

DEVELOPMENT STANDARDS

GENERAL PROVISIONS

All development standards established under the City of Charlotte Zoning Ordinance (the "Ordinance") for the O-1 District shall be followed for Tracts 1 through 3 and all development standards established under the City of Charlotte Zoning Ordinance for the B-1 District shall be followed for Tract 4, unless higher standards are established under these Development Standards and the Rezoning Plan.

The building construction and placement, parking areas and driveway locations shown on the Rezoning Plan are schematic in nature and may be altered or modified during design development and construction phases within the maintenance of the standards established on the Rezoning Plan. Parking layouts may also be modified to accommodate final building locations.

Dedicated Uses

Tract 1 (O-1/CDD)
Up to 18,000 square feet of general office space. All trees within 40' landscape area to be preserved.

Tract 2 and Tract 4 (O-1/CDD)
Up to 45,000 square feet of general office space or a hotel/motel facility containing no more than 100 rooms, together with any accessory uses in connection therewith permitted under the Ordinance in the O-1 District may be developed on Tract 2.

Up to 60,000 square feet of general office space or a hotel/motel facility containing no more than 100 rooms, together with any accessory uses in connection therewith permitted under the Ordinance in the O-1 District may be developed on Tract 4.

The developer may change or eliminate the division line between Tract 3 and Tract 4 so long as the development taking place within the two tracts, or any combination thereof, does not exceed, in the aggregate, the total amount of development approved for both tracts.

No hotel, motel or other facility containing lodging rooms for rent shall be constructed, occupied or operated on Tract 3 or Tract 4 if more than 50% of the result would be located on either Tract 3 or Tract 4 designated for "Extended Stay Lodging". A residential use designed for "Extended Stay Lodging" if it contains within the rental unit a bedroom and one or more full bathrooms, a microwave oven, range or other cooking equipment, a refrigerator or a separate sink designed for dishwashing.

The developer reserves the right to change the division line for Tract 3 and 4 provided that the total office building or the total number of hotel rooms does not exceed the total office building or the total number of hotel rooms as specified on the Rezoning Plan.

Tract 3 (B-1/CDD)
A drive-through restaurant containing up to 10,000 square feet with no drive-through services or up to 10,000 square feet of general office space.

SETBACKS, SIDE YARDS AND REAR YARDS

- All buildings constructed within the Site will satisfy or exceed the setback, rear yard and side yard requirements established under the Ordinance.
- A 40 foot setback will be established along North Tryon Street.

BUFFER AREA

- Class "B" type buffer areas will be established along the southern and eastern property lines as depicted on the Rezoning Plan in conformity with the provisions of Section 12.307 of the Ordinance, subject however to the provisions of Section 12.304 thereof and to the provisions of Paragraph 2 of this section. Buffer widths will not be reduced in width from that shown on the plan.
- The existing buffer areas set to remain as an open and undeveloped space, except as provided below:
 - Utility lines may be installed within buffer areas provided that any such installation may only cross a buffer area at interior angles measured at the property line which are less than 75 degrees and, to the extent possible, paths cleared for such utility lines will be replaced with plan materials which are the same as or similar to the types of materials that are in place with the buffer area involved.
 - Specific planning requirements for buffer areas will be addressed as part of the building permit process.

LANDSCAPED AREAS AND SCREENING

- Screening and landscaping shall conform with the standards and treatments specified in Section 12.313 of the Ordinance.
- The 40 foot landscape area along North Tryon Street within Tract 1 will remain undisturbed. However, vines, undergrowth, and small understory trees less than 2 inches in caliper may be removed, the areas beneath trees may be mulched, and grass may be planted outside the existing tree areas for purposes of improving the overall appearance of naturally vegetated areas. Supplemental landscaping may also be planted within such areas, where needed.
- The requirements of the City of Charlotte Tree Ordinance will be satisfied. Ditches and berms areas will be screened with plant materials from adjacent properties in a manner which satisfies or exceeds the requirements of the Ordinance, with solid enclosures with gates.

ACCESS POINTS

- Only one vehicular access point will be provided along North Tryon Street onto the Site; namely, by way of McCullough Drive (extended), a public street, all as generally depicted on the Rezoning Plan.
- No direct vehicular access from Tracts 1, 5 or 6 to North Tryon Street will be permitted.

