

## **OLD HICKORY BUSINESS PARK**

### **ARCHITECTURAL GUIDELINES**

#### **INTRODUCTION**

These Guidelines are designed to provide for the orderly and attractive development of Old Hickory Business Park.

The Architectural Review Committee is the reviewing body which interprets proposals for Plans and the compatibility of various Owners' Plans with the overall general plan of development of Old Hickory Business Park. It is concerned with aesthetics, maintenance and operational aspects of the Properties and it is the responsibility and purpose of the Architectural Review Committee to administer the development criteria and procedures, including these Guidelines.

#### **PURPOSE**

The primary objectives in establishing these Guidelines are:

- To protect property values and enhance each Owner's investment by insuring a well-planned and maintained development within the Properties;
- To provide a harmonious relationship among all Structures and other improvements located within the Properties;
- To minimize disturbing influences on adjacent or neighboring properties; and
- To contribute to a favorable environment for the Properties and the Owners or occupants located therein.

These Guidelines are designed to be both general and specific so that a set of standards can be identified for each Lot.

#### **DESIGN, REVIEW AND APPROVAL PROCEDURE**

**Initial Submission of Schematic Design.** Each Owner shall first submit schematic design plans for preliminary review by the Architectural Review Committee. Schematic Plans shall include a general site plan for the Lot which identifies or illustrates all proposed improvements including driveways, sidewalks, parking lots, service areas, building, and setback lines, a general description of building materials to be used in construction of buildings, building elevations or a rendering and floor plans for all Structures or other building improvements. The Architectural Review Committee shall review and approve or comment upon such Plans within fifteen (15) days from receipt of the Owner's submission of same. If the Architectural Review Committee provides any comments or otherwise disapproves of any part or portion of said schematic Plans, Owner shall respond thereto, in writing or by the submission of modified schematic Plans within fifteen (15) days of receipt of the Architectural Review Committee's comments or objections. The Owner shall submit triplicate counterparts of the schematic Plans and review fee to the Architectural Review Committee. The Committee shall return one (1) set with its comments.

**Final Plan Submittal.** After approval of schematic Plans, final, fully completed Plans shall be submitted for approval. Final Plans shall include a site development plan of the Lot including grading plans and utility plans, together with an identification or description of the Structures and all improvements to be located upon the Lot including the specific nature, kind, shape and color of materials to be used in construction of Structures and all other improvements. Final plans shall also depict all setback lines relative to the location of Structures and other improvements as well as landscape, irrigation, signage and lighting plans. With respect to Structures and all improvements, the Plans for the main floor of each Structure shall identify and locate all entrances and exits to and from the Structure, as well as any truck loading areas, above ground utility equipment, rooftop equipment, garbage storage or "dumpster" site areas and the locations of appendages to the exteriors of buildings or Structures. Elevations for each Structure shall also be included together with the specifications for exterior materials and colors including color boards and color chips. Final Plans shall be submitted in triplicate with the review fee to the Architectural Review Committee and one (1) set shall be returned by the Committee with approvals or Committee comments. The Architectural Review Committee shall have fifteen (15) days within receipt of the submission of the Final Plans within which to respond to the Owner with its comments.

In no event shall the Owner commence any construction upon its Lot until the approval of the Architectural Review Committee with respect to final Plans has been obtained.

**Fees and Charges.** The committee has designated Pinnacle Architecture, P.A. as the reviewing professional. Pinnacle Architecture shall be paid a fee of \$500.00 for preliminary review and \$500.00 for final plan review to defray the Committee's costs in connection with professional review of the submissions. A fee of \$250.00 will be required for each resubmittal. These fees must be paid to Pinnacle Architecture, P.A. at the time of submission. In addition, the Owner will be responsible for the cost of all permits and other fees incurred by the Owner in connection with its construction of Structures and improvements upon the Lot and all development thereof.

### **SITE DEVELOPMENT STANDARDS**

In connection with the proposal of both schematic and final Plan submissions, as well as with respect to the ultimate construction of Structures and improvements upon the Lot, the Architectural Review Committee will require compliance with the site development standards hereinafter described.

**Site Work and Grading.** Grading of the Lot must be undertaken in order to avoid trespass or other adverse impact upon adjacent Properties and to avoid excessive "cuts" of the natural terrain of the Lot. A slope ratio of no greater than 4:1 shall be generally required at the setbacks along Indian Trail – Fairview Road and Stinson Hartis Road. Retaining walls shall be constructed of materials compatible with the exterior of Structures and other improvements and the location and general description of same shall be included in the Plans to be submitted to the Committee for approval. All berms, channels or swales to be installed or located upon the Lot must be undertaken in a manner which will be designed to integrate with the natural terrain and graded or paved portions of the Lot to the maximum extent possible. Driveways and parking lots with public road frontage will be constructed with concrete curb and gutter.

