

GENERAL REZONING NOTES

- SEE SHEET RZ-2 FOR ZONING EXHIBIT
- SEE SHEET RZ-2 FOR BUILDING AND PARKING ENVELOPES
- SEE SHEET RZ-2 FOR ACCESS AND CONNECTIVITY MAP

REZONING SUMMARY	
PETITIONER:	ELECTROLUX NORTH AMERICA, INC 10200 DAVID TAYLOR DRIVE CHARLOTTE, NC 28262
PROPERTY OWNER:	ELECTROLUX NORTH AMERICA, INC 10200 DAVID TAYLOR DRIVE CHARLOTTE, NC 28262
TAX PARCEL #:	04742105 04738111 04715401
SITE AREA:	90 ACRES ±
EXISTING ZONING:	RE-2
REZONING SITE AREA:	
DEVELOPMENT AREA 1 + 2:	83.3 AC ±
DEVELOPMENT AREA 3:	6.6 AC ±
PROPOSED ZONING:	
DEVELOPMENT AREA 1 + 2:	RE-3(O)
DEVELOPMENT AREA 3:	O-(CD)
MAX BUILDING SQ. FT.:	
DEVELOPMENT AREA 1 + 2:	921,490 SF
DEVELOPMENT AREA 3:	75,000 SF
MAX BUILDING HEIGHT:	
DEVELOPMENT AREA 1 + 2:	150' PER OPTIONAL PROVISION PER ORDINANCE
DEVELOPMENT AREA 3:	
PARKING REQUIREMENTS:	
DEVELOPMENT AREA 1 + 2:	1 SPACE/450 SF PER OPTIONAL PROVISION
DEVELOPMENT AREA 3:	PER ORDINANCE

ELECTROLUX HDQ-R&D

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REVISIONS:

N.	DESCRIPTION	DATE

PROJECT: 9107-131580/CJS 4140
DATE: 2014 FEB 24
DRAWN BY: JDB
CHECKED BY: SGF

REZONING PLAN

RZ-1



REZONING NOTES

**Electrolux North America, Inc.
Development Standards
02/24/14
Rezoning Petition No. 2014-000**

Site Development Data:

- Acreage: ± 90.0 acres
- Tax Parcel #: 047-154-01; 047-421-05; and 047-381-11
- Existing Zoning: RE-2
- Proposed Zoning: RE-3(O) and O-1(CD) and five (5) year vested rights.
- Existing Uses: Offices, Laboratories for testing products and materials, Research uses and Vacant.
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the RE-3 zoning district and the O-1 zoning district (as more specifically described below in Section 3).
- Maximum Gross Square Feet of Development: (i) within the RE-3(O) zoning district: up to 1,170,000 (276,126 existing) square feet of gross floor area of uses allowed by right and under prescribed conditions; and (ii) within the O-1(CD) zoning district: up to 75,000 gross square feet of uses allowed by right and under prescribed conditions.
- Maximum Building Height: As allowed by the Ordinance in the area zoned O-1(CD). In the area zoned RE-3(O), building height will be limited to 150 feet as allowed by the Optional Provisions below (for the purposes of this height limit, roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment will not be considered for the calculation of allowed building height, otherwise building height will be measured as defined by the Ordinance).
- Parking: As required by the Ordinance for the O-1(CD) portion of the Site; and for the RE-3(O) portion of the Site as required by the Ordinance except that the parking requirement for "All Other Uses" will be modified to one parking space per 450 gross square feet of floor area as described in the Optional Provisions below.

1. General Provisions:

a. **Site Location:** These Development Standards, the Technical Data Sheet, Schematic Site Plan and other graphics set forth on attached Sheets RZ-1 and RZ-2 form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Electrolux North America, Inc. ("Petitioner") to accommodate an expansion of the existing uses as well as future development on an approximately 90.0 acre site located on the southeast quadrant of the intersection of David Taylor Drive and Claude Freeman Drive (the "Site").

