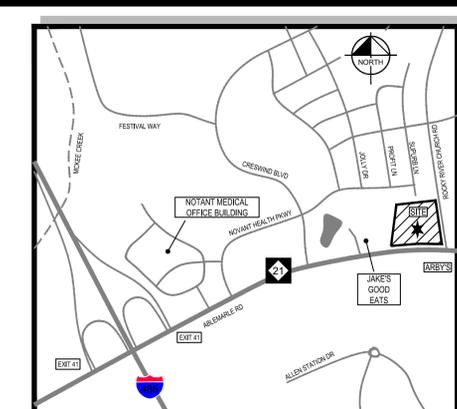
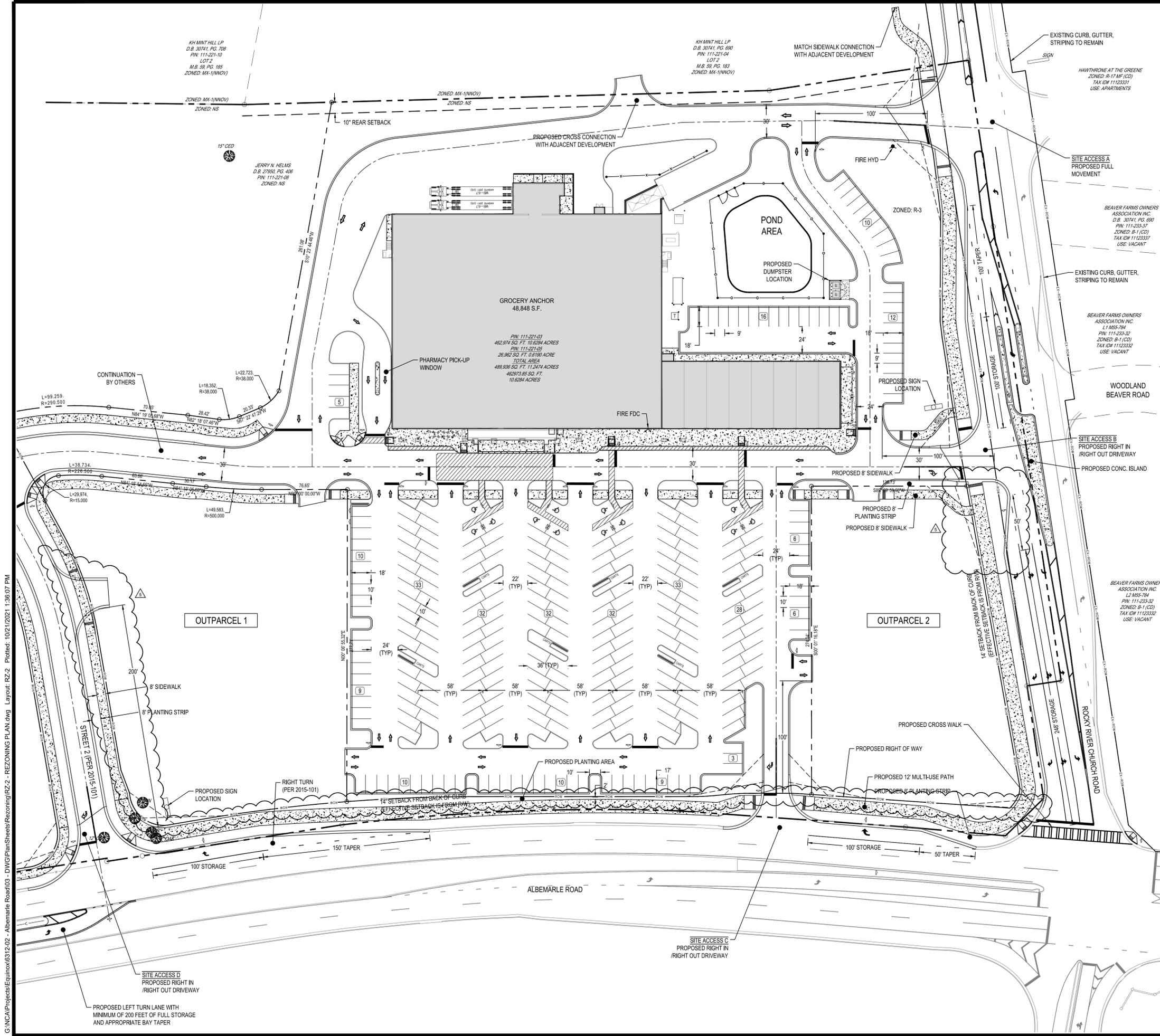




