

DEVELOPMENT STANDARDS

GENERAL PROVISIONS

Unless more stringent standards are established by the Rezoning Plan or these Development Standards, all development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the Neighborhood Services ("NS") zoning district classification shall be followed in connection with development taking place on this approximately 4.4 acre site located at the northeasterly corner of the intersection of Mineral Springs Road and West Sugar Creek Road (the "Site".)

PERMITTED USES/MAXIMUM GROSS BUILDING AREA

- 1. The Site may be devoted to any use (including any accessory use) which is permit under the Ordinance by right or under prescribed conditions in the NS zoning dis provided, however, that the following uses shall not be permitted on the Site:
 - ABC Stores/Liquor Stores
 - Active adult retirement communities Adult care centers
 - Adult care homes Automotive service stations, including minor adjustments, repairs and

 - Bed and breakfast inns
 - Boarding houses Bus and train terminals
 - Car washes
 - Cemeteries Civic, social service or fraternal facilities

Commercial rooming houses

- Dormitories Dwellings, detached, duplex, triplex or quadraplex
- Dwellings, mixed use, multi-family, planned multi-family residential development and/or attached residential development
- Elementary and secondary schools Family childcare homes Fences and fence material sales
- Funeral homes, embalming or crematories
- Gasoline sales, facilities and pumps, whether as a primary or an accessory
- Group homes Locksmiths and gunsmiths

- - Marinas, commercial Nightclubs, bars or lounges
 - Nursing homes, rest homes and homes for the aged
 - Veterinary Clinics
- The buildings located on the Site may have drive-in service lanes/windows as an accessory use in accordance with the requirements of Section 12.413 of the
- The Rezoning Plan depicts one possible development scheme. Other potential development schemes may be allowed subject to the review and approval of the Charlotte-Mecklenburg Planning Commission Staff through the administrative site plan amendment process (Section 6.207 of the Ordinance) and subject to the provisions and standards contained herein.
- The Site may be developed with two separate buildings. The building designated on the Rezoning Plan as "Building A" may contain up to 15,000 square feet of gross building area, and the building designated on the Rezoning Plan as "Building B" may contain up to 10,000 square feet of gross building area.

SETBACKS, SIDE YARDS AND REAR YARDS

All buildings and parking areas constructed on the Site shall satisfy or exceed the setback, side yard and rear yard requirements established under the Ordinance for the NS zoning district, and the requirements depicted on the Rezoning Plan. The development depicted on the Rezoning Plan can be viewed as a unified development plan. Therefore, interior yards will not be required between buildings located on the 2. Site. The Developer reserves the right to subdivide the Site and to create separate lots within the interior of the development with no internal side and/or rear yards as part of a unified development plan, subject to the normal Staff review and approval process.

SCREENING AND LANDSCAPED AREAS

- 1.. Screening shall conform with the standards and treatments specified in Section 12.303 of the Ordinance. All landscaping installed on the Site will meet or exceed the requirements of the Ordinance.
- All roof mounted mechanical equipment will be screened from view at grade from adjacent public rights of way.
- 3. Any dumpsters visible from a public street or from an adjoining parcel of land will be screened from view by a solid-enclosure with gates. If one or more sides

- of the dumpster area adjoin a rear wall of a building, the rear wall may be substituted 2. Large childcare centers for the fence along each such side.
 - 4. Landscaped areas shall be established and maintained along the Site's northern boundary line and the Site's eastern boundary line as more particularly depicted on the Rezoning Plan. As depicted on the Rezoning Plan, the width of the landscaped areas shall range from approximately 8 feet to approximately 80 feet. The landscaped areas shall meet the tree and shrub requirements of a Class B buffer, however, Petitioner may utilize existing trees and natural vegetation to meet the planting requirements.
 - A 6 foot high brick screen wall shall be installed along the northern edge of the Site as more particularly depicted on the Rezoning Plan. The 6 foot high brick 1. screen wall shall be installed in two phases, with the first phase being depicted with a solid line and the second phase being depicted with a dashed line on the 2. Rezoning Plan. The first phase of the 6 foot high brick screen wall shall be installed prior to the issuance of a certificate of occupancy for Building A, and the second phase of the 6 foot high brick screen wall shall be installed prior to the issuance of a certificate of occupancy for Building B.

- The maximum height of any freestanding light fixture installed on the Site (other than street lights on public rights-of-way) including its base, shall not exceed 30 1. feet. All lighting will be capped and fully shielded to direct lighting downward and/or away from adjoining residential properties.
- No wall pack style light fixtures will be permitted on the Site, and any wall mounted light fixtures installed on the Site shall be capped and fully shielded so that illumination does not extend past any property line of the Site.

TREE ORDINANCE

- Development of the Site will comply with the requirements of the City of SIGNS Charlotte Tree Ordinance
- A minimum of 3.3% of the Site shall be devoted to tree save areas. The tree save Section 11.509 of the Ordinance. areas shall be located within the landscaped area depicted on the Rezoning Plan.

