



SITE DATA	
PARCEL #S	PORTION OF 201-401-06
ACREAGE	1.56± AC
OWNERS	PMT PARTNERS LLC
PETITIONER	CHILDRESS KLEIN PROPERTIES
EXISTING ZONING	B-1SCD
PROPOSED ZONING	B-1(CD)
EXISTING USES	NEIGHBORHOOD SHOPPING CENTER
PROPOSED USES	USES PERMITTED BY RIGHT & UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED BY THE B-1 ZONING DISTRICT (MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 2)
MAXIMUM GROSS SF OF DEVELOPMENT	UP TO 10,000 SF OF GROSS FLOOR AREA OF USES AS ALLOWED BY RIGHT & OTHER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES ALLOWED IN THE B-1 DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 2 - SUCH RESTRICTIONS DO NOT PERMIT A CONVENIENCE STORE WITH GASOLINE SALES NOR A FAST FOOD RESTAURANT WITH DRIVE-THROUGH WINDOWS, OR IN THE ALTERNATIVE, GASOLINE WITH LIMITED RETAIL SALES USES THAT ARE OPERATED IN CONJUNCTION WITH A GROCERY STORE USE WITHIN THE ADJACENT YORK RIDGE SHOPPING CENTER (AS DEFINED BELOW)
PROVIDED PARKING	AS REQUIRED BY ORDINANCE
MAX BUILDING HEIGHT	AS ALLOWED BY ORDINANCE

1. General Provisions:

- a. **Site Location.** These Development Standards from a part of the Rezoning Plan associated with the Rezoning Petition filed by Childrens Link Properties ("Petition") to accommodate an addition to the existing neighborhood shopping center known as York Ridge, such addition being on an approximately 1.56 acre site located at the intersection of York Road and S. Travis Street, in the City of Raleigh, North Carolina.
- 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 ("Ordinance"). Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance for the B-1 zoning classification shall govern.
- 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 uses, locations, and depictions of the Development/Site Elements on the Rezoning Plan are graphic representations of the proposed 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 Site is developed but will be undergoing renovations and additions, 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:
- expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or
 - minor, non-substantive changes overall design intent depicted on the Rezoning Plan, or
 - modifications to move structures graphically depicted on the Rezoning Plan closer to adjacent properties in a residential district or abutting residential use but no closer than the "external building line" (in this case the external setbacks, rear yards or buffer areas) indicated on Sheet RZ-1.

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 described steps set forth in the Ordinance.

- d. Number of Buildings Principal and Accessory.** The total number of principal buildings to be developed on the Site shall not exceed one (1). Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building located on the Site.
- e. Planned/Unplanned Development.** The Site is zoned as the existing portion of Tax Parcel No. 20-041-04 and Tax Parcel No. 20-041-06 (the "Adjacent York Ridge Shopping Center") shall be viewed in the aggregate as a planned/unplanned development plan (i.e., a zoning action) as to the elements and portions of the Site generally depicted on the Rezoning Plan and those depicted on the applicable conditional rezoning plan for the Adjacent York Ridge Shopping Center. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between the elements and portions of the Site generally depicted on the Rezoning Plan and those depicted on the applicable conditional rezoning plan for the Adjacent York Ridge Shopping Center. The Adjacent York Ridge Shopping Center shall reserve the right to subdivide the portions or all of the Site and the Adjacent York Ridge Shopping Center Site and create lots within the interior of the Site and the Adjacent York Ridge Shopping Center without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site and of the Adjacent York Ridge Shopping Center shall be adhered to and all FAR requirements will be strictly followed by any development on the Site and on the Site and in the applicable conditional rezoning plan as to the Adjacent York Ridge Shopping Center, taken as a whole and not individual portions or lots located therein.

