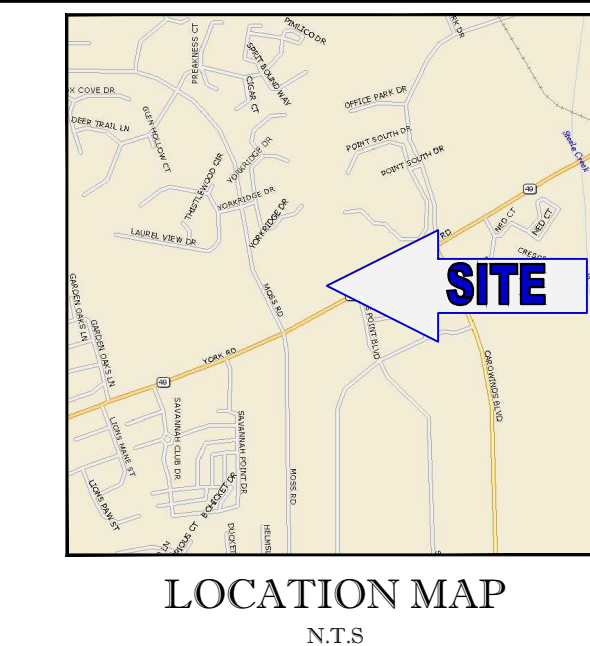


PETITION# 2015-054

SITE DATA	
PARCEL #S	PORTION OF 201-401-06
ACREAGE	1.56± AC
OWNERS	PMT PARTNERS LLC
PETITIONER	PMT PARTNERS LLC
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 OFFICE, RETAIL EDGE (RESTAURANTS), PERSONAL SERVICES AND OTHER COMMERCIAL USES AS ALLOWED IN THE B-1 ZONING DISTRICT (AS MORE SPECIFICALLY DESCRIBED AND RESTRICTED BELOW IN SECTION 2 - SUCH RESTRICTIONS DO NOT PERMIT A CONVENIENCE STORE WITH GASOLINE SALES NOR AUTOMOBILE SERVICE STATIONS WITH GASOLINE SALES)
PROVIDED PARKING	THE SITE WILL BE LOOKED AT AS PART OF THE YORK RIDGE SHOPPING CENTER FOR THE PURPOSES OF CALCULATING REQUIRED PARKING FOR THE ALLOWED USES. PARKING WILL BE PROVIDED AT THE RATE OF ONE SPACE PER 250 SQUARE FEET OF GROSS FLOOR AREA. PARKING FOR THE SITE MAY BE LOCATED ON THE AREA ZONED B-1 AS WELL AS PORTIONS OF THE SITE ZONED B-1SCD
MAX BUILDING HEIGHT	AS ALLOWED BY ORDINANCE



BOHLER ENGINEERING

SITE CIVIL AND CONSULTING ENGINEERING ARCHITECTURE
LAND SURVEYING DESIGN TRANSPORTATION SERVICES
SUSTAINABLE DESIGN PERMITTING SERVICES

WARREN, NJ
BALTIMORE, MD
BOSTON, MA
NEW YORK, NY
PHILADELPHIA, PA
RICHMOND, VA
SOUTH EASTERN PA
SOUTH WESTERN PA

REVISIONS		
REV	DATE	COMMENT
01	04-06-15	ODR
02	04-17-15	ODR
03	06-19-15	ODR
04	06-24-15	ODR
05	07-02-15	ODR
06	09-21-15	ODR
07	10/7/15	ODR

DEVELOPMENT STANDARDS

1. General Provisions:

a. **Site Location.** These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Chidress Klein Properties ("Petitioner") 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 Moss Road and 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 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/Use 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/Use Elements depicted on the Rezoning Plan are graphic representations of the Development/Use 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/Use 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 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 and don't materially change the 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 appeal rights 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/Unified Development.** The Site together with that certain site located adjacent to the Site and designated as the remaining portion of Tax Parcel No. 201-041-04 and Tax Parcel No. 20-041-06 (the "Adjacent York Ridge Shopping Center") shall be viewed in the aggregate as a planned/unified development plan (e.g. a shopping center) 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, site-to-site buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site and the Adjacent York Ridge Shopping Center. The Petitioner and/or owner(s) of the Site and the Adjacent York Ridge Shopping Center 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 regulated by any development limitations set forth in Section 2 below as to 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 thereon.

2. Permitted Uses & Development Area Limitation:

- a. The Site may be developed with 10,000 square feet of gross floor area of uses allowed by right, and under prescribed conditions together with accessory uses allowed in the B-1 zoning district, including without limitation, personal service uses as defined below and one fast food restaurant with an accessory drive-through window, subject, however, to the restrictions and requirements in section 2.b and c below.
- b. In no event shall a convenience store with gasoline sales use, or an automobile service station with gasoline sales be located on the 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 party walls; provided, however, such term shall exclude any surface or structured parking facilities, areas used for building and equipment areas (such as stairs, elevators shafts, vestibules, roof top equipment rooms and maintenance crawl spaces), all loading dock areas (open or enclosed), outdoor coolers and outdoor dining areas whether on the roof of 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, Spa's, Yoga and exercise studios, nail salons, massage shops, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and alike.*
- c. 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. above, 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 Site (including the pending approval uses) does not exceed 120,000 square feet; (ii) in the event that a restaurant with an accessory drive-through window is constructed and operation on the site as allowed above, the Adjacent York Ridge Shopping Center shall not be allowed to contain a restaurant with an accessory drive through window; (iii) No convenience store with gasoline sales or automotive service station with gasoline sales will be permitted; and (iv) if the corner parcel at the intersection of Tryon Street and Moss Road is reconstructed, the new building will contain materials compatible with the primary shopping center building on the site.

