

**USA TECHNOLOGY & RESEARCH PARK**

**DEVELOPMENT GUIDELINES**

**August 2003**

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## **1.0 SCOPE AND PURPOSE OF THE USA TECHNOLOGY & RESEARCH PARK**

(a). The USA Technology & Research Park (“USA TechPark”) has been created as a center for research, economic development and new venture creation on the upper Gulf Coast. Through this initiative, businesses will be linked directly with the academic enterprise of the University of South Alabama (“USA”) to expand educational opportunities for students, enhance research options for faculty and support new growth for participating companies. The USA Research and Technology Corporation (“USARTC”) is the entity which will work, through the Park and other initiatives, to bring the resources of USA into closer contact with the needs of industry for their mutual benefit. The USA TechPark will focus the synergy between USA and the technology business community into a single locale for maximum academic and economic benefit for the entire upper Gulf Coast region.

(b). These Development Guidelines are intended to serve as a guide for the optimal growth and development of the USA TechPark. Compliance with these Development Guidelines will result in the development of the USA TechPark that is an asset to individual tenants, the University of South Alabama, the City and County of Mobile and the State of Alabama. These Development Guidelines set forth minimum criteria to ensure proper and appropriate development and improvement of each site with the USA TechPark and to protect both USA and Park tenants from undesirable and improper uses that would detract from the mission of USA or the USA TechPark or would depreciate the value of the property.

(c). The controls and standards described herein are intended to:

1. Ensure that the overall quality of development within the USA TechPark will be consistent with the mission of the University of South Alabama and contribute to the successful operations of the occupants; and

2. Maintain a consistently high quality of architectural and landscape design, integrated into a carefully preserved and managed natural environment; and

3. Ensure that all building and land uses within the USA TechPark are within the purpose and mission of the development.

(d). These guidelines are intended to equal or exceed those enforced by the relevant governmental agencies. Any conflict between the provisions of these Development Guidelines and any governmental code, ordinance or protective covenant shall always be resolved in favor of the appropriate governmental code, ordinance, or protective covenant. Further, approval by the USARTC does not constitute approval by other governmental regulatory agencies.

## 2.0 LAND AND BUILDING USES

(a). USARTC has established these Development Guidelines to provide a controlled environment in the USA TechPark that supports the mission of USA. Allowable land and building uses within the USA TechPark include

**1. *Research.*** Laboratories, offices and related facilities intended for basic and applied research, development and/or testing of technology-based products and services, conducted by or for any individual, partnership, firm, association, corporation, trust or other form of business or government entity, whether public or private.

**2. *Production.*** Facilities necessary for the production or assembly of products of a technological nature, provided that this production or assembly is supported by on-site research or product development activities of the occupants.

**3. *Testing Facilities.*** Pilot plants in which prototype processes or products of a technological nature planned for use elsewhere can be assembled and tested.

**4. *Headquarters.*** Corporate, regional and divisional headquarters of technology-based or knowledge-driven companies and organizations, provided that a relationship exists between the occupant's administrative staff and its research and development endeavors, whether such endeavors are located within the USA TechPark or elsewhere.

**5. *Offices.*** Offices and related facilities of not-for-profit research or educational institutes or organizations as well as professional, training, research, scientific or engineering associations.

**6. *Conference Center & Training Facilities.*** Corporate and professional training facilities and/or conference centers, the primary purpose of which is to host activities, meetings and functions of both the University of South Alabama and of occupants of the USA TechPark.

**7. *Hotel.*** A hotel, the primary purpose of which is to serve as lodging for employees, invitees and guests of both the University of South Alabama and of occupants of the USA TechPark.

**8. *Support Facilities.*** Ancillary operations required to maintain or support any uses permitted in the preceding subsections, including but not limited to maintenance and machine shops, hazardous materials handling facilities and water treatment facilities.

**9. *University Facilities.*** Any University of South Alabama building or and facility necessary for any purpose of the University, including but not limited to classrooms, research laboratories, or administrative and office space.

**10. Other Facilities.** Any other facilities or uses reasonably related to the intended purposes of the USA TechPark, provided these uses are specifically approved by the USA Research & Technology Corporation.

(b). Any proposed tenants that meet these criteria for acceptable land and building uses must also make an application to the USARTC for acceptance into the USA TechPark on the basis of their interaction with and support for academic programs at USA.

