

DEVELOPMENT STANDARDS

1. Development of the site will be controlled by the standards depicted on this site plan and by the standards of the Charlotte Zoning Ordinance. The development depicted on this plan is intended to reflect the arrangement of proposed buildings and uses on the site, but the exact configuration, placement, and size of individual site elements may be altered or modified within the limits prescribed by the ordinance in Section 6.207 during the design development and construction phases.

2. Access to the site will be provided by driveway connections to US 521 (Lancaster Highway) and to Ardrey Kell Rd. via a new public street and a driveway as generally depicted on this site plan as well as to other properties through future connections. The Petitioner will install sidewalks as generally depicted on the site plan along the perimeter of the site. Along Audrey Kell Rd. and US 521 this sidewalk will be 6' in width behind an 8' planting strip. The Petitioner will apply to NCDOT for permission to extend these pedestrian facilities to provide for a pedestrian connection to the Birdgehampton community across US 521 from the site, including marked crosswalks and improved sidewalks within the NCDOT right-of-way and the median area. The Petitioner specifically reserves the right under the provisions of the Subdivision Ordinance, to seek relief from the extent and timing of the construction of a portion of the required collector street on the site that would extend to an adjoining tract to the north.

3. The proposed use of the site will be for the development of a small neighborhood shopping center and related accessory uses and permanent open space. Uses include neighborhood oriented uses such as a supermarket, small retail services, dry cleaners, personal services, restaurant, or similar uses. The site will be restricted from use as a gas station or any "fast food" restaurant and may specifically include up to two uses with drive through service such as a restaurant, bank, or pharmacy. There will be no direct access from any out parcel to the adjoining public streets. The buildings that may locate separated from the main structure will be designed as part of the overall development in terms of consistent landscaping, signage, and architectural style. More than one use or type of use may locate in any structure on the site. The Petitioner is proposing no specific phasing plan and reserves the right to develop the site on a building by building basis that is responsive to the market demand for various types of tenants. Restaurants may include outdoor seating and this seating will not be counted toward the floor area for the site. Any proposed adjustment of the site plan to accommodate a use such as a bank that is not specifically indicated as part of the plan as submitted, will be reviewed and approved by the Zoning Committee of the Planning Commission.

I. All dumpsters will be screened with solid enclosures and gates. Roof top mechanical and HVAC equipment will be screened from view from public streets or adjoining properties. The grocery store loading dock will be screened by a 6' solid wall as generally depicted on the site plan.

5. Buffer areas will be developed in accordance with the provisions of the Zoning Ordinance. Required buffers on the site may be eliminated by administrative action if the adjoining parcels are rezoned such that buffers are no longer required. In addition, the Petitioner reserves the right to seek approval of an alternate buffer plan or a variance from the standard buffer provisions in the areas of the site where a lake exists in the area of any required buffers.

5. The proposed development will comply with all applicable Ordinance requirements for signage, screening, and landscaping.

Additional landscaping and tree planting will be provided as generally depicted on the site plan in the numbers and general locations indicated. Nothing in this provision will limit the Petitioner's ability to install additional landscaping, even if not shown on the site plan.

7. The Petitioner will construct a collector street through the site as generally depicted on the site plan. This street will include a 6' sidewalk and an 8' planting strip. If any safety rails are required along the sidewalk, the Petitioner will install a decorative rail rather that the City's standard rail. Future access to other properties to the east may also make use of this collector street for access and connectivity to the area street network and to the Petitioner's site.

8. The Petitioner will dedicate and/or convey right-of-way sufficient to create 50' of right-of-way measured from the centerline of Audrey Kell Rd., such dedication and/or conveyance to occur prior to the issuance of a Certificate of Occupancy for the first building on the site. Any such dedication and/or conveyance will take the form of an instrument such as a quitclaim, non-warranty deed with appropriate reversion clause wherein the rights in the property or right of way so dedicated and/or conveyed will revert to the owner of the property without cost should the purpose for which the dedication and/or conveyance no longer exist and the responsible governmental authority abandons its use or need for the property.

9. The Petitioner, as part of the development of the site will install the following transportation improvements.

With the Right-In/Right-Out Access to Lancaster Highway (US 521)

Lancaster Highway/Johnston Road (US 521) and Lancaster Highway (SR 4982)

Construct an eastbound right turn lane on Lancaster Highway (SR 4982) with a minimum 375 feet of storage and a 20:1 bay taper.

Lancaster Highway (US 521) and Ardrey-Kell Road (SR 3632)

Construct an additional southbound left turn lane on Lancaster Highway (US 521) and Ardrey-Kell Road (SR 3632)

 Construct an additional southbound left turn lane on Lancaster Highway with a combined minimum 225 feet of storage and a 15:1 bay taper with a through lane taper in the existing median.

Construct an additional castbound through lane on Ardrey-Kell Road to receive the dual left turn lanes and carry for approximately 1000 feet followed by a 45:1 transition taper.
 Construct a westbound right turn lane on Ardrey-Keil Road with a minimum 225 feet of storage and a 20:1 bay taper.

