



NORTH STATE DEVELOPMENT, LLC DEVELOPMENT STANDARDS 11/21/18

REZONING PETITION NO. 2018-

SITE DEVELOPMENT DATA:

--ACREAGE: ± 8.39 ACRES --TAX PARCEL #S: 201-091-15 --EXISTING ZONING: R-3 --PROPOSED ZONING: MUDD(CD), AND I-1(CD) --EXISTING USES: VACANT

--PROPOSED USES: GENERAL AND MEDICAL OFFICE USES, HOTEL(S), PERSONAL SERVICE USES, INDOOR RECREATIONAL USES, RETAIL, EATING DRINKING ENTERTAINMENT ESTABLISHMENTS (EDEE), AND OTHER USES AS ALLOWED IN THE MUDD ZONING DISTRICT. GENERAL AND MEDICAL OFFICE USES, AS WELL AS A USE THAT DOES LIGHT ASSEMBLY OF COMPUTERS AND TABLETS FROM PREVIOUSLY MANUFACTURED COMPUTER AND TABLET COMPONENTS AS WELL AS PROVIDING, REPAIR SERVICES, WHOLESALE AND RETAIL SALES OF COMPUTERS, TABLETS, AND THEIR COMPONENTS/PARTS WITH ASSOCIATED OFFICE, AND WAREHOUSING SPACE (THE "OFFICE ASSEMBLY USE") AS ALLOWED IN THE 1-1 ZONING DISTRICT. TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD AND I-1 ZONING DISTRICTS. SEE SECTION 2 BELOW FOR ADDITIONAL RESTRICTIONS AND DESCRIPTIONS OF THE ALLOWED USES. -MAXIMUM GROSS SQUARE FEET OF DEVELOPMENT: UP TO 140,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED IN THE MUDD ZONING DISTRICT, PLUS A HOTEL(S) WITH UP TO 260

ROOMS WITHIN THE PORTION OF THE SITE ZONED MUDD(CD), AND SUBJECT TO THE DEVELOPMENT OPTIONS LISTED BELOW. IN THE AREA ZONED I-1(CD) UP TO 20,000 SQUARE FEET OF GROSS FLOOR AREA OF GENERAL OR MEDICAL OFFICE USES, AND A USE THAT DOES LIGHT ASSEMBLY OF COMPUTERS AND TABLETS FROM PREVIOUSLY MANUFACTURED COMPUTER AND TABLET COMPONENTS AS WELL AS PROVIDING, REPAIR SERVICES, WHOLESALE AND [RETAIL] SALES OF COMPUTERS, TABLETS, AND THEIR COMPONENTS/PARTS WITH ASSOCIATED OFFICE, AND WAREHOUSING SPACE ON THE PORTION OF THE SITE ZONED I-1(CD). --MAXIMUM BUILDING HEIGHT: A MAXIMUM HEIGHT OF SIX (6) STORIES AND UP TO 90 FEET WILL BE ALLOWED IN THE MUDD PORTION OF THE SITE. A MAXIMUM HEIGHT OF TWO (2) STORIES AND UP

TO 45 FEET WILL BE ALLOWED ON THE PORTION OF THE SITE ZONED I-1. --PARKING: PARKING WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE.

1. <u>GENERAL PROVISIONS</u>:

a. **SITE LOCATION**. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET AND SCHEMATIC SITE PLAN, AND RELATED GRAPHICS FORM THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY NORTH STATE DEVELOPMENT, LLC ("PETITIONER") TO ACCOMMODATE DEVELOPMENT OF USES ALLOWED IN THE MUDD ZONING DISTRICT, AND A LIGHT COMPUTER ASSEMBLY USE ON THE APPROXIMATELY 8.39 ACRE SITE LOCATED AT THE END OF DIXIE RIVER ROAD ACROSS STEELE CREEK ROAD (THE "SITE") AS GENERALLY DEPICTED ON THE REZONING PLAN.

b. **ZONING DISTRICTS/ORDINANCE**. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS, (I) THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD(CD) ZONING CLASSIFICATION FOR THE PORTION OF THE SITE SO DESIGNATED ON THE REZONING PLAN SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON SUCH PORTION OF THE SITE, AND (II) THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE I-1(CD) ZONING CLASSIFICATION FOR THE PORTION OF THE SITE SO DESIGNATED ON THE REZONING CLASSIFICATION FOR THE PORTION OF THE SITE SO DESIGNATED ON THE REZONING CLASSIFICATION FOR THE PORTION OF THE REZONING PLAN SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON SUCH PORTION OF THE SITE.

C. **GRAPHICS AND ALTERATIONS**. THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS, AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

i. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE SHALL NOT EXCEED SEVEN (7). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING LOCATED ON THE SITE.

