.

b. THE ALIGNMENT OF STREET CONNECTIONS, VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER, SUBJECT TO CDOT AND NCDOT'S FINAL APPROVAL.

c. THE PETITIONER SHALL INSTALL A MINIMUM SIX (6) FOOT WIDE SIDEWALK AND EIGHT (8) FOOT WIDE PLANTING STRIP ALONG THE SITE'S PARK ROAD FRONTAGE AND A MINIMUM EIGHT (8) FOOT WIDE SIDEWALK AND EIGHT (8) FOOT WIDE PLANTING STRIP ALONG THE SITE'S FRONTAGE OF WOODLAWN ROAD. SIDEWALKS MAY MEANDER TO PRESERVE EXISTING UTILITIES AND SITE CONDITIONS.

d. ALL RIGHTS-OF-WAY REQUIRED BY THE REZONING PLAN SHALL BE DEDICATED AND CONVEYED IN FEE SIMPLE TO THE CITY OF CHARLOTTE PRIOR TO THE ISSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY. THE RIGHT-OF-WAY SHALL BE SET AT TWO (2) FEET BEHIND THE BACK OF SIDEWALK WHERE FEASIBLE OR A SIDEWALK UTILITY EASEMENT (SUE) SHALL BE UTILIZED.

e. A RIGHT-OF-WAY ENCROACHMENT AGREEMENT IS REQUIRED FOR THE INSTALLATION OF ANY NON-STANDARD ITEM(S) (IRRIGATION SYSTEMS, DECORATIVE CONCRETE PAVEMENT, BRICK PAVERS, ETC.) WITHIN A PROPOSED/EXISTING CITY-MAINTAINED STREET RIGHT-OF-WAY BY A PRIVATE INDIVIDUAL, GROUP, BUSINESS, OR HOMEOWNER'S/BUSINESS ASSOCIATION. AN ENCROACHMENT AGREEMENT MUST BE APPROVED BY CDOT PRIOR TO CONSTRUCTION/INSTALLATION. CONTACT CDOT FOR ADDITIONAL INFORMATION CONCERNING COST, SUBMITTAL, AND LIABILITY INSURANCE COVERAGE REQUIREMENTS.

f. PETITIONER SHALL RE-CONSTRUCT THE ADA CURB RAMPS AND RELOCATE THE EXISTING PEDESTRIAN SIGNALS ON THE SITE'S CORNER OF WOODLAWN ROAD AND PARK ROAD TO BE ADA AND PROWAG COMPLIANT WITH THE SIDEWALKS ALONG THE SITE'S FRONTAGE.

g. PETITIONER SHALL COMMIT TO CONSTRUCT BICYCLE FACILITIES BY LOCATING THE FUTURE CURB A MINIMUM OF EIGHT (8) FEET FROM THE EXISTING CURB LINE ALONG THE SITE'S FRONTAGES OF WOODLAWN ROAD AND PARK ROAD.

h. ALL TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. THE PETITIONER MAY PHASE TRANSPORTATION IMPROVEMENTS IF SAID IMPROVEMENTS AND PHASING ARE EXPLICITLY DESCRIBED IN SITE PLAN NOTES.

SITE PLAN LEGEND

- PROPERTY LINE (PUBLIC ROW)
- FUTURE RIGHT OF WAY LINE
- RIGHT OF WAY DEDICATION AREA (6,748 SF OR 0.15 AC)
- PROPOSED PARCEL AREA
- EXISTING ASPHALT
- PROPOSED SIDEWALK
- PROPOSED FUTURE BIKE LANE AREA

I. ALL PUBLIC ROADWAY IMPROVEMENTS WILL BE SUBJECT TO THE STANDARDS AND CRITERIA OF CDOT AND NCDOT, AS APPLICABLE, TO THE ROADWAY IMPROVEMENTS WITHIN THEIR RESPECTIVE ROAD SYSTEM AUTHORITY. IT IS UNDERSTOOD THAT SUCH IMPROVEMENTS MAY BE UNDERTAKEN BY THE PETITIONER ON ITS OWN OR IN CONJUNCTION WITH OTHER DEVELOPMENT OR ROADWAY PROJECTS TAKING PLACE WITHIN THE BROAD SOUTHWESTERN MECKLENBURG AREA, BY WAY OF A PRIVATE/PUBLIC PARTNERSHIP EFFORT OR OTHER PUBLIC SECTOR PROJECT SUPPORT.

