

**Mayor Dan Clodfelter**

Al Austin  
John Autry  
Ed Driggs  
Claire Fallon  
David L. Howard

**Mayor Pro Tem Michael D. Barnes**

Patsy Kinsey  
Vi Lyles  
LaWana Mayfield  
Greg Phipps  
Kenny Smith

**CITY COUNCIL MEETING  
Monday, June 22, 2015**

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In addition to the previously advertised public hearing items, Departments have asked that the time sensitive items listed below not be deferred.

<b>Item #</b>	<b>Page #</b>	<b>Title</b>
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23	23	Multi-family Refuse Collection Contract Extension
33	34	Time Warner Cable Arena Upgrades
35	38	Towing Services
38	42	Citywide Office Supplies
42	46	Fire Uniforms
44	48	Charlotte Transit Center Leasing and Property Management Services

**CITY COUNCIL AGENDA**  
**Monday, June 22, 2015**

**5:00 P.M. DINNER BRIEFING, Room 267** \_\_\_\_\_ **1**

1. Mayor and Council Consent Item Questions \_\_\_\_\_ 1

2. Closed Session \_\_\_\_\_ 1

3. Answers to Mayor and Council Consent Item Questions \_\_\_\_\_ 1

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**Invocation** \_\_\_\_\_ **2**

**Pledge of Allegiance** \_\_\_\_\_ **2**

**6:30 P.M. CITIZENS' FORUM, COUNCIL CHAMBER** \_\_\_\_\_ **2**

4. Chief of Police Rodney Monroe Recognition \_\_\_\_\_ 2

**CONSENT** \_\_\_\_\_ **3**

5. Consent agenda items 16 through 57 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk. \_\_\_\_\_ 3

**REZONING** \_\_\_\_\_ **4**

6. Rezoning Petition 2014-109 \_\_\_\_\_ 4

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7. Rezoning Petition 2015-013 \_\_\_\_\_ 5

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12. Sale of Parcel 2, Interstate-277 Surplus Land \_\_\_\_\_ 11

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## 5:00 P.M. DINNER BRIEFING, Room 267

### 1. Mayor and Council Consent Item Questions

**Resource(s):** Randy Harrington, Management & Financial Services

**Time:** 5 minutes

**Synopsis**

Mayor and Council may ask questions about Consent agenda items. Staff will address questions at the end of the dinner meeting

### 2. Closed Session

**Action:** Adopt a motion to go into closed session pursuant to:

- A. GS 143-318.11(a)(4) to discuss matters relating to the location of industries or businesses in the City of Charlotte, including potential economic development incentives that may be offered in negotiations,
- B. GS 143-318.11(a)(5) to establish, or to instruct staff or negotiating agents concerning the position to be taken by or on behalf of the City Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, and
- C. GS 143-318.11(a)(3) to consult with attorneys employed or retained by the City in order to preserve the attorney-client privilege and to consider and give instructions to the attorneys concerning the handling or settlement of: (1) Jovan Jackson v. Benjamin Bonner & City of Charlotte – 14 cvs 9352, (2) City of Charlotte v. Bakis Associates Inc. – 13 cvs 12251; (3) Tara Stottlemyer v. City of Charlotte – I.C. No. 514648; and (4) a claim.

### 3. Answers to Mayor and Council Consent Item Questions

**Resource(s):** Randy Harrington, Management & Financial Services

**Time:** 10 minutes

**Synopsis**

Staff responses to questions from the beginning of the dinner meeting.

**Introductions**

**Invocation**

**Pledge of Allegiance**

**6:30 P.M. CITIZENS' FORUM, COUNCIL CHAMBER**

**4. Chief of Police Rodney Monroe Recognition**

**Action:** Mayor Clodfelter will recognize Chief of Police Rodney Monroe for his years of service to the Charlotte-Mecklenburg community.

## **CONSENT**

- 5. Consent agenda items 16 through 57 may be considered in one motion except those items removed by a Council member. Items are removed by notifying the City Clerk.**

Consideration of Consent Items shall occur in the following order:

- A. Consideration of Consent Items that have not been pulled, and
- B. Consideration of Consent Items with citizens signed up to speak to the item.

## REZONING

### 6. Rezoning Petition 2014-109

**Action:** Render a decision on proposed rezoning 2014-109 by Midtown Area Partners II, LLC

- From UR-C(CD) (PED) (urban residential - commercial, conditional, pedestrian overlay), B-1 (PED) (neighborhood business, pedestrian overlay) and R-8 (single-family residential), and
- To B-2 (PED-O) (general business, pedestrian overlay, optional), UR-C (PED-O) (urban residential – commercial, pedestrian overlay, optional) and R-8MF (PED-O) (multi-family residential, pedestrian overlay, optional) with five-year vested rights.

**Staff Resource(s):** Tammie Keplinger, Planning

#### Explanation

- The public hearing on this rezoning petition was held on April 20, 2015.
- The property is approximately 1.99 acres located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street (Council District 1 - Kinsey).
- The petition proposes to allow a mixed-use development including a 270,000-square foot building, an 187,450-square foot parking structure with up to 4,600 square feet of commercial uses on the street level, and up to eight single-family attached dwelling units.
- On June 15, 2015, the City Council deferred the decision on this sufficiently protested petition to the June 22 Council Business Meeting, as requested by the petitioner on June 15, since not all Council members were present at the meeting.
- The Zoning Committee found the proposed land use to be consistent with the Midtown Morehead Cherry Area Plan; however, the building heights and some of the setbacks and streetscapes are found to be inconsistent the Midtown Morehead Cherry Area Plan. Therefore, the petition was found to be reasonable and in the public interest based on the staff analysis and the public hearing.
- The Zoning Committee voted 5-0 to recommend **APPROVAL** of this petition with the noted modifications.
- Staff agrees with the recommendation of the Zoning Committee.

#### Fiscal Note

- Funding: Not Applicable

#### Attachment 1

[Zoning Committee Statement of Consistency](#)

[Zoning Committee Recommendation](#)

[Staff Analysis](#)

[Vicinity Map](#)

[Locator Map](#)

[Site Plan](#)

## 7. Rezoning Petition 2015-013

**Action:** Render a decision on proposed rezoning 2015-013 by Meeting Street Homes and Communities:

- From R-22MF (multi-family residential) and B-1 (neighborhood business), and
- To MUDD (CD) (mixed-use development, conditional).

**Staff Resource(s):** Tammie Keplinger, Planning

### Explanation

- The public hearing on this rezoning petition was held on March 16, 2015.
- The property is approximately 0.42 acres located on the west side of Kenilworth Avenue between Buchanan Street and East Boulevard (Council District 1 - Kinsey).
- The petition proposes to allow the development of up to eight single-family attached dwelling units for a density of 21.48 units per acre.
- The petitioner modified the site plan after the Zoning Committee vote in relation to the building elevations, tree save, number of units, screening, architectural standards and materials, parking, and right-of-way.
- On June 15, 2015, the City Council found the changes were not significant and voted not to refer the petition back to the Zoning Committee for review. In addition, the City Council deferred the decision on this sufficiently protested petition to the June 22 Council Business Meeting, as requested by the petitioner on June 15, since not all Council members were present at the meeting.
- The Zoning Committee found this petition to be consistent with the Dilworth Land Use & Streetscape Plan. Therefore, the petition was found to be reasonable and in the public interest, based on the staff analysis and the public hearing.
- The Zoning Committee voted 4-1 to recommend **APPROVAL** of this petition with the noted modifications. The minority of the Zoning Committee felt the proposal is too large and forced into to the site and unit(s) should directly front Kenilworth Avenue.
- Staff agrees with the recommendation of the majority of the Zoning Committee.

### Fiscal Note

- Funding: Not Applicable

### Attachment 2

[Zoning Committee Statement of Consistency](#)

[Zoning Committee Recommendation](#)

[Staff Analysis](#)

[Vicinity Map](#)

[Locator Map](#)

[Site Plan](#)

## PUBLIC HEARING

### 8. Public Comment on Prosperity Hucks Area Plan

**Action:** Receive public comments on the refined draft of the Prosperity Hucks Area Plan.

**Committee Chair:** Council member Vi Lyles

**Staff Resource(s):** Kent Main, Planning

#### Explanation

- The Prosperity Hucks Area Plan (Plan) encompasses about 6,200 acres. It is bounded generally on the northwest by Eastfield Road and the town of Huntersville; on the northeast by the Cabarrus County line, on the southeast by Beard Road and Mallard Creek Road, on the south by various property lines south of Hucks Road, and to the west by various property lines west of Browne Road.
- The Plan establishes a vision and provides policy direction to guide future growth and development consistent with the Centers, Corridors, and Wedges Growth Framework. It updates the Prosperity Church Road Villages Plan (1999).
- The City Council will be asked to adopt Volume I: Concept Plan.
  - Volume II: Implementation Guide is a tool for staff to track projects and is not adopted by the City Council.
  - Volume III: Existing Conditions provides information from the initial area analysis and also is not adopted.

#### Planning Process

- The Plan development process began in November 2012. The original draft Plan was completed in December 2013 and was scheduled for public comment at the City Council meeting on February 24, 2014.
- Public comment on the Plan was deferred because of significant community concerns pertaining to:
  - Extent of multi-family development,
  - Location and type of retail uses,
  - Level of detail in design guidance, and
  - Provision of open space.
- As a result, staff undertook an intensive community dialog process during spring and summer 2014 to address the concerns. This included core group meetings, well-attended small group discussions, a group mapping exercise, a drop-in charrette, and a public forum.
- The new refined draft Plan addresses community concerns, and provides greater detail in recommendations and design guidance. It was presented at a public meeting in April 2015.

#### Plan Recommendations

- The Plan area includes an Activity Center, and a substantial Wedge Area. The vision for the Activity Center is of a community serving mixed-use area complementing and enhancing the surrounding neighborhoods with a rich variety of retail, office, entertainment, and residential uses in a well-designed and appropriately scaled form.
- The Plan includes detailed recommendations for each of 15 Policy Areas within the Activity Center. The recommendations cover land use, community design, mobility, and open space. In addition the Policy Areas identify locations

- appropriate for residential, retail, office and other uses, including anchor retail uses, and uses with drive-through facilities and/or gasoline pumps as well as address appropriate residential types and densities, building and parking orientations, relationship to other surrounding uses, street network standards, and incorporation of open space.
- The vision for the Wedge is to remain primarily lower-density, single-family neighborhoods, with new development continuing to provide a high-quality of life and protection for tree canopy. Policies identify appropriate locations and design guidance for smaller scale retail uses, limited areas of slightly higher residential density, open space, and institutional uses.

#### **Charlotte-Mecklenburg Planning Commission (Planning Committee)**

- On April 6, 2015, staff presented an overview of the process and policy recommendations to the full Planning Committee.
- On May 19, 2015, the Planning Committee received public comment - six area residents spoke - all in support of the plan. Comments included praise for the stronger, more explicit policy language in the Plan, success in mitigating concerns, and transparency of the process with the public's ideas included in the Plan.
- On June 16, 2015, the Planning Committee approved unanimously the Plan with the staff proposed revisions.

#### **Transportation & Planning Committee**

- The Transportation & Planning Committee reviewed the draft Plan during their regular meetings on May 11 and May 28, 2015. At these meetings, staff provided information about the Plan development process, policies, and implementation.
- On May 28, 2015, the Committee voted unanimously (Lyles, Howard, Phipps, and Smith; Kinsey was absent) to forward the Plan to the City Council for public comment.

#### **Next Steps**

- The Transportation & Planning Committee is expected to continue their review of the Plan in July and make a recommendation to the City Council.
- The City Council will be asked to consider adopting the Plan at a future City Council Meeting.

#### **Fiscal Note**

- Funding: Not Applicable

#### **Attachment 3**

Prosperity Hucks Area Plan, Refined Draft

[http://www.charmeck.org/Planning/Land%20Use%20Planning/ProsperityHucks/ProsperityHucksAreaPlan\\_RefinedDraft.pdf](http://www.charmeck.org/Planning/Land%20Use%20Planning/ProsperityHucks/ProsperityHucksAreaPlan_RefinedDraft.pdf)

Prosperity Hucks Area Plan, Proposed Revisions to the Refined Draft

[http://10.73.0.193//Planning/Land%20Use%20Planning/ProsperityHucks/2015\\_05\\_May\\_19\\_Revisions.pdf](http://10.73.0.193//Planning/Land%20Use%20Planning/ProsperityHucks/2015_05_May_19_Revisions.pdf)

## POLICY

### 9. City Manager's Report

### 10. Emergency Solutions Grant Funding Recommendations

**Action:** Approve the Housing & Neighborhood Development Committee recommendation of Emergency Solutions Grant Fund allocations of a total of \$253,249, to the following agencies:

- Men's Shelter of Charlotte: \$142,424, and
- Salvation Army Center of Hope: \$110,825.

**Committee Chair:** Council member Patsy Kinsey

**Staff Resource(s):** Pamela Wideman, Neighborhood & Business Services  
Rebecca Pfeiffer, Neighborhood & Business Services

#### Explanation

- On April 27, 2015, the City Council adopted the U.S. Department of Housing and Urban Development's (HUD) Annual Action Plan (Plan). The Plan identifies the need for affordable, safe, and decent housing and shelter for low and moderate-income families.
- Emergency Solutions Grant (ESG) funds are allocated annually by HUD.
- The ESG program contains five components: Street Outreach, Emergency Shelter, Homeless Prevention, Rapid Re-Housing, and the Homeless Management Information System.
- Eligible uses for ESG funds include:
  - Engaging homeless individuals and families living on the streets;
  - Improving the quality and operation of emergency shelters;
  - Providing essential services to shelter residents;
  - Rapidly re-housing homeless individuals and families; and
  - Preventing families and individuals from becoming homeless.
- On May 19, 2015, the City received nine proposals for the disbursement of ESG funds for 2015. Eight proposals met the City's submission requirements and are recommended for funding. Six proposals fell under the \$100,000 threshold for City Council approval and include:
  - Community Link,
  - Friendship Community Development Corporation,
  - Safe Alliance,
  - Supportive Housing Communities,
  - The Relatives, and
  - Urban Ministry Center.
- Two proposals, the Men's Shelter of Charlotte and the Salvation Army Center of Hope, exceeded \$100,000 and have been brought to the City Council for approval.
- Details on the recommended proposals are included as an attachment.

**Housing & Neighborhood Development Committee Discussion**

- On June 10, 2015, Neighborhood & Business Services staff presented the proposed ESG recommendations to the Housing & Neighborhood Development Committee.
- The Committee voted unanimously to approve the recommendations (Kinsey, Austin, Autry, and Mayfield; Driggs was absent).

**Fiscal Note**

- Funding: U.S. Department of Housing and Urban Administration

**Attachment 4**

[Housing & Neighborhood Development Committee presentation on June 10, 2015](#)

## BUSINESS

### 11. CityLYNX Gold Line Phase 2

**Action:** Authorize the City Manager to negotiate and execute contract amendment #1 for an amount up to \$7,700,000 with URS Corporation – North Carolina for the CityLYNX Gold Line Phase 2 project.

**Staff Resource(s):** John Muth, CATS  
 Jeb Blackwell, Engineering & Property Management  
 David McDonald, CATS

#### Explanation

- The CityLYNX Gold Line Phase 2 project will extend the CityLYNX Gold Line Phase 1 project by 2.5 miles, add 11 new stops, and replace the Gomaco replica trolley vehicles with modern streetcar vehicles.
- In February 2015, the Federal Transit Administration completed their evaluation of new and small starts projects and recommended the CityLYNX Gold Line Phase 2 Project for funding and the project is included in the President's FY2016 recommended budget for \$74,999,999.
- In order to complete the tasks needed to execute the final grant agreement and to keep the project on the aggressive schedule for a 2016 construction start and a 2019 opening, final design needs to begin.
- Contract amendment #1 in an amount up to \$7.7 million will cover the work to:
  - Advance design from 65% to a 100% level - \$5.0 million,
  - Prepare final bid documents and specifications - \$0.4 million; and
  - Provide design services during construction - \$2.3 million (this includes design response to unknown subsurface conditions, land development coordination, and other issues/opportunities.)
- Upon approval of the Small Starts Grant Agreement, which could be as early as October 2015 (contingent upon Congressional Appropriations); the City could draw reimbursement for the 50% federal share of the funds advanced on the project since entering project development in February 2014.
- As the design continues additional items will be advanced for City Council approval, including:
  - Right-of-way acquisition,
  - Vehicle procurement,
  - Utility relocation, and
  - Municipal and third-party agreements.

#### Background

- The CityLYNX Gold Line, as adopted by the Metropolitan Transit Commission in the 2030 Transit Corridor System Plan, is a 10-mile streetcar system from Rosa Parks Place Community Transit Center to the Eastland Community Transit Center.
- The CityLYNX Gold Line Phase 1 project is currently under construction from the Time Warner Cable Arena to the Novant Presbyterian Hospital and is scheduled to open July 14, 2015.
- The CityLYNX Gold Line is an integral component of the 2030 Transit Corridor System Plan that links Bus and Rail service in the Central Business District.
- The original contract with URS Corporation for the 2.5 mile Phase 2 project was for \$6.7 million. The scope included:

- Advancing the design from 30% to 65%;
- Updating the project cost estimate;
- Review/update of environmental document; and
- Assistance in submission of Small Start grant rating request.

**Disadvantaged Business Enterprise**

Established DBE Goal: 8.0%

Committed DBE Goal: 11.69%

URS Corporation met the established DBE goal and has committed 11.69% (900,000) of the total contract amount to the following certified firms:

- SEPI Engineering (DBE) (\$455,000) (field survey, conduit design)
- Dovetail Consulting (DBE) (\$255,000) (safety and security certification)
- Neighboring Concepts (DBE, MBE) (\$190,000) (stop design, graphic support)

**Funding**

- Funding: General Community Investment Plan

**Attachment 5**

[Map](#)

**12. Sale of Parcel 2, Interstate-277 Surplus Land**

**Staff Resource(s):** Ron Kimble, City Manager's Office  
Tony Korolos, Engineering & Property Management  
Catherine Cooper, City Attorney's Office

**Explanation**

A write-up for this item will be included in the Council-Manager Memo on Friday, June 19, 2015.

### 13. Purchase of Aqua North Carolina, Inc. Water and Sewer Systems

**Action:** Approve the purchase contract in the amount of \$2,520,100 with Aqua North Carolina, Inc. to buy three water and sewer systems in Mecklenburg County.

**Staff Resource(s):** Barry Shearin, Charlotte Water

#### Explanation

- In 2013, Charlotte Water was approached by residents of three systems/neighborhoods in the Mint Hill area for consideration to purchase their systems so they could receive public water and sewer services. In one of the systems residents are concerned about water quality, and in all three systems high monthly costs are a concern.
- All three systems provide both water and sewer service and serve about 400 homes. The neighborhoods are close enough to the existing Charlotte Water water lines to request water service under the current Street Main Extension policy which would result in the need to construct a parallel water line in the neighborhoods at a much higher cost and additional disruption to the residents.
- All three systems will be connected to the Charlotte Water system and one will be connected to the public sewer system allowing the existing treatment plant to be decommissioned. The other two wastewater plants will be operated by Charlotte Water until sewer lines are extended to those areas.
- The additional estimated cost to make improvements to the systems to add fire hydrants, replace water meters, replace some undersized pipe, and make the connections is \$350,000.
- Connection to the Ashe Plantation neighborhood also requires a water main extension along Lawyers Road that is estimated to cost \$500,000 but does provide opportunity for water service to other properties not currently served. These improvements will be constructed using existing approved contracts.
- The systems are owned by Aqua North Carolina and after discussions with Aqua, they have agreed to sell the systems to Charlotte Water. The negotiated price is comparable to that paid to purchase systems from Aqua North Carolina and Carolina Water Service during the 2009 and 2011 annexations and based on the number of active customers within each system.

#### Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

#### Fiscal Note

- Funding: Charlotte Water Community Investment Plan

#### Attachment 6

[Map](#)

**14. Conclusion of Consent Agenda**

**15. Mayor and City Council Topics**

The City Council members may share information and raise topics for discussion.

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## CONSENT

### Introduction to CONSENT

Consent consists of routine items that have been approved in the budget. Price lists for unit price contracts are available upon request.



On April 8, 2013, the City Council voted to replace the City's Small Business Opportunity (SBO) Program with the Charlotte Business INCLUSION program. On July 1, 2013, the City phased in the Charlotte Business INCLUSION program into all of its practices and procedures.

The Charlotte Business INCLUSION program seeks to promote diversity, inclusion, and local business opportunities in the City's contracting and procurement process for Minority, Women, and Small Business Enterprises (MWSBEs) headquartered in the Charlotte Combined Statistical Area. Participation of Minority, Women, or Small Business Enterprises (MBE, WBE, or SBE) is noted where applicable.

A handout of Charlotte Business INCLUSION Policy references is included as an attachment at the end of the Council Business Agenda.

#### Disadvantaged Business Enterprise

Disadvantaged Business Enterprise is a federal program primarily used for Aviation and CATS.

#### Contractors and Consultants

All contractor and consultant selections follow the Council-approved process unless described otherwise. For the procurement of professional services and/or engineering, architectural, and surveying services, the North Carolina General Statutes 143-64.31 requires that units of government "select firms qualified to provide such services on the basis of demonstrated competence and qualification...without regard to fee other than unit price information, and therefore to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm."

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The Property Transaction process following the City Council approval for condemnation is referenced at the end of the Council Business Agenda.

## 16. Voluntary Annexation Public Hearing

**Action:** Adopt a resolution setting a public hearing for July 27, 2015, for a voluntary annexation petition.

**Staff Resource(s):** Jonathan Wells, Planning

### Explanation

- The City has received a petition for voluntary annexation of private property.
- The 12.58-acre "Marsh Tract II" site is located west of the 3900 block of Tilley Morris Road in south Mecklenburg County.
  - The property is currently vacant.
  - The petitioner has plans to develop property immediately to the south with 115 single-family homes and to construct a portion of a public thoroughfare (Ardrey Kell Road), which was annexed on April 27, 2015.
  - Annexation of the 12.58 acres will enable the entire segment of the future Ardrey Kell Road extension on the petitioner's property to be within the City thereby making roadway design entirely within City jurisdiction and subject to City design guidelines.
  - The 12.58 acres is zoned R-12 MF (CD): residential multi-family conditional and NS: neighborhood services.
- Public hearings are required prior to the City Council action on annexation requests.
- The property is located within Charlotte's extraterritorial jurisdiction.
- Area proposed for annexation shares boundaries with current city limits.
- Annexation of this area at this time will allow for more orderly land development review, extension of City services, capital investments, and future annexation processes.
- The "Marsh Tract II" annexation is consistent with City voluntary annexation policies approved by the City Council on March 24, 2003; more specifically this annexation:
  - Will not adversely affect the City's ability to undertake future annexations;
  - Will not have undue negative impact on City finances or services; and
  - Will not result in a situation where unincorporated areas will be encompassed by new City limits.

### Public Hearing Date

The resolution sets Monday, July 27, 2015, for the public hearing.

### Fiscal note

- Funding: Not Applicable

### Attachment 7

[Map](#)

[Resolution](#)

## 17. University of Chicago Research Project for the Charlotte-Mecklenburg Police Department

**Action:** Permit access to the University of Chicago of specified personnel records for the purpose of researching and developing an Early Intervention System for law enforcement to identify training opportunities.

**Staff Resource(s):** Sherie Pearsall, Police  
Crystal Cody, Police  
Linda Fox, Police

### Explanation

- The University of Chicago is participating in a federal initiative to develop a system to be used by law enforcement nationwide to identify training opportunities based on tracking data of actual police activities and the use of an Early Intervention System.
- The University of Chicago has requested data from the Charlotte-Mecklenburg Police Department (CMPD) to use to develop analytical tools to track and identify areas requiring training to provide for improved policing practices.
- Some of the data requested includes personnel records, which can be released by the City Council, pursuant to North Carolina General Statute 160A-168(c2), for academic institutions for statistical, research or teaching purposes when the institution certifies that no information will be released which would identify any employees.
- CMPD held two informal work sessions, where various members of the department will meet with university representatives to discuss the data sharing process.
- CMPD will work with the university to make personnel name data anonymous.
- The proposed Agreement between the University of Chicago and CMPD to produce the requested data contains the required certification to safeguard personnel data.
- The result of this research will assist CMPD in developing and implementing training for officers that corresponds to current issues based on factors identified.
  - Examples of potential training include: scenario based training, de-escalation, communication skills, and emotional intelligence training.
- CMPD will receive a non-exclusive, royalty-free license to use the software developed from this research at no cost.
- CMPD seeks City Council approval of access to personnel records by the University of Chicago subject to the limitations imposed in the Agreement and Certification.

### Funding

- Funding: Not Applicable

### Attachment 8

[University of Chicago Research Project Certification](#)

## 18. Alarm Registration and Management Services

- Action:**
- A. Approve a unit price contract with Public Safety Corporation for alarm registration and management for an initial term of three years, and**
  - B. Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the contract, and contingent upon the company's satisfactory performance.**

**Staff Resource(s):** Greg Crystal, Police

### Explanation

- The City Council adopted a False Alarm Ordinance, effective May 1996, to establish reasonable expectations of alarm users ensuring that they are held responsible for the use of their alarm systems. This Ordinance excludes auto, fire, and medical alarms.
- The Charlotte-Mecklenburg Police Department (CMPD) outsources the management of the City's False Alarm Ordinance, which requires alarm system owners to obtain a permit by registering their alarms.
- The service provider, Public Safety Corporation, ensures that all registration and permit requirements, as outlined in the Ordinance, are met by alarm users and is responsible for collecting all fines for excessive false alarms.
- The City receives 100% of the revenue generated from the false alarm fines and pays Public Safety Corporation 88% of the collected funds per the contractual agreement, which is estimated at \$440,000 annually.
  - The City pays Mecklenburg County for the portion of fines generated in the unincorporated areas.
  - The City receives funding from the Public Safety Corporation to reimburse the City for two full-time positions and one partial position that support the operation of the program.
- CMPD has been under contract with Public Safety Corporation for the past seven years.

### Selection Process

- On March 27, 2015, the City issued a Request for Proposal (RFP) for alarm registration and management services. In response to the RFP, the City received two proposals from interested service providers.
- The project team, consisting of staff from Management & Financial Services and CMPD, evaluated the proposals and recommends awarding the contract to Public Safety Corporation as the service provider best meeting the City's needs in terms of qualifications, experience, and cost.

### Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

### Fiscal Note

- Funding: Police Operating Budget

## 19. Predictive Analytic Services – Early Intervention

**Action:** Approve contract amendment #3 in the estimated amount of \$252,000 with Information Builders Inc. for the implementation of a Predictive Analytic solution related to improved suspect identification.

**Staff Resource(s):** Steve Willis, Police  
Crystal Cody, Police

### Explanation

- On November 23, 2009, the City Council approved a contract with Information Builders, Inc. for software and services to support a solution related to predicting future crime based on prior history and other relevant data for a specific area.
- The Charlotte-Mecklenburg Police Department (CMPD) has used this component as a tool to:
  - Assign and adjust resources more appropriately and efficiently;
  - Evaluate the achievement of crime reduction goals; and
  - Target specific areas for improvement.
- CMPD will use the results of a University of Chicago data study to enhance the reporting processes for the Early Intervention System and develop additional predictive components related to early intervention alerts and outcomes.
- Information Builders, Inc. will provide technical services to use and expand upon the results from the University of Chicago data study to deliver a proof of concept for a predictive and reporting module in support of early intervention strategies related to police officer activities.
- The new predictive module will allow CMPD managers and the Training Bureau to further identify trends, measure effectiveness, and institute effective intervention strategies and training to proactively address potential issues related to police officer activities in relation to the community they serve.
- The new total value of the contract is \$1,536,856. The amendment term is one-year in order to complete implementation services for the new solution.

### Charlotte Business INclusion

No subcontracting goal was established for this contract amendment because there are no subcontracting opportunities (Part D: Section 6 of the Charlotte Business INclusion Policy).

### Fiscal Note

- Funding: Police Operating Budget

## 20. Juvenile Offender Diversion Program Grant

**Action:** A. Accept a grant from the Mecklenburg County Juvenile Crime Prevention Council in the amount of \$70,262 to fund the Juvenile Offender Diversion Program, and

B. Adopt a budget ordinance appropriating \$70,262 in funds from Mecklenburg County.

**Staff Resource(s):** Vicki Foster, Police  
Anthony Hall, Police

### Explanation

- Each year Mecklenburg County's Juvenile Crime Prevention Council (JCPC) receives funds from the North Carolina Division of Juvenile Justice for programs targeting youth offenders.
- The JCPC has awarded the Charlotte-Mecklenburg Police Department \$70,262 to fund the fourth year of a Juvenile Offender Diversion Program.
  - The funds will enable School Resource Officers and staff, from the North Carolina Department of Juvenile Justice and Delinquency Prevention, to refer up to 126 first-time juvenile offenders to a diversion program focused on building interpersonal and decision-making skills.
  - In addition, parental skill training will be provided to the parents/guardians of program participants.
- Juvenile offenders who have committed a first offense, such as simple assault, larceny, public disturbance, trespassing, or damage to property may be referred to the program if they meet the criteria established by CMPD and the Mecklenburg County District Attorney.
  - The youth are referred to the program in lieu of being arrested for the offense they have committed.
  - Pre-adjudicated youth who are given the opportunity to attend the diversion program in lieu of arrest, but fail to do so, will then be subject to arrest.
- The Juvenile Offender Diversion Program consists of three, two-hour sessions focused on building communication skills, decision-making, taking responsibility for one's actions, and education/career development plans. There is also a session where youth are joined by their parents to address issues related to family dynamics.
- Once a youth has completed the diversion program, the assigned School Resource Officer will engage the youth in weekly conversations to help apply the lessons learned through the program.
- To date, the program has served 924 youth, 779 (85%) of whom did not commit any further offenses 12 months after program completion. There has been a 17% decrease in CMPD juvenile arrests.
- The grant funds the salary and benefits for a Diversion Specialist as well as the workshops for juvenile offenders and their parents.
- As required by the grant, CMPD is providing an in-kind match of \$44,528. The match is 30% of the sergeant's salary who is the manager of the program provides for the use of the Greenville Center as the program site.
- The grant period is from July 1, 2015, through June 30, 2016

### Funding

- Funding: Juvenile Crime Prevention Council Grant and Police Operating Budget

### Attachment 9

[Budget Ordinance](#)

## 21. Fire HazMat, New Hire, and Public Safety Dive Teams Physical Services

- Action:**
- A. Approve a unit price contract with The Mobile Doc for physical services for the hazmat, new hire, and public safety dive teams for an initial term of three years, and
  - B. Authorize the City Manager to approve two additional, one-year renewal options as authorized by the contract, and contingent upon the company's satisfactory performance.

