

DEVELOPMENT STANDARD

1. 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 particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of Tax Parcel Nos. 047-331-04, 047-331-05, 047-331-06 and 047-331-07.
B. 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").
C. Unless the Rezoning Plan or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the RE-1 zoning district shall govern the development and use of the Site.
D. The Site and those parcels of land designated as Tax Parcel Nos. 047-112-03 and 047-112-04 (the "Related 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 may, at the option of Petitioner, be combined into one or more parcels. Likewise, at the option of Petitioner, the Site and the Related Parcels may be combined into one or more parcels.
E. 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 applicable setback, side yard, rear yard and buffer requirements with respect to the exterior boundaries of the Site.
F. 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 terms of these Development Standards and the Ordinance, are subject to minor alterations or modifications during the design development and construction document phases.
G. 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. PERMITTED USES/DEVELOPMENT LIMITATIONS

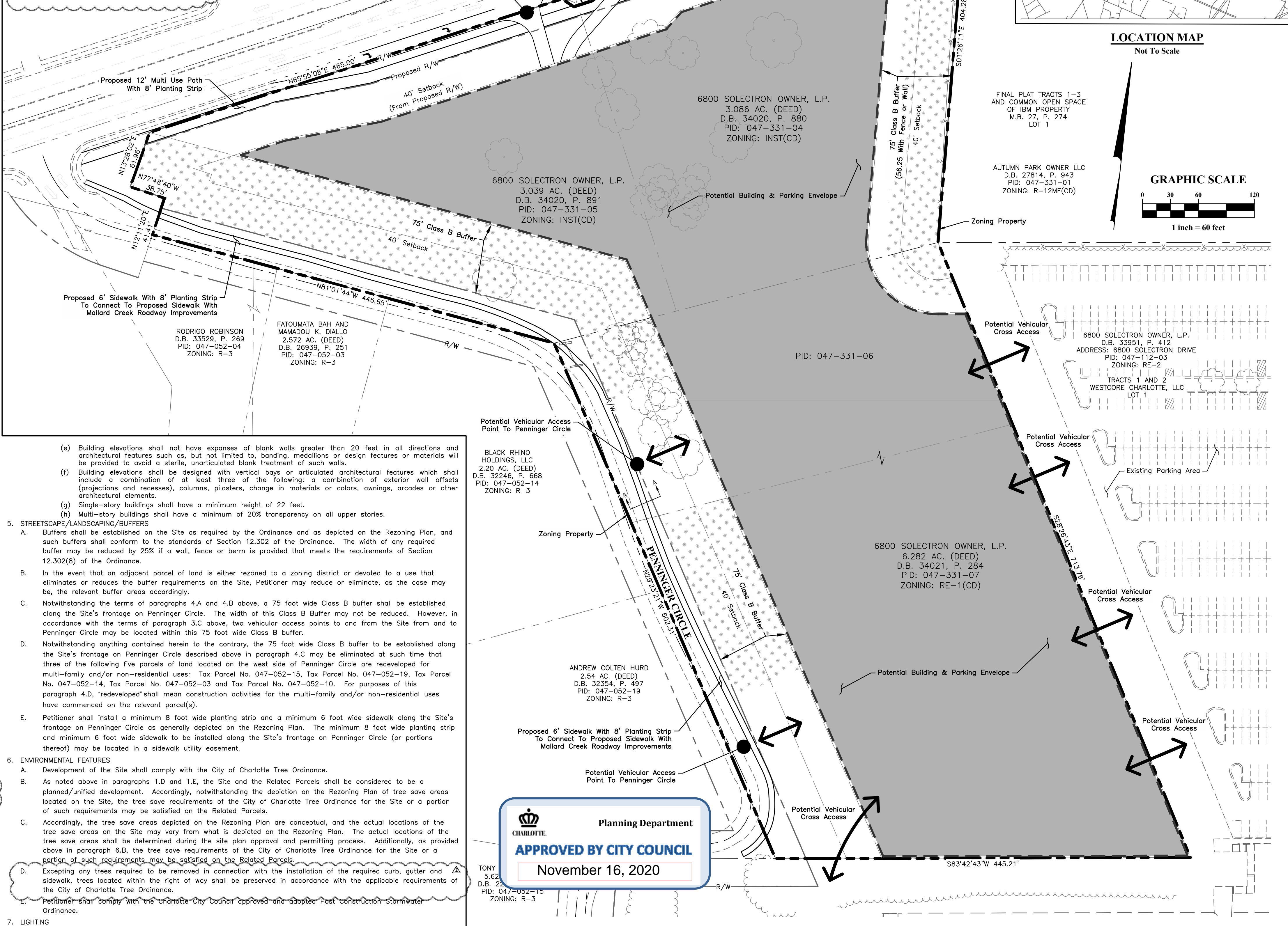
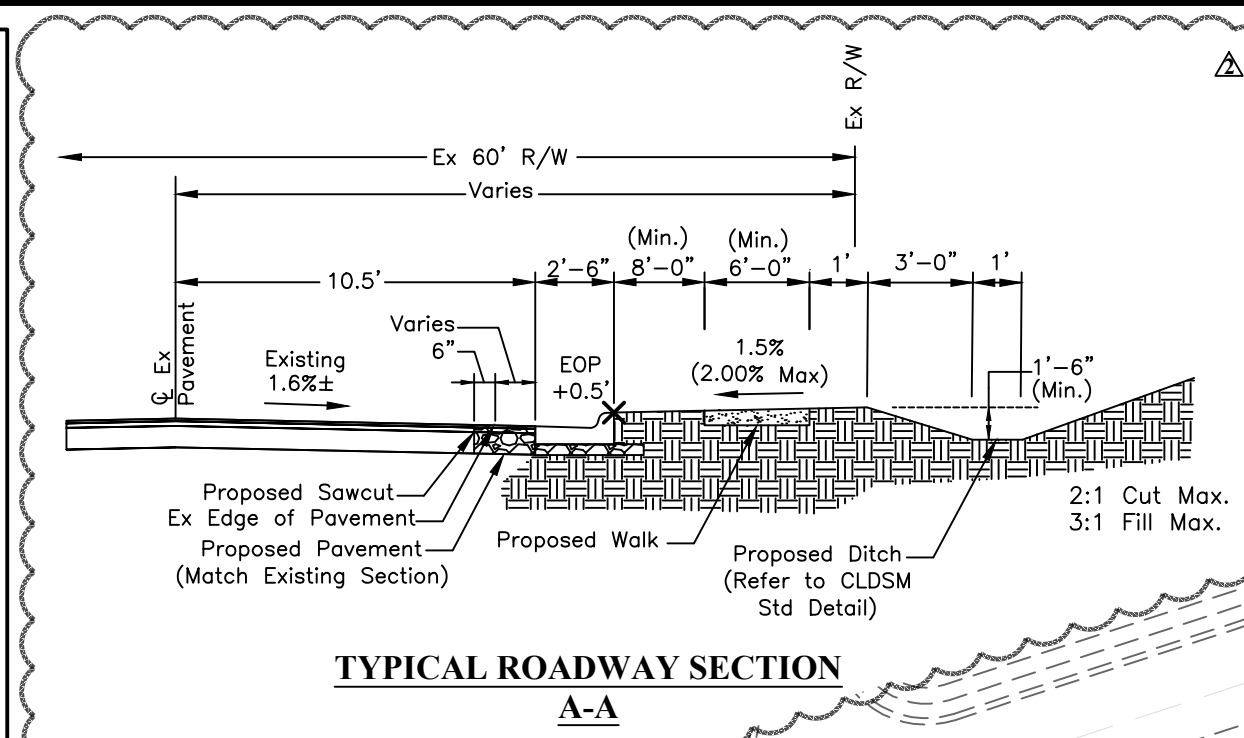
- A. Subject to the limitations set out below in paragraphs 2.B through 2.D, the Site may only be devoted to the uses set out below, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the RE-1 zoning district.
(1) Off-street parking that will be utilized as accessory off-street parking for the improvements and uses located on the Related Parcels.
(2) Accessory off-street parking for any improvements and uses located on the Site.
(3) Office uses.
(4) Clinics, medical, dental and optical.
(5) Financial institutions.
(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 parcel of land so that no portion of the Site is considered to be a multi-building site.
B. 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 envelope depicted on the Rezoning Plan.

