

CONDITIONAL REQUIREMENTS (PERFORMANCE STANDARDS) TO BE IMPOSED

It is proposed that the following conditional requirements be placed on the property indicated on the attached map. These conditions would become enforceable at the time any development was proposed for any portion of the property covered by them.

1. The following uses are now allowed under the B-2 Zoning District. Classification would be prohibited within the area covered by the attached plan.

- Auction sale of real and personal property
- Room renting
- Trailer/overnight camping
- Amusement commercial outdoors
- Armories for meetings and training of military organizations
- Auction sales
- Exterminators
- Fabric sample assembly
- Fences and fence materials retail sales
- Fertilizer packaged retail sales
- Frozen food lockers
- Marinas
- Mobile home sales
- Motorcycles retail sales and repair
- Parking lots and parking structures (commercial)
- Pawn shops and secondhand goods retail sales
- Sign painting exclusive of manufacture
- Trailers overnight camping retail and wholesale sales rental and repair
- Trucks retail and wholesale sales and rental including accessory service and repair
- Drive-in restaurants except where provision for interior access is provided
- Automobile sales and service facilities except as part of a new car dealership. Truck sales will be allowed in conjunction with new auto dealership.

(The following uses are not specifically stated in the table of permitted uses but would nevertheless be prohibited in this area.)

- Outdoor advertising signage
- Massage parlors or topless lounges
- Adult bookstores
- Sale of alcoholic beverages for on-premises consumption except in association with hotels, motels or restaurants.
- Flea Markets

2. There will be a maximum of two driveway curb cuts onto US 29 NC from any one development parcel. A development parcel as indicated on the map will be defined by the present ownership boundaries of the parcels.

3. All ingress/egress points as shown on the plan will be designed with input from Mecklenburg County Engineering Department, City of Charlotte Department of Transportation and North Carolina Department of Transportation. All applicable state and local standards will be observed through the driveway permit process.

4. All properties will be developed with a 25-foot buffer strip adjacent to US 29/NC 49. This buffer area shall be in addition to the required setbacks and yard requirements of the B-2 District. No structure or parking shall be permitted within the 25-foot buffer area.

5. The 25-foot buffer will be reserved for screening, landscaping and street tree planting as indicated in the North Tryon Street Corridor Study. When a streetscape theme has been established for this area, the properties will comply with the plan in order to establish consistency regarding such matters as singular street tree species and landscape plant material selection.

6. As defined within the North Tryon Street Corridor Study, view to uses such as storage yards, maintenance facilities, service and loading areas will be either screened with a wall or other suitable landscaping materials so that they are not visible from the adjacent public right-of-way. Loading zones and service entrances shall be located in the rear of the building wherever possible. The screen used to eliminate views of maintenance yards and storage type uses should be a minimum of 6 feet in height. Where the principle view of large expanses of parking is viewable from a public street, a minimum 3-foot landscape or wall screen will be used in order to provide a continuing unifying edge.

7. A combination of berm heights and plant material shall be used within the buffer areas. These improvements will be designed to provide screening of adverse view as well as contribute to a consistent streetscape edge adjacent to North Tryon Street. The berms shall be designed to look like land forms occurring naturally in the landscape. All berms and landscape materials will be a minimum of 3 feet in height while the berms will not exceed a 1-foot rise in 3 feet of run (a 3:1 slope).

8. Access between adjacent businesses will be encouraged in order to provide safe internal access to the development parcels and to reduce the amount of traffic on the adjacent thoroughfares. (See illustration "C" on map.)

9. Where the subject properties abut land either zoned or developed for residential uses a 50-foot buffer is proposed. No parking or structures will be allowed within this buffer area that will function in addition to required setbacks, rear and side yards. Where there is sufficient natural vegetation to provide screening the 50-foot buffer area will remain undisturbed. Where the existing vegetation is insufficient for screening purposes a combination of earth berms with evergreen trees and shrub will be implemented.

10. The above conditions shall become applicable as individual portions of the outlined area is prepared for development.