**Staff Resource(s):** Jon Hannan, Fire

### Explanation

- Firefighters routinely perform emergency tasks under stressful situations, which include hose-line operation, extensive crawling, lifting and carrying heavy objects, and rescue operations while working in extremely hot or cold environments.
- Hazmat and dive firefighters are exposed to toxic fumes, irritants, particulates, heated gases, and biological/non-biological hazards.
- The contract will provide physical services for Fire's hazmat, new hire, and dive teams that ensures each firefighter is physically-fit to perform duties.
- The service provider performs each physical within the guidelines set forth by the National Fire Protection Association and the U.S. Occupational Safety and Health Administration.
- Estimated annual contract expenditures are \$378,433.

### Selection Process

- On April 14, 2015, the City issued a Request for Proposal (RFP) for Hazmat, New Hire and Public Safety Dive Physicals Services. In response to the RFP, the City received three proposals from interested service providers.
- The project team, consisting of staff from Management & Financial Services and Fire, evaluated the proposals and recommends awarding the contract to The Mobile Doc as the service provider best meeting the City's needs in terms of qualifications, experience, and cost.

### Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

### Fiscal Note

- Funding: Fire Operating Budget

## 22. Fire Fitness and Job Performance Contract Extension

**Action:** Authorize the City Manager to extend the existing contract with Work Physiology Associates, Inc. for the coordination of fitness and job performance assessments for a term of one year.

**Staff Resource(s):** Jon Hannan, Fire

### Explanation

- Charlotte Fire Department (Fire) and Charlotte-Mecklenburg Police Department (Police) require fitness and job performance tests for new and existing employees. These performance evaluations are designed to assess whether an individual can perform essential tasks necessary for the job.
- The service provider coordinates the development of training programs, ensures compliance with policies regarding testing and standards for recruits, and oversees all aspects of the Candidate Physical Ability Test and Job Related Physical Ability Test administration.
- Fire executed a contract on July 1, 2014, for a term of one year.
- Police executed a contract with Work Physiology Associates, Inc. on January 1, 2015, for an initial term of 18 months which expires July 1, 2016.
- Extending Fire's contract will allow both Fire and Police to participate in a citywide solicitation in Fiscal Year 2016, which will provide opportunities for volume discounts from greater economies of scale.
- Estimated contract expenditures are \$50,000 for Fire's additional year of the contract.

### Charlotte Business INclusion

No subcontracting goal was established for this contract extension because there are no subcontracting opportunities (Part D: Section 6 of the Charlotte Business INclusion Policy).

Work Physiology Associates is a certified SBE.

### Fiscal Note

- Funding: Fire Operating Budget

## 23. Multi-Family Refuse Collection Contract Extension

- Action:**
- A. Approve an 18-month contract extension to the Multi-family and Public Facilities Refuse, Recycling and Bulky Item Collection Services contract with BFI Waste Services, LLC doing business as Republic Services of Charlotte, and
  - B. Authorize the City Manager to extend the contract for an additional six months as authorized by the contract, and contingent upon the company's satisfactory performance.

**Staff Resource(s):** Victoria Johnson, Solid Waste Services

### Explanation

- On September 27, 2010, the City Council approved a \$12,500,000 contract with BFI Waste Services to provide multi-family residential units with refuse, recycling, and bulky item collection services.
- On August 25, 2014, the City Council approved a contract amendment in the amount of \$1,800,000 to provide bulky item collection to single-family residents. This amendment allowed for City resources to cover recycling collection until the start of the new recycling contract.
- The contract and amendment are scheduled to expire on June 30, 2015.
- On August 25, 2014, the City released a Request for Proposals (RFP) to re-solicit the multi-family services included in the original contract for refuse, recycling, and bulky item collection; seven proposals were received from interested service providers.
- Due to ongoing budget and policy considerations, the RFP process was suspended, and the City was not able to award a new contract for multi-family collection services.
- On June 8, 2015, the City Council approved the Future Work Plan for Fiscal Year 2017 budget planning to include a study of the Solid Waste Services delivery and cost recovery model.
- Consequently, an extension to the existing BFI Waste Services contract is needed to prevent service interruption to approximately 117,000 multi-family residential units.
- The estimated expenditure for the additional 18-month term is \$6,552,000. This represents an annual increase of approximately \$1.1 million from Fiscal Year 2015 and includes unit price increases and growth in the number of complexes serviced.

### Charlotte Business INclusion

No subcontracting goal was established for this contract extension because there are no subcontracting opportunities (Part D: Section 6 of the Charlotte Business INclusion Policy).

### Fiscal Note

- Funding: Solid Waste Services Operating Budget

## 24. Engineering Services for Intelligent Transportation System Projects

**Action:** Approve professional services contracts for the design and construction administration of fiber optic cable routes and traffic signal interconnection for a total amount of \$975,000 with the following firms:

- Dyer Riddle Mills & Precourt (\$300,000),
- Kimley-Horn Inc. (\$325,000), and
- STV Engineers, Inc. (\$350,000).

**Staff Resource(s):** Angela Berry, Transportation

### Explanation

- Fiber optic cabling, traffic signal interconnection, and video traffic management cameras provide the ability to remotely adjust traffic signals in response to traffic flow and emergency conditions.
- On February 23, 2015, the City issued a Request for Qualifications for Engineering Services for Intelligent Transportation System projects; eight proposals were received from interested service providers.
- A team of staff members evaluated the proposals and selected the firms based on familiarity with ITS design standards, local conditions, codes and practices, and the ability of the team to meet the time schedule established for the project.
- The selected firms will design fiber optic cable routes, including traffic management cameras on Graham Street, Steele Creek Road, Independence Boulevard, Prosperity Village, Harris Boulevard, and Statesville Avenue.
- In addition, the selected firms may provide construction administration and inspection services on the above mentioned projects.
- These projects are important links as identified in the Intelligent Transportation Systems (ITS) Master Plan in completing the next phase of the communications infrastructure.
- The contract amounts were determined based on the anticipated ITS projects, which will be assigned to each firm. The projects vary in length, the number of traffic signals, and the number of cameras.

### Charlotte Business INclusion

Subcontracting goals are not required for this contract, but staff has negotiated subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). On these contracts, the Prime Consultants have each committed 3.00% to the following certified firms:

#### DRMP

- Utility Coordination Consultants (SBE) (\$9,000) (Utility Management Services)

#### Kimley-Horn

- Hinde Engineering Inc. (SBE) (\$9,750) (Utility Management Services)

#### STV Engineers

- Jarrett Engineering PLLC (SBE) (\$10,500) (Utility Management Services)

### Fiscal Note

- Funding: General Community Investment Plan

## 25. Private Developer Funds Appropriation

**Action:** Adopt a budget ordinance appropriating \$54,500 in private developer funds for traffic signal improvements with the following developers:

- Terwilliger Pappas Multi-Family Partners, LLC,
- Spectrum Properties, and
- Goode Development Corporation.

**Staff Resource(s):** Scott Putnam, Transportation

### Explanation

- The \$54,500 in private developer funds is restricted to traffic signals, upgrades, and related work to the developer projects listed below.
- The following developers are fully funding traffic signal installations and improvements to mitigate traffic impacts around their respective development projects:
  - Terwilliger Pappas Multi-Family Partners, LLC, contributed \$9,000 for the signal modifications at the intersection of Remount Road and South Boulevard.
  - Spectrum Properties contributed \$29,000 to relocate the traffic signal controller and install a temporary signal during construction at the intersection of South Tryon Street and West Third Street.
  - Goode Development Corporation contributed \$16,500 for modifications to existing fire station and school signal modifications on Monroe Road.
- Payments made by developers are in response to estimates of work prepared by the Charlotte Department of Transportation and supplied to the developers.
- Any funding contributed by developers for signal projects that is unused by the City will be refunded after project completion.

### Fiscal Note

- Funding: Developer Contributions

### Attachment 10

[Map](#)  
[Budget Ordinance](#)

## 26. Transportation Asphalt

- Action:**
- A. Approve the purchase of asphalt with the following vendors for three months or until the North Carolina Department of Transportation awards new state contracts:
    - Ferebee Asphalt Corporation,
    - Blythe Construction, Inc., and
    - Lane Construction,
  - B. Approve the purchase of asphalt from the state contracts as authorized by G.S. 143-29(e)(9),
  - C. Authorize the City Manager to approve unit price contracts for asphalt with the vendors awarded contracts by the North Carolina Department of Transportation for a term of one year, and
  - D. Authorize the City Manager to extend the contract for additional one-year terms as long as the state contract is in effect, at prices and terms that are the same or more favorable than those offered under the state contract.

**Staff Resource(s):** Robert Campbell, Management & Financial Services  
Charles Jones, Transportation

### Explanation

- Asphalt is used by the Charlotte Department of Transportation for the maintenance and repair of roadway surfaces, which includes pothole patching, repair of utility cuts, and limited paving.
- Current asphalt purchases are made through the existing state contracts as approved by City Council on August 25, 2014. The state contract is set to expire on June 30, 2015.
- Charlotte Department of Transportation will need to continue purchasing asphalt from these vendors until new state contracts have been awarded.
- The North Carolina Department of Transportation expects to award new contracts within the next three months. Once the state contracts have been awarded, the Charlotte Department of Transportation will request City Manager approval of unit price contracts with the vendors selected at the state level.
- The amount of asphalt to be purchased will vary between the vendors based on the proximity of maintenance activities related to the vendor's plant location.
- Estimated annual aggregate expenditures are \$5,700,000.

### Charlotte Business INclusion

These contracts are purchased off a State contract and are exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

### Fiscal Note

Funding: Street Maintenance Powell Bill Fund

## 27. Lovett Circle Storm Drainage Repair

**Action:** Award a contract in the amount of \$232,976.70 to the lowest responsive bidder Husky Construction Corp. for the 3911 Lovett Circle Storm Drainage Maintenance and Repair project.

**Staff Resource(s):** Jennifer Smith, Engineering & Property Management

### Explanation

- The project will improve the existing storm drainage infrastructure on multiple properties on Lovett Circle between Brookfield Drive and Blalock Avenue to reduce flooding of streets and homes.
- The work will include:
  - Grading,
  - Improvement of 522 feet of storm drainage pipe and structures,
  - Curb and gutter,
  - Concrete sidewalk,
  - Sanitary sewer and water line replacement,
  - Asphalt pavement replacement, and
  - Erosion control measures.
- On April 22, 2015, the City advertised an Invitation to Bid for 3911 Lovett Circle; three bids were received from interested service providers.
- Husky Construction Corp. was the lowest responsive bidder.
- Construction is expected to be complete first quarter 2016.

### Charlotte Business INClusion

Construction contracts estimated to be less than \$300,000 are informal and are exempt from the goal setting process (Part A: Section 3.1 of the Charlotte Business INClusion Policy).

Husky Construction is a certified SBE.

### Fiscal Note

- Funding: Storm Water Community Investment Plan

### Attachment 11

[Map](#)

## 28. Blenheim Storm Drainage Improvement Project

**Action:** Award a contract in the amount of \$4,280,773.26 to the lowest responsive bidder Sealand Contractors Corp. for the Blenheim Storm Drainage Improvement project.

**Staff Resource(s):** Jennifer Smith, Engineering & Property Management

### Explanation

- The Blenheim Storm Drainage Improvement is a flood control project that will improve the storm drainage infrastructure to reduce flooding of streets, properties and structures. In addition, streams will be stabilized and wetland areas will be created to provide a more natural, stable stream system throughout the project area.
- The project area is located between Hovis Road/Glenwood Drive and Rozzelles Ferry Road north of Interstate-85. South Hoskins Road bisects the project area.
- The work will include:
  - Grading,
  - Wetland creation,
  - Storm drainage pipes and structures,
  - Paving,
  - Sidewalks,
  - Curb and gutter,
  - Driveways, and
  - Water and sanitary sewer pipe replacement.
- Additional improvements will also be installed on Welling Avenue previously included in the Thomasboro Hoskins Phase 3 Neighborhood Improvement project. This work was coordinated to reduce construction impacts to area property owners.
- On April 7, 2015, an Invitation to Bid was advertised; five bids were received from interested service providers.
- Sealand Contractors Corp. was the lowest responsive bidder.
- Construction is expected to be complete first quarter 2018.

### Charlotte Business INclusion

Established SBE Goal: 17.00%

Committed SBE Goal: 17.04%

Sealand Contractors Corp. exceeded the established subcontracting goal, and has committed 17.04% (\$729,431.40) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- D's Trucking Service, Inc. (SBE, WBE) (\$341,160) (hauling)
- On Time Construction, Inc. (SBE, MBE) (\$254,456) (masonry)
- Carolina Wetland Services, Inc. (SBE, WBE) (\$46,231.15) (landscaping and erosion control)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$45,899) (hauling)
- A1 Precision Fence Company (SBE) (\$39,405.25) (fence)
- Boudreaux's Iron Shop, Inc. (SBE) (\$2,280) (safety rail)

Established MBE Goal: 7.00%

Committed MBE Goal: 7.02%

Sealand Contractors Corp. exceeded the established subcontracting goal, and has committed 7.02% (\$300,355) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- On Time Construction, Inc. (SBE, MBE) (\$254,456) (masonry)

- Streeter Trucking Company, Inc. (SBE, MBE) (\$45,899) (hauling)

**Fiscal Note**

- Funding: Storm Water Community Investment Plan and General Community Investment Plan

**Attachment 12**

[Map](#)

## 29. Peterson Drive Storm Drainage Improvement Project - Phase III

**Action:** Award a contract in the amount of \$1,716,468.33 to the lowest responsive bidder Sealand Contractors Corp. for the Peterson Drive Storm Drainage Improvement project – Phase III.

**Staff Resource(s):** Jennifer Smith, Engineering & Property Management

### Explanation

- The Peterson Drive Storm Drainage Improvement Project is a flood control project that will improve storm drainage infrastructure to reduce flooding of streets, properties and structures.
- The project area is generally bordered by Peterson Drive to the south, East Cama Street to the north, South Tryon Street to the west and Old Pineville Road to the east.
- The work will include:
  - Grading,
  - Storm drainage pipes and structures,
  - Paving,
  - Sidewalks,
  - Curb and gutter,
  - Driveways, and
  - Water and sanitary sewer pipe replacement.
- On April 27, 2015, an Invitation to Bid was advertised; six bids were received from interested service providers.
- Sealand Contractors Corp. was the lowest responsive bidder.
- Construction is expected to be complete third quarter 2016.

### Charlotte Business INclusion

Established SBE Goal: 13.00%

Committed SBE Goal: 13.00%

Sealand Contractors Corp. met the established SBE subcontracting goal, and has committed 13.00% (\$223,141.55) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- On Time Construction, Inc. (SBE, MBE) (\$69,933) (masonry)
- MTS Trucking, Inc. (SBE, MBE) (\$47,479) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$47,479) (hauling)
- Diamond Trucking of NC, Inc. (SBE, MBE) (\$47,478) (hauling)
- Carolina Wetland Services, Inc. (SBE, WBE) (\$10,772.55) (landscaping)

Established MBE Goal: 5.00%

Committed MBE Goal: 12.37%

Sealand Contractors Corp. exceeded the established MBE subcontracting goal, and has committed 12.37% (\$212,369) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INclusion Policy):

- On Time Construction, Inc. (SBE, MBE) (\$69,933) (masonry)
- MTS Trucking, Inc. (SBE, MBE) (\$47,479) (hauling)
- Streeter Trucking Company, Inc. (SBE, MBE) (\$47,479) (hauling)
- Diamond Trucking of NC, Inc. (SBE, MBE) (\$47,478) (hauling)

### Fiscal Note

- Funding: Storm Water Community Investment Plan

### Attachment 13

[Map](#)

### 30. Planning and Design Services for Rocky River Road West Improvements

**Action:** Approve a contract in the amount of \$625,000 with STV, Incorporated, for planning and design services for Rocky River Road West Improvements.

**Staff Resource(s):** Jim Keenan, Engineering & Property Management

#### Explanation

- The project will use planning and design services for Rocky River Road West Street Improvements, which extends from North Tryon Street to Toby Creek (approximately .75 miles).
- The services shall include, but not be limited to:
  - Urban street design,
  - Traffic analysis,
  - Public involvement process,
  - Alternative analysis,
  - Environmental site analysis, and
  - Coordination with private development and CATS.
- On July 2, 2014 the City issued a Request for Qualifications; 28 proposals were received from interested service providers, and the City selected 8 of the firms to provide services as the need arises.
- STV, Incorporated, one of the eight firms selected, will provide the planning and design services needed for Rocky River Road West Improvements, based upon their expertise in providing these services.
- The project is expected to be complete by fourth quarter 2019.

#### Charlotte Business INclusion

Subcontracting goals are not required for this contract, but staff has negotiated subcontracting participation after the proposal selection process (Part C: Section 2.1 (h) of the Charlotte Business INclusion Policy). STV, Inc. has committed 8.00% (\$50,000) of the total contract amount to the following certified firms:

- Progressive Design Group (SBE) (\$47,500) (traffic control)
- Richa Graphics (SBE, MBE) (\$2,500) (printing)

#### Fiscal Note

- Funding: General Community Investment Plan

#### Attachment 14

[Map](#)

## 31. Building Automation Controls Maintenance and Services

**Action:** Approve a contract with Controls Service Group, Inc. for building automation controls maintenance and services for a term of three years.

**Staff Resource(s):** William Haas, Engineering & Property Management  
David Miller, Engineering & Property Management

### Explanation

- Engineering & Property Management is responsible for maintaining approximately 115 buildings. These include offices, fire stations, police division offices, and equipment shops, as well as cultural facilities such as Discovery Place and the Mint Museum.
- These facilities have building automation systems that are a computerized network of intelligent electronic devices that monitor and control various building systems to optimize their efficiency.
- These systems control the HVAC and lighting based on occupancy schedules, reducing the amount of energy needed to maintain buildings.
- Specifically, the City uses these systems for the following benefits:
  - Effective monitoring of energy consumption,
  - Improved equipment reliability and useful life,
  - Early detection of problems and sending alerts to the maintenance staff,
  - Trending data of all temperatures including status of HVAC system and
  - Central or remote control and monitoring of building systems.
- Routine quarterly maintenance and system data backups are performed.
- A two-hour emergency response time is also required 365 days per year, 24 hours per day.
- On April 22, 2015, Engineering & Property Management issued a Request for Proposals for Building Automation Controls Maintenance and Services; one firm submitted a proposal.
- Engineering & Property Management staff evaluated the proposal and recommends Controls Service Group based on their extensive experience and favorable pricing.
- The estimated annual cost is \$100,000.

### Charlotte Business INclusion

Subcontracting goals are not required for this contract, but staff has negotiated subcontracting participation after the proposal selection process. (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Controls Service Group has committed 5.00% (\$15,000) of the total estimated contract amount of \$300,000 to the following certified firm:

- Electrical System Specialists, Inc. (SBE) (\$15,000) (electrical)

Controls Service Group is a certified SBE.

### Fiscal Note

- Funding: General Community Investment Plan

## 32. CATS Bus Stop Improvements FY2015- Contract A

- Action:**
- A. Award a contract in the amount of \$164,984.75 to the lowest responsive bidder Dakota Contracting Company for the CATS Bus Stop Improvements FY2015-Contract A, and
  - B. Authorize the City Manager to approve two renewals each in an amount up to the original contract amount.

**Staff Resource(s):** Becky Chambers, Engineering & Property Management  
Steve Warren, CATS

### Explanation

- The project will construct improvements to transit bus stops at various locations throughout the City. The improvements will provide for the Americans with Disabilities Act compliant concrete waiting pads, a minimum of 5x8-feet in size.
- On May 13, 2015, the City advertised an Invitation to Bid; one bid was received from Dakota Contracting Company.
- The renewals are an incentive to the contractor for good performance and quality work.

### Disadvantaged Business Enterprise (DBE)

Established DBE Goal: 6.2%

Committed DBE Goal: 90.30%

Dakota Contracting Company exceeded the established DBE goal and has committed 90.30% (\$148,984) of the total contract amount to the following certified firms:

- Conmat Development Inc. (DBE, SBE) (\$11,000) (concrete)
- Dakota Contracting Company (DBE, SBE, MBE) (\$137,984)

### Fiscal Note

- Funding: CATS Community Investment Plan

### 33. Time Warner Cable Arena Upgrades

**Action:** Award a contract in the amount of \$897,150 to the lowest responsive bidder Encompass Building Group, Inc. for the Time Warner Cable Arena Upgrades Backcourt Club & Phase 1 Suite Renovations.

**Staff Resource(s):** William Haas, Engineering & Property Management  
Steve Bagwell, Charlotte Regional Visitors Authority

#### Explanation

- On September 8, 2014, the City Council approved \$27.5 million in capital investment to upgrade the Time Warner Cable Arena. The upgrades will be completed over a five-year period with most of the improvements performed in the summers of 2015-2019.
- Renovations will be completed to the Backcourt Club lounge area, two restrooms on the Event Level, and 21 private suites on the suite level.
- The capital plan requires the Charlotte Hornets to contribute a total of \$1.8 million over Fiscal Years 2015-2017 (\$600,000/year for three years) for the suite renovations, in addition to the \$27.5 million City contribution.
- The Charlotte Hornets contribution will fund the portion of this contract related to the suite improvements.
- Over the next four years, the City Council will be asked to approve additional construction packages to complete the upgrades.
- On April 23, 2015, the Engineering & Property Management Department advertised Invitations to Bid for the Time Warner Cable Arena Backcourt Club & Phase 1 Suite Renovations project.
- On April 30, 2015 a pre-bid conference and walk-through was held on-site to actively solicit participation and discuss with potential bidders the scope of work. An additional opportunity for an on-site facility walk-through was made available on May 11, 2015, to allow potential prime and sub/specialty contractors and suppliers to participate in a guided tour to become better acquainted with job site conditions.
- By bid closing, the City did not receive the minimum of three bids as required by North Carolina General Statute 143-129.
- On May 19, 2015, the project was re-advertised.
- On May 27, 2015, two bids were received from interested general contractors.
- Encompass Building Group, Inc. was identified as the lowest responsive bidder.
- Construction is expected to be complete by the fourth quarter 2015.

#### Background

- On November 24, 2014, the City Council authorized the City Manager to award an architectural contract to AECOM of NC, Inc. for design services related to the capital plan. The design and administrative services will improve areas such as refurbishment of interior finishes, seating bowl modifications, scoreboard replacement and facility operational improvements.
- The improvements will allow the Arena to maintain multi-use venues, competitiveness and operational reliability well into the future.

#### Charlotte Business INclusion

Established SBE Goal: 17.00%  
Committed SBE Goal: 17.53%

Encompass Building Group, Inc. exceeded the established SBE subcontracting goal, and has committed 17.53% (\$157,273) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

- All-Pro Builders & Restorations, LLC (SBE, MBE) (\$125,000) (construction services)
- Clear Site Industrial, LLC (SBE) (\$32,273) (demolition)

Established MBE Goal: 6.00%

Committed MBE Goal: 13.93%

Encompass Building Group, Inc. exceeded the established MBE subcontracting goal, and has committed 13.93% (\$125,000) of the total contract amount to the following certified firms (Part B: Section 3 of the Charlotte Business INClusion Policy):

- All-Pro Builders & Restorations, LLC (SBE, MBE) (\$125,000) (construction services)

**Fiscal Note**

- Funding: TWCA Arena Upgrades and the Charlotte Hornets

**Attachment 15**

[TWCA – City Council Action Summary](#)

### 34. Microsoft Surface Tablet Computers

- Action:**
- A. Approve the purchase of Microsoft Surface tablet computers and related software, firmware, and accessories from a cooperative purchasing contract as authorized by G.S. 143-129(e)(3),**
  - B. Approve a unit price contract with Microsoft, Inc. for the purchase of Microsoft Surface tablet computers and related software, firmware, and accessories for a term of three years under the Minnesota Materials Management Division Cooperative Purchasing Venture, contract number 57647, contract release C-1084(5), and**
  - C. Authorize the City Manager to extend the contract for additional one-year terms as long as the cooperative contract is in effect, at prices and terms that are the same or more favorable than those offered under the cooperative contract.**

**Staff Resource(s):** Jeffrey Stovall, Innovation & Technology

#### **Cooperative Purchasing Exemption**

NC S.L. 2001-328, effective January 1, 2002, authorizes competitive group purchasing.

#### **Explanation**

- Innovation & Technology is actively seeking opportunities to innovate and establish standards on end-user computing devices across the City. The Microsoft Surface (Surface) offers these opportunities by providing a computing platform that functions as both a laptop and a tablet.
- The Surface has been tested by numerous staff and proven itself to be a valuable tool for conducting business. As a result, the Surface has been adopted into the hardware standard.
- Staff anticipates an increase in City use of the Surface as older desktop, laptop, and tablet computers are phased out due to obsolescence.
- Innovation & Technology seeks to secure a contract where City departments may purchase Surface equipment on a convenience basis at pre-negotiated discounts.
  - Staff performed an informal quotation process to compare pricing available from various sales channels. The Cooperative Purchasing Venture (CPV) contract will provide pricing that is at least 4% lower on tablets than other sales channels that were reviewed, when considering the City's need for no minimum purchase commitment.
- There are significant benefits for using the CPV contract:
  - Lower device and Microsoft-provided accessory pricing.
    - Approximately 10% off Microsoft's standard pricing for Surface hardware.
    - Approximately 20% off standard pricing for Microsoft-provided Surface accessories.
  - There is no minimum purchase required in order to receive the discounts.
  - City staff may purchase directly from a local Microsoft-branded retail outlet and receive technical assistance from staff, with expertise in the Surface product line, at the retail location.

- The unit prices are set forth in the proposed contract, and can be provided upon request.
- Annual expenditures are estimated to be \$50,000.

**Charlotte Business INClusion**

This is a cooperative purchasing contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INClusion Policy).

**Fiscal Note**

- Funding: Various Departments' Operating Budgets

## 35. Towing Services

- Action:**
- A. Approve seven contracts with the following companies for division wrecker services for an initial term of five years:**
    - Bradley’s Wrecker Service, Inc.,
    - Dellinger Wrecker Service, Inc.,
    - Eastway Wrecker Service, Inc.,
    - Hunter Auto and Wrecker Service, Inc.,
    - Larry Campbell’s Towing & Recovery, Inc.,
    - Southern Star of Charlotte, Inc., and
    - Williams Wrecker Service,
  
  - B. Approve contracts with the following companies for fleet towing services for an initial term of three years:**
    - Hunter Auto and Wrecker Services, Inc. and
    - Dellinger Wrecker Service, Inc., and
  
  - C. Authorize the City Manager to amend the contracts from time to time consistent with the City’s business needs, and to renew the contracts for up to two additional, one-year terms.**

**Staff Resource(s):** Robert Campbell, Management & Financial Services  
Chris Trull, Management & Financial Services

### Explanation

#### Action A

- The City uses wrecker service companies to tow vehicles for a variety of reasons, including collisions, disabled vehicles, seized vehicles for evidence and forfeiture, illegal parking in the Uptown area, and code violations.
- For calendar year 2014, there were 56,741 tows performed:
  - Police tows: 55,361,
  - Transportation tows: 1,227, and
  - Code enforcement tows: 153.
- The wrecker companies are assigned to specific divisions, based on the Police district boundaries. By assigning specific companies to specific divisions, the following objectives are accomplished:
  - Accident scene wait time is reduced for the public and the police officers assisting on-site;
  - Following an accident, the road is cleared of glass and debris thereby decreasing road hazards;
  - Familiarity with and knowledge of geographical locations within assigned divisions results in quicker response times;
  - Provision of a safe and secure location to store and retrieve towed vehicles; and
  - Convenient hours for retrieval of towed vehicles with multiple payment options available to the public.
- The City has established a price of \$100 per basic tow based on a survey of various cities providing similar services. The cost is fixed over the entire contract term.
- The City established a fixed-price to streamline contract monitoring and administration.

- All charges relating to services shall be payable solely by the vehicle owners, except for specific circumstances as detailed in the contracts.
- Total City expenditures across all of the above contracts are estimated to be \$200,000 in the aggregate over the seven-year term.

#### Action B

- Fleet Management provides maintenance services for vehicles and special equipment for City and County departments.
- Towing services are required by Fleet Management and Aviation to move vehicles and equipment, which have broken down, need special transport as well as to support the City as needed during inclement weather.
- Multiple awards are recommended to best fit the particular needs of the City.
  - Hunter Auto and Wrecker Services, Inc. will be used for the majority of the City's towing needs, such as light vehicles, medium vehicles, construction equipment, and heavy duty trucks.
  - Dellinger Wrecker Service, Inc. will be used to tow loaded garbage trucks. When a garbage truck is disabled, Dellinger will tow the truck to the landfill, unload the truck, and then tow it to the appropriate City Fleet Management shop.
- The service providers will be paid a fixed-price for each type of service performed. A list of the companies' rates per service is available upon request.
- Total annualized expenditures across both contracts are estimated to be \$700,000.

#### **Selection Process**

- On April 10, 2015, the City issued a single Request for Proposal for both division wrecker and fleet towing services. In response to the RFP, the City received nine proposals from interested service providers.
- The project team, consisting of staff from Management & Financial Services, Police, Transportation, and Neighborhood & Business Services, evaluated the proposals and recommends awarding the contracts to the companies detailed in Action Items A and B, as best meeting the City's needs in terms of qualifications, experience, cost, financial qualifications, acceptance of contract terms, and MWSBE utilization.

#### **Charlotte Business INclusion**

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

Eastway Wrecker is a certified MBE.