2. <u>PERMITTED USES & DEVELOPMENT AREA LIMITATION</u>:

- a. THE REZONING PLAN SETS FORTH FOUR (4) DEVELOPMENT AREAS AS GENERALLY DEPICTED ON THE REZONING PLAN AS DEVELOPMENT AREAS A, B, C, AND D (EACH A "DEVELOPMENT AREA"
- AND COLLECTIVELY THE "DEVELOPMENT AREAS"). b. THE PORTION OF THE SITE ZONED MUDD(CD) MAY BE DEVELOPED WITH USES ALLOWED IN THE MUDD ZONING DISTRICT AS LIMITED BELOW AND PER THE DEVELOPMENT OPTIONS DESCRIBED BELOW:
- (i)UP TO 140,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED IN THE MUDD ZONING DISTRICT, OF WHICH NO MORE THAN 25,000 SQUARE FEET OF GROSS FLOOR AREA MAY BE DEVOTED TO RETAIL, PERSONAL SERVICE USES, AND EATING DRINKING ENTERTAINMENT ESTABLISHMENTS (EDEE); AND
- (ii) UP TO 260 HOTEL ROOMS, AS ALLOWED IN THE MUDD ZONING DISTRICT; AND
- (iii) ACCESSORY USES AS ALLOWED IN THE MUDD ZONING DISTRICT.
- c. DEVELOPMENT OPTIONS FOR THE PORTION OF THE SITE ZONED MUDD(CD): (i)UP TO 140,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED IN THE MUDD ZONING DISTRICT AND DESCRIBED AND LIMITED ABOVE, AND 140 HOTEL ROOMS; OR
- UP TO 260 HOTEL ROOMS, AND 90,000 SQUARE FEET OF GROSS FLOOR AREA OF USES ALLOWED IN THE MUDD ZONING DISTRICT AND DESCRIBED AND LIMITED ABOVE; OR.
- d. ON THE PORTION OF THE SITE ZONED I-1(CD) UP TO 20,000 SQUARE FEET OF GROSS FLOOR AREA OF GENERAL AND MEDICAL OFFICE USES, AS WELL AS A USE THAT DOES LIGHT ASSEMBLY OF COMPUTERS AND TABLETS FROM PREVIOUSLY MANUFACTURED COMPUTER AND TABLET COMPONENTS AS WELL AS PROVIDING, REPAIR SERVICES, WHOLESALE AND [RETAIL] SALES OF COMPUTERS, TABLETS, AND THEIR COMPONENTS/PARTS WITH ASSOCIATED OFFICE, AND WAREHOUSING SPACE (THE "OFFICE ASSEMBLY USE") AS ALLOWED IN THE I-1 ZONING DISTRICT, TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE I-1 ZONING DISTRICT.
- e. THE FOLLOWING USES WILL NOT BE ALLOWED ON THE SITE, RESIDENTIAL USES, AUTOMOBILE SERVICE STATIONS WITH OR WITHOUT A CONVENIENCE STORE, AND USES WITH AN ACCESSORY DRIVE-THROUGH WINDOW.
 f. PARKING AND MANEUVERING FOR PARKING WILL NOT BE ALLOWED BETWEEN THE PROPOSED BUILDINGS AND THE PROPOSED PUBLIC STREETS. EXCEPT FOR PARALLEL ON-STREET PARKING.

PARKING AREAS AND MANEUVERING FOR PARKING AREAS MAY BE LOCATED ADJACENT AND ALONG THE SIDES OF THE BUILDINGS AS GENERALLY DEPICTED ON THE REZONING PLAN. FOR PURPOSES OF THE DEVELOPMENT LIMITATIONS SET FORTH IN THESE DEVELOPMENT STANDARDS (BUT NOT TO BE CONSTRUED AS A LIMITATION ON FAR REQUIREMENTS), THE FOLLOWING ITEMS WILL NOT BE COUNTED AS PART OF THE ALLOWED GROSS FLOOR AREA (FLOOR AREA AS DEFINED BY THE ORDINANCE) FOR THE SITE: SURFACE OR STRUCTURED PARKING FACILITIES, ALL LOADING DOCK AREAS (OPEN OR ENCLOSED), AND OUTDOOR DINING AREAS WHETHER ON THE ROOF OF THE BUILDING(S) OR AT STREET LEVEL (PARKING FOR OUTDOOR DINING AREAS WILL BE PROVIDED AS REQUIRED BY THE ORDINANCE OR THESE DEVELOPMENT STANDARDS).

