The Petitioner seeks the Optional Provision to allow service lanes (other than heating and the baking of premixed dough), together with associated accessory uses.

At least 40% of each building façade exclusive of windows, doors and roofs will be wood. All non window exterior wall offsets (projections and recesses), columns, pilasters, cornices, and awnings will be made from wood. Addition, buildings located on Parcels A and B must be designed using a similar architectural style, building materials, colors and signage.

A drive through window facility associated with a Limited Service Restaurant/EDEE subject to the following standards:

The Petitioner shall work with Urban Forestry and an arborist to develop a tree management and maintenance plan for the Site. The tree management plan will be submitted in accordance with Section 4.I.ii for approval. Any improvements not in place at the time such a certificate of occupancy is issued to secure occupancy for building(s) on the Site in connection with such development, pursuant to Section 4.I, shall not be required to be completed until 90 days after the issuance of an occupancy certificate for any such land. In such event, the occupancy certificate shall be conditioned to secure the necessary improvements in accordance with Section 4.I.ii above.

If an accessory drive through facility is developed in Development Area C it shall only be allowed as an accessory use to a financial institution, pharmacy or Limited Service Restaurant/EDEE.

Office and commercial uses as allowed in the RE-3(O) Zoning District. See Section 3.I above for the applicable standards.

The Petitioner shall comply with the Charlotte City Council approved and adopted First Amendment to the City's Comprehensive Plan (the "CPC Plan") prior to the issuance of certificates of occupancy for the applicable Development Areas.

The Petitioner shall provide a 12 inch setback from any exterior wall of the buildings to the property line for both the first and second floors. The setback for the roof line of the buildings shall be two feet of roof overhang above the property line. Additional setback requirements may be established by the Petitioner as it deems necessary in accordance with other applicable provisions of the Ordinance. Additionally, the building layout, building height and setback requirements for a building located in a Development Area shall be as set forth in Section 3.I above.

The Petitioner shall provide a 6 foot setback from any exterior wall of the buildings for a first floor setback.

The additional setback requirements shall be as determined in conjunction with the applicable Development Area provisions in Section 3.I above for the applicable Development Areas.

In an effort to preserve the existing trees on Medical Plaza Drive to satisfy the arboricultural standards and other requirements, the Ordinance allows a nominal setback of 6 feet from the plane of the exterior wall on such parcel in Development Area C to be provided. The Ordinance further states that no permits will be issued for 6 feet setback through window shall not directly orient to WT Harris or Medical Plaza Drive.

Hotel uses are permitted and may be developed subject to the following standards:

A drive through facility may be developed in Development Area C provided that no 12,000 square foot of retail uses and/or Personal Services uses are added, up to a maximum of 12,000 square feet of gross floor area. Conversion of Limited Service Restaurant/EDEE with a Drive Through-Facility to EDEE without Drive Through Facility. Additional Standards, if any accessory drive through facility is developed in Development Area C shall only be developed for the expansion of an Existing Limited Service Restaurant/EDEE.

Additional conversion rights and tracking resources

The Petitioner shall work with Urban Forestry and an arborist to develop a tree management and maintenance plan for the Site. The tree management plan shall include, at a minimum, a 10' setback from any exterior wall of the buildings to the property line for both the first and second floors. The setback for the roof line of the buildings shall be two feet of roof overhang above the property line. Additional setback requirements may be established by the Petitioner as it deems necessary in accordance with other applicable provisions of the Ordinance. Additionally, the building layout, building height and setback requirements for a building located in a Development Area shall be as set forth in Section 3.I above.

The Petitioner shall provide a 12 inch setback from any exterior wall of the buildings to the property line for both the first and second floors. The setback for the roof line of the buildings shall be two feet of roof overhang above the property line. Additional setback requirements may be established by the Petitioner as it deems necessary in accordance with other applicable provisions of the Ordinance. Additionally, the building layout, building height and setback requirements for a building located in a Development Area shall be as set forth in Section 3.I above.

Right of Way Availability.

The Petitioner shall work with Urban Forestry and an arborist to develop a tree management and maintenance plan for the Site. The tree management plan shall include, at a minimum, a 10' setback from any exterior wall of the buildings to the property line for both the first and second floors. The setback for the roof line of the buildings shall be two feet of roof overhang above the property line. Additional setback requirements may be established by the Petitioner as it deems necessary in accordance with other applicable provisions of the Ordinance. Additionally, the building layout, building height and setback requirements for a building located in a Development Area shall be as set forth in Section 3.I above.

The Petitioner shall work with Urban Forestry and an arborist to develop a tree management and maintenance plan for the Site. The tree management plan shall include, at a minimum, a 10' setback from any exterior wall of the buildings to the property line for both the first and second floors. The setback for the roof line of the buildings shall be two feet of roof overhang above the property line. Additional setback requirements may be established by the Petitioner as it deems necessary in accordance with other applicable provisions of the Ordinance. Additionally, the building layout, building height and setback requirements for a building located in a Development Area shall be as set forth in Section 3.I above.

In an effort to preserve the existing trees on Medical Plaza Drive to satisfy the arboricultural standards and other requirements, the Ordinance allows a nominal setback of 6 feet from the plane of the exterior wall on such parcel in Development Area C to be provided. The Ordinance further states that no permits will be issued for 6 feet setback through window shall not directly orient to WT Harris or Medical Plaza Drive.

Hotel uses are permitted and may be developed subject to the following standards:

A drive through window facility associated with a Limited Service Restaurant/EDEE subject to the following standards:

The Petitioner shall work with Urban Forestry and an arborist to develop a tree management and maintenance plan for the Site. The tree management plan shall include, at a minimum, a 10' setback from any exterior wall of the buildings to the property line for both the first and second floors. The setback for the roof line of the buildings shall be two feet of roof overhang above the property line. Additional setback requirements may be established by the Petitioner as it deems necessary in accordance with other applicable provisions of the Ordinance. Additionally, the building layout, building height and setback requirements for a building located in a Development Area shall be as set forth in Section 3.I above.