11. A deceleration lane will be installed within the existing R.O.W. at the time of development and subject to approval by N.C.D.O.T.

THE SERVICE ROAD INDICATED ON THIS PARCEL IS DUE TO PROBLEMS ASSOCIATED WITH THE MERGE RAMP ONTO N.C. 49 AND TOPOGRAPHICAL LIMITATIONS. THE PURPOSE OF THE SERVICE ROAD IS TO PROVIDE INTERNAL CIRCULATION AMONG THE PARCELS. SUCH A SERVICE ROAD CAN INCLUDE A PRIVATE ROAD, A PUBLIC STREET, A DRIVEWAY, A PARKING LOT, PARKING LOT INTERCONNECTIONS, OR ANY COMBINATION OF THE ABOVE. IT CAN BE BUILT BY THE PROPERTY OWNER, BUT IS NOT REQUIRED, AND THE RIGHT-OF-WAY IS NOT PROVIDED.

THIS ZONING PLAN DOES NOT EITHER GRANT OR DENY ADDITIONAL ACCESS POINTS FOR TAX PARCELS 049-231-01, 049-242-13, OR 049-181-02 OTHER THAN THOSE SHOWN ON THIS ZONING PLAN. THE DETERMINATION OF THE ELIGIBILITY OF TAX PARCELS 049-231-01, 049-242-13, AND 049-181-02 FOR DRIVEWAY CURB CUTS WILL BE DETERMINED BY THE APPROPRIATE GOVERNMENTAL AUTHORITIES AT THE TIME OF ANY APPLICATION OR APPLICATIONS FOR SUCH PERMITS UNDER STATUTES, ORDINANCES AND REGULATIONS APPLICABLE AT THE TIME OF ANY SUCH APPLICATION OR APPLICATIONS.

TYPICAL BUFFER LANDSCAPING SHALL CONSIST OF SCULPTURED BERMS WHICH ARE DESIGNED TO LOOK LIKE LANDFORMS OCCURRING NATURALLY. BERMS AND PLANTING COMBINATIONS SHALL BE SO DESIGNED AS TO PREVENT ANY ADVERSE VIEWS, AND SHALL BE A MINIMUM OF 3' IN HEIGHT.