(c). Only companies that engage primarily in knowledge-intensive business operations and whose activities complement the academic mission and focus of USA will be eligible for consideration by the USARTC as an approved tenants in the USA TechPark.

### **3.0 DEVELOPMENT APPROVAL PROCEDURES**

(a). Prior to any official commitment by a prospective Developer Lessee to lease property within the USA TechPark, it shall be the responsibility of the USARTC to present to the prospective Developer Lessee the following:

1. A copy of these *USA Technology & Research Park Development Guidelines*; and
2. Written notification clearly indicating that a full set of the required construction drawings shall be submitted to and approved by the USARTC prior to issuance of a building permit or any and all construction activity being initiated on-site.

(b). It shall be the responsibility of the prospective Developer Lessee and his/her designated design consultants to include the USARTC in the process of the building and site design and construction to ensure full conformance with all design regulations and guidelines of the USA TechPark.

(c). It shall be the responsibility of the prospective Developer Lessee or his/her designated agent to obtain approval from the City of Mobile divisions of Planning, Code Administration, Urban Forestry, Public Safety and Engineering and the State of Alabama Department of Environmental Management to ensure that all construction drawings meet or exceed all applicable regulations of the City of Mobile and the State of Alabama.

(d). It shall be the responsibility of the USARTC to receive and review all required planning and construction documents for all proposed development within the USA TechPark and to ensure that all such documents illustrate full compliance with the design guidelines of the Park. Note: No plans will be reviewed before the USARTC has received a full set of required drawings.

(e). It shall be the responsibility of the USARTC to set, coordinate and record all meetings to evaluate each proposal, which meetings shall be set only after obtaining full staff review and approval of required planning and construction documents, and no sooner than five working days after receipt of approved drawings by the USARTC.

(f). It shall be the responsibility of the Developer Lessee or his/her designated agent to ensure that each member of the USARTC receives a full set of all required drawings with appropriate governmental approvals a minimum of five (5) working days prior to the meeting of the USARTC.

(g). It shall be the responsibility of the prospective Developer Lessee and his/her design consultants to be present at the USARTC meeting and to make all presentations necessary to fully inform the USARTC of the scope, scale and nature of the intended development.

(h). The USARTC shall meet within thirty (30) days of the date of submission of required planning and construction documents. After reviewing the plans and specifications submitted, along with all recommendations received from cognizant public agencies, the USARTC shall either: (1) approve the plans and specifications as proposed, (2) approve the plans and specifications conditioned upon specific modifications, or (3) disapprove the plans and specifications with recorded reasons therefore. Actions taken by the USARTC on submitted plans and specifications shall be certified in writing on each of two complete sets of plans and specifications. One set shall be returned to the Developer Lessee and the other shall be retained for the USARTC's files.

#### **4.0 DESIGN REVIEW PROCEDURES**

##### **4.1 PRE-DESIGN CONFERENCE**

(a). Before the design for a proposed development is initiated, the Developer Lessee and his/her designated design consultants shall meet with the USARTC to clarify mutual design objectives, the characteristics of the particular lot, and technical issues related to design review procedures. At this meeting, the Developer Lessee will be provided with a preliminary planning survey and plat of the subject parcel. This preliminary planning survey, *which is not intended for construction*, will contain the following information:

1. Property boundaries, including relationship to adjacent land and roads; and
2. General topography within site boundaries, shown at two foot (2') contour intervals; and
3. Locations of existing utilities, easements, and other existing improvements on or adjacent to the site.

##### **4.2 DEVELOPMENT AND SUBMITTAL OF PRELIMINARY PLANS**

(a). Prior to submitting Preliminary Plans for approval, the Developer Lessee should submit conceptual and schematic design drawings at the end of each phase for review and comment by the USARTC.

(b). All submitted plans reflecting site work shall be drawn at a scale of not more than fifty feet (50') to an inch. All architectural plans, elevations and sections shall be drawn at a scale of not more than sixteen feet (16') to an inch.

(c). Submittal of Preliminary Plans by the Developer Lessee shall be in accordance with Development Approval Procedures outlined in Section 3.0 above. The submittal should consist of five (5) sets of drawings, outline specifications, photographs or other materials detailing the lot, site and building information described below. Each drawing shall include the project name, name of consulting firm(s), date (latest revision); scale (where appropriate) and north arrow (where appropriate).

