

SITE DATA

ACREAGE +/- 520 ACRES
TAX PARCEL NOS. (See Devp. Standards for listing)
EXISTING ZONING

BP(CD) AND R-4 FOR SMALL 3.1 ACRE PARCEL AND
10.2 ACRE PARCEL EACH ALONG I-485 AS SHOWN ON
THE TECHNICAL DATA SHEET RZ-1)

PROPOSED ZONING
(i) BP (CD) & BP (CD) SPA FOR CORPORATE PARK WEST (AS DEFINED BELOW)
(ii) O-3 (CD) FOR CORPORATE PARK EAST (AS DEFINED BELOW)

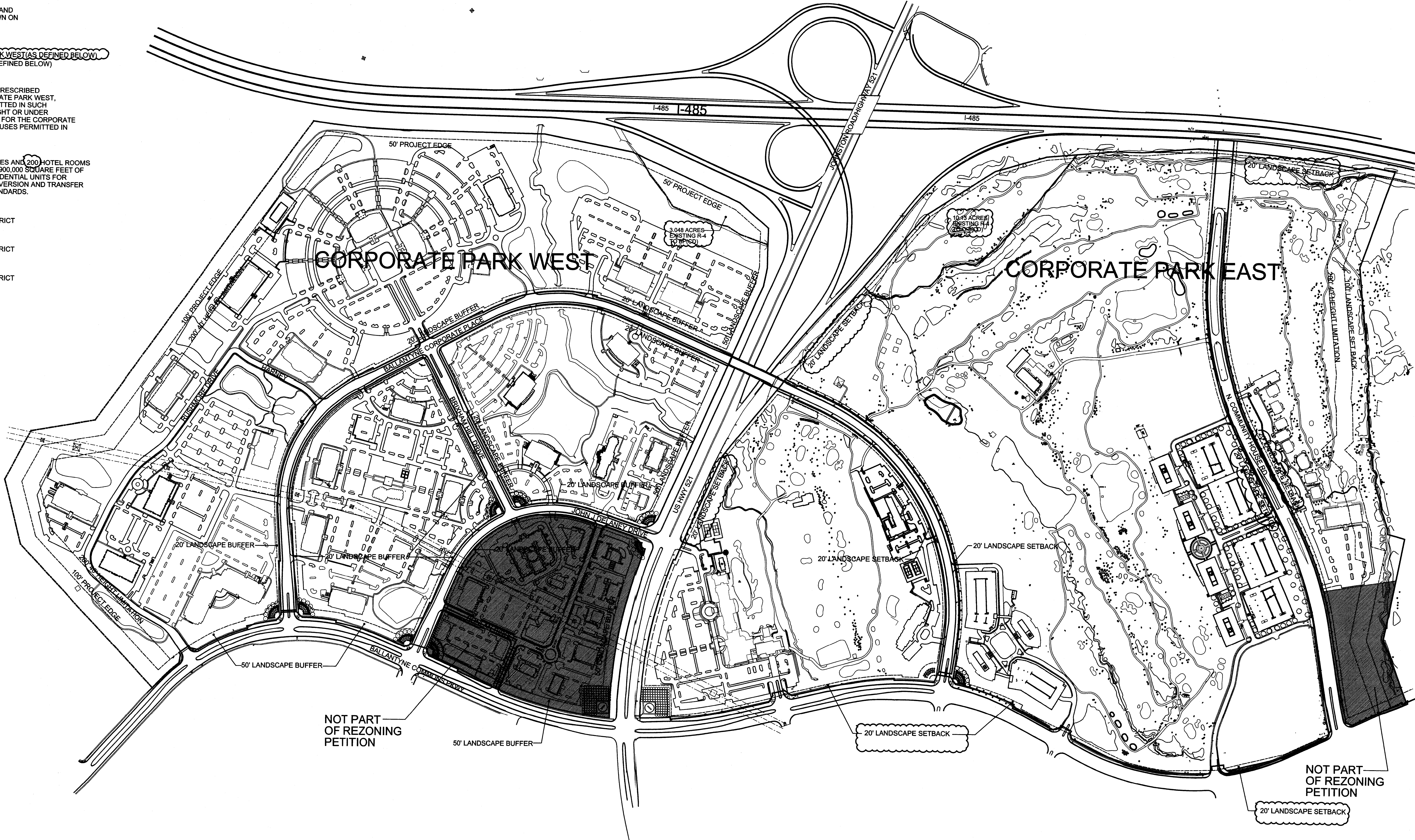
PROPOSED USES
(i) ALL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED
CONDITIONS IN THE BP DISTRICT FOR CORPORATE PARK WEST,
TOGETHER WITH ALL ACCESSORY USES PERMITTED IN SUCH
DISTRICT; AND (ii) ALL USES PERMITTED BY RIGHT OR UNDER
PRESCRIBED CONDITIONS IN THE O-3 DISTRICT FOR THE CORPORATE
PARK EAST, TOGETHER WITH ALL ACCESSORY USES PERMITTED IN
SUCH DISTRICT. (See Devp. Standards for detail)

DEVELOPMENT LIMITATIONS
(i) UP TO 2,625,000 SQUARE FEET OF OFFICE USES AND 200 HOTEL ROOMS
FOR CORPORATE PARK WEST; AND (ii) UP TO 3,900,000 SQUARE FEET OF
OFFICE USES, 600 HOTEL ROOMS AND 600 RESIDENTIAL UNITS FOR
CORPORATE PARK EAST TOGETHER WITH CONVERSION AND TRANSFER
RIGHTS SET FORTH IN THE DEVELOPMENT STANDARDS.

