

CONDITIONAL NOTES

DEVELOPMENT STANDARDS
PART I
 Continuation
 Development of the real estate (the "Site") identified on the accompanying *Legal Description* shall be in accordance with the provisions of the *Development Standards* set forth in the *Technical Data Sheet* and the applicable provisions of the *City of Charlotte Official Zoning Ordinance* (the "Ordinance").
 The building configuration, placement, and size shown on Sheet RZ-1, which incorporates the existing site plan, are schematic in nature and may be altered and/or modified during design development and construction document phases within the maximum building area established on the Recurring Floor. Parking may also be modified to accommodate final building configurations.

PART II
Proposed Development Within the Site
 The Site consists of approximately 1,902 acres and suitable frontage on NC Hwy 16 (Brookshire Boulevard) to the north, North Crigler Street to the northwest, and Linwood Avenue to the southeast.
 This parcel may be divided to use as an *access point*, convenience store, and uses associated with the above, as allowed by the *Ordinance*.

PART III
Existing Public Alleyway Abandonment
 Section 1. The existing 10' public alleyway which currently runs from Brookshire Boulevard to the southern property line of the site will be abandoned through the appropriate process with CDOT and the Charlotte City Council, for the proposed development of this site. The recording of this site is contingent upon approval abandonment of the indicated alleyway.

PART IV
Design Guidelines
 Section 1. Access Points
 (a) The number of vehicular access points into each tract will be limited to those shown on the Technical Data Sheet and each will be located in the general areas depicted.
 (b) The placement and configuration of each access point and driveway within the site are subject to any modifications required to accommodate the final site and architectural/engineering construction plans and designs and are further subject to approval by the RDOT or CDOT.
 (c) Two 10' x 70' sight triangles will be established at the proposed entrance from Brookshire Boulevard.

Section 2. Yard Restrictions
 (a) In every instance, the side yard, rear yard, and setback requirements specified under the Ordinance will be applied on the Site.

Section 3. Stormwater Management
 Stormwater on this site will be managed entirely in accordance with the requirements of the City of Charlotte Engineering Department. In no case will the proposed above-grade retention basins occur within any required buffer or established setback.

