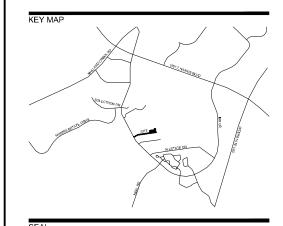


8/6/2020 10:20 AM DAPHNE BRICE Z:\TEMPLATES\SHEETS\CD SHEETS\CIVIL\SHEET-24X36.DWT

LandDesign.

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM



INNOVATION PARK REZONING

CHARLOTTE, NC

REZONING PETITION # 2020-XXX

ANDDESIGN PROJ.# 1019506				
REVISION / ISSUANCE				
NO.	DESCRIPTION	DATE		
DECK	GNED BY: AEE			

DRAWN BY: AEE
CHECKED BY: KST

SCALE

VERT:
HORZ: 1"=500'
0 250' 500' 1000'

SHEET TITLE

CONTEXT MAP

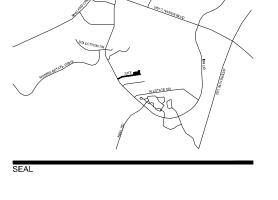
ORIGINAL SHEET SIZE: 24" X 36"

ED



LandDesign.

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM



INNOVATION PARK REZONING

CHARLOTTE, NC

REZONING PETITION # 2020-XXX

LAN	DDES	1019506 ngn proj.#				
	REVISION / ISSUANCE					
N	Ο.	DESCRIPTION	DATE			
l						
1						

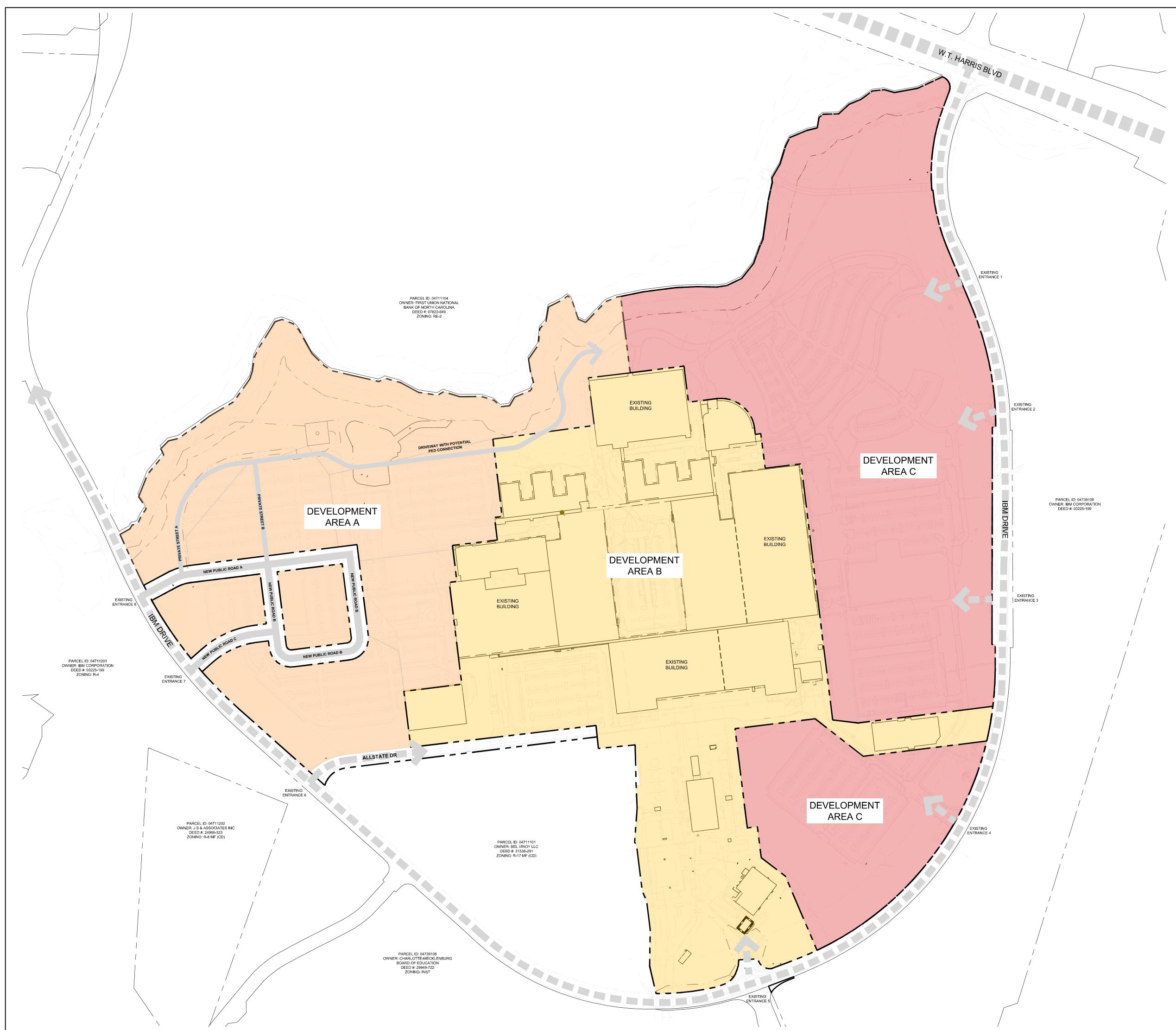
DESIGNED BY: AEE
DRAWN BY: AEE
CHECKED BY: KST

VERT: HORZ: 1"=200' 0 100'

ET TITLE

OVERALL MASTER PLAN

RZ-2.0



8/6/2020 10:20 AM DAPHNE BRICE Z:\TEMPLATES\SHEETS\CD SHEETS\CIVIL\SHEET-24X36.DWT

SITE DEVELOPMENT DATA:

PARCEL ID NUMBER (PID#): 04711105, 04711107, 04711109, 04711110

SITE ACREAGE: ± 201.6 ACRES

JURISDICTION: CITY OF CHARLOTTE

EXISTING ZONING: RE-2, RE-3 RESEARCH DISTRICT

PROPOSED ZONING: RE-3

EXISTING LAND USE: PARKING LOT/ OPEN SPACE

PROPOSED PRINCIPAL USE:

USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES AS ALLOWED IN THE RE-3 ZONING DISTRICT

MAX. BUILDING HEIGHT: 120'

REQUIRED PARKING: AS REQUIRED BY THE ORDINANCE

DEVELOPMENT LIMITATIONS

SUBJECT TO THE LIMITATIONS SET OUT BELOW IN THIS SECTION 4, THE SITE MAY CONTAIN AND BE DEVELOPED WITH A TOTAL MAXIMUM OF 3,405,000 SQUARE FEET OF GROSS FLOOR AREA DEVOTED TO NON-RESIDENTIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE RE-3 ZONING DISTRICT.