3. TRANSPORTATION

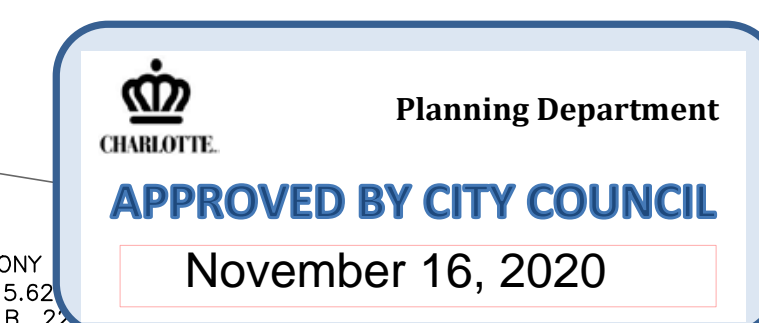
- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT"). All vehicular access points shall meet the required site distance standards.
B. The alignments of the internal vehicular circulation areas and driveways may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
C. Vehicular cross access between the Site and the Related Parcels shall be provided as generally shown on the Rezoning Plan, as the parking areas to be located on the Site shall serve the improvements located on the Related Parcels. The actual locations of the vehicular cross access points shall be determined during the site plan approval and permitting process, and the actual locations may vary from what is depicted on the Rezoning Plan.
D. Two vehicular access points to and from the Site from and to Penninger Circle in the general locations depicted on the Rezoning Plan shall be allowed to be constructed and opened at such time that three of the following five parcels of land located on the west side of Penninger Circle are redeveloped for multi-family and/or non-residential uses: Tax Parcel No. 047-052-15, Tax Parcel No. 047-052-19, Tax Parcel No. 047-052-14, Tax Parcel No. 047-052-03 and Tax Parcel No. 047-052-10. For purposes of this paragraph 3.D, "redeveloped" shall mean construction activities for the multi-family and/or non-residential uses 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 frontage on Penninger Circle. The minimum 8 foot wide planting strip and minimum 6 foot wide sidewalk to be installed along the Site's frontage on Penninger Circle (or portions thereof) may be located in a sidewalk utility easement.
F. Subject to the approval of CDOT, NCDOT and any other governmental agencies, Petitioner shall, prior to the issuance of a certificate of occupancy for a building constructed on the Site, install a minimum 8 foot wide planting strip and a minimum 12 foot wide multi-use path along the Site's frontage on Mallard Creek Road. The minimum 8 foot wide planting strip and the 12 foot wide multi-use path (or portions thereof) may be located in a sidewalk utility easement. In the event that Petitioner cannot obtain all approvals and permits required to construct the minimum 12 foot wide multi-use path, then Petitioner shall have no obligation to construct the minimum 12 foot wide multi-use path.
G. Petitioner has submitted a Traffic Impact Study to CDOT and NCDOT in connection with improvements to and the use of the existing building located on Tax Parcel No. 047-112-03. Tax Parcel No. 047-112-03 is one of the Related Parcels. At such time that the total combined gross floor area of a building or buildings located on the Site and a building or buildings located on the Related Parcels shall exceed 430,000 square feet of gross floor area, Petitioner shall submit a revised Traffic Impact Study or a Technical Memorandum as determined by CDOT and NCDOT for the planned development comprised of the Site and the Related Parcels to CDOT and NCDOT to determine if any additional transportation improvements shall be required for the total combined gross floor area in excess of 430,000 square feet.
H. Subject to the approval of CDOT, NCDOT and any other governmental agencies, Petitioner shall, prior to the issuance of a certificate of occupancy for a parking lot constructed on the Site or a building constructed on the Site, install a northbound right turn lane on Mallard Creek Road with 100 feet of storage and the appropriate taper.
I. The vehicular access point for the Site on Mallard Creek Road shall be constructed with one ingress lane and one egress lane (left-in/right-out).
J. Petitioner shall install curb and gutter along the Site's frontage on Penninger Circle in accordance with the requirements of Chapter 19 of the Charlotte Code of Ordinances and in accordance with the cross section for a Local Residential Medium Street (see the cross section set out on the Rezoning Plan).
K. The improvements set out in this Section 3 of the Development Standards shall be approved and constructed prior to the issuance of a certificate of occupancy for a parking lot constructed on the Site or a building constructed on the Site.
L. Prior to the issuance of a certificate of occupancy for a parking lot constructed on the Site or a building constructed on the Site, Petitioner shall dedicate right of way along the Site's frontage on Mallard Creek Road to that point that is located 2 feet behind the multi-use path that is referenced in paragraph 3.F above. If it is not feasible to do so, the 12 foot wide multi-use path (or portions thereof) may be located in a sidewalk utility easement.
M. Petitioner shall dedicate and convey all relevant right of way to the City of Charlotte prior to the issuance of a certificate of occupancy for a parking lot constructed on the Site or a building constructed on the Site. The right of way shall be setback 2 feet behind the back of sidewalk where feasible. If it is not feasible, the sidewalks, or portions thereof, may be located in a sidewalk utility easement.

