# SITE PLAN AMENDMENT PETITION NO. 2017 - xxx DEVELOPMENT STANDARDS CHILDRESS KLEIN PROPERTIES

# **Development Data Table:**

±2.12 acres Acreage: 143-041-23 **Tax Parcels:** Existing Zoning: I-1(CD) **Proposed Zoning:** I-1(CD) S.P.A. (5 year vested rights) Existing Uses: Vacant **Proposed Uses:** Up to 10,000 s.f. of Commercial Uses

I. General Provisions

These Development Standards form part of the Technical Data Sheet associated with the I-1(CD) Site Plan Amendment filed by Childress Klein Properties, Inc. to modify several provisions of an I-1(CD) Rezoning Plan which was approved by the City Council on January 20, 1999 in Rezoning Petition No. 1998-125, as thereafter amended administratively on March 5, 2015.

This Site Plan Amendment applies only to that approximately 2.12 acre part of the LakePointe Development which is located at the southeast intersection of West Tyvola Road and Cascade Pointe Boulevard and which has been designated by Mecklenburg County as Tax Parcel 143-041-23 (the "Site").

Unless the Technical Data Sheet, these Development Standards or the accompanying Conceptual Architectural Renderings establish more stringent standards, the regulations established under the Ordinance for the I-1 Zoning District shall govern all development taking place on the Site.

Conceptual Architectural Renderings are intended to convey the architectural vision and design concepts proposed for certain buildings within Site. Ultimately, buildings and improved areas constructed within the Site may deviate from Conceptual Architectural Renderings, as long as any buildings are consistent with the spirit and intent of the Conceptual Exhibits.

Inasmuch as planning for the proposed redevelopment of the Site has not yet advanced beyond the formative stage, the ultimate layouts of the development proposed, the exact alignments of streets and points of access, the configurations and placements of parking areas and the heights and masses of buildings have not yet been determined. As a consequence, the configurations, placements and sizes of the buildings and parking areas depicted on Technical Data Sheet are schematic in nature and therefore are subject to refinements as part of the total design process. They may, therefore, be altered or modified during design development and construction document phases so long as the maximum parking and building envelope lines established on the Technical Data Sheet are not violated and the proposed alterations or modifications do not exceed the parameters established under these Development Standards and under the Ordinance for the I-1 District.

The Site is a small portion of the larger LakePointe development which was developed in accordance with Rezoning Petition 98-125. The LakePointe development includes master stormwater control facilities and open space/tree save areas developed in accordance with Rezoning Petition 98-125. This Site Plan Amendment is intended solely to allow a drive-through service window as an accessory use. This site remains vested under Conditional Rezoning Petition 98-125 with regard to compliance with the PCCO, Tree Ordinances and other development regulations.

II. Permitted Uses permitted.

- 1. Convenience stores with gasoline sales;
- 2. Car washes; and
- 3. Automotive service stations.

# III. Transportation

- West Tyvola Road.
- 4. Buffer requirements will conform to the standards established in the Ordinance for the I-1 zoning district.

# V. Screening

- along each such side.



The Site may be developed with up to 10,000 square feet of commercial floor area (exclusive of areas used for building and equipment access, such as stairs, elevator shafts and maintenance crawl space) within up to two buildings. Except as otherwise provided in the next succeeding paragraph, the Site may be devoted to any uses (including any incidental or accessory uses associated therewith) which are permitted by right or under prescribed conditions in the I-1 Zoning District under the Ordinance. Only accessory drive-through use shall be

Notwithstanding the foregoing paragraph of this Section 2, the following uses shall not be allowed on the Site:

# All access points shall be as generally depicted on the Technical Data Sheet.

# IV. Architectural Standards, Streetscape and Landscaping

1. Upon establishment and completion of the configuration of out parcels, buildings constructed on out parcels will conform to the front yard, rear yard and setback requirements established under the Ordinance.

2. Vehicular access points to each out parcel will be placed on internal project streets. No access to out parcels will be allowed off of

3. All buildings placed within out parcels must be constructed of masonry or stucco or stucco-like materials and designed such that each such building is in harmony with adjoining buildings through the use of similar architectural features, scale and landscaping.

5. The drive-through service window must be oriented internally to the Site, and the drive-through circulation lanes servicing this window must not be located between that building and adjacent streets.

6. Any design for drive-through lanes constructed on the Site must incorporate areas for safe pedestrian crossing.

# 1. Development screening will conform to the standards established under Section 12.303 of the Ordinance.

2. All dumpsters will be located in enclosures constructed of either masonry walls or wooden fences and will be provided with gates. If one or more sides of the dumpster area adjoins a side or rear wall of a building, the wall or walls may be substituted for the fence

# VI. Off-Street Parking

Parking areas depicted on this Rezoning Plan may vary in size, location and configuration but in all events, all site off-street parking and loading will conform to the parking and loading standards established under the Ordinance.

### VII. Environmental Features

The Site is a small portion of the larger LakePointe development which was developed in accordance with Rezoning Petition 98-125. The LakePointe development includes master stormwater control facilities and open space/tree save areas developed in accordance with Rezoning Petition 98-125. This Site Plan Amendment is intended solely to allow a drive-through service window as an accessory use. This site remains vested under Conditional Rezoning Petition 98-125 with regard to compliance with the PCCO, Tree Ordinances and other development regulations.

- 1. Development will comply with the Mecklenburg County Storm Water Management Ordinances as applicable upon approval of Rezoning Petition 98-125.
- 2. Tree Ordinance compliance shall be evaluated based on Conditional Rezoning Petition 98-125. The provisions of the current ordinance shall not be applied to the Site individually.

### VIII. Fire Protection

Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications. Plans for each building will be submitted to the Fire Marshal's office for approval before the construction of that building commences.

## IX. <u>Signs</u>

- 1. A master signage and graphics system will be adopted and implemented throughout the Site.
- 2. All signs placed on the Site will be erected in accordance with the requirements of the Ordinance.
- 3. Permanent project identification signs and directional signs may be located along West Tyvola Road.
- 4. All freestanding signs will be of the ground mounted type and no pylon signs will be allowed on the site. 5. Ground mounted sign panels for retail uses will be limited to four (4) feet in height above a sign based which will be limited to two and one-half (2 1/2) feet in height for a total height of six and one-half (6 1/2) feet in height. The sign panel will be no larger than fifty (50) square feet.
- 6. Billboards will not be allowed on the Site.

1. A uniform lighting system will be employed throughout the project and will include shoebox fixtures which do not, including their bases, exceed thirty (30) feet in height.

2. Consideration will be given to the impact of lighting both within and outside the project. Items for consideration will include intensity, cutoff angles, color, energy efficiency and shielding of sources of light, the intent being to eliminate glare towards adjacent streets and properties.

3. Wall pack type lighting will not be utilized on buildings adjacent to residential areas.

## XI. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet or these Development Standards may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

Further alterations or modifications to the Approved Plan for the LakePointe Development which, in the opinion of the Planning Director, substantially alter the character of the development or significantly alter the approved Technical Data Sheet for the LakePointe Development or any of its conditions or which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

### XII. Binding Effect of the Rezoning Documents and Definitions

If this Site Plan Amendment is approved, all conditions applicable to development of the Site imposed under the Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.

Throughout these Development Standards, the terms, "Petitioner" and "owner" and "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owners of the Site from time to time who may be involved in any future development thereof.

### XIII. Vested Rights Provision

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment involved.





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