3. ACCESS AND TRANSPORTATION:

- a. ACCESS TO THE SITE WILL BE FROM THE EXTENSION OF DIXIE RIVER ROAD AND FROM A NEW NORTH SOUTH PUBLIC STREET ("PUBLIC STREET D") AS GENERALLY DEPICTED ON THE REZONING PLAN. ACCESS AND CONNECTIONS TO THE DEVELOPMENT AREAS FROM PUBLIC STREET D ARE ALLOWED AS GENERALLY DEPICTED ON THE REZONING PLAN, HOWEVER, MORE OR FEWER CONNECTIONS TO PUBLIC STREET D WILL BE ALLOWED SUBJECT TO CDOT APPROVAL.
- b. THE PETITIONER WILL CONSTRUCT THE EXTENSION OF DIXIE RIVER ROAD AS A TWO LANE PUBLIC STREET AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PETITIONER WILL ALSO CONSTRUCT THE PUBLIC STREET D TO THE STANDARDS FOR A LOCAL OFFICE/COMMERCIAL WIDE STREET CROSS-SECTION AS GENERALLY DEPICTED ON THE REZONING PLAN.
 c. THE CONFIGURATION AND ALIGNMENT OF PUBLIC STREET D AND DIXIE RIVER ROAD MAY VARY FROM WHAT IS GENERALLY INDICATED ON THE REZONING PLAN.
- d. THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS. THE DEVELOPMENT AREAS MAY BE INTERCONNECTED BY MEANS OF DRIVEWAYS OR PARKING AREAS AS GENERALLY DEPICTED ON THE REZONING PLAN.
- e. ANY RIGHT-OF-WAY TO BE DEDICATED FOR THE REQUIRED ROADWAY IMPROVEMENTS WILL BE DEDICATED VIA FEE SIMPLE CONVEYANCE BEFORE THE SITE'S FIRST CERTIFICATE OF OCCUPANCY IS ISSUED.
 f. ANY REQUIRED TRANSPORTATION IMPROVEMENTS WILL BE APPROVED AND CONSTRUCTED BEFORE THE SITE'S FIRST BUILDING CERTIFICATE OF OCCUPANCY IS ISSUED. THE PETITIONER MAY
- POST A BOND OR LETTER OF CREDIT FOR ANY IMPROVEMENTS NOT COMPLETED AT THE TIME THE FIRST CERTIFICATE OF OCCUPANCY IS REQUESTED.
- g. THE ALIGNMENT OF THE INTERNAL VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT IN ACCORDANCE WITH PUBLISHED STANDARDS.

4. <u>ARCHITECTURAL STANDARDS</u>:

a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS SIDING (SUCH AS HARDI-PLANK), STUCCO, EIFS, DECORATIVE BLOCK, ARCHITECTURAL METAL PANELS AND/OR WOOD. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, AND ON HANDRAILS/RAILINGS.

- b. <u>ARCHITECTURAL AND DESIGN CONTROLS</u>:
 1). BUILDING PLACEMENT AND SITE DESIGN SHALL FOCUS ON AND ENHANCE THE PEDESTRIAN ENVIRONMENT ON PUBLIC OR PRIVATE NETWORK REQUIRED STREETS, THROUGH THE FOLLOWING:
- 2). BUILDINGS SHALL BE PLACED SO AS TO PRESENT A FRONT OR SIDE FAÇADE TO ALL STREETS.

3). FACADES FRONTING STREETS SHALL INCLUDE A COMBINATION OF WINDOWS AND OPERABLE DOORS FOR A MINIMUM OF 40% OF EACH FRONTAGE ELEVATION WITH TRANSPARENT GLASS BETWEEN 2' AND 10' ON THE FIRST FLOOR, EXCEPT FOR THE PROPOSED HOTEL WHICH WILL ONLY BE REQUIRED TO PROVIDE A MINIMUM OF 25% OF EACH FRONTAGE ELEVATION WITH TRANSPARENT GLASS BETWEEN 2' AND 10' ON THE FIRST FLOOR. UP TO 20% OF THIS REQUIREMENT MAY BE COMPRISED OF DISPLAY WINDOWS. THESE DISPLAY WINDOWS MUST MAINTAIN A MINIMUM OF 3'-0" CLEAR DEPTH BETWEEN WINDOW AND REAR WALL. WINDOWS WITHIN THIS ZONE SHALL NOT BE SCREENED BY FILM, DECALS, AND OTHER OPAQUE MATERIAL, GLAZING FINISHES OR WINDOW TREATMENTS. THE MAXIMUM SILL HEIGHT FOR REQUIRED TRANSPARENCY SHALL NOT EXCEED 4'-0" ABOVE ADJACENT STREET SIDEWALK.

