Welcome to BridgeWater

Design Development Guidelines

APPROVED OCT 20 2008

09.26.08 Revisions: Catawba County Comments

BRIDGEWATER

Crosland

It's our place to improve your

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CONTENTS

01 - BridgeWater Development
02 - Illustrative Site Plan
03 - Existing Conditions Lincoln County & Catawba County
04 - Perspective Sketch of BridgeWater
05 - Architecture
06 - Architecture Examples
07 - Building Materials & Elements
08 - Dumpster / Service Screening
09 - Design Concept Node
10 - The Village District
11 - Design Concept Node Studies - Employment Center Node
12 - Pedestrian Spaces
13 - Examples of Pedestrian Spaces - Atmosphere
14 - Examples of Pedestrian Spaces
15 - Examples of Pedestrian Spaces - Atmosphere
16 - Examples of Monument & Secondary Signage Design
17 - Exterior Wall Signage
18 - Decorative Pedestrian Exterior Light Fixtures and Parking Lot Lighting
19 - Examples of Potential Hardscape Furniture
20 - Main Entrance
21 - Street Sections
22 - Pedestrian / Traffic & Monument Signage Plan
23 - Open Space Plan
24 - Parking
25 - Amenities
26 - Examples of Amenities
27 - Examples of Landscaping
28 - Examples of Landscaping
29 - Examples of Drive-thru Canopies
30-37 Development Standards for BridgeWater, Catawba County
38-45 Development Standards for BridgeWater, Lincoln County

BRIDGEWATER DEVELOPMENT

The BridgeWater development is approximately 91 acres at the interchange of Highway 150 and the proposed Highway 16 Bypass. The Lincoln and Catawba county line divides the site with approximately 37 acres within Lincoln County and 54 acres within Catawba County. The site as it currently exists contains fallow fields with dense vegetation along the site boundaries to the east and south of the site. A stream and an old livestock pond follows along the site boundary to the east. The Catawba County portion of the site is currently zoned R-20/GI, HC and MUC-O and is proposed to be zoned PD-CD Planned Development Conditional District. The Lincoln County portion of the site is currently zoned RT and is proposed to be zoned Conditional-General Industrial (IG) and General Business (BG).

The design intent for BridgeWater is to create an attractive work-shop-play destination incorporating retail, dining and entertainment as well as an employment center. The development will have a main axis linking its entry from Highway 150 to an employment center containing office and light industrial uses. Several cross axis streets will link the larger retail center to the village shops and junior anchors. Other cross-axis streets provide linkages to adjacent parcels not currently part of this master plan development. Creative landscaping will create attractive alleys along the major spine streets and cross-axis streets. Additional out parcel buildings will help breakdown large parking fields and create opportunities for pedestrian linkage throughout the site in both east west and north south axis.

The development will feature a "Village Green" amenities area for entertainment and seasonal activities centered around shops as well as significant focal points for a terminus feature. Out parcels will follow material and other design guidelines to ensure that the overall design theme keeps the correct aesthetic character throughout the development. Service areas will be screened with appropriate materials and planting. Building facades will use quality materials throughout. A central roundabout will help ease traffic congestion and create opportunities for axial focal points of interest. The employment center buildings are thoughtfully located to reinforce a more "campus like" master plan intent that will integrate well within the overall development. The site will also have additional walking paths linking both the employment center, major shopping anchors and village shops to create an attractive amenity at BridgeWater.

The proposed design for BridgeWater incorporates an enhanced pond feature close to Highway 150 and existing creek that splits the northern portion of the development and runs parallel to the employment center. Generous tree lines along the edge of the employment center will be maintained to ensure visual and sound buffer from the quarry directly to the south of the site. The proposed master plan will respect buffers and setback requirements along its perimeter as per Lincoln & Catawba County requirements. The site boundary along the Highway 16 Bypass will have high-quality landscaping, and the visible backs of buildings will maintain quality material similar to that along primary building facades.

EXISTING CONDITIONS - LINCOLN COUNTY & CATAWBA COUNTY

Perspective Sketch of BridgeWater

ARCHITECTURE

The exterior of the buildings will be brick, pre-cast, and stucco along with complementary accent materials. Colors will be limited to neutral color pallets (i.e. browns, blacks, forest green, gray, etc.). The facades of each street facing a building will be designed to encourage and compliment pedestrian-style interest and activity by meeting front facade requirements of the UDO and limiting blank walls to no more than 20 feet in length. Any ventilation gateways or emergency exit doors located within street facades will have decorative awnings and other treatments to insure an attractive design.

The buildings surrounding the "Village Green" will have features such as towers, bay window storefronts and other "main-street" architectural elements that frame intersections and create attractive spaces. Pedestrian storefronts will have a variety of canopies and small extrusions as well as recessed squares to allow for seating, potential fountains, and plantings. The street-scape will have attractive lighting, planting, and seating to create a more urban main street feel.

All building designs and exterior materials will be reviewed and approved prior to review and approval of final site plans by the applicable county.

The buildings located on the perimeter parcels along Highway 150 will be of similar materials and architectural language to that of the buildings located within the village. All out-parcel designs will be reviewed by the Architectural Review Board. The Architectural Review Board and its process is more fully defined in the Development Standards.

The photographs on this page and the next page are solely for the purpose of depicting the design quality, scale and character of the buildings proposed to be constructed on the site. Building designs may differ provided that each building is consistent with the overall design intent described herein.

Movies
BOX OFFICE

The following materials represent the proposed list of acceptable materials to be used throughout the BridgeWater Development and are to serve as a guide for out parcel development by others. All elevations must be approved by the Architectural Review Board prior to site plan approval.

Paint Colors:
neutral colors pallets
(i.e. browns, blacks,
forest green,gray, etc.)

Accent Water Table:
Precast concrete

Accent Brick:
Tumbled and/or wire cut,
to be determined

Primary Brick:
Color differentiated,
tumbled and/or wire cut brick,
to be determined

Accent Brick:
Color differentiated,
tumbled and/or wire cut brick,
to be determined

Mortar:
Gray, grapevine or spoon edge

Stucco:
EIFS,
color to be determined

Visible Roofing Elements:
Standing seam, shingles, or cedar shakes,
color and texture to be determined

Accent Stone:
Color and texture to be determined

Glass:
* 1" Clear illuminated Low E glazing
* Spandrel glass 1" frosted.

Mullions:
* Storefront 2 1/4" system or approved equal Color range is bronze, white or black.

Canvas Awnings/ Metal Awnings:
Awnings will be consistent with the intended architectural theme of the overall development. Various colors TBD. Metal canopies will have decorative support cables, metal plates and trim.

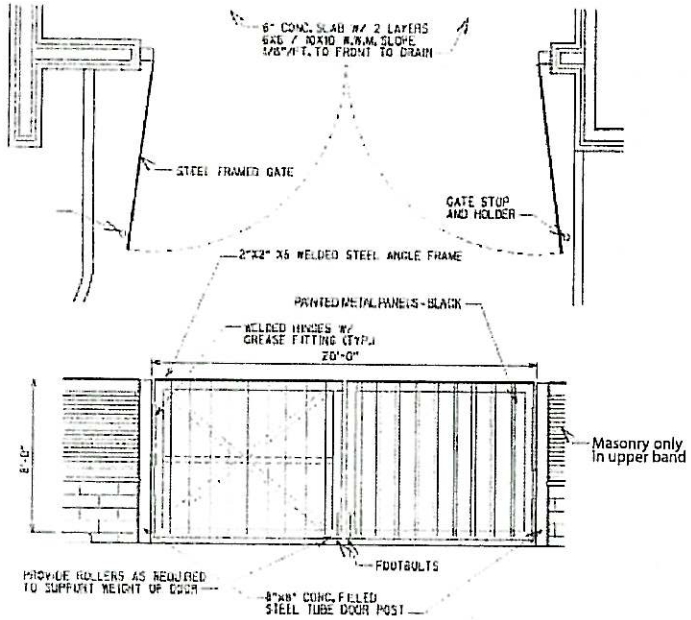
Building Lighting:
* Sconce Lighting UL Wet label sized between 12"-24" Bronze or Black
* Goose neck lighting or Extended Gas Light fixtures to be UL Wet Label Black or Bronze
* Up Lighting to be half round UL Wet Label color black
* Emergency lighting to be under or near canopy UL Wet Label mini flood.

Service Doors:
* Color to match field brick surrounding frame. All rear doors to have metal or canvas awnings.

*Accent colors relating to canopies, awnings, window and door treatments are not limited to the neutral colors described above.

*Awnings will be consistent throughout the development and all verbage contained within will meet the applicable regulations for signage.

DUMPSTER /SERVICE SCREENING

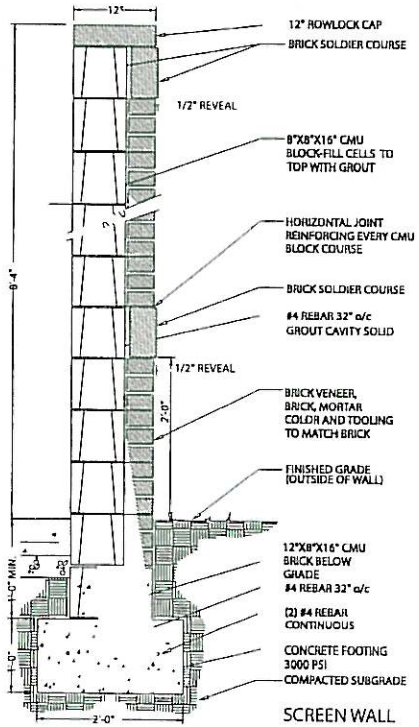


FRONT DUMPSTER ENCLOSURE

REAR ELEVATION

REAR DUMPSTER ENCLOSURE

The images and section shown depict the design intent, quality, scale and character of the dumpster enclosures.



