

NO.	REVISIONS	DATE	BY
1	1ST REZONING SUBMITTAL	12/22/2022	KHA

Kimley-Horn
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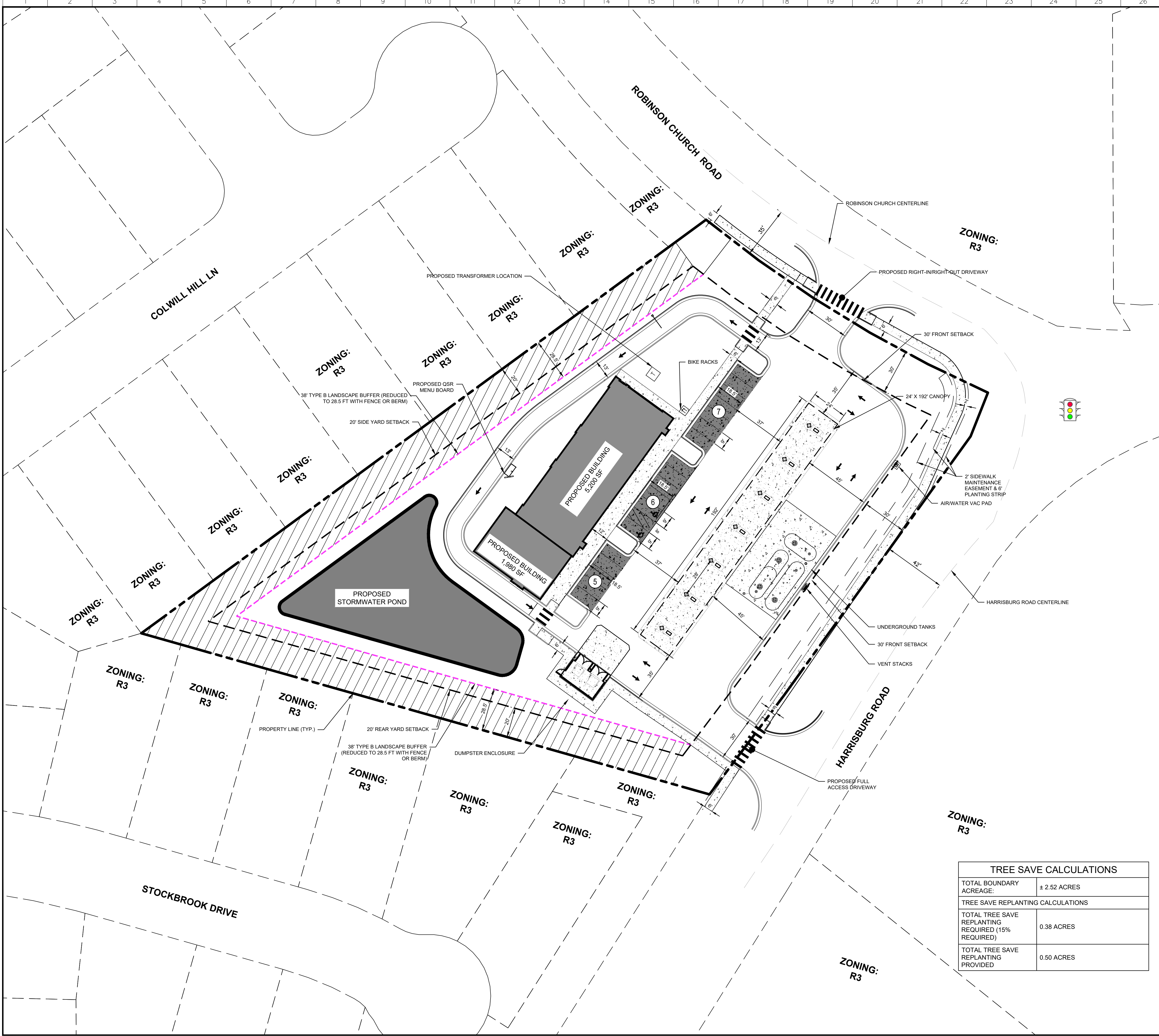
REZONING PETITION
 RZP-2022-145