4). DIRECT PEDESTRIAN CONNECTION SHOULD BE PROVIDED BETWEEN STREET FACING DOORS, CORNER ENTRANCE FEATURES TO SIDEWALKS ON ADJACENT STREETS.

5). BUILDING ELEVATIONS SHALL NOT HAVE EXPANSES OF BLANK WALLS GREATER THAN 20 FEET IN ALL DIRECTIONS AND ARCHITECTURAL FEATURES SUCH AS BUT TO LIMITED TO BANDING, MEDALLIONS OR DESIGN FEATURES OR MATERIALS WILL BE PROVIDED TO AVOID A STERILE, UNARTICULATED BLANK TREATMENT OF SUCH WALLS.

6). BUILDING ELEVATIONS SHALL BE DESIGNED WITH VERTICAL BAYS OR ARTICULATED ARCHITECTURAL FEATURES WHICH SHALL INCLUDE A COMBINATION OF AT LEAST THREE OF THE FOLLOWING: A COMBINATION OF EXTERIOR WALL OFFSETS (PROJECTIONS AND RECESSES), COLUMNS, PILASTERS, CHANGE IN MATERIALS OR COLORS, AWNINGS, ARCADES, OR OTHER ARCHITECTURAL ELEMENTS.

7). MULTI-STORY BUILDINGS SHOULD HAVE A MINIMUM OF 20% TRANSPARENCY ON ALL UPPER STORIES.

c. METER BANKS WILL BE SCREENED FROM VIEW FROM EACH OF THE ABUTTING PUBLIC STREETS. HVAC AND RELATED MECHANICAL EQUIPMENT WILL BE SCREENED FROM PUBLIC VIEW AND FROM VIEW OF EACH OF THE ABUTTING PUBLIC STREETS AT GRADE.

5. STREETSCAPE, BUFFERS, BUILDING EDGES, OPEN SPACE, YARDS AND LANDSCAPING:

a. ALONG THE EXTENSION OF DIXIE RIVER ROAD AND PUBLIC STREET D, THE PETITIONER WILL PROVIDE AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALK AS GENERALLY

DEPICTED ON THE REZONING PLAN.

b. FOR THE PORTION OF THE SITE ZONED MUDD(CD) A 16 FOOT SETBACK AS MEASURED FROM THE FUTURE BACK OF CURB OF DIXIE RIVER ROAD AND PUBLIC STREET D WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN. ALONG THE PORTION OF THE SITE ZONED I-1(CD) A 10 FOOT SETBACK AS MEASURED FROM THE RIGHT-OF-WAY LINE OF DIXIE RIVER ROAD WILL BE ESTABLISHED, AND A 20 FOOT SETBACK FROM THE RIGHT-OF-WAY OF PUBLIC STREET D WILL BE PROVIDED AS GENERALLY DEPICTED ON THE REZONING PLAN.
 c. THE PETITIONER WILL PROVIDE A SIDEWALK NETWORK THAT LINKS EACH BUILDING ON THE SITE TO THE SIDEWALKS ALONG THE STREET OR STREETS THAT EACH SITE ABUTS IN THE MANNER

GENERALLY DEPICTED ON THE REZONING PLAN. THE MINIMUM WIDTH FOR THIS INTERNAL SIDEWALK WILL BE SIX (6) FEET. d. ABOVE-GROUND BACKFLOW PREVENTERS WILL BE SCREENED FROM PUBLIC VIEW AND WILL BE LOCATED OUTSIDE OF THE REQUIRED SETBACKS.

e. DUMPSTER AREAS AND RECYCLING AREAS WILL BE ENCLOSED BY A SOLID WALL OR FENCE WITH ONE SIDE BEING A DECORATIVE GATE. THE WALL OR FENCE USED TO ENCLOSE THE DUMPSTER WILL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING MATERIALS AND COLORS USED ON THE PRINCIPAL BUILDING.

6. ENVIRONMENTAL FEATURES:

a. THE PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION ORDINANCE.

 b. THE LOCATION, SIZE, AND TYPE OF STORM WATER MANAGEMENT SYSTEMS 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 STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE POINTS.
 c. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.

SIGNAGE:
 a. RESERVED.

8. <u>LIGHTING</u>

a. ALL NEW DETACHED AND ATTACHED LIGHTING SHALL BE FULL CUT-OFF TYPE LIGHTING FIXTURES EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.

b. DETACHED LIGHTING ON THE SITE WILL BE LIMITED TO A MAXIMUM OF 26 FEET IN HEIGHT.

9. <u>AMENDMENTS TO THE REZONING PLAN</u>:

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE ORDINANCE.

10. <u>BINDING EFFECT OF THE REZONING APPLICATION</u>:

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

