

#### JWM FAMILY ENTERPRISES, INC. **DEVELOPMENT STANDARDS** REZONING PETITION NO. 2016-066

SITE DEVELOPMENT DATA:

--ACREAGE:  $\pm$  5.32 ACRES

--TAX PARCEL #S: 177-082-02 --EXISTING ZONING: O-15(CD) AND O-1

--PROPOSED ZONING: MUDD-O --EXISTING USES: A HOTEL.

--PROPOSED USES: UP TO TWO (2) HOTELS WITH UP TO 370 ROOMS (APPROXIMATELY 200 ROOMS IN THE EXISTING HOTEL ON THE SITE, AND UP TO 170 ROOMS IN A NEW HOTEL) AS PERMITTED BY RIGHT. AND UNDER PRESCRIBED CONDITIONS. AND BY THE OPTIONAL PROVISIONS BELOW, TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT (ALL AS MORE SPECIFICALLY

DESCRIBED AND RESTRICTED BELOW IN SECTION 3). --MAXIMUM BUILDING HEIGHT: MAXIMUM BUILDING HEIGHT OF EIGHT (8) STORIES, NOT TO EXCEED (85 FEET) BUILDING HEIGHT TO BE MEASURED PER THE ORDINANCE. --PARKING: AS REQUIRED BY THE ORDINANCE.

#### 1. GENERAL PROVISIONS:

A. SITE LOCATION. THESE DEVELOPMENT STANDARDS, THE TECHNICAL DATA SHEET SCHEMATIC SITE PLAN AND OTHER SITE PLAN SHEETS FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN") ASSOCIATED WITH THE REZONING PETITION FILED BY JWM FAMILY ENTERPRISES, INC. ("PETITIONER") TO ACCOMMODATE THE DEVELOPMENT OF AN ADDITIONAL HOTEL (FOR A TOTAL OF TWO HOTELS) ON AN APPROXIMATELY 5.32 ACRE SITE LOCATED ON THE SOUTHWEST QUADRANT OF THE INTERSECTION OF REXFORD ROAD AND ROXBOROUGH PARK ROAD

ZONING DISTRICTS/ORDINANCE. DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE CITY OF CHARLOTTE ZONING ORDINANCE (THE "ORDINANCE"). UNLESS THE REZONING PLAN ESTABLISHES MORE STRINGENT STANDARDS. THE REGULATIONS ESTABLISHED UNDER THE ORDINANCE FOR THE MUDD-O ZONING CLASSIFICATION SHALL GOVERN ALL DEVELOPMENT TAKING PLACE ON THE SITE, SUBJECT TO THE OPTIONAL PROVISIONS

c. GRAPHICS AND ALTERATIONS. THE SCHEMATIC DEPICTIONS OF THE USES,

PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, BUILDING ELEVATIONS, DRIVEWAYS, STREETS, PERMISSIBLE BUILDING AREAS (AS DEFINED BELOW) AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED. CHANGES TO THE REZONING PLAN NOT ANTICIPATED BY THE REZONING PLAN WILL BE REVIEWED AND APPROVED AS ALLOWED BY SECTION 6.207 OF THE ORDINANCE.

SINCE THE PROJECT HAS NOT UNDERGONE THE DESIGN DEVELOPMENT AND CONSTRUCTION PHASES, IT IS INTENDED THAT THIS REZONING PLAN PROVIDE FOR FLEXIBILITY IN ALLOWING SOME ALTERATIONS OR MODIFICATIONS FROM THE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS. THEREFORE, THERE MAY BE INSTANCES WHERE MINOR MODIFICATIONS WILL BE ALLOWED WITHOUT REQUIRING THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE. THESE INSTANCES WOULD INCLUDE CHANGES TO GRAPHICS IF THEY ARE:

. MINOR AND DON'T MATERIALLY CHANGE THE OVERALL DESIGN INTENT AND STAY WITHIN THE SETBACKS AND YARDS DEPICTED ON THE REZONING PLAN.