MAXIMUM BUILDING HEIGHT
AS ALLOWED BY THE APPLICABLE ZONING DISTRICT

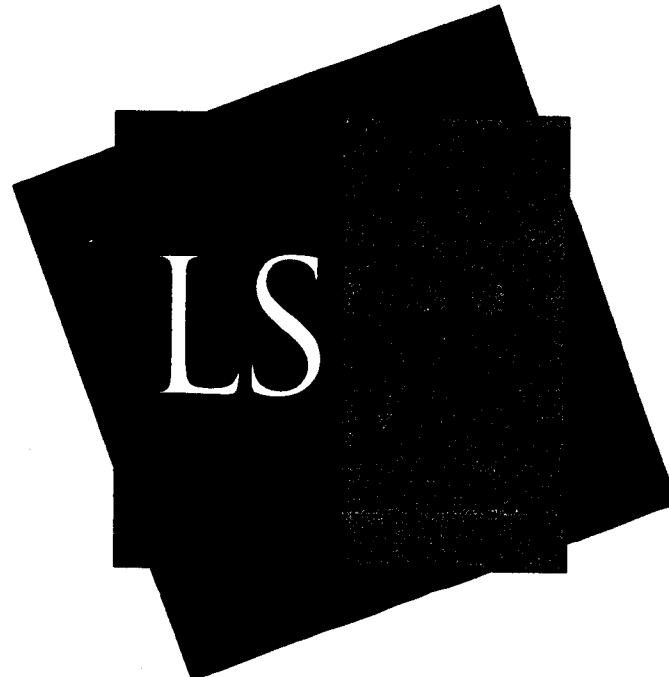
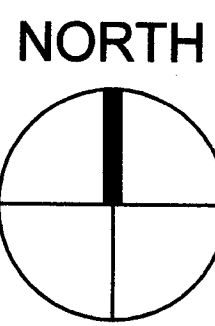
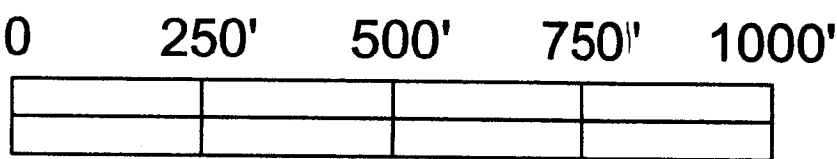
PARKING
AS ALLOWED BY THE APPLICABLE ZONING DISTRICT

SETBACKS
AS ALLOWED BY THE APPLICABLE ZONING DISTRICT



BALLANTYNE CORPORATE PARK
TECHNICAL DATA SHEET
PETITIION NO. 2011-044

JUNE 20, 2011



RZ-1

BALLANTYNE CORPORATE PARK -- DEVELOPMENT STANDARDS
June 20, 2011

NOTE: The following Development Standards relate to Rezoning Petition No. 2011 - 044 (the "Rezoning Petition") regarding that area generally known as the Ballantyne Corporate Park, and more specifically that certain approximately 520 acre property defined below as the "Corporate Park" or the "Site" (it being understood that certain portions of the area initially included in the Corporate Park have been excluded from this Rezoning Petition as set forth shown on shaded on Sheet RZ-1). The Rezoning Plan (as defined below and which includes these Development Standards) associated with the Rezoning Petition super-cedes in all respects, as to the Corporate Park defined below, all prior rezoning plans, amendments and related administrative correspondence promulgated as part of the overall master planned community known as Ballantyne, including without limitation the initial Ballantyne Petition No. 92-23(c) approved by the Mecklenburg County Commission as of 10/18/93 and amendments/petitions approved by the Mecklenburg County Commission referenced as Petitions Nos. 94-23(c) and 96(c), as well as administrative amendments/approvals dated as of 7/28/93, 3/21/94, 9/26/95, 8/14/96, 12/31/96 (referencing Development Standards dated 12/26/96), and such other administrative approvals and amendment.

A. DEVELOPMENT DATA TABLE

- Site Acreage: ±520 acres
- Tax Parcel Nos.: 223-151-01, 08, 09, 11, 12, 13, 14, 15, 20, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 & 38, 223-154-01, 03, 04, 05, 06, 07, 08 & 09; 223-155-01, 02, 03, 04, 05, 06, 07 & 11; 223-161-02, 05, 07, 08, 09 & 10; 223-165-01, 02, 03 & 04; 223-501-50, 53, 54, 55, 56, 57, 58, 59 & 60
- Existing Zoning: BP (CD) and R-3 (for small 3.1 acre parcel and 10.2 acre parcel each along I-485 as shown on the Technical Data Sheet RZ-1)
- Proposed Zoning: (i) BP (CD) and BP (CD) SPA for Corporate Park West (as defined below) and (ii) O-3 (CD) for Corporate Park East (as defined below)
- Proposed uses: (See Development Standards for detail) (i) all uses permitted by right or under prescribed conditions in the BP district for Corporate Park West, together with all accessory uses permitted in such district; and (ii) all uses permitted by right or under prescribed conditions in the O-3 district for Corporate Park East, together with all accessory uses permitted in such district.
- Development Limitations: (i) up to 2,625,000 square feet of office uses and 200 hotel rooms for Corporate Park West; and (ii) up to 3,900,000 square feet of office uses, 600 hotel rooms and 600 residential units for Corporate Park East together with conversion and transfer rights set forth in the Development Standards
- Floor Area Ratio: as allowed by the applicable zoning district as part of the planned/unified development more particularly described in the Development Standards
- Maximum Building Height: as allowed by the applicable zoning district as part of the planned/unified development more particularly described in the Development Standards
- Parking: as allowed by the applicable zoning district as part of the planned/unified development plan more particularly described in the Development Standards
- Amount of Open Space: 25% of Corporate Park West and 32% of Corporate Park East as more particularly set forth in the Development Standards
- Setbacks: as allowed by the applicable zoning district as part of the planned/unified development more particularly described in the Development Standards

NOTE: the provisions of the Development Standards set out below will control in the event of any conflicts between other aspects of the Rezoning Plan (including the Site Data) and the provisions of the Development Standards.

