ORDINANCE (2003) 403 ZC 533
Effective: March 18, 2003

Z-27-02/MP-1-02 Colonial Town Park Master Plan, southwest quadrant of the intersection of Wade Avenue and Edwards Mill Road, expanding westerly to I-40, being various Wake County PINs. Approximately 168 acres rezoned to Thoroughfare Conditional Use with Planned Development Conditional Use Overlay District in accordance with the master Plan Document dated March 5, 2003.

Conditions dated: 2/15/02

(1) Future dedications of rights-of-way shall be valued according to the current zoning classification (Agricultural Productive or Office and Institution-1, respectively) of the area dedicated.

(2) Development of the property shall be in accordance with the Master Plan approved in connection with this petition.

REVISED - MARCH 5, 2003

Z-27-02
MP-1-02
3/5/03
FINAL DOCUMENT

MASTER PLAN
COLONIAL TOWNPARK
PROPOSED PLANNED DEVELOPMENT DISTRICT

168 ACRES
WADE AVENUE AT INTERSTATE 40

PURCHASER AND DEVELOPER:
COLONIAL PROPERTIES TRUST

OWNERS:
THE STATE OF NORTH CAROLINA
CHARLES M. WINSTON ASSOCIATES LIMITED LIABILITY
LIMITED PARTNERSHIP

CONSULTANTS:

Lacy H. Reaves - Attorney

Michael R. Thornton - Attorney

Jerry Turner and Associates, Inc. - Landscape Architects and Land Planners

Kimley-Horn and Associates, Inc. - Transportation and Civil Engineers

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I. INTRODUCTION

This document and the accompanying exhibits (collectively, the "Master Plan") are provided pursuant to provisions of the Raleigh City Code (the "Code") dealing with the Planned Development Overlay District for Colonial TownPark, a mixed-use development proposed by Colonial Properties Trust, a national developer of mixed-use communities. The goal of the Colonial TownPark project is to achieve a mixture of land uses throughout the development to the extent allowed by market conditions. Colonial TownPark will be a pedestrian-oriented, urban development with complementary residential, recreation, institution/civic/services, office, and commercial land uses (as those terms are utilized in Section 10-2071 of the Code) at densities appropriate to the location of the development, the nature of adjoining and nearby land uses, and the City and State's investment in existing infrastructure. All references in this Master Plan to "office" uses shall include institution/civic/services uses and recreational and commercial uses permitted in the Office and Institution-1 District.

II. LOCATION AND CONTEXT

The Master Plan for Colonial TownPark deals with approximately 168 acres south of Wade Avenue and east of Interstate 40 (the "Property") at the intersection of the two thoroughfares. Interstate 40 and Wade Avenue comprise the western and northern boundaries of Colonial TownPark, respectively. The Entertainment and Sports Arena is located east of the site immediately across Edwards Mill Road. To the south of the Property is Cardinal Gibbons High School.

Colonial TownPark is within the area of the recently approved Arena Small Area Plan (the "Small Area Plan") of the Raleigh Comprehensive Plan. The Small Area Plan includes the site within an Employment Area and recommends its development for "mixed land uses with a predominance of offices and multifamily housing . . . [as well as] hotels and neighborhood scaled retail." The Small Area Plan also establishes environmental and design guidelines for the Property which are reflected in the Master Plan. The Small Area Plan further provides that "this property should develop as a planned, unified project incorporating urban design features and public amenities . . . and pedestrian connection to adjacent properties . . . ." Small Area Plan, p. 6.

III. THE DEVELOPMENT CONCEPT

Colonial TownPark will consist of five (5) development tracts. Each will front a parkway constructed from east to west through the site connecting Edwards Mill and Trinity Roads (which may be referred to herein as "Colonial TownPark Drive", although this name is not intended to be final). The parkway will consist of a minimum of four (4) lanes and will be constructed as a public right-of-way. The parkway may have an intermittent median and alternate paving materials for crosswalks, such as concrete bomanite or concrete pavers, in which case encroachment agreements shall be required.

As shown on Exhibit MP-1, environmental concerns are a central feature of the Master Plan. The orientation of development within Colonial TownPark internally to the parkway and to a grid of streets emanating from the parkway allows the preservation of extensive natural areas along Richland Creek and Medfield Tributary and natural protective yards along I-40 and Wade Avenue with a minimum width of

seventy five (75) feet except within six hundred (600) feet of the intersection of Colonial TownPark Drive and Trinity Road, where no minimum shall apply.

IV. COLONIAL TOWNPARK MASTER PLAN

Colonial TownPark will be developed as described herein and in the Land Use Summary of Exhibit MP-1 (the "Land Use Summary"). Tract sizes, the square footage of land uses, and the number of dwelling units and hotel rooms shown in the Land Use Summary are target intensities for the development of tracts and outparcels shown on Exhibit MP-1. The maximums stated in Exhibit MP-1 for each use on a particular tract within the Property may be exceeded provided that a stated maximum for another use within the Property (whether upon the same tract or a different tract within the Property) is decreased by an amount which will ensure that there will be no increase in the trips generated for the Property as outlined in the Trip Generation Budget attached to this Master Plan.