#### **Fiscal Note**

- Funding: Various Departments' Operating Budgets

## 36. Striping Paint and Glass Beads

- Action:**
- A. Award a unit price contract for the purchase of striping paint and glass beads for an initial term of three years to the lowest responsive bidders:**
    - Swarco Industries, Inc., and
    - Ozark Materials, LLC, and
  - B. Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the terms of the contract.**

**Staff Resource(s):** Ronnie Ashburner, Transportation  
Robert Campbell, Management & Financial Services

### Explanation

- Striping paint and glass beads are used to mark roadways and runways for higher visibility.
- On May 1, 2015, Management & Financial Services issued an Invitation to Bid for striping paint and glass beads services for the Aviation Department, the Transportation Department, and on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA); four responsive bids and one non-responsive bid were received from interested service providers.
- Multiple contracts are requested for award based on the lowest responsive bidder per product line.
  - Product Line awarded to Swarco Industries: glass beads.
  - Product Line awarded to Ozark Materials: striping paint.
- The unit prices set forth in the proposed contract is available upon request.
- Annual contract expenditures are estimated to be \$100,000.

### Background

- The CCPA is a cooperative purchasing program within Management & Financial Services with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing.
- CCPA contracts are available for the use and to the benefit of all entities that must comply with state purchasing laws (cities, counties, public and private schools, colleges and universities, non-profits, and all governmental entities).

### Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

### Fiscal Note

- Funding: Aviation Operating Budget and Charlotte Department of Transportation Operating Budget

### 37. Airport Locks, Cylinders and Key System Parts

- Action:**
- A. Award a unit price contract with the lowest responsive bidder Southern Lock and Supply for the purchase of locks, cylinders, and key system parts for the initial term of two years, and
  - B. Authorize the City Manager to extend the contract for up to three additional, one-year terms with possible price adjustments as authorized by the terms of the contract.

**Staff Resource(s):** Robert Campbell, Management & Financial Services

#### **Explanation**

- The locks, cylinders, and key system parts ensure security to restricted areas at various locations throughout the Airport.
- On April 30, 2015, Management & Financial Services issued an Invitation to Bid, to provide new locks, cylinders, and key system parts for replacement of worn parts or additions to lock systems for the Aviation Department and on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA); two bids were received by interested service providers.
- Southern Lock and Supply was the lowest responsive bidder.
- The unit prices and fixed discount percentages are set forth in the proposed contract and are available upon request.
- Annual contract expenditures are estimated to be \$150,000.

#### **Background**

- The CCPA is a cooperative purchasing program within Management & Financial Services with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing.
- CCPA contracts are available for the use and to the benefit of all entities that must comply with state purchasing laws (cities, counties, public and private schools, colleges and universities, non-profits, and all governmental entities).

#### **Charlotte Business INclusion**

No subcontracting goal was established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

#### **Fiscal Note**

- Funding: Aviation Operating Budget

## 38. Citywide Office Supplies

- Action:**
- A. Award a unit price contract with the lowest responsive bidder Office Depot, Inc. for the purchase of office supplies for an initial term of three years, and**
  - B. Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the terms of the contract.**

**Staff Resource(s):** Robert Campbell, Management & Financial Services

### Explanation

- On March 11, 2015, Management & Financial Services issued an Invitation to Bid to provide office supplies to the City and on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA); four responsive bids were received from interested service providers.
- Office Depot, Inc. was the lowest responsive bidder.
- Office Depot, Inc. offers the best discount structure on over 7,500 office supply products. In addition, Office Depot will provide the following:
  - Approximately 3,500 environmentally-friendly products are available for consideration when the quality, function, and cost are equal to or better than traditional products;
  - On-line ordering with next day delivery;
  - Customized reports that enable the City and County to monitor purchasing trends by department, recycled content, and other criteria as requested; and
  - Rebate structure that will result in quarterly revenue generated through volume purchasing.
- The unit prices and fixed discount percentages are set forth in the proposed contract and are available upon request.
- Annual contract expenditures are estimated to be \$1,250,000.

### Background

- The CCPA is a cooperative purchasing program within Management & Financial Services with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing.
- CCPA contracts are available for the use and to the benefit of all entities that must comply with state purchasing laws (cities, counties, public and private schools, colleges and universities, non-profits, and all governmental entities).

### Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

### Fiscal Note

- Funding: Various Departments' Operating Budget

### 39. Medium-Duty Utility Truck Bodies

- Action:**
- A. Award a unit price contract with the lowest responsive bidder Knapheide Truck Equipment for the purchase of medium-duty utility truck bodies for the term of two years, and**
  - B. Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the terms of the contract.**

**Staff Resource(s):** Chris Trull, Management & Financial Services

#### **Explanation**

- City departments including, but not limited to, Charlotte Water and Charlotte Department of Transportation use utility truck bodies.
- The utility truck bodies are either covered or open with various compartments and shelving, which can be locked to provide security for tools and equipment.
- The cabs and chassis components will be purchased separately from vendors already under approved contracts.
- On April 7, 2015, Management & Financial Services issued an Invitation to Bid for utility truck bodies; three responsive bids and one non-responsive bid were received from interested service providers.
- Knapheide Truck Equipment was the lowest responsive bidder.
- Summit Truck Equipment submitted a non-responsive bid in the amount of \$243,520.
- The unit prices are set forth in the proposed contract and are available upon request.
- Annual contract expenditures are estimated to be \$243,771.

#### **Charlotte Business INclusion**

No subcontracting goal was established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

#### **Fiscal Note**

- Funding: General and Enterprise Capital Equipment Replacement Funds

## 40. Mack Truck Parts & Services

- Action:**
- A. Approve the purchase of Mack Truck original equipment manufacturer replacement and repair parts and services authorized by the sole source exemption of G.S. 143-129(e)(6),
  - B. Approve a contract with Mack Truck of Charlotte for the purchase of original equipment manufacturer repair and replacement parts and services for an initial term of three years, and
  - C. Authorize the City Manager to extend the contract for two additional, one-year terms with possible price adjustments as deemed reasonable and appropriate by the City Manager.

**Staff Resource(s):** Chris Trull, Management & Financial Services

### Sole Source Exception

- G.S. 143-129 (e)(6) provides that formal bidding requirements do not apply when:
  - Performance or price competition are not available;
  - A needed product is available from only one source or supply; or
  - Standardization or compatibility is the overriding consideration.
- Sole sourcing is necessary because there is only one supply source.
- The City Council must approve purchases made under the sole source exception.

### Explanation

- The City currently operates 33 units of Mack heavy trucks and related operating systems for Solid Waste Services and Transportation Street Maintenance Divisions, with an additional three units on order for the Street Maintenance Division.
- Mack Truck of Charlotte is the sole factory authorized dealer and distributor of Mack Truck warranty and non-warranty repair and replacement original equipment manufacturer parts and service for the Charlotte, NC service area.
- Mack Truck dealers and distributors are required by the manufacturer to maintain existing warranties, parts standardization, reliable supply chains, factory support, service methods, and training.
- Annual contract expenditures are estimated to be \$500,000.

### Charlotte Business INclusion

This is a Sole Source contract and is exempt (Part A: Appendix 1.27 of the Charlotte Business INclusion Policy).

### Fiscal Note

- Funding: Management & Financial Services Operating Budget

## 41. Polygraph Services

- Action:**
- A. Approve a contract with Forensic Private Investigative Services for polygraph services for an initial term of three years, and**
  - B. Authorize the City Manager to approve two, one-year renewal options as authorized by the contract, and contingent upon the company's satisfactory performance.**

**Staff Resource(s):** Robert Campbell, Management & Financial Services

### Explanation

- The City uses an outside service provider to perform onsite polygraph examinations for various City departments' job candidates.
- Polygraph examinations are used to assist departments in resolving any possible instances of deception by using industry standard interview techniques and questions to gather candidate information.
- Polygraph testing is typically limited to more safety-sensitive positions, including firefighters, investigators, and telecommunicators.
- On April 1, 2015, the City issued a Request for Proposal (RFP) for polygraph services. In response to the RFP, the City received one proposal from an interested service provider.
- The project team, consisting of staff from Management & Financial Services, Fire, and Police, evaluated the proposal and recommends awarding the contract to Forensic Private Investigations as the service provider best meeting the City's needs in terms of qualifications, experience, and cost effectiveness.
- The contract will be available for any department to obtain polygraph services, although Fire is anticipated to be the primary user of these services.
- Estimated annual contract expenditures are \$50,000.

### Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

### Fiscal Note

- Funding: Various Departments' Operating Budgets

## 42. Fire Uniforms

- Action:**
- A. Award a unit price contract with the lowest responsive bidder Galls, LLC for the purchase of fire uniforms for an initial term of three years, and**
  - B. Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the terms of the contract.**

**Staff Resource(s):** Robert Campbell, Management & Financial Services  
Jon Hannan, Fire

### Explanation

- The Charlotte Fire Department (CFD) purchases uniforms including, but not limited to, dress uniforms, long and short sleeve shirts, pants, hats, ties, leather belts, shoes, and boots.
- On March 23, 2015, Management & Financial Services issued a two-phase Invitation to Bid (ITB) for the CFD and on behalf of the Charlotte Cooperative Purchasing Alliance (CCPA) for fire uniforms.
- The ITB required bidders to furnish sample garments for CFD to evaluate and to perform wash testing.
  - During Phase I, two bidders submitted one or more of the requirements including references, sample reporting, ordering/tracking process, and proposed alternate sample garments.
  - Fire conducted a thorough evaluation of the sample garments submitted in Phase I for compliance with important factors of the specification, appearance, and uniformity.
  - In Phase II, the ITB requested fixed unit prices for 59 products.
- Although staff performed extensive due diligence in notifying vendors of the opportunity and encouraging participation, only one responsive bid was received in response to the ITB.
- The unit prices and fixed discount percentages are set forth in the proposed contract and are available upon request.
- The Fiscal Year 2016 contract expenditures are estimated to be \$540,000.
- Annual expenditures after the initial term of the contract are estimated to be \$450,000.

### Background

- CFD has previously purchased fire uniforms using a local storefront provided by the contract service provider.
- CFD conducted extensive planning in order to recognize certain economies of scale by performing in-house uniforms management. In support of that effort, this ITB requested pricing for bulk orders to be managed by Fire-Logistics, which projects to produce a cost avoidance of more than \$175,000 for the life of the resulting contract.
- The CCPA is a cooperative purchasing program within Management & Financial Services with the specific purpose of reducing procurement costs by leveraging aggregate purchasing volume to receive better pricing.
- Fire Uniforms are a common item needed by entities of all sizes; offering competitively-priced uniforms through CCPA benefits local and regional entities.
- CCPA contracts are available for the use and to the benefit of all entities that must comply with state purchasing laws (cities, counties, public and private schools, colleges and universities, non-profits, and all governmental entities).

**Charlotte Business INclusion**

No subcontracting goal was established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

**Fiscal Note**

- Funding: Fire Operating Budget

**43. Arrowood Station Driver Comfort Facility**

**Action:** Award a contract in the amount of \$170,000 to the lowest responsive bidder Eagle Wood, Inc. to construct a Driver Comfort Station and Janitorial Closet at the Arrowood Light Rail Station Park and Ride Lot.

**Staff Resource(s):** John Muth, CATS,  
David Feltman, CATS

**Explanation**

- A Driver Comfort Station provides a facility for CATS vehicle operators and other CATS staff to access a restroom.
- The LYNX Blue Line Arrowood Station is a key point of interaction between CATS bus routes and the LYNX light rail service. Feeder bus service to the Arrowood Station has been more significant than anticipated when the original Blue Line was constructed.
- A Driver Comfort Station and a janitorial closet are needed at the Arrowood Station.
- The Arrowood Station is large enough to accommodate the construction of the Driver Comfort Station and janitorial closet and requires no additional real estate.
- On April 15, 2015, the City issued an Invitation to Bid for the construction of an, Arrowood Light Rail Station Comfort Station; two bids were received from interested service providers.
  - Both bids received were in excess of the engineer's estimated cost of the project.
  - Pursuant to North Carolina General Statute 143-129, staff entered into negotiations with the low-bidder to bring the contract price within available funds.
- Eagle Wood, Inc. was selected as the lowest responsive bidder.

**Charlotte Business INclusion**

Construction contracts estimated to be less than \$300,000 are informal and are exempt from the goal setting process (Part A: Section 3.1 of the Charlotte Business INclusion Policy).

**Fiscal Note**

- Funding: CATS Community Investment Plan

#### 44. Charlotte Transit Center Leasing and Property Management Services

- Action:**
- A. Approve a professional services contract in the amount of \$456,000, including estimated commissions, with NAI Southern Real Estate for Leasing and Property Management Services of the Charlotte Transit Center for a term of three years, and**
  - B. Authorize the City Manager to extend the contract for up to two additional, one year terms with possible price adjustments as authorized by the terms of the contract.**

**Staff Resource(s):** Tina Votaw, CATS  
Steve Warren, CATS  
Allen Smith, CATS

##### Explanation

- The City uses the Charlotte Transit Center (CTC) as the main terminal and transfer point for Charlotte's public transit system.
- On June 9, 2014, the City Council authorized the transfer of ownership of the CTC from a non-profit corporation known as Charlotte Transit Center, Inc. to the City and approved a one-year contract with Lincoln Harris for leasing and property management services of the CTC for Fiscal Year 2015, which ends June 30, 2015.
- On March 17, 2015, in anticipation of the expiration of the one-year contract with Lincoln Harris, CATS as operator of the CTC, issued a formal Request for Proposals for leasing and property management services; two firms responded with proposals.
- CATS' staff evaluated both proposals and selected NAI Southern Real Estate as the service provider that will best meet the City's needs and recommends that NAI Southern Real Estate begin providing services no later than July 1, 2015.
- Consistent with the services provided previously by Lincoln Harris, the contract with NAI will provide for:
  - Administration of tenant leases, including addressing tenant service requests and locating suitable retail tenants;
  - Management of the day-to-day operations of the CTC, including developing the annual budget, with oversight and participation by CATS' Facilities Management Department; and
  - Administration of vendor contracts for services, such as heating, ventilation, and air conditioning maintenance, pest control, and exterior lighting.
- NAI Southern Real Estate will be paid \$143,097 annually, which consists of a management fee, staff and administrative costs. Any commissions due NAI Southern Real Estate for new or renewed leases will be paid in accordance with the contract. The commission rates are within industry standards and are estimated at \$8,640/year. This results in an estimated total contract value of approximately \$152,000/year or \$456,000 over the three-year term.
- NAI Southern Real Estate will be reimbursed for expenses paid on behalf of the City/CATS to operate the CTC of approximately \$1.2 million a year, which is the annual operating budget of the CTC.
- The contract price with NAI Southern Real Estate is lower in cost than the previous contract with Lincoln Harris.
- Staff seeks City Council approval in order for the management transition from Lincoln Harris to NAI Southern Real Estate to begin as soon as possible.

**Charlotte Business INclusion**

No subcontracting goals were established because there are no direct subcontracting opportunities. (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy). However, the City negotiated with NAI after the proposal selection process for MWSBE participation to be included as a part of its operational activity.

NAI Southern Real Estate has committed an estimated 50% (or \$600,000) of the \$1.2 million CTC annual operating expenses estimate to be contracted out to MWSBE firms and identified the following certified firms to participate:

- A & W Electric (SBE) (Electrical maintenance & repairs)
- A Devine Lock and Key (SBE) (Locks & Keys)
- All Points Waste Service (MBE) (Waste management services; Trash services including compactor)
- Agua Source, LLC (SBE, MBE) (Plumbing repairs & maintenance)
- Crest Construction Corporation (SBE, MBE) (Tile & marble repair)
- Door Specialties, LLC (SBE) (Automatic doors)
- Environmental Service Systems, LLC (MBE) (Janitorial services including pressure washing)
- Joffie Contracting Services, Inc. (SBE) (Window Cleaning)
- McCallum Sales, Inc. (SBE, WBE) (Signs & Neon Signs)
- Mighty Men Property Services (SBE) (Ground maintenance & snow removal)
- Oglesby Contracting Company, Inc. (MBE) (Roof repair & metal refinishing)
- Painting the Carolinas, LLC (WBE) (Painting)

**Fiscal Note**

- Funding: CATS Operating Budget

## 45. CATS Ticket Vending Machine System Support Services

- Action:**
- A. Approve contract amendment #1 with Xerox Transport Solutions, Inc. to provide ticket vending machine system support services for a term of one year, and
  - B. Authorize the City Manager to extend the contact for up to two additional, one-year terms.

**Staff Resource(s):** Dee Pereira, CATS  
Shyry Greene, CATS

### Explanation

- CATS' maintains and operates 39 ticket vending machines (TVM) along the LYNX Blue Line.
- TVMs are one of the primary options for customers to purchase tickets to ride the light rail line and transfer to bus routes.
- On March 16, 2010, the City Manager approved the contract with Xerox Transport Solutions, Inc. (formerly named ACS Transport Solutions, Inc.) for \$88,070.65. The contract provided authority to Xerox to develop, install, and maintain TVM software and hardware to be compliant with payment card industry data security.
- Xerox Transport Solutions, Inc. is the original equipment manufacturer of the TVMs and owns the sole rights to the software including copyright trademark, trade secret, and other intellectual properties in relation to the TVM system.
- CATS seeks City Council approval to renew the contract with Xerox Transport Solutions, Inc. to provide on-going support services for the TVM system.
- The estimated annual expenditure for on-going TVM system support services is \$60,000.

### Charlotte Business INclusion

No subcontracting goal was established for this contract amendment because there are subcontracting opportunities (Part D: Section 6 of the Charlotte Business INclusion Policy.)

### Fiscal Note

- Funding: CATS Operating Budget

## 46. Airport Environmental Services

- Action**
- A. Approve a professional services contract with Landrum & Brown to provide National Environmental Policy Act environmental documentation preparation, review, and oversight for \$495,365,**
  - B. Approve a professional services contract with RS&H to prepare the General Aviation Campus Environmental Assessment for \$146,248, and**
  - C. Adopt a budget ordinance appropriating \$641,613 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

**Staff Resource(s):** Jack Christine, Aviation

### **Explanation**

- Under federal law, the National Environmental Policy Act (NEPA) requires that the Airport prepare environmental studies for development projects that are identified in the Airport Master Plan within the next three years.
- These environmental studies are being prepared in advance of the anticipated Environmental Impact Statement (EIS) that will begin in 2016. The EIS will capture additional capital projects to be built beyond the next three years.
- On August 29, 2014, the Airport advertised a Request for Qualifications and received seven proposals from interested service providers. Three of the seven firms were shortlisted for on-call services: Landrum & Brown, Kimley-Horn, and RS&H.
- The Airport has selected Landrum & Brown and RS&H to prepare environmental studies as required by the Federal Aviation Administration (FAA), under NEPA, for projects on the current Aviation Community Investment Plan program and Master Plan Update based on their experience with airport environmental documentation.
- Aviation staff met with the FAA to determine the required NEPA documentation, and have negotiated the scopes and fees with the consultants accordingly.
- The Aviation Department will seek reimbursement for expenses associated with these contracts through Airport Improvement Program grant funding and Passenger Facility Charge funding.

### **Disadvantaged Business Enterprise**

#### Action A:

The City negotiated subcontracting participation after the proposal selection process. For this contract, Landrum & Brown, Inc. has committed 10.00% (49,536.50) of the total contract amount to the following certified firms:

- Arora Engineers, Inc. (DBE) (\$24,768.25) (land use coordination, data collection, and database management)
- Legacy Research Associates (DBE) (\$24,768.25) (cultural and historic surveys and agency coordination)

#### Action B:

The City negotiated subcontracting participation after the proposal selection process. For this contract, RS&H has committed 6.84% (\$10,000) of the total contract amount to the following certified firm:

- SEPI Engineering and Construction (DBE) (\$10,000) (assessments)

**Fiscal Note**

- Funding: Aviation Community Investment Plan
- The Aviation Department will seek Airport Improvement Program funding for this project

**Attachment 16**

[Budget Ordinance](#)

## 47. Airport Maintenance Hangar Renovations Design

**Action:**

**A. Approve a contract in the amount of \$188,475 to Michael Baker International dba Baker LPA Architects, PC for civil design for additional site work and limited renovation to an existing maintenance hangar, and**

**B. Adopt a budget ordinance appropriating \$188,475 from the Aviation Discretionary Fund to the Aviation Community Investment Plan Fund.**

**Staff Resource(s):** Jack Christine, Aviation

### Explanation

- An aircraft maintenance hangar was built for MESA Airlines, Inc. in 2006.
- American Airlines recently negotiated a contract with PSA Airlines, Inc. for PSA to replace MESA Airlines, Inc. as one of their Express carriers.
- PSA Airlines, Inc. began limited operations in the hangar in December 2014 and has requested a loading dock and an additional 7,500 square feet of hangar space for parts storage and an engine repair shop.
- On February 3, 2014, the Aviation Department issued a Request for Qualifications for architectural and engineering design service; 29 proposals were received from interested service providers and 22 firms were selected for future architectural and engineering design.
- The Aviation Department selected Baker LPA Architects for this project based on their previous experience with hangar design and their rapid delivery of the remote rental car site package, both important considerations for this project.
- American Airlines has agreed to reimburse the Aviation Department for this work prior to moving forward with the design contract.

### Charlotte Business INclusion

Subcontracting goals are not required for this contract, but staff has negotiated subcontracting participation after the proposal selection process (Part C: Section 2.1(h) of the Charlotte Business INclusion Policy). Michael Baker International has committed 5.85% (\$11,026.80) of the total contract amount to the following certified firms:

- CES Group Engineers, LLP (SBE, WBE) (\$8,000) (field topographic surveys)
- On-Spec Engineering, PC (SBE) (\$3,026.80) (geotechnical investigations)

### Fiscal Note

- Funding: Aviation Community Investment Plan
- Funding will be reimbursed by American Airlines

### Attachment 17

[Budget Ordinance](#)

## 48. Airport Passenger Assistance Service Contract

- Action:**
- A. Approve a contract with Prospect Airport Services, Inc. for passenger assistance staffing services for a term of three years, and**
  - B. Authorize the City Manager to extend the contract for up to two additional, one-year terms with possible price adjustments as authorized by the terms of the contract.**

**Staff Resource(s):** Jack Christine, Aviation

### **Explanation**

- The Airport was requested by the Airlines to increase customer services in the Federal Inspection Service (FIS) area. This service is to assist passengers arriving internationally with baggage clearing, queuing, and the automated passport control kiosks.
- On April 15, 2015, the Aviation Department posted a Request for Proposals for Airport passenger assistance services; five companies submitted proposals.
- A selection committee comprised of representatives from the Aviation Department, American Airlines, and Customs and Border Protection Agency selected Prospect Airport Services, Inc. as best meeting the Airport's needs in terms of their experience, staffing plan, and cost.
- The estimated annual amount of this contract is \$800,000.
- The costs of the staffing contract will be recovered by a FIS fee charged to the airlines for each arriving international passenger.

### **Charlotte Business INclusion**

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

### **Fiscal Note**

- Funding: Aviation Operating Budget

## 49. Airport Distributed Antenna System T-Mobile License Agreement

**Action:** Approve a license agreement with T-Mobile South, LLC for the use of the Airport Distributed Antenna System.

**Staff Resource(s):** Brent Cagle, Aviation

### Explanation

- The Distributed Antenna System (DAS) enables wireless carriers to transmit cellular signals through a network of antennas installed in the terminal to provide consistent cellular service to their customers. The DAS was designed to accommodate four wireless carriers.
- In fall 2014, T-Mobile notified that Aviation Department of its interest in entering into a licensing agreement to use the DAS. The Aviation Department negotiated a license agreement with substantially the same terms and conditions as the existing license agreements with AT&T, Verizon, and Sprint.
- Key terms of the license agreements include:
  - A 10-year initial term with two, five-year options;
  - An annual use fee of \$84,872.04 with 3% annual escalations;
  - An annual maintenance fee of \$15,629.16 with 3% annual escalations;
  - A one-time capital contribution in the amount of \$990,270.14, which represents T-Mobile's pro rata share of the capital costs of the DAS installed in the terminal building and all expansions.
- The annual revenues from this license agreement will be deposited in Aviation's general operating fund.

### Background

- On November 28, 2011, the City Council authorized the Aviation Department to execute a contract with Wireless Services to install the DAS in the Airport's terminal building.
- On May 14, 2012, the City Council authorized the Aviation Department to enter into DAS license agreements with AT&T, Verizon, and Sprint.
- In August 2012, the Aviation Department completed installation of the DAS in the terminal building.
- On July 28, 2014, City Council authorized the expansion of the DAS to the recently completed east terminal expansion, terminal areas controlled by Customs and Border Protection, and the rental car facility and hourly parking deck. Installation of these expansions is ongoing.

### Fiscal Note

- Funding: Aviation Operating Budget

## 50. Water Treatment Plants Improvements and Compressed Air System Upgrades

- Action:**
- A. Award a contract in the amount of \$2,725,862.25 to the lowest responsive bidder Dellinger, Inc. for construction services for the Lee S. Dukes Water Treatment Plant and Franklin Water Treatment Plant Improvements, and**
  - B. Award a contract in the amount of \$382,274 to the lowest responsive bidder Lewis Systems & Service Co., Inc. for the purchase and installation of six air compressors.**

**Staff Resource(s):** Barry Shearin, Charlotte Water

### **Explanation**

#### Action A: Improvements Project

- The Franklin Water Treatment Plant and Lee S. Dukes Water Treatment Plant use flow meters of various sizes to control the treatment process as well as measure the amount of water being treated and supplied to the distribution system.
- The improvements project will replace three meters at the Franklin Water Treatment Plant and six at the Lee S. Dukes Water Treatment Plant, which have reached the end of their useful lives.
- The project will also replace the chlorine gas scrubber system and include improvements to one of the clear well tanks to enhance water treatment at the Lee S. Dukes Water Treatment Plant.
- On April 15, 2015, Charlotte Water issued an Invitation to Bid for construction services for Lee S. Dukes Water Treatment Plant and Franklin Water Treatment Plant Improvements; two bids were received from interested service providers.
- On May 14, 2015, Charlotte Water reissued an Invitation to Bid; four bids were received from interested service providers.
- Charlotte Water selected Dellinger, Inc. as the lowest responsive bidder.

#### Action B: Compressed Air System Upgrades

- Both Franklin and Lee S. Dukes Water Treatment Plants have extensive compressed air systems throughout the plants that are used to operate pumps, valves, and instrumentation. These compressor systems have reached the end of their useful lives.
- Replacing the existing systems will reduce maintenance and provide higher reliability for plant operations.
- On April 14, 2015, Charlotte Water issued an Invitation to Bid for compressed air system upgrade for Franklin and Lee S. Dukes Water Treatment Plants; one bid was received from Lewis Systems & Service Co., Inc.

### **Charlotte Business INclusion**

No subcontracting goals were established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

### **Fiscal Note**

- Funding: Charlotte Water Community Investment Plan

### **Attachment 18**

[Map](#)

## 51. Underground Locating Services

- Action:**
- A. Approve a services contract with One Call Concepts Locating Services, Inc. to provide underground locating services for an initial term of three years, and**
  - B. Authorize the City Manager to renew the contract for an additional one-year term.**

**Staff Resource(s):** Barry Shearin, Charlotte Water

### Explanation

- Charlotte Water currently has over 8,000 miles of water and sewer mains that, per the Underground Utility Safety and Damage Prevention Act, must be located underground prior to construction.
- The Underground Damage Prevention Act, effective October 2014, has increased the demands and requirements of City-provided underground locating thus increasing the demand for locating services.
- Locating demands are anticipated to increase as construction and telecom needs increase, and infrastructure updates continue.
- The purpose of these services is to supplement the City's locating requests.
- On May 1, 2015, Charlotte Water issued a Request for Proposals for Charlotte Water, Storm Water, and Transportation to select a vendor to provide underground locating services; three proposals were received from interested service providers.
- Due to the Google Fiber project and increased need to locate facilities, Storm Water and Transportation will also select a vendor to provide locating services. Approval of these contracts will be requested of the City Council at a future date.
- The total expenditures are estimated to be \$4,000,000.

### Charlotte Business INclusion

No subcontracting goal was established because there are no subcontracting opportunities (Part C: Section 2.1(a) of the Charlotte Business INclusion Policy).

### Fiscal Note

- Funding: Charlotte Operating Budget

## 52. Purchase of Magnesium Hydroxide Chemical

**Action:** Award a unit price contract with the lowest responsive bidder Premier Magnesium, LLC for the purchase of Magnesium Hydroxide for the term of one year.

**Staff Resource(s):** Barry Shearin, Charlotte Water

### **Explanation**

- Magnesium Hydroxide is used in wastewater treatment to maintain a consistent pH for completing the biological process.
- Magnesium Hydroxide plays an essential role to ensure water discharged from the wastewater treatment plants is safe for the environment.
- Magnesium Hydroxide has many sources and is manufactured in different ways. Performance standards are required to prevent damage to equipment and to ensure effectiveness of the chemical.
- On April 30, 2015, Charlotte Water issued an Invitation to Bid. Three vendors completed the performance testing and Premier Magnesium, LLC was the only bidder to meet the performance qualifications.
- The annual expenditures are estimated to be \$3.2 million.

### **Charlotte Business INclusion**

No subcontracting goal was established because there are no subcontracting opportunities (Part B: Section 2.3 of the Charlotte Business INclusion Policy).

### **Fiscal Note**

- Funding: Charlotte Water Community Investment Plan

### 53. Resolution to Accept Clean Water State Revolving Fund Loan for the Combined Heat and Power Project

**Action:** Adopt a resolution authorizing the Charlotte Water Director to accept a Clean Water State Revolving Fund program loan for the Combined Heat and Power Project at McAlpine Creek Wastewater Management Facility.