B. STATEMENT OF INTENT

- Ballantyne Community. Portions of the Corporate Business Park have been developed into a high quality mixed-use community to known as "Ballantyne Corporate Park". Ballantyne Corporate Park offers opportunities for employment, hospitality and recreation and is a portion of the overall approximately 2,010 acre Ballantyne master planned community (the "Ballantyne Community") which includes beyond the Corporate Park, housing, town centers,

planned developments, park improvements and other quality features. The Petitioner seeks to build on the success of the Ballantyne Community by providing for increased opportunities for employment within Corporate Park West and employment and housing within Corporate Park East more in keeping with the vision of this area as an important urban center consistent with Mecklenburg County and City of Charlotte's adopted centers and corridors growth strategy.

- Corporate Park. Reference is made to the approximately 520 acre property generally known as Ballantyne Corporate Park and more specifically shown on Sheet RZ-1 of this Rezoning Plan (the "Corporate Park" or the "Site"). The Corporate Park consists of that approximately 225 acre property located to the west of Highway 521 and north of Ballantyne Commons Parkway ("Corporate Park West") and that approximately 295 acre property located to the east of Highway 521 and north of Ballantyne Commons Parkway ("Corporate Park East") all as generally depicted on Sheet RZ-1 of this Rezoning Plan (it being understood that such property excludes those portions of areas within the area initially designated as part of the Corporate Business Park that are shown shaded on Sheet RZ-1 of this Rezoning Plan).

- Quality Development. Although much of Corporate Park West has been developed since approval of the initial master plan of the Ballantyne Community, Petitioner plans to continue development of remaining portions of Corporate Park West and engage in redevelopment of portions thereof in a manner in keeping with the quality of existing development within the Corporate Park. Similarly, although portions of Corporate Park East have been developed since approval of the initial master plan for the Ballantyne Community, Petitioner plans to continue development of Corporate Park East and engage in redevelopment of portions thereof in a quality manner and in an manner more in keeping with an urban center consistent with the adopted centers and corridors growth strategy.

C. GENERAL PROVISIONS

- Zoning Classifications: BP (CD) and BP (CD) SPA [Corporate Park West]; O-3 (CD) [Corporate Park East]. These Development Standards form a part of the Technical Data Sheet associated with the Petition (as defined above) filed by the Bissell Companies. The Development Standards, Technical Data Sheet and other graphics attached hereto (collectively the "Rezoning Plan") together with the provisions of the City of Charlotte Zoning Ordinance (the "Ordinance") shall govern development of the Corporate Park (both Corporate Park West and Corporate Park East). The regulations established under the BP zoning classification shall govern development taking place in Corporate Park West and the regulations established under the O-3 zoning classification shall govern development taking place in Corporate Park East.

- Schematic Graphics. As indicated, Petitioner plans to continue development of remaining portions of Corporate Park West and Corporate Park East and engage in redevelopment of portions thereof in a high quality manner consistent with past development but in a manner that is more in keeping with the urban center vision reflected in the adopted centers and corridors plan. Accordingly in as much as planning for portions of the remaining development and redevelopment of the Corporate Park have not yet advanced beyond the formative stage, the ultimate layouts of the developments & redevelopments proposed for the remaining portions of the Corporate Park, the exact alignments of possible additional streets, and points of access, the configurations and placements of parking areas and the precise locations, heights and masses of buildings to be constructed and other site elements have not been determined and as a consequence the Graphics which accompany the Rezoning Plan, among other site elements shown on the Rezoning Plan, are schematic in nature and are not to be considered as final development plans but rather as preliminary graphic representations of the types of development proposed for the various elements. As a result, various site elements are subject to alterations and modifications subject to the accompanying Development Standards and Section 6.207 of the Ordinance.

- Number/Location of Buildings. Since the Corporate Park is a large master planned community of over 520 acres to be developed and/or redeveloped over time, it is understood that specification and/or depiction of an exact number of buildings and locations of buildings is impractical. Accordingly, for the purposes of satisfying the provisions of Sections 6.206 and 6.207 of the Ordinance, and notwithstanding the depictions of buildings located on other portions of the Rezoning Plan, the Corporate Park may be developed and redeveloped for up to 100 principal buildings, and for such purposes, accessory buildings and structures shall not be considered in this limitation on the number of buildings and structures within the Corporate Park.

- Planned/Unified Development. The Corporate Park shall be viewed as a planned/unified development plan as to the elements and portions of the Corporate Park generally depicted on the Rezoning Plan and those portions of the area initially considered part of the Ballantyne Corporate Park excluded from this Rezoning Petition as shaded on Sheet RZ-1 but included within the overall master planned Ballantyne Community (the "Abutting Parcels"). As such, side and rear yards, setbacks, 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 Corporate Park and the Abutting Parcels. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide the portions or all of the Corporate Park, and create lots within the interior of the Corporate Park and the Abutting Parcels without regard to any such internal separation standards and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Corporate Park (except those along the Abutting Parcels) shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section D below as to the Corporate Park as a whole and not individual portions or lots located therein.

- 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/redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning district associated with the Petition for a five (5) year period, but such provision shall not be deemed a limitation on any other vested rights whether at common law or otherwise.

D. PERMITTED USES; DEVELOPMENT LIMITATIONS & OBLIGATIONS

- Uses & Limitations. Corporate Park West shall be zoned BP(CD) SPA and BP(CD) (as to the current R-3 property), and Corporate Park East shall be zoned O-3 (CD). The following uses will be permitted within the Corporate Park, subject to and in accordance with the following limitations and provisions:

- Corporate Park West may be developed for all uses permitted by right or under prescribed conditions in the BP district together with all accessory uses as permitted in such district. Subject to conversion and transfer rights for the Corporate Park set forth in this Section D and to the transportation phasing limitations set forth in this Rezoning Plan, office uses within Corporate Park West shall be limited to 2,625,000 square feet and hotel rooms to 200 rooms. For information purposes only but only as an estimate, it is estimated that the existing office entitlement within Corporate Park West is approximately 2,365,000 square feet resulting in an increase of approximately 260,000 square feet of office square footage from the current entitlements for Corporate Park West in existence as of the date of these Development Standards.