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 RE-3(O) 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, subject to the Optional Provisions provided below; and (ii) the regulations established under the Ordinance for the O-1(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.

c. **Graphics and Alterations.** The schematic depictions of the uses, parking areas, sidewalks, structures and buildings, and other site elements set forth on the Rezoning Plan should be reviewed in conjunction with the provisions of these Development Standards. The ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan as well as any schematic building elevations are graphic representations of the development and site elements proposed, and they may be altered or modified in accordance with the setback, yard and buffer requirements set forth on this Rezoning Plan and the Development Standards, provided, however, any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan. Changes to the Rezoning Plan not permitted by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance.

d. **Number of Buildings Principal and Accessory.** Notwithstanding the number of buildings shown on the Rezoning Plan, the total number of principal buildings to be developed: (i) on the portions of the Site zoned RE-3(O) and developed for uses allowed in the RE-3 zoning district shall not exceed seven (7); and (ii) on the portions of the Site zoned O-1(CD) and developed for uses allowed in the O-1 zoning district shall not exceed three (3). 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(s) located within the same Development Area as the accessory structure/building.

e. **Planned/Unified Development.** The Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide the portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section 2 below as to the Site as a whole and not individual portions or lots located therein.

f. **Five Year Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period, but such provisions shall not be deemed a limitation on any other vested rights whether at common law or otherwise.

2. Optional Provisions for RE-3(O) Area

The following optional provisions shall apply to the portions of the Site designated RE-3(O) on the Technical Data Sheet:

- a. To allow vehicular parking, maneuvering and service between the proposed buildings and: (i) David Taylor Drive; (ii) Claude Freeman Drive; and (iii) public street # 1; and (iv) public street # 2, in the manner generally depicted on the Rezoning Plan.
- b. To allow buildings on the Site to be constructed to a building height of 150 feet exclusive of roof top mechanical equipment, and screens or devices used to screen roof top structures or equipment.
- c. To allow the Public Urban Open Space requirements to be met with Private Urban Open Space.
- d. To allow parking for "All Other Uses" to be provided at the minimum rate of one parking space per 450 gross square feet (the minimum parking requirements for the other uses listed in Section 11.705.9(a) will not change).
- e. To allow the setbacks required by the University Research Park Area Plan (The "URP Area Plan") to be reduced to 30 feet along Public Street # 1 and 2. The setbacks to be measured as specified in the Ordinance.
- f. To allow the eight (8) foot perimeter planting strip required along David Taylor Drive and Claude Freeman Drive to be reduced as needed to preserve the existing street trees located along these two streets.
- g. To not require doorways to be recessed into the face of buildings.
- h. To not require each building façade oriented to a street to have an operable pedestrian entrance.
- i. To allow the buildings on the Site to provide at least one loading dock space for each 200,000 square feet of building area.
- j. To allow detached lights to be up to 30 feet high and to allow the existing Site lighting to remain.
- k. To require buildings with more than six (6) stories to comply with the base of high rise requirements.

- 1. To allow two (2) detached identification signs and two (2) detached directory signs per street front, the size and height of the signs to be in compliance with the Ordinance.

Note: The optional provision regarding signs is an addition/modification to the standards for signs in the RE-3 district and is to be used with the remainder of RE-3 standards for signs not modified by this optional provision.

3. Permitted Uses, Development Area Limitations:

- a. For ease of reference, the Rezoning Plan sets forth three (3) development areas as generally depicted on the Technical Data Sheet as Development Areas 1, 2 and 3 (each a "Development Area" and collectively the "Development Areas").
 - b. Subject to the restrictions and limitations listed below, the principal buildings constructed within Development Areas 1, and 2 on the Site may be developed: with up to 1,170,000 (276,126 existing) square feet of gross floor area of uses permitted by right and under prescribed conditions together with accessory uses allowed in the RE-3(O) zoning district.
- For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements), the term "gross floor area" or "GFA" shall mean and refer to the sum of the gross horizontal areas of each floor of a principal building on the Site measured from the outside of the exterior walls or from the center line of party walls; provided, however, such term shall exclude any surface or structured parking facilities, areas used for building and equipment access (such as stairs, elevator shafts, vestibules, roof top equipment rooms and maintenance crawl spaces), all loading dock areas (open or enclosed), outdoor coolers 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).*

c. Subject to the restrictions and limitations listed below, Development Area 3 may be developed with up to 75,000 square feet of gross floor area of uses allowed by right and under prescribed conditions together with accessory uses allowed in the O-1 zoning district.