**Setbacks.** Setback areas for each Lot shall be as follows:

<u>Type of Setback</u>	<u>Lots Less Than 5 Acres</u>		<u>Lots Greater Than 5 Acres</u>	
	<u>Not Facing</u> ITF or SH	<u>Facing</u> ITF or SH <b>OR</b> <u>Greater Than 5 Acres</u> <u>Not Facing</u> ITF or SH	<u>Not Facing</u> ITF or SH	<u>Facing</u> ITF & SH
1. Front Setback for Structures	50 feet	75 feet	75 feet	100 feet
2. Front Setback for Parking	15 feet	15 feet	15 feet	25 feet
3. Side Setback for Structures	20 (CODE)	20 (CODE)	20 (CODE)	20 (CODE)
4. Rear Setback for Structures	50' (CODE)	50' (CODE)	50' (CODE)	50' (CODE)
5. Side and Rear Setback for Parking	10'	10'	10'	10'

ITF= Indian Trail-Fairview Road

SH = Stinson Hartis Road

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Service Areas. No loading service or outside storage area shall be permitted between the front of the primary building or Structure to be upon the lot and the street boundary located and all loading and material handling areas shall be located to the rear or the side of the primary building or Structure to be located upon the Lot, provided, however, the Architectural Review Committee may permit an Owner to install or construct loading, service and outside storage and materials handling areas where same would otherwise be prohibited if the Owner proposes and installs or constructs sufficient berming, natural vegetation or compatible screening of such areas from Lots and streets and rights of way adjacent to the Lot upon which same are located. Exterior areas which must be secured for safety or security purposes shall be located between the rear exterior of the primary Structure or building and the rear boundary of the Lot. All loading service or outside storage areas shall be screened from the view of public streets. The location and material of all fences or walls to be constructed upon the Lot shall be included within the Plans to be approved by the Architectural Review Committee. Green "tennis screening" must be attached to any perimeter fence located along each side and the rear of the property.

Exterior Lighting. Parking lot lights shall not exceed thirty feet (30') in height. All parking lights shall be installed on aluminum or fiberglass poles and shall cast metal halide lighting. The location for all lights for signage or illumination of the exterior of Structures to be located upon the Lot and lights installed as part of the security for the Structures must be identified and located upon the Plans and are subject to the approval of the Architectural Review Committee. Metal halide lighting will be permitted in conjunction with certain building materials such as reflective glass curtain walls. No wall pack or other lighting shall cast a glare towards the public roads.

Utility Lines. All utility lines shall be constructed underground, except for utilities in public Right of Ways.

Sidewalks - Sidewalks shall be built along all public streets by the purchaser of the property. (See attached sketch.)

### **GENERAL ARCHITECTURAL DESIGN STANDARDS**

Prohibited Materials. Building walls fronting the street R.O.W. shall be brick. Precast concrete, stucco, or stone may be used as accent material on the front and side elevations of the building. Split-face block or concrete masonry units (CMU's) are prohibited. Walls not fronting street R.O.W. can be metal. Corrugated metal or pre-engineered metals are acceptable in connection with the construction of the exterior of any Structures or other improvements. The front elevation material shall be required to turn the corners and extend down the side elevations at least 25% of the elevation length or to the first column bay. In its review of Plans, the Architectural Review Committee intends to require materials used in connection with the exteriors of buildings or other Structures to be of high quality and compatible in design and material components with all other Structures within the Lot. Accessory buildings shall use exterior materials that are similar in nature to the principle building.

Exterior Equipment. Exterior equipment such as storage tanks, cooling towers, transformers, antennae, electronic receivers and other similar equipment and facilities, including those located upon the roofs of Structures, shall be (i) screened from pedestrian and vehicular view from the streets or (ii) located upon the Lot subject to the approval of the Architectural Review Committee so as to minimize, to the extent reasonably practical, visibility from adjacent Lots and streets or right of way. The materials used for screening shall be compatible in architectural and aesthetic design of the building materials employed in construction with the primary Structure or other improvements located upon the Lot.