- Corporate Park East may be developed for all uses permitted by right and under prescribed conditions in the O-3 district together with all accessory uses as permitted in such district; such uses include, without limitation, office, retail/restaurant uses, hotel uses, residential uses, institutional uses and recreational uses (both indoor and outdoor uses such as a golf course facilities, tennis facilities, health club facilities and the like). Subject to conversion and transfer rights for the Corporate Park set forth in this Section D and to the transportation phasing limitations set forth in this Rezoning Plan, office uses within the Corporate Park shall be limited to 3,900,000 square feet, hotel uses limited to 600 hotel rooms and residential uses limited to 600 residential dwelling units. For information purposes only and as an estimate, it is estimated that the existing office entitlement within the Corporate Park East is approximately 3,100,000 square feet resulting in an increase of approximately 800,000 square feet of office square footage from the current entitlements for Corporate Park East in existence as of the date of these Development Standards.

- Principal uses other than office, hotel or residential uses set forth above in this Section D will absorb office square footage at the rate of one to one.

- It is understood that structured parking facilities and outdoor dining areas shall not be included in the square footage limitations set forth above, and residential and hotel uses shall be limited only by the unit or room limitations set forth above without regard to areas devoted to accessory uses such as restaurants, banquet and meeting rooms, management offices, clubhouse, recreational uses and the like.

2. Other Development, Transfer Rights and Conversion Rights.

- Up to 300,000 square feet of office entitlement may be transferred to Corporate Park East from Corporate Park West and from Corporate Park West to Corporate Park East, provided that the total office entitlement within the Corporate Park does not change upon any such transfer.

- Entitlement for up to 250 hotel rooms may be transferred from Corporate Park East to Corporate Park West and from Corporate Park West to Corporate Park East.

- Additional hotel rooms may be developed within Corporate Park East by converting residential dwelling units into hotel rooms at the rate of one (1) residential unit converted into two (2) hotel rooms, up to a maximum of 250 hotel rooms created by such conversion, and additional residential dwelling units may be developed by converting hotel rooms into residential dwelling units at the rate of two (2) hotel rooms into one (1) residential dwelling unit.

- If less than 800 hotel rooms are constructed within the Corporate Park, then the permissible office square footage within Corporate Park may be increased at the rate of 1,000 square feet for each hotel room deleted.

- Hotel uses are intended to include any accessory uses normally associated with a hotel use which are permitted in the BP district as to Corporate Park West and the O-3 district as to Corporate Park East.

- Residential dwelling units may include all residential types of units and uses (including any accessory uses which shall include, among other items, the caretaker house located within Corporate Park East) which are permitted in the O-3 district.

E. TRANSPORTATION COMMITMENTS/PHASING [THESE PROVISIONS ARE UNDER DISCUSSION WITH CDOT AND NCDOT]

Substantial road improvements creating a roadway system for the Ballantyne Community and beyond have been undertaken over the many years since the initial approval of the master plan for the Ballantyne Community. 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 (including, without limitation, the cooperation of third parties and governmental bodies by way of a public/private partnership such as a synthetic tax increment financing plan or other public sector efforts and support) certain other roadway improvements set forth below to benefit overall traffic patterns throughout the area in accordance with the following phasing and implementation provisions (it is understood that the references to entitlement square footage and hotel rooms below include existing developed entitlement as well as proposed increases in entitlement contemplated by this Rezoning Plan for the Corporate Park as defined herein):

- Phase I: Up to (a) 2,365,000 square feet of office square footage (or other permitted non-residential and non-hotel development) and 200 hotel rooms may be developed on Corporate Park West (subject to the benefit of conversion/transfer rights described in Section D above) and (b) 2,525,000 square feet of office square footage (or other permitted non-residential and non-hotel development), 300 residential units and 600 hotel rooms (subject to the benefit of such conversion/transfer rights described in Section D above) may be developed on Corporate Park East, without completion of additional roadway improvements beyond those improvements in existence as of the date of the approval of this Rezoning Plan.

- Phase II: In addition to the development permitted in Phase I above, up to (a) an additional 260,000 square feet of office square footage (or other permitted non-residential and non-hotel development, subject to the benefit of such conversion/transfer rights described in Section D above) may be developed on Corporate Park West, and (b) an additional 300 residential dwelling units (subject to the benefit of such transfer/conversion rights described in Section D above) may be developed on Corporate Park East, upon completion of either (i) those roadway improvements referenced on Sheet RZ-4 of the Rezoning Plan as the "Additional John J. Delaney Improvements", or (ii) such other roadway improvements designed and intended as a suitable substitute to such Additional John J. Delaney Improvements set forth on Sheet RZ-4, as may be acceptable to the Petitioner, CDOT and NCDOT, as applicable for roadway improvements within their respective road system authority.

- Phase III: In addition to the development permitted in Phases I and II above, up to an additional 375,000 square feet of office square footage (or other permitted non-residential and non-hotel development, subject to the benefit of such

conversion/transfer rights described in Section D above) may be developed on Corporate Park East upon completion of either (i) the roadway improvements referenced on Sheet RZ-4 of the Rezoning Plan as the "Ballantyne Commons Parkway/Highway 521 Improvements", or (ii) such other roadway improvements designed and intended as a suitable substitute to such Ballantyne Commons Parkway/Highway 521 Improvements set forth on Sheet RZ-4, as may be acceptable to the Petitioner, CDOT and NCDOT, as applicable for roadway improvements within their respective road system authority.