In order to better achieve the purposes of the Planned Development District and the Arena Small Area Plan, the Land Use Summary of Exhibit MP-1 contemplates retail uses within Colonial TownPark that exceed ten per cent (10%) of the gross land area of the Property. The vision proposed by the Arena Small Area Plan for the Property and the surrounding areas near the Entertainment and Sports Arena is a concentration of large scaled, high intensity mixed uses that are designed to overcome the current disjointed image of much of this area, and which will promote pedestrian interconnectivity between the different uses within and surrounding the Property, as well as usage of public transit between the Property and the community at large. The centerpiece of the Property is the Central Activity Core to be located on Tract M-1 (as

further described in Section IV(C) below), which will create a center of activity for the Property and surrounding areas in a pedestrian-oriented environment by locating an intensity of retail, hotel and office uses in a manner that creates a main street walking experience. Although residential and office uses on the Property will provide excellent pedestrian opportunities for individuals that both live and work on the Property, allowing retail uses in the amounts outlined on Exhibit MP-1 will further encourage travel by pedestrians and users of public transit by providing restaurant, shopping and entertainment options within the Central Activity Core to all residents and office workers on the Property, as well as patrons of the Entertainment and Sports Arena and the Triangle community at large. Retail uses will give all residents and office workers on the Property an incentive to "get outdoors" for reasons other than getting in their automobiles to travel to work or to travel home, and will provide synergy with adjacent land uses such as the Entertainment and Sports Arena and internal uses such as the proposed hotel. Providing the level of retail uses provided in Exhibit MP-1 is therefore vitally important to providing a fully-integrated mixed use development on the Property. The extensive existing transportation infrastructure in the Interstate 40/Wade Avenue corridor provides excellent access to the Property, and the location of the Property near the center of the Triangle region near Research Triangle Park and Raleigh Durham Airport further supports this level of usage. Furthermore, the surrounding properties are zoned for fairly intense uses which include Office and Institutional, Thoroughfare and Industrial zoning districts, so there are few single-family residences that would be negatively impacted. By capitalizing upon these factors while preserving natural features of the Property as provided in this Master Plan, and by utilizing innovative architecture instead of typical strip retail development, Colonial TownPark

will become a unique center of activity which provides its residents with the opportunity to live, work and play in a single location, as well as provide entertainment options before and after events at the Entertainment and Sports Arena for the community at large.

The development criteria of the tracts and outparcels shown on Exhibit MP-1 are as follows:

A. Tracts R-1 and R-2

1. Uses. Tracts R-1 and R-2 shall be developed for residential and/or recreation land uses, and the target number of dwelling units for the tracts are shown in the Land Use Summary. Target residential densities shown on Exhibit MP-1 for all of the tracts comprising Colonial TownPark may be allocated among such tracts as determined by the owner of the Property. In addition, office uses may be transferred to Tracts R-1 and R-2 from Tract O-1 as determined by the owner of the Property, and commercial uses may be transferred to Tracts R-1 and R-2 from Tracts M-1 and M-2 as determined by the owner of the Property.

2. Building Height. Building height shall not exceed the lesser of one hundred twenty (120) feet or eight (8) stories, regardless of type of use, and any building located within one hundred (100) feet of the southern boundary line of Tract R-1 or Tract R-2 as shown on Exhibit MP-1 shall not exceed eighty (80) feet in height. In addition, no building greater than four (4) stories completely above grade or fifty-five (55) feet in height shall be located within one hundred (100) feet of the lot line of any parcel contiguous to the perimeter of the Property which is a residential district or contains any dwelling or congregate care or

congregate living structure. A parcel separated from the Property by a public right-of-way shall not be considered to be contiguous.

3. Building Setbacks, Buffers and Streetyards. Setbacks and streetyards shall be as provided in the Streetyards and Setbacks Table of the attached Exhibit MP-2 (the "Streetyards and Setbacks Table"). In addition, buildings constructed with the minimum building setback of ten (10) feet from public or private streets adjacent to or within Tract R-1 or Tract R-2 shall not be greater in height than the lesser of ninety (90) feet or six (6) stories. A sliding scale for height limitations shall apply in connection with building setbacks from public or private streets adjacent to or within Tract R-1 or Tract R-2 such that for every additional one (1) foot of building setback from the ten (10) foot minimum, the maximum building height shall increase by two (2) feet up to the overall maximum building height of the lesser of one hundred twenty (120) feet or eight (8) stories (i.e., buildings of one hundred twenty feet (120) in height on Tract R-1 or Tract R-2 must have a minimum building setback of twenty five (25) feet from any public or private streets adjacent to or within Tract R-1 or Tract R-2). Furthermore, buildings will not be located within thirty (30) feet of the southern boundary line of Tract R-1 or Tract R-2.

B. Tract O-1

1. Uses. Tract O-1 shall be developed for office land uses. The target square footage of office uses for Tract O-1 is 600,000 square feet as shown in the Land Use Summary. As stated above, portions of the target square footage for office uses may be transferred from Tract O-1 to Tracts R-1 and R-2, and, in addition, residential uses may be transferred to Tract O-1 from Tracts R-1

and R-2 as determined by the owner of the Property. No transfer will result in a density of greater than thirty (30) units per acre. In addition, commercial uses may be transferred from Tract M-1 and Tract M-2 to Tract O-1 as determined by the owner of the Property.

