DEVELOPMENT STANDARD the second transfer and tran Width Varies — GENERAL PROVISIONS A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by 6800 Solectron Owner, L.P. (hereinafter referred to as the "Petitioner") for an approximately 12.40 acre site located at the southeast corner of the intersection of Mallard Creek Road and Penninger Circle, which site is more Saw Cutoposed 12' Multi Use Path With 8' Planting Strip particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax (2.00% Max) Existing Parcel Nos. 047-331-04, 047-331-05, 047-331-06 and 047-331-07. The development and use 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"). Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations Pavement Removal established under the Ordinance for the RE-1 zoning district shall govern the development and use of the Site. The Site and those parcels of land designated as Tax Parcel Nos. 047—112—03 and 047—112—04 (the "Related TYPICAL ROADWAY SECTION Parcels") are owned and controlled by Petitioner. The Site and the Related Parcels will be planned and developed as a whole, as a single development project or a definitely programmed series of development operations or phases, and all of the improvements and uses on the Site will be related to the character and purpose of the uses and improvements located on the Related Parcels. Accordingly, the Site and the Related Parcels shall be considered to be a "planned development" under the Ordinance. The individual parcels that comprise the Site 20.00 may, at the option of Petitioner, be combined into a one or more parcels. Likewise, at the option of Petitioner, Proposed Vehicular Access the Site and the Related Parcels may be combined into one or more parcels. As a planned development, side and rear yards, buffers, building height separation requirements and other similar zoning standards shall not be required internally between improvements, uses and other elements located on the Site and the Related Parcels. Furthermore, the Petitioner and/or the owner(s) of the Site reserve the right to subdivide portions or all of the Site and to create lots within the interior of the Site without regard to any such internal separation standards, provided, however, that the development of the Site shall be required to meet any LOCATION MAP applicable setback, side yard, rear yard and buffer requirements with respect to the exterior boundaries of the Not To Scale The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the layout, locations and sizes of the uses, improvements and site elements depicted on the Rezoning Plan are schematic in nature and, subject to the Proposed 12' Multi Use Path terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during With 8' Plantina Strip FINAL PLAT TRACTS 1-3 the design development and construction document phases. 6800 SOLECTRON OWNER, L.P. AND COMMON OPEN SPACE Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then 3.086 AC. (DEED) OF IBM PROPERTY owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the M.B. 27, P. 274 D.B. 34020, P. 880 Rezoning Plan are subject to Section 6.207 of the Ordinance. PID: 047-331-04 PERMITTED USES/DEVELOPMENT LIMITATIONS ZONING: INST(CD) A. Subject to the limitations set out below in paragraphs 2.B through 2.D, the Site may only be devoted to the uses set out below, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the RE-1 zoning district. AUTUMN PARK OWNER LLC (1) Off-street parking that will be utilized as accessory off-street parking for the improvements and uses located D.B. 27814, P. 943 **GRAPHIC SCALE** 6800 SOLECTRON OWNER, L.P. on the Related Parcels. PID: 047-331-01 3.039 AC. (DEED) ZONING: R-12MF(CD) (2) Accessory off-street parking for any improvements and uses located on the Site. Potential Building & Parking Envelope D.B. 34020, P. 891 (3) Office uses. (4) Clinics, medical, dental and optical. PID: 047-331-05 (5) Financial institutions. ZONING: INST(CD) Zoning Property 1 inch = 60 feet(6) Laboratories, applied and basic research. (7) Laboratories, optical, medical and dental. (8) Laboratories for testing products and materials. (9) Research uses. (10) The total number of principal buildings to be developed on the Site shall not exceed two. Accessory buildings and structures located on the Site shall not be considered in any limitation on the number of principal buildings on the Site. Accessory buildings and structures will be constructed utilizing similar building materials, colors, architectural elements and designs as the principal building or buildings located on the Site. If more than one principal building