

VICINITY MAP
NTS

SITE DEVELOPMENT DATA

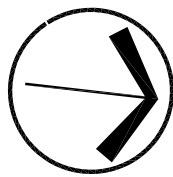
Site Area: 27 acres +/-
Tax Parcel: 177-091-01
Existing Zoning: R-17MF
Proposed Zoning: MUDD-O
Existing Use: Multi-family Residential (for-sale or for-rent), Office, Retail, Hotel
Proposed Uses: 1100 residential units
Maximum Development: 250,000 s.f. of office uses
300 hotel rooms
300,000 s.f. of retail uses

Maximum Building Height (exclusive of architectural features):
Development Areas A & D: 75 feet
Development Areas B & C: 160 feet
only within areas identified as "160' Height Zone" on the Technical Data Sheet; in other areas buildings shall not exceed 100 feet

Parking: Shall satisfy or exceed MUDD minimum requirements

Open Space: Shall exceed 1.5 acres (exclusive of perimeter setback areas)

SITE LEGEND



SITE ACCESS



NETWORK STREET



DEVELOPMENT AREA



REVISIONS:
03-20-15 - REVISE PER STAFF COMMENTS

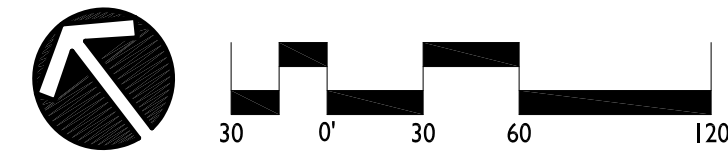
DATE: 12/21/14
DESIGNED BY: KST
DRAWN BY: MB
CHECKED BY: KST
SCALE: 1"=100'
PROJECT #: 1014358

SHEET #:
RZ-1

THE COLONY
REZONING PETITION No. 2015-034

TECHNICAL DATA SHEET

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DATE: 12/21/14
 DESIGNED BY: KST
 DRAWN BY: MB
 CHECKED BY: KST
 SCALE: 1" = 60'
 PROJECT #: 1014358
 SHEET #:

REVISIONS:
 03-20-15 - REVISE PER STAFF COMMENTS

THE COLONY
 REZONING PETITION No. 2015-034
 SCHEMATIC PLAN

COLONY REDEVELOPMENT
SYNCO PROPERTIES

REZONING PETITION NO. 2015-034

DEVELOPMENT STANDARDS

3/19/2015

1. Development Data Table

Site Area:	27 acres +/-
Tax Parcel:	177-091-01
Existing Zoning:	R-17MF
Proposed Zoning:	MUDD-O
Existing Use:	Multi-family Residential
Proposed Uses:	Multi-family Residential (for-sale or for-rent), Office, Retail, Hotel
Maximum Development:	1100 residential units 250,000 s.f. of office uses 300 hotel rooms 300,000 s.f. of retail uses
Maximum Building Height (exclusive of architectural features):	Development Areas A & D: 75 feet Development Areas B & C: 160 feet only within areas identified as "160' Height Zone" on the Technical Data Sheet; In other areas buildings shall not exceed 100 feet
Parking:	Shall satisfy or exceed MUDD minimum requirements
Open Space:	Shall exceed 1.5 acres (exclusive of perimeter setback areas)

2. General Provisions

These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Synco Properties to rezone the property from the R-17MF Zoning District to the MUDD-O Zoning District in order to accommodate redevelopment of an approximately 27.4 acre tract bounded to the north by Colony Road, to the east by Sharon Road, to the south Southwick Drive (a private drive), and to the west by Roxborough Road, as depicted on the Technical Data Sheet (the "Site"). This Rezoning will accommodate development on the Site of a horizontally-integrated mixture of office, retail, hotel and residential uses. Additionally, the Petitioner seeks to extend Rexford Road and Adair Court through the Site to create a more complete street network that will allow pedestrian, bicycle and automobile traffic to travel through the Site, thereby helping to alleviate congestion at existing intersections.

The Petitioner proposes to establish substantial setbacks along the Site's frontages on Colony Road and Roxborough Road that allow the Petitioner to attempt to preserve existing tree canopy in those locations and to create meaningful, publicly accessible open spaces along interior streets. These Development Standards also propose voluntary rent controls on a percentage of the residential under certain conditions to ensure that some units are reasonably priced for residents earning less than the average area median income.