NOTWITHSTANDING THE TERMS OF PARAGRAPH 4.A ABOVE, OF THE ALLOWED 3,405,000 SQUARE FEET OF GROSS FLOOR AREA THAT MAY BE DEVOTED TO NON-RESIDENTIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE RE-3 ZONING DISTRICT, A MAXIMUM OF 35,000 SQUARE FEET OF SUCH GROSS FLOOR AREA MAY BE DEVOTED TO RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2).

A MAXIMUM OF 175 HOTEL ROOMS MAY BE DEVELOPED ON THE SITE. THE GROSS FLOOR AREA OF ANY HOTEL BUILDING(S) DEVELOPED ON THE SITE SHALL NOT COUNT TOWARDS THE TOTAL MAXIMUM ALLOWED GROSS FLOOR AREA THAT MAY BE DEVOTED TO NON-RESIDENTIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE RE-3 ZONING DISTRICT SET OUT ABOVE IN PARAGRAPH 4.A, OR TOWARDS THE MAXIMUM GROSS FLOOR AREA THAT MAY BE DEVOTED TO RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2) SET OUT ABOVE IN PARAGRAPH 4.B. ACCESSORY RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2) MAY BE LOCATED IN A HOTEL BUILDING, AND THE GROSS FLOOR AREA OF SUCH ACCESSORY USES SHALL NOT COUNT TOWARDS THE MAXIMUM GROSS FLOOR AREA THAT MAY BE DEVOTED TO RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2) SET OUT ABOVE IN PARAGRAPH 4.B.

A MAXIMUM OF 1,450 MULTI-FAMILY DWELLING UNITS MAY BE DEVELOPED ON THE SITE. THE GROSS FLOOR AREA OF AMENITY AREAS ASSOCIATED WITH MULTI-FAMILY USES, SUCH AS A FITNESS FACILITY OR A CLUBHOUSE, SHALL NOT COUNT TOWARDS THE MAXIMUM GROSS FLOOR AREA THAT MAY BE DEVOTED TO NON-RESIDENTIAL USES SET OUT ABOVE IN PARAGRAPHS 4.A AND 4.B.

UP TO 350,000 SQUARE FEET OF ADDITIONAL GROSS FLOOR AREA DEVOTED TO NON-RESIDENTIAL USES, EXCLUDING RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2), MAY BE DEVELOPED ON THE SITE BY REDUCING THE NUMBER OF MULTI-FAMILY DWELLING UNITS PERMITTED ON THE SITE AT THE RATE OF 1 MULTI-FAMILY DWELLING UNIT PER 1,000 SQUARE FEET OF ADDITIONAL GROSS FLOOR AREA DEVOTED TO NON-RESIDENTIAL USES.

UP TO 350 ADDITIONAL MULTI-FAMILY DWELLING UNITS MAY BE DEVELOPED ON THE SITE BY REDUCING THE AMOUNT OF NON-RESIDENTIAL GROSS FLOOR AREA PERMITTED ON THE SITE AT THE RATE OF 1,000 SQUARE FEET OF GROSS FLOOR AREA PER ADDITIONAL MULTI-FAMILY RESIDENTIAL DWELLING UNIT.

UP TO 175,000 SQUARE FEET OF ADDITIONAL GROSS FLOOR AREA DEVOTED TO NON-RESIDENTIAL USES, EXCLUDING RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2), MAY BE DEVELOPED ON THE SITE BY REDUCING THE NUMBER OF HOTEL ROOMS PERMITTED ON THE SITE AT THE RATE OF 1 HOTEL ROOM PER 1,000 SQUARE FEET OF ADDITIONAL GROSS FLOOR AREA DEVOTED TO NON-RESIDENTIAL USES

FOR PURPOSES OF THESE DEVELOPMENT LIMITATIONS AND THE DEVELOPMENT STANDARDS IN GENERAL, THE TERM "GROSS FLOOR AREA" 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 STRUCTURED PARKING FACILITIES, SURFACE 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.

AS PROVIDED IN PARAGRAPH 4.E ABOVE, THE GROSS FLOOR AREA OF ANY STRUCTURED PARKING FACILITIES LOCATED ON THE SITE SHALL NOT BE CONSIDERED OR COUNTED TOWARDS THE MAXIMUM GROSS FLOOR AREA OR DENSITY ALLOWED ON THE SITE.

LandDesign

223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM



CHARLOTTE, NC

REZONING PETITION # 2020-XXX

DDESIGN PROJ.# 1019506

REVISION / ISSUANCE

NO. DESCRIPTION DATE

DESIGNED BY: AEE
DRAWN BY: AEE

CHECKED BY: KST

CALE

NORTH

VERT:
HORZ: 1"=200'

RT: RZ: 1"=200' 100' 200' 400

TECHNICAL DATA SHEET

ORIGINAL SHEET SIZE: 24" X 36"