**Staff Resource(s):** Barry Gullet, Charlotte Water

#### Explanation

- On February 24, 2014, the City Council authorized the Charlotte Water Director to sign an application to apply for a Clean Water State Revolving Fund loan, which included money to fund a Combined Heat and Power Project.
- In June of 2014, a Letter of Intent to Fund was received by the City stating that the North Carolina Department of Environment and Natural Resources had selected the Charlotte Water project to be a loan recipient.
- The project qualifies for a rate of 0% for up to 20 years since it falls under the "Green" project category due to renewable energy generation.
- Total construction cost is expected to be approximately \$3.27 million and will be entirely paid for by loan. To date, approximately \$900,000 has been spent on the purchase of the engine.
- The Combined Heat and Power Project will take biogas (methane), which is produced during wastewater treatment, and turn it into power. The anticipated output of this facility is equal to about 16 percent of the current plant use and will be equivalent to about \$300,000 in annual cost.
- On November 25, 2013, the City Council approved a contract for the purchase of the engine and on October 27, 2014 approved a contract for the design of the system.
- The City Council will be asked to award the construction contract for this project in late 2015.
- Staff anticipates the facility to be operational in winter 2016.

#### Fiscal Note

- Funding: Not Applicable

#### Attachment 19

[Map](#)  
[Resolution](#)

## 54. Meeting Minutes

**Action:** Approve the titles, motions, and votes reflected in the Clerk's record as the minutes of:

- April 27, 2015: Business Meeting/Citizen's Forum
- May 04, 2015: Council Workshop/Citizen's Forum
- May 06, 2015: Budget Workshop
- May 11, 2015: Business Meeting/Budget Public Hearing
- May 13, 2015: Budget Adjustments

## PROPERTY TRANSACTIONS

### 55. Sale of Vacant Land on Hamilton Street

**Action:**

**A. Adopt a Resolution proposing to accept the offer from Short Development Group to purchase approximately eight acres of vacant land on Hamilton Street, in the Greenville community (Parcel Identification #109-171-06) for \$70,000, and**

**B. Authorize the advertisement of the proposed sale for upset bids in accordance with the Resolution and authorize the City Manager to execute all documents necessary to complete the sale of the property in accordance with the Resolution.**

**Staff Resource(s):** Tony Korolos, Engineering & Property Management  
Timothy O'Brien, Engineering & Property Management

#### Explanation

- The property is a vacant parcel on Hamilton Street, east of the I-277 corridor, and near Oaklawn Avenue.
- An appraisal of the property established the fair market value at \$70,000.
- The property was listed for sale on the City's website (<http://cityproperties.charlottenc.gov>).
- Short Development Group presented the highest initial offer.
- If City Council approves this action, Short Development Group's offer will be advertised for upset bid based on the following terms:
  - Purchase price of \$70,000,
  - Earnest money deposit of \$3,500,
  - Due diligence period of 60 days,
  - Closing within 30 days after the expiration of the due diligence period, and
  - All non-refundable deposits will be applied to the purchase price.
- If there are upset bids, staff will present the highest final bid to the City Council for approval.
- If there are no upset bids and Short Development Group remains the high bidder, staff will proceed to sell the property.

#### Background

- The property was purchased in December 1911 and in the early 1970s the residential structures were demolished to realign the streets in the community.
- The property is zoned R-5 for single-family residential and consists of approximately 8 acres. However, only 3.5 acres of the site are usable due to its irregular shape and steep grades on the property.
- The parcel was reviewed through the Departmental Polling and Mandatory Referral Processes, no public uses were identified for the property.
- The Planning Committee of the Charlotte Mecklenburg Planning Commission recommended approval to sell the parcel.

#### Attachment 20

[Map](#)  
[Resolution](#)

## 56. Lease of the Greenville and Oaklawn Community Centers

- Action:**
- A. Approve a five-year lease for the Greenville Neighborhood Center located at 1330 Spring Street from Mecklenburg County, and**
  - B. Approve a 10-year lease with Mecklenburg County, with up to five, one-year renewals for 832 Oaklawn Avenue.**

**Staff Resource(s):** Robert Drayton, Engineering & Property Management  
Diego Anselmo, Police

### Explanation

#### Action A

- The lease term is five years from July 1, 2015, through June 30, 2020, with the option of up to five, one-year renewals for \$1.00 per year.
- The City has the ability to terminate the lease with at least 90-days prior notice to Mecklenburg County.
- The City is responsible for all operational and maintenance expenses.
- Mecklenburg County discontinued use of the Greenville Center in September 2010, and the facility was leased by the City for the Charlotte-Mecklenburg Police Department (CMPD).

#### Action B

- The initial lease term is 10 years from July 1, 2015, through June 30, 2025, with up to five, one-year renewal options for \$1.00 per year.
- The City has the ability to terminate the lease with at least 90-days prior notice to Mecklenburg County.
- The CMPD has been using the building since 1997 for youth-related programs.
- The City is responsible for all operational and maintenance expenses.

### Background

- CMPD is using these facilities for the Police Activities League and other partner organizations that provide youth-related services to the community.

### Fiscal Note

- Funding: Rental of Land and Buildings

### Attachment 21

[Map](#)

## 57. Property Transactions

**Action: Approve the following property transaction(s) (A-E) and adopt the condemnation resolution(s) (F).**

- The City has negotiated in good faith to acquire the properties set forth below.
- For acquisitions, the property owner and staff have agreed on a price based on appraisals and/or estimates.
- In the case of condemnations, the value was established by an independent, certified appraisal followed by a third-party appraisal review.
- Real Estate staff diligently attempts to contact all property owners by:
  - Sending introductory letters via regular and certified mail;
  - Making several site visits;
  - Leaving door hangers and business cards;
  - Seeking information from neighbors;
  - Searching the internet;
  - Obtaining title abstracts; and
  - Leaving voice messages.
- For most condemnation cases, City staff and the property owner(s) have been unable to reach a settlement. In some cases, condemnation is necessary to ensure a clear title to the property.
- If the City Council approves the resolutions, the City Attorney's Office will initiate condemnation proceedings. As part of the condemnation process, real estate staff and the City Attorney's Office will continue to negotiate, including court-mandated mediation, in an attempt to resolve the matter. Most condemnation cases are settled by the parties prior to going to court.
- If a settlement cannot be reached, the case will proceed to trial before a judge or jury to determine "just compensation."
- Full text of each resolution is on file with the City Clerk's Office.
- The definition of easement is a right created by grant, reservation, agreement, prescription, or necessary implication, which one has in the land of another, it is either for the benefit of land, such as right to cross A to get to B, or "in gross", such as public utility easement.
- The definition of fee simple is an estate under which the owner is entitled to unrestricted powers to dispose of the property, and which can be left by will or inherited, commonly, synonym for ownership.

## Acquisitions

- A.**     **Project:** Aviation Master Plan  
**Owner(s):** Robert A McDonald & Shirley H McDonald  
**Property Address:** 8013 Douglas Drive  
**Total Parcel Area:** .91 acres  
**Property to be acquired in Fee:** .91 acres in Fee Simple  
**Property to be acquired by Easements:** N/A  
**Structures/Improvements to be impacted:** Single-family Residence  
**Landscaping to be impacted:** Trees and shrubs  
**Zoned:** R-3  
**Use:** Single-family  
**Tax Code:** 141-092-04  
**Purchase Price:** \$170,000  
**Council District:** 3
- B.**     **Project:** Aviation Master Plan  
**Owner(s):** Virginia Winslow Bigham  
**Property Address:** 9416 Snow Ridge Lane  
**Total Parcel Area:** .81 acres  
**Property to be acquired in Fee:** .81 acres in Fee Simple  
**Property to be acquired by Easements:** N/A  
**Structures/Improvements to be impacted:** Single-family  
**Landscaping to be impacted:** Trees and shrubs  
**Zoned:** R-3  
**Use:** Single-family  
**Tax Code:** 141-112-27  
**Purchase Price:** \$219,500  
**Council District:** N/A
- C.**     **Project:** Idlewild Road Booster Station Water Main, Parcel #1 and #2  
**Owner(s):** Charles W. Tull, LLC and R. Read Tull, LLC  
**Property Address:** 6113 Idlewild Road  
**Total Parcel Area:** 259,685 SF  
**Property to be acquired by Easements:** 3,654 sq. ft. (.084 ac.) in Temporary Construction Easement, plus 8,091 sq. ft. (.186 ac.) in Utility Easement  
**Structures/Improvements to be impacted:** None  
**Landscaping to be impacted:** None  
**Zoned:** O-1  
**Use:** Office  
**Tax Code:** 163-032-38 and 163-032-43  
**Purchase Price:** \$62,000  
**Council District:** 5
- D.**     **Project:** Lilly Mill Drainage Improvements, Parcel #10  
**Program:** Flood Control  
**Owner(s):** Travis Zollicoffer  
**Property Address:** 2521 Merrywood Road  
**Total Parcel Area:** 42,353 sq. ft.  
**Property to be acquired by Easements:** 12,586 sq. ft. (.289 ac.) in Storm Drainage Easement, plus 4,703 sq. ft. (.108 ac.) in Sanitary

Sewer Easement, plus 10,019 sq. ft. (.23 ac.) in Temporary Construction Easement

**Structures/Improvements to be impacted:** None

**Landscaping to be impacted:** Trees and various plantings

**Zoned:** R-3

**Use:** Single-family Residential

**Tax Code:** 173-254-07

**Purchase Price:** \$33,100

**Council District:** 6

- E. **Project:** Lyon Court Storm Drainage Improvement Project, Parcel #103  
**Program:** Flood Control  
**Owner(s):** George Patrick Salem  
**Property Address:** 1408 Landis Avenue  
**Total Parcel Area:** 34,817 sq. ft.  
**Property to be acquired by Fee:** 428 sq. ft. (.01 ac.) in Fee Simple within Existing Right-of-Way  
**Property to be acquired by Easements:** plus 14,396 sq. ft. (.33 ac.) in Storm Drainage Easement, plus 3,013 sq. ft. (.069 ac.) in Temporary Construction Easement  
**Structures/Improvements to be impacted:** None  
**Landscaping to be impacted:** Trees  
**Zoned:** 0-2 and R-22MF  
**Use:** Multi-family  
**Tax Code:** 095-071-02  
**Purchase Price:** \$54,000  
**Council District:** 1

## Condemnations

- F. **Project:** Idlewild Road Booster Station Water Main, Parcel #3  
**Owner(s):** Goode Development Corporation and any other parties of interest  
**Property Address:** Monroe Road  
**Total Parcel Area:** 63,937 sq. ft.  
**Property to be acquired by Easements:** 2,129 sq. ft. (.049 ac.) in Temporary Construction Easement  
**Structures/Improvements to be impacted:** None  
**Landscaping to be impacted:** None  
**Zoned:** NS  
**Use:** New Parcel  
**Tax Code:** 191-011-12  
**Appraised Value:** \$1,725  
**Property Owner's Counteroffer:** None  
**Recommendation:** Staff is currently waiting on signed documents, but to avoid delay in the project schedule, recommends proceeding to condemnation during which time negotiations can continue, mediation is available, and if necessary, just compensation can be determined by the court.  
**Council District:** 5

## 58. Reference – Charlotte Business INClusion Policy



The following excerpts from the City's Charlotte Business INClusion Policy are intended to provide further explanation for those agenda items which reference the Charlotte Business INClusion Policy in the business meeting agenda.

### Part A: Administration & Enforcement

**Appendix Section 20: Contract:** For the purposes of establishing an MWSBE subcontracting goal on a Contract, the following are examples of contract types:

- Any agreement through which the City procures services from a Business Enterprise, other than Exempt Contracts.
- Contracts include agreements and purchase orders for (a) construction, re-construction, alteration and remodeling; (b) architectural work, engineering, surveying, testing, construction management and other professional services related to construction; and (c) services of any nature (including but not limited to general consulting and technology-related services) , and (d) apparatus, supplies, goods or equipment.
- The term "Contract" shall also include Exempt Contracts for which an SBE, MBE or WBE Goal has been set.
- Financial Partner Agreements, Development Agreements, and Construction Manager-at-Risk Agreements shall also be deemed "Contracts," but shall be subject to the provisions referenced in the respective Parts of the Charlotte Business INClusion Program Policy.

**Appendix Section 27: Exempt Contracts:** Contracts that fall within one or more of the following categories shall be "Exempt Contracts" from all aspects of the Charlotte Business INClusion Policy, unless the Department responsible for procuring the Contract decides otherwise:

**No Competitive Process Contracts:** Contracts or purchase orders that are entered into without a competitive process, or entered into based on a competitive process administered by an entity other than the City shall be Exempt Contracts, including but not limited to contracts that are entered into by sole sourcing, piggybacking, buying off the North Carolina State contract, buying from a competitive bidding group purchasing program as allowed under G.S. 143-129(e)(3), or using the emergency procurement procedures established by the North Carolina General Statutes.

**Managed Competition Contracts:** Managed competition contracts pursuant to which a City Department or division competes with Business Enterprises to perform a City function shall be Exempt Contracts.

**Real Estate Leasing and Acquisition Contracts:** Contracts for the acquisition or lease of real estate shall be Exempt Contracts.

**Federal Contracts Subject to DBE Requirements:** Contracts that are subject to the U.S. Department of Transportation Disadvantaged Business Enterprise Program as set forth in 49 CFR Part 26 or any successor legislation shall be Exempt Contracts.

**State Contracts Subject to MWBE Requirements:** Contracts for which a minority and women business participation goal is set pursuant to G.S. 143-128.2(a) due to a building project receiving funding from the State of North Carolina shall be Exempt Contracts.

**Financial Partner Agreements with DBE or MWBE Requirements:** Contracts that are subject to a disadvantaged business development program or minority and women business development program maintained by a Financial Partner shall be Exempt Contracts.

**Interlocal Agreements:** Contracts with other units of federal, state, or local government shall be Exempt Contracts.

**Contracts for Legal Services:** Contracts for legal services shall be Exempt Contracts, unless otherwise indicated by the City Attorney.

**Contracts with Waivers:** Contracts for which the SBO Program Manager or the City Manager waives the SBO Program requirements shall be Exempt Contracts (such as when there are no SBE subcontracting opportunities on a Contract).

**Special Exemptions:** Contracts where the Department and the Program Manager agree that the Department had no discretion to hire an SBE (e.g., emergency contracts or contracts for banking or insurance services) shall be Exempt Contracts.

**Appendix Section 35: Informal Contracts:** Contracts and purchase orders through which the City procures services from a Business Enterprise that fall within one of the following two categories:

**Construction Contracts Less Than or Equal To \$500,000:**

**Service and Commodities Contracts That Are Less Than or Equal To \$100,000:**

## **Part B: Formal Construction Bidding**

**Part B: Section 2.1:** When the City Solicitation Documents for a Construction Contract contain an MWSBE Goal, each Bidder must either: (a) meet the MWSBE Goal, or (b) comply with the Good Faith Negotiation and Good Faith Efforts requirements. Failure to do so constitutes grounds for rejection of the Bid. The City Solicitation Documents will contain certain forms that Bidders must complete to document having met these requirements.

### **Part B: Section 2.3: No Goals When There Are No Subcontracting Opportunities.**

The City shall not establish Subcontracting Goals for Contracts where: a) there are no subcontracting opportunities identified for the Contract; or b) there are no SBEs, MBEs or WBEs (as applicable) to perform scopes of work or provide products or services that the City regards as realistic opportunities for subcontracting.

## **Part C: Services Procurement**

**Part C: Section 2.1:** When the City Solicitation Documents for a Service Contract do not contain an SBE Goal, each Proposer must negotiate in good faith with each MWSBE that responds to the Proposer's solicitations and each MWSBE that contacts the Proposer on its own accord. Additionally, the City may negotiate a Committed SBE Goal with the successful Proposer after the Proposal Opening.

**Part C: Section 2.1: No Goal When There Are No MWSBE Subcontracting Opportunities.**

The City shall not establish an MWSBE Goal for Service Contracts where there are no MWSBEs certified to perform the scopes of work that the City regards as realistic opportunities for subcontracting.

**Part D: Post Contract Award Requirements**

**Part D: Section 6: New Subcontractor Opportunities/Additions to Scope, Contract Amendments**

If a Contractor elects to subcontract any portion of a Contract that the Contractor did not previously identify to the City as a subcontracting opportunity, or if the scope of work on a Contract increases for any reason in a manner that creates a new MWSBE subcontracting opportunity, the City shall either:

- Notify the Contractor that there will be no Supplemental MWSBE Goal for the new work;  
or
- Establish and notify the Contractor of a Supplemental MWSBE Goal for the new work.

## 59. Reference – Property Transaction Process

### Property Transaction Process Following Council Approval for Condemnation

The following overview is intended to provide further explanation for the process of property transactions that are approved by City Council for condemnation.

Approximately six weeks of preparatory work is required before the condemnation lawsuit is filed. During this time, City staff continues to negotiate with the property owner in an effort to reach a mutual settlement.

- If a settlement is reached, the condemnation process is stopped, and the property transaction proceeds to a real estate closing.
- If a settlement cannot be reached, the condemnation lawsuit is filed. Even after filing, negotiations continue between the property owner and the City's legal representative. Filing of the condemnation documents allows:
  - The City to gain access and title to the subject property so the capital project can proceed on schedule.
  - The City to deposit the appraised value of the property in an escrow account with the Clerk of Court. These funds may be withdrawn by the property owner immediately upon filing, and at any time thereafter, with the understanding that additional funds transfer may be required at the time of final settlement or at the conclusion of litigation.
- If a condemnation lawsuit is filed, the final trial may not occur for 18 to 24 months; however, a vast majority of the cases settle prior to final trial. The City's condemnation attorney remains actively engaged with the property owner to continue negotiations throughout litigation.
  - North Carolina law requires that all condemnation cases go through formal non-binding mediation, at which an independent certified mediator attempts to facilitate a successful settlement. For the minority of cases that do not settle, the property owner has the right to a trial by judge or jury in order to determine the amount of compensation the property owner will receive.

## **Zoning Committee Statement of Consistency Rezoning Petition 2014-109**

The Zoning Committee found the majority of the proposed land use is found to be consistent with the *Midtown Morehead Cherry Area Plan*; however, the building heights and some of the setbacks and streetscapes are found to be inconsistent the *Midtown Morehead Cherry Area Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends a mixture of residential, office and retail for the majority of the site along South Kings Drive, Baxter Street, Cecil Street, Luther Street and Cherry Street north of the intersection with Main Street; and
- The plan recommends residential uses at eight units per acre for the portion of the site fronting Cherry Street south of Main Street; and
- The plan recommends a height plane of one foot of building height for every ten feet of distance from single family residential zoning; and
- The plan recommends a 24-foot setback along South Kings Drive; and
- The plan recommends on-street parking along South Kings Drive and specifies streetscape improvements for Baxter, Luther, Cherry, and Cecil Streets.

However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because this rezoning will allow:

- A mixed use development; and
- A pedestrian-friendly environment with ground floor commercial facing the Metropolitan development; and
- A height transition to the Cherry neighborhood; and
- The tallest building in the development to be located along South Kings Drive approximately 230 feet away from Cherry Street, and separated by office uses from the single family neighborhood; and
- The proposed parking structure to be screened by the townhomes on Cherry Street.

**Note: The petitioner is requesting a one-week deferral of the decision due to a valid protest petition and the lack of a full Council being present at the meeting on June 15, 2015.**

<b>REQUEST</b>	Current Zoning: UR-C(CD) (PED) (urban residential - commercial, conditional, pedestrian overlay), B-1 (PED) (neighborhood business, pedestrian overlay) and R-8 (single family residential) Proposed Zoning: B-2 (PED-O) (general business, pedestrian overlay, optional), UR-C (PED-O) (urban residential – commercial, pedestrian overlay, optional) and R-8MF (PED-O) (multi-family residential, pedestrian overlay, optional), with five-year vested rights
<b>LOCATION</b>	Approximately 1.99 acres located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow a mixed use development including a 275,000-square foot building, a 221,000-square foot parking structure with up to 7,000 square feet of commercial uses on the street level, and up to eight single family attached dwelling units.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Midtown Area Partners II, LLC and Stonehunt, LLC Midtown Area Partners II, LLC John Carmichael, Robinson Bradshaw & Hinson, P.A.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6
<b>STATEMENT OF CONSISTENCY</b>	<p>The majority of the proposed land use is found to be consistent with the <i>Midtown Morehead Cherry Area Plan</i>; however, the building heights and some of the setbacks and streetscapes are found to be inconsistent the <i>Midtown Morehead Cherry Area Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends a mixture of residential, office and retail for the majority of the site along South Kings Drive, Baxter Street, Cecil Street, Luther Street and Cherry Street north of the intersection with Main Street; and</li> <li>• The plan recommends residential uses at eight units per acre for the portion of the site fronting Cherry Street south of Main Street; and</li> <li>• The plan recommends a height plane of one foot of building height for every ten feet of distance from single family residential zoning; and</li> <li>• The plan recommends a 24-foot setback along South Kings Drive; and</li> <li>• The plan recommends on-street parking along South Kings Drive and specifies streetscape improvements for Baxter, Luther, Cherry, and Cecil Streets.</li> </ul> <p>Therefore, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because this rezoning will allow:</p> <ul style="list-style-type: none"> <li>• A mixed use development; and</li> <li>• A pedestrian-friendly environment with ground floor commercial facing the Metropolitan development; and</li> <li>• A height transition to the Cherry neighborhood; and</li> <li>• The tallest building in the development to be located along South Kings Drive approximately 230 feet away from Cherry Street, and separated by office uses from the single family neighborhood; and</li> <li>• The proposed parking structure to be screened by the townhomes</li> </ul>

on Cherry Street;

By a 5-0 vote of the Zoning Committee (motion by Commissioner Labovitz seconded by Commissioner Walker).

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 5-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. Amended the graphics on Sheet RZ1.7 for Section B to accurately reflect the pedestrian overlay height planes as required by the Zoning Ordinance and amended all the graphics on Sheet RZ1.7 so that they are to scale.</li> <li>2. Amended the street wall elevations on Sheet RZ1.8 to accurately reflect the Area C conceptual site plan.</li> <li>3. Provided metes and bounds of the proposed zoning boundaries.</li> <li>4. Staff has rescinded the request to eliminate Optional Provision H if Cecil Street is converted to a private street not required by the Subdivision Ordinance.</li> <li>5. Staff has rescinded the request to amend Optional Provision K to replace Cecil Street with Baxter Street if Cecil Street is converted to a private street not required by the Subdivision Ordinance. Staff rescinded this request because the proposed abandonment will not take place prior to City Council decision.</li> <li>6. Clarified the width of the sidewalk along Kings Drive in front of Development Area B.</li> <li>7. Specified that primary entrances will be oriented to and at street grade along South Kings Drive for uses along the street level of Areas A and B.</li> <li>8. Removed existing zoning boundaries within the project area on Sheet RZ 1.1.</li> <li>9. Highlighted the rezoning site boundary on Sheet RZ1.1.</li> <li>10. Labeled the zoning boundary lines on Sheet RZ1.1.</li> <li>11. Provided information in the development data table related to the percentage of open space provided.</li> <li>12. Added an optional request opting out of providing the ten-foot buffer along a portion of the southern boundary of the site and deleted Setback and yards/streetscape/buffer Note D.</li> <li>13. Specified architectural details for the screen wall along Cecil Street.</li> <li>14. Provided more detailed commitments for the treatment of blank walls above the minimum PED (pedestrian overlay) requirements.</li> <li>15. Clarified the height for Development Area C in Architectural Standards and Design Note C.</li> <li>16. Adjusted the graphics on Sheets RZ1.7 and 1.8 to match and accurately represent the proposed height.</li> <li>17. Added an optional provision allowing the buildings in Area C to have a maximum height of 48 feet.</li> <li>18. Added planters as one of the potential amenities provided in the setback along South Kings Drive.</li> <li>19. Added an optional provision to not require side and rear yards along the site's southern boundary line.</li> <li>20. Specified that in the event Cecil Street is abandoned and converted to a private street, a public access easement shall be provided to allow travel between Baxter and Luther Streets.</li> </ol>
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**VOTE**

Motion/Second:	Labovitz/Walker
Yeas:	Dodson, Eschert, Labovitz, Sullivan, and Walker
Nays:	None
Absent:	None
Recused:	Nelson, Ryan

**ZONING COMMITTEE DISCUSSION**

Staff presented the petition to the Zoning Committee. There was no further discussion.

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**STAFF OPINION**Staff agrees with the recommendation of the Zoning Committee.

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**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))**PLANNING STAFF REVIEW****• Background**

- Petition 2005-060 rezoned the portion of the site located between South Kings Drive and Cecil Street from B-1 (neighborhood business) to UR-C(CD) (urban residential, conditional) to allow up to 12,000 square feet of retail and restaurant uses and associated surface and structured parking as part of the Metropolitan development plan.
- Petition 2012-050 established PED (pedestrian overlay district) zoning over a majority of the site excluding a 0.207 acre portion facing Cherry Street south of the intersection of Cherry Street and Main Street.

**• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Divides the site into three development areas (A, B, and C).
- Establishes the pedestrian overlay on the portion of the site currently zoned R-8 (single family).
- Permitted uses, except as noted below, include single family attached dwelling units, multi-family dwellings, planned multi-family dwelling units, dwellings mixed use, eating/drinking/entertainment establishments Type 1 and 2, hotels, art galleries, colleges/universities/commercial/trade schools, business and general offices, retail sales, service uses, private postal services, studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths and jewelry designers.
- Development Area A – proposed zoning to B-2 (PED-O) (general business, pedestrian overlay, optional):
  - Allows a maximum of 275,000 square feet of building area.
  - Maximum building height of 119 feet.
  - Multi-family residential limited to 300 units.
  - Maximum of 225 hotel rooms.
  - Requires ground floor uses located in the building to be devoted to non-residential uses with primary entrances oriented to and at street grade of South Kings Drive.
  - Prohibits single family attached dwelling units.
- Development Area B – proposed zoning to UR-C (PED-O) (urban residential - commercial, pedestrian overlay, optional):
  - Allows a 221,000-square foot structured parking facility and up to 7,000 square feet of ground floor nonresidential uses facing South Kings Drive.
  - Maximum building height of 81 feet along South Kings Drive and 64 feet adjacent to single family zoning.
  - Prohibits residential dwellings, hotels, colleges/universities/commercial and trade schools, and private postal services.
  - Uses on the ground floor or street level of the structured parking facility may only be devoted to nonresidential uses with primary entrances oriented to and at street grade of South Kings Drive. The remaining portions may only be devoted to the structured parking facility.
- Development Area C – proposed zoning to R-8MF (PED-O) (multi-family residential, pedestrian overlay, optional):
  - Allows up to eight single family attached dwelling units and associated accessory uses.
  - Requires the dwelling units to be constructed prior to the issuance of a Certificate of Occupancy for the parking structure.
  - Dwelling units are required to be constructed along the frontage on Cherry Street adjacent to the structured parking facility, in order to provide a residential edge.
  - Dwelling units will only have pedestrian access to Cherry Street. No vehicular access will be allowed to Cherry Street.
  - Provides conceptual site plan and elevations for the proposed dwelling units.
  - Maximum height of the single family attached dwelling units is limited to 48 feet along Cherry Street.
- Abandonment of Cecil Street right-of-way (after the zoning decision) which would be converted into a private drive providing access to adjacent parcels and the parking structure.

- Direct vehicular access between Baxter Street and Luther Street via the proposed private drive (formerly Cecil Street) through the parking structure on Development Area B.
- Vehicular access (ingress/egress) to site via Luther Street.
- Pedestrian stair access from South Kings Drive to private drive.
- Preserves the existing CATS bus stop on South Kings Drive.
- Specifies that tree grates, seat walls, planters and other pedestrian amenities and features may be provided in the setback along the site's frontage on South Kings Drive.
- Provides 15,858 square feet of open space.
- Provides building perspectives, elevations, and site cross sections.
- Provides commitments for the screen wall along Cecil Street and increased glazing along Baxter Street to address blank walls.
- Limits height of freestanding lighting to 20 feet.
- Requests the following optional provisions:
  1. Allow the maximum height of the building located in Development Area A to be increased from 69 feet to 119 feet. The plan recommends a height plane of one foot of building height increase per ten feet of distance from single family residential zoning. This option represents about a 50-foot increase in the allowed height nearest to the single family zoning.
  2. Allow the maximum height of the structured parking facility to range from 64 feet to 81 feet. The plan recommends a height plane of one foot of building height increase per ten feet of distance from the single family zoning on the parcel to the south and one foot of height per ten feet of distance from the building setback along Cherry Street. This optional request represents a 24-foot increase in the allowed height along Cherry Street and a ten-foot increase at the single family zoning boundary to the south.
  3. Allow the single family attached dwelling units to have a maximum height of 48 feet. This optional request represents an eight-foot increase in the allowed height along Cherry Street.
  4. Eliminate the requirement for on-street parking along South Kings Drive as recommended by the plan. This is needed to accommodate the existing bus stop on Kings Drive.
  5. Allow a 24-foot setback along South Kings Drive for the first floor of the proposed building in Development Area A and a 16-foot setback for all other floors of the building. The plan recommends a building setback of 24 feet along South Kings Drive.
  6. Allow structural support columns for buildings in Area A to be located within the setback; however, they must be a minimum of 16 feet from the back of the existing curb.
  7. Allow a 22-foot setback along South Kings Drive for the proposed structured parking facility in Development Area B. The plan recommends a building setback of 24 feet along South Kings Drive.
  8. Allow the setback, planting strip and sidewalk along the site's frontage on Luther Street as depicted on the rezoning plan on sheet RZ1.1. The rezoning plan shows a 16-foot setback near the intersection of Luther Street and Cherry Street that increases in width towards South Kings Drive and a six-foot sidewalk and eight-foot planting strip with a one foot utility zone near the intersection of Luther Street and Cherry Street that increases in width towards South Kings Drive. The plan recommends a building setback of 16 feet with an eight-foot planting strip, six-foot sidewalk, and two-foot utility zone.
  9. Allow the setback, planting strip and sidewalk located along the site's frontage on Cecil Street as depicted on the rezoning plan. The rezoning plan shows a six-foot walk and eight-foot planting strip for a portion of the frontage and an eight-foot, six-inch back of curb sidewalk along the building edge.
  10. Allow an eight-foot planting strip and an eight-foot sidewalk along the site's frontage on Baxter Street rather than an eight-foot planting strip, six-foot sidewalk and two-foot utility zone.
  11. Reduce the off-street parking requirement for eating/drinking/entertainment establishments (Type 1 and Type 2) from one space per 125 square feet of area to one space per 600 square feet of area.
  12. Allow surface parking and vehicular maneuvering areas to be permitted between the building in Development Area A and Cecil Street and Baxter Street as depicted on the rezoning plan.
  13. Eliminate the requirement for roof line variation every 30 feet for the structured parking facility to be located in Development Area B, and a roof line variation every 30 feet for the single family attached dwelling units to be located in Development Area C.
  14. Allow tree grates, seat walls, planters and other pedestrian amenities and features to be provided in the setback along the site's frontage on South Kings Drive.
  15. Eliminate the ten-foot buffer required along the relevant portions of the site's southern boundary.
  16. Eliminate the side and rear yard requirements along the site's southern boundary line.
- **Public Plans and Policies**

- The *Midtown Morehead Cherry Area Plan* (2012) recommends a mixture of residential, office and retail for the majority of the site along South Kings Drive, Baxter Street, Cecil Street, Luther Street and Cherry Street north of the intersection with Main Street. The plan recommends residential uses at eight units per acre for the portion of the site fronting Cherry Street south of Main Street
  - The area plan recommends that as areas redevelop on the east side of South Kings Drive, a pedestrian-friendly environment with activation of buildings at street level should be provided.
  - The site plan diverges from the recommendations of the *Midtown Morehead Cherry Area Plan* and pedestrian overlay standards in regards to building heights, setbacks, streetscapes, and residential density along Cherry Street south of Main Street. Additionally, the parking structure encroaches into a portion of the area recommended for residential use.
  - The petition is inconsistent with the adopted plan design recommendations for the following items:
    - The proposed building height for Area A is, at one point, a 50-foot increase above the height recommended by the plan.
    - The proposed building height for Area B is a 24-foot increase above the allowed height along Cherry Street and a ten-foot increase at the single family zoning boundary to the south.
    - The plan recommends a 24-foot setback along South Kings Drive. The petition is proposing a setback of 24 feet at the ground floor, reduced to 16 feet for upper floors for Development Area A and a 22-foot setback for Development Area B.
    - The plan recommends recessed on-street parking, an eight-foot curbed planter, and an eight-foot sidewalk along South Kings Drive. The rezoning proposes no on-street parking, an eight-foot planting strip, and a 20-foot sidewalk for Development Area A and an eight-foot planting strip and a 14-foot sidewalk for Development Area B. The sidewalk and planting strip along Kings Drive vary for Development Area B.
    - The plan recommends an eight-foot planting strip and a six-foot sidewalk with a two-foot utility zone along Baxter Street. The petition proposed an eight-foot planting strip and an eight-foot sidewalk.
    - The plan recommends setbacks along Cherry Street outside of the pedestrian overlay to comply with the Zoning Ordinance. The Zoning Ordinance requires a setback of 32 feet, which is greater than setbacks of the nearby homes on the street. The petition proposes a voluntary expansion of the pedestrian overlay and provides a setback of 16 feet along Cherry Street as recommend in the plan for cross streets.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** No issues.
  - **Charlotte Fire Department:** No comments received.
  - **Charlotte-Mecklenburg Schools:** No comments received.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte Water:** No issues.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
  - **Urban Forestry:** No issues.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
  - Facilitates the use of alternative modes of transportation by preserving an existing CATS bus stop, and providing an improved pedestrian experience through the site and along South Kings Drive with the provision of wide sidewalks.