- Phase IV: In addition to the development permitted in Phases I, II and III above, up to an additional 1,000,000 square feet of office square footage (or other permitted non-residential and non-hotel development, subject to the benefit of such conversion/transfer rights described in Section D above) may be developed on Corporate Park East upon completion of either (i) roadway improvements referenced on Sheet RZ-4 as the "North Community House and I-485 Bridge Improvements", or (ii) such other roadway improvements designed and intended as a suitable substitute to such North Community House and I-485 Bridge Improvements set forth on Sheet RZ-4, as may be acceptable to the Petitioner, CDOT and NCDOT, as applicable for roadway improvements within their respective road system authority.

- Order of Improvements. The roadway improvements associated with Phases II, III and IV (Phase I not having any new improvements beyond those currently in existence as of the date of approval of this Rezoning Petition) may be completed at the same time or in an order different than set out above and in such event the applicable development permitted shall be adjusted in a corresponding manner.

6. Timing of Completion and CO Issuance.

- In determining whether the completion of the referenced roadway improvements is required in connection with the corresponding references for the amount of development set out in the phasing above, references to development shall mean and refer to square footage, units or rooms that have received a final certificate of occupancy as of the benchmark set forth for such roadway improvements, such that a roadway improvement shall not be required to be completed until final certificates of occupancy have been issued for the corresponding development set forth.

- Notwithstanding anything to contrary contained herein, CDOT and NCDOT, as applicable to roadway improvements within their respective road system authority and upon consultation with the Planning Director, may agree to grant additional time within which the certain or all of the roadway improvements may be completed provided that the efforts continue to complete the applicable improvements; such provision shall be in addition to the ability of the Petitioner, CDOT and NCDOT, as applicable to the roadway improvements within their respective road system authority, to agree to alternative roadway improvements as a substitute to the applicable required improvements as described above.

- CDOT/NCDOT Standards. All of the foregoing 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 south Mecklenburg area, whether by way of a private/public partnership effort such as a synthetic tax increment financing project or other public sector projects support.

- Existence of Right of Way Improvements. It is understood that some of the roadway improvements referenced in this Section E may not be possible without the acquisition of additional right of way. If after the exercise of diligent good faith efforts, 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, and to the extent that the applicable area in which the right of way is located is within the City of Charlotte, then CDOT, the City of Charlotte Engineering Division or other applicable agency or department agree to proceed with condemnation of any such land; in such event, the Petitioner shall reimburse the applicable agency or department for the cost of any such condemnation proceedings including compensation paid by the applicable agency or department for any such land and the expenses of such proceedings.

- Right of Way Abandonment. The Petitioner reserves the right to pursue the abandonment of existing rights of way within the Site in accordance with normal right of way abandonment procedures.

- Additional Non-Transportation Phasing. The above phasing related to transportation improvements shall be in addition to the phasing of certain uses otherwise set forth in this Rezoning Plan.

F. ARCHITECTURAL STANDARDS

The following architectural standards and design guidelines shall govern development within the Corporate Park in a manner generally consistent with the application of such guidelines to date for the Corporate Park under the existing rezoning plan and petition for the Ballantyne Community.

1. Architectural Controls.

- A coordinated inventory of streetscape elements will be utilized within the Corporate Park for various development elements so as to create a coherent image, identity and sense of community.

- All rooftop mechanical and electrical equipment and ground mounted utilities will be screened from view at grade.

- All perimeter loading and service areas will be screened from view at grade.

- The character of the office and residential elements within the Corporate Park will be compatible so as to provide a sense of community and continuity.

- All dumpsters will be screened from public streets when viewed at grade.

2. Signs and Graphics.

- Master signage and graphics systems have been adopted for the Corporate Park and will conform to the applicable regulations.

- All freestanding building and tenant identification signs and graphics installed within building areas will be complementary in scale and appearance to the structures which they identify.

- Public information signs and graphics will be easily understood and complementary in scale and appearance.

- In addition, existing and new signage is allowed pursuant to the approved "sign flex option" plan for the Ballantyne Community, such plan and approval being incorporated herein by reference.

G. STREETScape AND LANDSCAPING

- Streetscape Standards. Sidewalk and planting strips shall conform to the standards of the applicable zoning district.

- Sidewalk/Pedestrian Network. Reference is made to the illustrative sidewalk and pedestrian/bicycle network generally depicted on Sheet RZ-5 (the "Pedestrian Network"). Development shall take place within the Corporate Park in an manner so as to substantially preserve the Pedestrian Network and additional sidewalk and pedestrian/bicycle elements shall be added to the Pedestrian Network as development takes place, provided, however, portions of the Pedestrian Network may be altered and/or replaced as long as the essential nature of the Pedestrian Network is not substantially changed.

- Buffer Areas. All buffers in the Corporate Park West will be subject to the regulations established for the BP district and in the Corporate Park East to the regulations in the O-3 district, and also as to the Abutting Parcels as allowed as part of the planned/unified development provisions set forth in the General Provisions above.

4. Landscaping.

- Landscaping within the Corporate Park shall satisfy the minimum requirements of the Ordinance for the BP district as to Corporate Park West and the O-3 district as to Corporate Park East, in effect as of the date of the filing of the Rezoning Petition.

- Landscaping areas within the Corporate Park will be planted and improved in sequences which are keyed to the development taking place on each parcel as development.

H. SEPARATION STANDARDS AND STREETS/DRIVEWAYS

- Yard & Setback Restrictions. The side yard, setback and rear yard requirements shall satisfy the BP standards with respect to Corporate Park West and the O-3 standards with respect to Corporate Park East, and also as to the Abutting Parcels as allowed as part of the planned/unified development provisions set forth in the General Provisions above.

- Height & FAR Requirements. Height limitations and related separation standards and FAR requirements shall satisfy the BP standards with respect to Corporate Park West and the O-3 standards with respect to Corporate Park East, and also as to the Abutting Parcels as allowed as part of the planned/unified development provisions set forth in the General Provisions above.