(d). The drawings to be submitted by the Developer Lessee include:

1. Site Plan showing the location of all property lines, setback and easements, construction limits, improvements such buildings, walkways, parking and drives, curb cuts, service equipment yards and enclosures, fences and screen walls, mechanical and electrical equipment and meters, proposed utility locations and sign.

2. Clearing, grading and drainage plans showing all proposed earthwork with existing and proposed contours at one foot (1') intervals, clearing limits, existing vegetation to be protected or removed, and drainage structures and erosion/sedimentation control structures.

3. Landscape and irrigation plan showing preliminary massing and type of plant material and areas to be irrigated. *Note:* In lieu of a completed irrigation plan, a note shall be placed on the landscape drawing indicating the installation of an automatic irrigation system that will provide coverage of all landscaped areas.

4. Floor Plan(s) of all proposed buildings clearly indicating the use of each major space within the building, major building dimensions, gross floor and total building area, and finish floor elevations of each floor.

5. Elevations of building(s) from all sides at an appropriate scale to indicate the placement and massing of the building(s), major dimensions indicating building height, and notation of all exterior building materials, colors, textures and finishes.

6. Cross sections of the site at a minimum scale of 1" = 16' in longitudinal and transverse directions, indicating the relationship of the building and site grades to the street, adjacent properties and edges of wooded areas, sufficiently complete and accurate to permit analysis of visual screening, tree protection and landscape architectural design.

7. Expansion plans identifying initial and ultimate improvements, including buildings, paved areas, grading and landscaping.

(e). The following additional material should also be provided by the Developer Lessee:

1. Calculations for building density, site coverage and required off-street parking, showing basis for determining parking spaces.

2. A description of proposed operating characteristics in sufficient detail to identify the extent of noise, odor, glare, vibration, smoke, dust, gases, radiation, hazardous wastes or liquid wastes that may be created.

#### **4.3 REVIEW AND APPROVAL OF PRELIMINARY PLANS**

(a). After USARTC review of the Preliminary Plans, the Developer Lessee will receive written notification of the USARTC's comments in accordance with the Development Approval Procedures specified above. Approval or rejection of the Preliminary Plans by the USARTC will be based on a review of compliance with the overall development plan and the *USA Technology & Research Park Development Guidelines*.

(b). The USARTC will meet with the Developer Lessee and his/her consultants to discuss the USARTC's comments and recommendations. If required, the Developer Lessee shall make all necessary modifications and resubmit Preliminary Plans to the design review USARTC for final review/approval.

#### **4.4 DEVELOPMENT & SUBMITTAL OF CONSTRUCTION DOCUMENTS**

(a). Upon approval by the USARTC of Preliminary Plans, Developer Lessee will develop Construction Documents and submit them for approval by the USARTC in accordance with Development Approval Procedures.

(b). As the Construction Documents are being developed, the Developer Lessee should notify the USARTC in writing in the event of any changes in the approved design concept as illustrated in the Preliminary Plans or of any changes in the project scope.

(c). Construction Documents should include two (2) complete sets of architectural and engineering drawings and specifications describing all proposed improvements to the site.

(d). All plans and specifications submitted for approval as Construction Documents shall be signed and sealed by a registered architect and engineer(s) licensed to practice in the State of Alabama.

#### **4.5 REVIEW AND APPROVAL OF CONSTRUCTION DOCUMENTS**

(a). The USARTC will review Construction Documents and will notify the Developer Lessee in writing of any comments, in accordance with the Development Approval Procedures herein.

(b). The Developer Lessee shall make all necessary modifications as needed and resubmit Construction Documents to the USARTC for final review and approval.

#### **4.6 APPROVAL OF OCCUPANCY**

(a). The Developer Lessee shall submit all proposed changes to the building or site during construction to the USARTC for review and approval. Construction shall not begin on any change order until approval has been issued by USARTC or its designee.

(b). Prior to issuance of a formal letter of Approval Of Occupancy by USARTC or its designee, the Developer Lessee shall be required to submit a copy of the following documents:

1. Architect's final inspection (punch) list of items to be completed or corrected, certifying that all items have been duly inspected and approved by Architect and are in conformance with the Construction Documents submitted prior to construction. The inspection list must be signed and dated by the Architect; and
2. Certificate of Occupancy issued by the City of Mobile; and
3. Contractors' Affidavit of Payment of Debts and Claims and Affidavit of Release of Liens; and
4. Consent of Surety to final payment.