Within Tract O-1, all office buildings will be oriented towards a street or public, green open space as described below, with a major building entrance located within fifty (50) feet of a streetside sidewalk. No parking areas shall be permitted between the street or public, green open space and such major building entrance. Public, green open space(s) of at least one-half (0.5) acre shall be provided within Tract O-1. Forty percent (40%) of this public, green open space shall consist of a lawn, landscaped areas or a water feature(s). If more than one public, green open space is provided within Tract O-1, then at least one shall contain a minimum of 12,000 square feet of public, green open space. If only one public, green open space is provided within Tract O-1, the minimum area of such space shall be one-half (0.5) acre.

2. Building Height. Building height shall not exceed the lesser of one hundred twenty (120) feet or eight (8) stories, regardless of type of use.

3. Building Setbacks, Buffers and Streetyards. Setbacks and streetyards shall be as provided in the Streetyards and Setbacks Table. Buildings shall not be located within one hundred (100) feet of the right-of-way of Wade Avenue or within one hundred thirty five (135) feet of the right-of-way of Interstate 40 as set forth in the Streetyards and Setbacks Table. In addition, buildings constructed with the minimum building setback of fifteen (15) feet from public or private streets adjacent to or within Tract O-1 shall not be greater

in height than the lesser of ninety (90) feet or six (6) stories. A sliding scale for height limitations shall apply in connection with building setbacks from public or private streets adjacent to or within Tract O-1 such that for every additional one (1) foot of building setback from the fifteen (15) foot minimum, the maximum building height shall increase by two (2) feet up to the overall maximum building height of the lesser of one hundred twenty (120) feet or eight (8) stories (i.e., buildings of one hundred twenty feet (120) in height on Tract O-1 must have a minimum building setback of thirty (30) feet from any public or private streets adjacent to or within Tract O-1).

C. Tracts M-1 and M-2

1. Uses. Tracts M-1 and M-2 shall be developed for commercial, office, hotel, residential, and/or recreation land uses. In total, the target intensities for such tracts are 600,000 square feet of office and/or recreation (indoor) land uses, 225,000 square feet of commercial (other than hotel/motel) land uses, 300 hotel rooms (with associated hotel amenities) to be located on Tract M-1, and 250 dwelling units.

The size of retail establishments (i.e., retail users or businesses) shall be limited as follows:

- No single retail establishment may exceed 65,000 square feet.
- One (1) retail establishment may occupy between 35,000 and 65,000 square feet.
- One (1) retail establishment may occupy between 25,000 and 35,000 square feet.
- Two (2) individual retail establishments may occupy between 17,000 and 25,000 square feet each.

- No other single retail establishment may exceed 17,000 square feet.

A minimum of five (5) acres in land area shall be developed for residential dwelling uses within Tract M-1. As described in more detail in Section IV(C)(4) below, a central activity core has been designated for Tract M-1 as shown on Exhibit MP-1 (the "Central Activity Core") in order to achieve a main street walking environment, and hotel, office and retail uses will be oriented towards the public streets in this Central Activity Core.

2. Building Height Limit. Except for the hotel planned for Tract M-1, building height shall not exceed the lesser of ninety (90) feet or six (6) stories on Tract M-1 or Tract M-2. The hotel to be located on Tract M-1 shall be excluded from the foregoing height limits; however, the hotel shall not exceed one hundred fifty (150) feet in height. In addition, no building greater than four (4) stories completely above grade or fifty-five (55) feet in height shall be located within one hundred (100) feet of the lot line of any parcel contiguous to the perimeter of the Property which is a residential district or contains any dwelling or congregate care or congregate living structure. A parcel separated from the Property by a public right-of-way shall not be considered to be contiguous.

3. Building Setbacks, Buffers and Streetyards. Setbacks and streetyards shall be as provided in the Streetyards and Setbacks Table. Buildings shall not be located within one hundred (100) feet of the right-of-way of Wade Avenue, or within one hundred thirty five (135) feet of the right-of-way of Interstate 40, or within two hundred (200) feet of the right-of-way of Edwards Mill Road as described in the Streetyards and Setbacks Table. In addition,

buildings shall not be located within thirty (30) feet of the southern boundary line of Tract M-2. Within Tract M-2, all buildings shall have a major entrance located within fifty (50) feet of a streetside sidewalk, and no parking areas shall be permitted between the sidewalk and such major building entrance.

4. Central Activity Core. The objective of the Central Activity Core in Tract M-1 is to create a main street walking environment in which tenants and visitors may conveniently park their cars or arrive by public transit and walk to shops and offices within reasonable walking distances without re-entering their vehicles. Hotel, retail and office uses will be grouped together along the public streets in the Central Activity Core, and oriented towards the public streets or a public square. The Central Activity Core will have direct and convenient pedestrian access to the Entertainment and Sports Arena through the installation of a pedestrian connection consisting of a sidewalk of at least ten (10) feet in width between the Central Activity Core and the existing lighted tunnel beneath Edwards Mill Road leading to the Entertainment and Sports Arena in as direct a route as feasible. Upon submittal of development plans for the pedestrian connection from the Central Activity Core to the existing tunnel beneath Edwards Mill Road, the Centennial Authority will simultaneously receive a copy of the development plan. Within the Central Activity Core, buildings will be oriented towards a street or public square with a major entrance within thirty (30) feet of a streetside sidewalk, except for the hotel on Tract M-1, which will have a major entrance oriented towards the Entertainment and Sports Arena that will be located within thirty (30) feet of the ten (10) foot sidewalk leading to the existing lighted tunnel beneath Edwards

Mill Road leading to the Entertainment and Sports Arena. A minimum of one-half (0.5) acre of public, green open space(s) shall be provided in the Central Activity Core. Forty percent (40%) of this public, green open space shall consist of a lawn, landscaped areas or a water feature(s). If more than one space is provided, then at least one of these spaces shall contain a minimum of 12,000 square feet of public, green open space.