RZ-3.0



223 NORTH GRAHAM STREET CHARLOTTE, NC 28202 704.333.0325 WWW.LANDDESIGN.COM



CHARLOTTE, NC

REZONING PETITION # 2020-XXX

REVISION / ISSUANCE NO. DESCRIPTION DATE

DESIGNED BY: AEE
DRAWN BY: AEE

CHECKED BY: KST

CONCEPTUAL SITE PLAN

RZ-4.0



INNOVATION

REVISION / ISSUANCE DATE

DEVELOPMENT STANDARDS

JUNE 16, 2020

1. GENERAL PROVISIONS

- A. SITE. THESE DEVELOPMENT STANDARDS, THE CONTEXT MAP, THE OVERALL MASTER PLAN, THE TECHNICAL DATA SHEET, THE CONCEPTUAL SITE PLAN, THE STREET NETWORK PLAN AND OTHER GRAPHICS SET FORTH ON ATTACHED SHEETS RZ-1.0 THROUGH RZ-6.0 FORM THE REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY BRI 1882 INNOVATION PARK DEVELOPMENT, LLC (THE "PETITIONER") FOR AN APPROXIMATELY 201.578 ACRE SITE THAT IS MORE PARTICULARLY DEPICTED ON THE REZONING PLAN (HEREINAFTER REFERRED TO AS THE "SITE"). THE SITE IS COMPRISED OF TAX PARCEL NOS. 047-111-09, 047-111-10, 047-111-05 AND 047-111-07.
- B. ZONING DISTRICT/ORDINANCE. 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"). SUBJECT TO THE OPTIONAL PROVISIONS SET OUT BELOW, THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE RE-3 ZONING DISTRICT SHALL GOVERN THE DEVELOPMENT AND USE OF THE SITE.
- C. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES, BUILDINGS, SIDEWALKS, DRIVEWAYS, PARKING AREAS, STREETS, DEVELOPMENT AREA BOUNDARIES AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.
- SINCE THE EXISTING PROJECT LOCATED ON THE SITE CURRENTLY CONTAINS APPROXIMATELY 1,850,000 SQUARE FEET OF GROSS FLOOR AREA DEVOTED TO OFFICE, RESEARCH AND OTHER USES, AND SINCE THE DEVELOPMENT OF THE SITE CONTEMPLATED UNDER THIS REZONING PETITION HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION DOCUMENT PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING ALTERATIONS OR MODIFICATIONS DEEMED NECESSARY BY PETITIONER FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS TO ACCOMMODATE A FUTURE MULTI-USE, MULTI-PHASED DEVELOPMENT. THEREFORE, THERE MAY BE INSTANCES WHERE MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:
- (1) MINOR AND DO NOT MATERIALLY CHANGE THE OVERALL DESIGN INTENT DEPICTED ON THE REZONING PLAN.
- THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PURSUANT TO THIS AMENDMENT PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, PETITIONER SHALL THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PURSUANT TO SECTION 6.207 OF THE ORDINANCE IN EACH INSTANCE, HOWEVER, SUBJECT TO PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.
- D. **DEVELOPMENT** AREAS/BUILDING AND PARKING ENVELOPES. FOR ENTITLEMENT PURPOSES, THE SITE IS DIVIDED INTO THREE DEVELOPMENT AREAS THAT ARE DESIGNATED ON THE REZONING PLAN AS DEVELOPMENT AREA A, DEVELOPMENT AREA B AND DEVELOPMENT AREA C. THE BOUNDARIES OF EACH DEVELOPMENT AREA ARE THE BUILDING AND PARKING ENVELOPES FOR EACH DEVELOPMENT AREA.
- ALL PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES, STRUCTURED PARKING FACILITIES AND SURFACE PARKING AREAS DEVELOPED ON THE SITE SHALL BE LOCATED WITHIN ONE OR MORE BUILDING AND PARKING ENVELOPES. THIS REZONING PLAN DOES NOT LIMIT THE NUMBER OF PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES, STRUCTURED PARKING FACILITIES AND SURFACE PARKING AREAS THAT MAY BE LOCATED WITHIN ONE OR MORE BUILDING AND PARKING ENVELOPES OR ON THE SITE. THE NUMBER OF PRINCIPAL BUILDINGS, ACCESSORY STRUCTURES, STRUCTURED PARKING FACILITIES AND SURFACE PARKING AREAS THAT MAY BE LOCATED ON THE SITE OR WITHIN ONE OR MORE BUILDING AND PARKING ENVELOPES SHALL BE GOVERNED BY THE APPLICABLE PROVISIONS OF THE ORDINANCE. ADDITIONALLY, PUBLIC STREETS, PRIVATE STREETS AND PRIVATE DRIVES MAY BE LOCATED WITHIN
- ANY REFERENCE HEREIN TO THE SITE SHALL BE DEEMED TO INCLUDE DEVELOPMENT AREA A, DEVELOPMENT AREA B AND DEVELOPMENT AREA C UNLESS OTHERWISE NOTED HEREIN.

ONE OR MORE BUILDING AND PARKING ENVELOPES.

EXISTING BUILDINGS, STRUCTURES AND IMPROVEMENTS/EXISTING USES. THE EXISTING BUILDINGS, STRUCTURES, STRUCTURED PARKING FACILITIES, SURFACE PARKING FACILITIES AND ANY OTHER EXISTING IMPROVEMENTS ON THE SITE MAY REMAIN IN PLACE AND CONTINUE TO BE UTILIZED. TO THE EXTENT THAT ANY EXISTING BUILDINGS, STRUCTURES, STRUCTURED PARKING FACILITIES, SURFACE PARKING FACILITIES AND ANY OTHER EXISTING IMPROVEMENTS ON THE SITE DO NOT COMPLY WITH ANY REQUIREMENT OF THE RE-3 ZONING DISTRICT, THE ORDINANCE OR THIS REZONING PLAN, PETITIONER SHALL NOT BE REQUIRED TO BRING ANY SUCH EXISTING BUILDINGS, STRUCTURES, STRUCTURED PARKING FACILITIES, SURFACE PARKING FACILITIES AND ANY OTHER EXISTING IMPROVEMENTS ON THE SITE OR ANY PORTIONS THEREOF INTO COMPLIANCE WITH THE RE-3 ZONING DISTRICT, THE

ADDITIONALLY, IN THE EVENT THAT AN EXISTING BUILDING, STRUCTURE, STRUCTURED PARKING FACILITY, SURFACE PARKING FACILITY OR ANY OTHER EXISTING IMPROVEMENT ON THE SITE OR ANY PORTION THEREOF IS DESTROYED OR

DAMAGED BY FIRE, FLOOD, WIND OR OTHER ACT(S) OF GOD, THE EXISTING BUILDING, STRUCTURE, STRUCTURED PARKING FACILITY, SURFACE PARKING FACILITY OR OTHER EXISTING IMPROVEMENT MAY BE REPAIRED OR RESTORED TO ITS ORIGINAL DIMENSIONS AND CONDITIONS IN ACCORDANCE WITH SECTION 7.103(7) OF THE ORDINANCE.