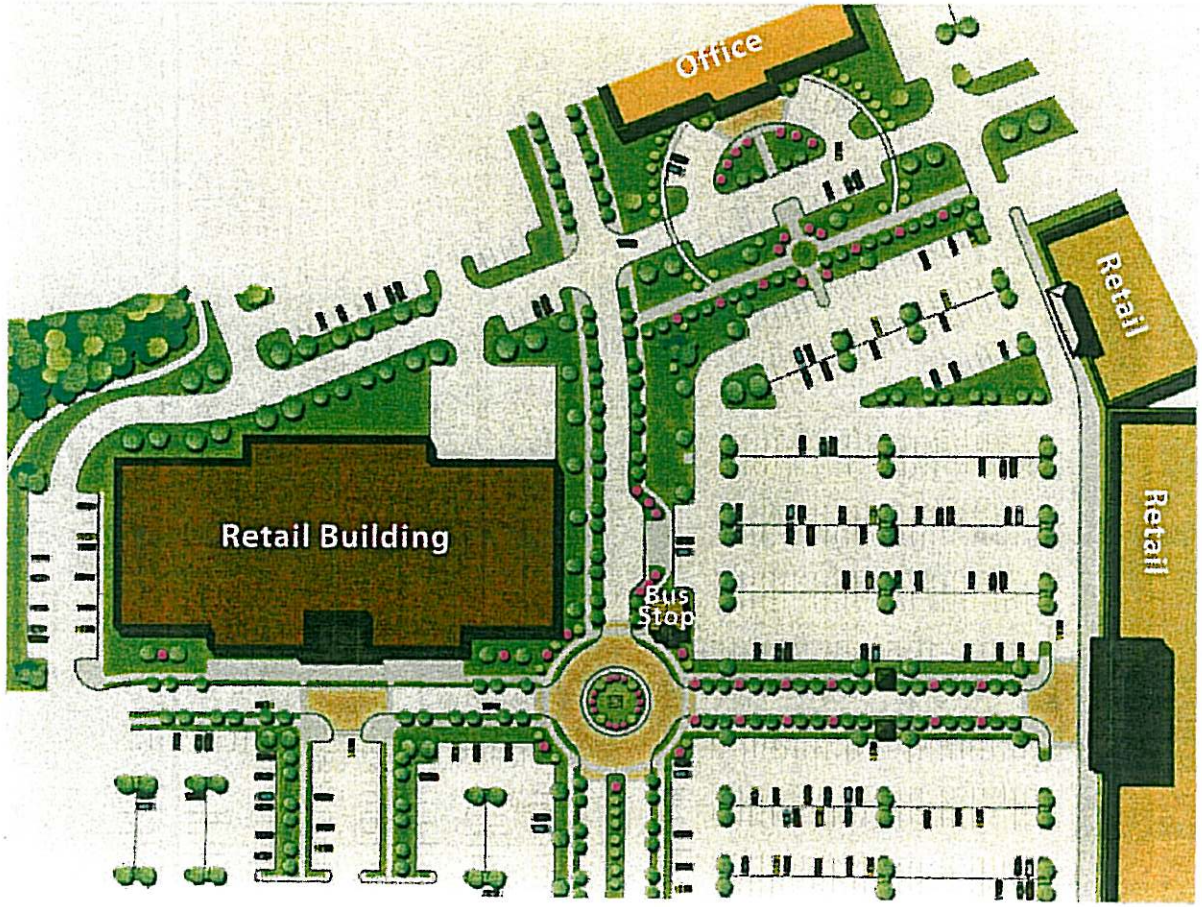
SCREEN WALL

Dumpster screening will be designed of materials compatible with the primary building front facades and all service gates will be opaque. All loading and service areas will be screened from view of all streets and adjacent properties with screening walls of compatible materials to front building facades. Loading areas abutting the perimeter buffer will be screened with planting as required by the applicable ordinance. Areas that are not readily visible such as interior service yard walls may utilize some material step down such as painted block.

All walls facing service yards or rear of buildings within retail areas will have parapets sufficient to hide roof top units. Facade walls will be articulated with quality masonary materials similar to that of front facades to insure "four sided" architecture.

The BridgeWater design concepts recognize the need for a pedestrian-friendly development while maintaining the ability to allow convenient vehicular access and circulation for patrons and deliveries to the proposed development. The site layout incorporates various contiguous nodes of activity. The nodes create a well-connected site by incorporating view avenues, pedestrian routes and vehicular routes. The connection of the each node is made stronger by framing the views from one node to the next through the arrangement of landscaping and hard-scaping, as well as by physical paths of travel.

The nodes are broken into smaller areas of "use" whether it be parking fields, open space or the grouping of buildings. Each node is celebrated in different ways. Selected materials, patterns, and landscaping are reinforce to create an inviting sense of space for public enjoyment. The retail center will have material building elements to help create a human scale pedestrian experience. Parking fields will have sidewalks, pavilions, trellises and extensive planting that will aid in the break up of large parking lots. These design features will help create attractive pedestrian connections from the "Village Shops" and "Employment Center." The main terminus round about will feature a focal point element such as a monument, fountain or an art installation.



Main Retail Node

THE VILLAGE DISTRICT

The village district of BridgeWater will have a traditional American "main-street" feel that will incorporate a rich variety of materials and elements intended to an inviting pedestrian scale. The arrangement of buildings will create a central village common area to encourage community events such as concerts, markets and festivals. The terminus of the commons is a large hardscape area overlooking a pond with an outdoor dining area. Canopies, lighting, and storefronts will all be designed to enrich the pedestrian experience. Decorative street lighting along with benches, trees and other plantings are intended to create an attractive shopping and dining experience.

Village District Node

Employment Center Node

The Employment Center node will a pleasing exterior spaces that will incorporate large green courtyard with attractive planting, hardscape and pedestrian connections to the village, major anchors and nature trails. Delivery courts and service yards will have attractive buffer planting to insure proper screening designed to focus attention away from these areas. Facades of the flex-Industrial buildings facing towards the main axis and public court area will be tilt-up construction with attractive inset materials such as brick and precast. Landscaping, canopies and hardscape amenities will create a pleasing exterior intended to compliment the overall design of BridgeWater.

PEDESTRIAN SPACES

Extensive pedestrian connections will circulate throughout the entire site. Sidewalks will be a minimum of 5' wide walkways running parallel to the driving aisle and a minimum of a 5' grass planting strip separating the walk from the driving aisle depending on location. Major street cross sections with dimensions are represented on page 21. The pictures on the following pages suggest the character, scale and material quality for proposed pedestrian connections.

Successful pedestrian activity is extremely important in creating lively environments for shopping, gathering, and defining the overall character of the develpoment. The aim of the development is to create a sense of pedestrian security as well as a reduction in automobile dependency. Several elements of the proposed BridgeWater design will contribute to the walkability or pedestrian-friendliness of this development:

* The scale of building flanking the walkways.

* The architectural details of the buildings especially along streetscapes will add interest to the facades.

* Building entrances opening onto the main walkways help to calm vehicular circulation in pedestrian areas.

* Well placed signs that are easy to read and understand.

* Paving that clearly defines the pedestrian walkway, especially in parking areas and at road crossings.

* A variety of visual & landscape experiences along the route.

* Amenities that affect the comfort of the pedestrian (i.e. benches for seating, trees for shade, landscaping to separate pedestrians from moving traffic, etc.)

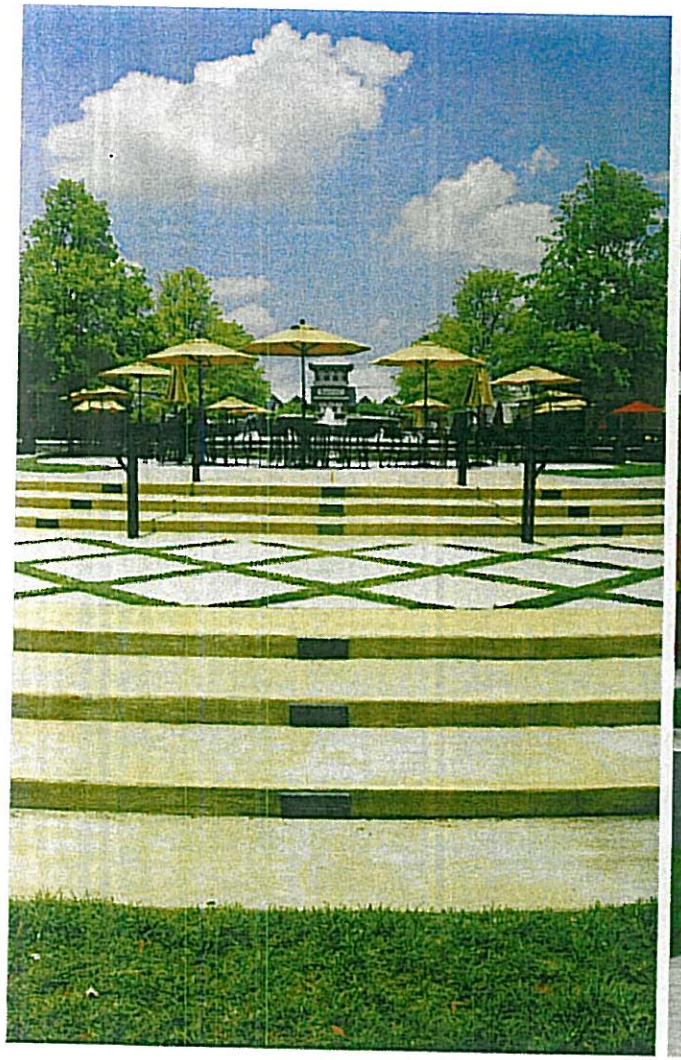
* The pedestrian connections including walkways, cross-walks, walking trails, foot bridges, and sidewalks should be equal to or exceed the design standards in the photographs shown on pages 13-15.

* Hard surfaces for pedestrian walkway connections, parking lots and driveways, etc. will incorporate pervious materials as may be required by applicable laws and regulations.

* Rain gardens with native plant life will be incorporated in the overall design of the development to enhance the pedestrian quality of life and attract wildlife.

The images shown depict the design intent, quality, scale and character of the pedestrian spaces.

Examples of Pedestrian Spaces



The images shown depict the design intent, quality, scale and character of the pedestrian spaces.

EXAMPLES OF PEDESTRIAN SPACES - ATMOSPHERE

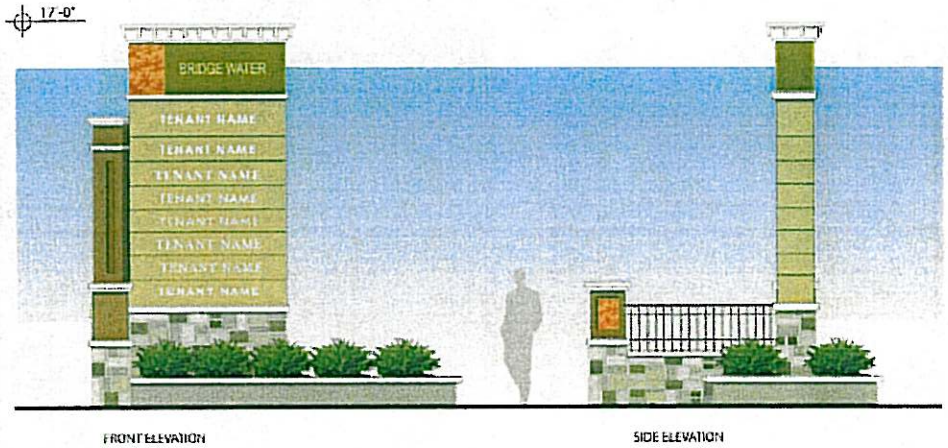
The images shown depict the design intent, quality, scale and character of the pedestrian spaces.