THE PLANNING DIRECTOR WILL DETERMINE IF SUCH MINOR MODIFICATIONS ARE ALLOWED PER THIS AMENDED PROCESS, AND IF IT IS DETERMINED THAT THE ALTERATION DOES NOT MEET THE CRITERIA DESCRIBED ABOVE, THE PETITIONER SHALI THEN FOLLOW THE ADMINISTRATIVE AMENDMENT PROCESS PER SECTION 6.207 OF THE ORDINANCE; IN EACH INSTANCE, HOWEVER, SUBJECT TO THE PETITIONER'S APPEAL RIGHTS SET FORTH IN THE ORDINANCE.

d. NUMBER OF BUILDINGS PRINCIPAL AND ACCESSORY. THE TOTAL NUMBER OF PRINCIPAL BUILDINGS TO BE DEVELOPED ON THE SITE WILL BE LIMITED TWO (2). ACCESSORY BUILDINGS AND STRUCTURES LOCATED ON THE SITE SHALL NOT BE CONSIDERED IN ANY LIMITATION ON THE NUMBER OF BUILDINGS ON THE SITE. ACCESSORY BUILDINGS AND STRUCTURES WILL BE CONSTRUCTED UTILIZING SIMILAR BUILDING MATERIALS, COLORS, ARCHITECTURAL ELEMENTS AND DESIGNS AS THE PRINCIPAL BUILDING(S) LOCATED WITHIN THE SAME DEVELOPMENT AREA AS THE ACCESSORY STRUCTURE/BUILDING. 2. OPTIONAL PROVISIONS.

### THE FOLLOWING OPTIONAL PROVISIONS SHALL APPLY TO THE SITE:

a. TO ALLOW A WALL SIGNS ON THREE (3) SIDES OF THE ARCHITECTURAL FEATURE LOCATED AT THE TOP OF BUILDING. THE AREA OF EACH OF THESE WALLS SIGNS WILL NOT EXCEED 200 SOUARE FEET.

b. TO ALLOW WALL SIGNS, IN ADDITION TO THOSE PERMITTED ON THE ARCHITECTURAL FEATURE AT THE TOP OF THE BUILDING, TO HAVE UP TO 200 SQUARE FEET OF SIGN SURFACE AREA PER WALL OR 10% OF THE WALL AREA TO WHICH THEY ARE ATTACHED, WHICHEVER IS LESS.

c. TO ALLOW ONE DETACHED GROUND MOUNTED SIGN PER STREET FRONT WITH A MAXIMUM HEIGHT OF SIX [(6)] FEET AND CONTAINING UP TO [36] SQUARE FEET OF SIGN

d. TO ALLOW THE EXISTING GROUND MOUNTED SIGN AT THE CORNER OF REXFORD AND ROXBOROUGH TO REMAIN.

e. TO ALLOW A PARKING DECK AND ACCESS RAMP TO BE LOCATED BETWEEN THE EXISTING BUILDING AND REXFORD ROAD.

f. TO ALLOW THE EXISTING PARKING AND MANEUVERING AREAS LOCATED BETWEEN THE EXISTING BUILDING AND THE STREETS TO REMAIN

g. TO ALLOW THE EXISTING BUILDING TO NOT HAVE TO MEET THE STREET WALL REQUIREMENTS OF THE MUDD ZONING DISTRICT.

NOTE: THE OPTIONAL PROVISION REGARDING SIGNS IS AN ADDITION/MODIFICATION TO THE STANDARDS FOR SIGNS IN THE MUDD DISTRICT AND IS TO BE USED WITH THE REMAINDER OF MUDD STANDARDS FOR SIGNS NOT MODIFIED BY THESE OPTIONAL PROVISIONS.