KH PROJECT	01466000
DATE	02/13/2023
SCALE	AS SHOWN
DESIGNED BY	BEG
DRAWN BY	BEG
CHECKED BY	CLW

REZONING PLAN

ROBINSON CHURCH ROAD
 PREPARED FOR
CIRCLE K
 CITY OF CHARLOTTE, NORTH CAROLINA

SHEET NUMBER
RZ-01



--- PROPOSED 25% BUFFER REDUCTION
 [Hatched Area] TREE SAVE AREA

- FIRE NOTES**
- WATER SUPPLY SPRINKLED**
 1. FOR SPRINKLED BUILDINGS - AN APPROVED FIRE HYDRANT SHALL BE LOCATED WITHIN 600 FT FROM THE MOST REMOTE POINT OF ALL BUILDINGS AND MEASURES "AS AN APPROVED APPARATUS ROUTE AS DETERMINED BY THE FIRE CODE OFFICIAL", (NCIFC 2018 ED. SEC. 507.5.1.) INCLUDE 15 PSI FIXED LOSS FOR REDUCED PRESSURE BACKFLOW DEVICE.
- WATER SUPPLY NON-SPRINKLED**
 1. FOR NON-SPRINKLED BUILDINGS - AN APPROVED FIRE HYDRANT SHALL BE LOCATED WITHIN 400 FT FROM THE MOST REMOTE POINT OF ALL BUILDINGS AND MEASURED "AS AN APPROVED APPARATUS ROUTE AS DETERMINED BY THE FIRE CODE OFFICIAL", (NCIFC 2018 ED. SEC. 507.5.1.) INCLUDE 15 PSI FIXED LOSS FOR REDUCED PRESSURE BACKFLOW DEVICE.
- HOSE PULLS**
 1. FIRE APPARATUS ACCESS ROADS SHALL BE WITHIN 200 FT OF ALL EXTERIOR WALLS OF SPRINKLED BUILDINGS AND 150 FT OF ALL EXTERIOR WALLS OF NON-SPRINKLED BUILDINGS. MEASUREMENTS OF HOSE PULL SHALL START FROM ROAD ACCESS/LANE OF TRAVEL, NOT FORM A PARKING SPOT OR BACK OF CURB.
- ACCESS ROAD DESIGN**
 1. FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS AND SHALL BE SURFACED TO PROVIDE ALL-WEATHER DRIVING CAPABILITIES. CFD'S LARGEST TRUCKS HAVE A GROSS VEHICLE WEIGHT (GVW) OF 85,000 LBS.
- FIRE ACCESS**
 1. IF BUILDING WILL NOT HAVE AN APPROVED NFPA 13 FIRE SPRINKLER SYSTEM, THEN FIRE ACCESS ROAD AROUND REAR OF THE BUILDINGS WILL NEED TO MEET THE FOLLOWING:
 1.1. FIRE APPARATUS ACCESS ROADS SHALL HAVE AN UNOBSTRUCTED WIDTH OF NOT LESS THAN 20 FT AND AN UNOBSTRUCTED VERTICAL CLEARANCE OF NOT LESS THAN 14 FT. THIS SHALL INCLUDE MULTI-FAMILY PROPERTIES AND RESIDENTIAL COMMUNITIES WITH PRIVATELY MAINTAINED STREETS. ON-STREET PARKING SHALL BE PROHIBITED UNLESS THE MINIMUM 20 FT WIDTH CAN BE ESTABLISHED AND MAINTAINED. FIRE APPARATUS ACCESS ROADS SHALL NOT HAVE A SLOPE GREATER THEN 10%.