Example of Monument & Secondary Signage Design

REVISED - More specifically, see letter to Austin Williams dated Dec. 18, 2008

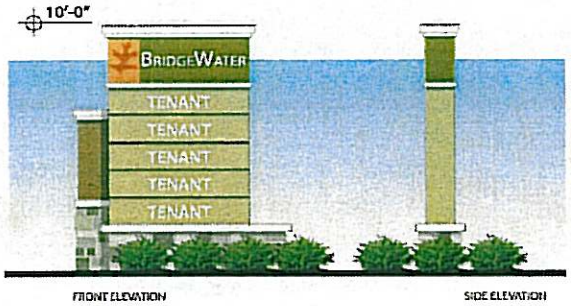
These elevations are intended to depict the general conceptual style, character and elements of the monument signs to be installed on BridgeWater. The proposed locations of monument signs and secondary entrance signs are denoted on the master plan drawing on page 2. The monument signs as well as any smaller outparcel Tenant monument signs will use materials such as stone, stucco and brick surrounded by low growing flowers, plants, shrubs and other landscape materials. Designs will meet the applicable ordinance guidelines for monument signs. No secondary entrance sign shall exceed 10 feet in height. All secondary monument signs will utilize the same materials as the monument signs.

Monument Signage

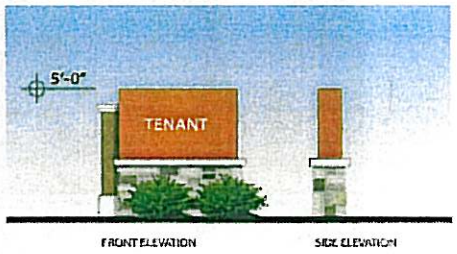


Hwy 16 Monument Signage

Secondary Signage



Outparcel Monument Signage



The images shown suggest the design intent, quality, scale, and character of the monument signage. See page 22 for Major, Secondary and Out-parcel Monument location.

TENANT WALL SIGNAGE:

REVISED - See letter to Austin Williams dated Dec. 18, 2008

Channel letters with acrylic faces, internally illuminated channelized letter to be bronze, white or ivory face with bronze or black edge. Raceway to be painted to match exterior material facade color. Wall mounted signs for in-line tenants will comply with applicable ordinances.

* Anchor tenant signs aggregate area will be no greater than 220 square feet. Secondary sign shall be no greater than 150 square feet.

* Junior Anchor signs aggregate area will be no greater than 220 square feet with letter height between 24" and 60" maximum.

* Village Tenant signs will be allowed one wall sign. A second sign maybe permitted if approved by Architectural Review Board. Letter height will not be greater than 22" maximum. Width of lettering shall be no greater than 80% of the tenant space.

*The purpose of this elevation is to depict proposed signage for in-line tenants. The elevation is not intended to depict exact building or architectural design.

OUT-PARCEL AND FREESTANDING SIGNS:

A second sign maybe permitted if approved by Architectural Review Board. Tenants may use their corporate logo and colors. Size shall be per applicable ordinances. Also, a second sign will only be considered when a building has more than one street frontage.

Decorative Pedestrian Exterior Lighting and Parking Lot Lighting

The images shown depict the design intent, quality, scale, and character of pedestrain lighting and parking lot lighting.

Pedestrian exterior light fixtures will be uniform throughout the development and designed to minimize light spillage using full-cut off globe lighting fixtures. Parking lot lighting will use "shoebox" fixtures with color to match pedestrian lighting. Parking lot lighting will not have poles exceeding 35'-0" in height. Pedestrian and parking lot lighting design will be equal to or exceed the design standards as depicted in the photographs above.

Examples of Potential Hardscape Furniture

Benches:

* Bench w/ armrests 6' length, solid steel frame,
  powder coated finish color to be determined.

Trash receptacle:

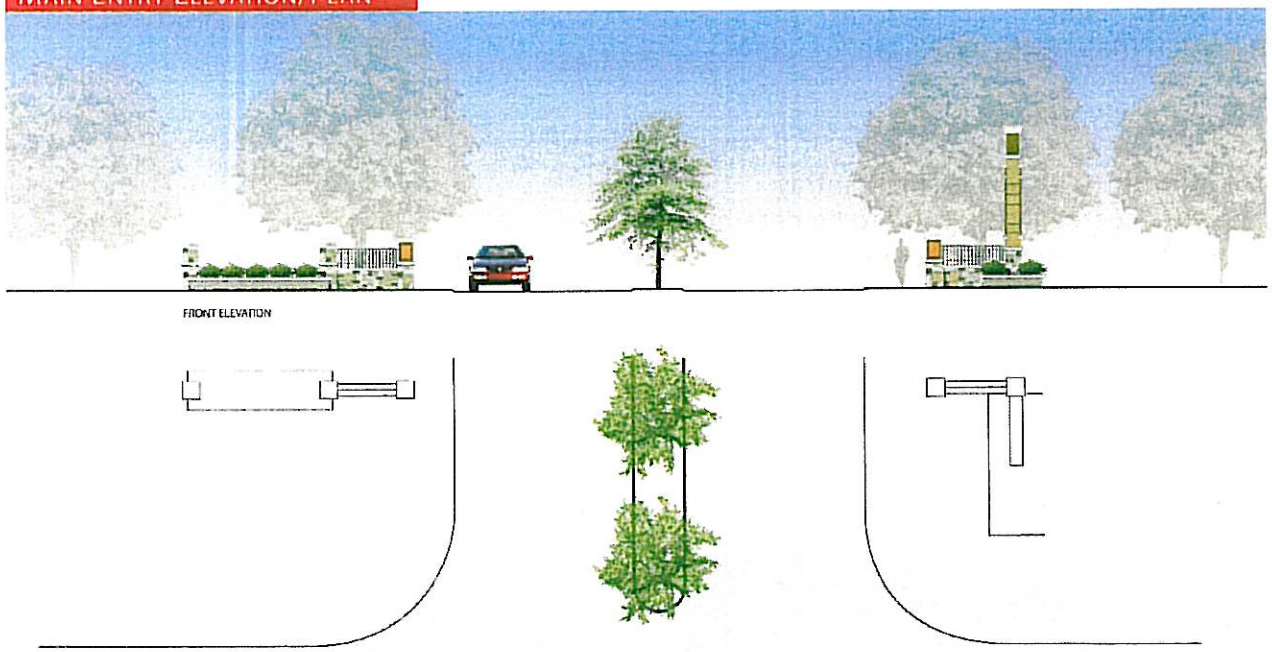
* 24 gallon receptacle with dome lid with 10" stainless steel ashtray
* All steel components to have powder coated finish, color to be determined.
  Lid attached via vinyl-coated aircraft cable, high density plastic. Liner, rubber tipped leveling feet

Table:

* Picnic table with umbrella mount
  6', all steel components to have powder coated finish, color to be determined.
  Ipe wood with checkerboard design game board inlay

The quality of the benches, trash receptables, tables, umbrellas and other hardscape furniture shall be equal to or exceed the images shown above. All Benches, trash receptables, and tables should have a netural color.

MAIN ENTRY ELEVATION/PLAN

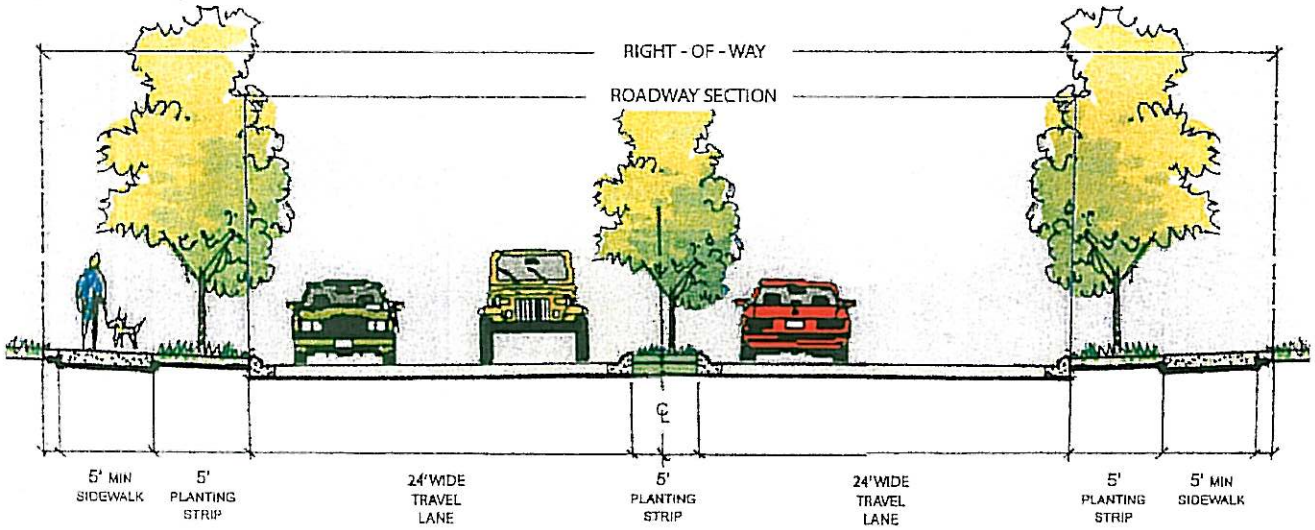


The main entry to the BridgeWater development will contain a tree median and sidewalks on both sides. Attractive planting and site amenities such as flowering plants and attractive directional signage will be featured along the streetscape as well as side entryways.

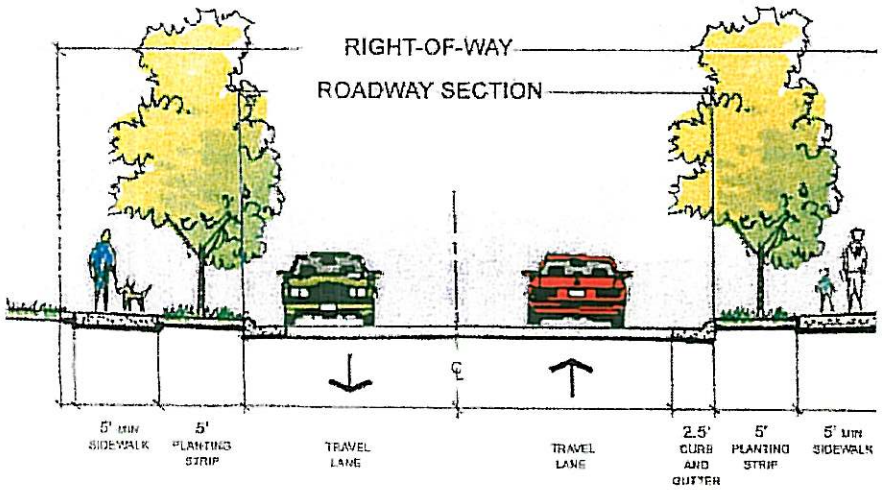
The secondary entries will also have extensive planting and other landscape features. Both the primary entry and secondary entries are intended to substantially improve the streetscape along Highway 150. The entryway median will be grassed and include shrubbery and trees. Prior to zoning authorization a detailed landscaping plan will be required to be submitted to the appropriate county. All driveways will meet required NCDOT approvals prior to zoning authorization.