# 3. PERMITTED USES, DEVELOPMENT AREA LIMITATIONS:

a. THE PRINCIPAL BUILDINGS CONSTRUCTED ON THE SITE MAY BE DEVELOPED WITH UP TO 370 HOTEL ROOMS IN TWO (2) HOTELS (ONE EXISTING AND ONE NEW HOTEL). UP TO 200 ROOMS MAY BE LOCATED IN THE EXISTING HOTEL ON THE SITE, AND UP TO 170 ROOMS MAY BE LOCATED IN THE NEW HOTEL, AS PERMITTED BY RIGHT, UNDER PRESCRIBED CONDITIONS AND PER THE OPTIONAL PROVISIONS ABOVE TOGETHER WITH ACCESSORY USES ALLOWED IN THE MUDD-O ZONING DISTRICT.

# 4. <u>ACCESS.</u>

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a. ACCESS TO THE SITE WILL BE FROM REXFORD ROAD AND ROXBOROUGH ROAD AS GENERALLY DEPICTED ON THE REZONING PLAN, SUBJECT TO ADJUSTMENTS AS SET FORTH BELOW.

b. THE ALIGNMENT OF THE VEHICULAR CIRCULATION AND DRIVEWAYS MAY BE MODIFIED BY THE PETITIONER TO ACCOMMODATE CHANGES IN TRAFFIC PATTERNS, PARKING LAYOUTS AND ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY THE CHARLOTTE DEPARTMENT OF TRANSPORTATION (CDOT) IN ACCORDANCE WITH PUBLISHED STANDARDS SO LONG AS THE STREET NETWORK SET FORTH ON THE REZONING PLAN IS NOT MATERIALLY ALTERED.

# 5. STREETSCAPE, BUFFER, LANDSCAPING OPEN SPACE AND SCREENING:

a. A 40 FOOT SETBACK AS MEASURED FROM THE BACK OF EXISTING CURB ALONG ROXBOROUGH AND REXFORD ROAD WILL BE PROVIDED, AS GENERALLY DEPICTED ON THE REZONING PLAN. FIRST FLOOR PEDESTRIAN-ORIENTED ARCHITECTURAL FEATURES MAY ENCROACH 20 FEET INTO THE 40 FOOT SETBACK IN A MANNER THAT DOES NOT MATERIALLY RESULT IN REDUCTION OF TREE PRESERVATION AREA. OUTDOOR SEATING AND AMENITY AREAS ARE PERMITTED WITHIN THE 40' SETBACK. UPPER STORY BALCONIES MAY ENCROACH UP TO 10' INTO THE 40' SETBACK WHERE THERE ARE NOT CONFLICTS WITH TREES IDENTIFIED FOR PRESERVATION. THE PETITIONER WILL WORK WITH THE CITY ARBORIST TO IDENTIFY WHICH TREES CAN BE SAVED WITHIN THE 40' SETBACK.

D. AN EIGHT (8) FOOT PLANTING STRIP AND AN EIGHT (8) FOOT SIDEWALK WILL BE PROVIDED ALONG ROXBOROUGH ROAD, AND REXFORD ROAD, WITHIN THE REQUIRED SETBACKS, AS GENERALLY DEPICTED ON THE REZONING PLAN. THE SIDEWALKS MAY MEANDER TO PRESERVE EXISTING TREES. SIDEWALKS OUTSIDE OF THE RIGHT OF WAY MAY BE PLACED IN EASEMENTS SUBJECT TO PLANNING/CDOT APPROVAL DURING THE

: IT IS THE INTENT OF THE PETITIONER TO PRESERVE ADDITIONAL TREES OUTSIDE OF THE 40' SETBACK. THE PETITIONER WILL WORK WITH THE CITY ARBORIST TO DETERMINE WHICH TREES WILL BE IDENTIFIED FOR PRESERVATION DURING THE PERMITTING PROCESS.