LIGHTING

- All lighting within the Site except street lights which may be erected along North Tryon Street will be designed such that direct illumination does not exceed exterior property lines of the Site. Consideration will be given to the impact of lighting both within and without the perimeter of the Site. Signs for consideration will include intensity, color, reflectance, color, energy efficiency, and shielding of sources of light, the intent being to eliminate glare towards adjacent streets and properties.
- Lighting fixtures will not exceed 20 feet in height, except for street light poles along North Tryon Street.

PARKING

- The parking spaces depicted on the Rezoning Plan are schematic and may vary but in all events will be sufficient to satisfy the minimum off street parking standards established under the Ordinance, Section 12.307.
- No parking will be permitted within front, side, landscaped areas and setback areas.

SIGNS

- All signs erected within the Site shall comply with the provisions of Chapter 13 of the Ordinance. The detached sign for the restaurant is limited to 90 square feet and 7 feet in height, within a 6-foot base.

DESIGN STANDARDS

- The maximum height of any building constructed on the Site may not exceed four stories and no such building may exceed a height of 40 feet above grade, unless the provisions of Section 9.705(1)(a) are satisfied.
- All parking areas will be screened with plant materials and shading properties in accordance with the provisions of the Ordinance.

STORM DRAINAGE

- Storm drainage and detention systems will be provided in accordance with standards imposed by the City Engineering Department.
- Stormwater retention may not be installed within buffer areas, setback areas or the landscaped area along North Tryon Street.

STREET IMPROVEMENTS

- The improvements to the intersection between North Tryon Street and McCullough Drive, as depicted on the Rezoning Plan, have already been made by the developer, at its sole cost and expense.
- A minimum of 150 feet of interest characterization will be provided within the extension of McCullough Drive.

DEDICATION OF THE RIGHT-OF-WAY FOR THE PROPOSED EXTENSION OF MCCULLOUGH DRIVE

Following the filing of this Rezoning Petition, CDOT requested that the Petitioner agree to dedicate a 60 foot wide right-of-way needed to accommodate the extension of McCullough Drive from its current termination point within the Site to WIT (Hence Boulevard). The proposed alignment for this extension is generally depicted on the Rezoning Plan. Should the City elect to complete this roadway improvement, the existing McCullough Drive Extension cut-to-one would be replaced with a new "T" intersection which would serve development taking place on Tracts 3, 4, and 6 of the Site in substantially the same manner depicted on the Rezoning Plan. The Petitioner, in response to CDOT's request and in exchange for its agreement to cooperate with the Petitioner in the abandonment of part of the existing cut-to-one which would no longer be needed for right-of-way purposes if the proposed extension of McCullough Drive is completed, agrees to dedicate to the City of Charlotte for right-of-way purposes a 60 foot wide strip along the alignment generally depicted on the Rezoning Plan within 30 days after CDOT delivers the documentation necessary to complete this dedication. Petitioner further agrees to refrain from placing any buildings or other structures within this 60 foot wide strip at any time prior to its dedication (unless it receives prior written consent from the Charlotte Department of Transportation to do so) and to establish 20 foot building setbacks of each side of the alignment depicted for the proposed right-of-way on the Rezoning Plan.