NEW BUILDINGS, STRUCTURES, STRUCTURED PARKING FACILITIES, SURFACE PARKING FACILITIES AND OTHER NEW IMPROVEMENTS ON THE SITE WILL BE REQUIRED TO COMPLY WITH THE REQUIREMENTS OF THE REZONING PLAN, THE ORDINANCE AND THE RE-3 ZONING DISTRICT (EXCEPT AS MODIFIED BY THE OPTIONAL PROVISIONS SET OUT BELOW IN SECTION 2).

ANY EXISTING USES ON THE SITE THAT ARE NOT PERMITTED IN THE RE-3 ZONING DISTRICT MAY CONTINUE ON THE SITE AS LEGAL, NON-CONFORMING USES IN ACCORDANCE WITH THE TERMS OF THE ORDINANCE.

- UNIFIED DEVELOPMENT. THE SITE SHALL BE CONSIDERED TO BE A PLANNED/UNIFIED DEVELOPMENT. THEREFORE, SIDE AND REAR YARDS, BUILDING HEIGHT SEPARATION REQUIREMENTS AND OTHER SIMILAR ZONING STANDARDS SHALL NOT BE REQUIRED INTERNALLY BETWEEN IMPROVEMENTS, USES AND OTHER SITE ELEMENTS LOCATED ON THE SITE. FURTHERMORE, PETITIONER RESERVES 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 AND PUBLIC/PRIVATE STREET FRONTAGE REQUIREMENTS, PROVIDED, HOWEVER, THAT THE DEVELOPMENT OF THE SITE SHALL BE REQUIRED TO MEET ANY APPLICABLE SETBACK, SIDE YARD AND REAR YARD AND LANDSCAPE AREA REQUIREMENTS WITH RESPECT TO THE EXTERIOR BOUNDARY OF THE SITE.
- G. VESTED RIGHTS. PURSUANT TO SECTION 1.110 OF THE ORDINANCE AND SECTION 160A-385.1 OF THE NORTH CAROLINA GENERAL STATUTES, THE REZONING PLAN, IF APPROVED, SHALL BE VESTED FOR A PERIOD OF 5 YEARS DUE TO THE SIZE AND PHASING OF THE DEVELOPMENT, THE LEVEL OF INVESTMENT, ECONOMIC CYCLES AND MARKET CONDITIONS.
- H. AMENDMENTS. FUTURE AMENDMENTS TO THE REZONING PLAN AND/OR 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. ALTERATIONS TO THE REZONING PLAN ARE SUBJECT TO SECTION 6.207 OF THE ORDINANCE

2. OPTIONAL PROVISIONS

THE OPTIONAL PROVISIONS SET OUT BELOW SHALL APPLY TO THE DEVELOPMENT OF THE SITE.

A. PARKING, VEHICULAR CIRCULATION AND VEHICULAR MANEUVERING SPACE MAY BE LOCATED BETWEEN ANY BUILDINGS AND STRUCTURES LOCATED ON DEVELOPMENT AREA A AND THE REQUIRED SETBACKS FROM ANY PUBLIC STREET, PRIVATE STREET OR PRIVATE DRIVE.

B. PARKING, VEHICULAR CIRCULATION AND VEHICULAR MANEUVERING SPACE MAY BE LOCATED BETWEEN ANY BUILDINGS AND STRUCTURES LOCATED ON DEVELOPMENT AREA B AND THE REQUIRED SETBACKS FROM ANY PUBLIC STREET, PRIVATE STREET OR PRIVATE DRIVE.

- C. THE MINIMUM SETBACK SHALL BE 14 FEET FROM THE BACK OF ALL EXISTING OR FUTURE CURBS, WHICHEVER IS GREATER. IF THE EXISTING RIGHT OF WAY IS GREATER THAN THE MINIMUM SETBACK FROM THE BACK OF EXISTING OR FUTURE CURBS, THE RIGHT OF WAY LINE SHALL BECOME THE MINIMUM SETBACK. IF THE EXISTING CURB LINE VARIES, THE SETBACK SHALL BE ALIGNED ALONG THE WIDEST SECTION OF THE STREET (WHERE THERE IS THE WIDEST DIMENSION BETWEEN THE BACKS OF CURBS).
- (1) THE ARCHITECTURAL FEATURES SET OUT BELOW MAY ENCROACH UP TO 4 FEET INTO THE REQUIRED SETBACK.
- (a) BALCONIES. BALCONIES SHALL MAINTAIN A MINIMUM VERTICAL CLEARANCE OF 12 FEET.
- (b) STAIRS.
- (c) STOOPS.
- (d) RAILINGS.
- (e) BAY WINDOWS. BAY WINDOWS SHALL MAINTAIN A MINIMUM VERTICAL CLEARANCE OF 12 FEET.
- (f) AT GRADE SIDEWALK CONNECTIONS.
- (2) CANOPIES, AWNINGS AND SIMILAR ARCHITECTURAL ACCENTS MAY EXTEND FROM A BUILDING UP TO ONE HALF OF THE WIDTH OF THE SETBACK AREA IN FRONT OF THE BUILDING AND MAY NOT BE CLOSER THAN 2 FEET FROM THE BACK OF CURB. GROUND SUPPORTS FOR THESE FEATURES ARE NOT PERMITTED IN THE PUBLIC RIGHT OF WAY. IN NO INSTANCE SHALL SUCH FEATURES EXTEND OVER OR INTERFERE WITH THE GROWTH OR MAINTENANCE OF ANY REQUIRED TREE PLANTINGS. MINIMUM OVERHEAD CLEARANCE SHALL BE 9 FEET. IF A CANOPY, AWNING, OR OTHER APPURTENANCE EXTENDS INTO THE PUBLIC RIGHT OF WAY, AN ENCROACHMENT AGREEMENT FROM CDOT OR NCDOT SHALL BE REQUIRED.
- (3) SILLS, BELT COURSES, EAVES, CORNICES AND ORNAMENTAL FEATURES MAY PROJECT FROM THE BUILDING FACADE NO MORE THAN 2 FEET AND MAY EXTEND OVER A PUBLIC OR PRIVATE SIDEWALK, SHARED USE PATH, AMENITY ZONE OR PLANTING STRIP.
- D. THERE IS NO MINIMUM SIDE YARD, HOWEVER, A 10 FOOT BUILDING SEPARATION SHALL BE REQUIRED ADJACENT TO A RESIDENTIAL USE LOCATED ON A LOT THAT IS EXTERNAL TO THE SITE.
- E. THERE IS NO MINIMUM REAR YARD, HOWEVER, A 10 FOOT BUILDING SEPARATION SHALL BE REQUIRED ADJACENT TO A RESIDENTIAL USE LOCATED ON A LOT THAT IS EXTERNAL TO THE SITE.