3. Access and Transportation:

- a. Access to the Site will be from S. Tryon 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. Tryon Street as generally depicted on the Rezoning Plan.
- 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 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, EIFS, 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, Yards, and Landscaping:

- a. A 35 foot setback 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. The existing sidewalks and planting strips along S. Tryon Street will be maintained.
- 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 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.
- c. The Site will comply with the Tree Ordinance.

7. Signage:

- a. Signage as allowed by the Ordinance may be provided.

8. Lighting:

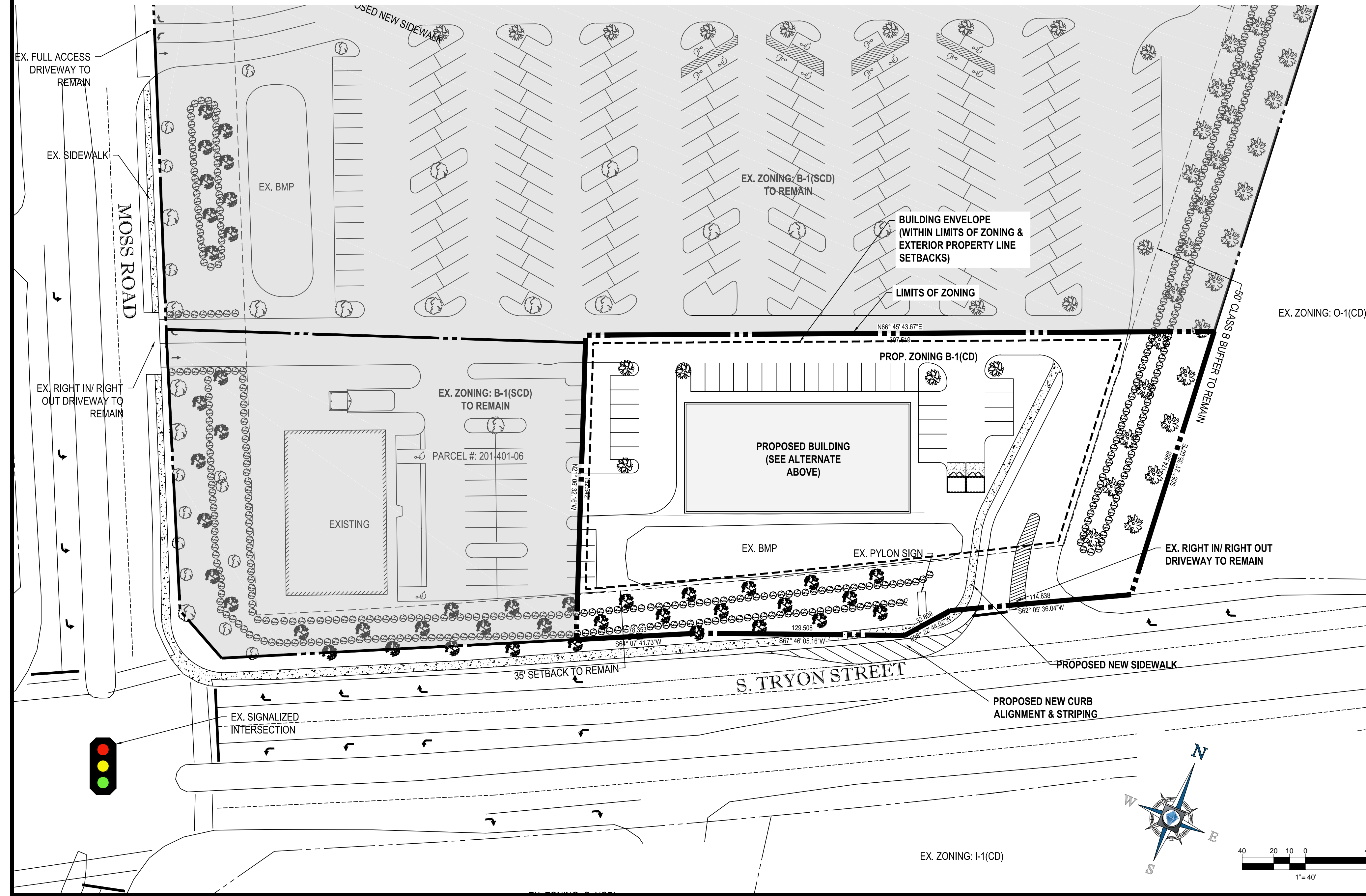
- a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, parking areas and courtyards.
- b. Any new detached lighting on the Site will be limited to 25 feet in height.

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.



NOT APPROVED FOR CONSTRUCTION

PROJECT NO.: NC0152001
DRAWN BY: ODR
CHECKED BY: JG
DATE: 10/7/15
SCALE: 1"=40'
CAD I.D.: RZ1

REZONING PLAN

FOR
PMT PARTNERS, LLC

LOCATION OF SITE
11108 S. TRYON STREET
MECKLENBURG COUNTY
CHARLOTTE, NC

BOHLER ENGINEERING

800 WEST HILL STREET, SUITE 101
CHARLOTTE, NC 28208
Phone: (980) 272-3400
Fax: (980) 272-3401
www.BohlerEngineering.com

SHEET TITLE:

REZONING PLAN

PETITION# 2015-054

SHEET NUMBER:
RZ-1