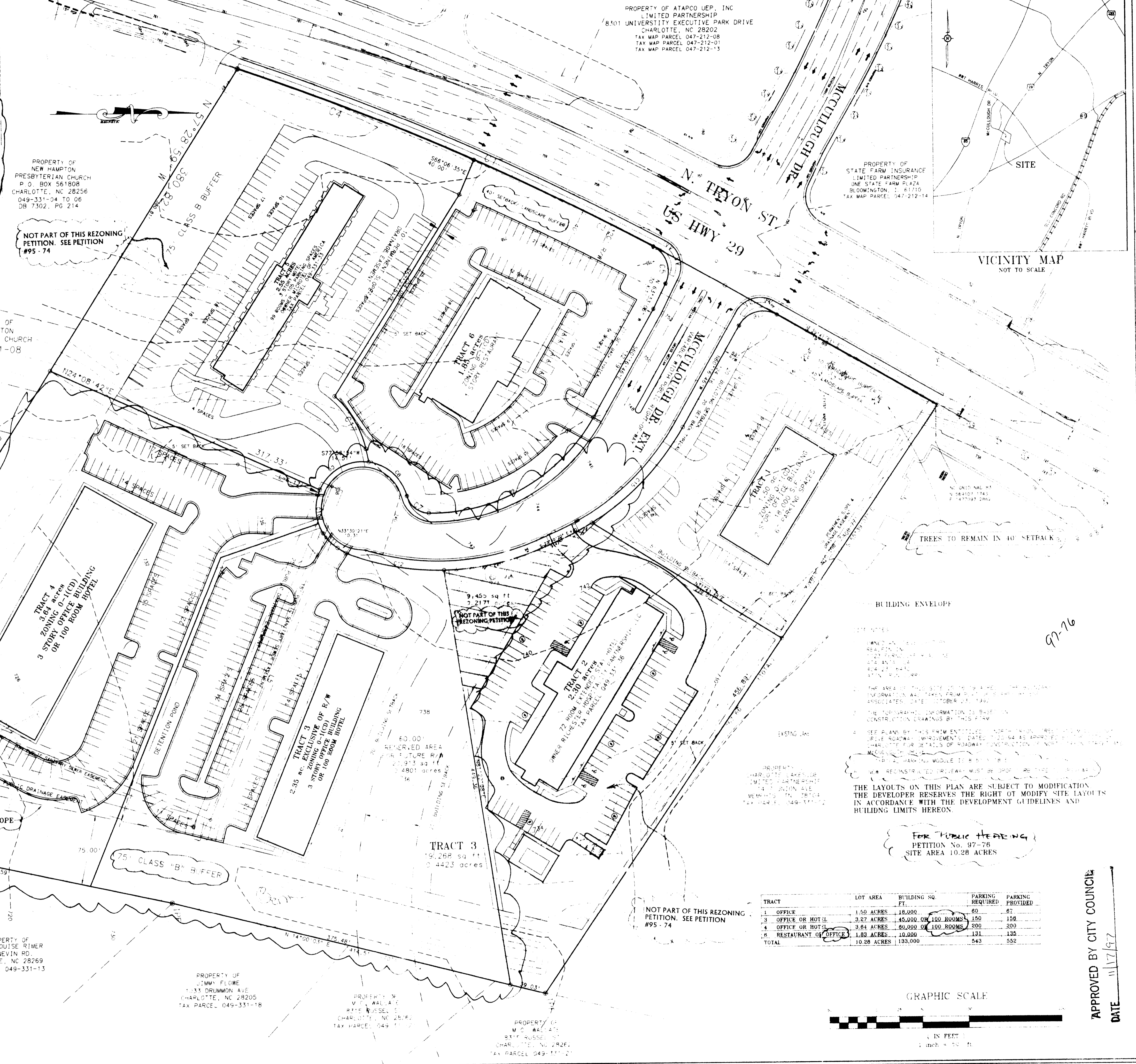
Minor revisions may be made to the alignment which is depicted on the Rezoning Plan for this proposed extension. However, Petitioner reserves the right for itself and its successors to refuse to complete any such dedication if CDOT makes a material change to the alignment for the proposed extension of McCullough Drive as it runs through the Site.

AMENDMENTS TO THE REZONING PLAN

Future amendments to the Rezoning Plan and these Development Standards may be applied for by the Owner or Owners of the Parcel or Parcels involved in accordance with Chapter 6 of the Ordinance.

