

1. GENERAL PROVISIONS

- ## 2. PERMITTED USES/DEVELOPMENT LIMITATIONS

- ### 3. TRANSPORTATION

- C. Internal sidewalks and pedestrian connections shall be provided on the Site as generally depicted on the Rezoning Plan. The internal sidewalks may meander to save existing trees.
- D. Prior to the issuance of the first certificate of occupancy for the new building to be constructed on the Site, Petitioner shall dedicate and convey to the City of Charlotte (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Tyvola Road as required to provide right of way measuring 64 feet from the existing centerline of Tyvola Road, to the extent that such right of way does not already exist.

- A. If feasible and if approved by all applicable governmental authorities, Petitioner shall install a minimum 12-foot-wide multi-use path along the Site's frontage on Tyvola Road. A determination of whether or not a feasible multi-use path shall be determined in coordination with CDOT during the permitting process. The minimum 12-foot-wide multi-use path is generally depicted on the Rezoning Plan.
- B. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard items (i) irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed existing City-maintained street right-of-way by a private individual, group, business, or other entity. The agreement shall be submitted to the City for review and approval prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.
- C. The Rezoning Plan includes a Right-of-Way Easement to facilitate via fee simple conveyance any additional right-of-way indicated on the Rezoning Plan as right-of-way to be dedicated, and the additional right-of-way will be dedicated prior to the issuance of the first certificate of occupancy for the new building. The Rezoning Plan also includes a Right-of-Way Easement for the dedication of right-of-way for any of the proposed sidewalks located along the public streets 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.
- D. All transportation improvements shall be constructed and approved prior to the issuance of the first certificate of occupancy for the new building to be constructed on the Site.
- E. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. The improvements to the roadway improvements shall include, but not be limited to, the following: in conjunction with any private or partnership project or other public sector project, the project owner, as by a relevant development partnership effort or other public sector project support.
- F. CDOT will be responsible for the construction of the improvements to the roadway improvements. If required, CDOT will be responsible for the construction of the improvements relating to truck turning movements at the intersection of Tyvola Road and Westpark Drive. A truck turning plan will also be provided to truck routes into the site using approved turning movements. The improvements (if required) and a truck turning plan to be coordinated with CDOT during the permitting process.

ARCHITECTURAL STANDARDS

- A. The maximum height of any building constructed on the Site shall be 60 feet.
- 5. OPEN SPACE/GREEN AREA**
- A. Development of the Site shall comply with the open space and green area requirements of the Ordinance.

ENVIRONMENTAL FEATURES

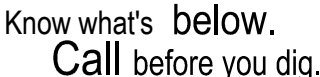
- A. Development of the Site shall comply with the requirements of Article 20 of the Ordinance.
- B. Petitioner shall comply with the Charlotte City Council approved and adopted Unified Development Ordinance, Articles 23 through 28. The location, size and type of stormwater management systems that may be 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 stormwater treatment requirements and natural site discharge points.

LANDSCAPE YARDS

- A. A Class A Landscape Yard that meets the requirements of Article 20 of the Ordinance shall be established along that portion of the Site's northern boundary line that is more particularly depicted on the Rezoning Plan. The width of this Class A Landscape Yard may be reduced in accordance with the provisions of Section 20.9 of the Ordinance.

E. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- C.

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