4. ARCHITECTURAL AND DESIGN STANDARDS

- A. The architectural and design standards set out below shall apply to any buildings constructed on the Site.
(1) Building Placement and Site Design shall focus on and enhance the pedestrian environment on public or private network required streets through the following:
(a) Buildings shall be placed so as to present a front or side facade to Mallard Creek Road.
(b) Facades fronting streets shall include a combination of windows and operable doors for a minimum of 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 a minimum of 3'-0" clear depth between window and rear wall. Windows within this zone shall not be screened by film, decals, and other opaque material, glazing finishes or window treatments. The maximum sill height for required transparency shall not exceed 4'-0" above adjacent street sidewalk.
(c) The facades of the first/ground floor of the buildings along streets shall incorporate a minimum of 30% masonry materials such as brick or stone.
(d) A direct pedestrian connection should be provided between street facing doors and corner entrance features to sidewalks on adjacent streets.

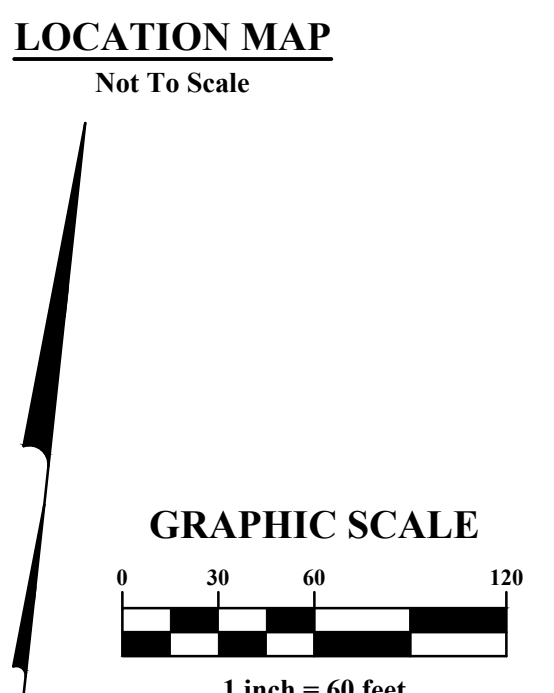
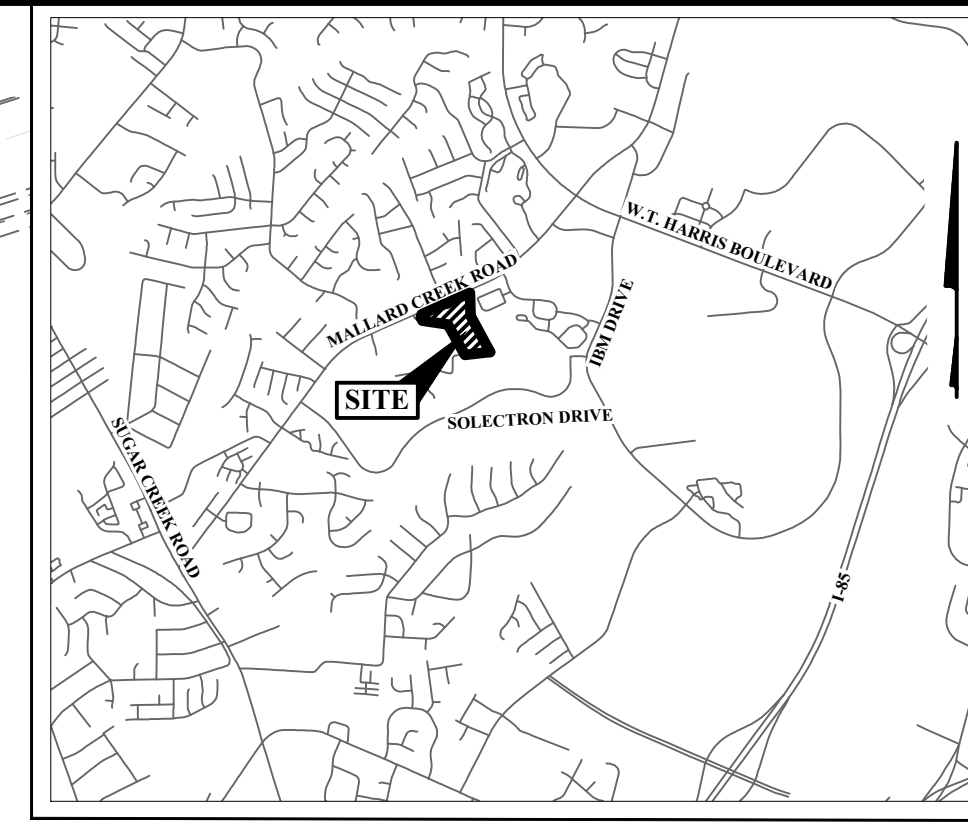


- (e) Building elevations shall not have expanses of blank walls greater than 20 feet in all directions and architectural features such as, but not limited to, banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
(f) Building elevations shall be designed with vertical bays or articulated architectural features which shall include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades or other architectural elements.
(g) 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.
5. STREETSCAPE/LANDSCAPING/BUFFERS
A. Buffers shall be established on the Site as required by the Ordinance and as depicted on the Rezoning Plan, and such buffers shall conform to the standards of Section 12.302 of the Ordinance. The width of any required buffer may be reduced by 25% if a wall, fence or berm is provided that meets the requirements of Section 12.302(8) of the Ordinance.
B. In the event that an adjacent parcel of land is either rezoned to a zoning district or devoted to a use that eliminates or reduces the buffer requirements on the Site, Petitioner may reduce or eliminate, as the case may be, the relevant buffer areas accordingly.
C. Notwithstanding the terms of paragraphs 4.A and 4.B above, a 75 foot wide Class B buffer shall be established along the Site's frontage on Penninger Circle. The width of this Class B Buffer may not be reduced. However, in accordance with the terms of paragraph 3.C above, two vehicular access points to and from the Site from and to Penninger Circle may be located within this 75 foot wide Class B buffer.