#### **5.0 CODES, STANDARDS, AND CONSTRUCTION REGULATIONS**

**5.1 SCOPE AND JURISDICTION.** All projects shall be designed and constructed per the codes and standards and ordinances of the City of Mobile and the State of Alabama, and all applicable laws and regulations of the United States Government and other governing bodies. In case of conflict, the most restrictive code, standard, or ordinance shall apply.

#### **5.2 CONSTRUCTION REGULATIONS**

(a). Allow full access to the construction site by the USARTC or its agents for the purpose of assuring that the facility is being constructed in accordance with approved plans.

(b). Prior to commencing construction, the Developer Lessee shall be required to submit a Certified Check in the amount of \$10,000.00 made payable to the *USA Research and Technology Corporation*. This money will be held in escrow, and shall be used for repairs in the event the contractor or subcontractors are responsible for damage to either common areas/facilities or adjacent sites.

(c). The use of explosives is prohibited.

(d). Major construction activities shall take place during normal daylight hours.

(e). Install and monitor BMP's in accordance with Alabama Department of Environmental Management requirements.

- (f). Grade the site to direct runoff to new or existing storm drainage system.
- (g). Regulate construction traffic to minimize disruptions to the general public, USA campus and adjacent neighborhoods.
- (h). Maintain adequate on-site construction parking and where feasible located away from view of primary streets. In no instance shall parking be permitted offsite or on the street without prior approval of the USARTC or its designee.
- (i). Maintain a clean worksite, legally dispose of waste generated by the construction process, provide proper trash containment vessels and do not allow accumulation of waste on the site.
- (j). Maintain the cleanliness of all public roads during all stages of construction.
- (k). Maintain temporary structures, portable buildings and other related facilities in good repair, arranged in a compact and organized manner on the construction site and unobtrusive to the street or adjacent properties
- (l). Remove all temporary structures upon completion of construction activity and prior to building occupancy.

### **5.3 TREE PROTECTION GUIDELINES DURING CONSTRUCTION**

- (a). Pruning or removal of trees and planting of new trees shall be in accordance with the City of Mobile Landscaping and Tree Ordinance.
- (b). Trees designated for preservation shall be protected with orange mesh fencing installed at least ten feet (10') from the existing drip line and shall be maintained throughout all phases of construction.
- (c). Excavation of topsoil adjacent to protected species is prohibited.
- (d). All trenches and other excavation must be aligned outside of the edge of any tree drip line, unless approved by the USARTC.
- (e). Avoid any ponding of water or any topographical changes to the site that will affect existing tree species
- (f). No drives or parking areas shall be constructed within five feet (5') of existing drip lines.

## **6.0 DEVELOPMENT DESIGN STANDARDS**

**6.1 GENERAL.** All development shall comply with the City of Mobile Zoning Ordinance. Where the requirements of these *Development Guidelines* exceed those of the Zoning Ordinance, these *Development Guidelines* shall govern.

**6.2 MINIMUM LOT SIZE.** The minimum lot size for development is three (3) acres.

**6.3 SETBACKS**

(a). Unless otherwise specified in these standards, no structure of any kind and no part thereof, may be sited within these setback lines described below. Dimensions are from the legal lot line as illustrated on the property plat. The USARTC retains the right to waive certain setback requirements.

1. **Front Setback Line.** Shall be a minimum of eighty feet (80') from front property line or a minimum of one hundred feet (100') from a public street, whichever is greater. Parking areas and drives shall be set back a minimum of fifteen feet (15') from the front property line.

2. **Side Setback Line.** Shall be a minimum of fifty feet (50') from the property line of the adjacent lot. Parking areas and drives shall be set back a minimum of fifteen feet (15) from the property line of the adjacent lot. Side setbacks abutting residential property shall meet the same requirements as the rear setback discussed in 6.2.3. below.

3. **Rear Setback Line.** Shall be a minimum of fifty feet (50') from the property line. Parking areas and drives shall be set back a minimum of fifteen feet (15') from the property line.