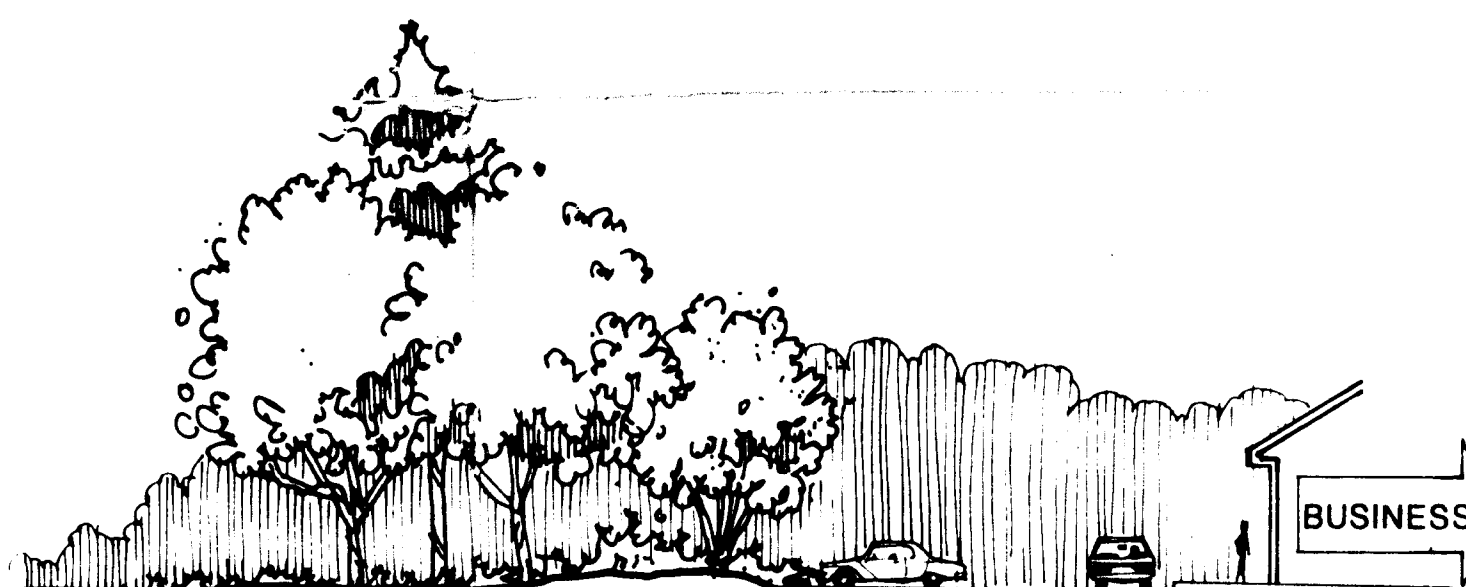
NORTH TRYON STREET ACCESS LIMITED TO TWO MAXIMUM PER PROPERTY

25' IMPROVED BUFFER AREA NO STRUCTURES OR PARKING

ACCESS ROAD OR PARKING LOT

GRAPHIC SECTION THRU 25' BUFFER RELATIONSHIP OF DEVELOPMENT PARCELS ADJACENT TO NORTH TRYON STREET

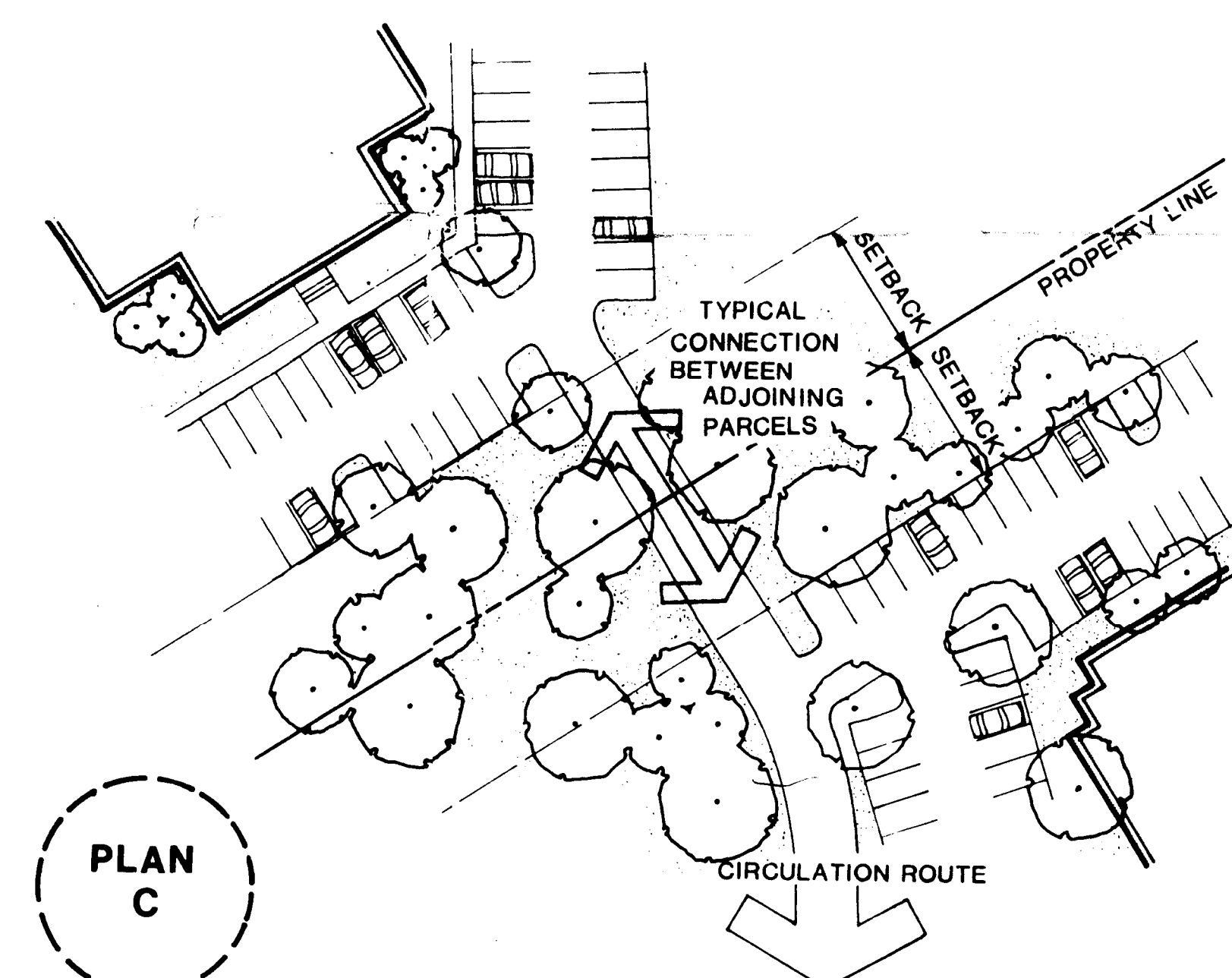
50' BUFFER IS CONTINGENT UPON THIS PROPERTY BEING USED FOR COMMERCIAL PURPOSES.