F. THE MAXIMUM BUILDING HEIGHT SHALL BE 120 FEET.

G. A BUFFER SHALL NOT BE REQUIRED TO BE ESTABLISHED ON THAT PORTION OF THE SITE ADJACENT TO TAX PARCEL NO. 047-111-07.

- H. IN ACCORDANCE WITH SECTION 11.706(4) OF THE ORDINANCE, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THE SITE'S PUBLIC STREET FRONTAGES. NOTWITHSTANDING THE FOREGOING, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THE SITE'S FRONTAGE ON IBM DRIVE IN PHASES AS SET OUT BELOW.
- (1) PETITIONER WILL ONLY BE REQUIRED TO INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA A'S FRONTAGE ON IBM DRIVE IN CONNECTION WITH THE CONSTRUCTION OF THE FIRST RESIDENTIAL BUILDING ON DEVELOPMENT AREA A. MORE SPECIFICALLY, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA A'S FRONTAGE ON IBM DRIVE PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A RESIDENTIAL BUILDING CONSTRUCTED ON DEVELOPMENT AREA A. THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK MAY MEANDER ONTO DEVELOPMENT AREA A DUE TO TOPOGRAPHY AND OTHER SITE CONSTRAINTS. IN THE EVENT THAT THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR ANY PORTIONS THEREOF) ARE LOCATED OUTSIDE OF THE RIGHT OF WAY, THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR THE RELEVANT PORTIONS THEREOF) SHALL BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
- (a) THE CONSTRUCTION OF A NEW BUILDING OR STRUCTURE ON DEVELOPMENT AREA A WILL NOT REQUIRE THE INSTALLATION OF A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA B'S FRONTAGE ON IBM DRIVE OR DEVELOPMENT AREA C'S FRONTAGE ON IBM DRIVE.
- (2) PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA B'S FRONTAGE ON IBM DRIVE PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON DEVELOPMENT AREA B OR A NEW BUILDING CONSTRUCTED ON DEVELOPMENT AREA C. THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK MAY MEANDER ONTO DEVELOPMENT AREA B DUE TO TOPOGRAPHY AND OTHER SITE CONSTRAINTS. IN THE EVENT THAT THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR ANY PORTIONS THEREOF) ARE LOCATED OUTSIDE OF THE RIGHT OF WAY, THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR THE RELEVANT PORTIONS THEREOF) SHALL BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
- (a) THE CONSTRUCTION OF A NEW BUILDING OR STRUCTURE ON DEVELOPMENT AREA B WILL NOT REQUIRE THE INSTALLATION OF A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA A'S FRONTAGE ON IBM DRIVE OR DEVELOPMENT AREA C'S FRONTAGE ON IBM DRIVE.
- (3) PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA C'S FRONTAGE ON IBM DRIVE IN PHASES AS MORE PARTICULARLY SET OUT BELOW:
- (a) PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY NEW BUILDING CONSTRUCTED ON DEVELOPMENT AREA C, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THAT PORTION OF DEVELOPMENT AREA C'S FRONTAGE ON IBM DRIVE THAT IS EQUIVALENT IN WIDTH TO THE WIDTH OF THE RELEVANT BUILDING AND ANY ASSOCIATED PARKING LOT'S FRONTAGE ON IBM DRIVE. AS EACH SUBSEQUENT NEW BUILDING IS CONSTRUCTED ON DEVELOPMENT AREA C, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THAT PORTION OF DEVELOPMENT AREA C'S FRONTAGE ON IBM DRIVE THAT IS EQUIVALENT IN WIDTH TO THE WIDTH OF THE RELEVANT BUILDING AND ANY ASSOCIATED PARKING LOT'S FRONTAGE ON IBM DRIVE. THIS PHASING SEQUENCE WILL CONTINUE UNTIL A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 6 FOOT WIDE SIDEWALK ARE INSTALLED ALONG DEVELOPMENT AREA C'S ENTIRE FRONTAGE ON IBM
- (b) THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK MAY MEANDER ONTO DEVELOPMENT AREA C DUE TO TOPOGRAPHY AND OTHER SITE CONSTRAINTS. IN THE EVENT THAT THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR ANY PORTIONS THEREOF) ARE LOCATED OUTSIDE OF THE RIGHT OF WAY, THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR THE RELEVANT PORTIONS THEREOF) SHALL BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
- (c) THE CONSTRUCTION OF A NEW BUILDING OR STRUCTURE ON DEVELOPMENT AREA C WILL NOT REQUIRE THE INSTALLATION OF A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA A'S FRONTAGE ON IBM DRIVE.

I.SUBJECT TO THE TERMS OF PARAGRAPH 4.B BELOW, RETAIL SALES OVER 10,000 SQUARE FEET OF GROSS FLOOR AREA SHALL BE PERMITTED ON THE SITE.