Major streets will be designed as denoted in the sections drawings below. The section marks are denoted on page 02.

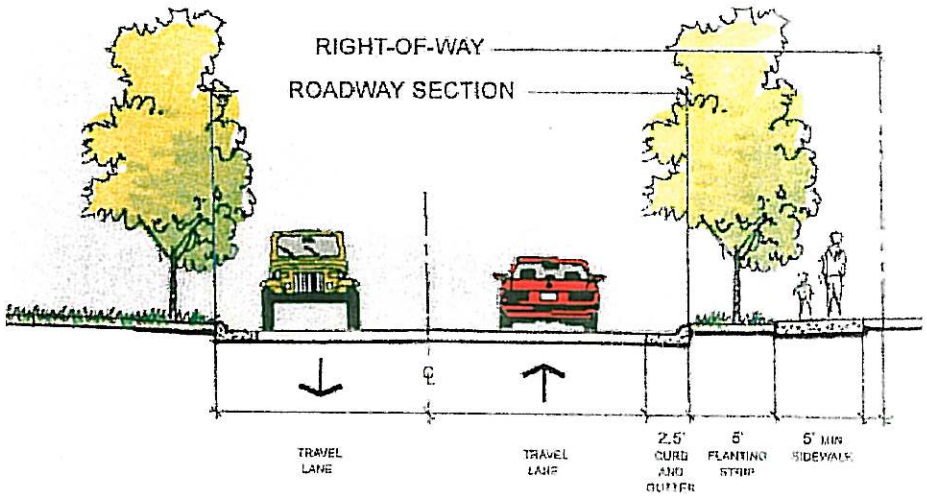
SECTION A



SECTION B



SECTION C



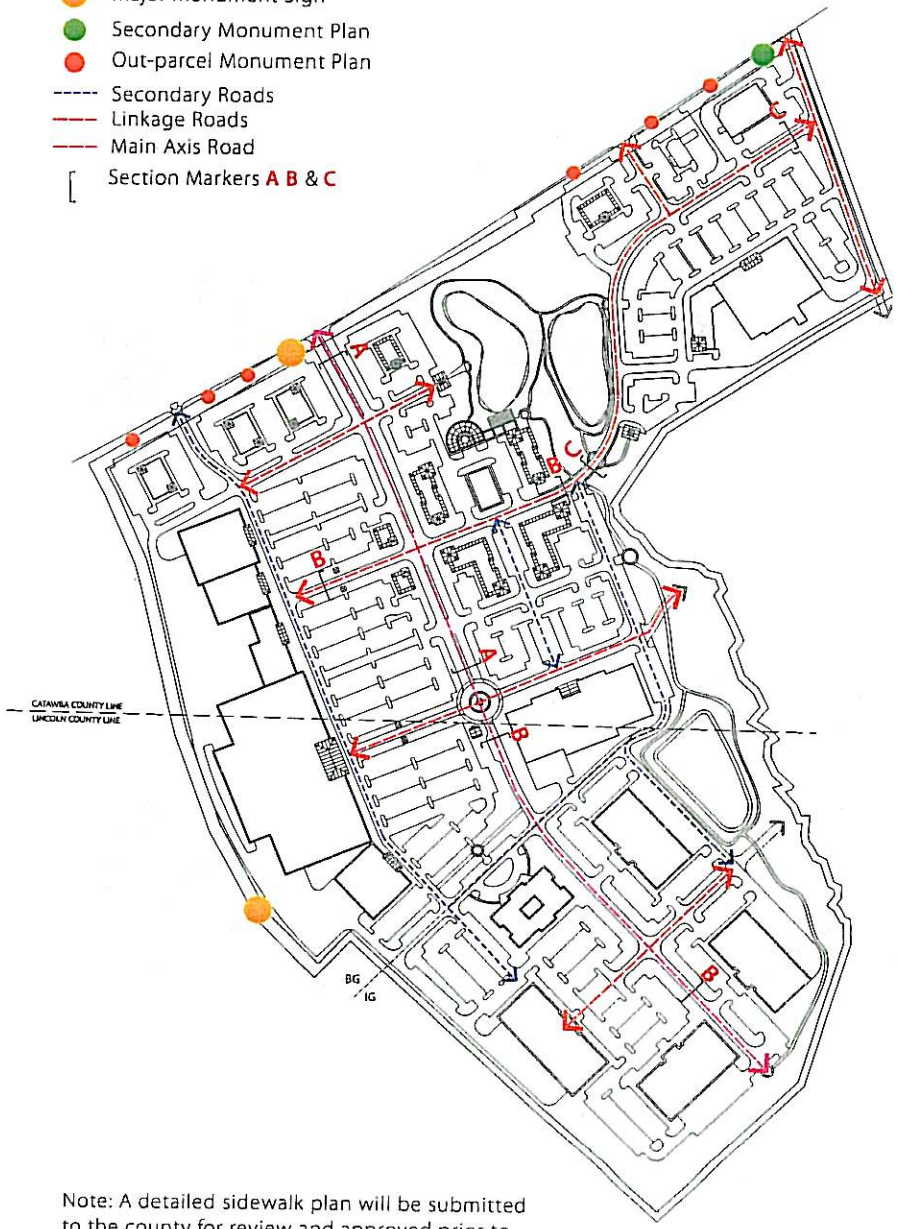
PEDESTRIAN / TRAFFIC & MONUMENT SIGNAGE PLAN

Pedestrian Circulation Plan

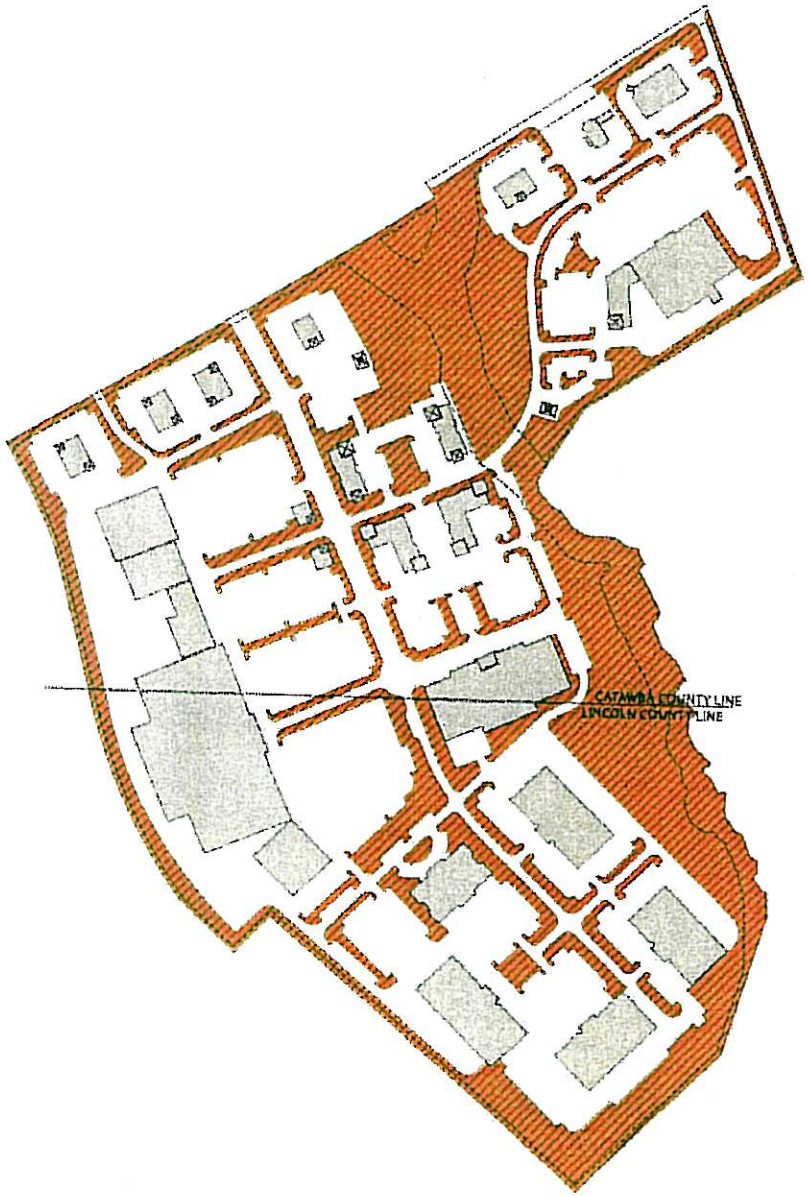
- Pedestrian Sidewalks
- Walking Trails
- Multi-use pathway

Traffic and Monument Signage Plan

- Major Monument Sign
- Secondary Monument Plan
- Out-parcel Monument Plan
- Secondary Roads
- Linkage Roads
- Main Axis Road
- Section Markers A B & C



Note: A detailed sidewalk plan will be submitted to the county for review and approved prior to issuance of zoning authorization permits.

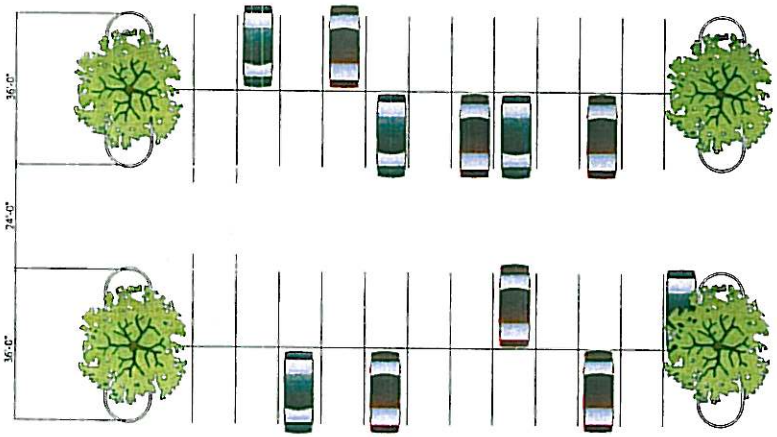


The diagram shows major open space areas throughout the development. The open space areas will include sidewalks, seating areas, natural and landscape buffer areas, plazas, and etc. The Open Space Plan excludes parking lots, tree islands within parking lots, building pads, service areas, etc. The design shall contain approximately 20 acres of open area within the overall development.