Development of the Site will be governed by the accompanying Technical Data Sheet, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). The Technical Data Sheet is intended to reflect within each quadrant of the Site (designated as Development Areas A, B, C and D on the Technical Data Sheet), maximum development rights, building envelopes, the arrangements and locations of internal streets and access points, setbacks and dedicated open space areas.

Except as otherwise provided under the MUDD-Optional provisions set forth under Section 3 below and unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the MUDD Zoning District shall govern all development taking place on the Site.

The Technical Data Sheet is also accompanied by: Conceptual Site Renderings, Conceptual Sections, and a Conceptual Open Space and Building Orientation Plan (the "Conceptual Exhibits"). Inasmuch as planning for the proposed redevelopment of the Site has not yet advanced beyond the formative stage, the ultimate layouts of the development proposed, the configurations and placements of open space areas and buildings, and the heights, masses and number of buildings in each quadrant have not yet been determined. As a consequence, the configurations, placements, number and sizes of the buildings and treatment of open space areas depicted on the Conceptual Exhibits are conceptual in nature and therefore are subject to refinements as part of the total design process. They may, therefore, be altered or modified during design development and construction phases so long as the maximum building envelope lines and intensity limitations established on the Technical Data Sheet are not violated and the proposed alterations or modifications do not exceed the parameters established under these Development Standards and under the Ordinance for the MUDD District.

Alterations or modifications which, in the opinion of the Planning Director, substantially alter the character of the development proposed or significantly alter the Technical Data Sheet or these Development Standards, constitute changes which increase the intensity of development shall not be deemed to be minor and may only be made in accordance with the provisions of Subsections 6.207(1) or (2) of the Ordinance, as applicable.

3. MUDD-Optional Provisions

This Petition proposes utilization of the MUDD-O provisions to allow for the following optional deviations:

- Deviations from Section 9.8507(2) to allow short-term surface level parking and drives within areas between public or private streets and buildings fronting these streets to accommodate: drop off areas in front of office buildings, pick-up and drop off areas in front of restaurants and residential buildings, and service areas for uses such as mail delivery, loading and delivery.
- Deviations from Section 9.8506(7) to allow valet parking service areas between buildings and a street.
- Deviations from Section 9.8505(5) to exceed 120 feet in height or 10 stories above ground, exclusive of mechanical and elevator equipment rooms, ornamental roof structures such as parapets, spires, mansards, domes, dormers or other architectural features, within areas specified on the Technical Data Sheet.
- Deviations from Section 9.8505(2) to allow water quality and stormwater detention facilities to be located within setback areas and beneath sidewalks.
- Deviations from Section 9.8506(2)(d) and (e) to allow innovative sidewalk and planting designs along the Site's Roxborough Road, Sharon Road and Colony Road frontages in order to preserve existing trees.
- Deviations from Section 9.8506(2)(h) to remove the requirement that all building entrances be recessed into the face of the building. However, no door-swings may encroach into any minimum setback. Where building entrances are not recessed, adjacent sidewalks shall be at least ten (10) feet wide.
- Deviations from Section 9.8506(2)(g) to allow the use of innovative street designs, non-standard cross-sections, alternative materials, planted medians, and other features within portions of Rexford Road and Adair Court (both private streets) that are internal to the Site.
- Deviations from Section 9.8506(2)(i) provide flexibility with regard to the definition of the "base" of a building (i.e. "base" of the building may be higher or lower than the first three floors above street grade).
- Deviations from Section 9.8504 to allow drive-through service windows as an accessory to one bank or financial institution. The drive-through service window must be internal to a building and shall not be visible from any public or private street, and shall be internal to a building or structured parking facility.
- Deviations from Section 9.8506(2)(c) to allow for up to ten detached, ground-mounted signs in the general locations indicated on the Conceptual Site Plan. Signs located within Development Area B and Development Area D will be located at access points adjacent to those Development Areas and will be no greater than 65 square feet in size and up to 5 feet in height. Signs will be used for the residential portion of the project and will be located at Access points C and E and will be no greater than 32 square feet in size and up to 4 feet in height.
- Deviations from Section 9.8506(2)(c)(1)(a, b, j)) to allow up to 200 square feet of sign surface per wall, or up to 10% of the wall area of the wall to which they are attached, which ever is less, for wall signs within Development Area B and Development Area D.