I. THE PETITIONER WILL MAKE LANDSCAPE AND PEDESTRIAN-ORIENTED IMPROVEMENTS AT THE CORNER OF ROXBOROUGH ROAD AND REXFORD DRIVE AS GENERALLY DEPICTED ON THE REZONING PLAN SUBJECT TO PLANNING/CDOT APPROVAL DURING THE PERMITTING PROCESS.

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#### 6. GENERAL DESIGN GUIDELINES:

- a. THE BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, STONE, PRECAST STONE, PRECAST CONCRETE, SYNTHETIC STONE, CEMENTITIOUS FIBER BOARD, METAL PANELS, STUCCO, EIFS, DECORATIVE BLOCK AND/OR WOOD. VINYL OR ALUMINUM AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS AND ON HANDRAILS/RAILINGS.
- b. THE PROPOSED NEW HOTEL LOCATED ALONG ROXBOROUGH ROAD WILL HAVE AT LEAST ONE ARCHITECTURALLY PROMINENT AND PUBLICALLY ACCESSIBLE PEDESTRIAN ENTRANCE TO THE HOTEL FROM ROXBOROUGH ROAD. THIS ENTRANCE WILL BE OPEN DURING REGULAR BUSINESS HOURS AND WILL PROVIDE ACCESS TO THE HOTELS GROUND FLOOR LOBBY AREA AND OTHER AMENITIES.
  - c. THE PEDESTRIAN ENTRANCE (DEFINED AS AN ENTRANCE DESIGN TO PROVIDE CUSTOMERS ACCESS TO THE PROPOSED HOTEL) WILL BE DESIGNED TO BE CLEARLY IDENTIFIABLE WITH PROMINENT ELEMENTS WITHIN THE BUILDING FACADE IN WHICH
  - d. THE SCALE AND MASSING OF THE NEW HOTEL BUILDING LONGER THAN 150 FEET ALONG A STREET SHALL BE MINIMIZED BY UTILIZING A COMBINATION OF THE FOLLOWING OPTIONS: (I) VARIED ROOF LINES THROUGH THE USE OF SLOPES, MODULATED BUILDINGS HEIGHTS. GABLES. DORMERS OR INNOVATIVE ARCHITECTURAL SOLUTIONS: (II) BUILDING CORNERS TO PROVIDE VISUAL INTEREST AT THE PEDESTRIAN LEVEL AS WELL AS TO DIFFERENTIATE ROOF LINES OR HIGHLIGHT GROUND FLOOR USES; (III) HORIZONTAL AND VERTICAL VARIATIONS IN WALL PLANES; AND/OR (IV) ARCHITECTURAL PROTRUSION TO ACCENTUATE ENCLOSED BALCONIES.
  - e. THE MAXIMUM CONTIGUOUS AREA OF THE HOTEL WITHOUT WINDOWS OR DOORS ON ANY FLOOR SHALL NOT EXCEED 20 FEET IN LENGTH. WHERE BLANK OR UNARTICULATED WALLS 20' OR GREATER CANNOT BE ADDRESSED PRINCIPALLY WITH DOORS OR WINDOWS. THEY SHALL BE TREATED WITH A COMBINATION THE FOLLOWING OPTIONS: (I) A HIGHER LEVEL OF TRANSPARENCY ON THE GROUND FLOOR (EXAGGERATED OR LARGER WINDOWS INDICATIVE OF COMMON AREAS); (II) HORIZONTAL AND VERTICAL VARIATIONS IN WALL PLANES; AND/OR (III) ARCHITECTURAL PROTRUSION. IF THE FINAL ARCHITECTURAL DESIGN CANNOT MEET THE DESIGN STANDARDS FOR BLANK WALL ARTICULATION (INCLUDING ALL OF THE ABOVE), ALTERNATIVE INNOVATIVE DESIGN SOLUTIONS MAY BE CONSIDERED FOR APPROVAL BY THE PLANNING DIRECTOR.
  - f. THE ENDS OF THE NEW HOTEL WILL BE CONTAIN WINDOWS SO THAT ENDS OF THE BUILDING IS NOT A SOLID WINDOWLESS WALL.
- g. THE ACCESSORY USES LOCATED ON GROUND FLOOR OF THE BUILDING LOCATED ALONG ROXBOROUGH ROAD SHALL MAINTAIN A HIGH LEVEL OF VISIBILITY THROUGH THE USE OF CLEAR GLASS, LARGER WINDOWS WITH AN UNOBSTRUCTED VIEW FROM ROXBOROUGH ROAD AND REXFORD INTO THE SPACE, AND PEDESTRIAN LEVEL ARCHITECTURAL DETAILS THAT COMPLEMENT THE PUBLIC REALM.
- h. THE PARKING DECK ELEVATION ALONG REXFORD ROAD WILL TREATED SO THAT PARKING IS SCREENED WITH A COMBINATION OF LANDSCAPING, DECORATIVE LOUVERS, AND/OR WITH LOW WALLS AND OTHER ARCHITECTURAL FEATURES AS GENERALLY DEPICTED ON THE ATTACHED BUILDING ELEVATION AND CONCEPTUAL IMAGES.
- (i. OUTDOOR SEATING IS PERMITTED ADJACENT TO THE ROOFTOP LOUNGE/PENTHOUSE.