3. Driveways and Streets.

- The Rezoning Plan is not intended to fix and determine the ultimate number and locations of roadway connections which Petitioners may have to thoroughfares nor to establish their precise locations but merely to establish the minimum number of roadways.

- Shifts in street alignments may occur where dictated by engineering and site constraints.

- All dumpsters and service areas will be screened from public streets and from adjacent properties.

I. ENVIRONMENTAL FEATURES

- Tree Ordinance Compliance. New development or redevelopment on the Site commencing after the date of approval of this Rezoning Petition shall comply with the Tree Ordinance in effect as of the date such development or redevelopment begins, provided that such compliance shall only be required as to the portions of the Site involved in the new development or redevelopment such that, for example, any shared parking areas or other common areas that are not disturbed need not comply with the requirements of the then current Tree Ordinance but shall comply with the Tree Ordinance then in effect when such areas were initially developed.

2. Storm Water Management.

- Storm water runoff from the Corporate Park will be managed through a variety of proven techniques.

- For development of vacant or undeveloped land within the Corporate Park, the Post Construction Controls Ordinance shall not apply since storm water runoff from the proposed built-upon-area drains to an existing bmp which has been demonstrated to have been previously master planned, designed and constructed to treat storm water run-off from the proposed built-upon-area. [THIS PROVISION UNDER FURTHER DISCUSSION WITH STORM WATER SERVICES]

[E. ADDITIONAL STORM WATER/POST CONSTRUCTION CONTROL ORDINANCE DISCUSSIONS ARE UNDER WAY.]

J. OPEN SPACE

- Percentage of Open Space. At least 25% of Corporate Park West and 32% of Corporate Park East must be devoted to open space, provided that the specific locations of such open space may change as long as such thresholds are maintained. The area devoted to setbacks, buffers and project edges may be counted toward the open space requirements.

2. Use of Open Spaces.

- The open space areas may be used for landscaping, lawns, screening, buffer areas and the like as well as for pedestrian and bicycle pathways, streets, berms, walls, fences, art features, signs and graphics, lighting fixtures, water features/fountains, drainage, water quality, storm water detention, utility lines and facilities, parks, golf courses and other types of recreational facilities, and other similar uses and structures, but not for parking, loading, storage, service or trash handling areas.

- Portions of the open space areas will be active in nature to support pedestrian activity with features such as benches and other seating areas, pedestrian paths, public art features, water features/fountains, bicycle paths and the like.

- Open spaces may be designed to incorporate natural drainage-ways, heavily wooded areas and steep slopes. In open space areas where existing natural vegetation has been excessively cleared to accommodate pedestrian and bicycle pathways, streets, berms, walls, fences, signs and graphics, lighting fixtures, water features/fountains, drainage, water quality, storm water detention, utility lines and facilities, and other similar uses structures, the cleared, unimproved areas will be appropriately landscaped.

K. SIGNAGE

- Master Signage Plan. Master signage and graphics systems have been adopted and will conform to the applicable regulations.

- Complementary. All freestanding building and tenant identification signs and graphics installed within building areas will be complementary in scale and appearance to the structures which they identify. Public information signs and graphics will be easily understood and complementary in scale and appearance.

- Sign Flex Option. In addition, existing and new signage is allowed pursuant to the approved "sign flex option" plan for the Ballantyne Community, such plan and approval being incorporated herein by reference.

L. LIGHTING

- Design. All new lighting fixtures shall be full cut-off type lighting fixtures with the exception of lower, decorative lighting that may be installed along the driveways, and sidewalks, but existing lighting may remain.

- Wall Pak. No "wall pak" lighting will be allowed on any new buildings constructed on the Site, however architectural lighting on building facades, such as sconces, will be permitted. Existing "wall pak" lighting on the existing building(s) may remain.

- Pedestrian Scale. Pedestrian scale lighting may be installed throughout the Site.

M. SPECIAL PROVISIONS FOR RESIDENTIAL AND RETAIL/RESTAURANT USES

- Residential Uses in Corporate Park East. In order to encourage the development of residential dwelling units within the Corporate Park East, buildings containing, in the aggregate, at least 160 residential dwelling units shall have been developed within Corporate Park East prior to development of the final 200,000 square feet of office square footage (or other commercial non-hotel square footage, and subject to the benefit of applicable conversion/transfer rights set forth in Section D) permitted as part of the entitlement provided for in Section D. This phasing requirement may be satisfied by way of development of residential units in shell condition located within buildings for which final certificates of occupancy have been issued (i.e. the units need not have received certificates of occupancy but must be at least in "shell condition").

- Retail/Restaurant Uses in Corporate Park. In order to encourage the development of retail uses within the Corporate Park (both East and West), the entire ground floors of office buildings within Corporate Park may be devoted to retail/restaurant uses and such uses may be accessed either from within the interior of such building or by exterior entrances. In addition, the total square of such retail/restaurant uses within the buildings may exceed 10% of the total square footage of the buildings. It is understood that the development rights described in this subsection M.2. shall be permitted upon an amendment to the Ordinance that modifies the restrictions in the Ordinance to allow greater flexibility.]

G. BINDING EFFECT.

- If the Petitioners' Rezoning Petition is approved, the development program established under the Rezoning Plan and other supportive documents shall, unless amended in the manner provided under the then applicable ordinances, be binding upon and inure to the benefit of the Petitioners and their respective heirs, devisees, personal representatives, successors in interest and assigns.