4. Transportation Improvements and Access:

1. Proposed Improvements:

The Petitioner plans to provide or cause to be provided on its own or in cooperation with other parties who may implement portions of the improvements, the improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following implementation provisions:

- a. Construct public street # 1, as generally depicted on the Rezoning Plan, in conjunction with the first building developed within Development Area # 2. Public street # 1 will be completed prior to the issuance of a certificate of occupancy for the first building constructed within Development Area # 2 or a bond posted with the City for its completion.
- b. Construct public street # 2, as generally depicted on the Rezoning Plan, in conjunction with the second building developed within Development Area # 2. Public street # 2 will be completed prior to the issuance of a certificate of occupancy for the second building constructed within Development Area # 2 or a bond posted with the City for its completion.

The following Transportation Improvements are also illustrated on figure -- located on Sheet RZ- of the Rezoning Plan. Figure -- on Sheet RZ- is to be used in conjunction with the following notes to determine the extent of the proposed improvements (reference to a number when describing an improvement corresponds to the number found on Figure -- on Sheet RZ- for the proposed improvement).

[TO BE COMPLETED AFTER THE SUBMISSION OF TIA]

II. Standards, Phasing and Other Provisions.

a. **CDOT/NC DOT Standards.** All of the foregoing public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad north Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

b. Phasing.

Notwithstanding the commitments of the Petitioner to provide for the roadway improvements described in Section 4.1 above, the following provisions shall permit development to take place prior to completion of all of the above-referenced improvements.

(i) The Petitioner has the right to construct up to the maximum amount of land use densities shown below by constructing the appropriate roadway improvements without being required to construct the remainder of the required transportation improvements listed above in Section 4.1. -- until the development density levels shown below are exceeded:

[TO BE COMPLETED AFTER THE SUBMISSION OF TIA]

(ii) The Petitioner will be allowed to obtain a certificate of occupancy for any or all of the remaining allowed square footage, units, and hotel rooms allowed on the Site upon the substantial completion of the improvements listed above in Section 4.1.-- of these Development Standards.

c. **Substantial Completion.** Reference to "substantial completion" for certain improvements as set forth in the provisions of Section 4.1 and in Section 4H. b. above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.1.11.a above provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

d. **Right-of-way Availability.** It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition proceedings including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

e. **Alternative Improvements.** Changes to the above referenced roadway improvements can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT, Planning Director, and as applicable, NCDOT, provided, however, the proposed alternate transportation improvements provided (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

III. Access.

a. Access to the Site will be from David Taylor Drive, Claude Freeman Drive and public street # 1 and # 2 as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.

b. The number and location of access points to the internal public streets may be modified from what is indicated on the Rezoning Plan, the actual number and location will be determined during the building permit process and thereafter additional or fewer driveways may be installed or removed with approval from appropriate governmental authorities subject to applicable statutes, ordinances and regulations.

c. The alignment of the internal public streets, 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 the Charlotte Department of Transportation (CDOT) in accordance with published standards so long as the street network set forth on the Rezoning Plan is not materially altered.

5. Streetscape, Landscaping Open Space and Screening:

a. A 100 foot landscape setback will be provided along Claude Freeman Drive and David Taylor Drive and a 30 foot landscape setback will be provided along public street # 1 and # 2. The setback will be measured from the back of the existing or proposed curb whichever is applicable.

b. An eight (8) foot planting strip and a six (6) foot sidewalk will be provided along both sides of public street # 1 and # 2.

c. A six (6) sidewalk will be provided along David Taylor Drive and/or Claude Freeman Drive as development occurs on the portions of the Site that abut each of the streets.

d. The six (6) foot sidewalk will be located along David Taylor Drive and Claude Freeman Drive so that an eight (8) foot perimeter planting strip can be provided if the sidewalk will not interfere with the existing trees located along David Taylor Drive and Claude Freeman Drive, if the existing trees will not allow an eight (8) foot perimeter planting strip to be provided then the required perimeter planting strip may be reduced as needed to preserve the existing trees as allowed by the Optional Provisions above.