J. THE EXISTING BUILDINGS, STRUCTURES, STRUCTURED PARKING FACILITIES, SURFACE PARKING FACILITIES AND ANY OTHER EXISTING IMPROVEMENTS ON THE SITE MAY REMAIN IN PLACE AND CONTINUE TO BE UTILIZED. TO THE EXTENT THAT ANY EXISTING BUILDINGS, STRUCTURES, STRUCTURED PARKING FACILITIES, SURFACE PARKING FACILITIES AND ANY OTHER EXISTING IMPROVEMENTS ON THE SITE DO NOT COMPLY WITH ANY REQUIREMENT OF THE RE-3 ZONING DISTRICT, THE ORDINANCE OR THIS REZONING PLAN, PETITIONER SHALL NOT BE REQUIRED TO BRING ANY SUCH EXISTING BUILDINGS, STRUCTURES, STRUCTURED PARKING FACILITIES, SURFACE PARKING FACILITIES AND ANY OTHER EXISTING IMPROVEMENTS ON THE SITE OR ANY PORTIONS THEREOF INTO COMPLIANCE WITH THE RE-3 ZONING DISTRICT, THE ORDINANCE OR THIS REZONING PLAN.

ADDITIONALLY, IN THE EVENT THAT AN EXISTING BUILDING, STRUCTURE, STRUCTURED PARKING FACILITY, SURFACE PARKING FACILITY OR ANY OTHER EXISTING IMPROVEMENT ON THE SITE OR ANY PORTION THEREOF IS DESTROYED OR DAMAGED BY FIRE, FLOOD, WIND OR OTHER ACT(S) OF GOD, THE EXISTING BUILDING, STRUCTURE, STRUCTURED PARKING FACILITY, SURFACE PARKING FACILITY OR OTHER EXISTING IMPROVEMENT MAY BE REPAIRED OR RESTORED TO ITS ORIGINAL DIMENSIONS AND CONDITIONS IN ACCORDANCE

WITH SECTION 7.103(7) OF THE ORDINANCE.

RENOVATED AND REHABILITATED EXISTING BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE REQUIRED TO COMPLY WITH THE DESIGN STANDARDS SET OUT SECTION 11.706 OF THE ORDINANCE.

3. PERMITTED USES

A. SUBJECT TO THE DEVELOPMENT LIMITATIONS SET OUT BELOW IN SECTION 4, THE SITE (AND ANY DEVELOPMENT AREA) MAY BE DEVOTED TO ANY USE OR USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE RE-3 ZONING DISTRICT AND TO ANY INCIDENTAL OR ACCESSORY USES ASSOCIATED THEREWITH THAT ARE PERMITTED UNDER THE ORDINANCE IN THE RE-3 ZONING DISTRICT.

4. **DEVELOPMENT LIMITATIONS**

A. SUBJECT TO THE LIMITATIONS SET OUT BELOW IN THIS SECTION 4, THE SITE MAY CONTAIN AND BE DEVELOPED WITH A TOTAL MAXIMUM OF 3,405,000 SQUARE FEET OF GROSS FLOOR AREA DEVOTED TO NON-RESIDENTIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE RE-3 ZONING DISTRICT.

B. NOTWITHSTANDING THE TERMS OF PARAGRAPH 4.A ABOVE, OF THE ALLOWED 3,405,000 SQUARE FEET OF GROSS FLOOR AREA THAT MAY BE DEVOTED TO NON-RESIDENTIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE RE-3 ZONING DISTRICT, A MAXIMUM OF 35,000 SQUARE FEET OF SUCH GROSS FLOOR AREA MAY BE DEVOTED TO RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2).

C. A MAXIMUM OF 175 HOTEL ROOMS MAY BE DEVELOPED ON THE SITE. THE GROSS FLOOR AREA OF ANY HOTEL BUILDING(S) DEVELOPED ON THE SITE SHALL NOT COUNT TOWARDS THE TOTAL MAXIMUM ALLOWED GROSS FLOOR AREA THAT MAY BE DEVOTED TO NON-RESIDENTIAL USES PERMITTED BY RIGHT OR UNDER PRESCRIBED CONDITIONS IN THE RE-3 ZONING DISTRICT SET OUT ABOVE IN PARAGRAPH 4.A, OR TOWARDS THE MAXIMUM GROSS FLOOR AREA THAT MAY BE DEVOTED TO RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2) SET OUT ABOVE IN PARAGRAPH 4.B. ACCESSORY RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2) MAY BE LOCATED IN A HOTEL BUILDING, AND THE GROSS FLOOR AREA OF SUCH ACCESSORY USES SHALL NOT COUNT TOWARDS THE MAXIMUM GROSS FLOOR AREA THAT MAY BE DEVOTED TO RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2) SET OUT ABOVE IN PARAGRAPH 4.B.

D. A MAXIMUM OF 1,450 MULTI-FAMILY DWELLING UNITS MAY BE DEVELOPED ON THE SITE. THE GROSS FLOOR AREA OF AMENITY AREAS ASSOCIATED WITH MULTI-FAMILY USES, SUCH AS A FITNESS FACILITY OR A CLUBHOUSE, SHALL NOT COUNT TOWARDS THE MAXIMUM GROSS FLOOR AREA THAT MAY BE DEVOTED TO NON-RESIDENTIAL USES SET OUT ABOVE IN PARAGRAPHS 4.A AND 4.B.

E. UP TO 350,000 SQUARE FEET OF ADDITIONAL GROSS FLOOR AREA DEVOTED TO NON-RESIDENTIAL USES, EXCLUDING RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2), MAY BE DEVELOPED ON THE SITE BY REDUCING THE NUMBER OF MULTI-FAMILY DWELLING UNITS PERMITTED ON THE SITE AT THE RATE OF 1 MULTI-FAMILY DWELLING UNIT PER 1,000 SQUARE FEET OF ADDITIONAL GROSS FLOOR AREA DEVOTED TO NON-RESIDENTIAL USES.

F. UP TO 350 ADDITIONAL MULTI-FAMILY DWELLING UNITS MAY BE DEVELOPED ON THE SITE BY REDUCING THE AMOUNT OF NON-RESIDENTIAL GROSS FLOOR AREA PERMITTED ON THE SITE AT THE RATE OF 1,000 SQUARE FEET OF GROSS FLOOR AREA PER ADDITIONAL MULTI-FAMILY RESIDENTIAL DWELLING UNIT.