Additional height limitations will apply in the Central Activity Core based upon building setbacks. Buildings constructed with the minimum building setback of fifteen (15) feet from public or private streets within the Central Activity Core located on Tract M-1 shall not be greater in height than the lesser of four (4) stories or sixty (60) feet. A sliding scale for height limitations shall apply in connection with building setbacks from public or private streets within the Central Activity Core such that for every additional one (1) foot of building setback from the fifteen (15) foot minimum, the maximum building height shall increase by two (2) feet up to the overall maximum building height of the lesser of ninety (90) feet or six (6) stories (i.e., buildings of ninety (90) feet in height within the Central Activity Core must have a minimum building setback of thirty (30) feet from any public or private streets within the Central Activity Core). The foregoing setbacks/height limit scale shall not apply to the hotel.

V. STANDARDS AND CRITERIA APPLICABLE TO COLONIAL TOWNPARK

The following standards and criteria shall be applicable to all development within Colonial TownPark.

A. Interconnectivity

Colonial TownPark Drive shall be completed from Edwards Mill Road to Trinity Road before certificates of occupancy are issued with respect to more than one hundred fifty (150) dwelling units or more than two hundred thousand (200,000) square feet gross of non-residential buildings within Tract O-1 and/or Tract R-1. In addition, subject to North Carolina Department of Transportation approval, Edwards Mill Road will be widened from Wade Avenue to Colonial TownPark Drive prior to issuance of any certificate of occupancy for the Property. Exhibit MP-1 depicts a conceptual plan for additional public streets and private drives within Colonial TownPark. Specific street locations and standards shall be determined as site plans are approved for development.

B. Pedestrian Orientation

Sidewalks a minimum of five (5) feet in width shall be constructed along both sides of all public streets and private drives within Colonial TownPark, and greater minimum widths shall apply in the following locations: (1) sidewalks along Colonial TownPark Drive between the Central Activity Core located on Tract M-1 and Edwards Mill Road, and the sidewalk between the Central Activity Core and the existing lighted tunnel beneath Edwards Mill Road leading to the Entertainment and Sports Arena, shall be at least ten (10) feet in width; (2) sidewalks adjacent to retail uses oriented towards public streets or public squares in the Central Activity Core shall be at least twelve (12) feet in width (excluding any planting areas); and (3) all other sidewalks located within Tract M-1, but outside of the Central Activity Core, shall be at least six (6) feet in width. Crosswalks will be clearly marked at intersections and may consist of alternate paving materials such as concrete, bomanite or 80mm concrete pavers, subject to approval of encroachment agreements. Each building within Colonial TownPark will provide for marked and paved pedestrian access from the building to a nearby sidewalk or

sidewalks. In addition, pedestrian access (at locations and of a design approved at the times of site plan approval) shall be provided to the Richland Creek greenway. This greenway may be enhanced with a pedestrian crossing at Richland Creek and a lighted walkway with benches and landscaping to allow access from other areas of Colonial TownPark to the greenway and the Entertainment and Sports Arena. An easement for greenway purposes along Richland Creek shall be offered to the City of Raleigh at such time as the installation of utilities and pedestrian paths are completed for each creek, and such installation shall occur simultaneously with the development of adjacent areas of the Property.

C. Public Transit

Upon development of Colonial TownPark, transit easements adjacent to public rights-of-way a minimum of fifteen (15) by twenty (20) feet in size shall be offered to the City of Raleigh. Eight (8) transit easements, four (4) each on the eastbound and westbound sides of Colonial TownPark Drive, will be offered.

D. Open Space; Environmental and Aesthetic Concerns

At least thirty per cent (30%) of the area comprising Colonial TownPark shall remain natural open space, which shall include natural protective yards, streetyard areas in excess of Code requirements along Interstate 40 and Wade Avenue, and plazas and other public areas, including the public, open greens space(s) to be located on Tract O-1 and Tract M-1 as described in Sections IV(B) and IV(C) above. Open space shall include natural protective yards of at least seventy-five (75) feet in width along I-40 and Wade Avenue, except within six hundred (600) feet of the intersection of Colonial TownPark Drive and Trinity Road, which shall have no minimum. Within the seventy five (75) foot natural protective yards along Interstate 40 and Wade Avenue, the SHOD-

1 zoning district regulations shall govern the removal of trees and the replanting of disturbed areas except that dead, diseased and unsafe trees and limbs may be removed. Underbrush within the innermost fifteen (15) feet of these natural protective yards (i.e., the fifteen (15) foot portion adjacent to the Project rather than the rights-of-way of I-40 or Wade Avenue) and within fifteen (15) feet of greenway paths within the Property may also be removed for safety, maintenance and aesthetic purposes. Natural protective yards also shall be established within two hundred (200) feet of Medfield Tributary and Richland Creek within all floodplains and all slopes steeper than fifteen per cent (15%). No more than one vehicular stream crossing shall be constructed over Medfield Tributary and such crossing shall be a bridge, rather than a culvert. In addition, there will be at least one pedestrian crossing across Medfield Tributary, and at least one pedestrian crossing across Richland Creek, and all such pedestrian crossings shall be bridges, rather than culverts. No new vehicular crossings of Richland Creek will be made, as existing infrastructure will be utilized. Undisturbed open space within Colonial TownPark shall be regulated as a natural protective yard under the City Code. The Richland Creek greenway described in Section V(B) above will affect undisturbed open space within Colonial TownPark.

