

Development Notes

- (A) General Provisions.
 - (1) Development of the Site and its individual building components will be governed by the conditions of this Rezoning Plan and all zoning, subdivision, sign, tree and other development ordinances of the City of Charlotte which may be applicable from time to time (the "applicable ordinances") as and when building permits are requested for development taking place within the Site.
 - (2) All buildings constructed on the Site within the 0-1 (CD) area will be located within the maximum building limit lines established on this Rezoning Plan for each Building Parcel forming a part of the O-1 (CD) area, subject to the Petitioner's right to make minor adjustments in the size of any Building Parcel and minor shifts in the locations of the various building limit lines of the Building Parcels during design development and construction document phases that may be dictated by site or engineering constraints or by the relocation of either of the public access roads as provided under Paragraph (E) and subject to Petitioner's right to combine Building Parcels if market conditions dictate. Parking layouts may also be modified to accommodate final building locations.
 - (3) The parking areas depicted on this Rezoning Plan may vary in size and location, but in all events will be sufficient to satisfy the minimum offstreet parking standards established under the applicable ordinances. Parking areas may be constructed within the building limit lines.
 - "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner.

(4) Throughout this Rezoning Application, the term

- (B) Buffer Areas, Setbacks and Open Space.
 - (1) No buildings or parking areas may be placed within any buffer area established on this Rezoning Plan.
 - (2) The existing tree cover and natural vegetation within the northerly buffer areas established on the Rezoning Plan will be preserved except where clearing is necessary to accommodate walking/jogging trails, walls, berms, fences, signs, graphics, drainage or the installation of utility lines. The Petitioner reserves the right, however, to remove vines, underbrush and small understory trees for the purpose of improving the overall appearances of naturally vegetated areas. In any event, all buffer areas shall be established and maintained in accordance with Ordinance requirements. In the northerly buffer areas where existing trees and natural vegetation have been cleared to accomodate berms, drainage or the installation of utility lines, all such cleared, unimproved areas will be landscaped in order to attain the desired screening relationships between the Site and adjoining properties except in areas where the applicable ordinances or constraints imposed by utilities
 - (3) No buildings or parking areas may be located within the 50 foot minimum setback area provided on the Rezoning Plan off of Arrowood Road. This setback shall be measured from the right of way for Arrowood Road *as the same may be relocated to accommodate the transportation improvements contemplated under the provisions of Paragraph (I). These setback areas will be attractively landscaped with elements consisting of trees, shrubs, lawns and/or natural vegetation.

would prohibit such landscaping.

- (4) Provisions will be made for the maintenance of all buffer areas and landscaped areas, except those areas which are to be dedicated to Mecklenburg County for Greenway purposes.
- (5) The design of the interior road system will incorporate intermittent medians which will be landscaped so as to reflect a parkway/boulevard atmosphere. Medians shall be designed to be a minimum of 8' wide.
- (6) A class "B" buffer which contains a minimum of 100' in depth shall be established along the northerly edge of the site.
- (7) No buildings or parking areas may be constructed within the area depicted on the Rezoning Plan as "open space or lake." If a dam in installed in this area, a physical separation may be provided between the dam and the proposed public street, the proposed lake may be eliminated, or the street below the proposed lake may remain private. (8) Continued at end of Development Notes.
- (C) Landscaping and Screening. (1) All dumpsters and service areas will be heavily screened from public streets and from adjacent

of paved surfaces.

- properties. (2) All open (mon-structured) parking lots will have landscaping and planted areas equal to at least 10% of their paived areas so as to prevent the massing
- (3) The landscaping program for parking areas will satisfy the requirements of the applicable ordinances.
- (D) Signs. (1) No outdoor billboards may be placed on the Site.
- (2) All signs must be fixed and may not move, rotate or
- flash. (3) Temporary project signs may be located within the setback or buffer areas established along Arrowood
- (4) All permanent signs placed on the Site will be erected im accordance with the applicable ordinances.
- (E) Access Points.
 - (1) The number of vehicular access points to Arrowood Road will be limited to two, as shown on this Rezoning Plan. However, either of these accesses may be relocated with the prior approval of the North Carolina Department of Transportation and the Charlotte Department of Transportation for purposes

- of realigning either of the access roads so as to intersect with any median cut or cross-over that may hereafter be established on Arrowood Road. Site adjustments may be made to Building Parcels within the O-1 (CD) area which are impacted by any such access realignment.
- (2) The configurations of driveways and access points within the Site are subject to minor shifts or other modifications that may be required to accommodate final site engineering and construction plans and designs and are further subject to approval by the North Carolina Department of Transportation and the Charlotte Department of Transportation. The alignment and lane configuration for the public street entrance opposite the Hanson Road will be subject to final review and approval by the North Carolina Department of Transportation and the Charlotte Department of Transportation.
- (3) Special emphasis will be given to the design and construction of each entrance to the Site. Features will include such elements as landscaped medians and coordinated signage monuments. (4) There shall be no vehicular access between the Site and any adjoining property.
- (F) <u>Lighting</u>. (1) A uniform street lighting system with underground area of the Site.
- service will be employed throughout the O-1 (CD) (2) All direct lighting within Parcels E, F, I and J of the Site will be designed such that lighting is directed away from adjacent residential properties.
- Adequate fire protection in the form of fire hydrants will be provided to the Charlotte Fire Marshal's specifications. Plans for each building will be submitted for approval by the Fire Marshal's office before construction of the building commences.
- (H) <u>Permitted Uses</u>. (1) <u>O-l (CD) area</u>

(G) Fire Protection.