e. Private Urban Open Space will be provided on the portion of the Site zoned RE-3(O) at the same rate as Public Urban Open Space is required in the locations as generally depicted on the Rezoning Plan and as allowed by the Optional Provisions above.

f. Meter banks will be screened where visible from public view at grade level.

g. Roof top HVAC and related mechanical equipment will be screened from public view at grade level.

h. All dumpster and recycling areas will be enclosed by a solid wall with one side being a decorative metal gate. The solid wall will utilize building materials similar to or identical to the building materials used on the adjoining principle use buildings. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall may be substituted for a side.

6. Parking and Maneuvering Restrictions.

a. Parking and Maneuvering for parking, other than driveways providing access to parking areas, will not be allowed within: (i) the 100 foot setback established along David Taylor Drive and Claude Freeman Drive; and (ii) the 30 foot setback provided along public streets # 1 and # 2 as generally depicted on the Rezoning Plan.

b. Parking will be provided as required by the Ordinance for the portion of the Site zoned O-1(CD). For the portion of the Site zoned RE-3(O) parking will be provided at the rate of one parking space per 450 gross square feet for "All Other Uses" as allowed by the Optional Provisions above; and as required by the ordinance for the other uses listed in Section 11.705.9(a) of the Ordinance.

7. Environmental Features:

a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.

b. The location, size and type of storm water management systems depicted on the Rezoning Plan is subject to adjustment in order to accommodate actual storm water treatment requirements as applicable.

c. The Site will comply with the Tree Ordinance.

8. Signage:

a. Signage as allowed by the Ordinance and by the Optional Provisions listed above may be provided.

b. On premises directional and instructional signs may be located throughout the Site per the standards of the Ordinance.

