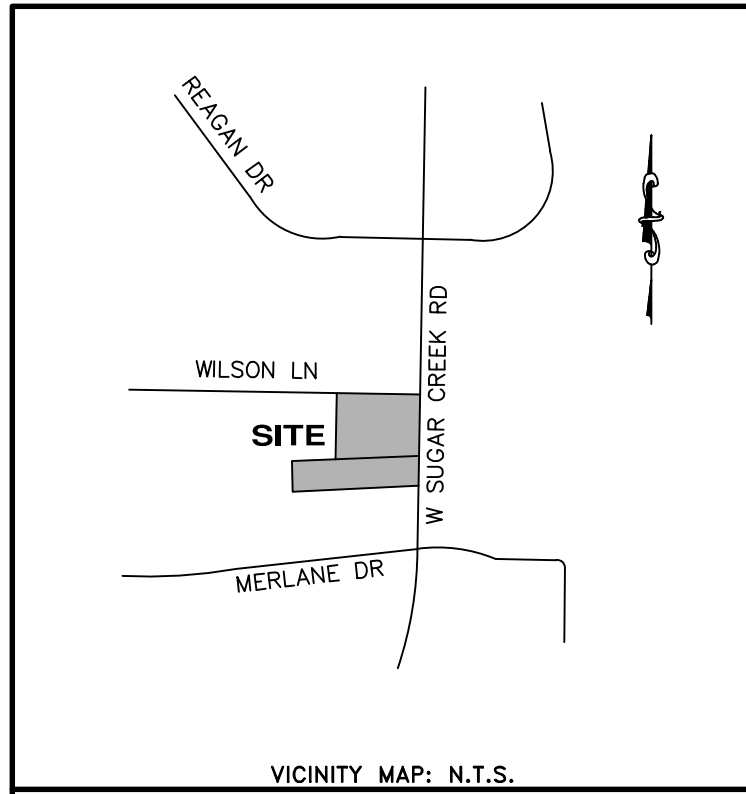

Planning Department
APPROVED BY CITY COUNCIL
 February 17, 2020



SITE DEVELOPMENT DATA:
 --ACREAGE: ± 1.554 ACRES
 --TAX PARCEL #: 087-071-40 AND 087-071-025
 --EXISTING ZONING: B-1(CD) AND NS
 --PROPOSED ZONING: NS
 --EXISTING USES: RETAIL/VACANT
 --PROPOSED USES: RETAIL AND EDEE (RESTAURANTS) USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE NS ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 2).
 --PROHIBITED USES: THE FOLLOWING USE IS NOT PERMITTED ON THE SITE: AUTOMOTIVE SERVICE STATIONS WITH OR WITHOUT A CONVENIENCE STORE.
 --MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 5,000 SQUARE FEET OF GROSS FLOOR AREA.
 --MAXIMUM BUILDING HEIGHT: AS ALLOWED BY THE ORDINANCE.
 --PARKING: PARKING WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

1. GENERAL PROVISIONS:
 a. SITE LOCATION. THESE DEVELOPMENT STANDARDS FORM A PART OF THE REZONING PLAN ASSOCIATED WITH THE REZONING PETITION FILED BY BRANFUL LLC ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF A COMMERCIAL BUILDING WITH UP TO 5,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED IN THE NS ZONING DISTRICT ON APPROXIMATELY ±1.554 ACRE SITE LOCATED AT 1045 W. SUGAR CREEK ROAD (THE "SITE").
 b. ZONING DISTRICTS/ORDINANCE. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"), UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE NS ZONING CLASSIFICATION SHALL GOVERN.
 c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, 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 MINOR 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, MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED ONE (1) ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING LOCATED ON THE SITE.