G. UP TO 175,000 SQUARE FEET OF ADDITIONAL GROSS FLOOR AREA DEVOTED TO NON-RESIDENTIAL USES, EXCLUDING RETAIL SALES, PERSONAL SERVICE USES AND EATING, DRINKING AND ENTERTAINMENT ESTABLISHMENTS (TYPE 1 AND/OR TYPE 2), MAY BE DEVELOPED ON THE SITE BY REDUCING THE NUMBER OF HOTEL ROOMS PERMITTED ON THE SITE AT THE RATE OF 1 HOTEL ROOM PER 1,000 SQUARE FEET OF ADDITIONAL GROSS FLOOR AREA DEVOTED TO NON-RESIDENTIAL USES

H. FOR PURPOSES OF THESE DEVELOPMENT LIMITATIONS AND THE DEVELOPMENT STANDARDS IN GENERAL, THE TERM "GROSS FLOOR AREA" 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 STRUCTURED PARKING FACILITIES, SURFACE 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.

I. AS PROVIDED IN PARAGRAPH 4.E ABOVE, THE GROSS FLOOR AREA OF ANY STRUCTURED PARKING FACILITIES LOCATED ON THE SITE SHALL NOT BE CONSIDERED OR COUNTED TOWARDS THE MAXIMUM GROSS FLOOR AREA OR DENSITY ALLOWED ON THE SITE.

5. TRANSPORTATION

- A. VEHICULAR ACCESS SHALL BE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE PLACEMENT AND CONFIGURATION OF THE ACCESS POINTS ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION ("CDOT") AND/OR THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION ("NCDOT").
- B. THE ALIGNMENTS AND LOCATIONS OF THE INTERNAL PUBLIC STREETS (IF APPLICABLE), INTERNAL PRIVATE STREETS, INTERNAL PRIVATE DRIVES, VEHICULAR CIRCULATION AREAS AND DRIVEWAYS MAY BE MODIFIED BY PETITIONER DURING THE PERMITTING PROCESS TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS AND BUILDING AND PARKING LAYOUTS, AND TO ACCOMMODATE

ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY CDOT AND/OR NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

C. THE PRIVATE DRIVE LOCATED ON THE NORTHERN PORTION OF THE SITE DEPICTED ON SHEET RZ-5.0 OF THE REZONING PLAN THAT WILL CONNECT DEVELOPMENT AREA A TO THAT PORTION OF IBM DRIVE ADJACENT TO THE EASTERN BOUNDARY LINE OF THE SITE SHALL BE SUBSTANTIALLY COMPLETE PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST NEW BUILDING OR PARKING STRUCTURE CONSTRUCTED ON DEVELOPMENT AREA A.

D. ANY REFERENCE TO THE TERM "SUBSTANTIALLY COMPLETE" IN THIS SECTION 5 OF THE DEVELOPMENT STANDARDS SHALL MEAN A DETERMINATION BY CDOT AND/OR NCDOT THAT THE APPLICABLE TRANSPORTATION IMPROVEMENTS ARE DEEMED "SUBSTANTIALLY COMPLETE" FOR THE PURPOSE OF THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR NEW BUILDING(S) ON THE SITE. HOWEVER, IN THE EVENT THAT CERTAIN NON-ESSENTIAL TRANSPORTATION IMPROVEMENTS (AS REASONABLY DETERMINED BY CDOT) ARE NOT COMPLETED AT THE TIME THAT PETITIONER SEEKS TO OBTAIN A CERTIFICATE OF OCCUPANCY FOR BUILDING(S) ON THE SITE, THEN CDOT WILL INSTRUCT APPLICABLE AUTHORITIES TO ALLOW THE ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR THE APPLICABLE BUILDINGS, AND IN SUCH EVENT PETITIONER MAY BE REQUIRED TO POST A LETTER OF CREDIT OR A BOND FOR ANY IMPROVEMENTS NOT IN PLACE AT THE TIME SUCH CERTIFICATES OF OCCUPANCY ARE ISSUED TO SECURE THE COMPLETION OF THE RELEVANT IMPROVEMENTS.

THE DEVELOPMENT OF THE SITE AND THE CONSTRUCTION OF THE REOUIRED TRANSPORTATION IMPROVEMENTS MAY BE COMPLETED IN PHASES. ADJUSTMENTS TO THE TYPES AND DENSITIES OF THE USES IN THE PHASES OF DEVELOPMENT AND TO THE ASSOCIATED TRANSPORTATION IMPROVEMENTS MAY BE APPROVED ADMINISTRATIVELY BY THE PLANNING STAFF AND CDOT AND/OR NCDOT AS APPLICABLE. NOTWITHSTANDING THE FOREGOING, PETITIONER SHALL BE ENTITLED TO RECEIVE CERTIFICATES OF OCCUPANCY FOR AN INITIAL SUB-PHASE OF DEVELOPMENT WITHOUT TRIGGERING A REQUIREMENT TO CONSTRUCT ANY OF THE OFF-SITE TRANSPORTATION IMPROVEMENTS SET OUT IN THE APPROVED TRAFFIC IMPACT STUDY RELATING TO THIS REZONING PETITION. THIS INITIAL SUB-PHASE SHALL CONSIST OF UP TO 120,000 SQUARE FEET OF NEWLY CONSTRUCTED GROSS FLOOR AREA DEVOTED TO OFFICE USES AND UP TO 300 NEWLY CONSTRUCTED MULTI-FAMILY DWELLING UNITS.

6. ARCHITECTURAL STANDARDS

A. THE MAXIMUM HEIGHT OF ANY BUILDING OR BUILDINGS LOCATED ON THE SITE SHALL BE 120 FEET.

B. NOTWITHSTANDING THE OVERALL MASTER PLAN AND THE CONCEPTUAL SITE PLAN, STRUCTURED PARKING FACILITIES SHALL NOT BE REQUIRED TO BE WRAPPED WITH A BUILDING