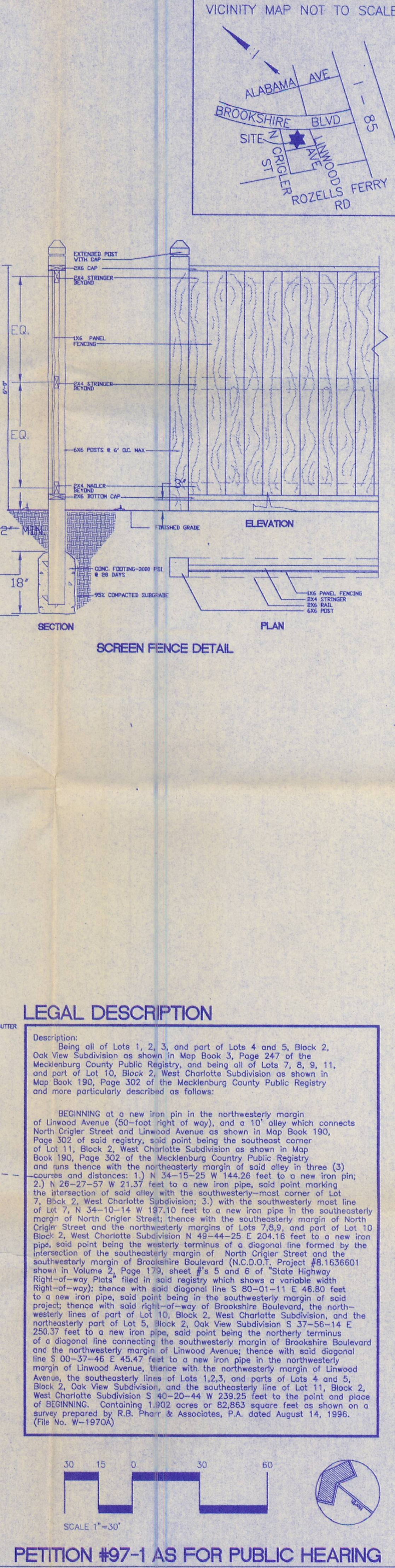
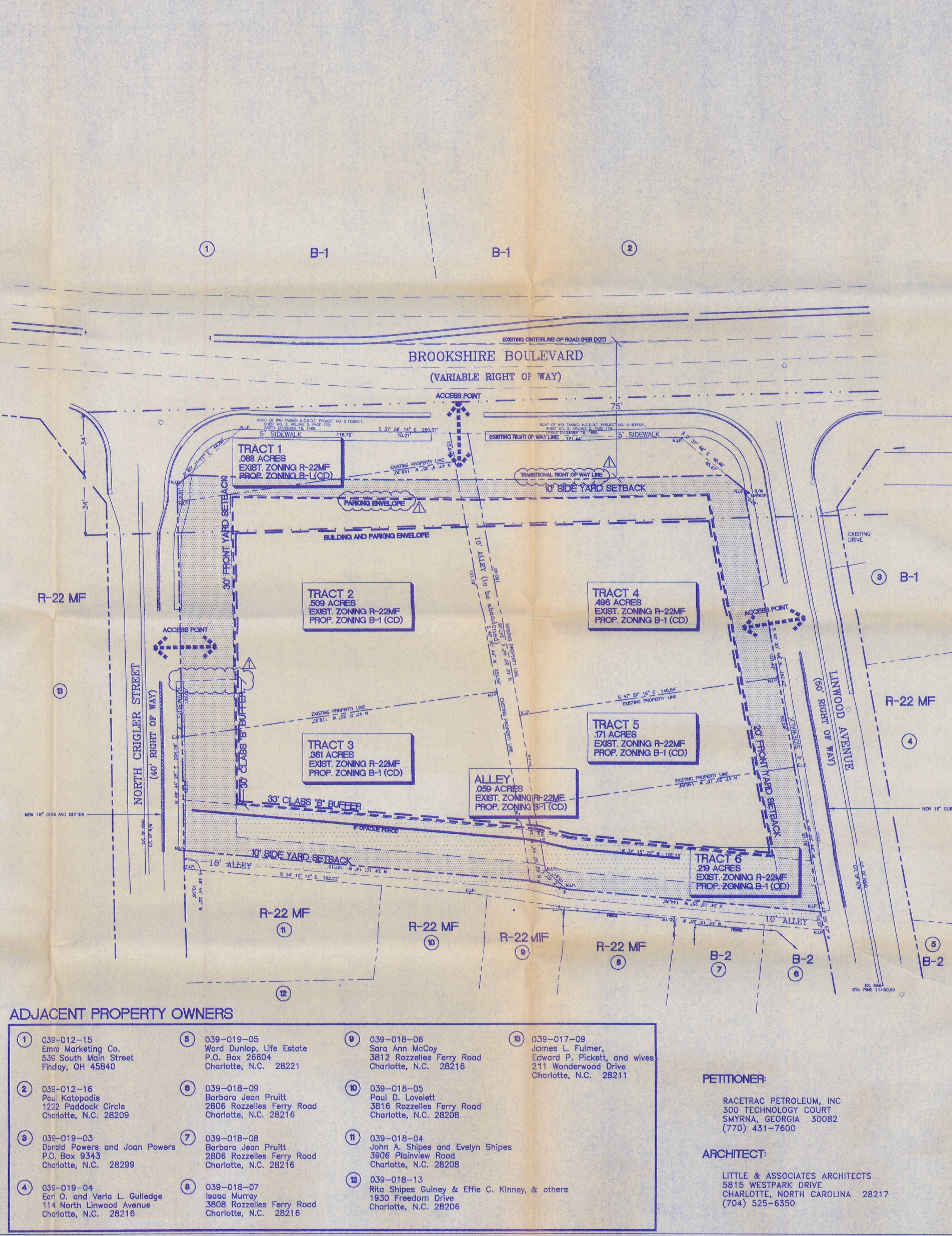
Section 4. General Design Provisions
 (a) Parking: The parking area depicted on Sheet RZ-2 may vary in size and location, but in any event, parking will meet the minimum standards established under the Ordinance. Parking may be constructed inside and outside of the building envelope as depicted on Sheet RZ-1.
 (b) Lighting: All street lighting within the property shall be designed such that direct illumination does not extend past the property lines in those instances in which the Site abuts a street which is currently used as a residential street or for residential purposes. The maximum height of lighting fixtures within the development will not exceed 20'.
 (c) Signage: All signs posted on the property will be submitted to the City Engineer's office for approval before the commencement of construction on the building. The signs will be located within the prescribed locations under the Charlotte Metropolitan Building Code.
 (d) Trash Handling: All dumpster areas will be screened in accordance with requirements of the Ordinance. Each dumpster area will be enclosed on all four sides by a fence and a topgate gate which is constructed of brick, wood, masonry, or any combination thereof unless one or more sides of the dumpster area joins the rear of a building. In this case, the rear wall will be substituted for the fence along each side.