2. PERMITTED USES & DEVELOPMENT AREA LIMITATION:
 a. THE SITE MAY BE DEVELOPED WITH UP TO 5,000 SQUARE FEET OF GROSS FLOOR AREA OF RETAIL AND EDEE (RESTAURANTS) USES AS PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS, TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE NS ZONING DISTRICT.
 b. ONLY ONE USE WITH AN ACCESSORY DRIVE-THROUGH WINDOW WILL BE ALLOWED ON THE SITE.

FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH IN THESE DEVELOPMENT STANDARDS (BUT NOT TO BE CONSTRUED AS A LIMITATION ON FAR REQUIREMENTS), THE FOLLOWING ITEMS WILL NOT BE COUNTED AS PART OF THE ALLOWED GROSS FLOOR AREA (FLOOR AREA AS DEFINED BY THE ORDINANCE) FOR THE SITE: SURFACE OR STRUCTURED PARKING FACILITIES, AND ALL LOADING DOCK AREAS (OPEN OR ENCLOSED) AND OUTDOOR SEATING OR SERVICE AREAS (PARKING WILL PROVIDED FOR OUTDOOR SEATING AREAS ASSOCIATED WITH A RESTAURANT).

c. THE FOLLOWING USE IS NOT ALLOWED ON THE SITE: AUTOMOTIVE SERVICE STATIONS WITH OR WITHOUT A CONVENIENCE STORE.
d. THE SETBACK ALONG EACH OF THE ADJUTING PUBLIC STREETS (WILSON LANE AND W. SUGAR CREEK ROAD) WILL BE FOURTEEN (14) FEET AS MEASURED FROM THE FUTURE BACK OF CURB, AS GENERALLY DEPICTED ON THE REZONING PLAN.

3. ACCESS AND TRANSPORTATION:
a. VEHICULAR ACCESS TO THE SITE WILL BE FROM WILSON LANE AND W. SUGAR CREEK ROAD IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN.
b. THE PETITIONER SHALL DEDICATE A FIFTY (50) FOOT RIGHT-OF-WAY FROM THE CENTERLINE OF WEST SUGAR CREEK ROAD.
c. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR 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 NCDOT AND/OR CDOT AS APPLICABLE IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

d. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY NCDOT AND/OR CDOT AS APPLICABLE IN ACCORDANCE WITH PUBLISHED STANDARDS.
e. ANY PROPOSED ROADWAY IMPROVEMENTS WILL BE CONSTRUCTED AND APPROVED BEFORE THE SITE'S FIRST CERTIFICATE OF OCCUPANCY IS ISSUED.

4. ARCHITECTURAL STANDARDS:
a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS SIDING (SUCH AS HARDI-PANEL), STUCCO, EIFS, DECORATIVE BLOCK, ARCHITECTURAL METAL PANELS AND/OR WOOD. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, AND ON HANDRAILS/RAILINGS.
b. THE PROPOSED BUILDING WILL BE LOCATED AT THE CORNER OF WILSON LANE AND W. SUGAR CREEK ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN. THE BUILDING WALLS ALONG WILSON LANE AND W. SUGAR CREEK ROAD WILL BE DESIGNED TO HAVE STORE FRONTS WITH CLEAR GLASS FACING EACH STREET.
c. THE BUILDING FACADES ON WILSON LANE AND W. SUGAR CREEK ROAD WILL HAVE BUILDING ENTRANCE(S) THAT ORIENT AND CONNECT TO THE SIDEWALK SYSTEM ALONG WILSON LANE AND W. SUGAR CREEK ROAD. THE ENTRANCES TO THE SIDEWALKS ALONG THE ADJUTING STREETS WILL BE OPEN AND OPERABLE DURING THE BUSINESS HOURS OF THE ASSOCIATED USE.
d. THE SERVICE SIDE OF THE BUILDING SHALL NOT BE ORIENTED TO WILSON LANE OR W. SUGAR CREEK ROAD.