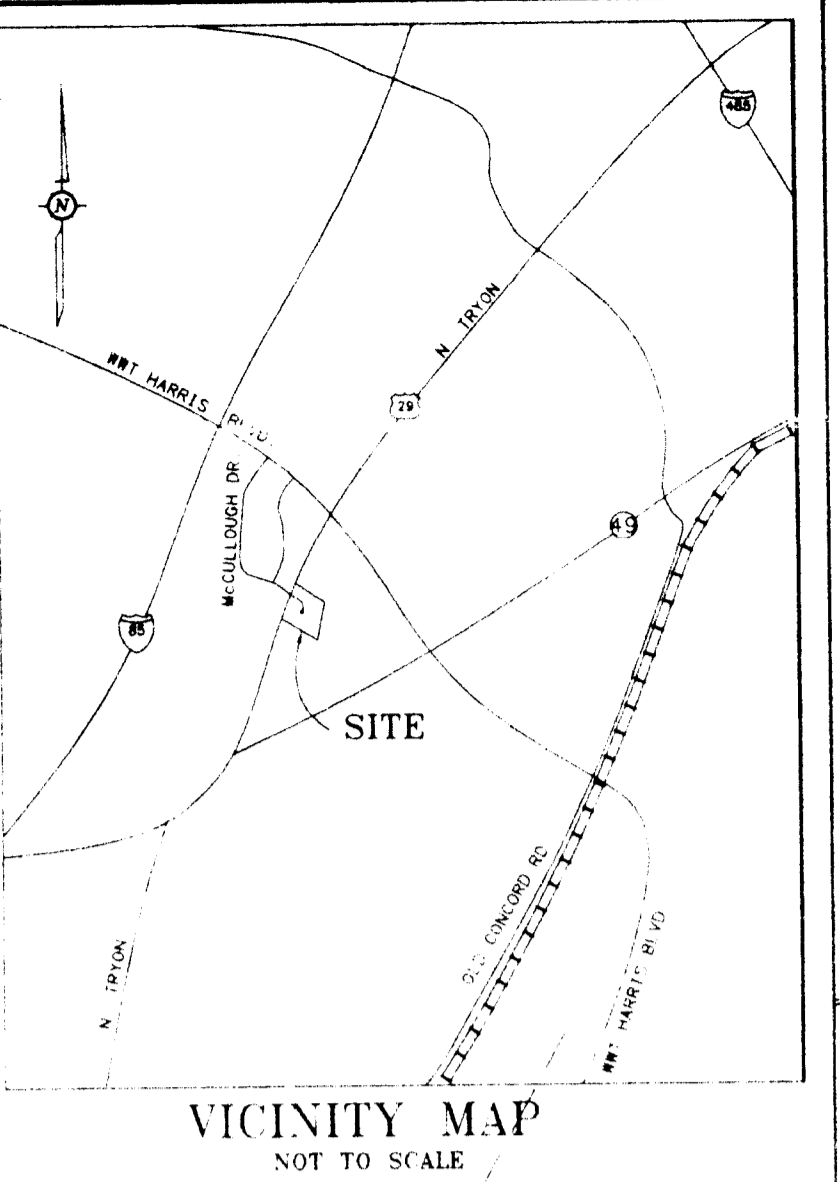
BINDING EFFECT OF THE REZONING APPLICATION

If the Petitioner's Rezoning Petition is approved, the development program established under these Development Standards, the Rezoning Plan and other supportive documents shall, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective heirs, and devisees, personal representatives, successors, interest, and assigns.



PROPERTY OF ATAPCO UEP, INC.
LIMITED PARTNERSHIP
8401 UNIVERSITY EXECUTIVE PARK DRIVE
CHARLOTTE, NC 28202
TAX MAP PARCEL 047-212-08
TAX MAP PARCEL 047-212-01
TAX MAP PARCEL 047-212-13

PROPERTY OF STATE FARM INSURANCE
LIMITED PARTNERSHIP
ONE STATE FARM PLAZA
BLOOMINGTON, IL 61710
TAX MAP PARCEL 047-212-14



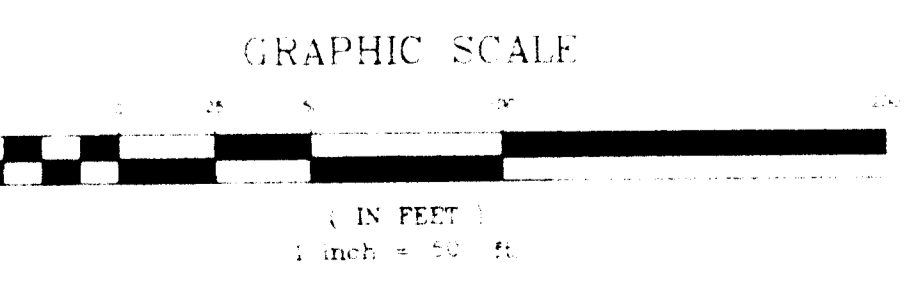
Aiken & Velle Associates, PA
Professional Engineers & Land Surveyors
3737 Benson Drive
Raleigh, North Carolina
919-87-8982

AYES

DRAWN BY: HAY
CHECKED BY: HAY
SCALE: 1" = 50'
DATE: 6/8/05
BY: JST/MS
DATE: 6/13/05
DATE: 5/2/07

TRACT	LOT AREA	BUILDING SQ. FT.	PARKING REQUIRED	PARKING PROVIDED
1 OFFICE	1.50 ACRES	18,000	60	67
3 OFFICE OR HOTEL	3.27 ACRES	45,000 OR 100 ROOMS	150	150
4 OFFICE OR HOTEL	3.84 ACRES	80,000 OR 100 ROOMS	200	200
6 RESTAURANT OR OFFICE	1.83 ACRES	10,000	131	132
TOTAL	10.28 ACRES	133,000	543	552

FOR PUBLIC HEARING
PETITION No. 97-78
SITE AREA 10.28 ACRES



APPROVED BY CITY COUNCIL
DATE 11/7/97

PRADO SUBDIVISION
CITY OF CHARLOTTE, NORTH CAROLINA
REZONING PLAN