DEVELOPMENT STANDARDS

July 17, 2023

1. GENERAL PROVISIONS

A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Tribek Properties (the "Petitioner") to request an amendment to the approved Conditional Rezoning Plan relating to Rezoning Petition No. 2017-009 (the "Approved Plan"). The Approved Plan currently governs the development and use of the site subject to this site plan amendment request, which is an approximately 2.970 acre site located on the west side of West W.T. Harris Boulevard, just south of the intersection of West W.T. Harris Boulevard and Mt. Holly-Huntersville Road. The site is more particularly depicted on the Rezoning Plan (the "Site") and is comprised of Tax Parcel No. 025-151-17.

B. The development and use 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, landscape area 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. Two building and/or parking envelopes are depicted on the Rezoning Plan that are designated as Building and/or Parking Envelope A and Building and/or Parking Envelope B.

All principal buildings, accessory structures and parking areas developed on the Site shall be located within a Building and/or Parking Envelope. This Rezoning Plan does not limit the number of principal buildings, accessory structures and parking areas that may be located within a Building and/or Parking Envelope or on the Site. The number of principal buildings, accessory structures and parking areas that may be located on the Site or within a Building and/or Parking Envelope shall be governed by the applicable provisions of the Ordinance.

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. PERMITTED USES/DEVELOPMENT LIMITATIONS

A. Subject to the terms of paragraph 2.B below, the Site may be devoted to any use or uses permitted by right or under prescribed conditions in the NS zoning district and to any incidental or accessory uses relating thereto.

B. Notwithstanding the terms of paragraph 2.A above, the following uses are prohibited on the Site:

(1) Animal crematoriums.

(2) Bus and train terminals.

(3) Cemeteries.

(4) Construction and demolition landfills.

(5) Dwellings, detached, duplex, triplex or quadraplex.

(6) Dwellings, multi-family and attached up to 12 units in a building.

(7) Planned multi-family and attached development.

(8) Jails and prisons.

(9) Land clearing and inert debris landfills.

C. A total maximum of 20,000 square feet of gross floor area may be developed on the Site.

D. A maximum of one use on the Site may have accessory drive-in and drive-through service lanes/windows. The maximum number of drive-in and drive through lanes for the use would be two.

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.

B. The alignments of the internal drives and circulation areas located on the Site are subject to minor modifications or alterations.

C. The existing private drive located on the Site that provides vehicular access from and to Tax Parcel No. 025-151-03 to and from West W.T. Harris Boulevard shall remain.

D. Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte or to NCDOT as applicable (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to West W.T. Harris Boulevard as required to provide right of way measuring 50 feet from the existing centerline of West W.T. Harris Boulevard, to the extent that such right of way does not already exist.

E. Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, Petitioner will dedicate to the City of Charlotte or to NCDOT as applicable via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated.

F. Prior to the issuance of the first certificate of occupancy for a new building constructed on the Site, the site access drive from West W.T. Harris Boulevard shall be reconstructed to meet the standards of CLDSM driveway detail 10.25E.

G. Subject to the approval of CDOT and NCDOT, Petitioner shall install a southbound right turn lane on West W.T. Harris Boulevard at the vehicular access point into the Site from West W.T. Harris Boulevard as generally depicted on the Rezoning Plan.

H. All transportation improvements set out in this Section 3 of the Development Standards will be approved and constructed prior to the issuance of the first certificate of occupancy for a new building constructed on the Site.

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 northwestern Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

4. ARCHITECTURAL STANDARDS

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

B. The architectural standards set out below shall apply to any buildings constructed on the Site.

(1) Building Placement and Site Design shall focus on and enhance the pedestrian environment on public or private network required streets through the following:

(a) Buildings shall be placed so as to present a front or side facade to all streets. This design standard shall not prohibit accessory drive-in and drive-through service lanes and windows as allowed under the permitted uses. Drive-in and drive-through service lanes and windows may be located on a street facing facade of a building. However, in such an event, the accessory drive-in and drive-through service lanes shall be subject to the screening requirements set out below in paragraph 5.D.

