

## **DEVELOPMENT STANDARDS**

### **Marketplace at Southern Shores - Redevelopment**

**Initially Submitted: February 19, 2016**

#### **General Provisions**

These Development Standards form a part of the Conditional Use Permit filed by Southern Shores Owner, LLC (the "Owner") to accommodate redevelopment of portions of the shopping center known as Marketplace at Southern Shores on a 18.116 acre site located on the northwestern corner of the intersection North Croatan Highway (U.S. 158) and Juniper Trail (the "Site"). Redevelopment of the Site will be as generally shown on the Conditional Use Permit Plan (the "Plans") submitted herewith. Unless the Plans or these Development Standards state otherwise, the regulations established under the Ordinance for the Commercial (C) Zoning Classification shall govern all redevelopment taking place on this Site. All references to the Ordinance shall imply the Code of Ordinances as they exist on the date of initial submittal as stated above.

#### **Areas Defined**

Any reference to "Area A" shall denote the area within the limits of disturbance shown on the East Grading Plan (Sheet C-4.1) and any reference to "Area B" shall denote the area within the limits of disturbance shown on the West Grading Plan (Sheet C-4.0). Together, they shall be referred as the Redevelopment Area.

#### **Permitted Uses**

The Redevelopment Area may be devoted to office, retail and restaurant uses (including any accessory uses) as permitted in the Commercial Zoning District.

#### **Setbacks, Side Yards, and Rear Yards**

All buildings constructed within the Site shall satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance which are as follows:

*FRONT – 25'      SIDE – 10'      SIDE STREET – 20'      REAR – 25'*

#### **Architectural Design**

1. The elevations of the buildings constructed on the Redevelopment Area shall be constructed in substantial compliance and with similar materials as the architectural renderings set forth on Sheets A-3.0 and A-3.1 of the Plans.
2. Minor changes to the architectural elements shall be allowed following review and approval by the Planning Administrator.

#### **Signs**

1. Wall signage shall be allowed per Section 36-165 (9) d. 2. Additionally, the total wall signage allowed on Area A shall be allocated between the tenants at the Owner's discretion so long as the total size of all signs at any given time does not exceed the maximum signage area allowed.

2. The allowance for canopy signs may be used as specified in the Ordinance or on a blade sign. The sign area of the blade sign shall be measured based on the text of the sign only and will not include the decorative frame. The decorative frame shall not exceed three feet (3') in any dimension.
3. No additional freestanding signage shall be allowed as part of this Redevelopment Area.

#### **Parking and Loading**

Off street parking and loading will meet the standards established under the Ordinance. In the event ZTA-16-01 amending Chapter 36, Section 36-163 (Off-street Parking Requirements), is approved, the Owner shall have the right, but not the obligation, to adjust the Site's parking accordingly.

#### **Access Points (Driveways)**

Vehicular access for the Redevelopment Areas shall be as shown on the Plans. No additional curb cuts or driveways to the public right-of-way shall be created.

#### **Phasing**

Redevelopment of the Site is intended to occur in phases. It is understood and agreed that redevelopment of Area A or Area B may occur independent of the other.

#### **Amendments to Rezoning Plan**

Future amendments to the Conditional Use Permit may be applied for by the then Owner or Owners of the parcel or parcels within the Site involved in accordance with the provisions of the Ordinance.

#### **Vesting Period**

Petitioner hereby requests a vesting period of two (2) years from the date of approval.

#### **Binding Effect of the Rezoning Documents and Definitions**

1. If this Conditional Use Permit is approved, all conditions applicable to redevelopment of the Site imposed under this approval will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
2. Throughout these Development Standards, the terms, "Petitioner" and "owner" or "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.