**OUTSTANDING ISSUES**

- No issues.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** John Kinley (704) 336-8311

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<b>REQUEST</b>	<p>Current Zoning: UR-C(CD) (PED) (urban residential - commercial, conditional, pedestrian overlay), B-1 (PED) (neighborhood business, pedestrian overlay) and R-8 (single family residential)</p> <p>Proposed Zoning: B-2 (PED-O) (general business, pedestrian overlay, optional), UR-C (PED-O) (urban residential - commercial, pedestrian overlay, optional) and R-8MF (PED-O) (multi-family residential, pedestrian overlay, optional) with five-year vested rights</p>
<b>LOCATION</b>	<p>Approximately 1.99 acres located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street. (Council District 1 - Kinsey)</p>
<b>SUMMARY OF PETITION</b>	<p>The petition proposes to allow a mixed use development including a 270,000-square foot building, a 187,450-square foot parking structure with up to 4,600 square feet of commercial uses on the street level, and up to eight single family attached dwelling units.</p>
<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues. The majority of the site is consistent with the <i>Midtown Morehead Cherry Area Plan</i> land use recommendations; however, the proposed development is inconsistent with the plan recommendation for a portion of the building height and some of the proposed streetscapes. The land use for the 0.207 acre portion of the property, which is zoned R-8 (single family residential), is inconsistent with both the land use recommendations and the density recommended by the <i>Midtown Morehead Cherry Area Plan</i>.</p> <p>Although some elements of the proposal are inconsistent with the recommendations of the <i>Midtown Morehead Area Plan</i>, overall the proposal is consistent with the intent of the plan to promote a mixed use, pedestrian-friendly environment facing the Metropolitan development, while providing a height transition to the Cherry neighborhood.</p> <p>The tallest building in this new development will be located along Kings Drive, and will have nonresidential uses with primary street level access to such uses along the entire Kings Drive frontage. This building, which exceeds the plan height recommendation, is located approximately 230 feet from Cherry Street and is separated from the Cherry neighborhood by an office use. The topography of the site slopes down from Cherry Street to South Kings Drive by approximately 20 feet and the increase in building height is located on the lower portion of the site. The separation from the neighborhood and the topography minimizes the impact on the neighborhood. Townhomes units along Cherry Street are used to screen the proposed parking structure from the homes in the Cherry neighborhood as another means of providing a transition between the commercial development along Kings Drive and the Cherry neighborhood.</p>
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	<p>Midtown Area Partners II, LLC and Stonehunt, LLC Midtown Area Partners II, LLC John Carmichael, Robinson Bradshaw &amp; Hinson, P.A.</p>
<b>COMMUNITY MEETING</b>	<p>Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6</p>

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**PLANNING STAFF REVIEW****• Background**

- Petition 2005-060 rezoned the portion of the site located between South Kings Drive and Cecil Street from B-1 (neighborhood business) to UR-C(CD) (urban residential, conditional) to allow up to 12,000 square feet of retail and restaurant uses and associated surface and structural parking as part of the Metropolitan development plan.
- Petition 2012-050 established PED (pedestrian overlay district) zoning over a majority of the site excluding a 0.207 acre portion facing Cherry Street south of the intersection of Cherry Street and Main Street.

**• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Divides the site into three development areas (A, B, and C).
- Establishes the pedestrian overlay on the portion of the site currently zoned R-8 (single family).
- Permitted uses, except as noted below, include single family attached dwelling units, multi-family dwellings, planned multi-family dwelling units, dwellings mixed use, eating/drinking/entertainment establishments Type 1 and 2, hotels, art galleries, colleges/universities/commercial/trade schools, business and general offices, retail sales, service uses, private postal services, studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths and jewelry designers.
- Development Area A – proposed zoning to B-2 (PED-O) (general business, pedestrian overlay, optional):
  - Allows a maximum of 275,000 square feet of building area.
  - Maximum building height of 119 feet.
  - Multi-family residential limited to 300 units.
  - Maximum of 225 hotel rooms.
  - Requires ground floor uses located in the building to be devoted to non-residential uses with primary street level access.
  - Prohibits single family attached dwelling units.
- Development Area B – proposed zoning to UR-C (PED-O) (urban residential - commercial, pedestrian overlay, optional):
  - Allows a 221,000-square foot structured parking facility and up to 7,000 square feet of ground floor nonresidential uses facing South Kings Drive.
  - Maximum building height of 81 feet along South Kings Drive and 64 feet adjacent to single family zoning.
  - Prohibits residential dwellings, hotels, colleges/universities/commercial and trade schools, and private postal services.
  - Uses on the ground floor or street level of the structured parking facility may only be devoted to nonresidential uses with primary street level access to such uses. The remaining portions may only be devoted to the structured parking facility.
- Development Area C – proposed zoning to R-8MF(PED-O) (multi-family residential, pedestrian overlay, optional):
  - Allows up to eight single family attached dwelling units and associated accessory uses.
  - Requires the dwelling units to be constructed prior to the issuance of a Certificate of Occupancy for the parking structure.
  - Dwelling units are required to be constructed along the frontage on Cherry Street adjacent to the structured parking facility, in order to provide a residential edge.
  - Dwelling units will only have pedestrian access to Cherry Street. No vehicular access to Cherry Street.
  - Provides conceptual site plan and elevations for the proposed dwelling units.
  - Maximum height of the single family attached dwelling units is limited to 40 feet along Cherry Street.
- Abandonment of Cecil Street right-of-way after the decision, which would be converted into a private drive providing access to adjacent parcels and the parking structure.
- Direct vehicular access between Baxter Street and Luther Street via the proposed private drive (formerly Cecil Street) through the parking structure on Development Area B.
- Vehicular access (ingress/egress) to site via Luther Street.
- Pedestrian stair access from South Kings Drive to private drive.
- Preserves the existing CATS bus stop on South Kings Drive.
- Specifies that tree grates, seat walls and other pedestrian amenities and features may be provided in the setback along the site's frontage on South Kings Drive.
- Provides building perspectives, elevations, and site cross sections.

- Limits height of freestanding lighting to 20 feet.
- Requests the following optional provisions:
  1. Allow the maximum height of the building located in Development Area A to be increased from 69 feet to 119 feet. The plan recommends a height plane of one foot of building height increase per ten feet of distance from single family residential zoning. This option represents about a 50-foot increase in the allowed height nearest to the single family zoning.
  2. Allow the maximum height of the structured parking facility to range from 64 feet to 81 feet. The plan recommends a height plane of one foot of building height increase per ten feet of distance from the single family zoning on the parcel to the south and one foot of height per ten feet of distance from the building setback along Cherry Street. This optional request represents a 24-foot increase in the allowed height along Cherry Street and a ten-foot increase at the single family zoning boundary to the south.
  3. Eliminate the requirement for on-street parking along South Kings Drive as recommended by the plan. This is needed to accommodate the existing bus stop on Kings Drive.
  4. Allow a 24-foot setback along South Kings Drive for the first floor of the proposed building in Development Area A and a 16-foot setback for all other floors of the building. The plan recommends a building setback of 24 feet along South Kings Drive.
  5. Allow structural support columns for buildings in Area A to be located within the setback; however, they must be a minimum of 16 feet from the back of the existing curb.
  6. Allow a 22-foot setback along South Kings Drive for the proposed structured parking facility in Development Area B. The plan recommends a building setback of 24 feet along South Kings Drive.
  7. Allow the setback, planting strip and sidewalk along the site's frontage on Luther Street as depicted on the rezoning plan on sheet RZ1.1. The rezoning plan shows a 16-foot setback near the intersection of Luther Street and Cherry Street that increases in width towards South Kings Drive and a six-foot sidewalk and eight-foot planting strip with a one foot utility zone near the intersection of Luther Street and Cherry Street that increases in width towards South Kings Drive. The plan recommends a building setback of 16 feet with an eight-foot planting strip, six-foot sidewalk, and two-foot utility zone.
  8. Allow a setback, planting strip and sidewalk located along the site's frontage on Cecil Street as depicted on the rezoning plan. The rezoning plan shows a six-foot walk and eight-foot planting strip for a portion of the frontage and an eight-foot, six-inch back of curb sidewalk along the building edge.
  9. Allow an eight-foot planting strip and an eight-foot sidewalk along the site's frontage on Baxter Street rather than an eight-foot planting strip, six-foot sidewalk and two-foot utility zone.
  10. Reduce the off-street parking requirement for eating/drinking/entertainment establishments (Type 1 and Type 2) from one space per 125 square feet of area to one space per 600 square feet of area.
  11. Allow surface parking and vehicular maneuvering areas to be permitted between the building in Development Area A and Cecil Street and Baxter Street as depicted on the rezoning plan.
  12. Eliminate the requirement for roof line variation every 30 feet for the structured parking facility to be located on Development Area B, and a roof line variation every 30 feet for the single family attached dwelling units to be located on Development Area C.
  13. Allow tree grates, seat walls and other pedestrian amenities and features to be provided in the setback along the site's frontage on South Kings Drive.
- **Existing Zoning and Land Use**
  - The majority of the site is used for surface parking and a portion of the site contains two single family homes.
  - The property surrounding the site is zoned a mixture of B-1 (PED) (neighborhood business, pedestrian overlay), R-22MF (multi-family residential), R-8 (single family residential), O-2(CD) (PED) (office, conditional, pedestrian overlay), UR-C(CD) (PED) (urban residential – commercial, conditional, pedestrian overlay) and MUDD-O (mixed use development, optional) and is used for a mixture of single family residential, multi-family residential, commercial, office and institutional uses.
- **Rezoning History in Area**
  - A number of rezonings have taken place in the surrounding area to accommodate infill development and redevelopment for commercial and residential uses.
- **Public Plans and Policies**
  - The *Midtown Morehead Cherry Area Plan* (2012) recommends a mixture of residential, office and retail for the majority of the site along South Kings Drive, Baxter Street, Cecil Street, Luther Street and Cherry Street north of the intersection with Main Street. The plan recommends

residential uses at eight units per acre for the portion of the site fronting Cherry Street south of Main Street.

- The area plan recommends that as areas redevelop on the east side of South Kings Drive, a pedestrian-friendly environment with activation of buildings at street level should be provided.
- The site plan diverges from the recommendations of the *Midtown Morehead Cherry Area Plan* and pedestrian overlay standards in regards to building heights, setbacks, streetscapes, and residential density along Cherry Street south of Main Street. Additionally, the parking structure encroaches into a portion of the area recommended for residential use.
- The petition is inconsistent with the adopted plan design recommendations for the following items:
  - The proposed building height for Area A is, at one point, a 50-foot increase above the height recommended by the plan.
  - The proposed building height for Area B is a 24-foot increase above the allowed height along Cherry Street and a ten-foot increase at the single family zoning boundary to the south.
  - The plan recommends a 24-foot setback along South Kings Drive. The petition is proposing a setback of 24 feet at the ground floor, reduced to 16 feet for upper floors for Development Area A and a 22-foot setback for Development Area B.
  - The plan recommends recessed on-street parking, an eight-foot curbed planter, and an eight-foot sidewalk along South Kings Drive. The rezoning proposes no on-street parking, an eight-foot planting strip, and a 20-foot sidewalk for Development Area A and an eight-foot planting strip and a 14-foot sidewalk for Development Area B. The sidewalk and planting strip along Kings Drive varies for Development Area B.
  - The plan recommends an eight-foot planting strip and a six-foot sidewalk with a two-foot utility zone along Baxter Street. The petition proposed an eight-foot planting strip and an eight-foot sidewalk.
  - The plan recommends setbacks along Cherry Street outside of the pedestrian overlay to comply with the Zoning Ordinance. The Zoning Ordinance requires a setback of 32 feet, which is greater than setbacks of the nearby homes on the street. The petition proposes a voluntary expansion of the pedestrian overlay and provides a setback of 16 feet along Cherry Street as recommend in the plan for cross streets.

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#### DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
  - **Vehicle Trip Generation:**  
Current Zoning: 1,900 trips per day.  
Proposed Zoning: 3,000 trips per day.
  - **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Urban Forestry:** No issues.

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#### ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
  - Facilitates the use of alternative modes of transportation by preserving an existing CATS bus stop, and providing an improved pedestrian experience through the site and along South Kings Drive with the provision of wide sidewalks.

- Minimizes impacts to the natural environment by building on an infill lot.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Amend the graphics on sheet RZ1.7 for Section B to accurately reflect the pedestrian overlay height planes as required by the Zoning Ordinance and amend all the graphics on sheet RZ1.7 so that they are to scale.
    2. Amend the street wall elevations on sheet RZ1.8 to accurately reflect the Area C conceptual site plan.
    3. Provide metes and bounds of the proposed zoning boundaries.
    4. Eliminate Optional Provision H if Cecil Street is converted to a private street not required by the Subdivision Ordinance.
    5. Amend Optional Provision K to replace Cecil Street with Baxter Street if Cecil Street is converted to a private street not required by the Subdivision Ordinance.
    6. Clarify the width of the sidewalk along Kings Drive in front of Development Area B.
    7. Specify that primary entrances will be oriented to and at street grade along South Kings Drive for uses along the street level of Areas A and B.
    8. Remove existing zoning boundaries within the project area on sheet RZ 1.1.
    9. Highlight the rezoning site boundary on Sheet RZ1.1.
    10. Label the zoning boundary lines on Sheet RZ1.1.
    11. Provide a note or information in the development data table related to the percentage of open space provided.
    12. Show the ten-foot buffer to be provided along a portion of the southern boundary of the site according to Setback and yards/streetscape/buffer Note D.
    13. Specify architectural details for the screen wall along Cecil Street.
    14. Provide more detailed commitments for the treatment of blank walls above the minimum PED (pedestrian overlay) requirements.
    15. Clarify the height for Development Area C in Architectural Standards and Design Note C. Adjust the graphics on sheets RZ1.7 and 1.8 to match and accurately represent the proposed height.
- 

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

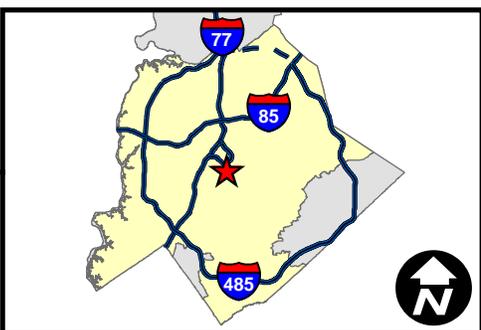
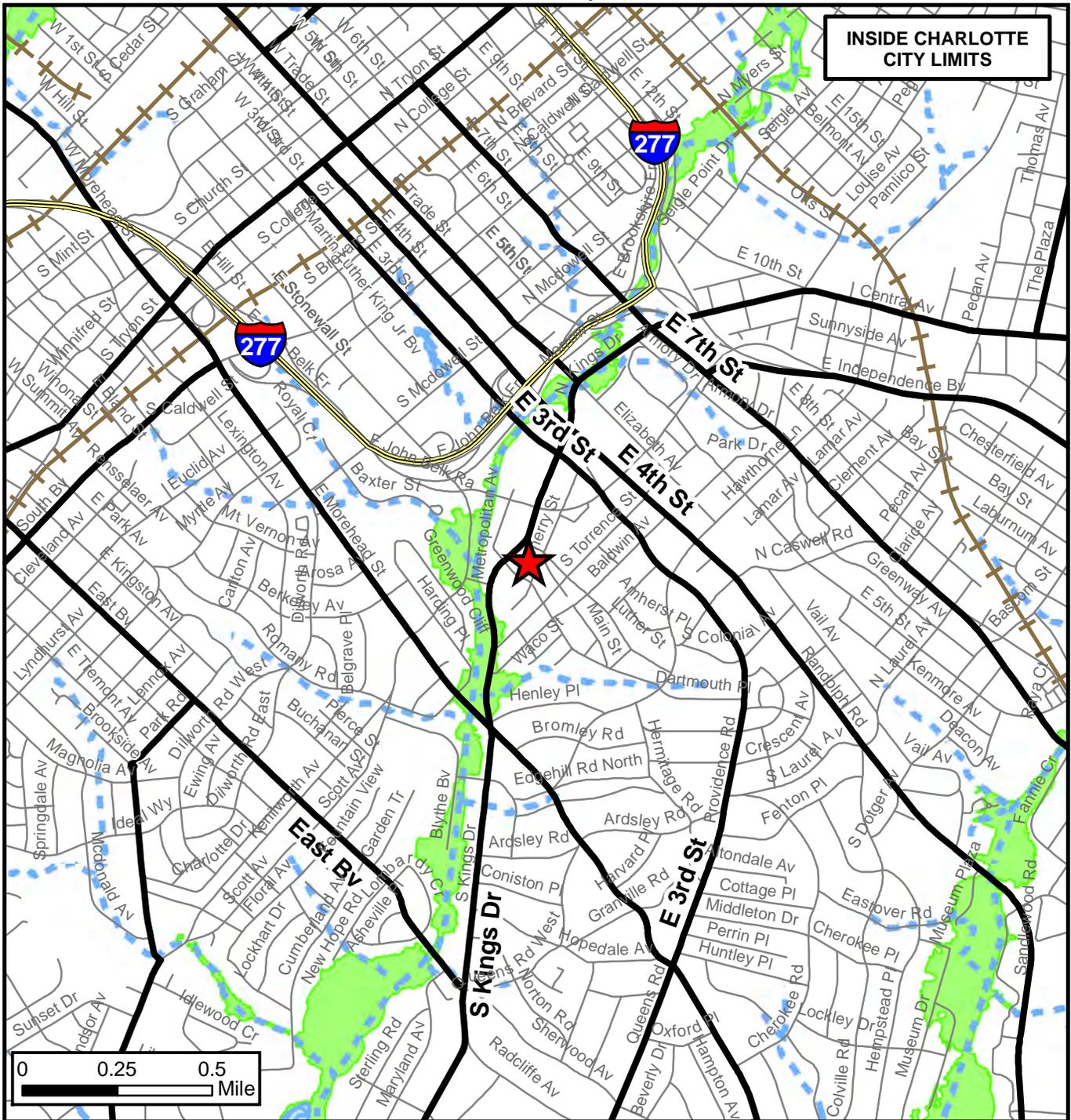
- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** John Kinley (704) 336-8311

Petition #: **2014-109**

# Vicinity Map

**Acreage & Location :** Approximately 1.99 acres located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street.



**★ Rezoning Petition: 2014-109**

- Major Roads
- Collector Roads
- Charlotte City Limits
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams

Petition #: **2014-109**

Petitioner: **Midtown Area Partners II, LLC**

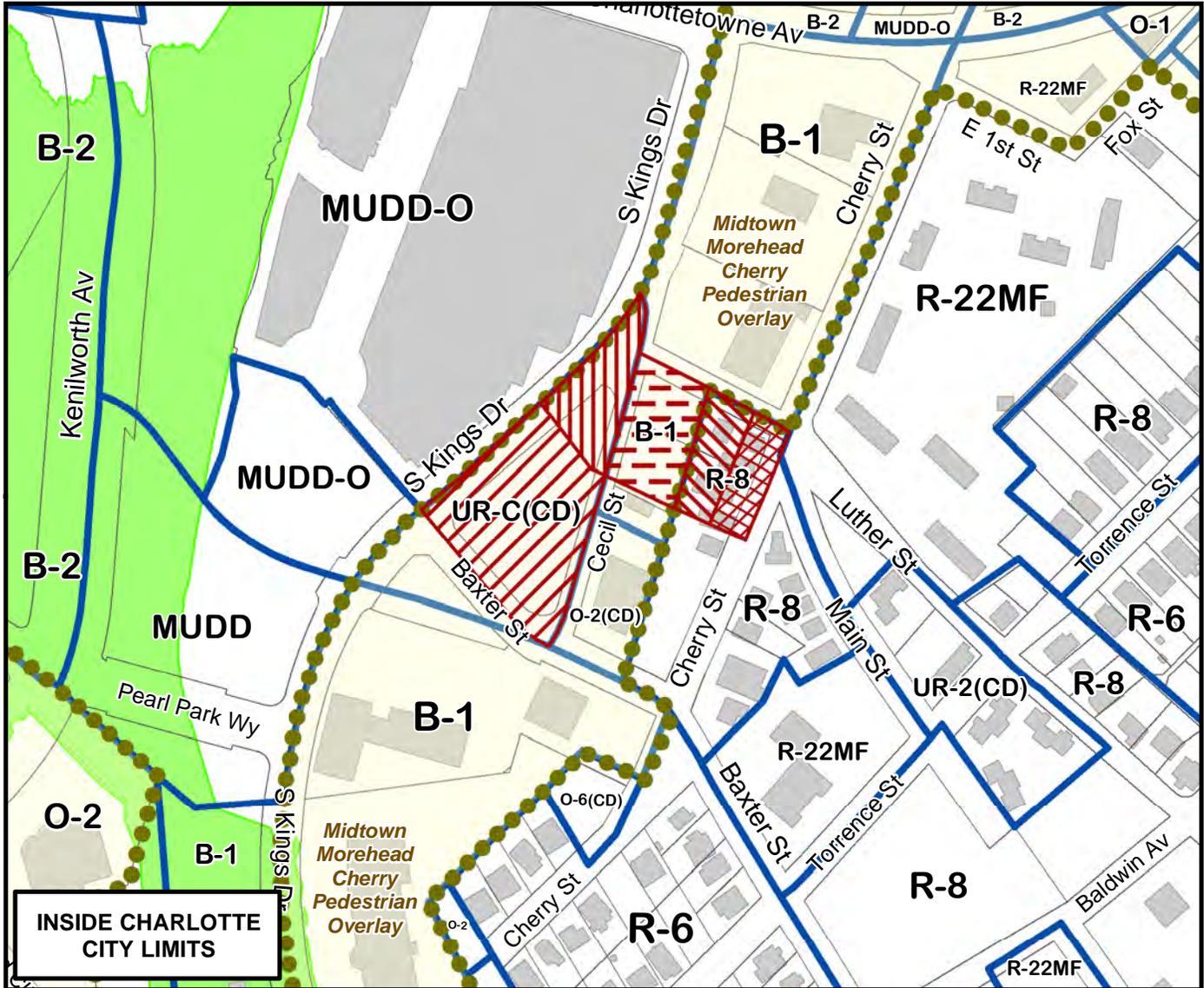
Zoning Classification (Existing): **R-8, UR-C(CD)(PED), & B-1(PED)**

(Single Family, Residential; Urban Residential, Commercial, Conditional, Pedestrian Overlay District; and Neighborhood Business, Pedestrian Overlay District)

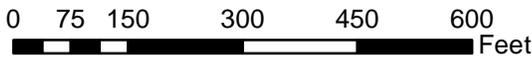
Zoning Classification (Requested): **B-2(PED-O), UR-C(PED-O), & R-8MF(PED-O) All with 5-Year Vested Rights**

(General Business, Pedestrian Overlay District, Optional, Five Year Vested Rights; Urban Residential, Commercial, Pedestrian Overlay District, Optional, Five Year Vested Rights; and Multi-Family, Residential, Pedestrian Overlay District, Optional, Five Year Vested Rights)

Acreage & Location: Approximately 1.99 acres located on the northeast corner of the intersection of Baxter Street and South Kings Drive and the south side of Luther Street between Cecil Street and Cherry Street.



Map Produced by theCharlotte-Mecklenburg Planning Department, 3-4-2015.



Zoning Map #(s)  
**102, 111**

- Requested R-8MF(PED-O) 5-Year Vested Rights from R-8
- Requested UR-C(PED-O) 5-Year Vested Rights from R-8
- Requested UR-C(PED-O) 5-Year Vested Rights from B-1(PED)
- Requested UR-C(PED-O) 5-Year Vested Rights from UR-C(CD)(PED)
- Requested B-2(PED-O) 5-Year Vested Rights from UR-C(CD)(PED)
- Existing Building Footprints
- Existing Zoning Boundaries
- Charlotte City Limits
- Pedestrian Overlay
- FEMA flood plain
- Watershed
- Lakes and Ponds
- Creeks and Streams
- Historic District

This site plan is for the purpose of rezoning only and does not reflect a current boundary or physical survey of the property shown. Boundary lines and physical improvements were taken from prior surveys by this firm. This map is not a certified boundary or physical survey and does not meet G.S. 47-30 as amended.

PRELIMINARY - FOR REVIEW PURPOSES ONLY.

Andrew G. Zoutewelle, N.C. PLS L-3098

GENERAL NOTES

- 1.) Source of title recorded in: Deed Book 26168 Page 362 (tax parcel I.D. 12522801), Deed Book 20671 Page 784 (tax parcel I.D. 12522102 and 12522199), and Deed Book 24096 Page 836 (tax parcel I.D. 12522103). See also Deed Book 28261 Page 510.
- 2.) Total area of property is 1.9922 acres (or 86,780 S.F.), by coordinates. This area includes portions of Cecil Street which is to be abandoned.
- 3.) This survey was done without the benefit of a title examination. There may be easements, restrictions or other matters of title not shown.
- 4.) Existing zoning of these properties, per Mecklenburg County GIS, is UR-C(CD), R-8 and B-1. Zoning boundary lines shown hereon are taken from Mecklenburg County GIS and the City of Charlotte Official Zoning Map. Development of this property and setback configuration is subject to the review and approval of the City of Charlotte Zoning Staff. This survey does not reflect a complete zoning analysis.
- 5.) This site plan does not show any utilities which exist on this site. It is the contractor's responsibility to verify the existence and location of all utilities before any grading or excavation is begun.
- 6.) Per the City of Charlotte Thoroughfare Map, South Kings Drive is a Major Thoroughfare and may be subject to an 80' proposed thoroughfare road right of way (40' from centerline). The City of Charlotte DOT should be consulted to determine the applicability of said right of way prior to any design or development along S. Kings Drive.
- 7.) This property is not located within a designated flood hazard area per graphic scaling from Flood Insurance Rate Map Panel #3710455300K dated February 19, 2014.
- 8.) Grid ties provided by Survey and Mapping Control, Pineville, N.C. All distances shown hereon are horizontal ground distances. Combined Grid Factor = 0.99984618. Horizontal datum is NAD83(CORS96).

LEGEND

ch.	chord
L,R	curve length & radius s.f.
s.f.	square feet (by coordinates)
IPF/IRF	iron pipe/rebar found
IRS	iron rebar (pin) set
PKS	P.K. nail set
PKF	P.K. nail found
MB,DB	record map, deed reference
⊕	guy anchor
⊙	power pole
⊙	light pole
⊙	water meter
⊙	water vault
⊙	gas meter
⊙	fire hydrant
⊙	telephone manhole
⊙	sanitary sewer manhole
⊙	sanitary sewer clean-out
⊙	storm sewer manhole
⊙	catch basin
⊙	power meter
*FDC	Fire Dep't. Connection
⊕	water valve
TSP	traffic signal pole
TSV	traffic signal vault
PDE	Permanent Drainage Easement
ZBL	zoning boundary line (approx.)