 Construct 125 feet of additional storage with a 15:1 bay taper and 45:1 through lane taper(s) for the westbound left turn lane on Ardrey-Kell Road for a total storage of 200 feet.

Ardrey-Kell Road (SR 3632) and Boys Town Road (SR 4024)/Proposed Access "A"

Construct the southbound Proposed Access in alignment with Boys Town Road to form the fourth leg of the intersection with Ardrey-Kell Road. This driveway connection shall also be approved by NCDOT and CDOT and shall concur with the latest edition of the NCDOT Policy on Street and Driveway Access to North Carolina Highways.
 Construct westbound and eastbound left turn lanes on Ardrey-Kell Road each with 150 feet of storage and a 15:1 bay

taper with 45:1 through lane taper(s).

Construct northbound and southbound left turn lanes on Boys Town Road/Proposed Access "A" each with 150 feet of

• Construct northbound and southbound left turn lanes on Boys Town Road/Proposed Access "A" each with 150 feet of storage and a 15:1 bay taper with 35:1 through lane taper(s).

Construct a westbound right turn lane on Ardrey-Kell Road with a minimum 150 feet of storage with a 20:1 bay taper.

Lancaster Highway (US 521) and Proposed RI/RO Access "A"

Construct Proposed Access "A" to serve as a right-in/right-out access location. This driveway connection shall also be approved by NCDOT and CDOT and concur with the latest edition of the NCDOT Policy on Street and Driveway

Access to North Carolina Highways.

Construct a northbound right turn lane on Lancaster Highway with 150 feet of storage and a 20:1 bay taper.

Construct a northbound right turn lane on Lancaster Highway with 150 feet of storage and a 20:1 bay taper.

Parking will be provided which meets or exceeds the requirements of the Ordinance and will not be provided at a rate of less than 1 space for each 250 sq. ft. of floor area.

2. With regard to water quality issues, the Petitioner will commit to the following additional standards.

The petitioner shall tie-in to the existing storm water system(s) where they exist. The petitioner shall have the receiving drainage system(s), if they exist, analyzed to ensure that it will not be taken out of standard due to the development. If it is found that development will cause the storm drainage system(s) to be taken out of standard, the petitioner shall provide alternate methods to prevent this from occurring.

The petitioner shall control and treat the difference in storm water runoff volume leaving the project site between the pre and post development runoff conditions for the 1-year 24-hour storm. Runoff draw down time shall be a minimum of 24 hours, but not more than 120 hours. Peak storm water release rates should match pre-development rates for the 2-year and 10-year 6-hour storm events.

The use of structural storm water treatment systems (wet ponds, extended detention wetlands, bioretention, etc) shall be incorporated into the site and designed to have an 85% average annual removal for Total Suspended Solids generated from the development according to specifications in the N.C. Department of Environment and Natural Resources Best Management Practices Manual, April 1999.

Double super-silt fences should be used in critical areas of the site such as at all intermittent and perennial streams, wetlands, at the base of slopes, and other locations where the potential for off-site sedimentation is greatest.

Orange construction barrier fence should be installed along stream buffers to preserve the buffers during construction.

Two-stage sediment basins with outlet weirs sized for a 50-year storm event should be used to prevent the risk of basin

3. The Petitioner will provide a pad for a transit stop to be built to CATS specifications and at a location to be determined jointly by the Petitioner and CATS. In addition, the Petitioner, in conjunction with CATS, will determine an area for the location of up to 25 'park-and-ride' parking spaces that may be leased by CATS for \$1.00 per year for that purpose. The provision of these spaces for 'park-and-ride' spaces will not increase the required parking for the site as specified above.

4. All outdoor lighting shall be full cut-off type lighting fixtures. However, lower, decorative street lighting may also be installed along interior streets or sidewalks. Site lighting will be limited to 30 feet in height and will be shielded or capped to prevent night sky light. No "wall pak" lighting will be installed but architectural lighting on building facades will be permitted.

5. The Petitioner acknowledges that other standard development requirements imposed by other city ordinances, such as those that regulate streets, sidewalks, trees, and site development, may apply to the development of this site. These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan. Unless specifically noted in the conditions for this site plan, these other standard development requirements will be applied to the development of this site as defined by those other city ordinances.

6. Throughout this Rezoning Petition, the terms "Owner", "Owners", "Petitioner" or "Petitioners," shall, with respect to the Site, be deemed to include the heirs, devisees, personal representatives, successors in interest and assignees of the owner or owners of the Site who may be involved in its development from time to time.

November 22, 2004, Initial submission.

Revised per staff and community comments, February 18, 2005

Revised per staff comments after public hearing, March 28, 2005

Revised per Zoning Committee approval, May 4, 2005

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	PREPARED FOR:	EN HAWFIELD 30 North Tryon Street Charlotte, NC 28202								

TAX MAP NO.:
223-081-03

DRAWN BY:
COUNTY:
MECKLENBURG

PROJECT NO.:
SHEET NO.:

0503

DATE:
02/18/2005



