

CHILDRESS-KLEIN  
DEVELOPMENT STANDARDS  
11/06/2018  
REZONING PETITION NO. 2020-094

**SITE DEVELOPMENT DATA:**

- ACRAGE: 9.54 ACRES
- TAX PARCEL: 143-061-26, 143-061-21, AND PORTIONS OF 143-061-18 AND 27
- EXISTING ZONING: I-1(CD) AND R-22MF
- PROPOSED ZONING: I-1(CD) AND I-1(CD)
- EXISTING USES: VACANT
- PROPOSED USES: THE SITE MAY BE DEVELOPED WITH USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT TOGETHER WITH ACCESSORY USES INCLUDING PARKING STRUCTURES AS ALLOWED IN THE I-1 ZONING DISTRICT AND AS RESTRICTED BY THE PREVIOUSLY APPROVED REZONING PETITION FOR THE SITE 1998-12 (EFT OF RESTRICTED USES LISTED BELOW IN THE DEVELOPMENT STANDARDS).
- MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: A PORTION OF THE REMAINING SQUARE FOOTAGE PREVIOUSLY APPROVED BY REZONING PETITION NO. 1998-12 (OF THE TOTAL 1,000,000 SQUARE FEET WERE APPROVED FOR REZONING PETITION NO. 1998-12). A TOTAL OF 1,065,619 OF THE ALLOWED SQUARE FOOTAGE HAS BEEN CONSTRUCTED ON THE OTHER PORTIONS OF LAKEPOINTE CORPORATE CENTER OF USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED IN THE DEVELOPMENT STANDARDS BELOW).
- MAXIMUM BUILDING HEIGHT: AS ALLOWED AND REQUIRED BY THE ORDINANCE.
- PARKING: AS ALLOWED AND REQUIRED BY THE ORDINANCE FOR THE PROPOSED USE.

**1. GENERAL PROVISIONS:**

- a. **SITE LOCATION:** THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, AND OTHER GRAPHIC SET FORTH ON ATTACHED SHEETS RZ1 FORM THIS REZONING PLAN COLLECTIVELY REFERRED TO AS THE "REZONING PLAN" ASSOCIATED WITH THE REZONING PETITION FILED BY CHILDRESS KLEIN ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF THE SITE WITH USES ALLOWED IN THE I-1 ZONING DISTRICT ON AN APPROXIMATELY 9.54 ACRE SITE LOCATED AT 3737 GLEN LAKE DRIVE (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 I-1 ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE.
- c. **GRAPHICS AND ALTERATIONS:** THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, STREETS, AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS COLLECTIVELY THE "DEVELOPMENT SITE ELEMENTS" SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONNECTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS, THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT SITE ELEMENTS DEPICTED ON THE REZONING PLAN AND 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.
- d. **DESIGN DEVELOPMENT AND CONSTRUCTION PHASES:** SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE 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:
  - i. 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 APPLICABLE RIGHTS SET FORTH IN THE ORDINANCE.

**2. PERMITTED USES, DEVELOPMENT AREALIMITATIONS:**

- a. THE SITE MAY BE DEVELOPED WITH A PORTION OF THE REMAINING 1,000,000 SQUARE FEET OF GROSS FLOOR AREA ORIGINALLY APPROVED UNDER REZONING PETITION NO. 1998-12 (A TOTAL OF 1,065,619 SQUARE FEET ALLOWED BY REZONING PETITION NO. 1998-12 HAVE BEEN DEVELOPED) OF USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT TOGETHER WITH ACCESSORY USES INCLUDING PARKING STRUCTURES, AS ALLOWED IN THE I-1 ZONING DISTRICT, EXCEPT FOR THE FOLLOWING USES:
  - i. IDEE WITH ACCESSORY DRIVE-THROUGH USES.
  - ii. RETAIL AND IDEE USES WILL BE LIMITED TO THE GROUND FLOOR OF THE BUILDINGS) CONSTRUCTED ON THE SITE.

FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH IN THESE DEVELOPMENT STANDARDS (BUT NOT TO BE CONSIDERED 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).

**3. ACCESS & TRANSPORTATION:**

- a. ACCESS TO THE SITE WILL BE FROM GLEN LAKE DRIVE AND PERIMETER POINTE PARKWAY. THE NUMBER OF ACCESS POINTS WILL BE DETERMINED DURING THE LAND DEVELOPMENT APPROVAL PROCESS FOR THE SITE. AT LEAST ONE ACCESS POINT INTO THE SITE WILL BE FROM THE EXISTING ROUNDABOUT. ACCESS TO THE SITE FROM REBECCA AVENUE WILL NOT BE ALLOWED.
- b. THE PETITIONER SHALL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND SIX (6) FOOT SIDEWALK ALONG THE SITE'S FRONTAGE ON PERIMETER POINTE PARKWAY.