is constructed on the Site, each building shall be located on a separate Proposed 6' Sidewalk With 8' Planting Strip To Connect To Proposed Sidewalk With parcel of land so that no portion of the Site is considered to be a multi-building site. Mallard Creek Roadway Improvements A maximum of 50,000 square feet of gross floor area may be developed on the Site. C. Off—street parking areas and any building constructed on the Site shall be located within the building and parking FATOUMATA BAH AND Potential Vehicular RODRIGO ROBINSON envelope depicted on the Rezoning Plan. MAMADOU K. DIALLO Cross Access 6800 SOLECTRON OWNER, L.P. | | | | | | | | D.B. 33529, P. 269 2.572 AC. (DEED) D.B. 33951. P. 412 TRANSPORTATION A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the PID: 047-052-04 D.B. 26939, P. 251 ADDRESS: 6800 SOLECTRON DRIVE ZONING: R-3 PID: 047-052-03 PID: 047-331-06 PID: 047-112-03 access points are subject to any minor modifications required by the Charlotte Department of ZONING: R-3 ZONING: RE-2 Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT"). All vehicular access, TRACTS 1 AND 2 points shall meet the required site distance standards. Buildings shall be placed so as to present a front or side facade to Mallard Creek Road. WESTCORE CHARLOTTE, LLC _ The alignments of the internal vehicular circulation areas and driveways may be modified by Petitioner to $_{ar{\lambda}}$ (b) Facades fronting streets shall include a combination of windows and operable doors for a minimum lphaaccommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT 60% of each frontage elevation with transparent glass between 2' and 10' on the first floor. Up to 20% of this requirement may be comprised of display windows. These display windows must maintain and/or NCDOT in accordance with applicable published standards. minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be Potential Vehicular Access screened by film, decals, and other opaque material, glazing finishes or window treatments. The Point To Penninger Circle Rezoning Plan, as the parking areas to be located on the Site shall serve the improvements located on the maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk. Related Parcels. The actual locations of the vehicular cross access points shall be determined during the site The facades of the first/ground floor of the buildings along streets shall incorporate a minimum of 30% Cross Access plan approval and permitting process, and the actual locations may vary from what is depicted on the Rezoning masonry materials such as brick or stone. BLACK RHINO $^{'}$ (d) A direct pedestrian connection should be provided between street facing doors and corner entrance HOLDINGS. LLO features to sidewalks on adjacent streets. 2.20 AC. (DEED) Two vehicular access points to and from the Site from and to Penninger Circle in the general locations depicted — Existing Parking Area — D.B. 32246, P. 668 \climate{k} (e) Buildina elevations shall not have expanses of blank walls greater than 20 feet in all directions and \climate{q} TRON O on the Rezoning Plan shall be allowed to be constructed and opened at such time that three of the following five architectural features such as, but not limited to, banding, medallions or design features or materials will | PID: 047-052-14 parcels of land located on the west side of Penninger Circle are redeveloped for multi-family and/or ZONING: R-3 be provided to avoid a sterile, unarticulated blank treatment of such walls. non-residential uses: Tax Parcel No. 047-052-15, Tax Parcel No. 047-052-19, Tax Parcel No. 047-052-14, (f) Building elevations shall be designed with vertical bays or articulated architectural features which sha Tax Parcel No. 047-052-03 and Tax Parcel No. 047-052-10. For purposes of this include a combination of at least three of the following: a combination of exterior wall offsets paragraph 3.D, "redeveloped" shall mean construction activities for the multi-family and/or non-residential uses (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades or other have commenced on the relevant parcel(s). E. Petitioner shall install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's (a) Single—story buildings shall have a minimum height of 22 feet. ((h) Multi—story buildings shall have a minimum of 20% transparency on all upper stories. 