Tax I.D. 12521413  
Midtown Area Partners LLC  
Zoning: B-1

CURVE TABLE

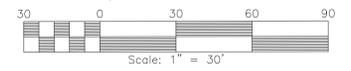
NUMBER	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	25.50	40.36	N 04°13'37" E	36.28
C2	524.50	34.40	N 47°41'53" E	34.39
C3	22.30	38.00	S 33°52'53" E	33.57
C4	21.64	35.74	S 62°57'24" W	31.81
C5	1279.70	15.40	N 71°37'50" W	15.40
C6	208.18	35.83	N 46°03'10" W	35.79
C7	208.18	44.24	N 57°04'19" W	44.16
C8	524.50	37.91	N 43°44'55" E	37.91
C9	25.00	32.30	N 78°41'10" E	30.10

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 64°18'20" E	50.17'
L2	S 61°26'21" E	49.74'
L3	S 60°28'58" E	24.57'
L4	S 60°43'01" E	48.59'
L5	S 58°27'53" E	2.88'
L6	S 58°27'53" E	36.89'
L7	N 64°28'27" W	17.78'
L8	S 16°13'19" W	11.74'
L9	S 16°13'19" W	233.81'
L10	N 62°53'25" W	14.96'
L11	S 64°18'20" E	2.26'
L12	S 64°18'20" E	17.74'
L13	S 16°13'19" W	175.43'

Revised 10-28-14: Show Cecil Street abandonment area.  
Revised 03-19-15: Add development areas.  
Revised 05-20-15: Add calls for development areas.  
Copyright 2015

SITE PLAN  
**South Kings Drive at  
Cecil and Luther Streets**  
CHARLOTTE, MECKLENBURG COUNTY, N.C.  
for MIDTOWN AREA PARTNERS II, LLC  
Date of Map: October 15, 2014



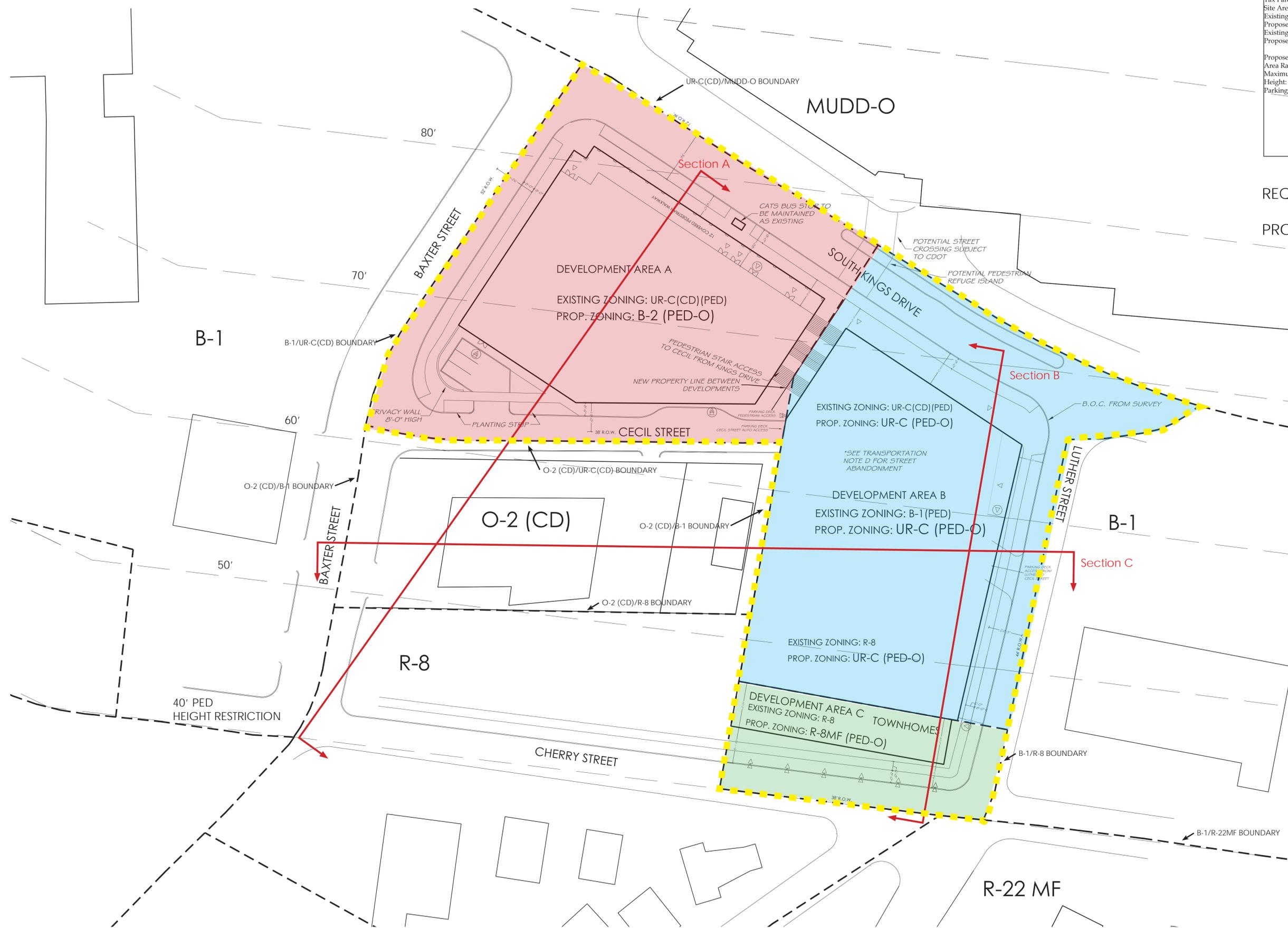
**A.G. ZOUTEWELLE**  
SURVEYOR  
1418 East Fifth St. Charlotte, NC 28204  
Phone: 704-372-9444 Fax: 704-372-9555  
Firm Licensure Number C-1054

\*\*\* CAUTION \*\*\*  
THERE MAY BE UTILITIES OTHER THAN THOSE SHOWN.  
THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR UTILITIES  
NOT SHOWN HEREON. IT IS THE CONTRACTOR'S  
RESPONSIBILITY TO VERIFY THEIR LOCATIONS.

CALL BEFORE YOU DIG  
1-800-632-4949



Site Data Table	
Tax Parcel Nos.:	125-228-01, 125-221-02, 125-221-03 and 125-221-99
Site Area:	Approximately 1.99 acres
Existing Zoning:	UR-C (CD) (PED), B-1 (PED) and R-8
Proposed Zoning:	B-2 (PED-O), UR-C (PED-O) and R-8 MF (PED-O)
Existing Uses:	Parking and single family residential
Proposed Uses:	A mixed use development that could contain office, retail, hotel and residential uses
Proposed Floor Area Ratio:	.709
Maximum Building Height:	See the Development Standards
Parking:	Per the Ordinance (Subject to Optional Provision)

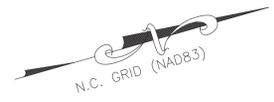


REQUIRED OPEN SPACE" 3,000 SF  
 PROVIDED OPEN SPACE : 15,858 SF

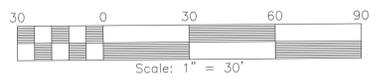
- KINGS DRIVE SETBACK 28' TO BACK OF ARCADE  
16' SETBACK TO DRIP LINE  
24' SETBACK TO PARKING DECK
- BAXTER STREET SETBACK 16'
- LUTHER STREET SETBACK 16'
- CHERRY STREET SETBACK 16' to 24'
- CECIL STREET CONVERTED TO PRIVATE STREET

- Development Area A
- Development Area B
- Development Area C

REZONING SITE BOUNDARY



- LEGEND
- KINGS STREET GRADE ENTRY
  - CECIL STREET GRADE ENTRY
  - TOWNHOME ENTRY
  - FIRE EXIT
  - ZONE BOUNDARY



**DEVELOPMENT STANDARDS**

May 22, 2015

**GENERAL PROVISIONS**

- A. These Development Standards form a part of the Rezoning Plan associated with the Rezoning Petition filed by Midtown Area Partners II, LLC to accommodate the development of a mixed use project that could contain, among other uses, office, retail, hotel and residential uses on that approximately 1.99 acre site generally bounded by South Kings Drive, Luther Street, Cherry Street and Baxter Street, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of those parcels of land designated as Tax Parcel Nos. 125-228-01, 125-221-02, 125-221-03 and 125-221-99.
- B. The development of the Site will be governed by the Rezoning Plan, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Subject to the optional provisions set out below, the regulations established under the Ordinance for the B-2 (PED-O) zoning district shall govern the development of that portion of the Site designated as Development Area A on the Rezoning Plan, the regulations established under the Ordinance for the UR-C (PED-O) zoning district shall govern the development of that portion of the Site designated as Development Area B on the Rezoning Plan and the regulations established under the Ordinance for the R-8 MF (PED-O) zoning district shall govern the development of that portion of the Site designated as Development Area C on the Rezoning Plan.
- C. The development and uses depicted on the Rezoning Plan are schematic in nature and are intended to depict the general arrangement of uses and improvements on the Site. Accordingly, the ultimate layout, locations and sizes of the development and site elements depicted on the Rezoning Plan are graphic representations of the proposed development and site elements, and they may be altered or modified in accordance with any setback and yard requirements set forth on this Rezoning Plan and the development standards, provided, however, that any such alterations and modifications shall not materially change the overall design intent depicted on the Rezoning Plan.
- D. The parcels of land that comprise the Site may be recombined at the option of the Petitioner or further subdivided.
- E. The Site shall be considered to be a planned/unified development. Therefore, side and rear yards, buffers, building height separation requirements, building separation requirements and other zoning standards shall not be required internally between improvements and uses on the Site. Subject to the optional provisions set out below, the Site shall be required to meet any applicable side and rear yard requirements and buffer requirements with respect to the exterior boundary of the Site.

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- F. Pursuant to Section 1.110 of the Ordinance and Section 160A-385.1 of the North Carolina General Statutes, the Rezoning Plan, if approved, shall be vested for a period of 5 years due to the size and phasing of the development, the level of investment, economic cycles and market conditions.
- G. Future amendments to the Rezoning Plan and/or these Development Standards may be applied for by the then owner or owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance. Alterations to the Rezoning Plan are subject to Section 6.207 of the Ordinance.

**OPTIONAL PROVISIONS**

The following optional provisions shall apply to the development of the Site:

- A. The building to be located on that portion of the Site designated as Development Area A on the Rezoning Plan shall have a maximum height of 119 feet as provided below and as depicted on the Rezoning Plan.
- B. The building/structured parking facility to be located on that portion of the Site designated as Development Area B on the Rezoning Plan shall have a maximum height ranging from 64 feet to 81 feet as provided below and as depicted on the Rezoning Plan.
- C. The single family attached dwelling units to be located on that portion of the Site designated as Development Area C on the Rezoning Plan shall have a maximum height of 48 feet as depicted on the Rezoning Plan.
- D. On-street parking along the Site's frontage on South Kings Drive shall not be required.
- E. The minimum setback from South Kings Drive for the ground floor of the building to be located on Development Area A shall be 24 feet from the back of the existing curb. The minimum setback from South Kings Drive for all floors of such building above the ground floor shall be 16 feet from the back of the existing curb.
- F. The structural support columns for the building to be located on Development Area A may be located within the setback from South Kings Drive, provided, however, that the structural support columns must be located a minimum of 16 feet from the back of the existing curb.
- G. The minimum setback from South Kings Drive for the building/structured parking facility to be located on Development Area B shall be 22 feet from the back of the existing curb.
- H. The setback, planting strip and sidewalk located along the Site's frontage on Luther Street that is more particularly depicted on the Rezoning Plan shall be permitted.

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- I. The setback, planting strip and sidewalk located along the Site's frontage on Cecil Street that is more particularly depicted on the Rezoning Plan shall be permitted.
- J. An 8 foot planting strip and an 8 foot sidewalk shall be installed along the Site's frontage on Baxter Street rather than an 8 foot planting strip, a 6 foot sidewalk and a 2 foot utility zone.
- K. The off-street parking requirement for eating, drinking and entertainment establishments (Type 1 and Type 2) shall be 1 parking space per 600 square feet of gross floor area.
- L. Surface parking and vehicular maneuvering areas shall be permitted between the building to be located on Development Area A and Cecil Street and Baxter Street as depicted on the Rezoning Plan.
- M. A roof line variation every 30 feet shall not be required for the building/structured parking facility to be located on Development Area B, and a roof line variation shall not be required every 30 feet for the single family attached dwelling units to be located on Development Area C.
- N. Tree grates, seat walls, planters and other pedestrian amenities and features may be provided in the setback along the Site's frontage on South Kings Drive.
- O. The 10 foot buffer required along the relevant portions of the Site's southern boundary line under Section 10.812(5) of the Ordinance shall not be required.
- P. The side and rear yard requirements of Section 10.812(1) of the Ordinance shall not be required along the Site's southern boundary line.

**PERMITTED USES**

**A. Development Area A**

The building to be located on Development Area A may only be devoted to the uses set out below (including any combination of such uses), together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the B-2 (PED-O) zoning district:

- (1) Multi-family dwelling units and planned multi-family dwelling units;
- (2) Dwellings, mixed use;
- (3) Eating, drinking and entertainment establishments (Type 1), and eating, drinking and entertainment establishments (Type 2) subject to the applicable regulations of Section 12.546 of the Ordinance;
- (4) Hotels;
- (5) Art galleries;

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- (6) Colleges, universities, commercial schools and schools providing adult training in any of the sciences, trades and professions;
  - (7) Professional business and general offices;
  - (8) Retail sales;
  - (9) Services, including, without limitation, beauty shops and barbershops, spas and fitness centers;
  - (10) Private postal services; and
  - (11) Studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths, and designers of ornamental and precious jewelry.
- B. Development Area B**

The building to be located on Development Area B shall be devoted primarily to a structured parking facility to serve the uses located on Development Area A and Development Area C and to any incidental or accessory uses relating thereto as depicted on the Rezoning Plan.

Notwithstanding the foregoing, that portion of the ground or street level floor of the building to be located on Development Area B facing South Kings Drive that is more particularly depicted on the Rezoning Plan may only be devoted to the uses set out below (including any combination of such uses), together with any incidental or accessory uses relating thereto that are permitted under the Ordinance in the UR-C (PED-O) zoning district:

- (1) Eating, drinking and entertainment establishments (Type 1), and eating, drinking and entertainment establishments (Type 2) subject to the applicable regulations of Section 12.546 of the Ordinance;
- (2) Art galleries;
- (3) Professional business and general offices;
- (4) Retail sales;
- (5) Services, including, without limitation, beauty shops and barbershops, spas and fitness centers; and
- (6) Studios for artists, designers, photographers, musicians, sculptors, gymnasts, potters, wood and leather craftsmen, glass blowers, weavers, silversmiths, and designers of ornamental and precious jewelry.

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**C. Development Area C**

That portion of the Site designated as Development Area C on the Rezoning Plan may be devoted only to a maximum of 8 single family attached dwelling units, together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the R-8 MF (PED-O) zoning district.

**Development Limitations/Requirements**

- A. The maximum gross floor area of the building to be located on Development Area A shall be 275,000 square feet, and the maximum height of this building shall be 119 feet as more particularly depicted on the Rezoning Plan.
- B. Notwithstanding anything contained herein to the contrary, the maximum number of multi-family dwelling units that may be located in the building to be located on Development Area A shall be 300 dwelling units.
- C. Notwithstanding anything contained herein to the contrary, the maximum number of hotel rooms that may be located in the building to be located on Development Area A shall be 225 hotel rooms.
- D. Ground floor uses located in the building to be located on Development Area A along South Kings Drive may only be devoted to non-residential uses, and the primary entrances into such uses will be oriented to and at street grade with South Kings Drive.
- E. The maximum gross floor area of the building/structured parking facility to be located on Development Area B shall be 221,000 square feet, and the maximum height of the building/structured parking facility shall range from 64 feet to 81 feet as depicted on the Rezoning Plan. The gross floor area of the commercial (non-residential) uses to be located on the ground or street level of the building/structured parking facility located on Development Area B facing South Kings Drive shall not be considered or counted when determining the maximum gross floor area of the building/structured parking facility.
- F. The maximum gross floor area of the commercial (non-residential) uses to be located on the ground or street level of the building/structured parking facility located on Development Area B facing South Kings Drive shall be 7,000 square feet.
- G. The uses located on the ground or street level floor of the building/structured parking facility to be located on Development Area B facing South Kings Drive may only be devoted to non-residential uses, and the primary entrances into such uses will be oriented to and at street grade with South Kings Drive. The remaining portions of the ground or street level floor of this building/structured parking facility may only be devoted to the structured parking facility.
- H. Single family attached dwelling units are required to be constructed on Development Area C along its frontage on Cherry Street adjacent to the building/structured parking facility to be constructed on Development Area B as generally depicted on the Rezoning

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Plan to provide a residential edge to this portion of the Site. The maximum number of single family attached dwelling units that may be constructed on Development Area C shall be 8 dwelling units.

- I. The single family attached dwelling units to be located on Development Area C shall be constructed prior to the issuance of a certificate of occupancy for the building/structured parking facility to be located on Development Area B.

**TRANSPORTATION**

- A. Vehicular access shall be as generally depicted on the Rezoning Plan. The placement and configuration of the access points are subject to any minor modifications required by the Charlotte Department of Transportation.
- B. Subject to the optional provisions set out above, off-street vehicular parking shall meet the minimum requirements of the Ordinance.
- C. Bicycle parking will be provided on the Site as required by the Ordinance.
- D. Petitioner has submitted a Petition to the City of Charlotte requesting that Cecil Street be abandoned by the City of Charlotte. In the event that this Petition is approved by City Council, Cecil Street shall be converted to a private drive serving the adjacent parcels of land, the building to be located on Development Area A and the structured parking facility to be located on Development Area B.
- E. In the event that Cecil Street is abandoned and converted to a private street, a public access easement shall be provided to allow vehicular traffic to utilize this street to travel to and from Baxter Street from and to Luther Street.
- F. The existing bus shelter located along the Site's frontage on South Kings Drive shall be retained provided, however, that with the approval of CATS and CDOT, the existing bus shelter may be relocated by the Petitioner to another location along the Site's frontage on South Kings Drive.
- G. Direct vehicular access from Luther Street to Cecil Street through the structured parking facility located on Development Area B shall be provided.

**ARCHITECTURAL AND DESIGN STANDARDS**

- A. The maximum height of the building to be constructed on Development Area A shall be 119 feet as more particularly depicted on the Rezoning Plan.
- B. The maximum height of the building/structured parking facility to be located on Development Area B shall range from 64 feet to 81 feet as more particularly depicted on the Rezoning Plan.

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- C. The maximum height of the single family attached dwelling units to be constructed on Development Area C shall be 48 feet as depicted on the Rezoning Plan.

- D. All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
- E. Dumpster and recycling areas will be enclosed on all four sides by an opaque wall or fence with one side being a hinged opaque gate. If one or more sides of a dumpster and recycling area adjoin a side wall or rear wall of a building, then the side wall or rear wall of the building may be substituted for the wall or fence along each such side. Alternatively, such facilities may be located within or under the structures proposed to be constructed on Development Area A and Development Area B.
- F. Attached to the Rezoning Plan are conceptual, schematic images of the various exterior components and elements of the building and improvements to be constructed on Development Area A that are intended to depict the general conceptual architectural style, character and quality of such building and improvements. Accordingly, the building and improvements to be constructed on Development Area A shall be designed and constructed so that the exterior components and elements thereof are substantially similar in appearance to the attached conceptual, schematic images with respect to architectural style, character and quality. Notwithstanding the foregoing, changes and alterations to the exterior components and elements of the building and improvements to be constructed on Development Area A which do not materially change the overall conceptual architectural style, character and quality shall be permitted.
- G. In addition to the design flexibility provided in paragraph F above, the exterior design and exterior building materials of the building and improvements to be located on Development Area A may be modified to accommodate the various uses that are permitted on the Site under this Rezoning Plan, which modifications may include, without limitation, the addition of balconies, overhangs, recesses and modulations and the use of alternative exterior building materials.
- H. Attached to the Rezoning Plan are conceptual, schematic images of the various exterior components and elements of the building/structured parking facility to be constructed on Development Area B that are intended to depict the general conceptual architectural style, character and quality of such building/structured parking facility. Accordingly, the building/structured parking facility to be constructed on Development Area B shall be designed and constructed so that the exterior components and elements thereof are substantially similar in appearance to the attached conceptual, schematic images with respect to architectural style, character and quality. Notwithstanding the foregoing, changes and alterations to the exterior components and elements of the building/structured parking facility to be constructed on Development Area B which do not materially change the overall conceptual architectural style, character and quality shall be permitted.

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- I. Attached to the Rezoning Plan are conceptual, schematic images of the various exterior components and elements of the single family attached dwelling units to be constructed on Development Area C that are intended to depict the general conceptual architectural style, character and quality of the single family attached dwelling units. Accordingly, the single family attached dwelling units to be constructed on Development Area C shall be designed and constructed so that the exterior components and elements thereof are substantially similar in appearance to the attached conceptual, schematic images with respect to architectural style, character and quality. Notwithstanding the foregoing, changes and alterations to the exterior components and elements of the single family attached dwelling units to be constructed on Development Area C which do not materially change the overall conceptual architectural style, character and quality shall be permitted.
- J. Each end of the building containing the single family attached dwelling units will have a combination of windows, doors or other architectural details on each floor to break up blank walls and to provide architectural interest.

**SETBACK AND YARDS/STREETSCAPE**

- A. Subject to the optional provisions set out above, the development of the Site shall comply with the setback, side yard and rear yard requirements of the PED overlay zoning district.
- B. Subject to the optional provisions set out above, Petitioner shall install planting strips and sidewalks along the Site's public street frontages as generally depicted on the Rezoning Plan.
- C. Tree grates, seat walls, planters and other pedestrian amenities and features may be provided in the setback along the Site's frontage on South Kings Drive.

**ENVIRONMENTAL FEATURES**

- A. Development of the Site shall be in compliance with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
- B. The location, size, and type of storm water management systems 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 points.
- C. Development of the Site shall comply with the City of Charlotte Tree Ordinance.

**SIGNS**

All signs installed on the Site shall comply with the requirements of the Ordinance.

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**LIGHTING**

- A. All freestanding lighting fixtures installed on the Site (excluding street lights and lower, decorative lighting that may be installed along the driveways, sidewalks and parking areas) shall be fully capped and shielded and the illumination downwardly directed so that direct illumination does not extend past any property line of the Site. The maximum height of any freestanding lighting fixtures installed on the Site shall be 20 feet.
- B. Any lighting fixtures attached to the structures to be constructed on the Site shall be decorative, capped and downwardly directed.

**BINDING EFFECT OF THE REZONING DOCUMENTS AND DEFINITIONS**

- A. If this Rezoning Petition is approved, all conditions applicable to the use and development of the Site imposed under these Development Standards and the Rezoning Plan will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- B. Throughout these Development Standards, the term "Petitioner" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.
- C. Any reference to the Ordinance herein shall be deemed to refer to the requirements of the Ordinance in effect as of the date this Rezoning Petition is approved.

5518558v7

9





GOODE PROPERTIES

MIDTOWN CENTER  
KINGS DRIVE ELEVATION



GOODE PROPERTIES

MIDTOWN CENTER  
ELEVATION GUIDE



GOODE PROPERTIES

MIDTOWN CENTER  
PEDESTRIAN ACCESS FROM KINGS DRIVE TO CECIL STREET



GOODE PROPERTIES

MIDTOWN CENTER  
VIEW OF STREET-GRADE PEDESTRIAN &  
RETAIL COLONNADE





GOODE PROPERTIES

MIDTOWN CENTER  
VIEW OF PARKING DECK + RETAIL  
AT KINGS DRIVE AND LUTHER



GOODE PROPERTIES

DESIGN INTENTIONS

- BELT COURSES AND MOLDING ARTICULATE EACH LEVEL OF BUILDING HEIGHT.
- FURTHER DIFFERENTIATION OF STRING-COURSE HEIGHT+DEPTH AND COLUMN WIDTH+DEPTH ARTICULATES UPPER STORIES AS DISCRETE PARTS OF BUILDING FORM
- 15 STORY BUILDING BASE SCALED TO PEDESTRIAN STREET ACTIVITY.
- PEDESTRIAN ARCADE (10' DEEP) GIVES PEDESTRIAN SPACE THAT EXCEEDS MINIMUM SETBACK REQUIREMENTS AND ORDINANCE RECOMMENDATIONS.
- ARCHITECTURAL CANOPY ACCENTS 'CEILING' OF PEDESTRIAN SPACE



GOODE PROPERTIES

MIDTOWN CENTER  
BAXTER STREET ELEVATION





CUSTOMER ENTRY TO RETAIL BELOW

STONE CLADDING FIRST LEVEL

OFFICE ENTRY & PORTE-COCHERE

PEDESTRIAN CONNECTION DOWN TO KINGS DRIVE

MIDTOWN CENTER  
CECIL STREET ELEVATION  
OCTOBER 2014



GOODE PROPERTIES

9



MIDTOWN CENTER  
VIEW OF OFFICE AND PARKING DECK  
AT CECIL STREET



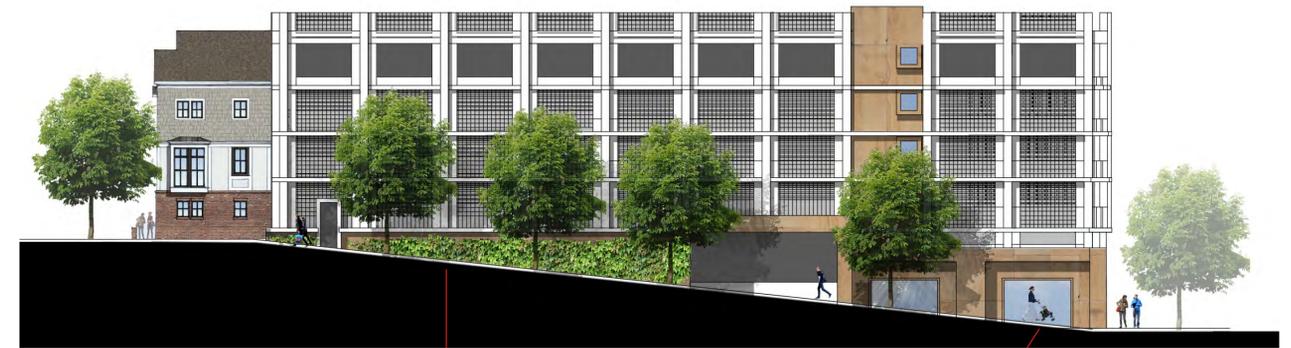
GOODE PROPERTIES



MIDTOWN CENTER  
VIEW OF PARKING DECK + RETAIL  
AT UPPER KINGS DRIVE



GOODE PROPERTIES



FOUNDATION SURFACES TO BE  
CLAD IN STONE  
WITH FOLIAGE TO COVER

STREET-GRADE RETAIL ALONG  
KINGS DRIVE

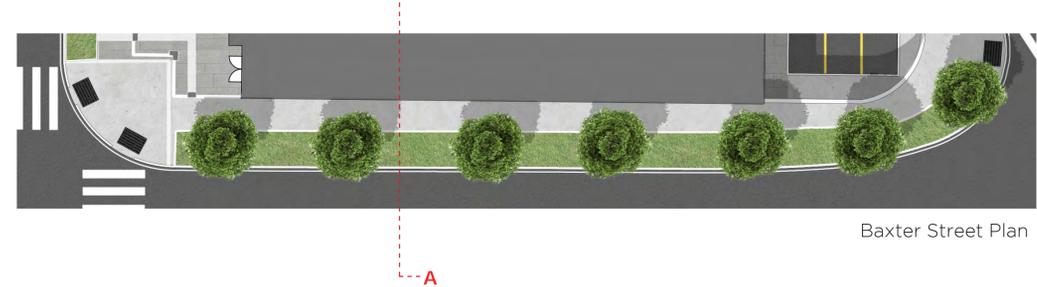
MIDTOWN CENTER PARKING DECK  
VIEW ALONG LUTHER STREET

GOODE PROPERTIES

15

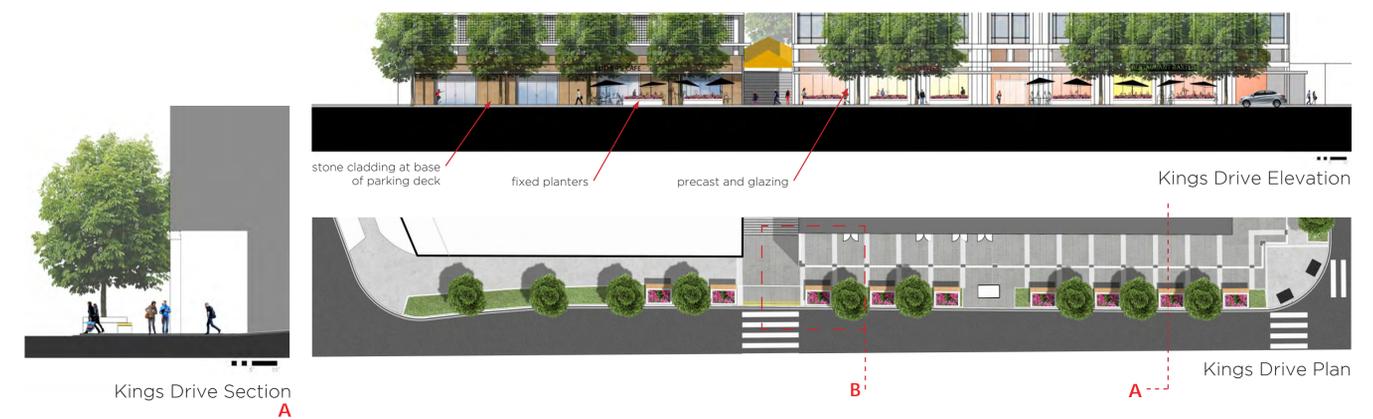


Street Section A  
Baxter Street Elevation



Baxter Street Plan

South Kings Drive  
Mixed Use Project  
Supplemental Document  
WAGNERMURRAY ARCHITECTS



Kings Drive Section A  
Kings Drive Plan



Ground Plan Enlargement B

South Kings Drive  
Mixed Use Project  
Supplemental Document  
WAGNERMURRAY ARCHITECTS