5. STREETScape, BUFFERS, YARDS AND LANDSCAPING:
a. ALONG THE SITE'S FRONTAGE ON EACH OF THE ADJUTING PUBLIC STREETS (WILSON LANE AND W. SUGAR CREEK ROAD) THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK AS GENERALLY DEPICTED ON THE REZONING PLAN.
b. THE PETITIONER WILL PROVIDE A SIDEWALK NETWORK THAT LINKS THE PROPOSED BUILDING ON THE SITE TO THE SIDEWALK ALONG EACH OF THE ADJUTING PUBLIC STREETS IN THE MANNER GENERALLY DEPICTED ON THE REZONING PLAN. THE MINIMUM WIDTH FOR THIS INTERNAL SIDEWALK WILL BE FIVE (5) FEET.
c. THE PETITIONER WILL PROVIDE AN INTERMITTENT MASONRY WALL A MINIMUM OF 3.5 FEET TALL ALONG W. SUGAR CREEK ROAD IN COMBINATION WITH LANDSCAPING TO SCREEN PARKING AREAS AND THE PROPOSED DRIVE-THROUGH LANES AS GENERALLY DEPICTED ON THE REZONING PLAN. SCREENING ALONG WILSON LANE WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE AS GENERALLY DEPICTED ON THE REZONING PETITION.
d. ABOVE-GROUND BACKFLOW PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW.
e. DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDING.

6. ENVIRONMENTAL FEATURES:
a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION ORDINANCE.
b. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.
c. THE LOCATION, SIZE, AND TYPE OF STORMWATER 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 STORMWATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

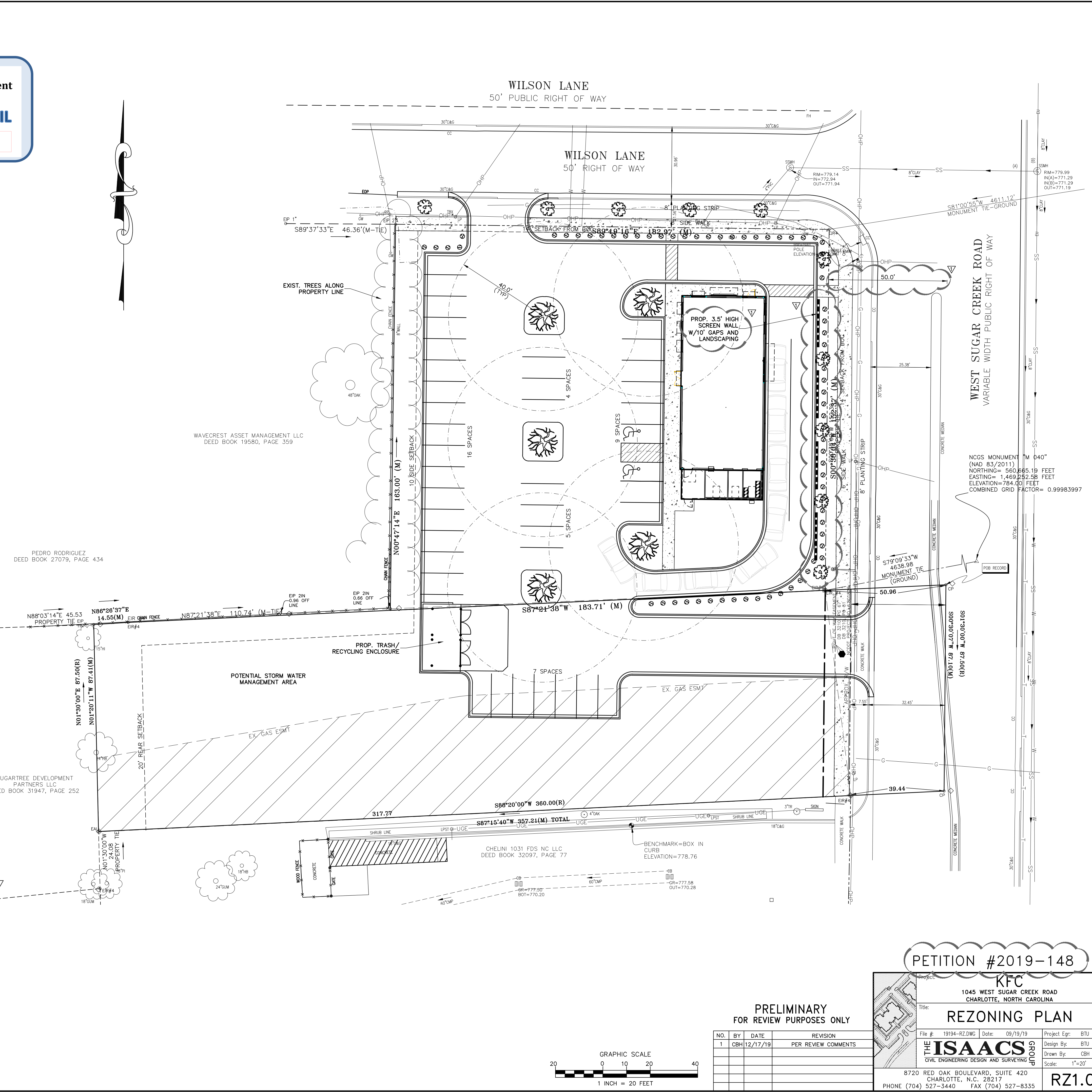
7. SIGNAGE:
a. AS ALLOWED BY THE ORDINANCE.