- (a) The O-1 (CD) area of the Site may be devoted to any use (including any accessory use) which is permitted by right or under prescribed conditions in an O-1 Zoning
- O-1 (CD) area of the Site which may be devoted to Office uses cannot exceed 808,000 square feet.

(b) The total gross floor area within the

- (I) Improvements to Address Traffic Impact.
 - (1) In order to improve existing road conditions and address the impact which the development proposed for the Site will have on Arrowood Road, the Petitioner commits to making the following roadway improvements at its sole cost and expense: (a) A turning lane will be provided for eastbound
 - traffic on Arrowood Road to accommodate left turn movements into the Site at each public access road located at a median cut on Arrowood Road. (b) Deceleration lanes along Arrowood Road will be constructed at access points into the Site as required by the public authority having

jurisdiction over Arrowood Road, including

off-site improvements if such authority owns or acquires the necessary rights of way. (c) Additional right of way along the southern margin of the Site will be dedicated to the public authority having jurisdiction over Arrowood Road if any such right of way is required to satisfy the commitments made by

the Petitioner under Paragraph I(1)(b).

- (2) The owner will fund the installation of a traffic signal at Hanson Road and Arrowood Road intersection at such time as the Charlotte Department of Transportation deems that traffic generated by the onwer's development would warrant the signal.
- Storm water run-off from the Site will be managed through a variety of proven techniques which satisfy the standards imposed by the applicable ordinances. In no event, however, shall any storm water management system locate in any required buffer. Storm water detention requirements for interior parcels not adjacent to regulated floodway may be met by providing permanent pipe drainage easements through parcels adjoining the regulated floodway (Greenway) to handle the storm water flow, or by providing on-site detention. Easement and pipe sizes and locations will be determined once the final site

plan and construction documents are complete and are subject

to review and approval by the City of Charlotte Engineering

(K) Architectural Controls.

Department.

(J) Storm Water Management.

(1) Rooftop mechanical and electrical equipment and ground-mounted transformers will be screened. (2) All trash and utility service areas will be screened.

westerly property line.

- (3) Reflective glass may not be used as the sole exterior architectural element or design of any building constructed within Building Parcels
- Numbers E, F and I. (4) No building constructed within Building Parcels Numbers E and F shall exceed five stories in height. Also, no building constructed within building Parcel I shall exceed five stories in height as measured from the highest existing ground elevation along the site's

- (5) The Petitioner intends to achieve compatibility of visual aesthetics and architectural design of buildings and structured parking (if any) constructed within the O-1 (CD) area through the use of one or a combination of color, material, texture, architectural facades, rooflines, building mass, scale and similar criteria; provided, however, that Petitioner shall have the right to utilize variant colors, materials, textures, architectural facades, rooflines, building masses
- (6) The general architectural style and construction materials used in the development of the O-1 (CD) area of the Site shall be substantially similar in quality and general impression with the following office parks which are located near the Site: •The Oakhill Office Park

and scales as long as compatibility in aesthetics

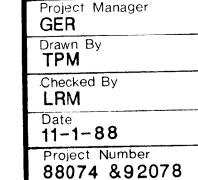
•The Forest Brook Office Park and •The Arrowpoint Office Park

and design is achieved.

- (L) Dedication of a Portion of the Site for Greenway
 - (1) All of the land within the Site which lies within the Floodway Encroachment District of Big Sugar Creek will be dedicated to Mecklenburg County as part of its Greenway Park System, subject only to the Petitioner's right to retain minor portions thereof where required to avoid undue irregularities in dimensions. A minimum depth of 100' of the
 - Greenway area, as measured from the top of the creek bank and running parallel to the creek bank, shall be dedicated at the time of the issuance of the first building permit associated with any development contained within Parcels B, C, D, or E. The balance of the Greenway area depicted on the plan shall be dedicated no later than the issuance of the last building permit associated with the development of all of parcels B, C, D, and E.
- (B) (Continued)

office park.

(8) A 75 foot Class "B" buffer in accordance with Ordinance standards shall be established along the westerly edge of the site. Furthermore, an additional 25 feet of land area (non-Class "B" buffer) shall also be made part of the buffer, thus making for a 100 foot wide buffer as noted on the site plan. All or portions of this 100' buffer may be graded so long as the planting requirements of the 75' portion of the Class B buffer are met. However, as noted on the plan, a fence, erected in accordance with Ordinance standards, shall be provided at the entrance at Hanson Road where inadequate space is available to comply with the 75 foot Class "B" buffer. The fence shall be located at a point no closer than 25 feet from the westerly property line with the possible exception of a small area at the intersection (Arrowood Rd/street entrance) where the fence may be designed as a sign identification feature of the



12-12-88 REVISIONS PER CMPC STAFF COMMENTS. 12-23-92 REVISED TO DELETE A PORTION OF R-12(CD) AND INCREASE S.F.)F OFFICE PROPORTIONATELY (PETITION#93-9) 2-11-'93. REVISED TO REFLECT CMPC STAFF REVIW COMMENTS 2-20-'93. REVISED TO REFLECT ADDITIONAL CMPC STAFF COMMENTS. 3-24-'93. REVISED NOTE #8 TO REFLECT CONDITIONS APPROVED BY PLANING COMMISSION 4-29-93 REVISED NOTES (B) 2., (K) 3 & 4, AND (B) 8.



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Rezoning Plan • Petition No. 93-9 Notes

Arrowood Road Site For Withrow Capital Inc. Charlotte, North Carolina

Sheet Number