ACCESS POINTS/SIDEWALKS

Access points serving the Site will be as generally depicted on the Rezoning Plan.

- minor modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the City of Charlotte Department of Transportation and/or the North Carolina
- An 8 foot planting strip and a 6 foot sidewalk will be installed along the Site's 2. frontage on West Sugar Creek Road and along the Site's frontage on Mineral Springs Road as depicted on the Rezoning Plan.

ARCHITECTURAL COMMITMENTS

Department of Transportation.

- The maximum height of any building constructed on the Site shall be 40 feet. The primary exterior building materials for Building A shall be brick, stone, precast concrete or similar masonry products, stucco, hardi-plank or a combination 3.
- Building B shall be compatible with Building A with respect to the types and colors of the exterior building materials.

- At a minimum, off-street vehicular parking shall be provided at the following
- Building A: 1 parking space per 200 square feet of gross building area. Building B: I parking space per 250 square feet of gross building area.
- Bicycle parking facilities shall be provided in accordance with the requirements of the Ordinance.

All signage shall comply with the requirements of Chapter 13 of the Ordinance and

STORM WATER MANAGEMENT

be taken out of standard due to the proposed development. If it is found

of standard, Petitioner shall provide alternate methods to prevent this from occurring. If the receiving drainage system(s) is already out of standard, Petitioner's proposed development will be designed so as to not place the downstream system(s) further out of standard.

- Water quality best management practices (BMPs) will be incorporated into the FIRE PROTECTION Site to achieve 85% Total Suspended Solid removal for the entire post-Management Practices Manual, April 1999, Section 4.0 (Design Standards shall be met according to the City of Charlotte Best Management Practices Manual, AMENDMENTS TO THE REZONING PLAN when available). Use of Low Impact Development (LID) techniques is optional.
- volume drawdown time shall be a minimum of 24 hours, but not more than 120—of Chapter 6 of the Ordinance.
- The peak shall be controlled to match the predevelopment runoff rates for the 10year, 6 hour storm, and Petitioner shall perform a downstream flood analysis to 1. determine whether additional peak control is needed and if so, for what level of storm frequency, or if a downstream analysis is not performed, Petitioner shall control the peak for the 10-year and 25-year, 6 hour storms.

TRANSPORTATION IMPROVEMENTS

- Subject to the approval of CDOT and/or NCDOT as applicable, in the event that 2. a driveway permit is obtained for the full movement access point on Mineral Springs Road (Mallard Creek Road) as depicted on the Rezoning Plan, the Petitioner shall construct, at its sole cost and expense, an eastbound left turn lane on Mineral Springs Road (Mallard Creek Road) at this access point. This left turn lane shall be designed and constructed in accordance with the standards of
- Subject to the approval of CDOT and NCDOT, the access point on West Sugar Creek Road shall be limited to right-in, right-out and directional crossover movements. In the event that a driveway permit for this access point is received prior to the date that the Graham Street Extension project is placed under contract, the Petitioner shall construct, at its sole cost and expense, a directional crossover in West Sugar Creek Road Petitioner will tie-in to the existing storm water system(s) if any exist in the area. at this access point in accordance with CLDS detail No. 50.13. The median will be Petitioner shall have the receiving drainage system(s) analyzed to ensure that it will not required to extend approximately 100 feet north of this access point, and south to the intersection of West Sugar Creek

The placement and configuration of each vehicular access point are subject to any—that the proposed development will cause the storm drainage system(s) to be taken out—Road and Mineral Springs Road (Mallard Creek Road). These improvements shall be installed and constructed prior to the issuance of a certificate of occupancy for any building located on the Site. Notwithstanding the foregoing, the Petitioner and CDOT may agree on an alternative design for the directional crossover

development runoff volume for the runoff generated from the first 1-inch of Adequate fire protection in the form of fire hydrants will be provided to the Charlotte rainfall. BMPs must be designed and constructed in accordance with the N.C. Fire Marshal's specifications. Plans for each building will be submitted to the Fire Department of Environment and Natural Resources (NCDENR) Best Marshal's office for approval before the construction of that building commences.

Future amendments to the Rezoning Plan and these Development Standards may be Petitioner shall control the entire volume for the 1-year, 24-hour storm. Runoff applied for by the then Owner or Owners of the Site in accordance with the provisions

BINDING EFFECT OF THE REZONING APPLICATION

- If this Rezoning Petition is approved, all conditions applicable to the 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
- 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 Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

- MED BY COUNCIL



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FOR PUBLIC HEARING REZONING **PETITION NO. 2007-031**

REVISIONS NO. DATE BY DESCRIPTION **CERTIFICATION AND SEAL**

PROJECT NAME SUGAR CREEK SITE W. SUGAR CREEK RD. & MINERAL SPRINGS RD. CHARLOTTE, NORTH CAROLINA

DRAWING TITLE **REZONING PLAN** SCALE: 1" = 60'-0" | DRAWING NO. CADD PLOT: **DRAWN BY: VOID PLOT: RELEASED TO**

CONSTRUCTION | REVIEWED BY:

1 OF 1 DWGS.

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