IV. DESIGN GUIDELINES

a. BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT ON PUBLIC OR PRIVATE NETWORK REQUIRED STREETS, THROUGH THE FOLLOWING:

1. BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FAÇADE TO ALL STREETS.
2. FAÇADES FRONTING STREETS SHALL INCLUDE A COMBINATION OF WINDOWS AND OPERABLE DOORS FOR A MINIMUM OF 40% OF EACH FRONTAGE ELEVATION. TRANSPARENT GLASS BETWEEN 2' AND 10' ON THE FIRST FLOOR, UP TO 20% OF THIS REQUIREMENT MAY BE COMPRISED OF DISPLAY WINDOWS. THESE DISPLAY WINDOWS MUST MAINTAIN A MINIMUM OF 3'-0" CLEAR DEPTH BETWEEN WINDOW AND REAR WALL WINDOWS WITHIN THIS ZONE SHALL NOT BE SCREENED BY FINISHES, GLAZING MATERIAL, GLAZING FINISHES OR WINDOW TREATMENTS. THE MAXIMUM SILL HEIGHT FOR REQUIRED TRANSPARENCY SHALL NOT EXCEED 4'-0" ABOVE ADJACENT STREET SIDEWALK.
3. THE FAÇADES OF FIRST/GROUND FLOOR OF THE BUILDINGS ALONG STREETS SHALL INCORPORATE A MINIMUM OF 30% MASONRY MATERIALS SUCH AS BRICK OR STONE.

4. DIRECT PEDESTRIAN CONNECTION SHALL BE PROVIDED BETWEEN STREET FACING DOORS, CORNER ENTRANCE FEATURES TO SIDEWALKS ON ADJACENT STREETS.

5. BUILDING ELEVATIONS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT TO LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

6. BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FEATURES WHICH SHALL INCLUDE A COMBINATION OF EXTERIOR WALL OFFSETS (PROJECTIONS AND RECESSES), COLUMNS, PILASTERS, CHANGE IN MATERIALS OR COLORS, AWNINGS, ARCADES, OR OTHER ARCHITECTURAL ELEMENTS.

7. FAÇADES FRONTING PUBLIC STREETS SHALL MEET ALL MUDD ACTIVATION STANDARDS.

8. ALL NEW BUILDING ENTRANCES SHALL CONNECT TO PARKING AREAS AND SIDEWALKS ALONG EXISTING AND PROPOSED STREETS VIA A MINIMUM FIVE (5) FOOT WIDE PEDESTRIAN PATHWAY OR SIDEWALK.

9. SERVICE AREA SCREENING - SERVICE AREAS SUCH AS DUMPSTERS, REFUSE AREAS, RECYCLING AND STORAGE SHALL BE SCREENED FROM A PUBLIC RIGHT OF WAY OR ADJACENT PROPERTIES WITH MATERIALS AND DESIGN TO BE COMPATIBLE WITH PRINCIPAL STRUCTURES. SUCH DESIGN SHALL INCLUDE A MINIMUM 20 PERCENT PREFERRED EXTERIOR BUILDING MATERIALS OR A CLASS B BUFFER NOT LESS THAN 10' IN DEPTH AT ALL ABOVE GRADE PERIMETER NOT PAVED FOR ACCESS.

10. PRINCIPAL BUILDING(S) SHALL BE A MINIMUM OF SIXTEEN (16) FEET IN HEIGHT.

11. OUTDOOR SEATING AREA PROPOSED TO HAVE A MINIMUM OF THREE (3) OF THE FOLLOWING: PATIO UMBRELLAS, BUILDING CANOPIES, DECORATIVE LIGHTING, AND/OR PATIO RAILING AND NATURAL ELEMENTS SUCH AS TREES AND PLANTS.

V. ENVIRONMENTAL FEATURES

a. THE PETITIONER SHALL SATISFY THE REQUIREMENTS OF THE POST CONSTRUCTION STORMWATER ORDINANCE (PCSO) AND TREE ORDINANCE.

b. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEMS, IF PROVIDED, ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING PLAN. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

VI. BINDING EFFECT OF THE REZONING APPLICATION

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN AND THESE DEVELOPMENT STANDARDS 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 SUCCESSORS IN INTEREST AND ASSIGNS.

b. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS "PETITIONER" AND "OWNER(S)" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR OWNER(S) OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

GENERAL NOTES

- SURVEY INFORMATION PROVIDED BY DONALDSON GARRETT & ASSOCIATES, INC. DATED 10/20/2022
- POST CONSTRUCTION DISTRICT: CENTRAL CATAWBA
- WATERSHED: UPPER LITTLE SUGAR WATERSHED
- SITE IS DESIGNATED AS A COUNTY MPL CONTAMINATION SITE