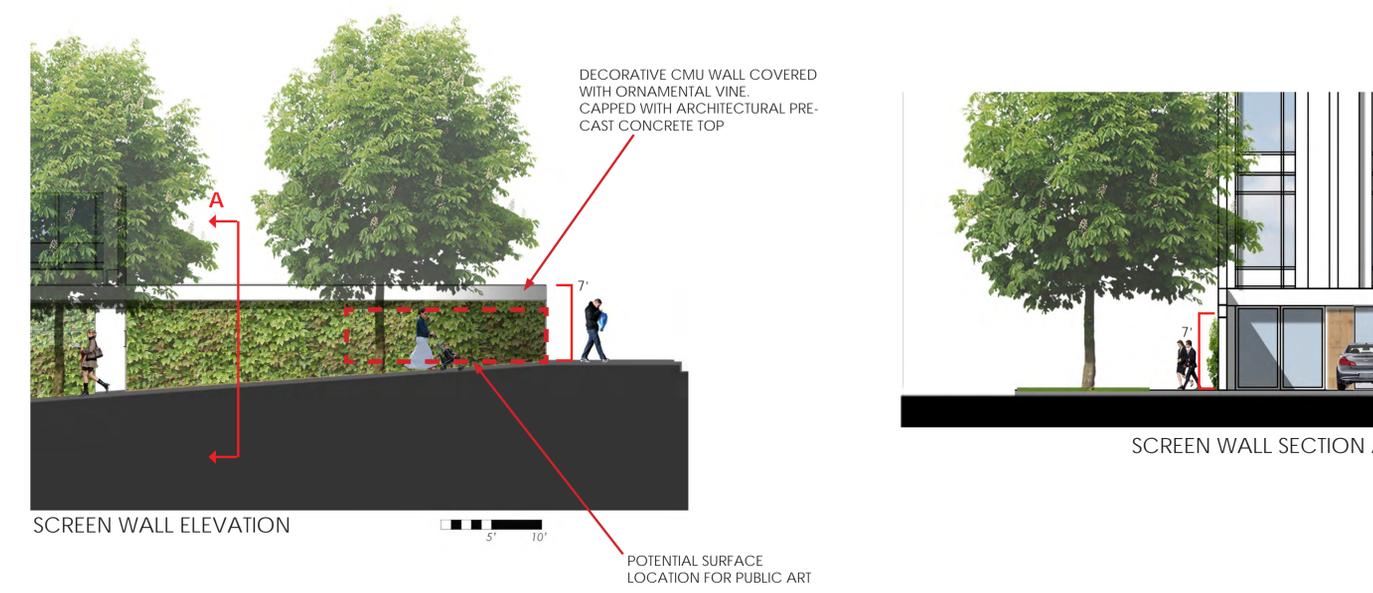


Cecil Street Elevation



Cecil Street Plan

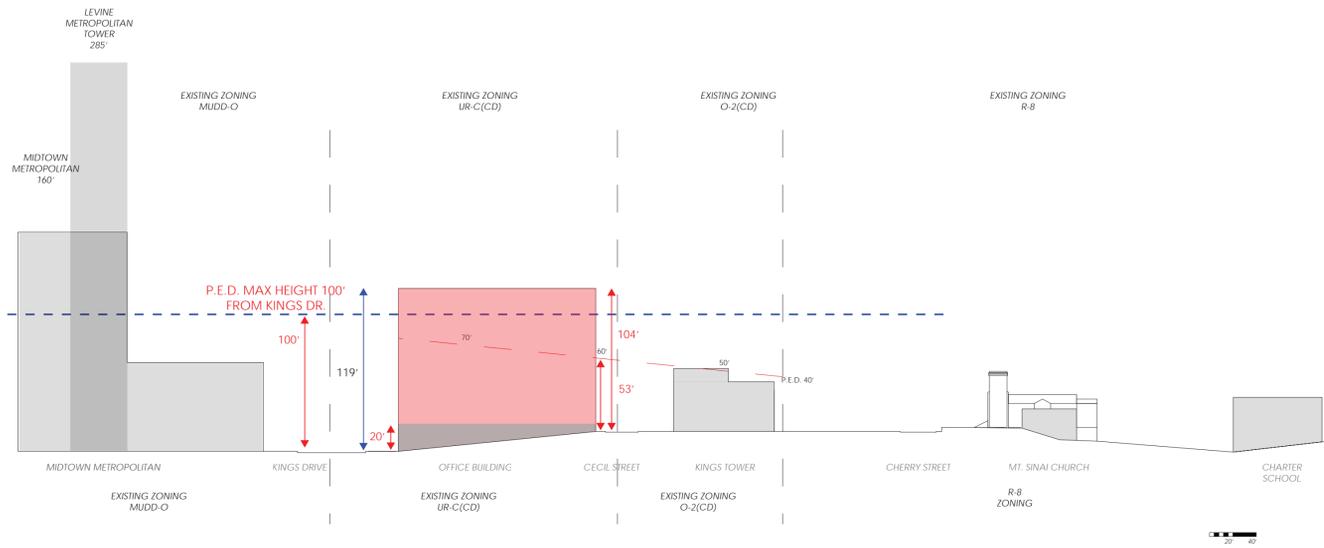
South Kings Drive  
Mixed Use Project  
Supplemental Document  
WAGNERMURRAY ARCHITECTS



SCREEN WALL ELEVATION

SCREEN WALL SECTION A

South Kings Drive  
Mixed Use Project  
Supplemental Document  
WAGNERMURRAY ARCHITECTS



\*BUILDING WILL HAVE MAXIMUM HEIGHT OF 119'

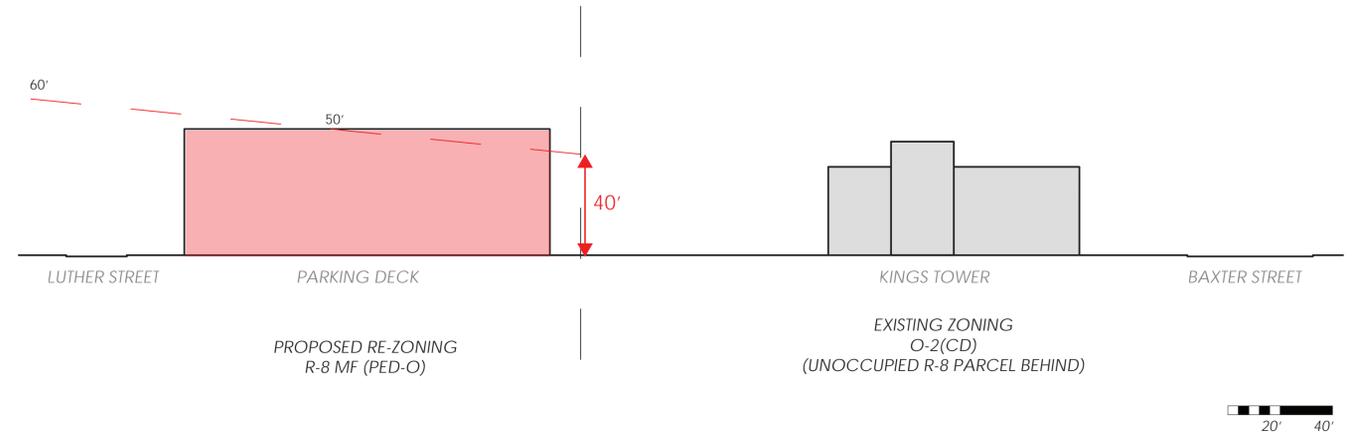
ALL BUILDINGS HEIGHTS PER SECTION 2.201

REVISED

GOODE PROPERTIES

REVISED PED OVERLAY DISTRICT ANALYSIS  
119' HEIGHT VARIANCE  
DEVELOPMENT PARCEL A

4



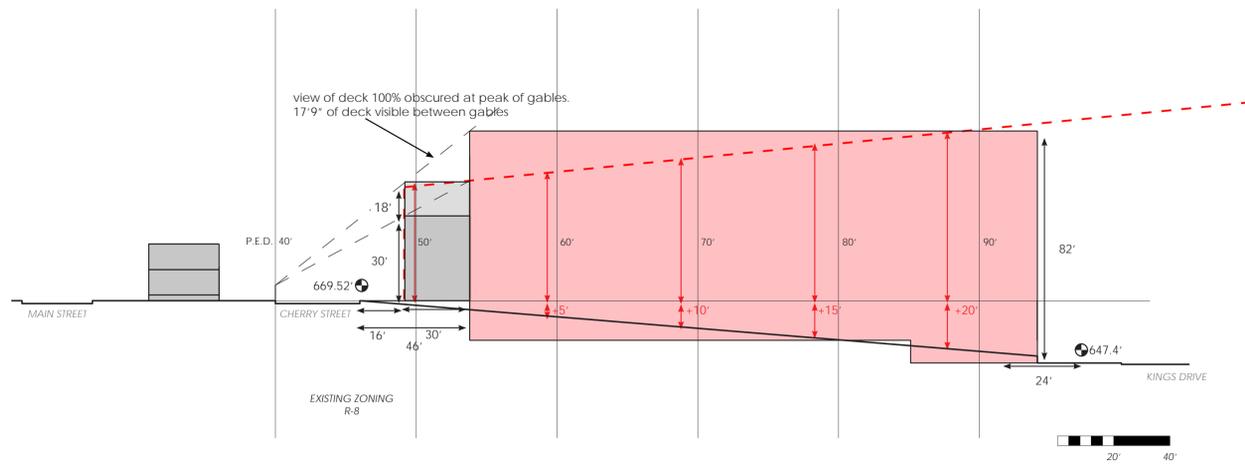
\*BUILDING WILL HAVE MAXIMUM HEIGHT OF 50'

ALL BUILDINGS HEIGHTS PER SECTION 2.201

GOODE PROPERTIES

REVISED PED OVERLAY DISTRICT ANALYSIS  
9' HEIGHT VARIANCE  
DEVELOPMENT PARCEL B

5



GOODE PROPERTIES

REVISED PED OVERLAY DISTRICT ANALYSIS  
LUTHER STREET SECTION  
DEVELOPMENT PARCEL B

14

THE ILLUSTRATIVE ELEVATIONS ARE PROVIDED TO REFLECT THE ARCHITECTURAL STYLE AND QUALITY OF THE BUILDING THAT MAY BE CONSTRUCTED AND THE ACTUAL BUILDING ON THE SITE MAY VARY FROM THE ARCHITECTURAL CONCEPT ILLUSTRATIONS AS LONG AS THE GENERAL ARCHITECTURAL CONCEPTS AND INTENT ILLUSTRATED ARE MAINTAINED. THE DEVELOPMENT DEPICTED IN THE SITE AND BUILDING PLANS IS SCHEMATIC IN NATURE, INTENDED TO DESCRIBE THE GENERAL LAYOUT AND ARRANGEMENT OF THE BUILDING AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES SUBJECT TO LOCAL AREA ZONING REQUIREMENTS. THE DESIGN OF CERTAIN FEATURES MAY VARY DEPENDING ON FINAL DRAWINGS AND ON ENVIRONMENTAL AND REGULATORY MATTERS.



SCHEMATIC BUILDING ELEVATION

Goode Properties

BAXTER STREET at MIDTOWN CENTER  
CHARLOTTE, NC  
April 2, 2015



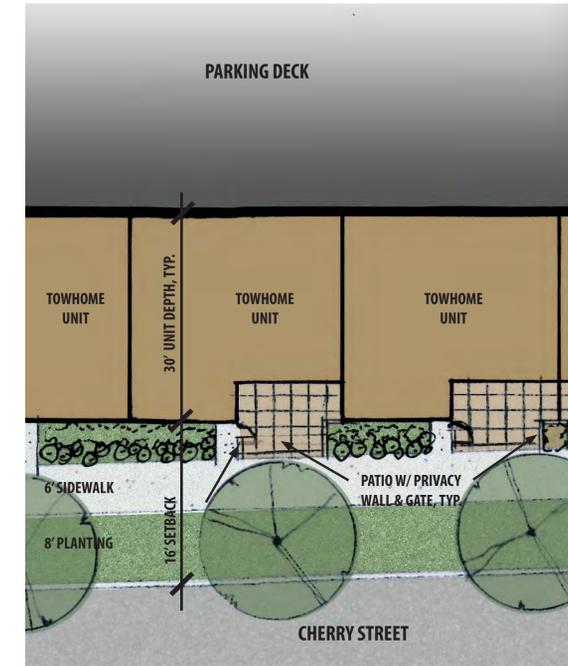
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SCHEMATIC BUILDING MATERIALS STUDY

Goode Properties

BAXTER STREET at MIDTOWN CENTER  
CHARLOTTE, NC  
April 2, 2015



PARTIAL CONCEPTUAL SITE PLAN

Goode Properties

BAXTER STREET at MIDTOWN CENTER  
CHARLOTTE, NC  
April 2, 2015



THE ILLUSTRATIVE ELEVATIONS ARE PROVIDED TO REFLECT THE ARCHITECTURAL STYLE AND QUALITY OF THE BUILDING THAT MAY BE CONSTRUCTED AND THE ACTUAL BUILDING ON THE SITE MAY VARY FROM THE ARCHITECTURAL CONCEPT ILLUSTRATIONS AS LONG AS THE GENERAL ARCHITECTURAL CONCEPTS AND INTENT ILLUSTRATED ARE MAINTAINED. THE DEVELOPMENT DEPICTED IN THE SITE AND BUILDING PLANS IS SCHEMATIC IN NATURE, INTENDED TO DESCRIBE THE GENERAL LAYOUT AND ARRANGEMENT OF THE BUILDING AND MAY BE ALTERED OR MODIFIED DURING DESIGN DEVELOPMENT AND CONSTRUCTION PHASES SUBJECT TO LOCAL AREA ZONING REQUIREMENTS. THE DESIGN OF CERTAIN FEATURES MAY VARY DEPENDING ON FINAL DRAWINGS AND ON ENVIRONMENTAL AND REGULATORY MATTERS.



SCHEMATIC SIDE ELEVATION AT LUTHER STREET

Goode Properties

BAXTER STREET at MIDTOWN CENTER  
CHARLOTTE, NC  
April 2, 2015



## **Zoning Committee Statement of Consistency Petition 2015-013**

The Zoning Committee found this petition to be consistent with the *Dilworth Land Use & Streetscape Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends residential uses up to 22 dwelling units per acre for the subject site.

Therefore, this petition was found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because the proposed development:

- Addresses the street frontage by providing a door, windows and a courtyard on the elevation facing the public street and has not located parking between the building and the street; and
- Provides a 28-foot setback from the existing back of curb, which provides a transition from the non-residential building to the west and the single family homes to the east; and
- Provides sidewalk connections from the units to the public sidewalk, two accessible ramps on Kenilworth Avenue at Fillmore Street, and a waiting pad for the existing bus stop.

<b>REQUEST</b>	Current Zoning: R-22MF (multi-family residential) and B-1 (neighborhood business) Proposed Zoning: MUDD(CD) (mixed use development, conditional)
<b>LOCATION</b>	Approximately 0.42 acres located on the west side of Kenilworth Avenue between Buchanan Street and East Boulevard. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the development of up to nine single family attached dwelling units for a density of 21.48 units per acre.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Kenilworth Lofts, LLC Meeting Street Homes & Communities Teresa Hawkins
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12
<b>STATEMENT OF CONSISTENCY</b>	<p>This petition is found to be consistent with the <i>Dilworth Land Use &amp; Streetscape Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends residential uses up to 22 dwelling units per acre for the subject site.</li> </ul> <p>Therefore, this petition is found to be reasonable and in the public interest based on information from the staff analysis and the public hearing, and because the proposed development:</p> <ul style="list-style-type: none"> <li>• Addresses the street frontage by providing a door, windows and a courtyard on the elevation facing the public street and has not located parking between the building and the street; and</li> <li>• Provides a 28-foot setback from the existing back of curb, which provides a transition from the non-residential building to the west and the single family homes to the east; and</li> <li>• Provides sidewalk connections from the units to the public sidewalk, two accessible ramps on Kenilworth Avenue at Fillmore Street, and a waiting pad for the existing bus stop;</li> </ul> <p>By a 4-1 vote of the Zoning Committee (motion by Commissioner Lathrop seconded by Commissioner Nelson).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 4-1 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. Deleted Note A under Storm Water as requested in order to address the following issue, "Clarify Note A under Storm Water, which reads: 'Storm water runoff for this development will meet ordinance requirements for the PCCO.' The parcel size will exempt the proposed development from all PCCO requirements per Section 18-105(b) of the Ordinance. If the Petitioner intends to voluntarily comply with the Post-Construction Stormwater Ordinance (PCCO), the Storm Water note should be revised to specify the particular provisions of the PCCO targeted for voluntary compliance. If the Petitioner does not intend to voluntarily comply with any portion of the PCCO, then the current Storm Water note should be deleted from the plan to avoid any confusion during permitting."</li> <li>2. Provided an elevation that ensures that the Kenilworth Avenue elevation is designed to resemble the main entrance of the building.</li> <li>3. Amended Note B under Architectural Standards and Materials to say "five-foot minimum width sidewalk" rather than four-foot.</li> </ol>
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4. Provided four-sided building elevations.
5. Amended the label on the site plan regarding the existing driveway closures to replace the word "repaved" with "replaced."
6. Showed and labeled visitor parking spaces.
7. Deleted the label specifying the developer will construct accessible ramps, as this information is specified in conditional Note D under Transportation.

**VOTE** Motion/Second: Ryan/Nelson  
 Yeas: Labovitz, Ryan, Nelson, and Lathrop  
 Nays: Sullivan  
 Absent: Eschert  
 Recused: Dodson

**ZONING COMMITTEE DISCUSSION** Planning staff provided a summary of the rezoning and noted the changes since the public hearing. There was discussion regarding the building elevations and potential view of parking. A Commissioner asked about the trash/recycle bins and pickup related to the width of the frontage along the street. Staff explained that the petitioner is considering working with Solid Waste to arrange a biweekly pickup so that no more than nine bins are on the street on collection day. Staff pointed out that this was not a commitment on the site plan. Trash and recycle bins will be stored in the garages except for collection day.

Another Commissioner expressed concerns about the site layout and design and that the project felt stuck into the site. They were also concerned about the orientation of the units.

A Commissioner said the project was better than what could be built by right under the current zoning. There was no further discussion.

**MINORITY OPINION** The Commissioner feels the proposal is too large and forced into to the site and unit(s) should directly front Kenilworth Avenue.

**STAFF OPINION** Staff agrees with the recommendation of the majority of the Zoning Committee.

**FINAL STAFF ANALYSIS**  
 (Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
 The site plan accompanying this petition contains the following provisions:
  - Allows up to nine single family attached dwelling units, with private courtyards and a one car garage on the lower level of each unit.
  - Specifies that no non-residential uses shall be permitted.
  - Access to the site via a private right-in/right-out driveway onto Kenilworth Avenue constructed of a combination of concrete and decorative paving.
  - A six-foot sidewalk and eight-foot planting strip along Kenilworth Avenue.
  - Dedication of 40 feet of right-of-way along Kenilworth Avenue as measured from the existing centerline of the road.
  - A 28-foot setback from the existing back of curb.
  - Individual four-foot tall masonry walls screening HVAC units and utility transformers for each unit, and a six-foot wide planting/screening bed at the rear of units.
  - A six-foot tall decorative wood fence with evergreen and small maturing deciduous trees, shrubs and ornamental grasses within a five-foot wide strip between the driveway and the adjacent single family residential home to the east.
  - Limits the height of detached lighting to 20 feet.
  - Provides a waiting pad for the existing bus stop on Kenilworth Avenue, with exact location to be determined during permitting.
  - Provides a pedestrian ramp on Kenilworth Avenue at Fillmore Street, with exact location to be determined during permitting.

- 
- Proposes a pedestrian connection from the internal sidewalk to the adjacent shopping center.
  - Provides 3,496 square feet of tree save area and 2,175 square feet of open space, which includes the private courtyards.
  - Provides four-sided elevations.
  - Garbage and recycling to be handled with rollout containers for each unit.
  - Limits the building height to 45 feet and not to exceed three stories.
  - Building materials to include brick, cedar siding, precast stone, synthetic stone, cementitious siding and trim, decorative metal panels, decorative block and/or wood.
  - Prohibits vinyl as a building material except for windows, soffits, attic vents and handrails and railings.
  - Unit constructed on the site abutting Kenilworth Avenue will be designed and constructed so that entrance door on the side of the unit is oriented to Kenilworth Avenue and connected by a four-foot minimum width sidewalk to the public sidewalk.
  - A private courtyard and the front setback to be improved with aesthetic landscaping, benches, tables, artwork, and decorative pavers.
  - Provides visitor parking in the internal driveways.
  - Specifies that the majority of the roofing material will be architectural shingles and portions of the roofs may be constructed using metal or cedar shingles.
  - **Public Plans and Policies**
    - The *Dilworth Land Use & Streetscape Plan* (2006) recommends residential uses up to 22 dwelling units per acre for the site.
    - The plan includes 13 design recommendations for the plan study area. Below are three applicable design recommendations and explanations on how the petitioner addresses the recommendations with the proposed site plan:
      - **Building Orientation:** *Orient buildings toward the street and public space, where provided.* The plan states this recommendation may be accomplished by: including doors, porches and/or windows on elevations facing streets and public spaces; including and defining main entrances on elevations facing streets and public spaces; and not locating parking between the building and the street. The petitioner is providing a door, windows, and a courtyard on the elevation facing the public street and has not located parking between the building and the street.
      - **Setbacks:** *Ensure that building setbacks are consistent with existing neighboring development, are unimpeded by parking areas, and include pedestrian-oriented amenities.* The petitioner is accomplishing this recommendation by providing a 28-foot setback from the existing back of curb, which provides a transition from the non-residential building to the west that is setback 14 feet from the back of curb, and the single family homes to the east, which are setback approximately 50 feet from the back of curb. There is no parking between the building and the street. The end unit has a door and windows facing Kenilworth Avenue with a private courtyard parallel to the street and a sidewalk connection to the public sidewalk.
      - **Street and Streetscape Design:** *Preserve Dilworth's traditional grid street pattern and provide streetscapes that create a safe and enjoyable travel environment for vehicles, pedestrians, bicyclists and transit riders.* The petitioner is accomplishing this recommendation by providing sidewalk connections from the units to the public sidewalk, two accessible ramps on Kenilworth Avenue at Fillmore Street, and a waiting pad for the existing bus stop.
    - The petition is consistent with the *Dilworth Land Use & Streetscape Plan*.
- 

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.

- **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
  - **Urban Forestry:** No issues.
- 

**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
    - Minimizes impacts to the natural environment by developing on an infill site.
    - Facilitates the use of alternative modes of transportation by providing a CATS bus waiting pad, providing two accessible ramps on Kenilworth Avenue at Fillmore Street, and proposing a pedestrian connection between the site and the adjacent shopping center.
- 

**OUTSTANDING ISSUES**

- No issues.
- 

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** John Kinley (704) 336-8311

<b>REQUEST</b>	Current Zoning: R-22MF (multi-family residential) and B-1 (neighborhood business) Proposed Zoning: MUDD(CD) (mixed use development, conditional)
<b>LOCATION</b>	Approximately 0.42 acres located on the west side of Kenilworth Avenue between Buchanan Street and East Boulevard. (Council District 1 - Kinsey)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the development of up to nine single family attached dwelling units for a density of 21.48 units per acre.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Dilworth Land Use &amp; Streetscape Plan</i> .
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Kenilworth Lofts, LLC Meeting Street Homes & Communities Teresa Hawkins
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 12

**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to nine single family attached dwelling units, with private courtyards and a one car garage on the lower level of each unit.
- Specifies that no non-residential uses shall be permitted.
- Access to the site via a private right-in/right-out driveway onto Kenilworth Avenue constructed of a combination of concrete and decorative paving.
- A six-foot sidewalk and eight-foot planting strip along Kenilworth Avenue.
- Dedication of 40 feet of right-of-way along Kenilworth Avenue as measured from the existing centerline of the road.
- A 28-foot setback from the existing back of curb.
- Individual four-foot tall masonry walls screening HVAC units and utility transformers for each unit, and a six-foot wide planting/screening bed at the rear of units.
- A six-foot tall decorative wood fence with evergreen and small maturing deciduous trees, shrubs and ornamental grasses within a five-foot wide strip between the driveway and the adjacent single family residential home to the east.
- Limits the height of detached lighting to 20 feet.
- Provides a waiting pad for the existing bus stop on Kenilworth Avenue, with exact location to be determined during permitting.
- Provides a pedestrian crosswalk across Kenilworth Avenue at Fillmore Street, with exact configuration to be determined during permitting.
- Proposes a pedestrian connection from the internal sidewalk to the adjacent shopping center.
- Provides 3,496 square feet of tree save area and 2,175 square feet of open space, which includes the private courtyards.
- Garbage and recycling to be handled with rollout containers for each unit.
- Limits the building height to 45 feet and not to exceed three stories.
- Building materials to include brick, cedar siding, precast stone, synthetic stone, cementitious siding and trim, decorative metal panels, decorative block and/or wood.
- Prohibits vinyl as a building material except for windows, soffits, attic vents and handrails and railings.
- Units constructed on the site abutting Kenilworth Avenue will be designed and constructed so that entrance doors on the side of the units are oriented to Kenilworth Avenue and connected by a four-foot minimum width sidewalk to the public sidewalk.
- A private courtyard and the front setback to be improved with aesthetic landscaping, benches, tables, artwork, and decorative pavers.
- Provides visitor parking in the internal driveways.

- Specifies that the majority of the roofing material will be architectural shingles and portions of the roofs may be constructed using metal or cedar shingles.
- **Existing Zoning and Land Use**
  - The subject property is currently undeveloped.
  - Properties to the north and east are zoned R-22MF (multi-family residential) and developed with single family land uses. Properties to the south are zoned MUDD (CD) PED (mixed use development, conditional, pedestrian overlay) with a mixture of multi-family residential and non-residential uses. Property to the west is zoned B-1 PED (neighborhood business, pedestrian overlay) and developed with a commercial shopping center.
- **Rezoning History in Area**
  - Petition 2010-027 rezoned property located at Scott Avenue, East Boulevard, and Floral Avenue from B-1(PED) (neighborhood business, pedestrian overlay) to B-1(PED-O) (neighborhood business, pedestrian overlay, optional) to allow the redevelopment of a portion of a shopping center.
- **Public Plans and Policies**
  - The *Dilworth Land Use & Streetscape Plan* (2006) recommends residential uses up to 22 dwelling units per acre for the site.
  - The plan includes 13 design recommendations for the plan study area. Below are three applicable design recommendations and explanations on how the petitioner addresses the recommendations with the proposed site plan:
    - **Building Orientation:** Orient buildings toward the street and public space, where provided. The plan states this recommendation may be accomplished by: including doors, porches and/or windows on elevations facing streets and public spaces; including and defining main entrances on elevations facing streets and public spaces; and not locating parking between the building and the street. The petitioner is providing a door and a courtyard on the elevation facing the public street and has not located parking between the building and the street.
    - **Setbacks:** Ensure that building setbacks are consistent with existing neighboring development, are unimpeded by parking areas, and include pedestrian-oriented amenities. The petitioner is accomplishing this recommendation by providing a 28-foot setback from the existing back of curb, which provides a transition from the non-residential building to the west that is setback 14 feet from the back of curb, and the single family homes to the east, which are setback approximately 50 feet from the back of curb. There is no parking between the building and the street. The end unit has a door facing Kenilworth Avenue with a private courtyard parallel to the street and a sidewalk connection to the public sidewalk.
    - **Street and Streetscape Design:** Preserve Dilworth's traditional grid street pattern and provide streetscapes that create a safe and enjoyable travel environment for vehicles, pedestrians, bicyclists and transit riders. The petitioner is accomplishing this recommendation by providing sidewalk connections from the units to the public sidewalk, a pedestrian crosswalk across Kenilworth at Fillmore Street, and a waiting pad for the existing bus stop.
  - The petition is consistent with the *Dilworth Land Use & Streetscape Plan*.

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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
  - **Vehicle Trip Generation:**  
Current Zoning: 200 trips per day.  
Proposed Zoning: 100 trips per day.
  - **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate seven students, while the development allowed under the proposed zoning will produce five students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is zero students.
- **Charlotte-Mecklenburg Storm Water Services:** Clarify Note A under Storm Water, which reads:

"Storm water runoff for this development will meet ordinance requirements for the PCCO." The parcel size will exempt the proposed development from all PCCO requirements per Section 18-105(b) of the Ordinance. If the Petitioner intends to voluntarily comply with the Post-Construction Stormwater Ordinance (PCCO), the Storm Water note should be revised to specify the particular provisions of the PCCO targeted for voluntary compliance. If the Petitioner does not intend to voluntarily comply with any portion of the PCCO, then the current Storm Water note should be deleted from the plan to avoid any confusion during permitting.

- **Charlotte Water:** No issues.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
  - **Urban Forestry:** No issues.
- 

#### **ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
  - Minimizes impacts to the natural environment by developing on an infill site.
  - Facilitates the use of alternative modes of transportation by providing a CATS bus waiting pad, providing a pedestrian crossing across Kenilworth Avenue at Fillmore Street, and proposing a pedestrian connection between the site and the adjacent shopping center.

