

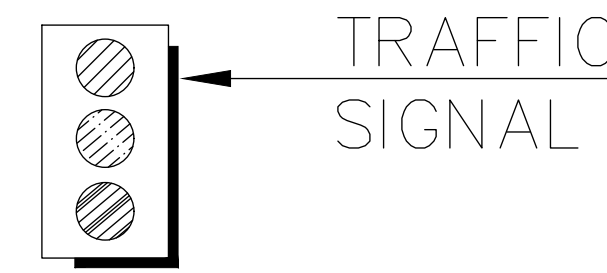
**Development Data Table**

- **Site Acreage:** Approximately 1.206 acres
- **Tax Parcel Number:** 207-071-12
- **Existing Zoning:** TOD-CC
- **Existing Use:** EDEE (Type 1) with accessory drive-in/drive through service lanes/windows
- **Proposed Zoning:** MUDD-O
- **Proposed Uses:** See the Development Standards
- **Maximum Gross Floor Area:** See the Development Standards
- **Parking:** See the Development Standards

INFORMATION SHOWN HAS BEEN BASED UPON AN ELECTRONIC AS-BUILT SURVEY BY MSP, INC. DATED 10-20-2019.

DEVELOPMENT STANDARDS  
March 25, 2021

NC HWY 521/ SOUTH BLVD.  
(PUBLIC VARIABLE RW)



**1. GENERAL PROVISIONS**

- A. **Site.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Chick-Fil-A, Inc. (the "Petitioner") for an approximately 1.206 acre site located at the southeast corner of the intersection of South Boulevard and Carolina Pavilion Drive (the "Site"), which Site is more particularly depicted on the Rezoning Plan. The Site is comprised of Tax Parcel No. 207-071-12.
- B. **Zoning District/Ordinance.** The primary purpose of this rezoning request is to accommodate the demolition of the existing building on the Site that is utilized for an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows, and to construct a new building on the Site that would be devoted to an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows. Accordingly, the development and use of the Site for an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the Mixed Use Development District ("MUDD") zoning district shall govern the development and use of the Site for an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows.

In the event that the Site is redeveloped at any time for a use or uses other than an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows, then such redevelopment and use or uses of the Site shall be governed by the applicable provisions of the Development Standards and the applicable regulations of the TOD-CC zoning district. Such redevelopment and use or uses shall not be subject to the Rezoning Plan and the site layout depicted on the Rezoning Plan.

- C. **Graphics and Alterations.** The schematic depictions of the uses, sidewalks, driveways, parking areas 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 for flexibility in allowing some alterations or modifications from the graphic representations of the Development/Site Elements. Therefore, there may be instances where 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:

- (1) Minor and do not materially change the overall design intent depicted on the Rezoning Plan.
- The Planning Director will determine if such minor modifications are allowed pursuant to this amendment process, and if it is determined that the alteration does not meet the criteria described above, Petitioner shall then follow the administrative amendment process pursuant to Section 6.207 of the Ordinance in each instance, however, subject to Petitioner's appeal rights set forth in the Ordinance.
- D. **Amendments.** 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. OPTIONAL PROVISIONS**