9. Lighting:

a. All new lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

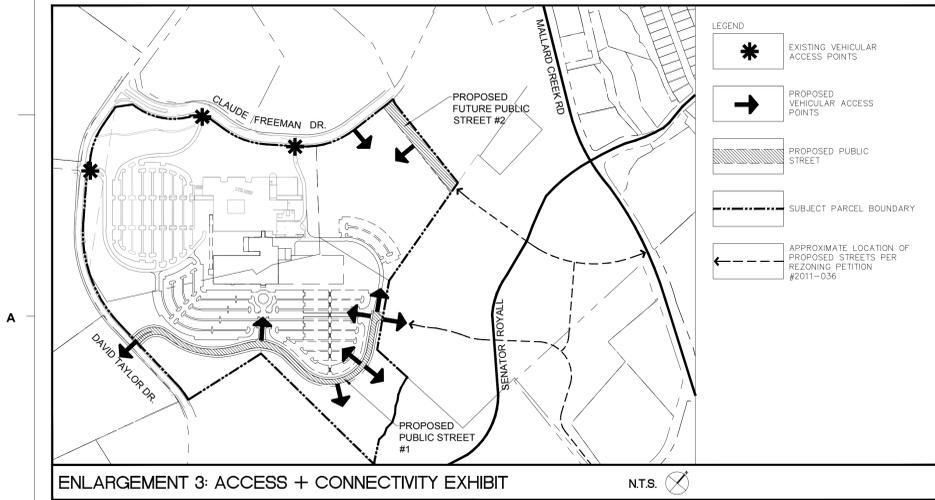
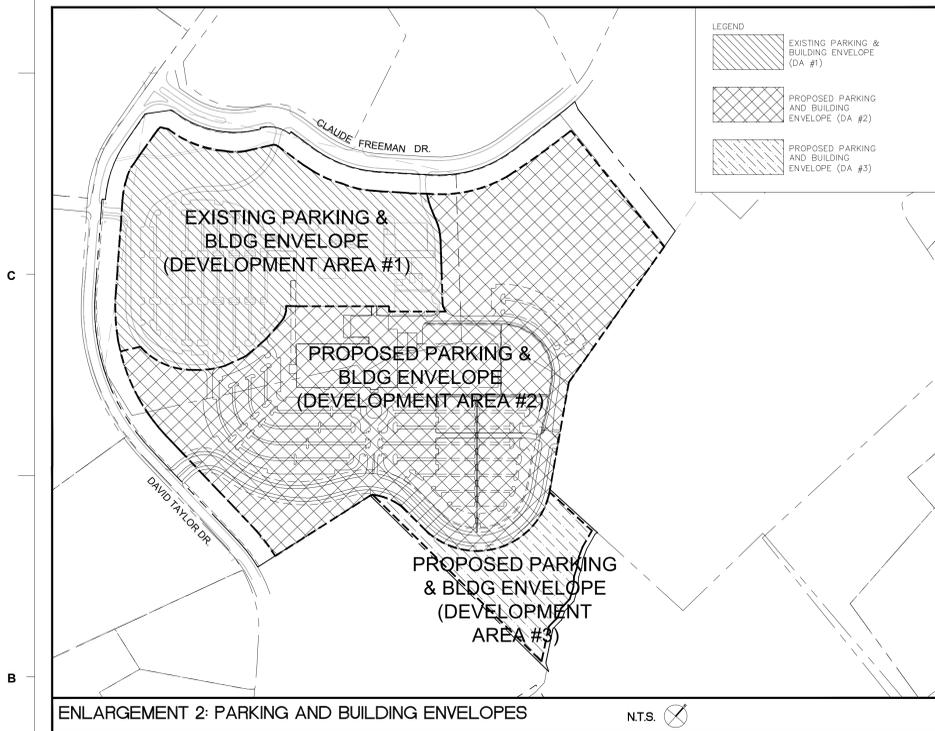
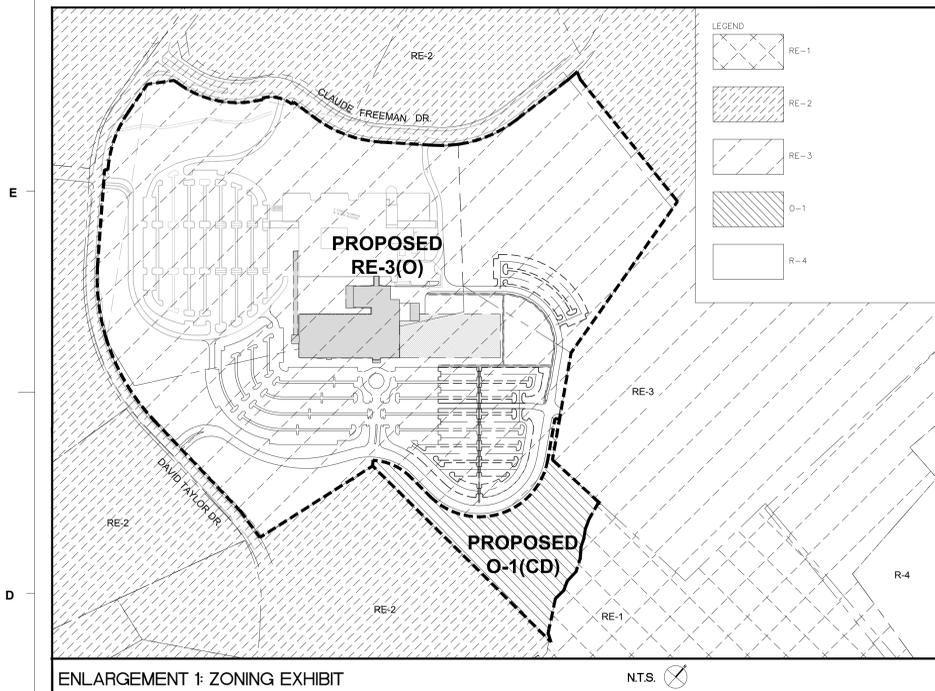
b. Detached lighting on the Site, except street lights located along public streets, will be limited to 25 feet in height as allowed by the Optional Provisions.

10. Amendments to the Rezoning Plan:

a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

11. Binding Effect of the Rezoning Application:

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 herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



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REZONING NOTES

RZ-2