



**SITE DEVELOPMENT DATA:**

ACREAGE: ± 1.09 ACRES  
TAX PARCEL IIS: PORTION OF 201-031-28  
EXISTING ZONING: I-1(CD)  
PROPOSED ZONING: I-1(CD) SPA  
EXISTING USES: EDEE  
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 AS ALLOWED IN THE I-1 ZONING DISTRICT AND AS RESTRICTED BY THE PREVIOUSLY APPROVED REZONING PETITION FOR THE SITE 1994-011(C) (LIST OF RESTRICTED USES LISTED BELOW IN THE DEVELOPMENT STANDARDS).

MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 2,500 SQUARE FEET OF GROSS FLOOR AREA 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 REQUIRED BY THE ORDINANCE FOR THE PROPOSED USE.

**LOCATION MAP**

SCALE: 1" = 400'

1. **GENERAL PROVISIONS:**

a. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET, AND OTHER GRAPHICS SET FORTH ON ATTACHED SHEETS RZ-1 FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY TAKE 5 CAROLINAS ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF THE SITE WITH USES ALLOWED IN THE I-1 ZONING DISTRICT ON AN APPROXIMATELY 1.09 ACRE SITE LOCATED AT 8710 S. TRYON STREET (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 CLASSIFICATIONS 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 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:

1. 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.

2. **PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:**

<p>a. THE SITE MAY BE DEVELOPED WITH UP TO 2,500 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED BY RIGHT AND UNDER PRESCRIBED CONDITIONS IN THE I-1 ZONING DISTRICT, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE I-1 ZONING DISTRICT, EXCEPT THE FOLLOWING USES:</p> <p>ARMORIES FOR MEETINGS AND TRAINING OF MILITARY ORGANIZATIONS; AUTOMOTIVE SALES, INCLUDING TRACTOR-TRUCKS AND ACCOMPANYING TRAILER UNITS; AUTOMOBILES, TRUCK AND UTILITY TRAILER RENTALS; AUTOMOTIVE SERVICE STATIONS WITH ASSOCIATED GASOLINE SALES (AUTOMOTIVE SERVICES WITHOUT GASOLINE SALES ARE ALLOWED); AUTOMOTIVE REPAIR GARAGES FOR ENGINE OVERHAUL, BODY AND PAINT SHOPS AND SIMILAR OPERATIONS (AUTOMOTIVE SERVICE STATIONS, FOR MINOR ADJUSTMENTS, REPAIRS AND LUBRICATION ARE ALLOWED); BOAT AND SHIP SALES AND REPAIR; BUS AND TRAIN TERMINALS; CAR WASHES; FARMS, INCLUDING RETAIL SALES OF PRODUCTS GROWN ON PREMISES; MANUFACTURED HOUSING REPAIR;</p>	<p>MANUFACTURED HOUSING SALES; RESTAURANTS, DRIVE-IN SERVICES; TIRE RECAPPING AND RETREADING; ADULT CARE CENTER; CEMETERIES; DEMOLITION LANDFILLS; JAILS AND PRISONS; MEDICAL WASTE DISPOSAL FACILITIES AS A PRINCIPAL USE; NIGHTCLUBS, BARS, AND LOUNGES; OUTDOOR ADVERTISING SIGNS OTHER THAN TWO SUCH SIGNS WHICH MAY BE USED EXCLUSIVELY AS PROJECT SIGNS FOR THE WHITEHALL DEVELOPMENT; PETROLEUM STORAGE FACILITIES AS A PRINCIPAL USE; QUARRIES; RACEWAYS AND DRAGSTRIPS; SANITARY LANDFILLS, OR STADIUMS AND ARENAS</p>
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- 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).

3. **ACCESS:**

a. ACCESS TO THE SITE WILL BE FROM S. TRYON STREET AND WHITEHALL PARK DRIVE AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. THE PETITIONER WILL IMPROVE THE SITE'S FRONTAGE WITH AN EIGHT (8) FOOT PLANTING STRIP AND A SIX (6) FOOT SIDEWALK AS GENERALLY DEPICTED ON THE REZONING PLAN. THE LOCATION OF THE SIDEWALK MAY BE ALLOWED TO VARY AND THE PLANTING STRIP WIDTH MAY BE REDUCED IF PHYSICAL CONSTRAINTS ARE ENCOUNTERED THAT DO NOT ALLOW THE SIDEWALK TO MAINTAIN AN EIGHT(8) FOOT PLANTING STRIP.

c. ALL REQUIRED ROADWAY IMPROVEMENT WILL BE APPROVED AND CONSTRUCTED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY FOR THE FIRST BUILDING ON THE SITE.

d. 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 IF ANY PORTION OF THE PROPOSED SIDEWALK ALONG HWY. 49 IS LOCATED OUTSIDE OF THE RIGHT-OF-WAY. THE PERMANENT SIDEWALK EASEMENT WILL BE LOCATED A MINIMUM OF TWO (2) FEET BEHIND THE SIDEWALK WHERE FEASIBLE.

e. 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.

4. **SETBACKS, BUFFERS AND SCREENING:**

a. A 50-FOOT BUILDING AND PARKING SETBACK WILL BE PROVIDED ALONG S. TRYON STREET AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. ALL BUFFERS REQUIREMENTS WILL BE PROVIDED PER THE ORDINANCE.

5. **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.

c. THE PETITIONER WILL SUBMIT THE PROPOSED SITE PLAN TO THE WHITEHALL DESIGN REVIEW COMMITTEE FOR REVIEW AND APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT.

6. **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.

7. **SIGNAGE:**

a. SIGNS AS ALLOWED BY THE ORDINANCE MAY BE PROVIDED.

8. **LIGHTING:**

a. ALL NEW 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. LIGHTING FIXTURES THAT ARE DECORATIVE, CAPPED AND DOWNWARDLY DIRECTED WILL BE ALLOWED ON THE PROPOSED BUILDING WALLS.

9. **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.

10. **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.

## Rezoning Site Plan

## TAKE 5 CAROLINAS - 8710 S TRYON ST



City of Charlotte, NC

SEPT 4, 2020

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Note: Conceptual Plans Only, lot yield and layout subject to change based on final design and approvals.