2. Permitted Uses & Development Area Limitations:

- a. The Site may be developed with either (i) gasoline with limited retail sales uses that are operated in conjunction with a grocery store use located within the Adjacent York Ridge Shopping Center now or in the future, provided such sales shall be located within a building containing no greater than 1,000 square feet of gross floor area and gasoline is dispensed in no greater than 12 individual gas pumps (individual gas pumps refers to pump with nozzle placed into tank of a vehicle not to fueling stations that may contain multiple pumps); OR (ii) gasoline with limited retail sales uses that are operated in conjunction with a convenience store use located within the Site as described in the S-1 zoning district, including without limitation, personal service uses as defined below; provided, however, except the gas marketing with retail sales described in (i) above, in no event shall a convenience store with gasoline sales use, and automobile service station, or a fast food restaurant with drive-through window facility be located on Site.
- For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the term "gross floor area" or "GFA" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building on the Site measured from the outside of the exterior walls or from the center line of the walls, piers, columns, or other structural members, including any area used for parking, storage, circulation, or other purposes, including but not limited to stairs, steps, ramps, stairs, vestibules, roof equipment rooms and maintenance crawl spaces, all loading dock (open or enclosed), outdoor coolers and outdoor dining areas whether on the ground or the building(s) or at street level (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).*
- Personal Service uses will be defined as uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandise but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, spas, yoga and exercise studios, nail salons, massage shops, martial art training studios, laundries and dry cleaning establishments, locksmiths, and shoe stores.*
- (b)
- b. Administrative Amendment as to Adjacent York Ridge Shopping Center: Prior to Issuance of a building permit for the uses permitted on the Site as described in Section 2a, the Petitioner shall have received approval from the Planning Department of an administrative site plan amendment associated with the Conditional Rezoning Plan/Petition governing the Adjacent York Ridge Shopping Center stating that (i) the total combined gross floor area of the uses located on the Adjacent York Ridge Shopping Center and the uses located on the petitioned parcel shall not exceed 100,000 square feet and (ii) the uses permitted on the Site shall not include a convenience store with gasoline sales. The uses described in 2a above are constructed and operational, the Adjacent York Ridge Shopping Center shall not contain a convenience store with gasoline sales nor an automobile service station.

3. Access and Transportation

- a. Access to the Site will be from S. Tyron Street and through the existing shopping center in the manner generally depicted on the Rezoning Plan.
- b. The Petitioner will provide sidewalk connections to the new buildings from S. Tyron Street as generally depicted on the Rezoning Petition.
- c. The placement and configuration of the vehicular access point is subject to any minor modifications required to accommodate final site development and construction plans and to any adjustments required for approval by the CDOT in accordance with applicable published standards.
- d. The alignment of the internal vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT in accordance with published standards.

4. Architectural Standards:

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, E, metal panels, decorative block and/or wood.
 - b. The buildings constructed on the Site will be architecturally compatible with the rest of the shopping center.
 - c. HVAC and related mechanical equipment will be screened from public view and from view of adjacent properties at grade.
- 5. Streetscape, Buffers, Fences and Landscaping:**
- a. All street setbacks will be established along S. Tryon Street. Buildings and parking areas will not be allowed in the 35 foot setback established along S. Tryon Street as generally depicted on the Rezoning Plan.
 - b. A 50 foot Class B Buffer has been established and will be maintained along the eastern property boundary as generally depicted on the Rezoning Plan.
 - c. Landscaping will be provided along the eastern property boundary along S. Tryon Street as generally depicted on the Rezoning Plan.
 - d. Storm water and water quality structures may be located within the setback/buffers established along S. Tryon Street as generally depicted on the Rezoning Plan.
 - e. Landscaping will be provided along the interior edge of the BMP.
 - f. Utilities may cross required buffers at angles no greater than 75 degrees.
 - g. Screening requirements of the Ordinance will be met.
 - h. Above ground backflow preventers will be screened from public view.

6. Environmental Features:

- a. The Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- b. 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 submission 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.
- c. The Site will comply with the Tree Ordinance.

7. Signage:

- a. Signage 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, parking areas and courtyards.
- b. Any new detached lighting on the Site will be limited to 25 feet in height.

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 of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions 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 under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives successors in interest or assigns.