#### 7. ENVIRONMENTAL FEATURES:

a. THE SITE SHALL COMPLY WITH THE CHARLOTTE CITY COUNCIL APPROVED AND ADOPTED POST CONSTRUCTION CONTROLS ORDINANCE.

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- b. THE LOCATION, SIZE AND TYPE OF STORM WATER MANAGEMENT SYSTEM DEPICTED ON THE REZONING PLAN ARE SUBJECT TO REVIEW AND APPROVAL AS PART OF THE FULL DEVELOPMENT PLAN SUBMITTAL AND ARE NOT IMPLICITLY APPROVED WITH THIS REZONING. ADJUSTMENTS MAY BE NECESSARY IN ORDER TO ACCOMMODATE ACTUAL STORM WATER TREATMENT REQUIREMENTS AND NATURAL SITE DISCHARGE
- c. THE SITE WILL COMPLY WITH THE TREE ORDINANCE.

# 8. <u>SIGNAGE:</u>

a. SIGNAGE AS ALLOWED BY THE ORDINANCE AND BY THE OPTIONAL PROVISIONS LISTED ABOVE MAY BE PROVIDED

a. ALL NEW ATTACHED AND DETACHED LIGHTING SHALL BE FULLY SHIELDED DOWNWARDLY DIRECTED AND FULL CUT OFF FIXTURE TYPE LIGHTING EXCLUDING LOWER, DECORATIVE LIGHTING THAT MAY BE INSTALLED ALONG THE DRIVEWAYS, SIDEWALKS, AND PARKING AREAS.

b. DETACHED LIGHTING ON THE SITE, EXCEPT STREET LIGHTS LOCATED ALONG PUBLIC STREETS, WILL BE LIMITED TO 21 FEET IN HEIGHT.

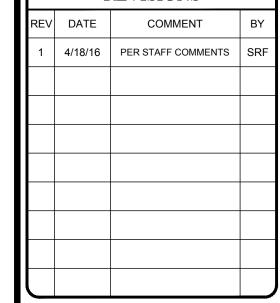
# 10. <u>AMENDMENTS TO THE REZONING PLAN</u>:

a. FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE APPLICABLE DEVELOPMENT AREA OR PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS HEREIN AND OF CHAPTER 6 OF THE ORDINANCE

# 11. BINDING EFFECT OF THE REZONING APPLICATION:

a. IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED HEREIN AND UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE PETITIONER AND SUBSEOUENT OWNERS OF THE SITE OR DEVELOPMENT AREAS. AS APPLICABLE, AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.