4. **Setbacks from Dedicated Wooded Areas.** All proposed construction shall be outside of the drip line of existing dedicated wooded areas.

5. **Exceptions.** The following improvements are expressly excluded from these setback restrictions:

- a. Steps, walks and driveway access to the site.
- b. Landscaping, including landscaped earthen berms.
- c. Planters not to exceed four feet (4') in height or two feet (2') in height where they would interfere with visual safety at site access points.
- d. Illumination.
- e. Signs

**6.4 DENSITY OF DEVELOPMENT**

(a). The density of development will be subject to review by the USARTC. Density will be evaluated with the objective of creating a campus-like environment.

(b). A floor-area-ratio (F.A.R.) of **0.30** will be used as a general guideline in evaluating proposed projects and will be computed as follows:

$$\text{Floor Area Ratio} = \frac{\text{Gross Building Area (all floors)}}{\text{Total Site Area}}$$

(c). A maximum F.A.R. of **0.40** will be allowed within the USA TechPark.

## **6.5 MINIMUM OPEN SPACE AND LANDSCAPED AREAS**

(a). The amount of undeveloped open space and developed landscaped areas (including plazas or similar type areas) will be subject to review by the USARTC. Landscape plans will be evaluated with the objective of creating a campus-like environment.

(b). No more than seventy percent (70%) of the gross land area on a site may be covered with surface parking lots, buildings, access drives and/or loading spaces.

(c). Actual building footprints shall not cover more than thirty percent (30%) of gross land area on a site.

## **6.6 BUILDING HEIGHT**

(a). Building height will be subject to review by the USARTC and evaluated in concert with the overall architectural character of each building and the relationship of the building to adjacent neighborhoods as well as existing and proposed development within the USA TechPark.

(b). In general, the following restrictions shall apply:

**Lots 1& 2**– three (3) stories maximum.

**Lots 3,4 & 5** – four (4) stories maximum.

## **6.7 LANDSCAPE STANDARDS & DESIGN**

(a). Landscaping shall be used to enhance the architecture of the buildings, to provide windbreaks or shade, to create pleasant pedestrian areas and to soften and break-up parking and other paved areas. The overall landscape concept for the USA TechPark is to use uniform plant materials and landscape elements along all streets and major public open spaces. A gradation of landscape materials is planned, progressing from low-maintenance native plants along natural open spaces to more formal planting materials near building entrances and other locations where pedestrians will most frequently come into contact with plantings.

(b). Individual landscape designs may be used near each building, although some similarity to the overall USA TechPark landscape concept is encouraged.

(c). Plants should be used in masses of the same species and rows or clumps of the same trees for a strong visual impact. Random spotting of many various types is not appropriate. Plantings should in all instances reinforce the overall concept of the USA TechPark and complement architectural forms.

**1. General Design Guidelines.** Landscape designs should adhere to the following general criteria:

a. All unpaved ground shall be landscaped in a manner that is complementary to the architecture, provides the required screening and forms an attractive transition to the natural landscape features of the site. Landscaping shall consist of an effective combination of trees, grass, ground cover and shrubbery.

b. Landscape elements shall relate to architectural design elements. Landscape materials are considered to be a strong unifying element and, therefore, should reflect the physical, functional and aesthetic qualities of the site.

c. Landscape treatment shall not interfere with sight line requirements at street or driveway intersections.

d. Use of plants known to produce materials which interfere with mechanical devices or which cause other maintenance problems should be avoided. Deciduous hardwoods, native to this area, are preferred for large or tall tree needs.

e. All landscaping, including preservation of existing vegetation shall comply with the City of Mobile Landscaping and Tree Ordinance.

**2. Preservation of Existing Vegetation.** A premium will be placed on preservation of natural vegetative cover.

a. It is desirable to preserve the intrinsic environmental values and continuity of existing mature native tree cover wherever possible.

b. Disturbance of existing vegetation during construction should be limited to the immediate construction area to minimize erosion, destruction of wildlife habitat or damage to existing trees, shrubs, and ground cover.