6800 SOLECTRON OWNER, L.P. frontage on Penninger Circle. The minimum 8 foot wide planting strip and minimum 6 foot wide sidewalk to be 5. STREETSCAPE-PLANDSGAPING/BUFFERS 6.282 AC. (DEED) installed along the Site's frontage on Penninger Circle (or portions thereof) may be located in a sidewalk utility A. Buffers shall be established on the Site as required by the Ordinance and as depicted on the Rezoning Plan, and D.B. 34021, P. 284 such buffers shall conform to the standards of Section 12.302 of the Ordinance. The width of any required PID: 047-331-07 buffer may be reduced by 25% if a wall, fence or berm is provided that meets the requirements of Section Subject to the approval of CDOT, NCDOT and any other governmental agencies, Petitioner shall, prior to the ZONING: RE-1(CD) issuance of a certificate of occupancy for a building constructed on the Site, install a minimum 8 foot wide Cross Access planting strip and a minimum 12 foot wide multi—use path along the Site's frontage on Mallard Creek Road. The B. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that 6800 R minimum 8 foot wide planting strip and the 12 foot wide multi-use path (or portions thereof) may be located in eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may a sidewalk utility easement. In the event that Petitioner cannot obtain all approvals and permits required to be, the relevant buffer areas accordingly. construct the minimum 12 foot wide multi—use path, then Petitioner shall have no obligation to construct the C. Notwithstanding the terms of paragraphs 4.A and 4.B above, a 75 foot wide Class B buffer shall be established minimum 12 foot wide multi-use path. along the Site's frontage on Penninger Circle. The width of this Class B Buffer may not be reduced. However, i Subject to the approval of CDOT, NCDOT and any other governmental agencies, Petitioner shall, prior to the accordance with the terms of paragraph 3.C above, two vehicular access points to and from the Site from and to issuance of a certificate of occupancy for a building constructed on the Site, construct an ADA compliant bus Penninger Circle may be located within this 75 foot wide Class B buffer. ANDREW COLTEN HURD waiting pad per land development standard 60.01A within the required planting strip along the Site's frontage on <u>"-+++++++</u> Notwithstanding anything contained herein to the contrary, the 75 foot wide Class B buffer to be established along Potential Building & Parking Envelope -2.54 AC. (DEED) Mallard Creek Road. The exact location of the waiting pad shall be determined during the site design and the Site's frontage on Penninger Circle described above in paragraph 4.C may be eliminated at such time that D.B. 32354, P. 497 permitting process, and the waiting pad shall be located entirely within right of way. In the event that Petitioner three of the following five parcels of land located on the west side of Penninger Circle are redeveloped for PID: 047-052-19 cannot obtain all approvals and permits required to construct the waiting pad, then Petitioner shall have no ZONING: R-3 multi-family and/or non-residential uses: Tax Parcel No. 047-052-15, Tax Parcel No. 047-052-19, Tax Parcel obligation to construct the waiting pad. CATS shall be responsible for the installation and maintenance of a bench 🌓 No. 047-052-14, Tax Parcel No. 047-052-03 and Tax Parcel No. 047-052-10. For purposes of this or shelter on the waiting pad. paragraph 4.D, "redeveloped" shall mean construction activities for the multi-family and/or non-residential uses Potential Vehicular Petitioner has submitted a Traffic Impact Study to CDOT and NCDOT in connection with improvements to and the Cross Access H+++++ Proposed 6' Sidewalk With 8' Planting Strip — To Connect To Proposed Sidewalk With have commenced on the relevant parcel(s). use of the existing building located on Tax Parcel No. 047—112—03. Tax Parcel No. 047—112—03 is one of the Petitioner shall install a minimum 8 foot wide planting strip and a minimum 6 foot wide sidewalk along the Site's Related Parcels. At such time that the total combined gross floor area of a building or buildings located on the Mallard Creek Roadway Improvements frontage on Penninger Circle as generally depicted on the Rezoning Plan. The minimum 8 foot wide planting strip Site and a building or buildings located on the Related Parcels shall exceed 430,000 square feet of gross floor and minimum 6 foot wide sidewalk to be installed along the Site's frontage on Penninger Circle (or portions area, Petitioner shall submit a revised Traffic Impact Study or a Technical Memorandum as determined by CDOT Potential Vehicular Access and NCDOT for the planned development comprised of the Site and the Related Parcels to CDOT and NCDOT to thereof) may be located in a sidewalk utility easement. Point To Penninger Circle determine if any additional