*The maior open spaces are colored in bronze

PARKING

Parking areas are designed to be pedestrian and vehicular friendly. Large expansive paved areas between the buildings and the streets are avoided in favor of smaller parking lots separated by landscaping, sidewalks, or buildings. Parking areas will include substantial landscaping to make walking through the development a pleasant experience. Parking areas and walkways are located to create convenient, safe, and efficient access to building entry areas from parking and pedestrian routes. Landscaping strips separate parking areas from the street and will include features such as decorative light poles, sidewalks, planting beds, directional signage and benches, etc.



Parking areas will have 24'-0" minimum
Driving Aisles for two way traffic and perpendicular parking vehicle stall widths will meet NCDOT and County code requirements. Compact spaces will represent no more than a maximum of 25% of total parking and will not be smaller than 9'-0" in width. All stall lengths for perpendicular parking will be no less than 18'-0".

*Parking areas will have a landscape island every 15 spaces in a continuous row. If visible from Highway 150 parking areas will have a landscape island every 10 spaces.

*Shopping cart corrals will be consistent with other streetscape furniture in color scheme, materials, and overall design.

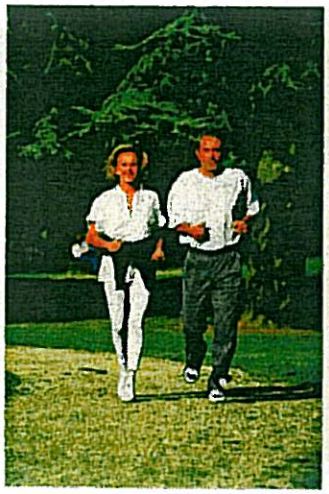
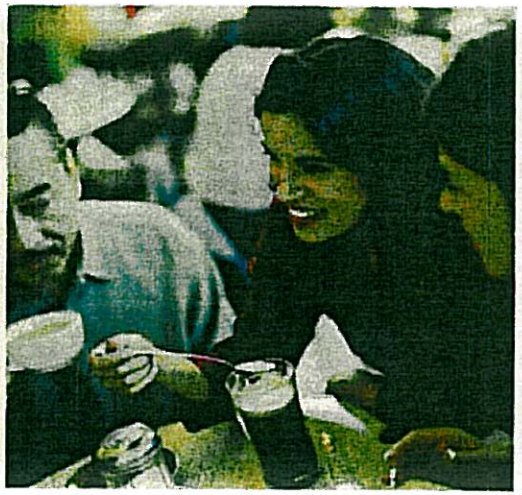
*All landscape islands will contain at least one tree with a clear minimum height of 5'-0" feet with a 2" caliper diameter at breast height at the time of installation.

*Turf ground cover perennials ornamental grasses, rocks or wood mulch shall cover the balance of the landscape island.

*Bicycle parking spaces (bike racks) shall be provided at the front or to the side of buildings in convenient locations such that the number of bicycle parking spaces provided is at least three percent (3%) of the total number of parking spaces.

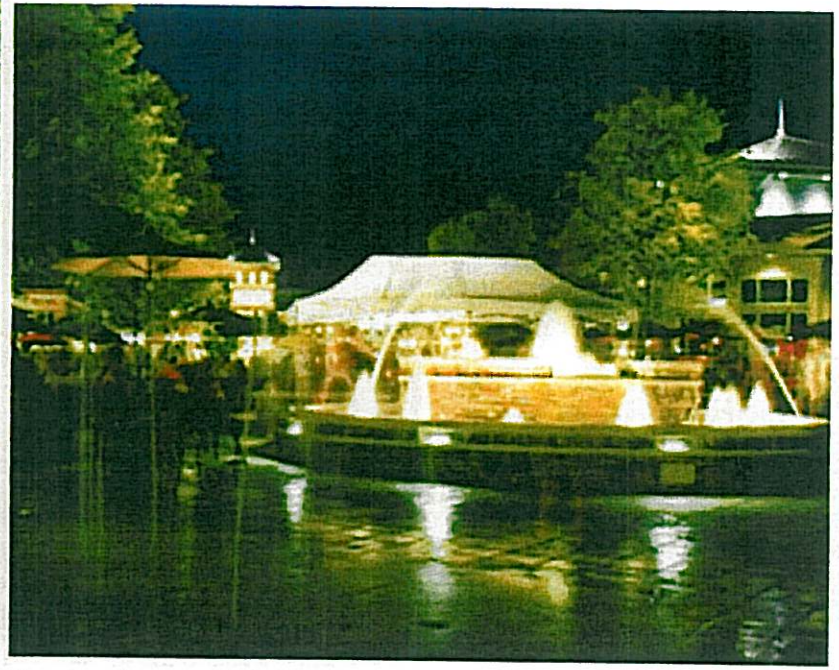
*Parking and hardscape design will have pervious areas will meet code at the time of zoning authorization permitting.

Throughout the site there will be significant features such as way-finding signage, benches, pathways, masonry pillars, plazas, courtyards, fountains, etc. These elements are situated to increase the visual impact and benefit of the development. A signature image of the project is the proposed vista from Highway 150 across two ponds and a small natural waterfall. A perimeter trail for pedestrians will be installed to encourage walkers and joggers to take advantage of a measured and marked trail system. This perimeter trail system is linked to the internal walkway/sidewalk system to provide linkage to other pedestrian amenities and shops. The village center is located around a highly landscaped plaza to be used for larger social gatherings, music events, and holiday celebrations. Courtyards, walkways, fountains and landscape features are combined throughout the development with the culmination at the village center. Restaurants and retail combine to create an energy that will bring window shopping and night life. Additional information is described in the node sections on pages 09 -11.

The images on the following pages are intended to describe the quality, scale, and character of the proposed BridgeWater Development.

Trellis areas with outdoor seating



Focal point at public fountain

The images shown suggest the design intent, quality, scale, and character of the proposed landscape amenities.

Attractive landscaping will be a critical component to the success of BridgeWater. Buffer areas will be preserved and maintained. All landscaping, visual screening and planting buffers will meet the requirements of applicable ordinances. A comprehensive landscaping plan will be submitted to and approved by the relevant county prior to installation. A comprehensive landscaping plan will be submitted to the relevant county for review and approval prior to installation.

The images shown depict the design intent, quality, scale, and character of the landscaping within BridgeWater.

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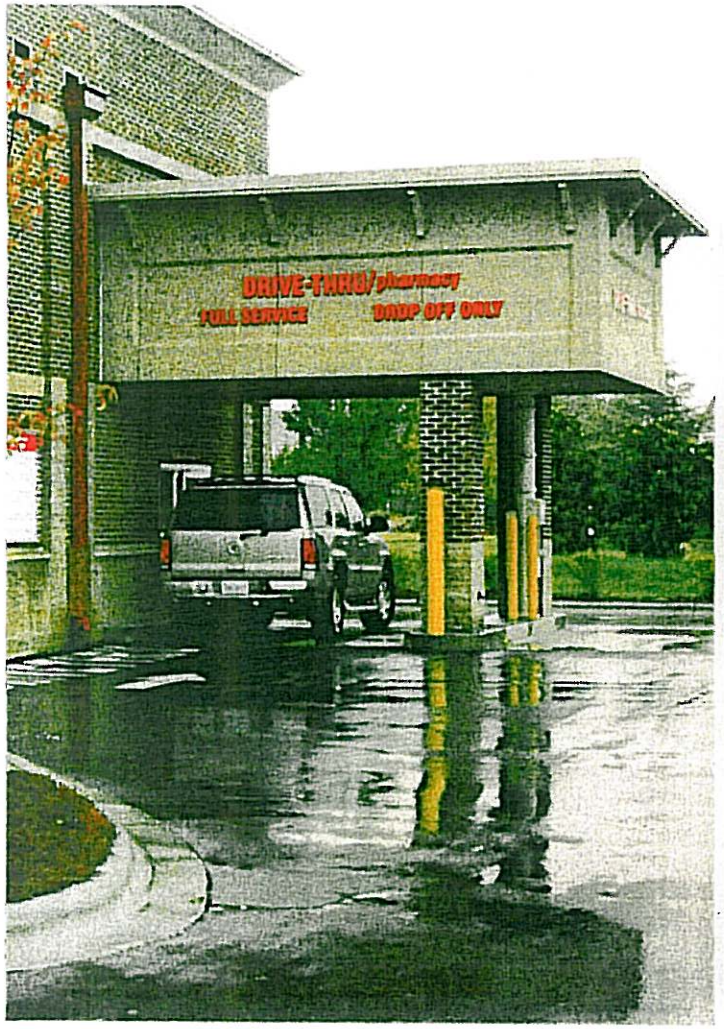

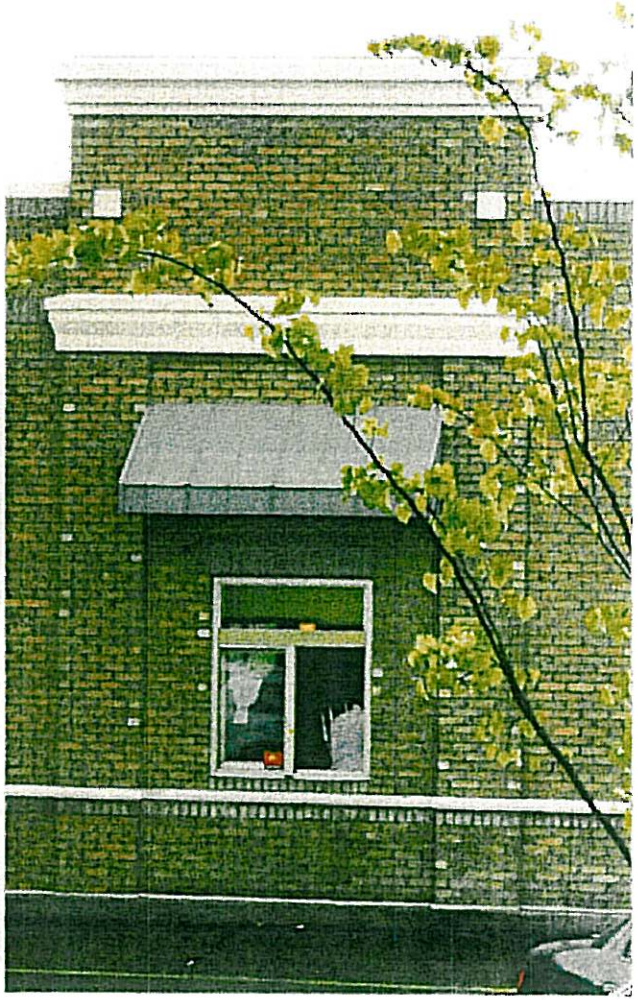

The images shown depict the design intent, quality, scale, and character of the landscaping within BridgeWater.