**3. Lot Grading and Erosion Control.** The plan for lot grading and erosion control should take into consideration the following criteria:

a. Grades, berms, channels and swales should be an integral part of the grading and paving design.

b. Sediment-control provisions shall be incorporated in the planning or preliminary engineering stage of all projects. These erosion and siltation-control

measures must be approved and in place before construction can begin.

c. In all cases, the smallest practical area of land should be exposed at any one time during development or construction, and exposed soil should be stabilized at the earliest possible date

d. Where fill is necessary to attain the approved finish grade of any lot in the USA TechPark, it shall be clean and free of organic or other deleterious materials.

e. All topsoil and structural fill shall be stockpiled and maintained on-site. Stockpiling will not be allowed on other sites or public ways within the USA TechPark or on the property of USA.

## **6.8 EXTERIOR APPEARANCE OF BUILDINGS**

### **(a). Architectural Character and Materials.**

1. The architectural character and aesthetics of each proposed building or structure shall be contemporary rather than traditional in style.

2. Architectural designs will be evaluated in terms of the sensitive integration of form, textures, colors, materials and finishes with the particular landscape and topographical character of each site and adjacent sites.

3. Since a mix of building types may be deemed an advantage to the aesthetic quality of the USA TechPark, approval of one building style on one site will not be deemed binding on the USARTC with respect to approval of another building of like architectural character. The USARTC shall be the sole and final judge of the acceptability of design for the USA TechPark.

4. To maintain a high standard of construction and appearance and to provide architecturally unified design, the exterior walls of each building are to be constructed of durable, permanent, non-combustible materials appropriate to a contemporary design style.

### **(b). Fencing & Screening of Mechanical or Electrical Equipment.**

1. Major systems requiring large components (e.g., air-conditioning, storage tanks, etc.) should be located in mechanical rooms within the buildings. Alternatives, including those required to meet mandated health and safety standards, might include an exterior location, with height limited to a maximum eight feet (8') overall above grade, with screening on all sides, or be fully

recessed into roof wells, with allowance for future equipment. Surface-mounted roof equipment should not be considered unless fully screened with low profile material completely integral with the overall architectural design of the building.

2. Vertical roof projections, such as vents, stacks or roof-mounted equipment, must be organized and screened in a manner integral to the architectural form of the building.

3. Treatment of all screening walls and service areas shall be compatible with the architecture of the building and shall be constructed with materials identical to or compatible with that of the building.

4. Chain link, wood and/or perimeter fencing will not be permitted on individual sites within the USA TechPark.

5. Dense, mature landscape material may be used for screening in certain areas as defined in the Landscape Standards contained in Section 6.7 herein.

## **6.9 UTILITIES**

(a). Water, sanitary sewer, gas, electric and telecommunications service between the point of connection and the building shall be located underground.

(b). The Developer Lessee shall be responsible for contracting with all utilities and shall be responsible for all connection and installation fees and costs of meters.

(c). The Developer Lessee shall be responsible for prompt and proper repair of damages to utilities or to USA TechPark infrastructure caused by Developer Lessee's contractors and for all work associated with the relocation or alteration of any portion of the existing USA TechPark infrastructure.

## **6.10 PARKING AND LOADING AREAS**

(a). **Parking Ratios.** The number of acceptable parking spaces and loading spaces per building will be approved by the USARTC on a case-by-case basis. All parking, loading and unloading areas must be sufficient to serve the activities being conducted on the parcel. If parking requirements increase as a result of a change in use or in number of employees, additional off-street parking shall be provided to satisfy the intent of this section. However, the following minimum guidelines shall apply:

- Three (3) spaces per 1,000 s.f. of gross building area for service center / technology buildings.
- Four (4) spaces per 1,000 s.f. of gross building area for office buildings.
- One (1) space per 1000 s.f. of gross building area for storage functions.

- Seven (7) spaces per ten (10) guest rooms for Hotel.

**(b). Location of Parking and Loading Areas.** Parking and loading will not be permitted on public streets. Each site shall provide adequate off-street parking for employees, visitors and company vehicles. Parking areas typically should be located at the sides or rear of building. However, where appropriate, parking may be allowed in front of the building in accordance with the requirements of 6.3.(a).1. Front Setbacks, if landscaping provisions are made to screen parking from view from street. Service areas should be located at rear or side of a building and should allow for easy access, while minimizing travel through parking areas or access drives.

**(c). Screening.** Parking and service areas should be screened from view from any adjacent property, street or public way by use of earth berms, landscape planting, suitable fencing or designs combining these elements.