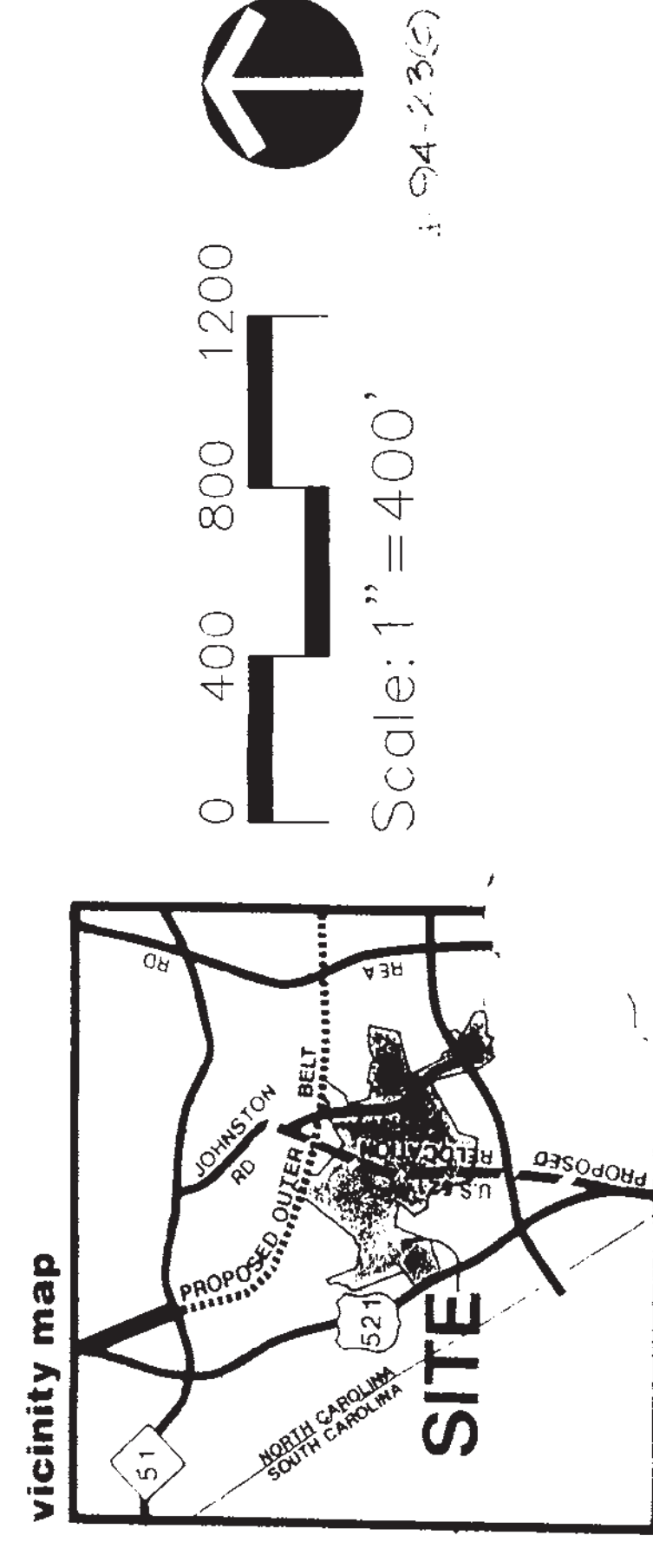
- Throughout this Rezoning Plan, the term "Petitioners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioners.