(b) Facades fronting streets shall include a combination of windows and/or operable doors for a minimum of 40% of each frontage elevation with transparent glass, spandrel glass, window graphics on glass, recessed architectural panels or a combination of such elements between 2' and 10' on the first floor. The maximum sill height for any transparent windows shall not exceed 4'-0" above adjacent street sidewalk.

(c) The facades of the first/ground floor of the buildings along streets shall incorporate a minimum of 30% masonry materials such as brick or stone. A facade is defined as the entire exterior surface area of the first/ground floor excluding windows, doors and trim, so that windows, doors and trim are not considered when calculating the minimum percentage of brick or stone that is required.

(d) Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as, but not limited to, banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.

(e) Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, changes in materials or colors, awnings, arcades or other architectural elements.

(f) Buildings shall have a minimum height of 22 feet.

(g) Multi-story buildings shall have a minimum of 20% transparency on all upper stories.

C. The design/layout of a potential use with accessory drive-in and drive-through service lanes/windows set out on the Rezoning Plan is illustrative and the design/layout may be modified during the permitting process.

5. STREETSCAPE AND LANDSCAPING

A. A minimum 8 foot wide planting strip and a minimum 12 foot wide multi-use path shall be installed along the Site's frontage on West W.T. Harris Boulevard. The minimum 12 foot wide multi-use path (or portions thereof) may be located in a sidewalk utility easement.

B. A minimum 45 foot wide landscape area shall be established along the Site's western and southern boundary lines as more particularly depicted on the Rezoning Plan. At a minimum, this 45 foot wide landscape area shall meet the tree and shrub requirements of a Class B buffer. If the existing trees and shrubs located within this 45 foot wide landscape area do not meet the tree and shrub requirements of a Class B buffer, then Petitioner shall plant and install supplemental trees and shrubs to bring the 45 foot wide landscape area into compliance with the tree and shrub requirements of a Class B buffer.

C. A minimum 6 foot tall wooden screen fence shall be installed within the 45 foot wide landscape area described above as generally depicted on the Rezoning Plan.

D. In the event that a drive aisle, a drive through window lane and/or a drive through window are located between a building and West W.T. Harris Boulevard, then the drive aisle or drive through window lane shall be screened from West W.T. Harris Boulevard by a two to three foot tall masonry wall and/or shrubs that meet the requirements of Section 12.303(2)(g) of the Ordinance.

6. LIGHTING

A. Any freestanding lighting fixtures installed on the Site after the approval of this Rezoning Petition (excluding street lights, lower, decorative lighting that may be installed along and/or on the driveways, sidewalks, patios and parking areas 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 after the approval of this Rezoning Petition shall be 21 feet.