SITE DATA:

CIRCLE K SITE AREA:	±2.52 AC
JURISDICTION:	CITY OF CHARLOTTE
EXISTING ZONING:	R-3 (RESIDENTIAL)
PROPOSED REZONING:	B-2 (CD) (GENERAL COMMERCIAL, CONDITIONAL)

PROVIDED PARKING:

PROPOSED STANDARD (9'5" X 19'5")	18 SPACES
PROPOSED HC SPACES	2 SPACES
PROPOSED CANOPY SPACES	14 SPACES
TOTAL SPACES PROVIDED:	34 SPACES

PARKING PER THE ORDINANCE

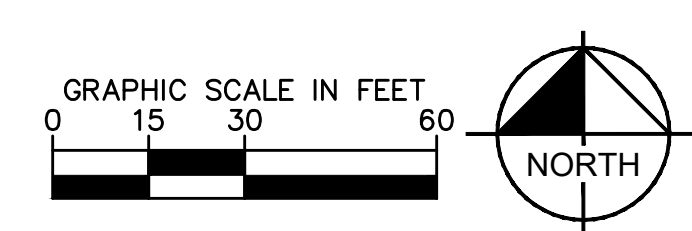
1 SPACE PER 250 SF OF BUILDING AREA & 1 SPACE PER 75 FT EDEE	29 SPACES
[7200 SF (BUILDING AREA) / 500 SF]	29 SPACES
TOTAL SPACES REQUIRED:	29 SPACES

BUILDING HEIGHT

MAX BUILDING HEIGHT	40 FT
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TREE SAVE CALCULATIONS

TOTAL BOUNDARY ACREAGE:	± 2.52 ACRES
TREE SAVE REPLANTING CALCULATIONS	
TOTAL TREE SAVE REPLANTING REQUIRED (15% REQUIRED)	0.38 ACRES
TOTAL TREE SAVE REPLANTING PROVIDED	0.50 ACRES



**DEVELOPMENT STANDARDS
CIRCLE K - ROBINSON CHURCH ROAD
REZONING PETITION NO. 2022-145
02/13/2023**

Development Data Table:

Site Area: +/- 2.52 acres
 Tax Parcel: 108-10-117
 Existing Zoning: R-3
 Proposed Zoning: B-2 (CD)
 Proposed Uses: Fuel Station, C-Store, and QSR
 Maximum Density: Proposed Building (7,200 SF)
 Maximum Building Height: See the Development Standards
 Parking: Shall meet or exceed Ordinance standards
 Vesting Requested: 5 years

1. GENERAL PROVISIONS

A. **Site.** These Development Standards, the Existing Conditions Plan, the Technical Data Sheet and the Rezoning Site Plan and other graphics set forth on **Circle K -- Robinson Church Road Property, Sheet RZ-1** from the rezoning plan (collectively referred to as the “**Rezoning Plan**”) associated with the Rezoning Petition filed by SMI Charlotte CK LLC / Circle K Stores, Inc. (the “**Petitioner**”) for an approximately 2.52-acre site located between Robinson Church Road, and Harrisburg Road (hereinafter referred to as the “**Site**”). The Site is more particularly depicted on the Rezoning Plan and is comprised of Tax Parcel No. 108-10-117.

B. **Zoning District/Ordinance.** The development and use of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the “**Ordinance**”). Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the B-2 (CD) zoning district shall govern the development and use of the Site.

C. **Graphics and Alterations.** The schematic depictions of the uses, sidewalks, driveways, streets, development area boundaries 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 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:

- (1) Do not materially change the overall design intent depicted on the Rezoning Plan.

The Planning Director will determine if such modifications are allowed pursuant to this amendment process, and if it is determined that the alteration does not meet the criteria described above, Petitioner shall then follow the administrative amendment process pursuant to Section 6.207 of the Ordinance in each instance, however, subject to Petitioner's appeal rights set forth in the Ordinance.

D. **Development Area.** For entitlement purposes, the Site is shown as one development area with the designated uses shown on Sheet RZ-1 of the Rezoning Plan.