transportation improvements shall be required for the total combined gross floor area ENVIRONMENTAL FEATURES A Development of the Site shall comply with the City of Charlotte Tree Ordinance. in excess of 430,000 square feet. Subject to the approval of CDOT, NCDOT and any other governmental agencies, Petitioner shall, prior to the Potential Vehicular issuance of a certificate of occupancy for a parking lot constructed on the Site or a building constructed on the planned/unified development. Accordingly, notwithstanding the depiction on the Rezoning Plan of tree save areas Cross Access Site, install a northbound right turn lane on Mallard Creek Road with 100 feet of storage and the appropriate located on the Site, the tree save requirements of the City of Charlotte Tree Ordinance for the Site or a portion of such requirements may be satisfied on the Related Parcels. _/_+++ The vehicular access point for the Site on Mallard Creek Road shall be constructed with one ingress lane and one Accordingly, the tree save areas depicted on the Rezoning Plan are conceptual, and the actual locations of the egress lane (left-in/right-in/right-out) tree save areas on the Site may vary from what is depicted on the Rezoning Plan. The actual locations of the Petitioner shall install curb and gutter along the Site's frontage on Penninger Circle. tree save areas shall be determined during the site plan approval and permitting process. Additionally, as provided S83°42'43"W 445.21 TONY A. WOODWARD L. The improvements set out in this Section 3 of the Development Standards shall be approved and constructed prior above in paragraph 6.B, the tree save requirements of the City of Charlotte Tree Ordinance for the Site or a **September 14, 2020** 5.62 AC. (DEED) portion of such requirements may be satisfied on the Related Parcels. to the issuance of a certificate of occupancy for a parking lot constructed on the Site or a building constructed D.B. 22127, P. 987 Petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater PID: 047-052-15 ZONING: R-3 Prior to the issuance of a certificate of occupancy for a parking lot constructed on the Site or a building SCALE LIGHTING constructed on the Site, Petitioner shall dedicate right of way along the Site's frontage on Mallard Creek Road to All freestanding lighting fixtures installed on the Site (excluding street lights, lower, decorative lighting that may be that point that is located 2 feet behind the multi-use path that is referenced in paragraph 3.F above. If it is and the constitution of th installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the **AS NOTED** not feasible to do so, the 12 foot wide multi-use path (or portions thereof) may be located in a sidewalk utility illumination downwardly directed so that direct illumination does not extend past any property line of the Site. DATA TABLE LEGEND The maximum height of any freestanding lighting fixture installed on the Site, including the base of the Petitioner shall dedicate and convey all relevant right of way to the City of Charlotte prior to the issuance of a freestanding lighting fixture, shall be 30 feet. certificate of occupancy for a parking lot constructed on the Site or a building constructed on the Site. The right BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS Potential Parking & Building Envelope Re-zoning Acreage: ±12.40 Acres JOB NO. of way shall be setback 2 feet behind the back of sidewalk where feasible. If it is not feasible, the sidewalks, or A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed 047 - 331 - 04, 047 - 331 - 05, portions thereof, may be located in a sidewalk utility easement. Re-zoning Parcels: 047-331-06 & 047-331-07 20109-1335 under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the ARCHITECTURAL AND DESIGN STANDARDS INST(CD) & RE-1(CD) Existing Zoning: Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the A. The architectural and design standards set out below shall apply to any buildings constructed on the Site. Site and their respective successors in interest and assigns. (1) Building Placement and Site Design shall focus on and enhance the pedestrian environment on public or Proposed Zoning: Throughout these Development Standards, the term "Petitioner" shall be deemed to include the private network required streets through the following: SHEET heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners Required Tree Save: ±1.9 Acres of the Site from time to time who may be involved in any future development thereof. Potential Tree Save: ±1.9 Acres C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.