Section 5. Buffer Areas and Setbacks
 (a) Exterior buffer areas will be provided as established in the Ordinance as shown on Sheet RZ-1. In addition to the 30' buffer as required by the Ordinance, the owner agrees to continue the buffer plantings up the northeast property line (along North Crigler Street) in the 30' setback area in the southern side of the proposed access drive.
 (b) All designated buffer areas are to remain as open space, except to the extent necessary to accommodate utility lines, drainage structures, utility lines, and drives, as prescribed within the Ordinance.
 (c) The owner agrees to install a 6' high opaque fence within the buffer area, adjacent to the access drive, in the 30' setback area, as depicted on the plan.
 (d) In all buffer areas where existing trees exceeding 8" in caliper do not exist, the petitioner reserves the right to perform grading activity in these areas within the established buffer and final planting, timing and/or frequency, in accordance with the provisions of Section 13.302 of the Ordinance. Buffer areas which contain trees 8" in caliper or more that are in good health will remain undisturbed.
 (e) All trees equal to or exceeding 8" in caliper which exist in setback areas will be preserved.

Section 6. Landscaping and Screening
 (a) Landscaping and screening shall, at a minimum, satisfy the requirements of the Ordinance as described in Section 13.303 of the Ordinance.
 (b) Tree plantings within the site will, as a minimum, meet the requirements of the Charlotte Tree Ordinance.

PART V
Right-of-Way Dedication
 Section 1. Petitioner agrees to dedicate to the City of Charlotte additional right-of-way along Brookshire Boulevard (right-of-way 14) from the existing right-of-way line to the new proposed 100-foot wide R-22MF R.O.W. L.C. (right-of-way line), as shown on this Technical Data Sheet, complete approximately 1.58 acres, as shown on this Technical Data Sheet.

PART VI
Block Effect of the Rezoning Application
 Section 1. If the petitioner's Rezoning Petition is approved, the development program established under these Development Standards and the Technical Data Sheet shall, unless amended by the mayor provided under the Ordinance, be binding upon and inure to the benefit of the petitioner and each of the Owners and their respective heirs, devisees, personal representatives, successors in interest and assigns.



ADJACENT PROPERTY OWNERS

1. 039-012-15 Enno Marketing Co. 539 South Main Street Frisco, TX 45840	6. 039-019-05 Ward Dunlop, Life Estate P.O. Box 28624 Charlotte, N.C. 28221	11. 039-018-06 Sara Ann McCoy 3612 Rozzelles Ferry Road Charlotte, N.C. 28216	16. 039-017-09 James L. Fulmer, Edward P. Pickett, and wives 211 Woodrow Drive Charlotte, N.C. 28211
2. 039-012-16 Paul Kallapoda 1222 Paddock Circle Charlotte, N.C. 28209	7. 039-018-08 Barbara Jean Pruitt 2808 Rozzelles Ferry Road Charlotte, N.C. 28216	12. 039-018-05 Paul D. Lovellett 3816 Rozzelles Ferry Road Charlotte, N.C. 28208	17. 039-018-04 John A. Shipes and Evelyn Shipes 3006 Plainview Road Charlotte, N.C. 28208
3. 039-019-03 Donald Powers and Joan Powers P.O. Box 9343 Charlotte, N.C. 28299	8. 039-019-07 Isaac Murray 3808 Rozzelles Ferry Road Charlotte, N.C. 28216	13. 039-018-04 John A. Shipes and Evelyn Shipes 3006 Plainview Road Charlotte, N.C. 28208	18. 039-018-13 Rita Shipes Guimery & Effie C. Kinney, & others 1830 Freedom Drive Charlotte, N.C. 28206
4. 039-019-04 Earl O. and Varla L. Gullidge 114 North Linwood Avenue Charlotte, N.C. 28216			