**(d). Layout of Parking Areas.** Parking areas must be designed and landscaped so as to break up the monotony of a single large paved area. No contiguous open parking area will exceed one-half acre without being subdivided with islands containing trees or other landscape materials, using a minimum ratio of one 180 square-foot planting area per twenty (20) parking spaces. The following additional criteria should be applied to the layout of parking areas:

1. All parking areas and drives shall be paved with concrete, asphalt, concrete or brick pavers or other approved materials, have a concrete curb and gutter, and be properly marked. The top of curbs shall be at natural grade.
2. No parking will be permitted closer than twenty feet (20') to a building.
3. Lighting of parking and walkways is to be done in a manner such that there is minimal glare. Indirect methods of illumination that highlight the structures and landscape elements, such as uplighting or downlighting of trees, light washes across building facades and indirect source luminaries, are recommended.
4. Roadways accessing parking areas should be separated from internal drives and parking lots using landscaped areas, raised walls, or other visual dividers.
5. Adequate loading, trash storage and maneuvering areas will be provided for each building and separated from the parking areas with appropriate screening or planting.
6. The suggested parking module is at least 180 square-feet per space (10' x 18' or 9' x 20'), with twenty-four foot (24') aisles for a

90-degree system. An equivalent layout as appropriate to site conditions and landscaping concept may be acceptable.

7. The number of access drives per building is subject to design review, with the intent to minimize the number of drives provided.

8. Disabled parking shall be located as near to the main building entrance as possible. The number and width of disabled parking spaces should meet the ADA Accessibility Guidelines for cars and vans.

**6.11 DISABLED ACCESSIBILITY.** All sites and buildings should be accessible to disabled individuals in compliance with ADA Accessibility Guidelines for new buildings.

**6.12 STORM DRAINAGE.** On-site storm-water drainage and/or detention plans will be subject to design review and must be approved by the USARTC.

**6.13 SITE LIGHTING**

(a). **General.** Site lighting should create safe lighting conditions for visibility, accent important elements of the building and landscape, create clear visual night time order to the site, and distinguish between various site uses such as roads, parking, walkways, recreation spaces, etc. Conduit and wiring for all exterior light fixtures shall be underground.

(b). **Type of Lighting.** Color corrected lighting shall be used in all exterior lighting. Acceptable lamps include metal halide, high pressure sodium or incandescent. Pole mounted lighting for parking, drives, walkways and public areas shall be restricted to the use of metal halide lamps only.

(c). **Minimum Lighting Requirements.** The minimum light levels accepted, in foot-candles (FC), are:

- Building entrances 5 FC
- Collector roads/drives 1 FC
- Walks 1 FC
- Parking areas 0.5 FC

(d). **Lighting Standards.**

1. Light distribution for all pole mounted lighting shall be “full cutoff” as defined by IES Publication RP33-99 (the candela at 90 degrees above nadir is zero (0) and less than ten percent (10%) of rated lumens at 80 degrees above nadir).

2. All pole mounted luminaires shall be “Archetype,” with manufacturer’s standard matching poles, as manufactured by Kim Lighting. Products of other manufacturers will be acceptable if the performance specifications and the aesthetics of the proposed fixture are equal to the Kim product in every respect. Alternate luminaries and poles are subject to the approval of the USARTC.

#### **6.14 STORAGE AREAS AND FENCES**

(a). No outside storage or operations of any kind will be permitted in any lot area unless properly screened. Screening must be approved by the USARTC. All fire and hazard regulations must be followed regarding inside and outside storage.

(b). Screening fences, walls and vegetative buffers, at mature height, shall be at least six feet (6') high or rise two feet (2') above material or equipment being stored, whichever is greater. If vegetation materials are used, they must provide total visual screening.

(c). In no location on the site may the Developer Lessee utilize an open-mesh chain-link fence. Storage of materials of eight feet (8') in height or more must be screened by a wall built of similar material to those of the building. The placement of all fences and the design and materials utilized shall be subject to the approval of the USARTC.

### **7.0 IMPLEMENTATION**

**7.1 MAINTENANCE AGREEMENTS.** In order to ensure that the high quality of development planned for the USA TechPark is achieved, USARTC or its designee retains the following rights:

(a). USARTC shall have the right to maintain all designated common areas and roadways, and, for this purpose, to enter into contracts for maintenance and replacement of landscaping and the repair of improvements within the common areas.