E. Vehicular Parking

Off-street parking shall be provided in accordance with provisions of the City Code. It is provided, however, with respect to mixed uses to which the Urban Land Institute's shared parking standards are applicable, such standards may be utilized to determine parking requirements, but off-street parking shall not be reduced below eighty per cent (80%) of the amount required under the applicable provisions of the City Code. Where practical, there will be no parking areas located between buildings within

interior areas of the Property and adjacent public streets or private drives, and at such time as 900,000 square feet of the combined office and commercial uses are occupied upon the Property, structured parking shall be required if not in existence at such time, and will be provided through new construction or the conversion of surface parking to structured parking. Exposed faces of parking decks will be constructed such that fifty percent (50%) of the materials utilized will be the same materials used in the construction of the nearest building served by the parking deck.

F. Unity of Development

Unity of Development Guidelines approved by the City's Planning Director shall be established for Colonial TownPark prior to recordation of lots or issuance of building permits, whichever shall occur first. Separate unity of development criteria may be established for each individual residential development. Unity of development criteria for non-residential uses must be related to the overall Unity Statement. The guidelines shall establish complementary combinations of elements such as wall and roof treatments, roof pitch, fenestration, building colors, signage, and landscaping. Buildings shall be designed and oriented to present a finished face to Medfield Tributary, Wade Avenue, and I-40.

G. Transitional Protective Yards

Transitional protective yards will be provided where required by the City's Landscape Ordinance on the boundaries of the Property. Transitional protective yards within the site will be provided based on the highest land use specified in the Master Plan except where differing land uses are separated by a public street. In order to encourage pedestrian interconnectivity and promote the mixed use design of Colonial TownPark, no transitional protective yards are planned for Tract M-1 or Tract O-1, and

the City's Staff may approve alternate means of compliance that promote pedestrian access and interconnectivity of mixed uses on a case-by-case basis where shared parking, shared access, or private drives separate designated land uses on the Master Plan. Such alternate means may take into account the mixed-use and pedestrian-oriented nature of Colonial TownPark, which encourages divergent uses to be located adjacent to one another without transition, but shall achieve in each case, at a minimum, a Type-D transitional protective yard or its equivalent. Where multiple uses are allowed in this Master Plan, one half (1/2) the width and planting requirements of transitional protective yards on developing tracts must be provided adjacent to vacant tracts anticipating the highest impact land use allowed in the Master Plan on the vacant tract. Street trees will be installed in accordance with standards established for public streets by the Raleigh City Code on both public and private streets. Streetyard plantings for Colonial TownPark Drive shall be provided at a minimum rate of six (6) inches caliper per fifty (50) linear feet of street frontage and shall be permitted within the City of Raleigh or NCDOT rights-of-way as an alternate means of compliance, subject to approval of encroachment agreements.

H. Landscape Maintenance and Location

Prior to the earlier of recordation of lots or the issuance of building permits, a property owners' association or associations will be established to maintain common areas, open space, and all encroachments, including planting islands located within public street rights-of-way. Streetyard plantings along any zero-setback street may be installed in the right-of-way. Encroachment agreements must be approved by the City Council prior to approval of any such planting plans.

I. Stormwater Management

A preliminary Stormwater Management Plan has been submitted to present a comprehensive effort to address stormwater runoff quantity and quality upon the Property. All development within Colonial TownPark shall comply with the Neuse River Basin Nutrient Management Strategy and applicable provisions of the City Code.

Stormwater management infrastructure may change in size or shape at the time of submission of construction drawings. Stormwater collection systems in public rights-of-way shall conform to the City's standards and specifications. Collection systems on private property may include storage devices or other alternative design concepts, as approved by the City. Storm drain filters will be utilized as appropriate and where required by City standards and specifications, and low impact stormwater management devices and practices will be used where practical for stormwater discharges to Richland Creek and Medfield Tributary. Where above-ground stormwater detention ponds are visible from a public or private street within the Property, the edges of the ponds shall be landscaped with vegetation that is appropriate to maintain such ponds as amenities to the Property.

J. Annexation

Voluntary annexation petitions will be submitted as development occurs within Colonial TownPark.

K. Utilities

As demonstrated by the Utilities Plan submitted herewith, adequate public utilities exist or will exist upon development to serve Colonial TownPark.

L. Signs

Signage standards will be based upon standards applicable to Thoroughfare Zoning Districts under the City's Sign Ordinance.

