

Facility; Library, Public; Museum or Art Gallery; Neighborhood Organization; Nursing Care Institution; Police or Fire Station; Post Office; Postal Processing Facility; School, Private; School, Public; School, Vocational or Professional; Stadium, Coliseum, or Exhibition Building; Access Easement, Private Off-Site; Broadcast Studio; Helistop; Park and Shuttle Lot; Parking, Commercial; Terminal, Bus or Taxi; Transmission Tower; and Utilities - TWO PHASE],
approved by the Winston-Salem City Council the _____ day of _____,
20____" and signed, provided the property is developed in accordance with requirements of the
PB-S zoning district of the Zoning Ordinance of the *Unified Development Ordinances*, the
Erosion Control Ordinance, and other applicable laws, and the following additional conditions be
met:

• **PRIOR TO GRADING ON THE SITE FOR PHASE I:**

- a. Developer shall obtain a grading permit for Phase I from the North Carolina Department of Natural Resources (DENR).
- b. Developer shall provide copies to the Inspections Division of all submissions to and approvals from DENR related to sedimentation and erosion control activities.
- c. Developer shall petition to close Watkins Street, Beaumont Street, Granville Drive, and a portion of Green Street as shown on the proposed site plan.
- d. Developer shall obtain a temporary driveway permit as appropriate from the City of Winston-Salem Public Works Department and/or the NCDOT for access to the site for grading and construction purposes.
- e. Developer shall make a good faith effort to coordinate and allow for the relocation of the shotgun-style house located at 928 Watkins Street. If the structure cannot be relocated, the structure shall be photo-documented to the specifications of the Historic Resources staff prior to demolition.
- f. Within 45 days after initial rough grading begins, developer shall submit to the City of Winston-Salem Public Works Department for approval a storm water management design plan which shall accommodate as appropriate on the Phase I site the storm water management needs of the entire PB-S tract (both first and second phases). If the storm water management plan that is approved meets the current regulations as applicable to the entire site, the site shall be deemed compliant with the current regulations and shall not be subject to the quality provisions under any drafted post-construction storm water control ordinance.

• **PRIOR TO THE ISSUANCE OF BUILDING PERMITS FOR PHASE I:**

- a. Sealed drawings shall be submitted to the Inspections Department in order to obtain building permits for any retaining walls over five feet in height. All proposed retaining walls shall meet the requirements specified in the UDO. Construction materials for retaining walls shall match the overall ballpark design. Issuance of building permits for retaining walls shall not be contingent upon the recording of the final plat.

- b. Developer shall obtain permanent driveway permits as appropriate from the City of Winston-Salem Public Works Department and/or NCDOT; additional improvements or requirements concerning parking management, sidewalk and street improvements, access control, pavement resurfacing/markings, and traffic management may be required pursuant to the issuance of driveway permits.
- c. Developer shall submit plans for Community Appearance Commission (CAC) review and comment.
- d. Developer shall obtain approval of a parking study by the City of Winston-Salem Public Works Department.
- e. Developer shall submit to and receive approval from the City's Public Works Department of a Noise Analysis Report for the baseball stadium that is prepared in accordance with professional standards and demonstrates that the amplified sound levels from the stadium at the exterior boundary of the PB-S zoning district (W-2936) for the overall development will be no more than 55 dB(A).
- f. Developer shall submit to and receive approval from the City's Public Works Department of a photometric diagram for the baseball stadium's lighting system showing that the lighting levels at the exterior boundary of the PB-S zoning district for the overall development are 0.50 foot candles or less against other private property and 0.75 foot candles or less against the public street rights-of-way. Developer shall incorporate in the stadium lighting design measures to prevent or mitigate the effects of direct glare to surrounding streets and neighborhoods from stadium lighting.
- g. Developer shall record a final plat in the office of the Register of Deeds. Such plat shall include a public access and utilities easement within the Green Street right-of-way as determined by the City of Winston-Salem Public Works Department.
- h. The proposed ballpark shall be constructed in substantial conformance with the building elevations approved by the City Council and labeled "Exhibit A". Within that context, developer shall have flexibility to incorporate the recommendations of the Community Appearance Commission as per their review in condition c. above.
- i. As volunteered by the developer, construction materials for the baseball stadium shall include prominent use of brick, supplemented by complementary materials.

• **PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS FOR PHASE I:**

- a. Any damage to City maintained streets, sidewalk, or curb shall be replaced or repaired to the requirements of the Public Works Department.
- b. The developer shall provide sidewalks along all street frontages of the first phase property where they are not currently provided. Connections from the public sidewalks to the site shall be provided.
- c. Developer shall install and certify to the satisfaction of the City/County Inspections Division and the City Public Works Department that the operation of equipment is in compliance with the specifications included in the approved noise and lighting plans. Point source measurements will be provided to allow for future comparisons.

- d. As volunteered by the developer, developer shall be responsible for all costs related to the purchase and installation of a historic marker documenting the historical significance of the Watkins/Green/Granville Streets area. The historic marker shall be identical to those placed as part of the City of Winston-Salem Historic Marker Program, and the text, design, ordering and installation of the marker shall be coordinated through the Historic Resources Commission and staff. Location of the marker shall be determined in conjunction with the Winston-Salem Department of Transportation.
- e. As volunteered by the developer, bike racks shall be installed on the baseball stadium site.
- f. As volunteered by the developer, HOV (High-Occupancy Vehicle) parking spaces for the baseball stadium shall be designated.
- g. As volunteered by the developer, developer shall make a good faith effort to encourage recycling on the baseball stadium site.
- h. As volunteered by the developer, developer shall provide up to \$10,000 for installation of public art on the site of the baseball stadium.

• **OTHER REQUIREMENTS APPLICABLE TO THE ENTIRE PB-S TRACT:**

- a. All Final Development Plans shall go to the City Council for final approval.
- b. Prior to approval of any Final Development Plans by the City Council, the developer shall submit a master plan for the second phase of this development. The master plan should include proposed building locations/placements, proposed land uses, parking areas, and should incorporate the elements of an urban mixed use project. The approval authority for the master plan shall be the City Council.
- c. No Final Development Plans shall be approved until a TIS has been approved by WSDOT for the second phase of this development.
- d. The developer shall dedicate a minimum of 0.59 acres of public park land within the second phase of the development. The location of the dedicated park land shall be approved by the Recreation and Parks Director.
- e. Lighting for the second phase may be subject to further conditions through Final Development Plan review.
- f. Sidewalks shall be provided along all street frontages of the second phase property where they do not currently exist. Connections from the public sidewalks to the site shall be provided.
- g. The use Services, Personal shall be further restricted to not allow tattoo parlors.
- h. For the baseball stadium development in the Phase I portion of the development, lighting and sound systems shall be maintained as per the specifications applicable at their installation. Special events such as fireworks and concerts are exempt from this restriction.
- i. For the baseball stadium site in the Phase I portion of the development, the developer shall use the Center City West parking deck to meet the remainder of the parking requirements for Phase I that cannot be met on an interim basis on the entire PB-S tract. This arrangement shall remain in place until adequate permanent parking facilities are available.