(b). USARTC shall have the right to enter into contracts for trash collection, fire protection, security, and other services that it deems beneficial to all tenants in the development.

(c). USARTC shall bill to each Developer Lessee a pro-rata share of the cost of such services described above plus an administrative service fee of fifteen percent (15%) of the amount billed to offset the cost incurred in negotiating and administering these service contracts.

(d). Each Developer Lessee may contract with USARTC's service contractor(s) for landscape and other maintenance services.

(e). In the event that the obligations for meeting the standards of these guidelines are not kept by a Developer Lessee, USARTC shall have the right, upon thirty (30) days written notice, to enter the property, perform the required maintenance and upgrading, including, but not limited to, replacement of dying landscape materials, building repairs, removal of non-conforming signs and lighting standards. USARTC may assess the Developer Lessee for the cost of such work on the basis described in paragraph 7.1.(c). above.

(f). Unpaid financial obligations of the Developer Lessee with respect to maintenance charges shall become a lien on the real and personal property of the Developer Lessee within the leasehold.

**7.2 RIGHTS-OF-WAY & EASEMENTS.** Each Developer Lessee hereby agrees to cooperate with USARTC in the planning and granting of all easements necessary and reasonable for the further development of the USA TechPark.

**7.3 GENERAL MAINTENANCE BY SITE USER**

(a). Each Developer Lessee shall at all times keep the lot, buildings and improvements in a safe, clean, neat and sanitary condition and shall comply with all laws, ordinances and regulations pertaining to health and safety. Each Developer Lessee shall provide for the timely mowing of lawn areas as well as removal of trash and rubbish from the lot.

(b). During construction, it shall be the responsibility of each Developer Lessee to ensure that while improvements are under construction the lots, common roadways and common areas are kept free of unsightly accumulations of rubbish and scrap materials, and that construction materials, trailers and the like are kept in a neat and orderly manner.

**8.0 VARIANCES**

**8.1.** The USARTC may modify or authorize a variance to all provisions of these *USA Technology & Research Park Development Guidelines* when the following circumstances apply:

(a). When the strict application of requirements in these *Development Guidelines* would impose unforeseen practical difficulties or particular hardship on the Developer Lessee.

(b). When the granting of a variance will not be detrimental to the interests of the owner and the tenants of the USA TechPark.

**8.2** In granting variances the USARTC may require such conditions as in its judgement will secure the obligations of these *Development Guidelines*.

**8.3** In no instance shall the granting of a variance in one particular case obligate the USARTC to grant a similar variance in any other case.

**9.0 SIGN STANDARDS**

**9.1 General.** Exterior signs will be standardized and consistent throughout the USA TechPark. All exterior signs shall be designed and installed in strict conformance with the Sign Design Standards and the requirements of Section 6.11. All exterior signs shall be furnished, installed, and maintained by the Developer Lessee.

**9.2 Facility Identification Sign.** One facility identification sign may be erected at the entrance to each lot. The facility identification sign shall not interfere with the sight line requirements at street or driveway intersection.

**9.3 Building Identification Sign.** One building identification sign may be placed adjacent to the principal entrance to the building, either on the building or in a free-standing position.

**9.4 Directional, Traffic and Parking Control Signs.** Any directional, traffic, or parking control signs on the lot will be reviewed by the USARTC with the intent that the signs will be restricted to the minimum necessary and will be visually unobtrusive.

**9.5 Construction Signs.** One construction sign denoting the Owner, Developer Lessee, Contractor, Architect/ Engineer and other related professionals will be permitted on a lot upon the commencement of construction. Maximum size shall be thirty-two square feet (32 ft<sup>2</sup>) and shall not be more than eight feet (8') above ground level. Location of the construction sign is to be shown on the site plan and approved by the USARTC.

**9.6 Limitations.** Signs containing moving devices, flashing lights, or banners are prohibited. No portable or temporary signs, other than construction signs will be allowed.

**9.7 Flags.** Flags may be installed only as follows: The flag of the United States of America, the flag of the State of Alabama, or a flag of an official government or corporate seal.

**9.8 Sign Design.** Specific standards for the design of all signage in the USA TechPark will be provided at the Pre-Design Conference.