VI. PHASING

Colonial TownPark will be developed in phases primarily determined by market conditions, economic considerations, and matters determined as field engineering and surveying progresses. The anticipated phasing sequence is set forth in Exhibit MP-3 attached hereto. Notwithstanding such exhibit, any tract within Colonial TownPark may be developed at any time, subject to the provisions of the Raleigh City Code, and provided that all necessary infrastructure is in place to serve such development. Subject to requirements of the Raleigh City Code, building permits for retail uses located in multi-story buildings containing elements of vertical integration of uses (i.e., multi-level buildings containing retail uses and office or residential uses) may be issued simultaneously with the issuance of building permits for the non-retail uses of the same building. Amendments to Exhibit MP-3 will be subject to review and approval of the City's Planning Director.

VII. Amendments and Approvals

Only the parties owning property within Colonial TownPark shall have the right to amend this Master Plan and the exhibits hereto, but only to the extent any such amendment applies to individual properties owned by such parties. Any property owners' association owning and/or maintaining common open space and/or landscape amenities must join in all amendments to this Master Plan.

A. Administrative Changes

1. Within the Property, City Administration will issue administrative site approvals and unity of development plans as development occurs.

2. City Administration may approve changes in public street locations, driveway access points, and minor changes in street or sidewalk construction standards that do not affect the traffic-carrying capacity of the respective streets or sidewalks.

B. Planning Commission Changes

1. For group housing, townhouse development, and unit ownership development, variations in the building to building locational requirements and group housing setbacks from buildings, rights-of-way, and outdoor living areas may be approved by the Planning Commission if it can be demonstrated that equal or better air, light, and privacy can be provided with the creative arrangement of buildings and window locations, fencing, and landscaping or other innovative design.

2. The Planning Commission shall resolve any question of interpretation of this Master Plan and its exhibits that may arise in the administrative approval of any site plan upon the Property, and that is not resolved between City Administration and the owner. Either the Planning Director or the applicant may appeal the judgment of the Planning Commission to the City Council.

C. City Council Changes

The City Council or the Board of Adjustment, in accordance with applicable provisions of the City Code, will approve all special use permits or variances that may be required for specific uses proposed in site-specific development plans.

Kimley-Horn
and Associates, Inc.

P.O. Box 33068
Raleigh, North Carolina
27636-3068

Trip Generation Budget

Colonial TownPark ITE Traffic Generation for Build-Out (Vehicles)							
Land Use Code	Land Use	24 Hour		AM Peak Hour		PM Peak Hour	
		In	Out	In	Out	In	Out
820	225,000 SF Retail Space	5,741	5,741	158	101	515	558
710	1,200,000 SF Office Space	4,474	4,474	1,189	162	242	1,182
220	700 Apartments	2,165	2,165	56	295	266	131
310	300-Room Hotel	1,158	1,158	98	62	91	81
Subtotal		13,538	13,538	1,501	620	1,114	1,952
Internal Capture		-2,473	-2,473	--	--	-218	-218
Total		**11,065**	**11,065**	**1,501**	**620**	**896**	**1,734**

TEL 919 677 2000
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STREETYARDS AND SETBACKS

STREET	MIN. BLDG. SETBACK	MAX. SETBACK	MIN. PARKING SETBACK	STREETYARD/ OPEN SPACE
WADE AVENUE	100'	N/A	75'	75' MIN.
I-40	135'	N/A	75'	75' MIN.*
EDWARDS MILL ROAD	200'	N/A	200'	75' MIN.
COLONIAL TOWNPARK DRIVE	15'		15'	20' AVG. / 15' MIN.
MIXED USE AREA "MAIN STREET" **	15'		10'	15'
OTHER PUBLIC OR PRIVATE STREETS ** IN TRACTS M-1 & M-2	15'		10'	15' AVG. / 10' MIN.
OTHER PUBLIC OR PRIVATE STREETS IN TRACT O-1	15'		10'	15' AVG. / 10' MIN.
OTHER PUBLIC OR PRIVATE STREETS IN TRACTS R-1 & R-2	10'		10'	15' AVG. / 10' MIN.

* A 30' NATURAL PROTECTIVE YARD IS PROPOSD ADJACENT TO THE EXISTING GRAVEL ACCESS ROAD AT TRINITY ROAD.
** SETBACKS AND STREETYARDS IN THE MIXED USE AREA SHALL BE MEASURED FROM THE EDGE OF PAVEMENT. STREETS SHOWN IN THE MIXED USE AREA MAY HAVE ON-STREET ANGLED OR PARALLEL PARKING AS SHOWN ON THE PLAN.

STREETYARD PLANTING STANDARDS

STREET	PROTECTIVE YARDS	CALIPER INCHES PER 50'
WADE AVENUE	75' NATURAL PROTECTIVE YARD	N/A
I-40	75' NATURAL PROTECTIVE YARD	N/A
EDWARDS MILL ROAD	75' NATURAL PROTECTIVE YARD	N/A
COLONIAL TOWNPARK DRIVE		8"
MIXED USE AREA STREETS		4"
OTHER PUBLIC OR PRIVATE STREETS		6"

NOTE: MIN. TREE SIZE IS 2" CALIPER.