4. Permitted Uses

Subject to the Maximum Development provisions set forth under Section 5 below, the Site may be devoted to any commercial and residential uses permitted by right or under prescribed conditions in the MUDD Zoning District together with any incidental or accessory uses associated therewith except for the following:

Car washes
Automobile service stations
Restaurants with drive-through service windows.

The following uses are contemplated within individual Development Areas:

- Development Area A may be developed with multi-family residential uses (for-sale or for-rent) and any permitted accessory uses.
- Development Area B may be developed with office, hotel, and retail uses and any permitted accessory uses.
- Development Area C may be developed with multi-family residential uses (for-sale or for-rent) and any permitted accessory uses.
- Development Area D may be developed with retail or office uses.

5. Maximum Development

- Development Area A may be developed with up to 350 multi-family residential units (for-sale or for-rent) and any permitted accessory uses.
- Development Area B may be developed with up to 250,000 square feet of office floor area, 300 hotel rooms, up to 100,000 square feet of retail uses, and any permitted accessory uses.

Floor area calculations for commercial uses shall not include areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl space), service areas, rooftop equipment rooms, loading docks, trash/recycling storage areas, and mechanical and electrical rooms. Areas devoted to structured parking, outdoor dining, courtyards and plazas are not included in the square footage limitations, but outdoor dining areas for retail restaurants shall be counted toward the required parking calculation.

- Development Area C may be developed with up to 750 multi-family residential units (for-sale or for-rent) and any permitted accessory uses.
- Development Area D may be developed with up to 200,000 square feet of retail or office uses and any permitted accessory uses.

Floor area calculations for commercial uses shall not include areas used for building and equipment access (such as stairs, elevator shafts and maintenance crawl space), service areas, rooftop equipment rooms, loading docks, trash/recycling storage areas, and mechanical and electrical rooms. Areas devoted to structured parking, outdoor dining, courtyards and plazas are not included in the square footage limitations, but outdoor dining areas for retail restaurants shall be counted toward the required parking calculation.

- Notwithstanding the foregoing provisions of this Section, the total number of multi-family residential units allowed in one Development Area may be increased by 10% as long as the total number of multi-family residential units allowed in the other Development Area is reduced accordingly, to ensure that the total number of multi-family residential units allowed on the Site does not exceed, in the aggregate, 1100.

6. Transportation

- The Petitioner shall design and construct a network of internal streets as generally depicted on the Technical Data Sheet. Petitioner shall extend Rexford Road and Adair Court through the site, these streets shall be privately owned and maintained but shall be open to the public to allow pedestrian, bicycle and vehicular traffic to travel through the Site. However, this shall not preclude Petitioner from temporarily closing internal private streets for, but not limited to, special events, festivals, public markets, concerts, block parties or similar events.
- The extensions of Rexford Road and Adair Court (to the Site's property boundaries) shall be completed prior to the issuance of the first certificate of occupancy for any vertical development within the Site, unless an alternate timeline is approved by the Planning Director.
- Petitioner shall provide two secondary access points into the Site in the locations generally depicted on the Technical Data Sheet as Private Street A and Private Street B. These connections shall be privately owned and maintained but shall be open to the public and may be constructed through parking structures or other buildings.
- The Site's internal street system shall be composed of private streets built to public street standards.
- The Petitioner reserves the right to deviate from the street alignments depicted on the Technical Data Sheet, provided any proposed change in alignment is approved in advance by CDOT and the Planning Department.
- All private streets may be converted to public streets at the Petitioner's option.

- Vehicular access will be as generally depicted on the Technical Data Sheet. The placements and configurations of the vehicular access points shown on the Technical Data Sheet are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT for approval.
- Petitioner shall work with CDOT and the owners of Tax Parcels 177-091-07 and 177-091-06 to determine if it is feasible to extend the existing Adair Court to the Site's southern property line in order to provide a street connection linking Morrison Boulevard and Colony Road.