PETITIONER:
 RACETRAC PETROLEUM, INC.
 300 TECHNOLOGY COURT
 SMYRNA, GEORGIA 30082
 (770) 431-7600

ARCHITECT:
 LITTLE & ASSOCIATES ARCHITECTS
 5815 WESTPARK DRIVE
 CHARLOTTE, NORTH CAROLINA 28217
 (704) 525-6350

LEGAL DESCRIPTION
 Being all of Lots 1, 2, 3, and part of Lots 4 and 5, Block 2, Oak View Subdivision as shown in Map Book 3, Page 247 of the Mecklenburg County Public Registry, and being all of Lots 7, 8, 9, 11, and part of Lot 10, Block 2, West Charlotte Subdivision as shown in Map Book 190, Page 302 of the Mecklenburg County Public Registry, and one acre thereof with the northerly margin of said alley in three (3) equal parts between 171.1, 181-12-22, W 144.20 feet to a new iron pipe; 2.1) N 28-27-57 W 21.37 feet to a new iron pipe, said point marking the intersection of said alley with the southerly-most corner of Lot 2, Block 2, West Charlotte Subdivision; 2) with the southerly-most line of lot 7, N 54-10-18 W 187.10 feet to a new iron pipe in the southerly margin of North Crigler Street; thence with the southerly margin of North Crigler Street and the northerly margin of Lot 7, Block 2, West Charlotte Subdivision N 42-44-23 E 204.18 feet to a new iron pipe, said point being the westerly terminus of a diagonal line formed by the intersection of the southerly margin of North Crigler Street and the southerly margin of Brookshire Boulevard (M.C.D.); Project #R 103691 shown in Volume 2, Page 179, sheet # 5 and 6 of State Highway Right-of-Way Plat filed in said registry which shows a variable width Right-of-Way; thence with said diagonal line S 80-01-11 E 48.80 feet to a new iron pipe, said point being in the southerly margin of said alley; thence with said right-of-way of Brookshire Boulevard, the northerly margin of part of lot 8, Block 2, West Charlotte Subdivision, and the northerly margin of lot 8, Block 2, Oak View Subdivision E 27-26-14 E 220.37 feet to a new iron pipe, said point being the northerly terminus of a diagonal line connecting the southerly margin of Brookshire Boulevard and the southerly margin of Linwood Avenue; thence with said diagonal line S 00-37-46 E 44.47 feet to a new iron pipe in the northerly margin of Linwood Avenue; thence with the northerly margin of Linwood Avenue the southerly margin of Lots 1, 2, 3, and parts of Lots 4 and 5, Block 2, Oak View Subdivision S 45-20-44 W 239.22 feet to the point and place of BEGINNING. Containing 1,902 acres or 82,843 square feet as shown on a survey prepared by R.B. Pharr & Associates, P.A. dated August 14, 1996. (File No. W-1670A)

SCALE 1"=30'

PETITION #97-1 AS FOR PUBLIC HEARING

VICINITY MAP NOT TO SCALE

Little & Associates Architects

5815 Westpark Drive
 Charlotte, NC 28217
 704-525-6350
 704-561-8718 fax

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RACETRAC PETROLEUM, INC.
 BROOKSHIRE BOULEVARD

97-01
TECHNICAL DATA SHEET

Sheet Title

APPROVED BY CITY COUNCIL
 DATE 5/14/97

V. P. In Charge
 JIM GAMBLE
 Project Architect/Asst. Captain
 JIM GAMBLE

Drawn By
 C.MAJORS

Date Drawn
 03/10/97

CADD Dwg. Name
 4866-RZ1.DWG

Revisions
 1"=30'