STANDARDS FOR THE DEVELOPMENT OF BRIDGEWATER CATAWBA COUNTY

I. COMMITMENT

These development standards form a part of the Design Guidelines along with the Technical Data Master Plan filed by Crosland LLC to accommodate the development of a commercial/office center on approximately 54 acres located near the intersection of Highway 150 and the proposed Highway 16 By Pass (hereinafter referred to as the "Site"). The Site is located within the proposed Bridgewater Development which contains an additional approximately 37 acres located within Lincoln County. The Catawba County and Lincoln County portions of the BridgeWater Development combined are hereinafter referred to as the "BridgeWater Development").
Development of the Site will be governed by the Design Guidelines, Technical Data Master Plan, these development standards, the Technical Data Master Plan and the applicable provisions of the Catawba County Unified Development Ordinance (the "Ordinance") in effect as of the date of the approval of this Rezoning Petition. Unless the Design Guidelines or these development standards establish different standards, the regulations established under the Ordinance for the Planned Development Zoning District classification and the MUC Overlay together with the conditions noted in the foregoing documents shall govern all development taking place on the Site.

II. DEVELOPMENT PROGRAM

A. Permitted Development within the Site

(1). Planning for the Site has not advanced beyond the formative stage and tenant mix and design requirements have not been finalized. Consequently, the ultimate layouts of the development proposed, the exact alignments of driveways, streets and points of access, the configurations and placements of parking areas and the sizes of buildings have not been determined.

(2). The configurations, placements and sizes of the buildings and parking areas depicted on the Technical Data Master Plan and the Design Guidelines are schematic in nature and not intended to be specific site development plans but rather preliminary graphic representations of the types and quality of development proposed for the various components. They may, therefore, be altered or modified during design development and construction document phases so long as the overall design intent established on the Technical Data Master Plan and the Design Guidelines is not violated and the proposed alterations or modifications do not exceed the parameters established under the Design Guidelines and minimum standards of the Ordinance.

B. Include uses as permitted in the Planned Development District and MUC-O

B. Include uses as permitted in the Planned Development District and MUC-O

1. The Site may be devoted to any use (including any accessory use) which is permitted in the Planned Development Zoning District under the Ordinance. The maximum gross building floor area constructed within the BridgeWater Development will not exceed a total aggregate of 704,900 square feet of gross floor area. Subject to Paragraph 2 below, no more than 462,900 square feet of the gross floor area located within the BridgeWater Development may be devoted to retail uses. In addition, no more than 400,000 square feet of the total aggregate BridgeWater Development floor area will be located on the Site.

2. Subject to the review and approval by NCDOT of an updated traffic impact study and the review and approval of a final site plan by the Architectural Review Board (as defined below in Section VII) and the Catawba County Planning Director or his designee, additional floor area of up to 70,000 square feet devoted to any of the uses permitted herein may be constructed on the Site.

3. Areas used for outdoor dining, building and equipment access (such as stairs, elevator shafts and maintenance crawl space), service areas, mechanical and electrical rooms, and storage areas, are not included within the maximum floor areas noted above.

C. **Drive Through Window Facilities**

Any building that has a drive through window(s) or drive under canopy shall not have the drive through window(s) on the side of the building that directly faces a public street. Drive-thurs, convenient stores, banks and similar uses should be as shown on page 29 in regards to quality of design in out-parcel locations along NC 150.

III. DESIGN GUIDELINES/DESIGN AND PERFORMANCE STANDARDS

A. **Design Guidelines**

The proposed development of the Site must be carried out in a manner which is generally consistent with the Design Guidelines. All buildings, signage, landscaping, amenities and lighting shall meet or exceed the standards, materials and design as shown in the Design Guidelines pending future approval through the Architectural Review Board and the final site plan review process.

B. Design And Performance Standards

(1) In order to promote greater pedestrian interconnectivity among the uses throughout the development and generally depicted in the Design Guidelines, certain site amenities such as outdoor seating areas, courtyards and/or larger sidewalk areas with landscape planters will be installed for those ancillary uses that customarily provide outdoor dining/gathering opportunities.

(2) The boundaries and dimensions of the common open space areas located throughout the BridgeWater Development as generally depicted in the Design Guidelines may be altered provided that the open space areas in the BridgeWater Development shall contain a minimum of 20 acres. In calculating the minimum amount of required open space, the following items shall be considered in making this calculation (if they are provided on the Site): buffers, sidewalks, seating areas, benches, landscaped areas, plazas, outdoor dining areas, kiosks, fences, graphic monuments, lighting, drainage and utilities, recreation facilities, water features and other common areas at a quality that meets or exceeds examples shown in the Design Guidelines.

(3) Any outdoor dining and/or courtyard area shall be located outside of the required building setbacks and buffers generally depicted on the Design Guidelines.

(4) All roof mounted mechanical equipment shall be screened from view at grade, also screened from NC-16 bypass. If a parapet wall will not screen all roof mounted mechanical equipment, possible concessions may be made if green roofs or improvements equal to those in various LEED certifications are willing to be made.

(5) All freestanding lighting fixtures will be uniform in design and of a quality which meets or exceeds the examples shown in the Design Guidelines, allowing for both customary parking fixtures and pedestrian scale fixtures. The maximum height of any freestanding lighting fixture, including its base, may not exceed 35 feet.

(6) All parking lot lighting shall be capped such that direct illumination does not extend past any property line. All other Site lighting fixtures, including wall mounted sconces and independent fixtures, shall be designed as full cutoff. Pedestrian exterior light fixtures will be uniform throughout the development, designed to minimize light spillage using semi or full-cutoff lighting and will meet or exceed the standards outlined in the Design Guidelines.

(7) All visible portions of buildings abutting NC 150, NC 16 and the internal roadway network shall avoid long expanses of blank, unarticulated walls through the introduction of articulated facades, reveals, blending of colors, materials and other specifically designed architectural elements required by the Ordinance.

(8) Street wall facade treatment will conform to Section 44-430.07(e) of the Ordinance.

(9) All building elevations, roofs, and canopies on the Site will be compatible with each other in terms of building materials and colors and will be consistent with the examples shown in the Design Guidelines. Reference UDO section 44-523 and 44-430.13

(10) Landscaping and amenities shall be equal to or exceed the design quality as depicted in the Design Guidelines.

(11) Structures located on the Site shall conform to the relevant provisions of the Ordinance including Sections 44-327(d)(6), (8), (9) and (10), Section 44-403, Section 44-404-1, Section 44-430.07, Sections 44-430.07(a), (d), (e), (f) and (j), Sections 44-430.07(c) (1) (2) (3) and (4), Sections 44-430.14(a), (b) and (c), Section 44-522 and Section 44-523(g).

(12) Accessory structures shall conform to Section 44-607 and Section 44-428(h) of the Ordinance.
(13) Lots on the Site will conform as applicable to Section 44-327(d)(2), Section 44-404-1, Section 44-430.04, Section 44-430.06(c), and Section 44-430.11(c) of the Ordinance.
(14) The Site appearance and standards shall conform to Section 44-430.06, Section 44-430.07(b) and (h) and Section 44-430.09(h) of the Ordinance.
(15) Physical features of the Site shall conform, if applicable, to Section 44-503, Section 44-430.06(b)(1), Section 44-327(f)(2), Section 44-434.15(c), Section 44-428(g) and Section 44-429.07(a)(6) of the Ordinance.

C. Setbacks, Yards and Landscaping

(1) All buildings constructed on the Site shall satisfy or exceed the setbacks or yard requirements established under the Ordinance.
(2) A landscaped strip of at least 35 feet shall be established along NC 16 and will contain a combination of decorative trees and shrubs.
(3) All screening, landscaping and tree save areas shall conform with the standards of the Ordinance.
(4) Stormwater detention facilities on the Site shall not be located in the required setback or buffer areas.
(5) A detailed landscaping plan will be submitted for review and approval by the Architectural Review Board and the appropriate county prior to final Site Plan approval.
(6) Landscaping shall conform to Section 44-327(d)(8), Section 44-523, Section 44-523(c) (d), (e), (f), (g) and (h), Section 44-523(f)(3)(b), Section 44- 430.10(a) and (i) and Section 44- 430.11(a),(b) and (h) of the Ordinance.

D. Parking

(1) Off street parking and loading areas will satisfy the standards established under the Ordinance.
(2) Shopping cart corrals will be consistent with other streetscape furniture in color scheme, materials, and overall design.
(3) Automobile parking shall comply with all relevant Ordinance provisions including Section 44-430.12 (a), (1), Section 44-430.12 (a)(2), Section 44-430.12 (c) (1), Section 44-430.12 (e), Section 44-534-1, Section 44-535, Section 44-534-1, and Section 44-536(1) – (3) of the Ordinance.
(4) Bicycle parking spaces (ie. bike racks) shall conform to Section 44-430.12(f) of the Ordinance. Bicycle parking should be provided as indicated on page 24.
(5) Paving materials shall comply with Section 44-536(d) and Section 44-430.07(j) of the Ordinance.

E. Vehicular Access and Roadways, Transportation Commitments & Pedestrian Access

(1) Vehicular access to NC 150 and adjacent parcels shall be as generally depicted on the Design Guidelines.

(2) All access to and within the Site shall conform to the Ordinance including but not limited to Sections 44-515, 44-430.09, 44-430.09.1, 44-518(a), 44-407, 44-517, 44-430.09 (c) (e), (f) (k), 44-430.12(d), and 44-430.10(b).

(3) Street designation will comply with Section 44-516(b).

(4) Streets shall comply with Sections 44-430.09(b), 44-430.09(j) and 44-517.

(5) Access points to the Site will be installed as per NCDOT standards. The placement and configuration of access points to the Site are subject to any minor modifications required to accommodate the final site plan and architectural construction designs at the time of site plan review. Approval by NCDOT is required prior to final site plan approval.

(6) Subject to the review of NCDOT, Developer, or its successor in interest, shall, at its sole cost and expense, install all of the trans portation improvements that are recommended to be installed by the developer of the BridgeWater Development in a Traffic Impact Analysis dated _____, 2008 prepared by Kimley-Horn and Associates, Inc. (the "TIA"), or in any amended TIA for the Bridgewater Development subsequently approved by NCDOT.
The transportation improvements required to be installed by Developer in connection with the development of the BridgeWater Development shall be installed in accordance with the specifications of NCDOT. If Developer, or its successor in interest, fails to install any of the required transportation improvements in accordance with the terms of the TIA or any approved amended TIA (including any phasing or scheduling provisions), then the County may, at its option, withhold the issuance of any further building permits or certificates of occupancy for the Catawba County Development Site until such time as the delinquent transportation improvements are completed.

(7) The pedestrian connections including walkways, cross-walks, walking trails, foot bridges, and sidewalks shall be equal to or exceed the standards depicted in the Design Guidelines. The county would review anyrevised site plan prior to approval.

(8) The sidewalk system shall connect with the sidewalk along Highway 150.