D. Notwithstanding anything contained herein to the contrary, the 75 foot wide Class B buffer to be established along the Site's frontage on Penninger Circle described above in paragraph 4.C may be eliminated at such time that three of the following five parcels of land located on the west side of Penninger Circle are redeveloped for multi-family and/or non-residential uses: Tax Parcel No. 047-052-15, Tax Parcel No. 047-052-19, Tax Parcel No. 047-052-14, Tax Parcel No. 047-052-03 and Tax Parcel No. 047-052-10. For purposes of this paragraph 4.D, "redeveloped" shall mean construction activities for the multi-family and/or non-residential uses 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 frontage on Penninger Circle as generally depicted on the Rezoning Plan. The minimum 8 foot wide planting strip and minimum 6 foot wide sidewalk to be installed along the Site's frontage on Penninger Circle (or portions thereof) may be located in a sidewalk utility easement.
6. ENVIRONMENTAL FEATURES
A. Development of the Site shall comply with the City of Charlotte Tree Ordinance.
B. As noted above in paragraphs 1.D and 1.E, the Site and the Related Parcels shall be considered to be a planned/unified development. Accordingly, notwithstanding the depiction on the Rezoning Plan of tree save areas 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.
C. Accordingly, the tree save areas depicted on the Rezoning Plan are conceptual, and the actual locations of the tree save areas on the Site may vary from what is depicted on the Rezoning Plan. The actual locations of the tree save areas shall be determined during the site plan approval and permitting process. Additionally, as provided above in paragraph 6.B, 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.
D. Excepting any trees required to be removed in connection with the installation of the required curb, gutter and sidewalk, trees located within the right of way shall be preserved in accordance with the applicable requirements of the City of Charlotte Tree Ordinance.
E. Petitioner shall comply with the Ordinance City Council approved and adopted Post Construction Stormwater Ordinance.
7. LIGHTING
A. All freestanding lighting fixtures installed on the Site (excluding street lights, lower, decorative lighting that may be installed along the driveways and sidewalks and landscaping lighting) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site.
8. 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, 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 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.



