

DEVELOPMENT STANDARDS

GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed BECO South for an approximately 18.22 acre site located on the west side of IBM Drive, south of the intersection of IBM depicted on the Rezoning Plan (hereinafter referred to as the "Site").
- The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The regulations established under the Ordinance for the RE-3 zoning district shall govern the development of the
- The development depicted on the Rezoning Plan is schematic in nature and intended to depict the general arrangement of uses on the Site. Accordingly, the configurations, placements and sizes of the building footprints as well as the parking areas depicted on the Rezoning Plan are schematic in nature and, subject to the terms of these Development Standards and the Ordinance, may be altered or modified during design development and construction document
- D. Future amendments to the Rezoning Plan and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

PERMITTED USES

- A. The Site may be devoted to any use or uses allowed by right and under prescribed conditions in the RE-3 zoning district, and to any incidental and accessory uses relating thereto, provided, however, that the following uses shall not be permitted on the Site:
 - Dwellings, attached
- Dwellings, mixed-use
- Dwellings, attached and multi-family, up to 12 in a building
- Dwellings, planned multi-family and attached, or buildings with more than
- 12 units /2 Family childcare homes
- Hotels and motels
- Nursing homes, rest homes, homes for the aged, and elderly and disabled
- Childcare centers in a residence
- Drive-in windows as an accessory use or structure
- As depicted on the Rezoning Plan, a maximum of 300,000 square feet of total gross floor area devoted to the uses set out above in Paragraph A may be developed four buildings may be constructed on the Site. The total combined maximum gross floor area of the four buildings to be constructed on the Site shall be 300,000 square feet.

For purposes of the development limitations set forth in this *Paragraph* paragraph, the \(\frac{2}{2}\) term "gross floor area" shall mean and refer to the sum of the gross horizontal areas of each floor of each principal building, and any accessory buildings or structures on the Site, measured from outside of the exterior walls or from the center line of party walls. The term does not include any areas used exclusively for the surface parking of motor vehicles or for building or equipment access, such as stairs, elevator shafts, and maintenance crawl space, and any areas devoted exclusively to outdoor dining.

Notwithstanding Paragraph B above, in In addition to the four buildings noted above in paragraph B and as noted below in paragraph C under Transportation, Petitioner may construct a structured parking facility on the Site within the parking envelope. In the event that the Petitioner constructs a structured parking facility on the Site as provided below; the maximum total gross floor area of the structured parking facility shall be 550,000 square feet. In this event, a maximum of 850,000 square feet of total gross floor area may be developed on the Site (300,000 square feet devoted to uses set out above in Paragraph A and 200,000

TRANSPORTATION

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of each access point are subject to any minor modifications required by the Charlotte Department of Transportation and/or the North Carolina Department of Transportation.
- Petitioner shall construct private streets on the Site designated as Proposed Private Street A and Proposed Private Street B on the Rezoning Plan that meet the standards for a local office/commercial narrow street typical section. Sidewalks and planting strips shall be installed along such private streets as provided on the Rezoning Plan.
- C. Petitioner, at its option, may construct a structured parking facility on the Site within the parking envelope.
- D. Proposed Private Street B shall be extended through the Site to existing Innovation Park Driveway # 5 as generally depicted on the Rezoning Plan. Proposed Private Street B must be constructed and extended to existing Innovation Park Driveway # 5 and open to vehicular traffic prior to the issuance of a certificate of occupancy for the (third second building to be constructed on the Site.
- The private streets located within the Site shall be open to use by the public and an easement shall be provided to ensure such access.

ARCHITECTURAL STANDARDS

- A. The maximum height of any building to be constructed on the Site shall be 90 feet, and no building may contain more than four stories.
- Drive and West W.T. Harris Boulevard, which site is more particularly (2) 8. Notwithstanding Paragraph A above and pursuant to Section 12.108(5) of the Ordinance, a steeple associated with a religious institution located on the Site may exceed the height limit set out in Paragraph A above and the height limit in the RE-3 zoning district.
 - B. The buildings to be constructed on the Site shall meet the applicable design standards set out in Section 11.706 of the Ordinance.

STREETSCAPE/LANDSCAPING/SCREENING

- A. Petitioner shall install a minimum 8 foot planting strip and a minimum 6 foot sidewalk along the Site's frontage on IBM Drive as depicted on the Rezoning
- Internal sidewalks leading from the buildings to be constructed on the Site to the sidewalk located along the Site's frontage on IBM Drive shall be installed as generally depicted on the Rezoning Plan.

ENVIRONMENTAL FEATURES

The Site subject to this Rezoning Petition is a portion of Tax Parcel No. 047-111-05, and the development proposed for the Site will be part of a unified development currently located on other portions of Tax Parcel No. 047-111-05. Accordingly, the tree save requirement for the Site is satisfied on other portions of Tax Parcel No. 047-111-05.

URBAN OPEN SPACE

Urban open space shall be provided on the Site in accordance with the requirements of Section 11.705(11) of the Ordinance.

LIGHTING

- A. Outdoor lighting shall meet the standards of Sections 11.706(3) and 12.402 of the Ordinance.
- B. The maximum height of a light source (light bulb) detached from a building shall be 20 feet.
- C. All outdoor lighting visible from residentially zoned or used property will be full cut-off fixtures.
- D. Decorative architectural light fixtures, such as sconces, may be attached to the buildings to be located on the Site and the lighting from such fixtures shall be downwardly directed.

BINDING EFFECT OF THE REZONING PETITION

If this Rezoning Petition is approved, all conditions applicable to the development and/or use of the Site imposed under this Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns. Throughout these Development Standards, the terms, "Petitioner" and "owner" or "owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

> APPROVED BY CITY COUNCIL

> > JUN 17 2013

LEGEND

SITE BOUNDARY

INTERIOR PRIVATE STREET

———— SETBACK

EXISTING 100 YR FLOODPLAIN — — — — FUTURE 100 YR FLOODPLAIN

CORPORATE

andD

2013-046

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REVISIONS: 1) 04.19.13 -1) 05.24.13 -