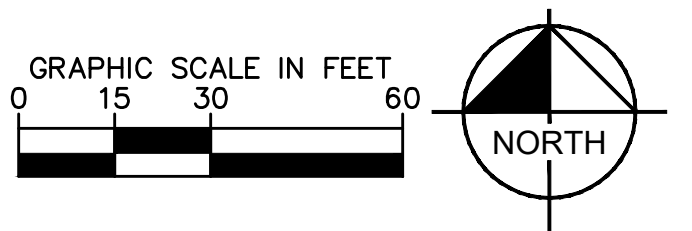




| | |
|---|-------------------|
| SITE DATA: | |
| CIRCLE K SITE AREA: | ±2.53 AC |
| JURISDICTION: | CITY OF CHARLOTTE |
| EXISTING ZONING: | R-3 (RESIDENTIAL) |
| PROPOSED REZONING: | B-2 (COMMERCIAL) |
| PROVIDED PARKING: | |
| PROPOSED STANDARD (9.5' X 19.5') | 19 SPACES |
| PROPOSED HC SPACES | 2 SPACES |
| PROPOSED CANOPY SPACES | 14 SPACES |
| TOTAL SPACES PROVIDED: | 35 SPACES |
| REQUIRED PARKING | |
| 1 SPACE PER 500 SF OF BUILDING AREA & 1 SPACE PER FUEL PUMP | 14 SPACES |
| [7180 SF (BUILDING AREA) / 500 SF] | 15 SPACES |
| TOTAL SPACES REQUIRED: | 29 SPACES |



| No. | REVISIONS | DATE | BY |
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 200 SOUTH TRYON ST., SUITE 200, CHARLOTTE, NC 28202
 WWW.KIMLEY-HORN.COM
 NC LICENSE #F-0102

REZONING PETITION
 RZP-2022-145

| | |
|-------------|------------|
| KH PROJECT | 014660000 |
| DATE | 12/22/2022 |
| SCALE | AS SHOWN |
| DESIGNED BY | BEG |
| DRAWN BY | BEG |
| CHECKED BY | CJW |

REZONING PLAN

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

SHEET NUMBER
RZ-1

**DEVELOPMENT STANDARDS
CIRCLE K - ROBINSON CHURCH ROAD
REZONING PETITION NO. 2022-145
12/22/2022**

Development Data Table:

Site Area: +/- 2.53 acres
 Tax Parcel: 108-10-117
 Existing Zoning: R-3
 Proposed Zoning: B-2 (CD)
 Proposed Uses: See the Development Standards
 Maximum Density: Proposed Building (5,200SF) and Proposed Building (1,980SF)
 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 2.53-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. 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.

4. ARCHITECTURAL STANDARDS

A. The maximum height of any building located on the Site shall be **30** 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 **Type B** 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.

7. OPEN SPACE/AMENITIES

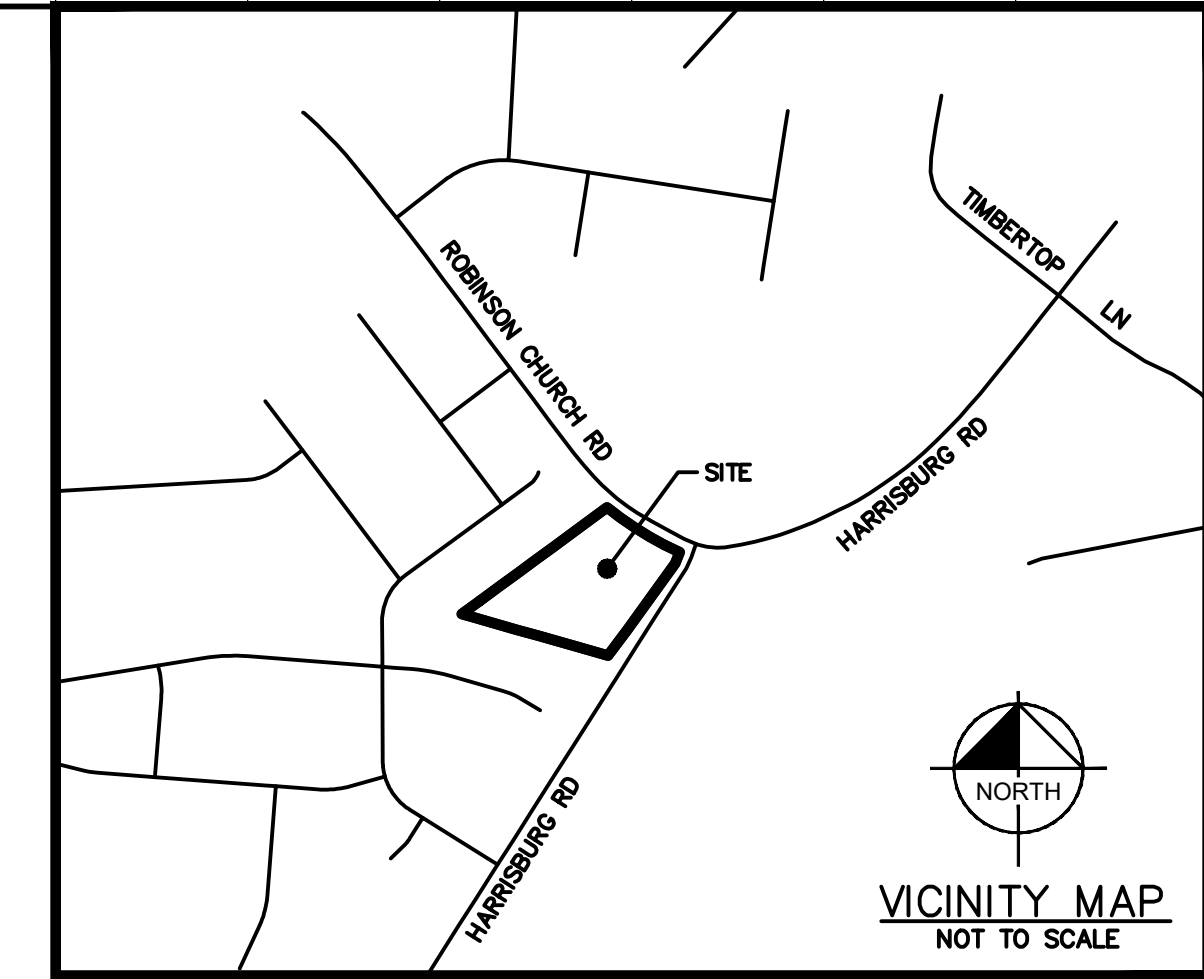
A. Petitioner shall comply with the Open Space requirements of the City of Charlotte.

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.



| No. | REVISIONS | DATE | BY |
|-----|------------------------|------------|-----|
| 1 | 1ST REZONING SUBMITTAL | 12/22/2022 | KHA |

Kimley **Horn**

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REZONING PETITION
RZP-2022-145

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| KH PROJECT | 01466000 |
| DATE | 12/22/2022 |
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| DESIGNED BY | BEG |
| DRAWN BY | BEG |
| CHECKED BY | CJW |

**DEVELOPMENT
STANDARDS**

**ROBINSON
CHURCH ROAD**
 PREPARED FOR
CIRCLE K
 NORTH CAROLINA

SHEET NUMBER
RZ-02

