



PETITION REVIEW SHEET

Date:	10.7.2010 (revised)	Staff Contact:	Tina M. Votaw
Petitioner:	Levine Properties	Telephone:	704-432-3013
Petition:	2010-065	Fax:	N/A
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		Attachments:	n/a

2nd SUBMITTAL – CATS Requirements relative to Optional Provisions 1, 2 and 3 of Petitioner's Submittal:

CATS will allow Petitioner's use of the transit setback under certain conditions including but not limited to:

1. All areas identified as encroachment into the transit setback shall be documented through the completion of an encroachment agreement with terms and conditions acceptable to the City/CATS. Said agreement must be completed prior to the start of Petitioner's construction of its improvements within the transit setback. Said agreement shall include, but shall not be limited to, terms and conditions relative to construction and maintenance of Petitioner's proposed improvements, future access requirements within the transit setback, clearance requirements and indemnity from the Petitioner in favor of the City/CATS from future damage to and restoration of Petitioner's improvements should they be affected or damaged by the future construction of the Blue Line Extension and/or the Project generally referred to as the 9th Street Extension.
2. All of Petitioner's improvements within the transit setback shall conform to the clearance requirements of the City/CATS, e.g. canopies and building improvements, shall be a minimum of 10 feet from all catenary poles and overhead wires. Prior to the start of Petitioner's construction of improvements within the transit setback, Petitioner shall provide the City/CATS with diagrams demonstrating that the required clearances will be maintained.

Should you require additional information, please advise.