WITH THE UNDERSTANDING THAT THE PETITIONER UNDER NO OBLIGATION TO CONSTRUCT A SIDEWALK EXTENSION FROM THE SITE ALONG THE NORTH SIDE OF PERIMETER POINTE PARKWAY ALONG TAX PARCEL 143-061-223 FRONTAGE TO TYVOLA RD. THE PETITIONER WILL REVIEW WITH CDOT DURING THE LAND DEVELOPMENT APPROVAL PROCESS FOR THE SITE THE POSSIBILITY OF EXTENDING THE SIDEWALK ALONG PERIMETER POINTE PARKWAY TO TYVOLA ROAD, SUBJECT TO THE PETITIONER'S ABILITY TO SECURE ANY NECESSARY EASEMENTS FROM THE ADJACENT PROPERTY OWNER TO INSTALL THE SIDEWALK IF THE SIDEWALK CANNOT BE INSTALLED WITHIN THE EXISTING RIGHT-OF-WAY.

- c. THE PETITIONER WILL INSTALL A PEDESTRIAN CROSSWALK ON PERIMETER POINTE PARKWAY AT THE EXISTING ROUNDABOUT (CROSSWALK TO BE LOCATED AT THE EXISTING SPLITTER ISLAND) ENTERING THE ROUNDABOUT, SUBJECT TO REVIEW AND APPROVAL BY CDOT.
- d. ALL REQUIRED ROADWAY IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE SITE SUBJECT TO THE PETITIONER ABILITY REQUEST THAT CDOT ALLOW A BOND TO BE POSTED FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME OF THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.

THE EXACT ALIGNMENT, DIMENSIONS AND LOCATION OF THE ACCESS POINTS TO THE SITE, THE DRIVEWAYS ON THE SITE MAY BE MODIFIED FROM THE ELEMENTS SHOWN ON THE REZONING PLAN.

- e. DURING THE LAND DEVELOPMENT APPROVAL PROCESS FOR THE SITE THE PETITIONER WILL PROVIDE TURNING MOVEMENTS FOR THE DESIGN VEHICLES EXPECTED TO UTILIZE THE SITE'S ACCESS POINTS AND THE EXISTING ROUNDABOUT.
- f. THE PETITIONER WILL DEDICATE VIA FEE SIMPLE CONVEYANCE ANY ADDITIONAL RIGHT-OF-WAY INDICATED ON THE REZONING PLAN AS RIGHT-OF-WAY TO BE DEDICATED. THE ADDITIONAL RIGHT-OF-WAY WILL BE DEDICATED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY. THE PETITIONER WILL PROVIDE A PERMANENT SIDEWALK EASEMENT FOR ANY OF THE PROPOSED SIDEWALKS LOCATED ALONG THE PUBLIC STREETS LOCATED OUTSIDE OF THE RIGHT-OF-WAY WHERE ROW DEDICATION IS NOT PROVIDED. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.

A 20-FOOT BUILDING AND PARKING SETBACK WILL BE PROVIDED ALONG PERIMETER POINTE PARKWAY AND GLEN LAKE DRIVE AS GENERALLY DEPICTED ON THE REZONING PLAN.

- g. BUFFERS WILL BE PROVIDED IN THE LOCATIONS GENERALLY INDICATED ON THE REZONING PLAN. THE PROPOSED BUFFERS MAY BE REDUCED AS ALLOWED BY THE ORDINANCE. THE TYPE OF BUFFER, CLASS A OR CLASS B WILL BE DETERMINED BASED ON THE USE CONSTRUCTED ON THE SITE. THE PETITIONER RESERVES THE RIGHT TO PROVIDE THE FULL BUFFER WIDTH AND NOT REDUCE THE REQUIRED BUFFER WIDTH AS ALLOWED BY THE ORDINANCE. ALL BUFFER REQUIREMENTS WILL BE MET AS REQUIRED BY THE ORDINANCE.
- h. IF IN THE FUTURE ADJOINING ZONING DISTRICTS ARE CHANGED TO ZONING DISTRICTS WHICH DO NOT REQUIRE A BUFFER OR WHICH REQUIRE A REDUCED BUFFER, THEN THE BUFFER PROVIDED AT THE APPLICABLE EDGE DEPicted ON THE TECHNICAL DATA SHEET MAY BE ADJUSTED OR ELIMINATED AS ALLOWED BY THE ORDINANCE.

DESIGN GUIDELINES

- a. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF ADJACENT PROPERTIES AT GRADE.
- b. DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL OR FENCE USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDING.

ENVIRONMENTAL FEATURES

- a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE. THE LOCATION, SIZE, AND TYPE OF STORM WATER 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 STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.

- b. THE SITE WILL COMPLY WITH TREE ORDINANCE.
- c. NO WALL PACK LIGHTING SHALL BE PERMITTED ON THE BUILDING.