8. LIGHTING:
a. ALL NEW DETACHED AND ATTACHED LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.
b. DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO 26 FEET IN HEIGHT.

9. CATS:
a. THE PETITIONER WILL COORDINATE WITH CATS TO CONSTRUCT AN ADA COMPLIANT BUS STOP WAITING PAD ON WEST SUGAR CREEK ROAD AS PART OF THE DEVELOPMENT OF THE SITE.

10. AMENDMENTS TO THE REZONING PLAN:
a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

11. BINDING EFFECT OF THE REZONING APPLICATION:
a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INJUR TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.



PEDRO RODRIGUEZ
 DEED BOOK 27079, PAGE 434

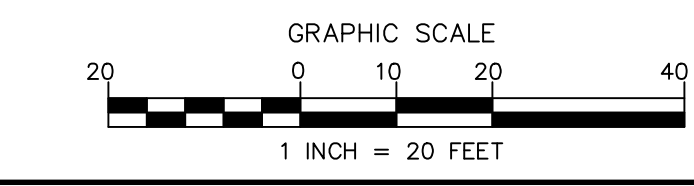
SUGARTREE DEVELOPMENT PARTNERS LLC
 DEED BOOK 31947, PAGE 252

WILSON LANE
 50' PUBLIC RIGHT OF WAY

WILSON LANE
 50' RIGHT OF WAY

WEST SUGAR CREEK ROAD
 VARIABLE WIDTH PUBLIC RIGHT OF WAY

NCGS MONUMENT
 (NAD 83/2011)
 NORTHING= 560,665.19 FEET
 EASTING= 1,469,242.58 FEET
 ELEVATION= 784.00 FEET
 COMBINED GRID FACTOR= 0.99983997



PRELIMINARY FOR REVIEW PURPOSES ONLY

NO.	BY	DATE	REVISION
1	CBH	12/17/19	PER REVIEW COMMENTS

PETITION #2019-148

KFC
 1045 WEST SUGAR CREEK ROAD
 CHARLOTTE, NORTH CAROLINA

REZONING PLAN

File #: 19194-R2.DWG Date: 09/19/19 Project Egr: BTU
 Design By: BTU
 Drawn By: CBH
 Scale: 1"=20'
THE ISAACS GROUP
 CIVIL ENGINEERING DESIGN AND SURVEYING

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 CHARLOTTE, N.C. 28217
 PHONE (704) 527-3440 FAX (704) 527-8335
RZ1.0