G:\NCA\Projects\Equinox\6312-02 - Albemarle Road\03 - DWG\PlanSheets\Rezoning\RZ-2 - REZONING PLAN.dwg Layout: RZ-2 Plotted: 10/21/2021 1:36:07 PM



SITE LOCATION MAP  
NOT TO SCALE

**REZONING SUMMARY**

**PETITIONER:** ALBEMARLE PROPERTY INVESTORS, LLC  
630 S. MAITLAND AVE., SUITE 100  
MAITLAND, FL 32751  
C/O AMY MCCOOK

**TAX PARCEL(S) ID:** 11122103 & 11122105

**PROPERTY OWNER (S):** PARCEL 11122103  
MARY L. RHODES  
13849 BEATTIES FORD RD  
HUNTERVILLE NC 28078

PARCEL 11122105  
SQUARE A LAND HOLDINGS, LLC  
11525 ROCKY RIVER CHURCH ROAD  
CHARLOTTE NC 28215

**ACREAGE:** 11.24 ACRES

**EXISTING ZONE:** PARCEL 11122103: NS ZONE  
PARCEL 11122105: R-3 ZONE

**PROPOSED ZONING:** NS (SPA), NS WITH 5 YEARS VESTED RIGHTS (PRIOR REZONING 2015-101 WILL BE AMENDED WITH THIS PETITION)

**EXISTING USES:** PARCEL 11122103: VACANT LAND  
PARCEL 11122105: AN EXISTING INDUSTRIAL BUILDING

**SETBACKS:** 14' FROM BACK OF CURB  
10' REAR SETBACK

**PROPOSED USES:** USED PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE NS ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW).

**MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT:** UP TO 75,000 SF OF GROSS FLOOR AREA OF RETAIL, EATING DRINKING ENTERTAINMENT ESTABLISHMENT (EDEE), AND PERSONAL SERVICES USES AS ALLOWED IN THE NS ZONING DISTRICT. UP TO A TOTAL OF THREE (3) USES WITH DRIVE-THROUGH WINDOWS WITHIN THE DEVELOPMENT AREA AS FOLLOWS:

- UP TO ONE (1) USE WITH AN ACCESSORY PHARMACY PICK-UP WINDOW
- UP TO ONE (1) USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW (ASSOCIATED WITH ANY USE ALLOWED WITHIN NS).
- UP TO ONE (1) USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW (ASSOCIATED WITH ANY USE ALLOWED WITHIN NS WITH THE EXCEPTION THAT THIS USE SHALL NOT BE A TRADITIONAL FAST FOOD RESTAURANT). FAST FOOD SHALL INCLUDE ESTABLISHMENTS SUCH AS CHICK-FIL-A, MCDONALDS, BURGER KING, ETC. THE FORGOING SHALL NOT RESTRICT FAST CASUAL FOOD USERS SUCH AS PANERA, CHIPOTLE, ETC. ALL OTHER USERS ALLOWED WITHIN NS WOULD BE PERMISSIBLE INCLUDING USES WHICH HAVE A PRIMARY OFFERING SUCH AS COFFEE OR BLENDED BEVERAGES.

**FIRE DEPARTMENT ACCESS ROAD** SHALL HAVE A MIN. 20' UNOBSTRUCTED CLEAR WIDTH AND SHALL BE CAPABLE OF SUPPORTING 80,000 LBS. IT SHALL ALSO HAVE A TURN RADIUS OF 30' INSIDE AND 42' OUTSIDE. FOR BUILDINGS THAT ARE EQUIPPED WITH SPRINKLER SYSTEMS, A FIRE DEPARTMENT CONNECTION SHALL BE LOCATED WITHIN 200' OF A FIRE HYDRANT FOR A NFPA 13 SPRINKLER SYSTEM. THE FDC SHALL BE LOCATED ON THE ADDRESS/ FRONT SIDE OF BUILDING. THE FIRE HYDRANT SHALL BE LOCATED WITHIN 750' TO THE MOST REMOTE POINT OF BUILDING AS TRUCK TRAVEL FROM ALL BUILDINGS.

**MAX. BUILDING HEIGHT:** BUILDING HEIGHTS WILL BE LIMITED TO A MAXIMUM OF FOUR (4) STORIES AND 60 FEET. BUILDING HEIGHT WILL BE MEASURED AS DEFINED BY THE ORDINANCE.