(9) Pedestrian amenities shall comply with Section 44-430.13 (a)(d) of the Ordinance.

F. Buffers and Screening and Maintenance of Common Open Space

(1) Buffer areas and screening will meet the requirements of the Ordinance.

(2) Common open spaces, including the buffers and landscape areas, shall be permanently maintained by a Property Owners Association.

(3) Dumpster areas will be enclosed on all four sides by opaque walls that consist of the same materials and design as the associated building(s). One side of the dumpster will be a hinged opaque gate that meets or exceeds the quality of the example shown in the Design Guidelines.

(4) Screening shall comply with Section 44-524, Section 44-525, Section 44-526, Section 44-527, Section 44-430.11(d), Section 44-430.12(b), and Section 44-430.13 (c).

G. Signs

(1) Signage shall conform to Section 44-559, Section 44-562 and Section 44-563 of the Ordinance.

(2) A master signage plan shall be submitted for review and approval by the Architectural Review Board and by the Planning Staff prior to the approval of the final site plan. The number, locations and surface areas of all signs placed on the Site shall be erected within the requirements of the Ordinance and shall meet or exceed the quality of the examples contained in the Design Guidelines. However, the Petitioner reserves the right to seek an exception to the Ordinance standards as permitted under Section 44-430.15(a)(4).

(3) Outparcel, anchor and junior anchor tenants may use their corporate logos, subject to the approval of the Architectural Review Board.

IV. SUSTAINABILITY STANDARDS

A. Tenant Lease Inclusions

(1) Tenant Sustainable Design & Construction Guidelines will be given to all tenants to provide education and direction for sustain able upfits.

(2) Incentives will be given to tenants who meet LEED-CI or similar set measurement (i.e. provide "green certification" logos for windows, increased Tenant Improvement Allowance, etc.)

(3) Green requirements for shop tenant upfits will include low flow plumbing fixtures (</=1.3 GPF toilets, </=1.8 GPM lavatory faucets), low-VOC products (interior paints, sealants, adhesives, carpets), high-efficiency HVAC & lighting standards, and prohibition of CFC-based refrigerants.

B. Landlord Site Work

(1) Bicycle racks and storage will be provided.

(2) Water efficient landscaping will be utilized to reduce irrigation to 50% of the baseline standard.

(3) A portion of native plants in disturbed areas will be recovered and relocated on- or off-site prior to the beginning of site work.

(4) Landlord will provide permanent recycling bins for tenant use.

(5) Stormwater management quality control will capture and treat 70% of average rainfall through a combination of non-structural measures such as bioswales, disconnection of impervious areas, and/or pervious pavement and structural measures such as cisterns, manhole treatment devices, and/or ponds.

C. Landlord Building

(1) Tenant water and electricity sub-metering will be provided as allowed by code.
(2) Construction waste management measures will be employed in order to divert at least 50% of the construction waste from landfills.
(3) Regional building materials will be used so that at least 10% of the total aggregate building materials come from sources located within 500 miles of the Site.
(4) Tobacco smoke control will be provided so that at least 50% of the building areas prohibit smoking within the building and provide designated smoking areas at least 25 feet from buildings.
(5) Low-VOC interior paints, sealants, adhesives, and carpets will be used.
(6) At least 75% of low-sloped roof surfaces (</=2:12) will have a Solar Reflectance Index >/= 78.

V. TRASH PICK UP

Trash pick up shall not occur between the hours of 11 pm and 6 am.

VI. UTILITIES

Utilities shall conform to Section 44-430.07(i), Section 44-519, and Section 44-521 of the Ordinance. The electrical distribution system for the Site will be installed underground. Above ground electrical utility boxes shall be screened with landscaping.

VII. ARCHITECTURAL REVIEW BOARD.

Developer shall form an Architectural Review Board (the "ARB") prior to applying for a building permit for any building to be constructed on the Site and prior to applying for a sign permit for any sign to be erected on the Site. The ARB shall consist of five members. One member shall be the Planning Director for Catawba County or his or her designee from the Catawba County Planning Department; one member shall be the Planning Director for Lincoln County or his or her designee from the Lincoln County Planning Department; and the remaining three members shall be designated by the developer of the Site. The purpose of the ARB is to review and approve plans and specifications for each building and each sign to be erected on the Site to ensure that each building and each sign satisfies the intent of the Design Guidelines in terms of site layout, exterior elevations, exterior materials and colors, landscaping and lighting.
Prior to applying for a building permit for a building to be constructed on the Site or for a sign permit for a sign to be erected on the Site, the developer of the Site, or any portion thereof, shall submit a written request to the ARB for the review and approval of the building or the sign accompanied by plans and specifications for the building or the sign. The plans and specifications shall show, as applicable, site layout, exterior building elevations or sign elevations, exterior materials and colors, landscaping and lighting. Within thirty (30) days of its receipt of the written request and the plans and specifications, the ARB shall notify in writing the developer of the Site, or the relevant portion thereof, whether the building or the sign has been approved. Each member of the ARB shall have one vote on all matters before the ARB, and any consent, approval or other action of the ARB shall require a simple majority vote.

If a building or sign is not approved, the ARB will specify in writing the deficiencies in the plans and specifications, and the developer will be required to submit to the ARB revised plans and specifications for review and approval prior to applying for a building permit for the building or a sign permit for the sign.
The approval of the ARB is not a substitute for any approvals or reviews required by Catawba County or any other governmental agency or entity having jurisdiction over buildings and signs to be erected on the Site. In the event that a building or sign does not receive the required governmental approvals, the developer of the Site, or the relevant portion thereof, shall be required to go through the ARB approval process again if the developer is required to make material changes to the plans and specifications in order to receive governmental approvals.

VIII. AMENDMENTS TO REZONING PLAN

Future amendments to the Technical Data Master Plan, these Development Standards and the Design Guidelines may be applied for by the then owner or owners of the particular component within the Site involved in accordance with the provisions of the Ordinance.

IX. BINDING EFFECT OF THE REZONING PETITION

A. Pending the approval of this Rezoning Petition, all conditions and commitments outlined in these Development Standards and the Design Guidelines shall be applicable to the development of the Site and shall be binding upon the Petitioner and subsequent owners, their heirs, respective assessors and assigns. Such conditions and commitments may be modified or amended in the manner provided for under the Ordinance in effect at the time of site plan review and approval. In such case, the modified or amended conditions and commitments shall be binding upon the Petitioner and subsequent owners, their heirs, respective assessors and assigns.

B. In addition to the current owners of the Site, the terms "Owner" or "Owners," shall be deemed to include the successors in interest and assigns of the current owner or owners of the Site who may be involved in any future development thereof from time to time.

STANDARDS FOR THE DEVELOPMENT OF BRIDGEWATER LINCOLN COUNTY

I. COMMITMENT

These development standards form a part of the Design Guidelines along with the Technical Data Master Plan filed by Crosland LLC to accommodate the development of a commercial/office center on approximately 37 acres located near the intersection of Highway 150 and the proposed Highway 16 By Pass (hereinafter referred to as the "Site"). The Site is located within the proposed BridgeWater Development which contains an additional approximately 54 acres located within Catawba County. The Lincoln County and Catawba County portions of the BridgeWater Development combined are hereinafter referred to as the "BridgeWater Development"). Development of the Site will be governed by the Design Guidelines, these development standards, the Technical Data Master Plan and the applicable provisions of the Lincoln County Zoning Ordinance (the "Ordinance") in effect as of the date of the approval of this Rezoning Petition. Unless the Design Guidelines, the Technical Data Master Plan or these development standards establish different standards, the regulations established under the Ordinance for the B-G zoning district together with the conditions noted in the foregoing documents shall govern all development taking place on the CZ B-G portion of the Site and the regulations established under the Ordinance for the I-G zoning district together with the conditions noted in the foregoing documents shall govern all development taking place on the CZ I-G portion of the Site.

II. DEVELOPMENT PROGRAM

A. Permitted Development within the Site

1. Planning for the Site has not advanced beyond the formative stage and tenant mix and design requirements have not been finalized. Consequently, the ultimate layouts of the development proposed, the exact alignments of driveways, streets and points of access, the configurations and placements of parking areas and the sizes of buildings have not been determined.

2. The configurations, placements and sizes of the buildings and parking areas depicted on the Technical Data Master Plan and the Design Guidelines are schematic in nature and not intended to be specific site development plans but rather preliminary graphic representations of the types and quality of development proposed for the various components. They may, therefore, be altered or modified during design development and construction document phases so long as the overall design intent established on the Technical Data Master Plan and the Design Guidelines is not violated and the proposed alterations or modifications do not exceed the parameters established under the Design Guidelines and minimum standards of the Ordinance.

B. Permitted Uses Within the CZ B-G Portion of the Site

1. The CZ B-G portion of the Site may be devoted to all uses as permitted in the B-G district under the Ordinance with the exception of the following principal uses:

Fueling stations
Mini-warehouses
Auto repair
Auto sales
Boat sales
Farm equipment sales
Mobile home sales
Auto supply
Outdoor storage

Notwithstanding the foregoing, fueling stations, auto repair, auto sales, boat sales, farm equipment sales, auto supplies and out door storage are permitted as accessory uses on the Site. All ancillary and accessory uses allowed under the B-G district are per mitted on the CZ B-G portion of the Site.

C. Permitted Uses Within the CZ I-G Portion of the Site

The CZ I-G portion of the Site may be devoted to office, medical, institutional, office/flex space, light manufacturing, warehouse/ distribution, laboratories, and/or research and development uses as permitted in the I-G district under the Ordinance. Outdoor storage as a principal use will not be permitted on the Site. All ancillary and accessory uses allowed under the I-G district are permitted on the CZ I-G portion of the Site.

D. Drive Through Facilities

Any building that has a drive through window(s) shall not have the drive through window(s) on the side of the building that directly faces a public street.

E. Maximum Floor Area

1. The maximum gross building floor area constructed within the BridgeWater Development will not exceed a total aggregate of 704,900 square feet of gross floor area. Subject to Paragraph 2 below, no more than 462,900 square feet of the gross floor area located within the BridgeWater Development may be devoted to retail uses. In addition, no more than 400,000 square feet of the total aggregate BridgeWater Development floor area will be located on the Site.

2. Subject to the review and approval by NCDOT of an updated traffic impact study and the review and approval of a final site plan by the Architectural Review Board (as defined below in Section VII) and the Lincoln County Planning Director or his designee, additional floor area of up to 70,000 square feet devoted to any of the uses permitted herein may be constructed on the Site.

3. Areas used for outdoor dining, building and equipment access (such as stairs, elevator shafts and maintenance crawl space), service areas, **mechanical and electrical rooms, and storage areas, are not included within the maximum floor areas noted above.**

III. DESIGN GUIDELINES/DESIGN AND PERFORMANCE STANDARDS

A. Design Guidelines

The proposed development of the Site must be carried out in a manner which is generally consistent with the Design Guidelines. All buildings, signage, landscaping, amenities and lighting shall meet or exceed the standards, materials and design as shown in the Design Guidelines pending future approval through the Architectural Review Board and the final site plan review process.