7. ENVIRONMENTAL FEATURES

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

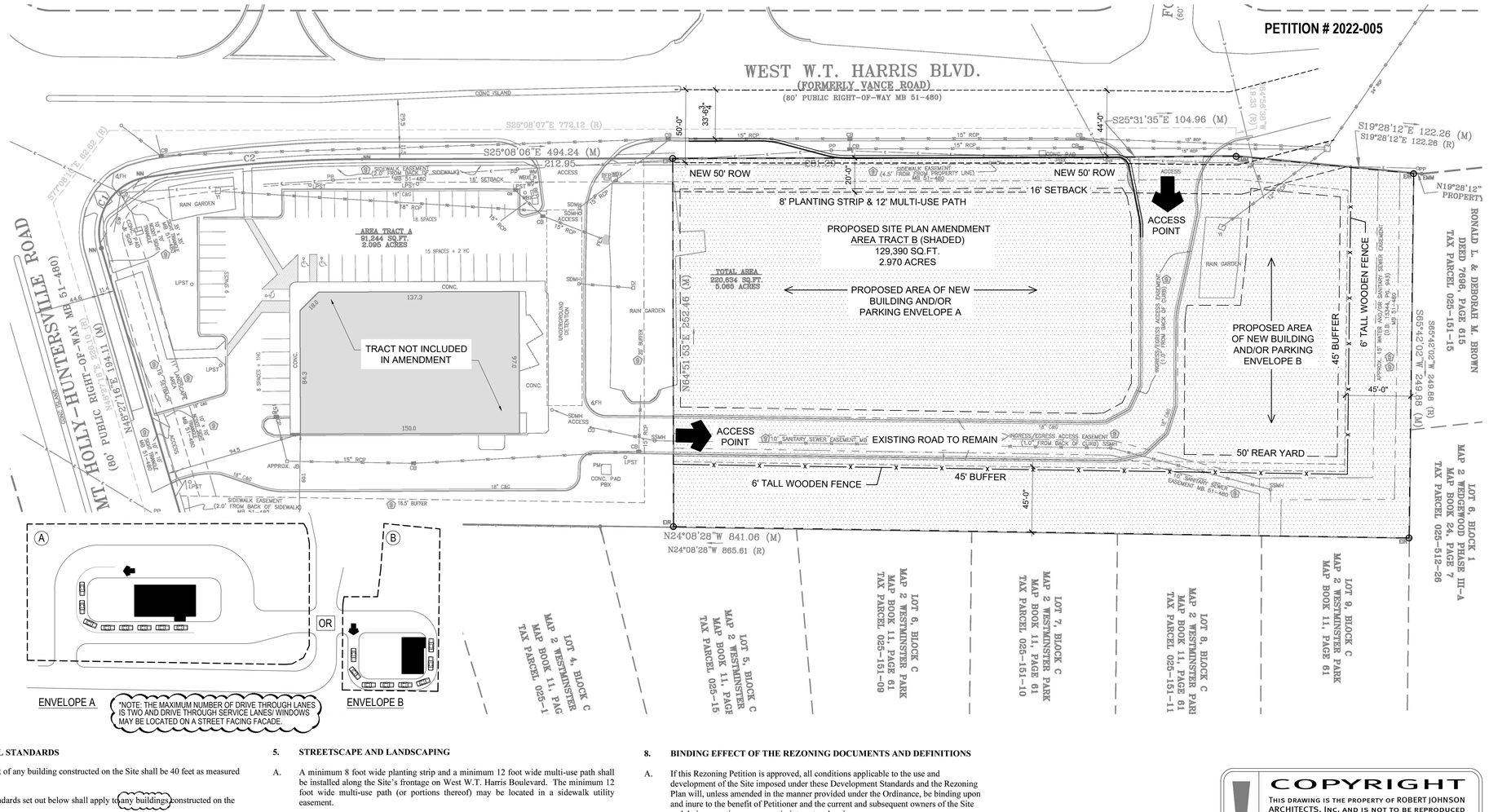
B. The location, size and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.

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

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



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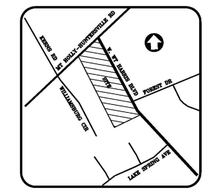
SITE DATA TABLE

TAX PARCEL NO.:	025-151-17
SITE AREA:	2.970 ACRES
EXISTING ZONING:	NEIGHBORHOOD SERVICES
PROPOSED ZONING:	NEIGHBORHOOD SERVICES SITE PLAN AMENDMENT
EXISTING USES:	VACANT
PROPOSED USES:	SEE THE DEVELOPMENT STANDARDS
MAX. GROSS FLOOR AREA:	20,000 SQUARE FEET
MAX. BUILDING HEIGHT:	40 FEET
PARKING:	PER THE ORDINANCE



0 40 80 160

TRIBEK PROPERTIES

PARCEL 02515117 - WEST W.T. HARRIS BLVD.

SITE PLAN AMENDMENT

SCALE : 1"= 40'-0"

CHARLOTTE, NC - RJA PROJECT #SP 1132 - 04. 10. 23 RZP-2022-005

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