7. Architectural Standards/Streetscape and Landscaping

- The intent of the redevelopment concept is to create a variety of architectural experiences. The exterior building materials will consist of primarily glass, brick, stucco, metal and composite panels, architectural pre-cast concrete panels, and/or architectural face block construction materials.
- The Conceptual Exhibits are intended to convey the conceptual vision and design concepts proposed for certain buildings and improved areas within the Site. Ultimately, buildings and improved areas may deviate from Conceptual Exhibits, as long as any building and improved area depicted by the Conceptual Exhibits are consistent with the spirit and intent of the Conceptual Exhibits.
- Except as otherwise provided under Section 3 above, all buildings constructed on the Site shall conform to the MUDD Urban Design and Development Standards outlined in Section 9.8506 of the Ordinance.
- Dumpster areas will be enclosed on all four sides any gates or doors shall be opaque. If one or more sides of a dumpster area adjoin a side or rear wall of a building, then the side or rear wall shall be considered an enclosure.
- Internal areas of the Site will be landscaped in accordance with the requirements of the Ordinance.
- All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- All other screening and landscaping shall conform to the standards of the Ordinance.
- The street elevations of the ground floors of buildings facing Sharon will be designed to encourage and complement pedestrian - scale interest and activity by the use of doors which shall remain open during business hours and transparent glass so that the uses are visible and accessible from the street.
- Expenses of blank walls at the ground floor level of facades facing Colony, Sharon, Roxborough and Rexford Roads exceeding 20 feet in length will be eliminated through the use of various design elements, including one or more of the following design elements:

awnings,
display windows,
art,
sculptures,
mosaics
ornamentation,
molding,
string courses,
belt courses,
fountains,
street furniture,
landscaping and garden areas, or
display areas.
- Provided, however, that the use of opaque or reflective glass may not be utilized as a means for addressing blank walls.
- Meter boxes, back flow preventers, and similar items will be screened from public view.
- Except as otherwise provided in these Development Standards, the streetscape treatment along the Roxborough Road, Colony Road and Sharon Road frontages will meet or exceed the standards of the Ordinance and include large maturing trees, supplemental shrubbery, sidewalks at least six feet in width and planting strips of at least 8 feet in width. Sidewalks may meander to preserve existing trees.

8. Open Spaces

- In addition to open spaces created by enhanced setbacks around the perimeter of the Site, Petitioner shall provide at least 1.5 acres of publicly accessible open space adjacent to the Site's internal streets. These internal open space areas shall be designed to encourage pedestrian activity and interest.
- Petitioner shall make good faith and diligent efforts to preserve existing trees within the tree save areas generally depicted on the Conceptual Open Space and Building Orientation Plan. Specific tree save areas, to the extent required by the Ordinance, will be identified during the design development phases of the project.
- Petitioner stabilize and maintain undeveloped Development Areas with grass, plantings, or other vegetation to ensure that those areas do not negatively impact adjacent properties or streetscapes while they remain undeveloped.

9. Environmental Features

- The Petitioner shall satisfy the requirements of the Post Construction Controls Ordinance.
- If the Petitioner elects to satisfy the requirements of Paragraph (b) of this Section with on-site above-ground detention facilities each such facility must be designed as a permanent water feature amenity for the Site.

10. Signage

Except as noted in Section 3 above, all signage shall meet the requirements of the MUDD zoning district.

11. Lighting

- Any lighting attached to an exterior building wall facing a residential component shall be capped and downwardly directed.
- All street and parking lot lighting fixtures will be shielded with full cut-off fixtures.
- External facing wall-pak lighting will be prohibited throughout the Site.
- Pedestrian scale lighting will be provided within the Site along all interior streets.
- Freestanding lighting shall be pedestrian scale and shall not exceed 20 feet in height

12. Construction and Phasing

Petitioner intends to develop the Site in phases and may develop individual Development Areas based on market demand. With the exception of the extensions of Adair Court and Rexford Road, which must be completed prior the issuance of the first certificate of occupancy for any building with the Site, all required sidewalks, street trees and open space amenities within a particular Development Area shall be installed prior to the issuance of the first certificate of occupancy for any building within the same Development Area.

To the extent possible, construction activities shall be staged on internal areas of the Site in order to minimize the impact of construction activities on adjacent streets.

13. Internal Side Yards and Rear Yards

The Petitioner may subdivide the Site and create lots within Site with no side or rear yards as part of a unified development plan.

14. Waiver of Sight Triangle Requirements

In addition to the deviations allowed under the MUDD optional provisions set forth under Section 2, the Petitioner reserves the right to request the Director of the Charlotte Department of Transportation (CDOT) to waive all or part of the sight triangle requirements of the Ordinance in accordance with the provisions of Section 12.109(7) thereof.