7. STREETSCAPE/LANDSCAPING

- A. IN ACCORDANCE WITH SECTION 11.706(4) OF THE ORDINANCE, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THE SITE'S PUBLIC STREET FRONTAGES. NOTWITHSTANDING THE FOREGOING, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THE SITE'S FRONTAGE ON IBM DRIVE IN PHASES AS SET OUT BELOW.
- (1) PETITIONER WILL ONLY BE REQUIRED TO INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA A'S FRONTAGE ON IBM DRIVE IN CONNECTION WITH THE CONSTRUCTION OF THE FIRST RESIDENTIAL BUILDING ON DEVELOPMENT AREA A. MORE SPECIFICALLY, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA A'S FRONTAGE ON IBM DRIVE PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A RESIDENTIAL BUILDING CONSTRUCTED ON DEVELOPMENT AREA A. THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK MAY MEANDER ONTO DEVELOPMENT AREA A DUE TO TOPOGRAPHY AND OTHER SITE CONSTRAINTS. IN THE EVENT THAT THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR ANY PORTIONS THEREOF) ARE LOCATED OUTSIDE OF THE RIGHT OF WAY, THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR THE RELEVANT PORTIONS THEREOF) SHALL BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
- (a) THE CONSTRUCTION OF A NEW BUILDING OR STRUCTURE ON DEVELOPMENT AREA A WILL NOT REQUIRE THE INSTALLATION OF A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA B'S FRONTAGE ON IBM DRIVE OR DEVELOPMENT AREA C'S FRONTAGE ON IBM DRIVE.
- (2) PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA B'S FRONTAGE ON IBM DRIVE PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY FOR A NEW BUILDING CONSTRUCTED ON DEVELOPMENT AREA B OR A NEW BUILDING CONSTRUCTED ON DEVELOPMENT AREA C. THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK MAY MEANDER ONTO DEVELOPMENT AREA B DUE TO TOPOGRAPHY AND OTHER SITE CONSTRAINTS. IN THE EVENT THAT THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR ANY PORTIONS THEREOF) ARE LOCATED OUTSIDE OF THE RIGHT OF WAY, THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR THE RELEVANT PORTIONS THEREOF) SHALL BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
- (a) THE CONSTRUCTION OF A NEW BUILDING OR STRUCTURE ON DEVELOPMENT AREA B WILL NOT REQUIRE THE INSTALLATION OF A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA A'S FRONTAGE ON IBM DRIVE OR DEVELOPMENT AREA C'S FRONTAGE ON IBM DRIVE.
- (3) PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA C'S FRONTAGE ON IBM DRIVE IN PHASES AS MORE PARTICULARLY SET OUT BELOW:

- (a) PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY NEW BUILDING CONSTRUCTED ON DEVELOPMENT AREA C, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THAT PORTION OF DEVELOPMENT AREA C'S FRONTAGE ON IBM DRIVE THAT IS EQUIVALENT IN WIDTH TO THE WIDTH OF THE RELEVANT BUILDING AND ANY ASSOCIATED PARKING LOT'S FRONTAGE ON IBM DRIVE. AS EACH SUBSEQUENT NEW BUILDING IS CONSTRUCTED ON DEVELOPMENT AREA C, PETITIONER SHALL INSTALL A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG THAT PORTION OF DEVELOPMENT AREA C'S FRONTAGE ON IBM DRIVE THAT IS EQUIVALENT IN WIDTH TO THE WIDTH OF THE RELEVANT BUILDING AND ANY ASSOCIATED PARKING LOT'S FRONTAGE ON IBM DRIVE. THIS PHASING SEQUENCE WILL CONTINUE UNTIL A MINIMUM 8 FOOT WIDE PLANTING STRIP AND A MINIMUM 6 FOOT WIDE SIDEWALK ARE INSTALLED ALONG DEVELOPMENT AREA C'S ENTIRE FRONTAGE ON IBM
- (b) THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK MAY MEANDER ONTO DEVELOPMENT AREA C DUE TO TOPOGRAPHY AND OTHER SITE CONSTRAINTS. IN THE EVENT THAT THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR ANY PORTIONS THEREOF) ARE LOCATED OUTSIDE OF THE RIGHT OF WAY, THE MINIMUM 8 FOOT PLANTING STRIP AND THE MINIMUM 6 FOOT SIDEWALK (OR THE RELEVANT PORTIONS THEREOF) SHALL BE LOCATED IN A SIDEWALK UTILITY EASEMENT.
- (c) THE CONSTRUCTION OF A NEW BUILDING OR STRUCTURE ON DEVELOPMENT AREA C WILL NOT REQUIRE THE INSTALLATION OF A MINIMUM 8 FOOT PLANTING STRIP AND A MINIMUM 6 FOOT SIDEWALK ALONG DEVELOPMENT AREA A'S FRONTAGE ON IBM DRIVE.

8. ENVIRONMENTAL FEATURES

A. PETITIONER SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST-CONSTRUCTION STORMWATER ORDINANCE.

B. DEVELOPMENT OF THE SITE SHALL COMPLY WITH THE APPLICABLE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE.

C. AS NOTED ABOVE IN PARAGRAPH 1.F, THE DEVELOPMENT OF THE SITE SHALL BE CONSIDERED TO BE A PLANNED/UNIFIED DEVELOPMENT. ACCORDINGLY, THE TREE SAVE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE SHALL BE CALCULATED AND SATISFIED OVER THE ENTIRE SITE, RATHER THAN WITHIN EACH INDIVIDUAL DEVELOPMENT AREA. AS A RESULT, EACH INDIVIDUAL DEVELOPMENT AREA SHALL NOT BE REQUIRED TO MEET THE TREE SAVE REQUIREMENTS OF THE CITY OF CHARLOTTE TREE ORDINANCE PROVIDED THAT THE SITE AS A WHOLE MEETS SUCH TREE SAVE REQUIREMENTS.

9. BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS

A. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE USE AND DEVELOPMENT OF THE SITE IMPOSED UNDER THESE DEVELOPMENT STANDARDS AND THE 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.

B. THROUGHOUT THESE DEVELOPMENT STANDARDS, THE TERM "PETITIONER" 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 DEVELOPMENT THEREOE

INVOLVED IN ANY FUTURE DEVELOPMENT THEREOF.

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.

KEY MAP

CHARLOTTE, NC 28202

WWW.LANDDESIGN.COM

704.333.0325

INNOVATION PARK REZONING

CHARLOTTE, NC

REZONING PETITION #

2020-XXX

DESIGNED BY: AEE
DRAWN BY: AEE

SHEET TITLE

DEVELOPMENT STANDARDS

HORZ: N/A

CHECKED BY: KST

RZ-6.0

+ NOTES

ORDINANCE OR THIS REZONING PLAN.