DATA TABLE
Re-zoning Acreage: ±12.40 Acres
Re-zoning Parcels: 047-331-04, 047-331-05, 047-331-06 & 047-331-07
Existing Zoning: INST(CD) & RE-1(CD)
Proposed Zoning: RE-1
Required Tree Save: ±1.9 Acres
Potential Tree Save: ±1.9 Acres

LEGEND
Potential Parking & Building Envelope
Potential Tree Save Area
Zoning Property
Setback
Buffer



FINAL PLAT TRACTS 1-3 AND COMMON OPEN SPACE OF IBM PROPERTY M.B. 27, P. 274 LOT 1
AUTUMN PARK OWNER LLC D.B. 27814, P. 943 PID: 047-331-01 ZONING: R-12M(CD)

6800 SOLECTRON OWNER, L.P. 3.086 AC. (DEED) D.B. 34020, P. 880 PID: 047-331-04 ZONING: INST(CD)

6800 SOLECTRON OWNER, L.P. 3.039 AC. (DEED) D.B. 34020, P. 891 PID: 047-331-05 ZONING: INST(CD)

6800 SOLECTRON OWNER, L.P. D.B. 33951, P. 412 ADDRESS: 6800 SOLECTRON DRIVE PID: 047-112-03 ZONING: RE-2

BLACK RHINO HOLDINGS, LLC 2.20 AC. (DEED) D.B. 32246, P. 668 PID: 047-052-14 ZONING: R-3

ANDREW COLTEN HURD 2.54 AC. (DEED) D.B. 32354, P. 497 PID: 047-052-19 ZONING: R-3

6800 SOLECTRON OWNER, L.P. 6.282 AC. (DEED) D.B. 34021, P. 284 PID: 047-331-07 ZONING: RE-1(CD)

TONY 5.62 D.B. 22 PID: 047-052-15 ZONING: R-3

REVISIONS table with columns for MARK, DATE, DESCRIPTION, and COMMENTS.

SHORENSTEIN PROPERTIES LLC 235 Montgomery Street, 16th Fl. San Francisco, CA 94104 (415) 772-7000

CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA FOR REZONING PLAN 6800 SOLECTRON OWNER, L.P. REZONING PETITION #2020-097

EMHT ENGINEERS, ARCHITECTS & PLANNERS, SCIENTISTS AND LANDSCAPERS 100 West 7th Street, Suite 1000 Charlotte, NC 28202 Phone: 919.725.6000 Fax: 919.725.6009 emht.com

DATE: October 23, 2020
SCALE: AS NOTED
JOB NO.: 2019-1335
SHEET: 1/1

10/23/2020 7:27 AM User: kx464