DEVELOPMENT DATA TABLE

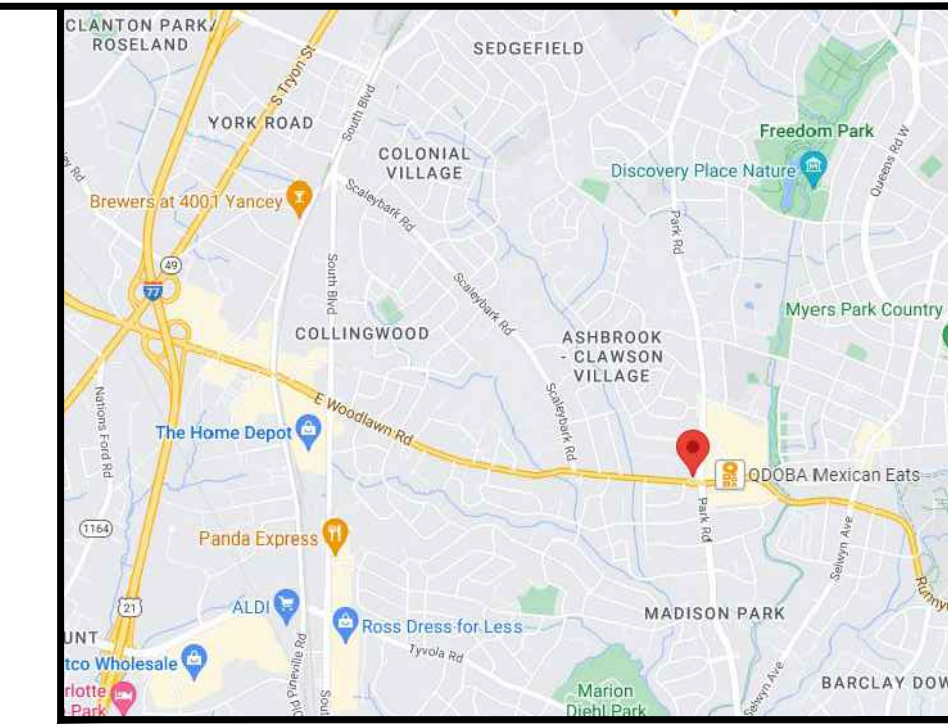
LOCATION: CHARLOTTE, NC				
TAX PARCEL: 149-206-19				
EXISTING ZONING: B-1 (CD) / PROPOSED ZONING: MUDD (CD)				
EXISTING LAND USE: VACANT / PROPOSED LAND USE: RETAIL/EDEE				
ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE
1	MINIMUM LOT AREA	NONE REQUIRED	33,503 S.F. (0.77 AC.)	NO
2	MINIMUM LOT WIDTH	NONE REQUIRED	152 FEET	NO
3	MINIMUM STREET SETBACK	14 FT MIN.*	20 FEET	NO
4	MINIMUM SIDE SETBACK	NONE REQUIRED	0 FEET	NO
5	MINIMUM REAR SETBACK	10 FEET	152 FEET	NO
6	MIN/MAX BUILDING HEIGHT	MIN 16 FT/MAX 40 FT	TBD	NO
7	MAXIMUM DEVELOPMENT	3,000 SF	2,669 SF	NO

* IF THE EXISTING RIGHT-OF-WAY IS GREATER THAN THE MINIMUM SETBACK FROM THE BACK OF EXISTING OR FUTURE CURBS, THE RIGHT-OF-WAY LINE WILL BECOME THE MINIMUM SETBACK. IF THE EXISTING CURB LINES VARIES, THE SETBACK SHALL BE MEASURED FROM THE WIDEST SETBACK.

SITE KEY NOTES

- (A) PROP. DRIVEWAY TYPE II (STD. 10.25E)
- (B) PROP. 2'-6" CURB & GUTTER (STD. 10.17B)
- (C) PROP. 2'-0" CURB & GUTTER (STD. 10.17B)
- (D) EX. 2'-6" CURB & GUTTER
- (E) PROP. SIDEWALK (WIDTH VARIES)
- (F) EX. RIGHT OF WAY
- (G) PROP. RIGHT OF WAY
- (H) PROP. PLANTING STRIP
- (I) PROP. BUILDING SETBACK
- (J) RESERVED FOR FUTURE 8 FT WIDE BIKE LANE
- (K) EX. TREES
- (L) PROP. LANDSCAPE (TO MEET COC REQUIREMENTS)
- (M) PROP. PARKING STRIPING
- (N) PROP. HANDICAP PARKING SPOTS
- (O) PROP. BLDG LOCATION
- (P) PROP. RAMP
- (Q) PROP. CROSSWALK
- (R) CLT FIRE TRUCK TURN MOTION
- (S) EX. RETAINING WALL
- (T) EX. UTILITIES TO BE RELOCATED (DURING FUTURE BIKE LANE INSTALLATION)
- (U) EX. SIDEWALK TO BE REMOVED
- (V) TIE-IN PROPOSED SIDEWALK TO ADJACENT PROPERTY SIDEWALK
- (W) ROAD CENTERLINE
- (X) TEMPORARY CONSTRUCTION EASEMENT (TCE)*
- (Y) R/W TO BE DEDICATED*

* TCE & R/W INFORMATION WAS ADDED BASED ON PRELIMINARY PLAT SURVEY BY MCKIM & CREED DATED JANUARY 26, 2023



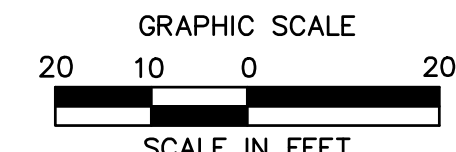
VICINITY MAP

NTS



REZONING PETITION: No. 2022-212

FOR PERMITTING PURPOSES ONLY
NOT RELEASED FOR CONSTRUCTION



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PROPOSED CHIPOTLE RESTAURANT

4336 PARK ROAD

CHARLOTTE, NC 28209

REVISIONS

No.	Date	Desc.
1.	06/21/2023	REVISION PER CHARLOTTE PLANNING COMMENTS

Title

CONDITIONAL REZONING SITE PLAN

Sheet No.

RZ-1