**PARKING REQUIRED:** AS DEFINED BY THE ORDINANCE

**STORMWATER:** AS REQUIRED BY THE ORDINANCE

\*SEE SHEET RZ-3.0 FOR REZONING DEVELOPMENT STANDARDS

- FIRE DEPARTMENT NOTES**
1. FIRE DEPARTMENT ROAD SHALL HAVE A MIN. 20' UNOBSTRUCTED CLEAR WIDTH AND SHALL BE CAPABLE OF SUPPORTING 80,000 LBS.
  2. TURN RADIUS SHALL BE 30' INSIDE AND 42' OUTSIDE.
  3. FOR BUILDING ARE ARE EQUIPPED WITH A SPRINKLER SYSTEM, A FIRE DEPARTMENT CONNECTION SHALL BE LOCATED WITHIN 200' OF A FIRE HYDRANT FOR A NFPA 13 SPRINKLER SYSTEM.
  4. FDC SHALL BE LOCATED ON THE ADDRESS/FRONT SIDE OF BUILDING.
  5. FIRE HYDRANT SHALL BE LOCATED WITHIN 750' TO THE MOST REMOTE POINT OF THE BUILDING AS THE TRUCK TRAVELS FOR ALL BUILDINGS.

811  
Know what's below.  
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SCALE: 1" = 40'

REV	DATE	DESCRIPTION
10/21/2021	10/21/2021	UPDATED REZONING PLANS
09/13/2021	09/13/2021	UPDATED REZONING PLANS
05/17/2021	05/17/2021	UPDATED REZONING PLANS
04/09/2021	04/09/2021	UPDATED REZONING PLANS
02/02/2021	02/02/2021	FOR SUBMITTAL - REZONING COMMENTS

DESIGNED BY: DMH / LL  
DRAWN BY: DMH / LL  
REVIEWED BY: ECH / MS

**BCE**  
1111 METROPOLITAN AVE., SUITE 250  
CHARLOTTE, NC 28204  
www.bceinc.com  
NC LICENSE #C-4397

**ALBEMARLE PROPERTY INVESTORS, LLC**  
630 S MAITLAND AVE, SUITE 100  
MAITLAND, FL 32751

**ALBEMARLE ROAD RETAIL**  
ALBEMARLE ROAD  
CHARLOTTE, NC / 28227

**REZONING PLAN**

NOT FOR CONSTRUCTION  
FILE NUMBER: 6312-02  
DATE: 10/19/2020  
RZ-2

**I. GENERAL PROVISIONS**

- THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY EQUINOX DEVELOPMENT PROPERTIES, INC. (THE "PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A GROCERY ANCHORED RETAIL CENTER ON THAT APPROXIMATELY 11.24-ACRE SITE LOCATED ON THE NORTHWEST CORNER OF ALBEMARLE ROAD AND ROCKY RIVER CHURCH ROAD, MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (THE "SITE"). THE SITE IS COMPRISED OF TWO TAX PARCELS, PARCEL ID NUMBERS 11122103 AND 11122105.
- 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").
- UNLESS THE REZONING PLAN OR THESE DEVELOPMENT STANDARDS ESTABLISH MORE STRINGENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE NS ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- THE DEVELOPMENT AND STREET LAYOUT DEPICTED ON THE REZONING PLAN ARE SCHEMATIC IN NATURE AND ARE INTENDED TO DEPICT THE GENERAL ARRANGEMENT OF SUCH 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, LANDSCAPING AND TREE SAVE REQUIREMENTS SET FORTH ON THIS REZONING PLAN AND THE DEVELOPMENT STANDARDS, PROVIDED, HOWEVER, THAT ANY SUCH ALTERATIONS AND MODIFICATIONS SHALL BE MINOR IN NATURE AND NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR THESE DEVELOPMENT STANDARDS MAY BE APPLIED FOR BY THE THEN OWNER(S) OF THE SITE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE. MINOR ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE.

**II. PERMITTED USES**

USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE NS ZONING DISTRICT. UP TO 75,000 SF OF GROSS FLOOR AREA OF RETAIL, EATING DRINKING ENTERTAINMENT ESTABLISHMENT (EDEM), AND PERSONAL SERVICES USES AS ALLOWED IN THE NS ZONING DISTRICT AND SHALL BE LOCATED IN OUTPARCELS ILLUSTRATED IN THE PLAN. UP TO A TOTAL OF THREE (3) USES WITH DRIVE-THROUGH WINDOWS WITHIN THE DEVELOPMENT AREA AS FOLLOWS:

- UP TO ONE (1) USE WITH AN ACCESSORY PHARMACY PICK-UP WINDOW
- UP TO ONE (1) USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW (ASSOCIATED WITH ANY USE ALLOWED WITHIN NS).
- UP TO ONE (1) USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW (ASSOCIATED WITH ANY USE ALLOWED WITHIN NS) WITH THE EXCEPTION THAT THIS USE SHALL NOT BE A TRADITIONAL FAST FOOD RESTAURANT; FAST FOOD SHALL INCLUDE ESTABLISHMENTS SUCH AS CHICK-FIL-A, MCDONALDS, BURGER KING, ETC. THE FORGOING SHALL NOT RESTRICT FAST CASUAL FOOD USERS SUCH AS PANERA, CHIPOTLE, ETC. ALL OTHER USERS ALLOWED WITH NS WOULD BE PERMISSIBLE INCLUDING USES WHICH HAVE A PRIMARY OFFERING SUCH AS COFFEE OR BLENDED BEVERAGES, AS ALLOCATED IN THE COUNCIL APPROVED REZONING PETITION 2015-101. THE REMAINING PORTION OF DEVELOPMENT AREA B AS OUTLINED IN THAT PETITION WILL UTILIZE THE REMAINING ENTITLED ALLOWABLE GROSS FLOOR AREAS THAT ARE ABOVE THE REQUESTED USES OUTLINED IN THIS PETITION. THIS REMAINING AREA WILL ALSO MAINTAIN UP TO TWO (2) DRIVE THROUGH WINDOWS AS ALLOCATED IN THAT PETITION.

**III. TRANSPORTATION**

- VEHICULAR ACCESS TO THE SITE 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 TO ACCOMMODATE FINAL SITE AND CONSTRUCTION PLANS AND DESIGNS AND AS REQUIRED FOR APPROVAL BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) AND CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT). AS DEPICTED ON THE REZONING PLAN, THE PROJECT WILL BE REQUIRED TO CONSTRUCT THE FOLLOWING:

**ROCKY RIVER CHURCH ROAD AT ALBEMARLE ROAD:**

- SOUTHBOUND: LEFT TURN AND LEFT-THROUGH LANES WITH 250 FEET OF FULL STORAGE AND APPROPRIATE BAY TAPER SHOULD BE PROVIDED.
- SOUTHBOUND: RIGHT TURN LANE WITH STORAGE EXTENDED TO PROPOSED RIGHT-IN/RIGHT-OUT DRIVEWAY AT SITE ACCESS B.
- NORTHBOUND: NO IMPROVEMENTS REQUIRED.
- EASTBOUND AND WESTBOUND: NO IMPROVEMENTS REQUIRED.

**SITE ACCESS A:**

- AN EXCLUSIVE LEFT TURN LANE ON THE NORTHBOUND APPROACH OF ROCKY RIVER CHURCH ROAD. STORAGE SHALL BE PROVIDED TO THE MAXIMUM EXTENT POSSIBLE IN COORDINATION WITH THE SOUTHBOUND LEFT OVER TURN LANE TO WOODLAND BEAVER ROAD.
- PROVIDE A 100 FOOT INTERNAL PROTECTED STEM FROM THE PROPOSED ROCKY RIVER CHURCH ROAD RIGHT-OF-WAY TO THE INTERNAL SITE ACCESS DRIVE.

**SITE ACCESS B:**

- IN LIEU OF A 100 FOOT INTERNAL PROTECTED STEM, PROVIDE AN EXCLUSIVE RIGHT TURN LANE WITH A MINIMUM OF 100 FEET OF FULL STORAGE AND APPROPRIATE BAY TAPER ON THE SOUTHBOUND APPROACH OF ROCKY RIVER CHURCH ROAD. INTERNAL STEM TO BE MAXIMIZED BASED ON CURRENT REZONING SITE PLAN. ON-SITE STEM IN COMBINATION WITH INCREASED STORAGE IN RIGHT TURN LANE EXCEEDS THE STORAGE REQUESTED.
- PROVIDE A SOUTHBOUND LEFT OVER TURN LANE ONTO WOODLAND BEAVER ROAD.

**SITE ACCESS C:**

- AN EXCLUSIVE RIGHT TURN LANE ON THE WESTBOUND APPROACH OF ALBEMARLE ROAD. A MINIMUM OF 100 FEET OF FULL STORAGE AND APPROPRIATE BAY TAPER SHOULD BE PROVIDED.

**SITE ACCESS D:**

- AN EXCLUSIVE LEFT TURN LANE ON THE EASTBOUND APPROACH OF ALBEMARLE ROAD. A MINIMUM OF 200 FEET OF FULL STORAGE AND APPROPRIATE BAY TAPER SHOULD BE PROVIDED.