GRAPHIC SECTION THRU ADJACENT VACANT RESIDENTIAL (ZONED BUT NOT DEVELOPED)

B-B'

89-41(c)
APPROVED BY COUNTY COMMISSION
DATE 19 Nov 1990



PLAN OF INTERIOR CONNECTION BETWEEN PARCELS

(C) Conditions

89-41(c)

11/1/90
Revised note:
deleted former # 11

10/11/90
Revised notes 4
th arrows

PROPERTY OWNER RESPONSE TO NORTH TRYON CORRIDOR STUDY

PROPERTY OWNERS RESPONSE TO NORTH TRYON STREET CORRIDOR STUDY

PROJECT
20596

DATE
DESIGN TSA/TLH
DRAWN TSA/SDB
CHECK TLH

REVISIONS

2/3/87	
2/5/87	
2/18/87	
4/2/87	
4/24/87	

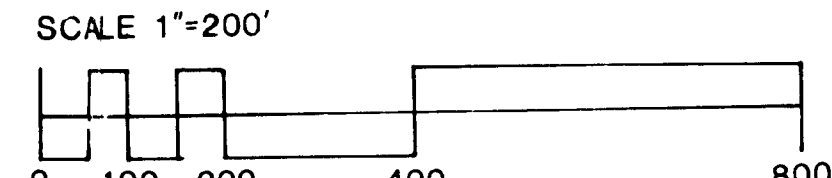
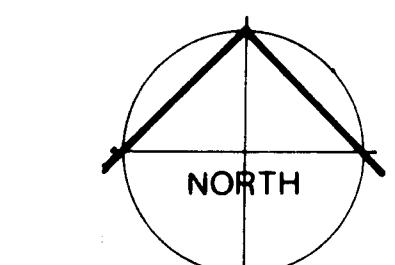
SHEET

4/7/88 - Original	
12/20/89	
8/15/90 - Drive note	

1 OF 1

Same (most up to date) site plan

89-41(c)
CMPC



AS PART OF THE PROPOSED 50' BUFFER AREA ADJACENT TO THE EXISTING LOTS ON SANDY AVENUE A 6' HIGH WOODEN FENCE WILL BE ERECTED ALONG THE LENGTH OF THE PROPERTY LINE IN ORDER TO PROVIDE A SCREEN

PROPERTY PARTICIPATING IN PLAN (shaded in grey)

DENOTES SCHEMATIC ACCESS POINTS

PLAN C

PLAN C

PLAN C