LOCATOR MAP - BALLANTYNE COMMUNITY

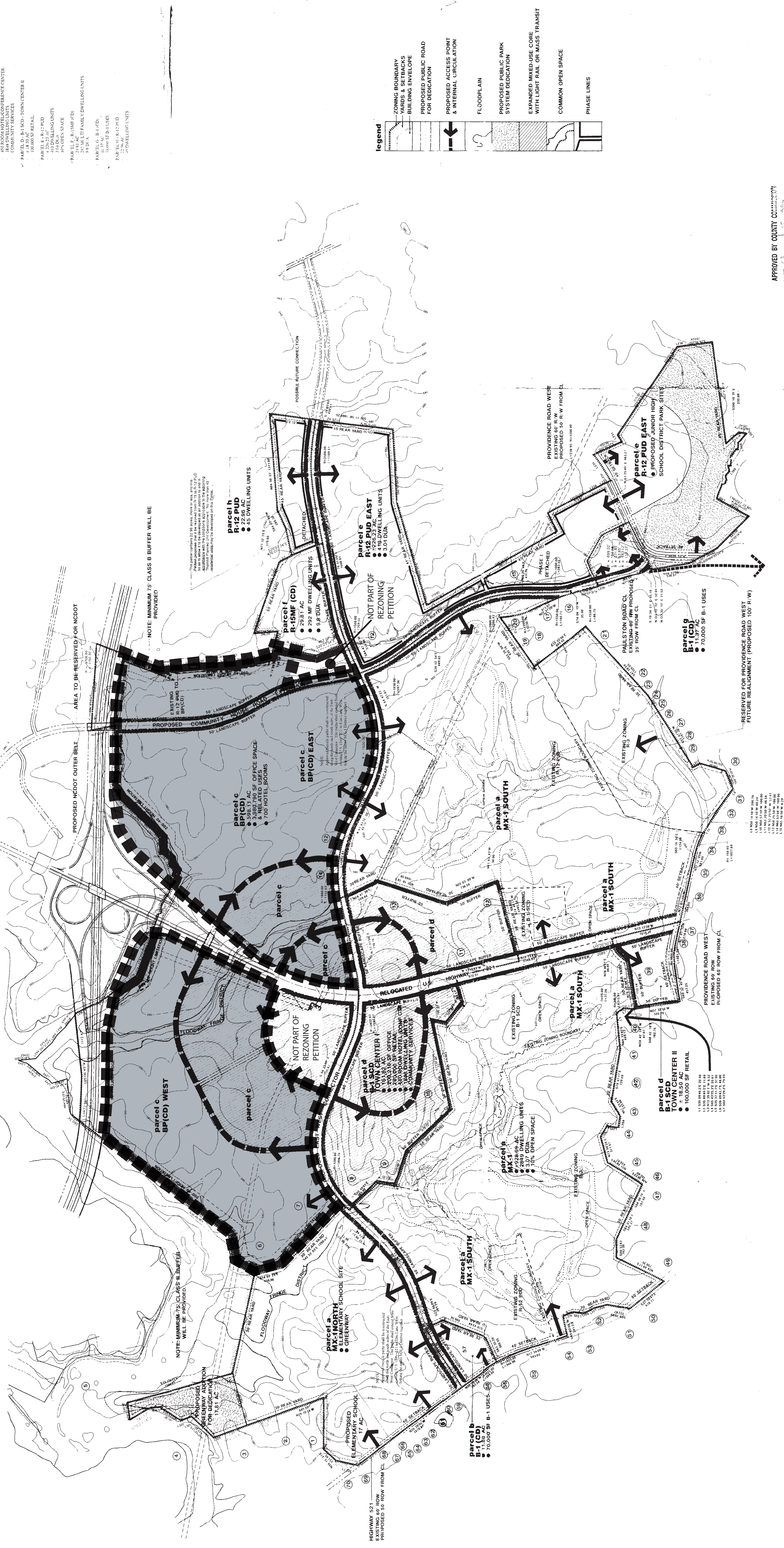


Bissell Development

RZ-3

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* For construction alternatives, see Part III, Subpart C of the Standards for Development



APPROVED BY COUNTY COMMISSION
DATE August 15, 1997

FOR PUBLIC HEARING
PETITION NO. 94-23(c)

PROPOSED ZONING AMENDMENT

PALANTYNE

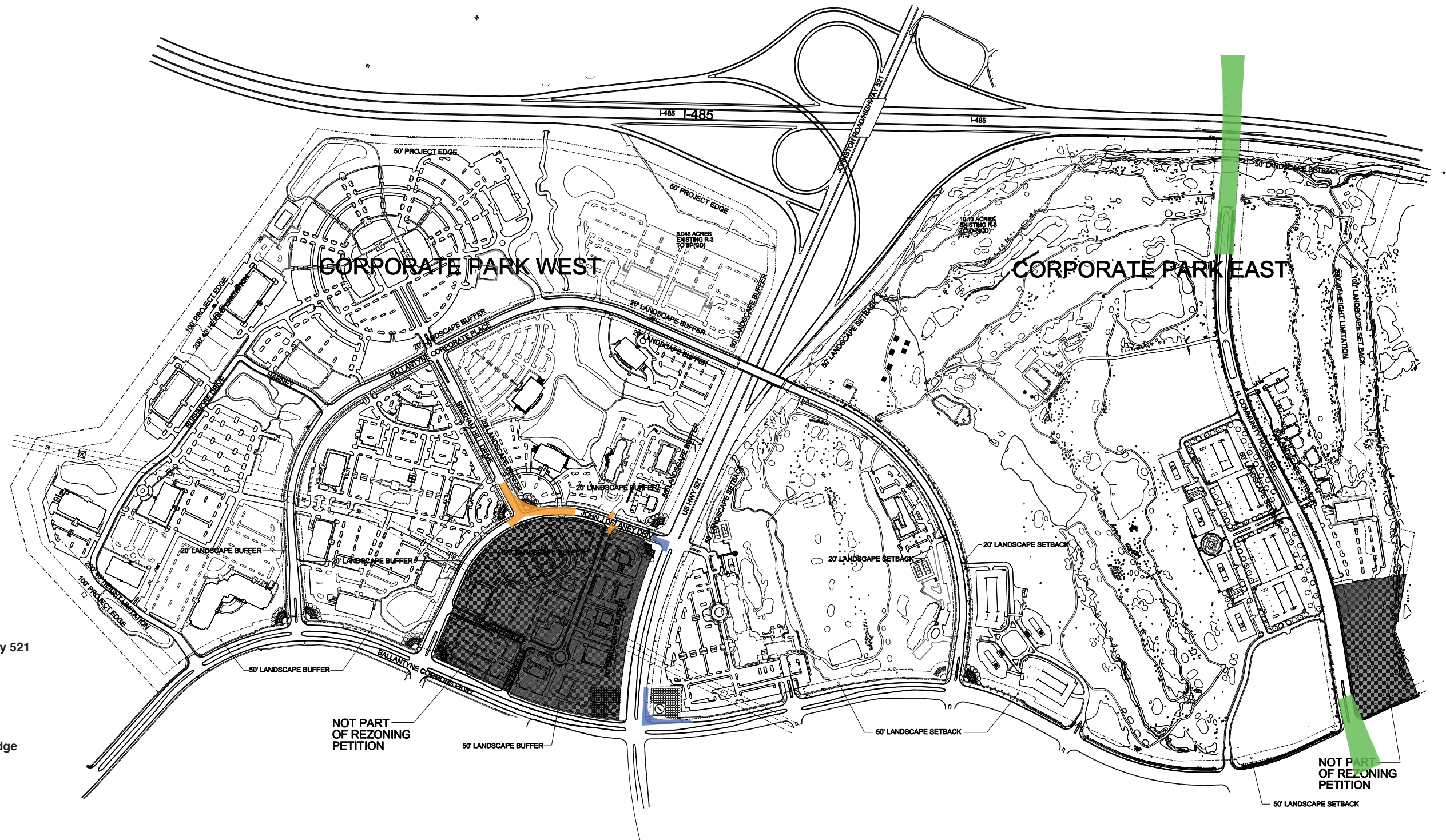
MECKLENBURG CO., NORTH CAROLINA



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Bissell Development

- PHASE II**
Additional John J. Delaney
Improvements
- PHASE III**
Ballantyne Commons PKWY/ Highway 521
Improvements
- PHASE IV**
North Community House & I-485 Bridge
Improvements



BALLANTYNE CORPORATE PARK PHASING/TRANSPORTATION IMPROVEMENTS

APRIL 25, 2011