JERRY TURNER & ASSOCIATES, INC.
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PROJECT

COLONIAL TOWNPARK

PLANNED DEVELOPMENT DISTRICT

RALEIGH, NORTH CAROLINA

DEVELOPER:
COLONIAL PROPERTIES

OWNERS:
STATE OF NORTH CAROLINA

WINSTON HOTELS

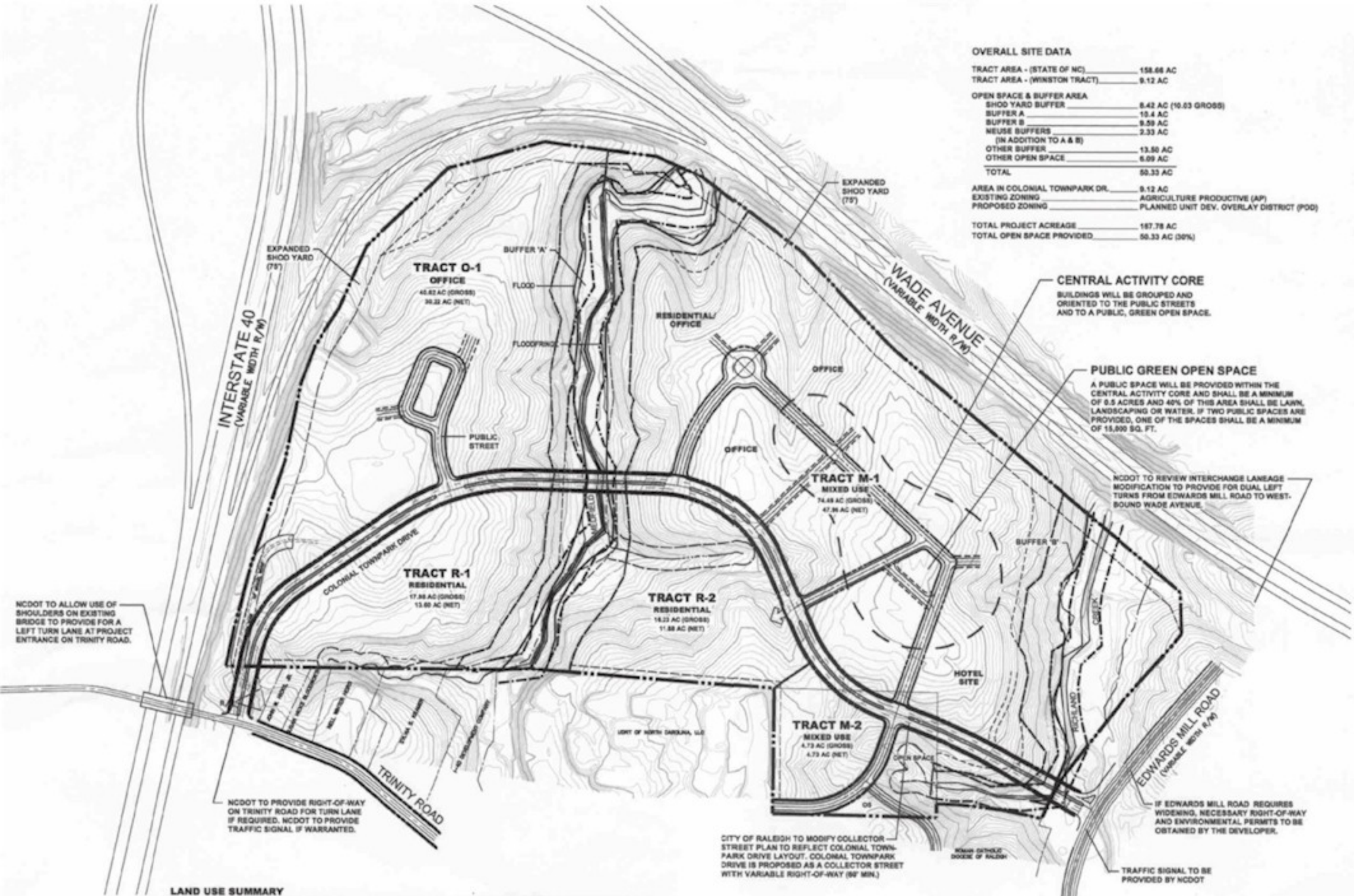
REVISIONS
3-7-03 JTA WBH

DRAWN RT
CHECKED WH
SCALE 1"=200'
DATE 1/7/03

TITLE
PEDESTRIAN CIRCULATION, SETBACKS AND STREETYARDS

FILE NO. JOB NO.
SEAL SHEET NO.

MP-2



OVERALL SITE DATA

TRACT AREA - (STATE OF NC)	158.66 AC
TRACT AREA - (WINSTON TRACT)	9.12 AC
OPEN SPACE & BUFFER AREA	
SHOO YARD BUFFER	8.42 AC (10.03 GROSS)
BUFFER A	10.4 AC
BUFFER B	9.59 AC
NEUSE BUFFERS (IN ADDITION TO A & B)	2.33 AC
OTHER BUFFER	13.50 AC
OTHER OPEN SPACE	6.09 AC
TOTAL	50.33 AC
AREA IN COLONIAL TOWNPARK DR.	9.12 AC
EXISTING ZONING	AGRICULTURE PRODUCTIVE (AP)
PROPOSED ZONING	PLANNED UNIT DEV. OVERLAY DISTRICT (POD)
TOTAL PROJECT ACREAGE	167.78 AC
TOTAL OPEN SPACE PROVIDED	50.33 AC (30%)