CATS

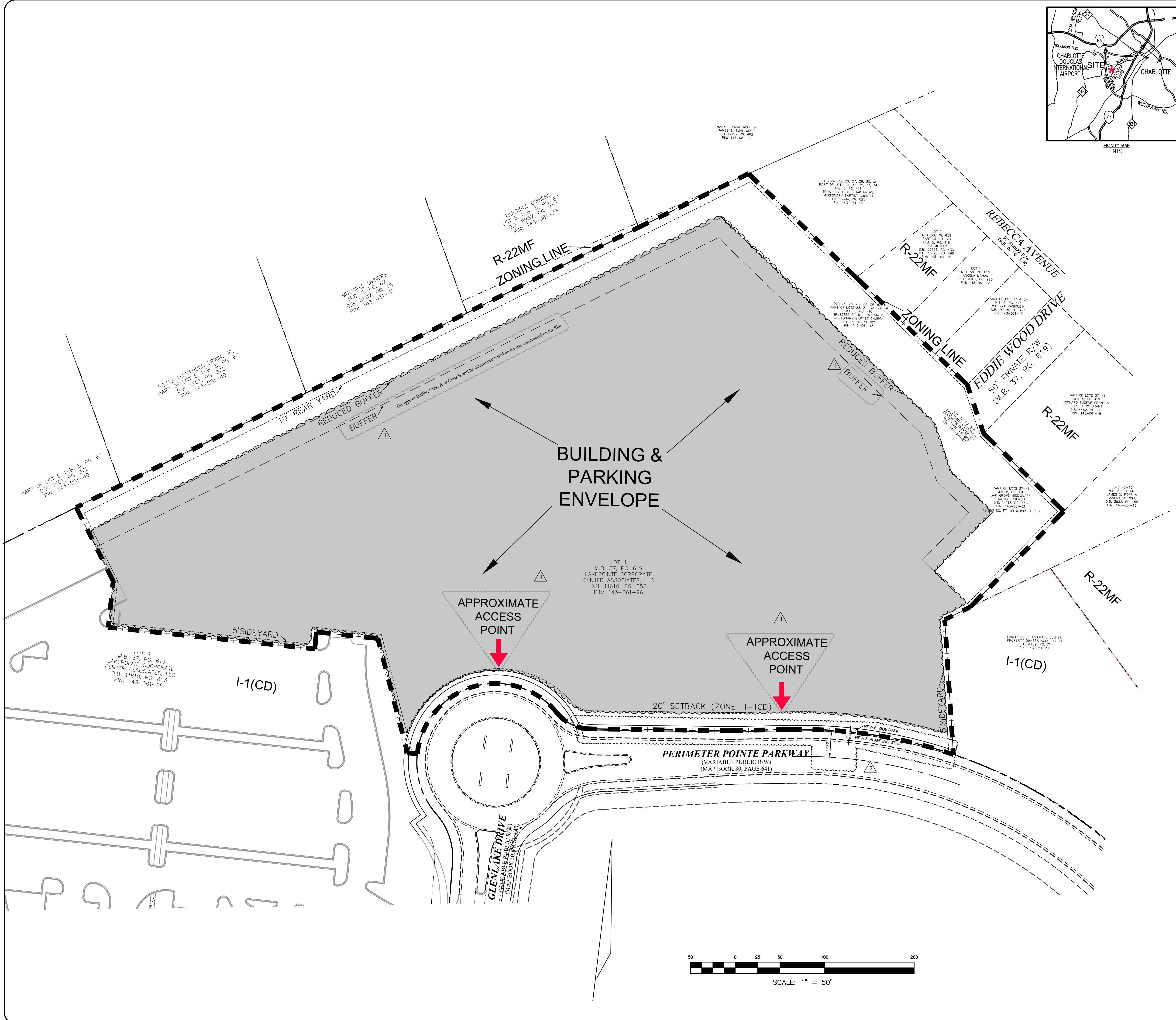
- a. THE PETITIONER SHALL PROVIDE AN ADA COMPLIANT BUS WAITING PAD ON PERIMETER POINTE PARKWAY SUBJECT TO CATS APPROVAL. THE EXACT LOCATION SHALL BE DETERMINED DURING THE CITY'S LAND DEVELOPMENT PERMITTING PROCESS.

**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 IN ACCORDANCE WITH THE PROVISIONS HEREIN AND 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 HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS, AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS, IN INTEREST OR ASSIGNS.



DATE	REV.	REVISIONS
2.11.20	1	STAFF COMMENTS
10.12.20	2	STAFF COMMENTS
11.10.21	3	STAFF COMMENTS

PROJECT MANAGER	DESIGN BY	APPROVED BY	DATE
PROJECT MANAGER	DESIGN BY	APPROVED BY	DATE

PROJECT NAME	PROJECT DATE	PROJECT NUMBER	PROJECT NUMBER
PROJECT NAME	PROJECT DATE	PROJECT NUMBER	PROJECT NUMBER

REZONING PLAN (2020-094)  
 LAKEPOINTE CORPORATE CENTER  
 CHILDRESS KLEIN PROPERTIES

SITE PLAN  
 RZ1