DRAWN BY: SCALE: CAD ID:

> SOUTHPARK MARRIOTT

JWM FAMILY ENTERPRISES

LOCATION OF SITE 2200 REXFORD RD. CITY OF CHARLOTTE, MECKLENBURG COUNTY,

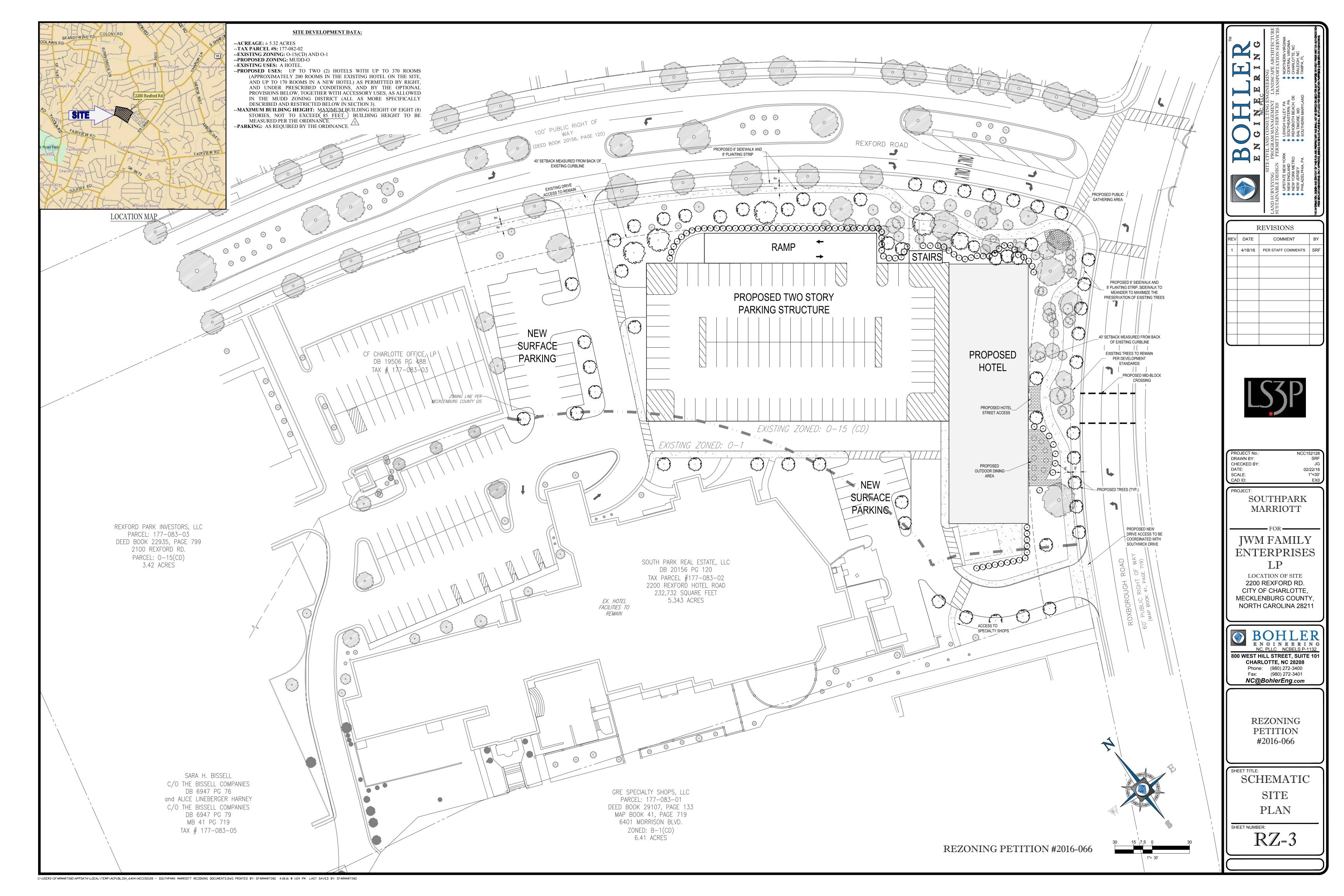
NORTH CAROLINA 28211



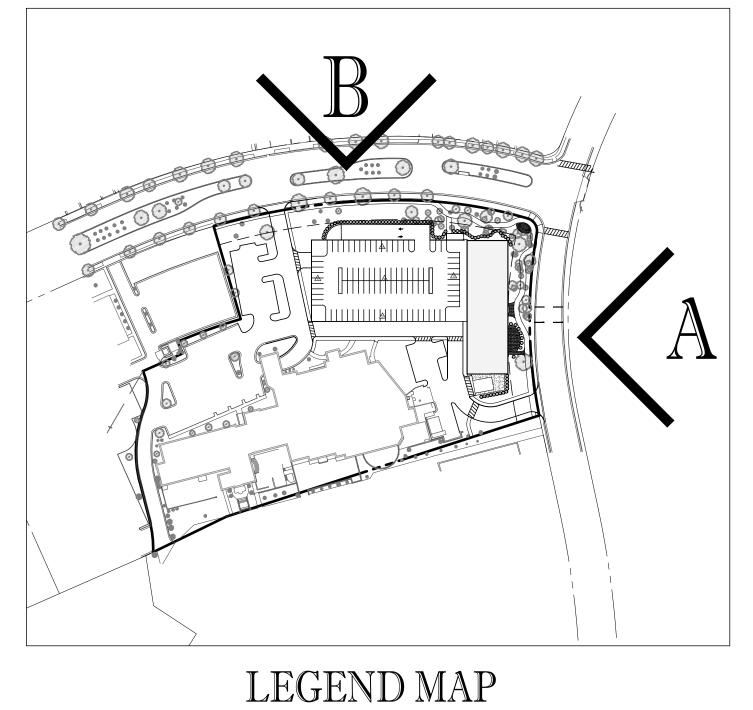
REZONING **PETITION** #2016-066

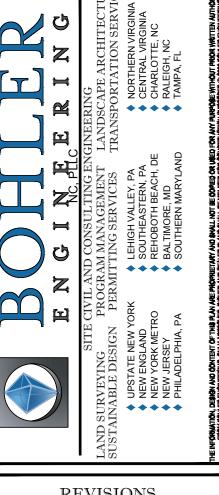
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DEVELOPMENT STANDARD NOTES



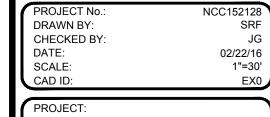






REVISIONS			
REV	DATE	COMMENT	BY
1	4/18/16	PER STAFF COMMENTS	SRF





SOUTHPARK MARRIOTT

JWM FAMILY ENTERPRISES

LOCATION OF SITE
2200 REXFORD RD.
CITY OF CHARLOTTE,
MECKLENBURG COUNTY,
NORTH CAROLINA 28211



CHARLOTTE, NC 28208
Phone: (980) 272-3400
Fax: (980) 272-3401
NC@BohlerEng.com

REZONING PETITION #2016-066

SHEET TITLE:
ARCHITECTURAL
ELEVATIONS

 $\mathbb{R}\mathbb{Z}$ =4

# AC SOUTHPARK HOTEL - ROXBOROUGH RD (A)



AC SOUTHPARK HOTEL - REXFORD RD (B)

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NOTE: THIS ELEVATION IS PROVIDED TO REFLECT THE ARCHITECTURAL STYLE AND QUALITY OF THE BUILDING THAT MAY BE CONSTRUCTED ON THE SITE (THE ACTUAL BUILDING CONSTRUCTED ON THE SITE MAY VARY FROM THIS ILLUSTRATION AS LONG AS THE GENERAL ARCHITECTURAL CONCEPTS AND ITENT ILLLUSTRATED IS MAINTAINED).