15. Parking

Off-street parking will be provided within each Development Area sufficient to accommodate all uses within that Development Area and shall meet or exceed Ordinance requirements. Parallel or perpendicular parking may be provided along internal streets within the Site.

16. Workforce Housing

Petitioner shall voluntarily provide a workforce housing program to ensure that some residential units are reasonably priced for persons earning less than the average median income for the area. Petitioner shall ensure that no fewer than five (5%) percent of the total number of residential units actually constructed on the Site, for a period not less than fifteen (15) years, maintain monthly rents that are, on average, affordable for persons earning not more than 80% of the area median income.

17. Amendments to Rezoning Plan

Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of a particular Tract within the Site involved in accordance with the provisions of Chapter 6 of the Ordinance.

18. Binding Effect of the Rezoning Documents and Definitions

If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under the Technical Data Sheet and these Development Standards will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective successors in interest and assigns.

Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of any part of the Site from time to time who may be involved in any future development thereof.

19. Vested Rights Provision

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment involved.

THE COLONY
REZONING PETITION NO. 2015-034

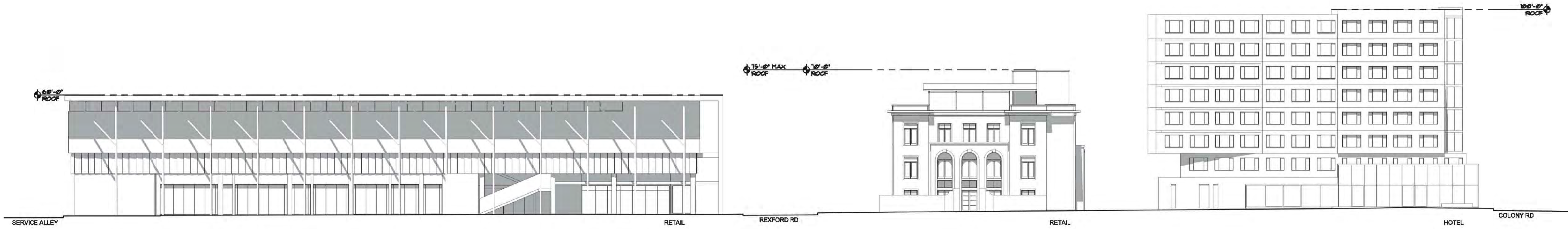
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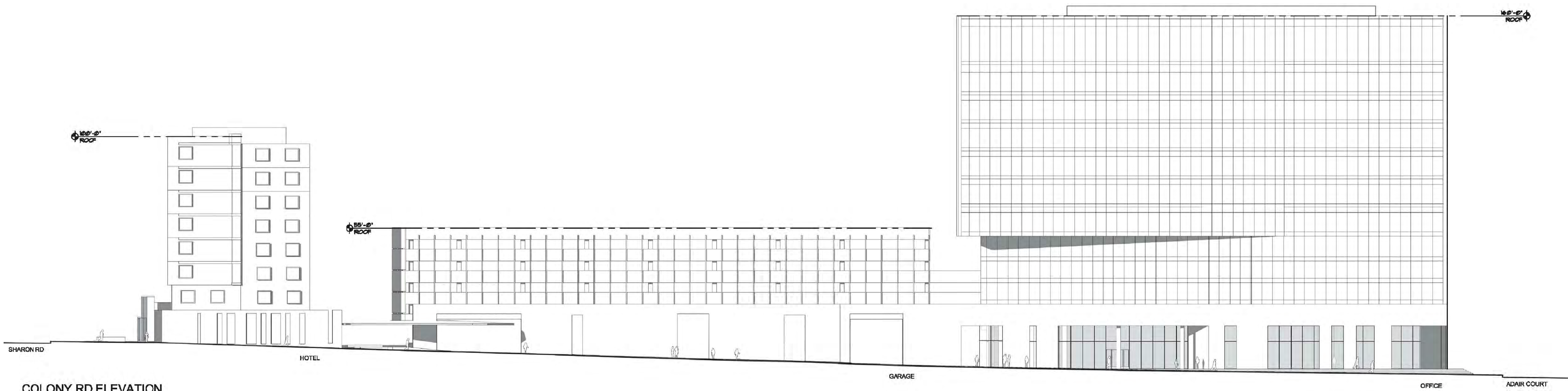
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