E. **Unified Development.** The Site shall be considered to be a planned/unified development. Therefore, side and rear yards, building height separation requirements and other similar zoning standards shall not be required internally between improvements, uses and other site elements located on the Site. Furthermore, Petitioner reserves the right to subdivide portions or all of the Site and to create lots within the interior of the Site without regard to any such internal separation standards and public/private street frontage requirements, provided, however, that the development of the Site shall be required to meet any applicable setback, side yard and rear yard and landscape area requirements with respect to the exterior boundaries of the Site.

F. **Vested Rights.** Pursuant to Section 1.110 of the Ordinance and Section 160D-108 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years. The 5-year vesting period shall commence at the time that the first site approval is granted for the initial phase of the development.

G. **Amendments.** Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

2. PERMITTED USES

A. **Development Area**

The Site may be developed with multiple building envelopes with the following uses:

- (1) A 1-Story Building containing 5200 SF.
- (2) A 1-Story Building containing approximately 1980 SF.
- (3) Total Building Area: 7,200 SF

3. TRANSPORTATION

A. Vehicular access shall be as generally depicted on the Rezoning Plan. Notwithstanding the foregoing, the placement and configuration of the vehicular access points may be modified by Petitioner during the permitting process to accommodate changes in traffic patterns, changes in building and parking layouts and site constraints and to accommodate any modifications required by the Charlotte Department of Transportation (“**CDOT**”) and/or the North Carolina Department of Transportation (“**NCDOT**”).

B. Sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan.

C. Ground signs should only be permitted at this location as defined in Chapter 13 of the Charlotte Zoning Ordinance.

4. ARCHITECTURAL STANDARDS

A. The maximum height of any building located on the Site shall be **40** feet as measured under the Ordinance.

B. The principal buildings constructed on the Site may use a variety of building materials. The building materials used for buildings will be a combination of any of the following: glass, brick, metal, stone, simulated stone, precast stone, architectural precast concrete, synthetic stone, stucco/E.I.F.S., cementitious siding (such as Hardie Plank), or wood/composite wood. Vinyl, as a building material, will only be allowed on windows, doors, garage doors, railings, soffits and trim features.

C. Pitched roofs on buildings less than five stories in height, if provided, shall be symmetrically sloped no less than 4:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.

D. Streetscape treatment will be a unifying element throughout the Site through the use of consistent paving, lighting, landscaping, and, when provided, site furnishings.

E. Electrical and natural gas meter banks as well as electrical transformers shall be located outside of any required setbacks.

5. STREETScape/LANDSCAPING

A. Petitioner shall install a 6-foot sidewalk along the Site's frontage along Harrisburg and Robinson Church Roads. Petitioner shall also install a 2-foot wide planting strip along a portion of the Site's frontage on Robinson Church Road as is more particularly depicted on Sheet RZ-1 of the Rezoning Plan. The sidewalk may be located within the utility easement.

B. Petitioner shall employ a 27-foot setback along the Site's frontage along Robinson Church and Harrisburg Roads. A 28.5-foot or 32.5-foot **Type B** reduced buffer will be installed along the rear boundary of the Site that abuts residentially zoned property and shall include a 20-foot setback.

6. ENVIRONMENTAL FEATURES

A. Petitioner shall comply with the Charlotte City Council approved and adopted Post-Construction Stormwater Ordinance.

B. Development of the Site shall comply with the applicable requirements of the City of Charlotte Tree Ordinance.

C. 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 submitted 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.