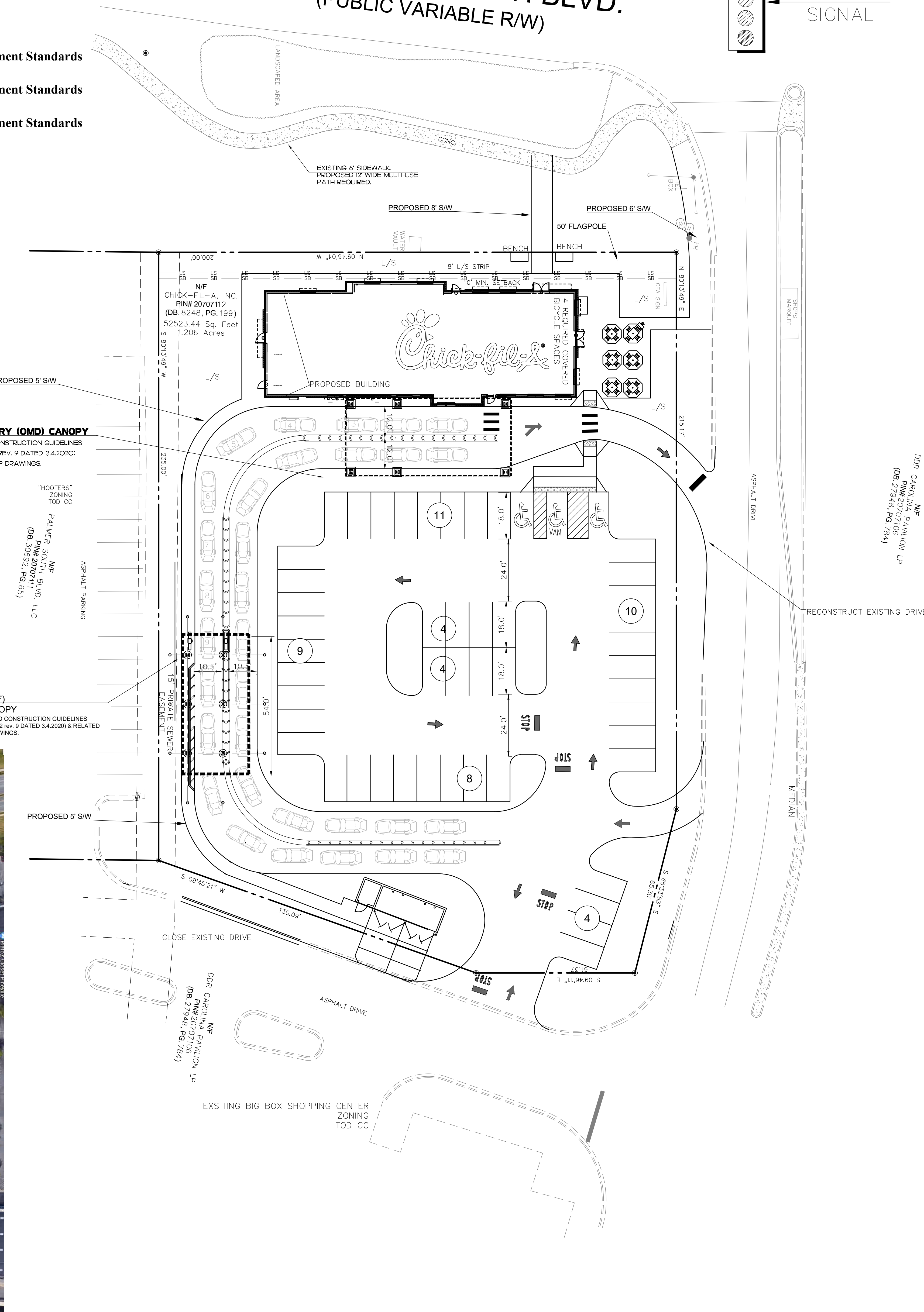
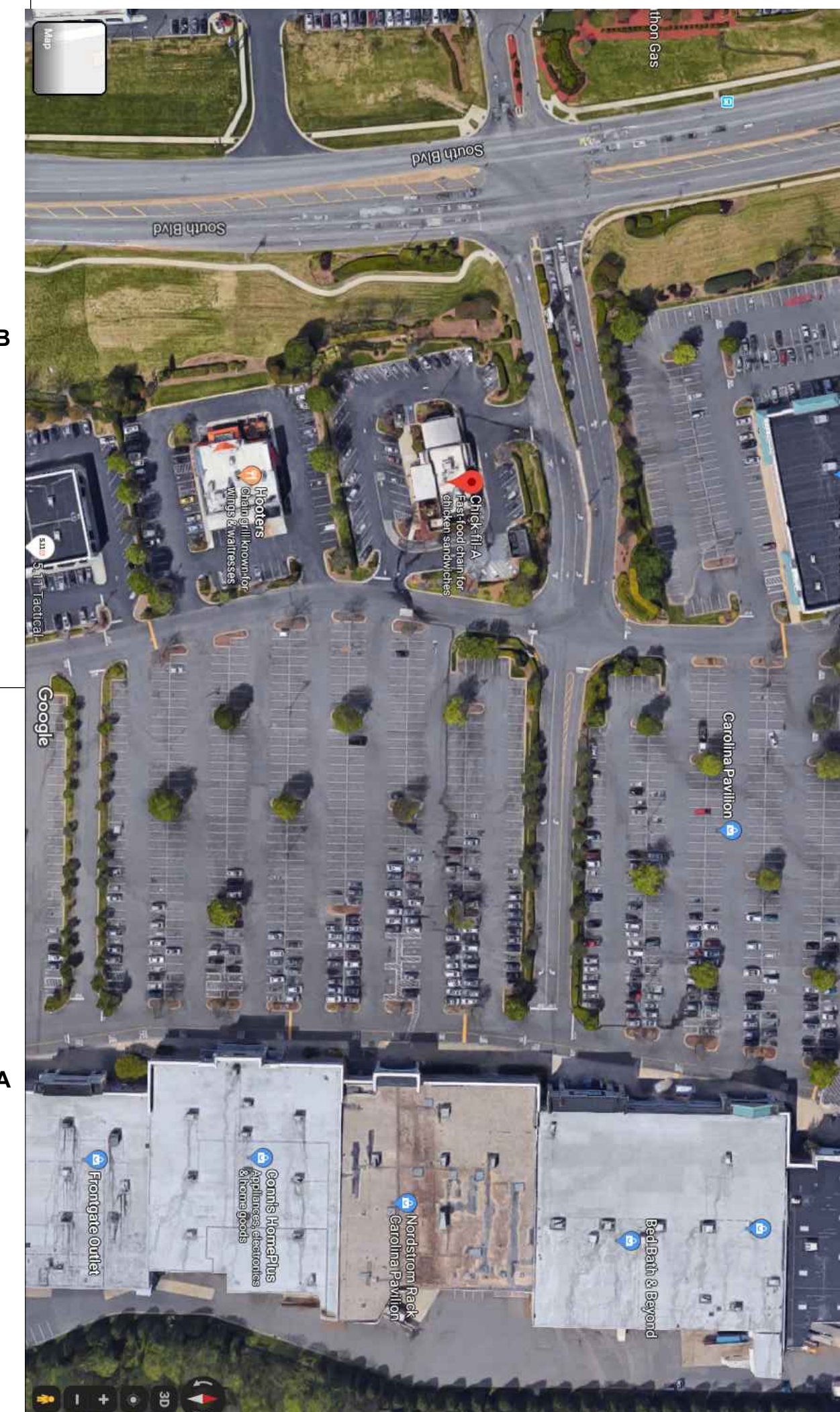
- A. The optional provisions set out below shall apply to the redevelopment and use of the Site for an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows.
  - (1) Drive-in/drive through service lanes/windows accessory to an eating, drinking and entertainment establishment (Type 1) shall be permitted on the Site.
  - (2) A building devoted to an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows shall not be required to comply with the building entrance requirements of Section 9.8506.2(h) of the Ordinance.
  - (3) The existing sidewalks located along the Site's public and private street frontages may remain in place. Notwithstanding the foregoing, Petitioner shall install a new 6 foot wide sidewalk along a portion of the Site's frontage on Carolina Pavilion Drive to connect the Site to the existing sidewalk located along the Site's frontage on South Boulevard as generally depicted on the Rezoning Plan.
- B. The optional provision set out below shall apply to the redevelopment of the Site at any time for any use or uses other than an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows.
  - (1) The redevelopment of the Site at any time for a use or uses other than an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows shall be governed by and comply with the applicable provisions of the Development Standards and the applicable regulations of the TOD-CC zoning district rather than the MUDD zoning district. Such redevelopment and use or uses shall not be subject to the Rezoning Plan and the site layout depicted on the Rezoning Plan.