No. Date
 1 03/21/97
 2 05/07/97

No. Date
 No. Date

Issue Date 3-10-97

Project Number
4866

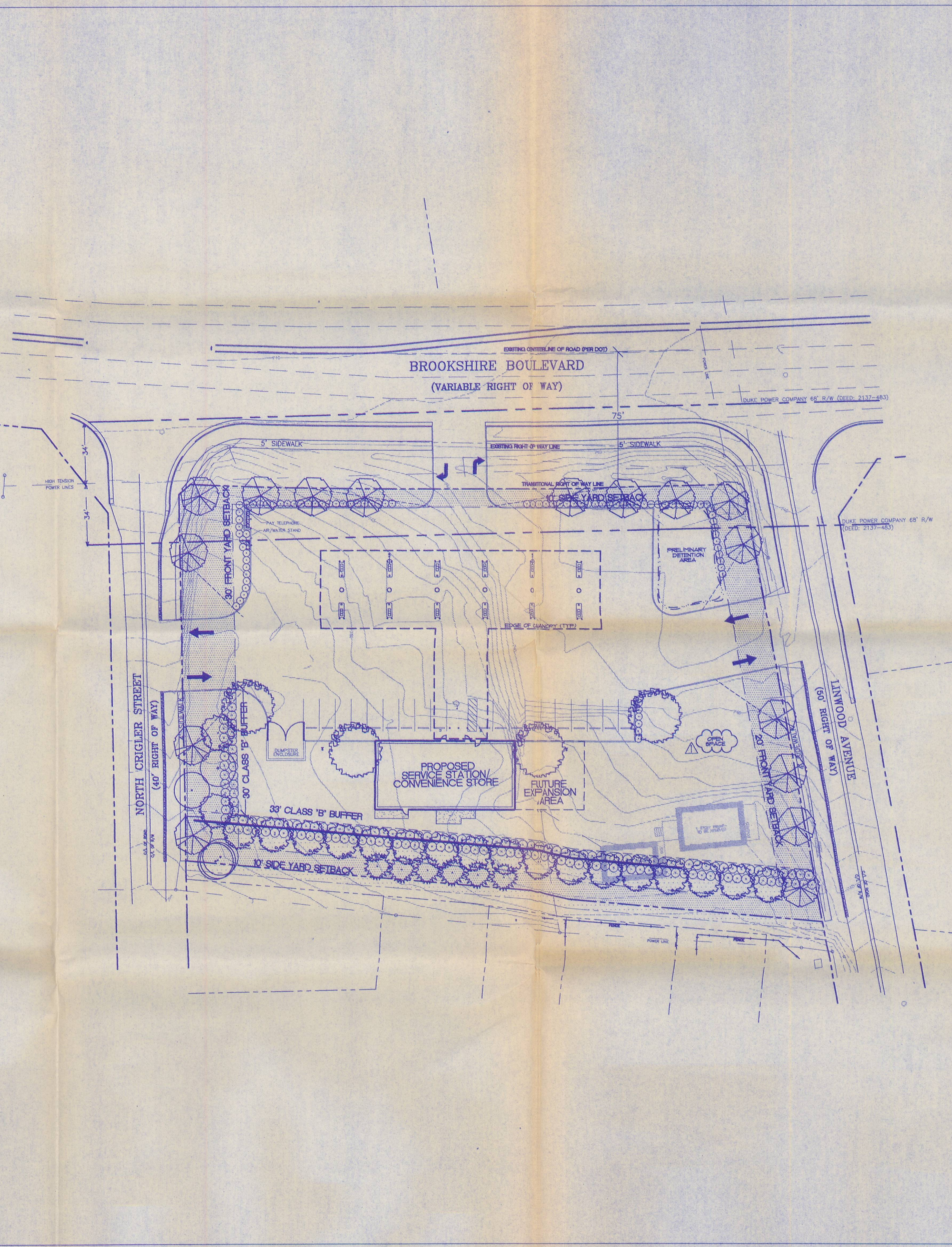
Sheet of
RZ-1 2

SITE DATA

SITE AREA
 USING EXISTING RIGHT-OF-WAY LINE ±1903 acres
 USING PROPOSED TRANSITIONAL R.O.W. LINE ±1744 acres

EXISTING ZONING
 R-22MF

PROPOSED ZONING/DEVELOPMENT:
 ZONING B-1 (CD)
 MAXIMUM ALLOWABLE BUILDING SQUARE FOOTAGE: 4500 SQ. FT. (4)
 PARKING REQUIRED: 18P. PER 250 SQFT.
 PARKING PROVIDED: 20 SPACES
 (INCLUDING 1 VAN-ACCESSIBLE HANDICAP SPACE)



VICINITY MAP NOT TO SCALE

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 BROOKSHIRE BOULEVARD

97-01
ILLUSTRATIVE PLAN

Sheet Title

APPROVED BY CITY COUNCIL
 DATE 5/14/97

V. P. In Charge
 JIM GAMBLE
 Project Architect/Asst. Captain
 JIM GAMBLE

Drawn By
 C.MAJORS

Date Drawn
 3/10/97

CADD Dwg. Name
 4866-RZ2.DWG

Revisions
 1"=30'

No. Date
 1 03/21/97
 2 05/07/97

No. Date
 No. Date

Issue Date 3-10-97

Project Number
4866

Sheet of
RZ-2 2

Site Plan shifted and modified 3/21/97 to accommodate modified centerline and right-of-way along Brookshire Boulevard (see sheet RZ-1).

SCALE 1"=30'

PETITION #97-1 AS FOR PUBLIC HEARING

Note: This Plan is schematic in nature and is subject to modification within the limits established on the accompanying Technical Data Sheet (RZ-1).