7. OPEN SPACE

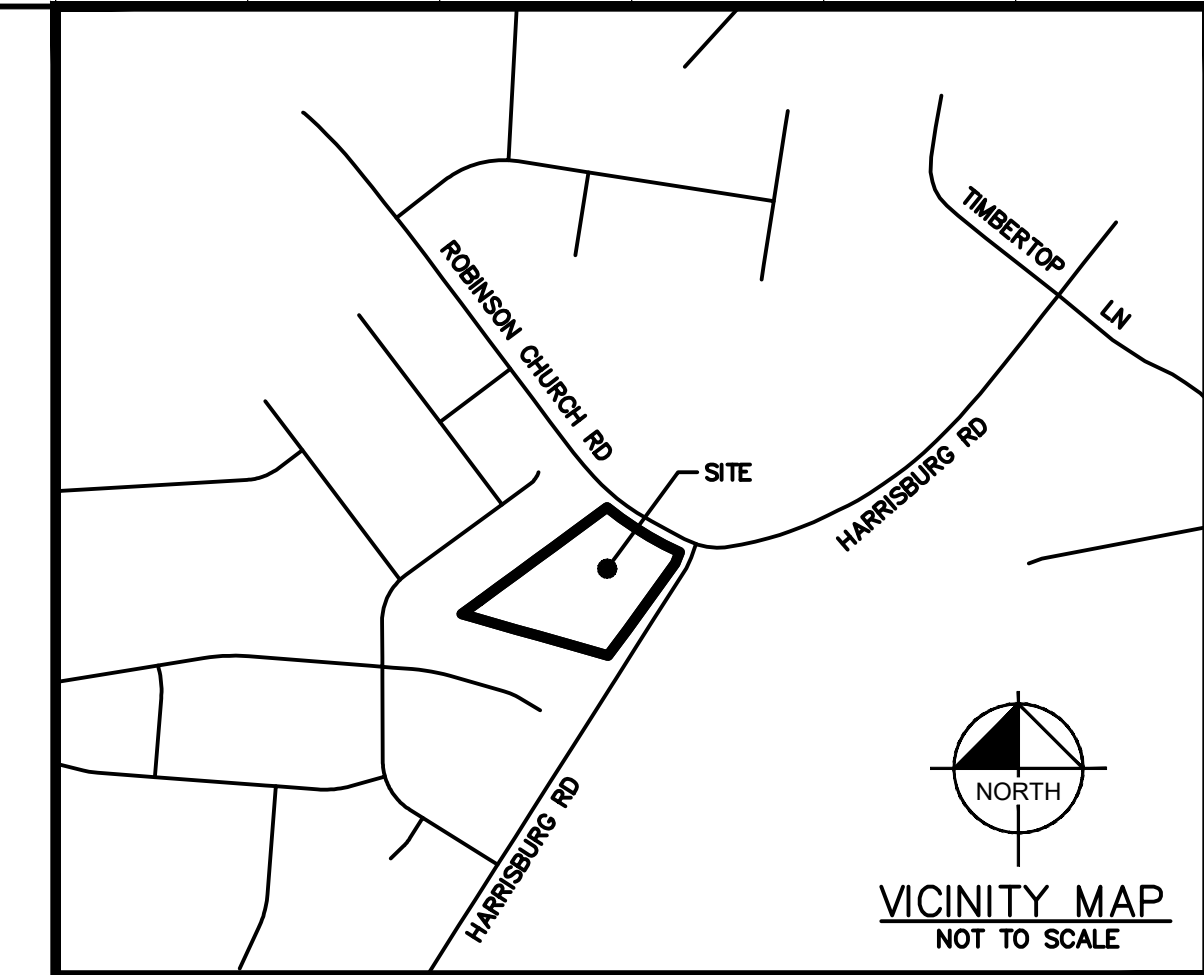
A. Petitioner shall comply with the Open Space requirements of the City of Charlotte.

8. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

A. If this Rezoning Petition is approved, all conditions applicable to the use and 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 assigns.

B. Throughout these Development Standards, the term “**Petitioner**” 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.

C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.



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**DEVELOPMENT
STANDARDS**

**ROBINSON
CHURCH ROAD**
 PREPARED FOR
CIRCLE K
 NORTH CAROLINA
 CITY OF CHARLOTTE



SHEET NUMBER
RZ-02