B. Design And Performance Standards

1. In order to promote greater pedestrian interconnectivity among the uses throughout the development and generally depicted in the Design Guidelines, certain site amenities such as outdoor seating areas, courtyards and/or larger sidewalk areas with landscape planters will be installed for those ancillary uses that customarily provide outdoor dining/gathering opportunities.

2. The boundaries and dimensions of the common open space areas located throughout the BridgeWater Development as generally depicted on the Design Guidelines may be altered provided that the open space areas in the BridgeWater Development shall contain a minimum of 20 acres. In calculating the minimum amount of required open space, the following items shall be considered in making this calculation (if they are provided on the Site): buffers, sidewalks, seating areas, benches, landscaped areas, plazas, out door dining areas, kiosks, fences, graphic monuments, lighting, drainage and utilities, recreation facilities, water features and other common areas at a quality that meets or exceeds examples shown in the Design Guidelines.

3. Any outdoor dining and/or courtyard area shall be located outside of the required building setbacks and buffers generally depicted on the Design Guidelines.

4. All roof mounted mechanical equipment shall be screened from view at grade.
5. All freestanding lighting fixtures will be uniform in design and of a quality which meets or exceeds the examples shown in the Design Guidelines, allowing for both customary parking fixtures and pedestrian scale fixtures. The maximum height of any freestanding lighting fixture, including its base, may not exceed 35 feet.
6. All parking lot lighting shall be capped such that direct illumination does not extend past any property line. All other Site lighting fixtures, including wall mounted sconces and independent fixtures, shall be designed as full cutoff. Pedestrian exterior light fixtures will be uniform throughout the development, designed to minimize light spillage using semi or full-cutoff lighting and will meet or exceed the standards outlined in the Design Guidelines.
7. All visible portions of buildings abutting NC 16 and the internal roadway network shall avoid long expanses of blank, unarticulated walls through the introduction of articulated facades, reveals, blending of colors, materials and other specifically designed architectural elements required by the Ordinance.
8. All building elevations, roofs, and canopies on the Site will be compatible with each other in terms of building materials and colors and will be consistent with the examples shown in the Design Guidelines.
9. Landscaping and amenities shall be equal to or exceed the design quality depicted in the Design Guidelines.

C. Setbacks, Yards and Landscaping

1. All buildings constructed on Site shall satisfy or exceed the setbacks or yard requirements established under the Ordinance.
2. A landscaped strip of at least 35 feet shall be established along NC 16 and will contain a combination of decorative trees and shrubs.
3. All screening, landscaping and tree save areas shall conform with the standards of the Ordinance.
4. Stormwater detention facilities on the Site shall not be located in the required setback or buffer areas.
5. A detailed landscaping plan will be submitted for review and approval by the Architectural Review Board prior to final Site Plan Approval.

D. Parking

1. Off street parking and loading areas will satisfy the standards established under the Ordinance.
2. Shopping cart corrals will be consistent with other streetscape furniture in color scheme, materials, and overall design.
3. Bicycle parking spaces (ie. bike racks) shall be provided at the front of building locations in the amount of 3% of the total number of required automobile parking spaces.

E. Vehicular Access and Roadways, Transportation Commitments & Pedestrian Access

1. Vehicular access to the Site and adjacent parcels shall be as generally depicted on the Design Guidelines.
2. Access points to the Site will be installed as per NCDOT standards. The placement and configuration of access points to the Site are subject to any minor modifications required to accommodate the final site plan and architectural construction designs at the time of site plan review. Approval by NCDOT is required prior to final site plan approval
3. Subject to the approval of NCDOT, Developer, or its successor in interest, shall, at its sole cost and expense, install all of the transportation improvements that are recommended to be installed by the developer of the BridgeWater Project in a Traffic Impact Analysis dated _____, 2008 prepared by Kimley-Horn and Associates, Inc. (the "TIA"), or in any amended TIA for the Bridgewater Project subsequently approved by NCDOT. The current TIA has been reviewed and approved by NCDOT.

   The transportation improvements required to be installed by Developer in connection with the development of the Bridge Water Project shall be installed in accordance with the specifications of NCDOT. If Developer, or its successor in interest, fails to install any of the required transportation improvements in accordance with the terms of the TIA or any approved amended TIA (including any phasing or scheduling provisions), then the County may, at its option, withhold the issuance of any further building permits or certificates of occupancy for the Lincoln County Development Site until such time as the delinquent transportation improvements are completed.
4. The pedestrian connections including walkways, cross-walks, walking trails, foot bridges, and sidewalks shall be equal to or exceed the standards depicted in the Design Guidelines.
5. The sidewalk system shall connect with the sidewalk along Highway 150

F. Buffers, Screening and Maintenance of Common Open Space

1. Buffer areas and screening will meet the requirements of the Ordinance.
2. Common open spaces, including the buffers and landscape areas, shall be permanently maintained by a Property Owners Association.
3. Dumpster areas will be enclosed on all four sides by opaque walls that consist of the same materials and design as the associated building(s). One side of the dumpster will be a hinged opaque gate that meets or exceeds the quality of the example shown in the Design Guidelines.

G. Signs

1. A master signage plan shall be submitted for review and approval by the Architectural Review Board and by the Planning Staff prior to the approval of the final site plan.

2. The number, locations and surface areas of all signs placed on the Site shall be erected within the requirements of the Ordinance and shall meet or exceed the quality of the examples contained in the Design Guidelines.
3. Outparcel, anchor and junior anchor tenants may use their corporate logos subject to the approval of the Architectural Review Board.

IV. SUSTAINABILITY STANDARDS

A. Tenant Lease Inclusions

1. Tenant Sustainable Design & Construction Guidelines will be given to all tenants to provide education and direction for sustainable upfits.
2. Incentives will be given to tenants who meet LEED-CI or similar set measurement (i.e. provide "green certification" logos for windows, increased Tenant Improvement Allowance, etc.)
3. Green requirements for shop tenant upfits will include low flow plumbing fixtures (</=1.3 GPF toilets, </=1.8 GPM lavatory faucets), low-VOC products (interior paints, sealants, adhesives, carpets), high-efficiency HVAC & lighting standards, and prohibition of CFC-based refrigerants.

B. Landlord Site Work

1. Bicycle racks and storage will be provided.
2. Water efficient landscaping will be utilized to reduce irrigation to 50% of the baseline standard.
3. A portion of native plants in disturbed areas will be recovered and relocated on- or off-site prior to the beginning of site work.
4. Landlord will provide permanent recycling bins for tenant use.
5. Stormwater management quality control will capture and treat 70% of average rainfall through a combination of non-structural measures such as bioswales, disconnection of impervious areas, and/or pervious pavement and structural measures such as cisterns, manhole treatment devices, and/or ponds.

C. Landlord Building

1. Tenant water and electricity sub-metering will be provided as allowed by code.
2. Construction waste management measures will be employed in order to divert at least 50% of the construction waste from landfills.
3. Regional building materials will be used so that at least 10% of the total aggregate building materials come from sources located within 500 miles of the Site.

4. Tobacco smoke control will be provided so that at least 50% of the building areas prohibit smoking within the building and provide designated smoking areas at least 25 feet from buildings.
5. Low-VOC interior paints, sealants, adhesives, and carpets will be used.
6. At least 75% of low-sloped roof surfaces (</=2:12) will have a Solar Reflectance Index >/= 78.

V. TRASH PICK UP

Trash pick up shall not occur between the hours of 11 pm and 6 am.

VI. UTILITIES

The electrical distribution system for the Site will be installed underground. Above ground electrical utility boxes shall be screened with landscaping.

VII. ARCHITECTURAL REVIEW BOARD.

Developer shall form an Architectural Review Board (the "ARB") prior to applying for a building permit for any building to be constructed on the Site and prior to applying for a sign permit for any sign to be erected on the Site. The ARB shall consist of five members. One member shall be the Planning Director for Lincoln County or his or her designee from the Lincoln County Planning Department; one member shall be the Planning Director for Catawba County or his or her designee from the Catawba County Plan ning Department and the remaining three members shall be designated by the developer of the Site. The purpose of the ARB is to review and approve plans and specifications for each building and each sign to be erected on the Site to ensure that each building and each sign satisfies the intent of the Design Guidelines in terms of site layout, exterior elevations, exterior materials and colors, landscaping and lighting.Prior to applying for a building permit for a building to be constructed on the Site or for a sign permit for a sign to be erected on the Site, the developer of the Site, or any portion thereof, shall submit a written request to the ARB for the review and approval of the building or the sign accompanied by plans and specifications for the building or the sign. The plans and specifications shall show, as applicable, site layout, exterior building elevations or sign elevations, exterior materials and colors, landscaping and lighting. Within thirty (30) days of its receipt of the written request and the plans and specifications, the ARB shall notify in writing the developer of the Site, or the relevant portion thereof, whether the building or the sign has been approved. Each member of the ARB shall have one vote on all matters before the ARB, and any consent, approval or other action of the ARB shall require a simple majority vote.If a building or sign is not approved, the ARB will specify in writing the deficiencies in the plans and specifications, and the developer will be required to submit to the ARB revised plans and specifications for review and approval prior to applying for a building permit for the building or a sign permit for the sign.

The approval of the ARB is not a substitute for any approvals or reviews required by Lincoln County or any other governmental agency or entity having jurisdiction over buildings and signs to be erected on the Site. In the event that a building or sign does not receive the required governmental approvals, the developer of the Site, or the relevant portion thereof, shall be required to go through the ARB approval process again if the developer is required to make material changes to the plans and specifications in order to receive governmental approvals.

VIII. AMENDMENTS TO REZONING PLAN

Future amendments to the Technical Data Master Plan, these Development Standards and the Design Guidelines may be applied for by the then owner or owners of the particular component within the Site involved in accordance with the provisions of the Ordinance in effect at the time.

IX. BINDING EFFECT OF THE REZONING PETITION

A. Pending the approval of this Rezoning Petition, all conditions and commitments outlined in these Development Standards and the Design Guidelines shall be applicable to the development of the Site and shall be binding upon the Petitioner and subsequent owners, their heirs, respective assessors and assigns. Such conditions and commitments may be modified or amended in the manner provided for under the Ordinance in effect at the time of site plan review and approval. In such case, the modified or amended conditions and commitments shall be binding upon the Petitioner and subsequent owners, their heirs, respective assessors and assigns.

B. In addition to the current owners of the Site, the terms "Owner" or "Owners," shall be deemed to include the successors in i nterest and assigns of the current owner or owners of the Site who may be involved in any future development thereof from time to time.