- A TWO-LANE CROSS SECTION CONSISTING OF AN INGRESS LANE AND EGRESS LANE SHOULD BE PROVIDED FOR THE DEVELOPMENT ACCESS.
- AS DEPICTED ON THE REZONING PLAN, THE EAST-WEST SITE ACCESS DRIVE CONNECTING STREET 2 TO ROCKY RIVER CHURCH ROAD WILL BE A PRIVATE ACCESS DRIVE.
- PETITIONER SHALL PROVIDE INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN.
- PETITIONER COMMITS TO PROVIDING INTERSECTION IMPROVEMENTS TO ACCOMMODATE PEDESTRIAN AND BICYCLE CROSSINGS AT THE ALBEMARLE ROAD AND ROCKY RIVER CHURCH ROAD INTERSECTION. THESE IMPROVEMENTS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN AND SHALL INCLUDE ACCESSIBLE RAMPS AND ALL ASSOCIATED INFRASTRUCTURE MODIFICATIONS NEEDED TO PROVIDE A SAFE ROUTE FOR BOTH BICYCLISTS AND PEDESTRIANS AND SHALL ALIGN WITH THOSE IMPROVEMENTS FOUND AND APPROVED AS PART OF RZP 2020-007.
- PETITIONER SHALL DEDICATE ALL RIGHTS-OF-WAY WHERE NECESSARY, IN FEE SIMPLE CONVEYANCE TO THE CITY OF CHARLOTTE PRIOR TO THE ISSUANCE OF THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY. RIGHT OF WAY DEDICATED SHALL BE 2' BEHIND SIDEWALK WHERE FEASIBLE.
- UNLESS STATED OTHERWISE HEREIN, THE PETITIONER SHALL ENSURE THAT ALL TRANSPORTATION IMPROVEMENTS ARE APPROVED AND CONSTRUCTED PRIOR TO 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.
- PETITIONER WILL COORDINATE WITH CDOT AND NCDOT STAFF TO PRODUCE BICYCLE AND PEDESTRIAN FACILITIES AT THE ALBEMARLE ROAD AND ROCKY RIVER CHURCH ROAD INTERSECTION.

**IV. ARCHITECTURAL STANDARDS**

- ARCHITECTURAL STANDARDS SHALL COMPLY WITH SECTION 5, DESIGN INTENT STATEMENT, AND SECTION 6, ARCHITECTURAL STANDARDS AND PARKING LOCATION RESTRICTIONS. THE PRIOR COMMITTED REQUIREMENTS AS SHOWN ON THE COUNCIL APPROVED REZONING PETITION 2015-101.
- ENVIRONMENTAL FEATURES
- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION STORMWATER ORDINANCE. 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.
- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE.

**VI. STREETScape AND LANDSCAPING**

- THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE.

**VII. LIGHTING**

- ALL FREESTANDING LIGHTING FIXTURES INSTALLED ON THE SITE GREATER THAN TWENTY ONE (21) FEET IN TOTAL HEIGHT (I.E., EXCLUDING DECORATIVE LIGHTING LESS THAN 2' IN HEIGHT THAT MAY BE INSTALLED ALONG THE DRIVEWAYS AND SIDEWALKS AS PEDESTRIAN/LANDSCAPING LIGHTING) SHALL BE FULLY CAPPED AND SHIELDED AND THE ILLUMINATION DOWNWARDLY DIRECTED.

**VIII. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**

- 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 INSURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE SUCCESSORS IN INTEREST AND ASSIGNS.
- THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERMS, "PETITIONER" AND "OWNER" OR "OWNERS" SHALL BE DEEMED TO INCLUDE THE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST AND ASSIGNS OF THE PETITIONER OR THE OWNER OR OWNERS OF ANY PART OF THE SITE FROM TIME TO TIME WHO MAY BE INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

10/21/2021	UPDATED REZONING PLANS	DESCRIPTION
09/13/2021	UPDATED REZONING PLANS	
05/17/2021	UPDATED REZONING PLANS	
04/09/2021	UPDATED REZONING PLANS	
02/02/2021	FOR SUBMITTAL - REZONING COMMENTS	
REV	DATE	

DESIGNED BY: DMH / LL  
 DRAWN BY: DMH / LL  
 REVIEWED BY: ECH / MS



1111 METROPOLITAN AVE, SUITE 250  
 CHARLOTTE, NC 28204  
 www.bceinc.com  
 NC LICENSE #C-4387

ALBEMARLE PROPERTY INVESTORS, LLC  
 630 S MAITLAND AVE, SUITE 100  
 MAITLAND, FL 32751

ALBEMARLE ROAD RETAIL  
 ALBEMARLE ROAD  
 CHARLOTTE / NC / 28227

TECHNICAL DATA SHEET

SEAL

NOT FOR CONSTRUCTION  
 FILE NUMBER: 6312-02  
 DATE: 10/19/2020  
 RZ-3



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