LAND USE SUMMARY

TRACT	LAND USE CLASSIFICATION	AREA (gross)	AREA (net)	UNITS	OFFICE SQ FT	RETAIL SQ FT	HOTEL ROOMS	HEIGHT LIMIT
M-1 M-2	MIXED USE (INCL. RETAIL, OFFICE & RESIDENTIAL)	79.22 AC	55.61 AC	250	600,000 SF	225,000 SF	300	150' (M-1) 100' (M-2)
O-1	OFFICE	40.62 AC	30.22 AC		600,000 SF			130'
R-1	RESIDENTIAL	17.98 AC	13.60 AC	225				100'
R-2	RESIDENTIAL	16.23 AC	11.68 AC	225				100'

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PROJECT

COLONIAL TOWNPARK

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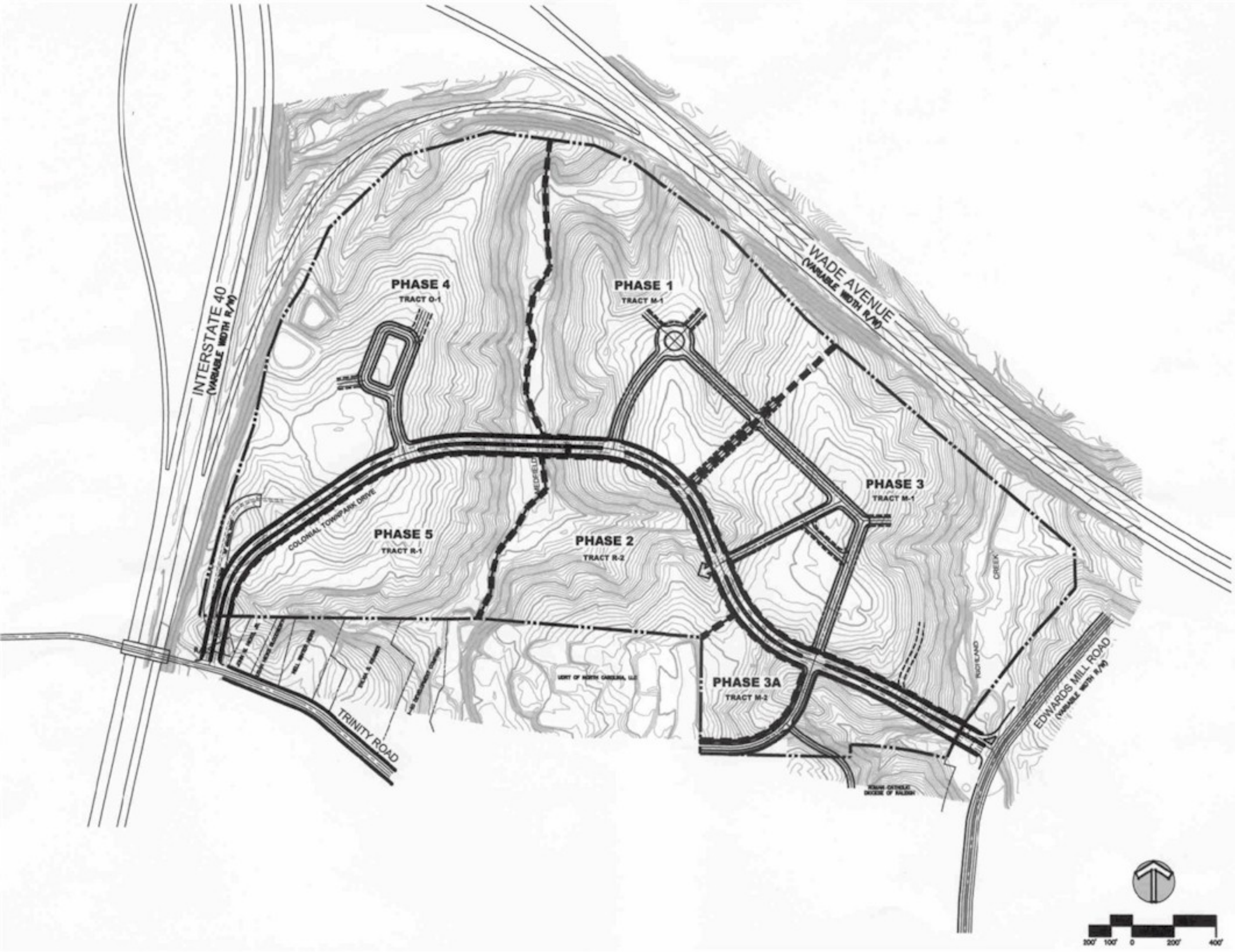
DRAWN RT
CHECKED WH
SCALE 1"=200'
DATE 1/7/03

TITLE
MASTER PLAN

FILE NO. JOB NO.
SEAL SHEET NO.

MP-1



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PROJECT

COLONIAL TOWNPARK

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RALEIGH, NORTH CAROLINA

DEVELOPER:
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WINSTON HOTELS

REVISIONS
3·7·03 JTA WSH

DRAWN	CHECKED
RT	WH
SCALE	DATE
1"=200'	1/7/03

TITLE

PHASING PLAN

FILE NO. JOB NO.

SHEET NO.

MP-3