**3. PERMITTED USES/DEVELOPMENT LIMITATIONS**

- A. Subject to the development limitations set out in this Section 3 of the Development Standards, the Site may only be devoted to the uses set out below.
  - (1) An eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the MUDD zoning district.
  - (2) All uses that are permitted by right or under prescribed conditions in the TOD-CC zoning district that are also permitted by right or under prescribed conditions in the MUDD zoning district, together with any incidental/and or accessory uses associated therewith that are permitted under the Ordinance TOD-CC zoning district and the MUDD zoning district.
- B. The maximum gross floor area of a building devoted to an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows shall be 5,100 square feet.
- C. The gross floor area of a building or buildings located on the Site devoted to a use or uses other than an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows shall be governed by the regulations of the TOD-CC zoning district.
- D. **TRANSPORTATION**
  - A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the 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 the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT") in accordance with applicable published standards.
  - B. The alignments of the private drives and the parking and vehicular circulation areas may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT or NCDOT in accordance with applicable published standards.
  - C. Off-street vehicular parking for an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows shall meet or exceed the off-street parking requirements of the MUDD zoning district.
  - D. Off-street vehicular parking for a use or uses other than an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows shall be governed by the regulations of the TOD-CC zoning district.

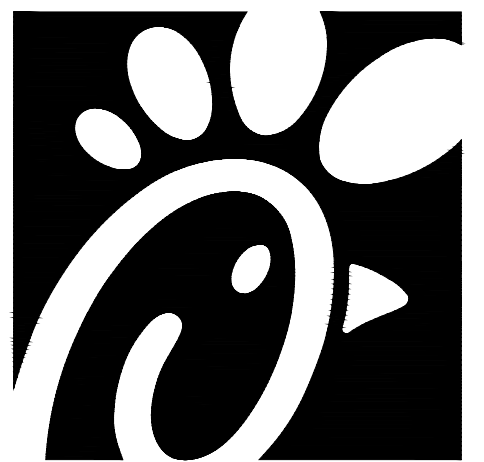
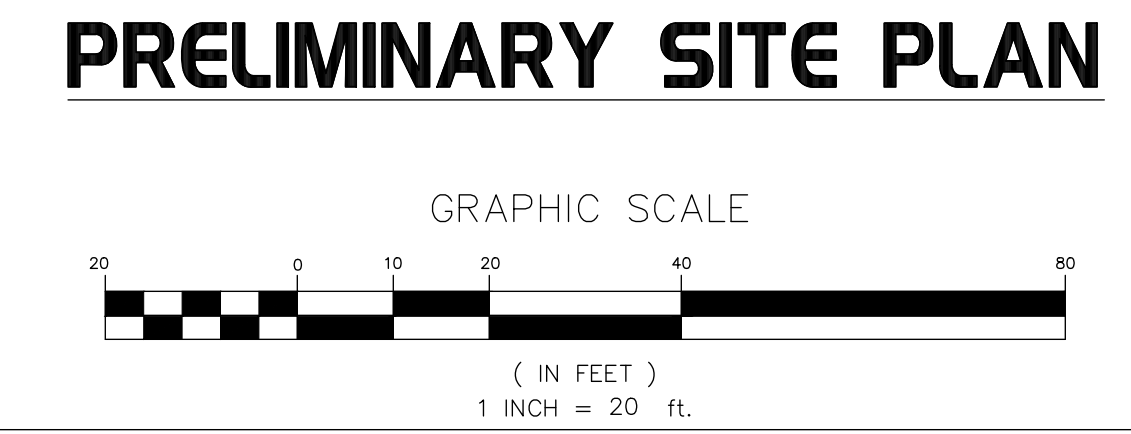
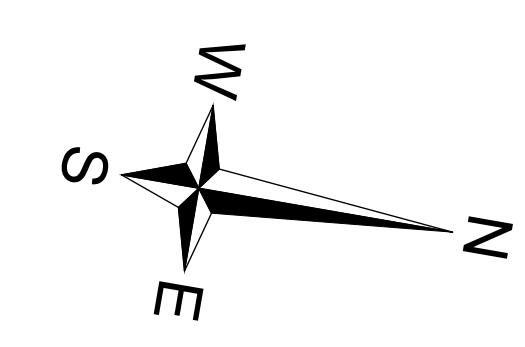
**4. ARCHITECTURAL STANDARDS**

- A. The maximum height of a building devoted to an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows shall be 30 feet.
- B. The maximum height of a building or buildings devoted to a use or uses other than an eating, drinking and entertainment establishment (Type 1) with accessory drive-in/drive through service lanes/windows shall be governed by the applicable regulations of the TOD-CC zoning district.
- C. **STREETScape**
  - A. The existing sidewalks located along the Site's public and private street frontages may remain in place. Notwithstanding the foregoing, Petitioner shall install a new 6 foot wide sidewalk along a portion of the Site's frontage on Carolina Pavilion Drive to connect the Site to the existing sidewalk located along the Site's frontage on South Boulevard as generally depicted on the Rezoning Plan.
- D. **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 Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
  - C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



**OUTSIDE MEAL DELIVERY (OMD) CANOPY**  
SEE CHICK-FIL-A DESIGN AND CONSTRUCTION GUIDELINES (SHEETS CO-O-CO-3, A4.0 - A4.2 REV. 9 DATED 3.4.2020) & RELATED MANUFACTURER SHOP DRAWINGS.

**FACE-TO-FACE (F2F) ORDER POINT CANOPY**  
SEE CHICK-FIL-A DESIGN AND CONSTRUCTION GUIDELINES (SHEETS CO-O-CO-3, A4.0 - A4.2 REV. 9 DATED 3.4.2020) & RELATED MANUFACTURER SHOP DRAWINGS.



Chick-fil-A

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HILL FOLEY ROSSI & ASSOCIATES, LLC  
REG. NO. P-0227, EXP. 6/30/2019

**CHICK-FIL-A**  
**SAR CAROLINA PAVILION FSR**  
9801 SOUTH BOULEVARD  
CHARLOTTE, NC 28273

**FSR#0950**

BUILDING TYPE / SIZE:  
RELEASE:

REVISION SCHEDULE		
NO.	DATE	DESCRIPTION

CITY PROJECT #	
CONSULTANT PROJECT #	19.421.00.CIV
PRINTED FOR	REVIEW
DATE	3.24.2021
DRAWN BY	CD

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SHEET

SHEET NUMBER

**NOT FOR PERMIT**

**CP.11**