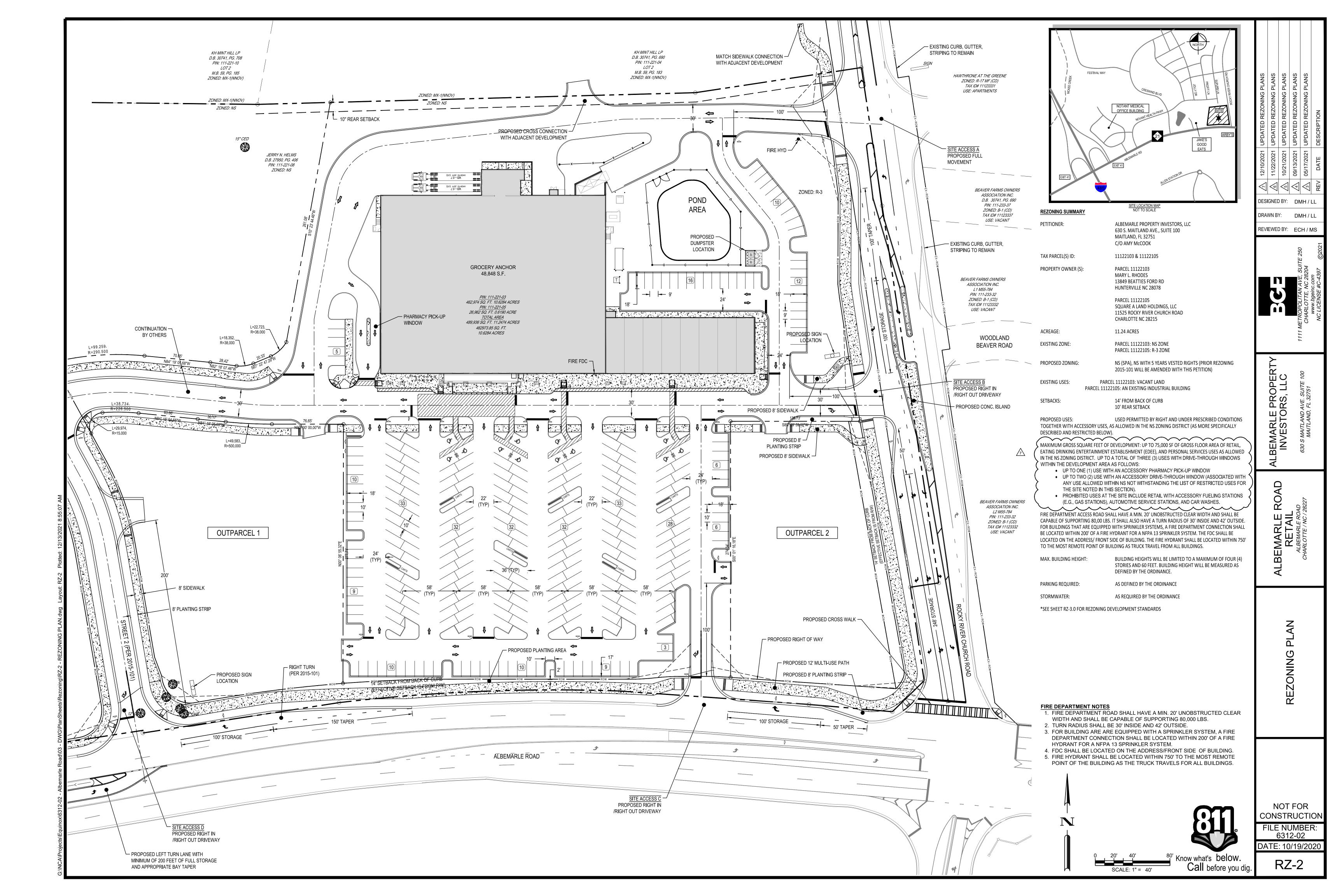


DRAWN BY: DMH / LL

REVIEWED BY: ECH / MS

NOT FOR CONSTRUCTION 6312-02

FILE NUMBER: DATE: 10/19/2020



#### I. GENERAL PROVISIONS

- 1. 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.
- 2. 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.
- 5. 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 (EDEE), 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 TWO (2) USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW (ASSOCIATED WITH ANY USE ALLOWED WITHIN NS NOT
- WITHSTANDING THE LIST OF RESTRICTED USES FOR THE SITE NOTED IN THIS SECTION).

   PROHIBITED USES AT THE SITE INCLUDE RETAIL WITH ACCESSORY FUELING STATIONS (E.G., GAS STATIONS),
- AUTOMOTIVE SERVICE STATIONS, AND CAR WASHES.

#### 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 CONTSTRUCT 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 CHRUCH 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 PROCTECTED STEM FROM THE PROPOSED ROCKY RIVER CHRUCH 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 APPRACH 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 RQUESTED.
- 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.
- 3. A TWO-LANE CROSS SECTION CONSISTING OF AN INGRESS LANE AND EGRESS LANE SHOULD BE PROVIDED FOR THE DEVELOPMENT ACCESS.
- 4. 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.
- 7. 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.
- 8. 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.
- V. ENVIRONMENTAL FEATURES
- 1. 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.

- 2. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE TREE ORDINANCE.
- VI. STREETSCAPE AND LANDSCAPING
- 1. 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 21' 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

- 1. 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.

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11/22/2021 10/21/2021 09/13/2021 05/17/2021

DESIGNED BY: DMH / LL

DRAWN BY: DMH / LL

REVIEWED BY: ECH / MS



E PROPERTY
ORS, LLC

BEMARLE ROAL RETAIL

ALBEMARLE ROAD

CHARLOTTE / NC / 28227

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