### **SIGNAGE STANDARDS**

Each Owner of a Lot shall be permitted to erect one (1) temporary sign prior to and during construction of Structures and improvements. After construction is substantially complete, temporary signs shall be removed and may be replaced with a single, permanent building identification sign. Set forth below are schematic illustrations of temporary and building identification signs which may be installed by Lot Owners. Each building identification sign will be constructed of standard materials prescribed by the Architectural Review Committee and shall be uniform throughout the Properties. Subject to requirements of applicable governmental regulations, all directional

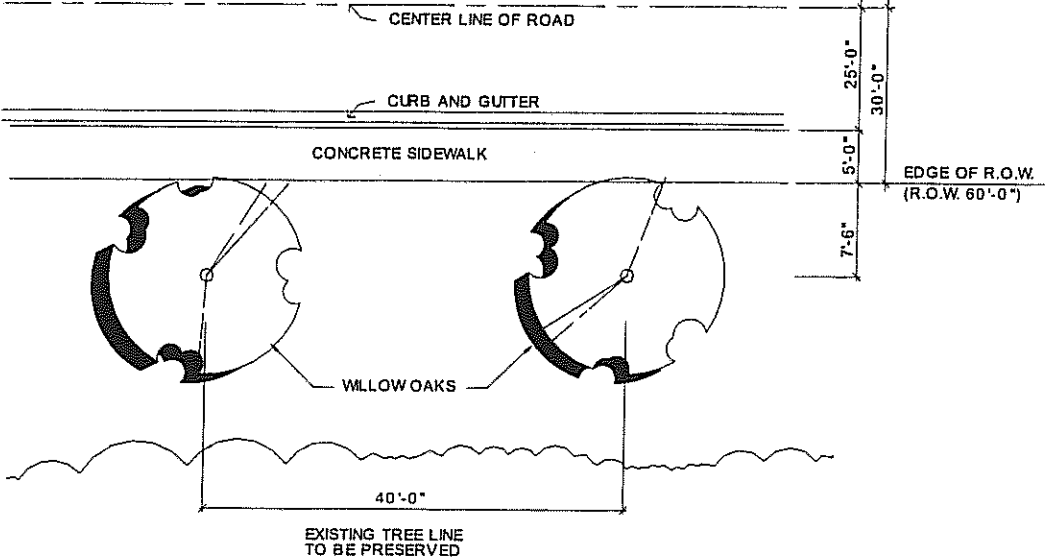
signs and traffic control signage located throughout the Properties shall be designed in a manner consistent with the requirements for building identification signage adopted by the Architectural Review Committee.

The Final Plans submitted for the approval pursuant to the requirements set forth above, shall identify the location of the permanent building identification sign, which the Owner desires to locate upon the Lot. Relocations of permanent building identification signs is subject to the approval by the Architectural Review Committee.

Notwithstanding anything to the contrary, Declarant and the Architectural Review Committee reserve the right to approve signage plans for Lots and installation of signs.

#### **LANDSCAPE STANDARDS**

As required above, the final Plans to be submitted to the Committee for approval will include a landscaping and irrigation plan, as well as proposals for grading for each Lot. Plans submitted for approval will address issues relating to erosion control, temporary drainage, sloping, the location of utilities, clearing of the Lot in conjunction with construction of Structures and improvements and disturbance to the existing terrain. To the extent reasonably practicable, each Owner will be required to employ berming in conjunction with landscaping in order to screen front yard parking and vehicular turn areas. In addition, a single row of 2-1/2" min. caliper willow oaks shall be planted by the Owner. (See sketch below) The front yard must contain fescue grass and shall be fully irrigated and maintained by the Owner as well. After the completion of construction of Structures and improvements upon any Lot, any additional landscaping site work desired to be undertaken by the Owner which is not contained within approved Plans must be submitted to the Architectural Review Committee for approval prior to the commencement to such work.



**GENERAL MAINTENANCE STANDARDS**

Each Owner is responsible for maintaining its Lot in a neat, slightly and well-kept manner. The Association shall be responsible for enforcement of maintenance standards throughout the Properties and will take such steps as are necessary in order to require Owners adhere to appropriate standards. At a minimum, each Owner shall be responsible for the maintenance of its Lot to a standard and quality of maintenance observed by the Association with respect to its maintenance of the Common Property. Each Owner shall be responsible for the timely removal of diseased or dead growth and the replacement of same subject to reasonable requirements of planting.

As provided in the Declaration, each Lot may be subject to a lien in the event its Owner, after required notice, fails to maintain the Lot in accordance with uniform standards promulgated by the Association.

**WAIVER OF MINOR VIOLATIONS**

In addition to the approval of Plans and other matters herein set forth, the Architectural Review Committee shall have the right to waive minor violations and allow minor variances where the same resulted unintentionally or without gross carelessness on the part of any Owner and are not materially harmful to the Properties.