#### **OUTSTANDING ISSUES**

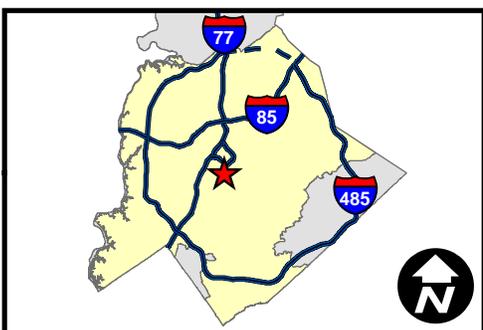
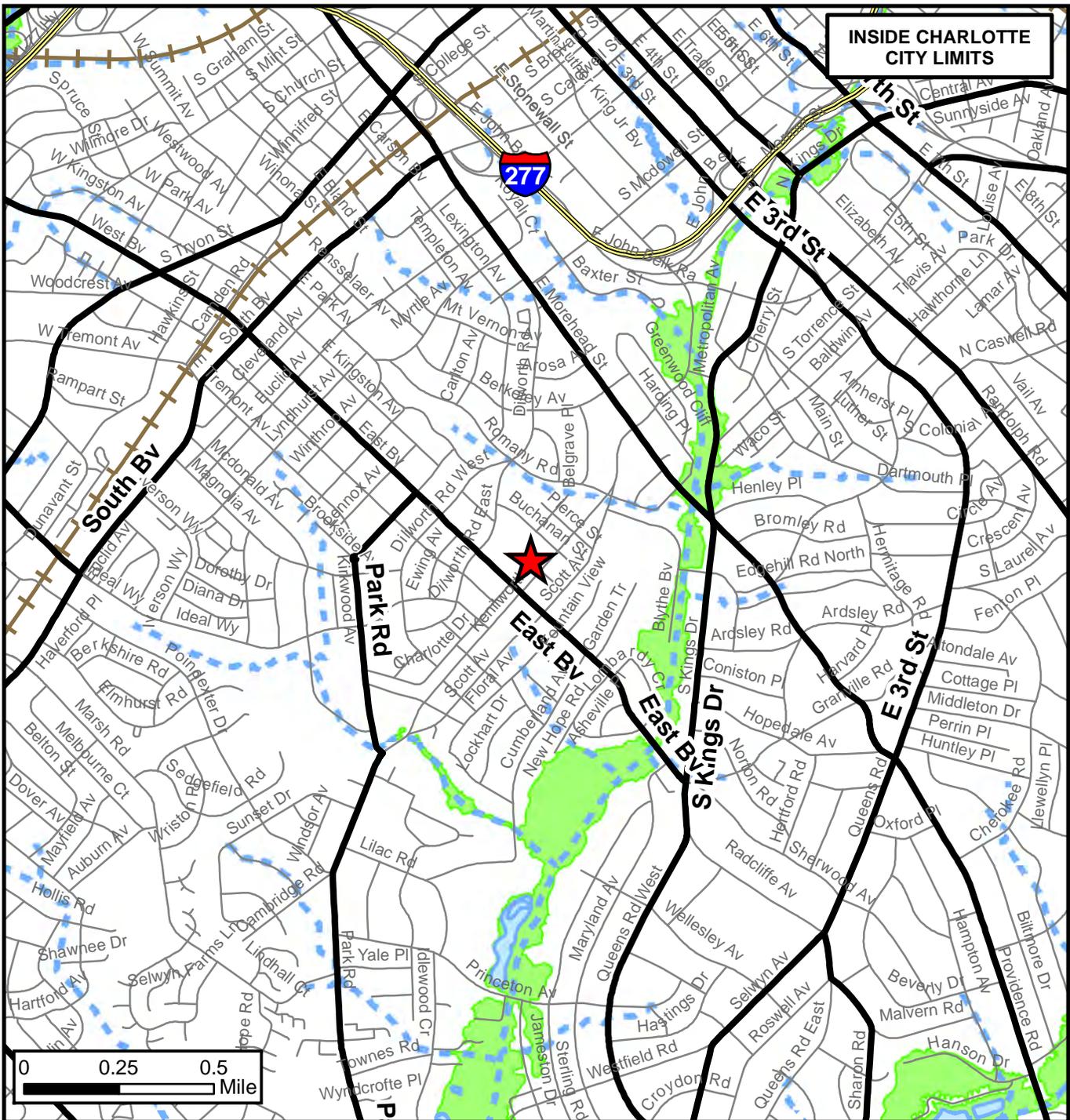
- The petitioner should:
    1. Address the Storm Water issue.
    2. Provide an elevation that ensures that the Kenilworth Avenue elevation is designed to resemble the main entrance of the building.
    3. Amend Note B under Architectural Standards and Materials to say "five-foot minimum width sidewalk" rather than four-foot.
    4. Provide four-sided building elevations.
    5. Amend the label on the site plan regarding the existing driveway closures to replace the word "repaved" with "replaced".
    6. Show and label visitor parking spaces.
- 

#### **Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** John Kinley (704) 336-8311

**Acreage & Location :** Approximately 0.42 acres located on the west side of Kenilworth Avenue between Buchanan Street and East Boulevard.



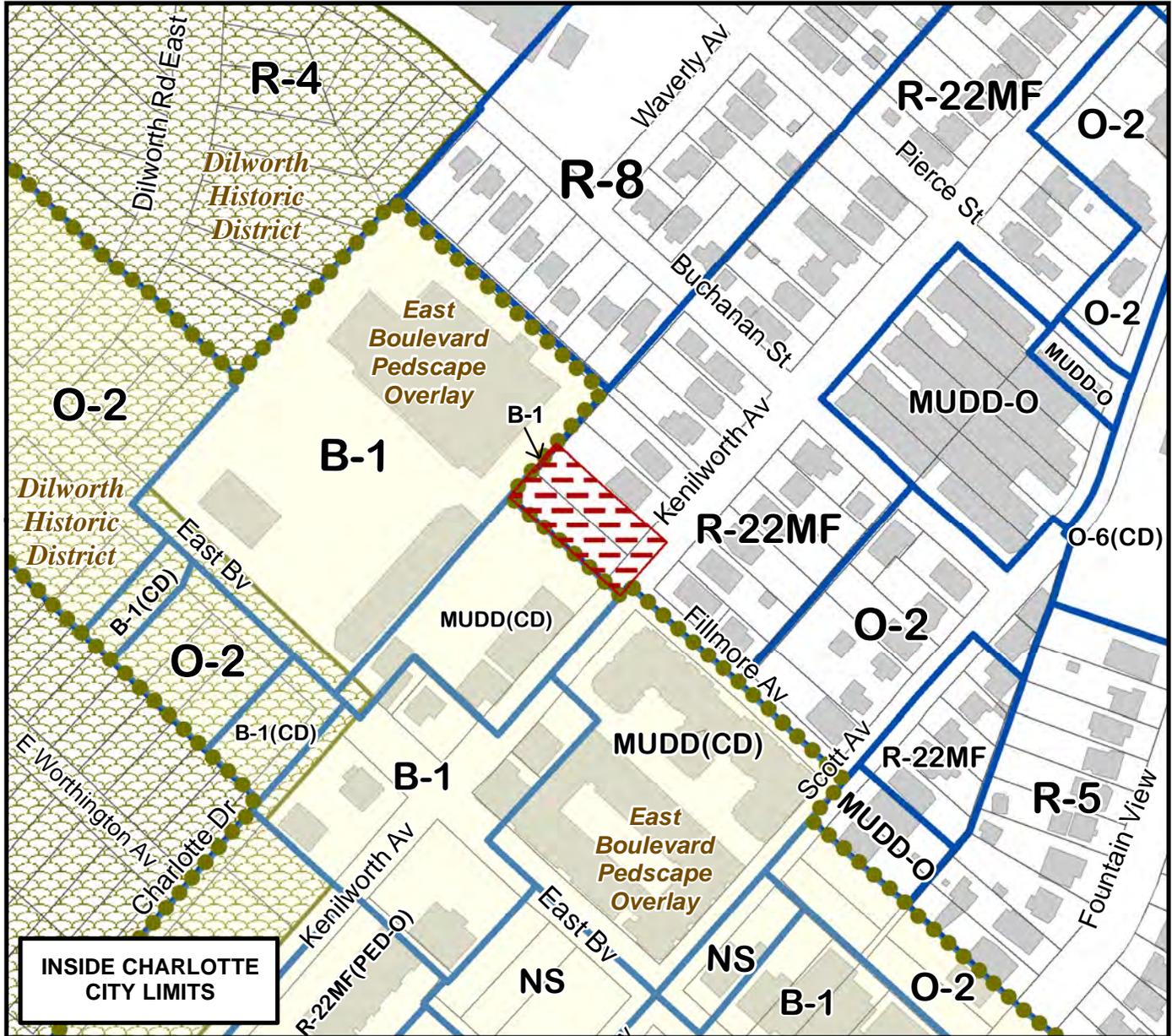
Petition #: **2015-013**

Petitioner: **Meeting Street Homes & Communities**

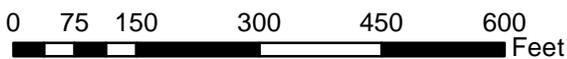
Zoning Classification (Existing): **R-22MF & B-1**  
(Residential, Multi-Family and Neighborhood Business)

Zoning Classification (Requested): **MUDD(CD)**  
(Mixed Use Development District, Conditional)

Acreage & Location: Approximately 0.42 acres located on the west side of Kenilworth Avenue between Buchanan Street and East Boulevard.

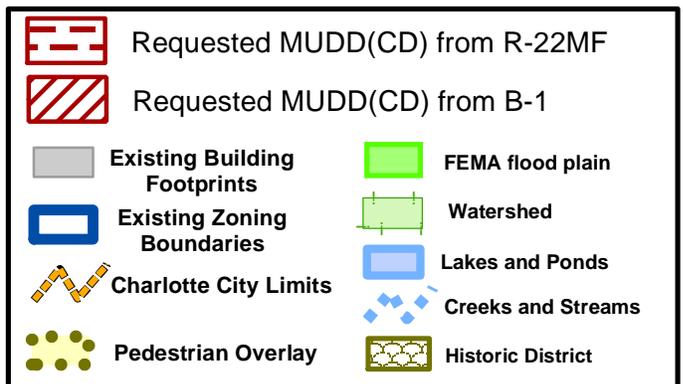


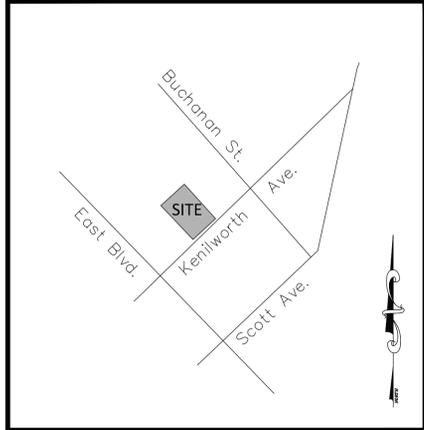
Map Produced by the Charlotte-Mecklenburg Planning Department, 12-1-2014.



Zoning Map #(s)

**100**





VICINITY MAP  
NOT TO SCALE

Kenilworth Commons (E&A), LLC  
Deed Book 25317 Pg. 641  
Tax I.D. 123-127-13  
B-1 Zoning  
with PED overlay

PETITIONER SHALL STRIVE TO OBTAIN PERMISSION FROM CURRENT ADJACENT PROPERTY OWNER TO CONSTRUCT A 5' CONCRETE SIDEWALK CONNECTION TO THE ADJACENT SHOPPING CENTER FROM THE TOWNHOME PROJECT

HVAC UNITS TO BE SCREENED WITH 4' TALL SOLID MASONRY SCREEN WALL AND LANDSCAPING MASONRY WALL TO MATCH UNIT MATERIALS

USE OF THE EXISTING ALLEY BEHIND THE PROPERTIES LOCATED AT 1616 AND 1612 KENILWORTH AVENUE WILL BE PROHIBITED DURING CONSTRUCTION AND AFTER THE DEVELOPMENT IS COMPLETED.

10' Alley per MB 230-55 (gravel)

adjoiner's fence corner 2.5' over

PROPOSED 6" WIDE PLANTING/SCREENING BED AT REAR OF EACH UNIT

TREE SAVE AREA (607 SF)

PROPOSED DRIVEWAY TO BE A COMBINATION OF CONCRETE AND DECORATIVE PAVING.

18' TWO-WAY DRIVEWAY

adjoiner's fence corner 0.5' over

EXISTING WOODEN FENCE ALONG COMMON PROPERTY LINE WILL BE REPLACED WITH NEW 6' TALL DECORATIVE WOOD FENCE SUPPLEMENTED WITH EVERGREEN TREES, SMALL MATURING DECIDUOUS TREES, SHRUBS, AND ORNAMENTAL GRASSES. THE SEGMENT OF FENCE THAT REPLACES THE EXISTING FENCE WILL BE A 6' TALL SOLID WOOD FENCE. THIS FENCE WILL BE INSTALLED ALONG THIS ENTIRE PROPERTY LINE AND WILL PROHIBIT ACCESS TO THE EXISTING 10 FOOT REAR ALLEY

Sridar Narhari & Nagasravani Parlapalli  
D.B. 28809 Pg. 44  
Lot 5, Block 1  
M.B. 230 Pg. 55  
Tax I.D. 123-127-22  
R-22MF Zoning

28' SETBACK (FROM BOC)

9'x18' OWNER/VISITOR PARKING SPACE

14" ADDITIONAL SETBACK (50.11')

EXISTING R/W

60' public R/W (MB 230-55)

EXISTING & existing centerline pavement

PROPOSED 26' WIDE 2-WAY DRIVEWAY

CLOSE EXISTING DRIVEWAYS WITH NEW CURB & GUTTER

Approx. R/W limit (per MB 230-55)

Public road

Filmore Street

CONDITIONAL NOTES AND DEVELOPMENT STANDARDS:

GENERAL PROVISIONS:

- A) THE DEVELOPMENT OF THIS SITE WILL BE CONTROLLED BY THE STANDARDS DEPICTED ON THIS SITE PLAN AND BY THE STANDARDS SET FORTH IN THE CITY OF CHARLOTTE ZONING ORDINANCE AND APPLICABLE LAND DEVELOPMENT CODES. THE DEVELOPMENT DEPICTED ON THIS PLAN IS INTENDED TO REFLECT THE ARRANGEMENT OF THE PROPOSED SINGLE FAMILY ATTACHED TOWNHOME UNITS ON THIS SITE, BUT THE EXACT CONFIGURATION, PLACEMENT AND SIZE OF THE INDIVIDUAL SITE ELEMENTS MAY BE ALTERED OR MODIFIED WITHIN THE LIMITS PRESCRIBED BY THE CITY OF CHARLOTTE ZONING ORDINANCE DURING THE DESIGN DEVELOPMENT, CONSTRUCTION DOCUMENT/PERMITTING AND CONSTRUCTION PHASES AS ALLOWED UNDER THE PROVISIONS OF SECTION 6/207 OF THE ZONING ORDINANCE.
- B) THE PETITIONER ACKNOWLEDGES THAT OTHER STANDARD DEVELOPMENT REQUIREMENTS IMPOSED BY OTHER CITY ORDINANCES AND CODES, SUCH AS THOSE THAT REGULATE STREETS, DRIVEWAYS, SIDEWALKS, STORM WATER, EROSION CONTROL AND TREES MAY APPLY TO THE DEVELOPMENT OF THIS SITE.

PURPOSE:

- A) USES ALLOWED ON THE SUBJECT PROPERTY WILL BE LIMITED TO RESIDENTIAL SINGLE FAMILY ATTACHED DWELLING UNITS AND RELATED RESIDENTIAL ACCESSORY USES AS PERMITTED IN THE MUDD ZONING DISTRICT. NO NON-RESIDENTIAL USES SHALL BE PERMITTED AS PART OF THIS DEVELOPMENT PROJECT.
- B) THE SUBJECT PARCEL WILL BE SUBDIVIDED VIA A RECORDED PLAT INTO 8 TOWNHOME FOR SALE, FEE SIMPLE LOTS AND 1 OR MORE COMMON AREAS

TRANSPORTATION:

- A) THIS SITE WILL HAVE ACCESS VIA A SINGLE PRIVATE 26 FOOT WIDE 2 WAY DRIVEWAY (RIGHT IN/RIGHT OUT) ONTO KENILWORTH AVENUE IN THE LOCATION AS GENERALLY IDENTIFIED ON THIS SITE PLAN. THE INTERNAL DRIVEWAY SHALL BE TWO-WAY AND A MINIMUM OF 18 FEET IN WIDTH.
- B) IMPROVEMENTS BY THE PETITIONER ALONG THE FRONTAGE OF THE SUBJECT PROPERTY WITH KENILWORTH AVENUE SHALL INCLUDE THE CLOSURE OF TWO EXISTING DRIVEWAYS WITH STANDARD CURB AND GUTTER FOLLOWED BY AN 8 FOOT WIDE TREE PLANTING STRIP, FOLLOWED BY A 6 FOOT WIDE SIDEWALK.
- C) THE PETITIONER SHALL INSTALL TWO ACCESSIBLE RAMPS ALONG WITH ANY NECESSARY SIGNAGE AT THE INTERSECTION OF KENILWORTH AVENUE AND FILMORE STREET. THE EXACT CONFIGURATION AND LOCATION OF THIS PEDESTRIAN CROSSING WILL BE DETERMINED BY CDOT DURING THE CONSTRUCTION PERMITTING PHASE.

TREES, SCREENING AND LANDSCAPING:

- A) THE DEVELOPMENT OF THIS SITE SHALL ADHERE TO THE STANDARDS OF THE CITY OF CHARLOTTE TREE ORDINANCE AND OF THE CITY OF CHARLOTTE ZONING ORDINANCE FOR SCREENING.
- B) A FOUR FOOT TALL MASONRY WALL WILL BE INSTALLED TO SCREEN ALL UTILITY TRANSFORMERS WHERE VISIBLE FROM PUBLIC STREET AND HVAC UNITS. MASONRY SCREEN WALL TO MATCH UNITS

REFUSE COLLECTION:

- A) SUBJECT TO OBTAINING A R.O.W. ENCROACHMENT AGREEMENT FROM CDOT, THE AREA BETWEEN THE BACK OF CURB AND SIDEWALK ALONG THE PROPOSED DEVELOPMENTS FRONTAGE WITH KENILWORTH AVENUE WILL BE PLANTED WITH MONDO GRASS (OPHIPOGON JAPONICUS) AT 6 INCHES APART IN ORDER TO PROVIDE A HARDY AND THICK GROUND COVER FOR THE OF TRASH AND RECYCLE BINS FOR COLLECTION BY THE CITY OF CHARLOTTE. PETITIONER WILL NOT BE REQUIRED TO INSTALL MONDO GRASS IF AN ENCROACHMENT AGREEMENT CAN'T BE OBTAINED.

LIGHTING:

- A) ALL EXTERIOR SITE LIGHTING SHALL BE DECORATIVE PEDESTRIAN LIGHTING VIA A COMBINATION OF LIGHT FIXTURES ON POLES (NOT TO EXCEED 20 FEET IN HEIGHT), AND LOW LEVEL GROUND LIGHTING AND RESIDENTIAL SCALE FIXTURES MOUNTED ON THE EXTERIOR WALLS OF THE UNITS. ALL LIGHTING WILL BE DIRECTED INTO THE INTERIOR OF THE SITE.

CONDITIONAL NOTES AND DEVELOPMENT STANDARDS CONT.:

CATS:

- A) PETITIONER SHALL PROVIDE AND CONSTRUCT A PAD FOR THE EXISTING BUS STOP ON KENILWORTH AVE. PER CITY STANDARD DETAIL 60.01B. THE BUS STOP WILL BE LOCATED PER CATS DURING THE URBAN REVIEW PROCESS, SO THAT IT DOES NOT CONFLICT WITH THE TRASH AND RECYCLE BINS WHICH WILL BE TEMPORARILY STORED BEHIND THE EXISTING CURB ON KENILWORTH AVENUE DURING TRASH COLLECTION DAYS.

PHASING:

- A) THIS DEVELOPMENT WILL BE PERMITTED AND CONSTRUCTED IN ONE PHASE.

ARCHITECTURAL STANDARDS AND MATERIALS:

- A) THE EXTERIOR BUILDING MATERIALS USED ON THE PRINCIPAL BUILDINGS CONSTRUCTED ON SITE WILL BE A COMBINATION OF PORTIONS OF THE FOLLOWING: BRICK, WOOD SIDING, PRECAST STONE, SYNTHETIC STONE, CEMENTITIOUS SIDING AND TRIM, DECORATIVE METAL PANELS, DECORATIVE BLOCK AND/OR WOOD. VINYL AS A BUILDING MATERIAL MAY ONLY BE USED ON WINDOWS, SOFFITS, ATTIC VENTS AND ON HANDRAILS/RAILINGS.
- B) ATTACHED TO THE REZONING PLAN ARE SCHEMATIC ARCHITECTURAL RENDERINGS OF THE ELEVATIONS OF THE BUILDING TO BE CONSTRUCTED ON THE SITE THAT ARE INTENDED TO DEPICT THE GENERAL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER OF THE BUILDING. ACCORDINGLY, THE ELEVATIONS OF THE BUILDING TO BE CONSTRUCTED ON THE SITE SHALL BE DESIGNED AND CONSTRUCTED SO THAT THEY ARE SUBSTANTIALLY SIMILAR IN APPEARANCE TO THE SCHEMATIC ARCHITECTURAL RENDERINGS THAT ARE ATTACHED TO THE REZONING PLAN. CHANGES AND ALTERATIONS WHICH DO NOT MATERIALLY CHANGE THE OVERALL CONCEPTUAL ARCHITECTURAL STYLE AND CHARACTER ARE PERMITTED BASED UPON FINAL DESIGN/CONSTRUCTION DRAWINGS.
- C) THE UNIT CONSTRUCTED ON THE SITE ABUTTING KENILWORTH AVENUE WILL BE DESIGNED AND CONSTRUCTED SO THAT AN ENTRANCE DOOR AND WINDOWS ON THE UNIT ARE ORIENTED TO KENILWORTH AVENUE, AND CONNECTED BY A FIVE (5) FOOT MINIMUM WIDTH SIDEWALK TO THE PUBLIC SIDEWALK. THIS FACADE WILL BE DESIGNED TO ACHIEVE A 'FRONT DOOR' APPEARANCE.
- D) FIVE ATTACHED UNITS WILL HAVE A ONE CAR GARAGE, ON THE LOWER LEVEL. THE REMAINING 3 UNITS WILL HAVE 2 CAR GARAGES.
- E) ADDITIONALLY, ONE OR TWO VISITOR PARKING SPACES WILL BE PROVIDED ON THE PARKING PAD IN FRONT OF EACH GARAGE AS DEPICTED ON THE REZONING PLAN DEPENDING ON THE WIDTH OF THE UNIT.
- F) EACH UNIT WILL HAVE A PRIVATE COURT YARD.
- G) THE MAJORITY OF THE ROOFS ON THE BUILDINGS WILL BE CONSTRUCTED UTILIZING ARCHITECTURAL SHINGLES. PORTIONS OF THE ROOFS MAY ALSO BE CONSTRUCTED UTILIZING METAL ROOF.
- H) FIVE UNITS SHALL HAVE A MAXIMUM OF 2 BEDROOMS, AND THREE UNITS WILL HAVE A MAXIMUM OF 3 BEDROOMS.

DEVELOPMENT DATA SUMMARY

TAX PARCEL ID: 123-127-20, 123-127-21, 123-127-98  
EXISTING SITE AREA: 18,247 SF (0.4188 ACRES)  
EXISTING ZONING: R-22MF AND B-1  
PROPOSED ZONING: MUDD(CD)  
EXISTING LAND USE: VACANT  
PROPOSED LAND USE: 8 ATTACHED SINGLE FAMILY RESIDENTIAL UNITS  
PROPOSED DENSITY: 19.10 DU/ACRE

MUDD ZONING DIMENSIONAL REQUIREMENTS

SETBACK:  
REQUIRED: 14' FROM EXISTING BACK OF CURB  
PROVIDED: 28' FROM EXISTING BACK OF CURB  
MINIMUM LOT AREA: NONE REQUIRED  
MINIMUM SIDE YARDS: NONE REQUIRED, 10' BUILDING SEPARATION ADJACENT TO RESIDENTIAL USE  
MINIMUM REAR YARD: NONE REQUIRED, 10' BUILDING SEPARATION ADJACENT TO RESIDENTIAL USE  
MAXIMUM HEIGHT: 45' (NOT TO EXCEED 3 STORIES)

PARKING

- 1 SPACE/UNIT = 8 SPACES REQUIRED
- 11 SPACES PROVIDED (IN GARAGE)
- + 1 EXTERIOR PARKING PAD AVAILABLE FOR EACH UNIT) OR
- 1 PARKING SPACE PER BEDROOM

BICYCLE PARKING: PER ORDINANCE STANDARDS

- PARKING ON THE ADJACENT KENILWORTH COMMONS AND HARRIS TEETER SHOPPING CENTERS WILL BE PROHIBITED AND LANGUAGE TO THIS AFFECT SHALL BE PART OF THE HOA DOCUMENTS

SUMMARY OF TREE SAVE & OPEN SPACE

- 0.4188 AC x 15% = 0.06282 AC (2,737 SF) REQUIRED
- APPROXIMATELY 0.0803 AC (3,160 SF) PROPOSED
- APPROXIMATELY OPEN SPACE PROPOSED: 2,228 SF
- (OPEN SPACE IS IN ADDITION TO TREE SAVE AREA, AND INCLUDES THE PRIVATE COURTYARDS AND PLANTING AREAS FOR EACH UNIT OUTSIDE THE GARAGE)

WASTE MANAGEMENT:

- INDIVIDUAL ROLLOUT CONTAINERS FOR BOTH TRASH & RECYCLE. TRASH AND RECYCLE CANS WILL BE STORED INSIDE GARAGES AS STATED IN HOA DOCUMENTS.

REVISED FOR PUBLIC HEARING: PETITION #2015-013

Teresa L. Hawkins  
RLA, ASLA, LEED-AP  
21326 Bethel Church Road  
Cornelius, NC  
704-892-8625(p/f)



ORSBORN ENGINEERING GROUP  
610 EAST MOREHEAD STREET, SUITE 106  
CHARLOTTE, NC 28202  
P) 704-749-1432 • F) 704-749-1433

PROJECT: MEETING STREET TOWNHOMES @ KENILWORTH  
1620-1624 KENILWORTH AVE., CHARLOTTE, NC  
DEVELOPED BY:  
MEETING STREET HOMES & COMMUNITIES  
1930 ABBOTT ST., SUITE 400  
CHARLOTTE, NC 28203  
SHEET TITLE:  
ILLUSTRATIVE SITE PLAN/TECHNICAL DATA SHEET

NO.	DATE	REVISIONS
1	06/02/15	STAFF COMMENTS
2	05/21/15	FINAL COORDINATION
3	03/20/15	REVISED PER 3/16/15 STAFF PRE-HEARING ANALYSIS
4	03/16/15	REVISED PER DCA AND NEIGHBORHOOD COMMENTS
5	02/13/15	REVISED PER STAFF PRE-HEARING ANALYSIS - DATED 2/16/15
6	02/04/15	REVISED PER CITY DEPARTMENT/STAFF COMMENTS, DCA & ADJACENTS.
7	01/16/15	REVISED PER CITY DEPARTMENT/STAFF COMMENTS, DCA & ADJACENTS.

JOB # 2014-10 & 14040  
DATE: (INITIAL FILING): 11/24/14  
SCALE: 1" = 20'  
DRAWN BY: JAW  
APPROVED BY: TLH/JCO

RZ-2

June 03, 2015 09:57am RLA User  
P:\31000 Kenilworth Townhomes\DWG\14008 RZ-2.dwg



**D :: South Elevation**  
RZ3 scale: 1/8"=1' 0"

- General notes for Kenilworth Street facing East End House only
- Metal Roof Parapet
  - Accent brick or cast stone/concrete
  - Brick
  - Metal canopy over side door at end house
  - Brick
  - Side door access to private courtyard
  - Private Courtyard



**B :: West Elevation**  
RZ3 scale: 1/8"=1' 0"



**C :: East Elevation (Kenilworth Avenue)**  
RZ3 scale: 1/8"=1' 0"

- General notes for Kenilworth Street facing East End House only
- Building ID Name
  - Accent brick or simulated stone
  - corner window element maybe other material consistent with Arch. Materials listed on RZ-2
  - Brick insets
  - Vertical trellis with climbing planting
  - Metal canopy at private garage door
  - Brick
  - Street Entry East Townhouse HVAC Screen Wall



**A :: North Elevation (shown without fence at property line)**  
RZ3 scale: 1/8"=1' 0"

- General notes for House other than Street End House
- Asphalt Shingle Roof
  - Roof Dormer optional on north and south elevations
  - Horizontal Siding
  - Private Balcony
  - Brick Base
  - Private garage Beyond
  - HVAC Brick Screen Wall
  - Sheet A/RZ3 for Screen Fencing and landscaping at drive and private garage entrances

REVISIONS	
NO.	DESCRIPTION
1	01/16/15 Revision 1 - Planning comments
2	03/16/15 Revision 4
3	05/22/15 Revision 6 - revisions based on neighborhood comments
4	
5	

Burgess Design Studio

MEETING STREET TOWNHOMES AT KENILWORTH  
2015 - 013

Building Elevations



**A** :: North Property Line Fence Elevation  
RZ5 NTS



**B** :: Aerial from South  
RZ5 perspective



**C** :: View of sidewalk  
RZ5 perspective

REVISIONS

NO.	DATE	DESCRIPTION
1	01/16/15	Revision 1 - Planning comments
2	03/16/15	Revision 4
3	05/22/15	Revision 6 - revisions based on Neighborhood comments
4		
5		

Burgess Design Studio

MEETING STREET TOWNHOMES AT KENILWORTH  
2015 - 013

Building Character Images



**A** :: View of Sidewalk  
RZ5 perspective



**A** :: View of street elevation from street  
RZ5 perspective



**A** :: View from across street  
RZ5 perspective



**A** :: View of sidewalk  
RZ5 perspective

REVISIONS		REMARKS
1	01/16/15	Revision 1 - Planning comments
2	03/16/15	Revision 4
3	05/22/15	Revision 6 - revisions based on Neighborhood comments
4		
5		

Burgess Design Studio  
MEETING STREET TOWNHOMES AT KENILWORTH  
2015 - 013

Building Character Images



# Prosperity Hucks area plan

Refined Draft Document

March 30, 2015



Charlotte Mecklenburg Planning Department

# Acknowledgements

The Charlotte Mecklenburg Planning Department acknowledges the feedback and participation from the public and would like to thank those who provided valuable input in developing the *Prosperity Hucks Area Plan*. Building upon the work of prior planning efforts and public input from concurrent transportation projects, this plan was the result of a series of public meetings and workshops conducted over the course of 2012 to 2015. It also involved cooperation with other City, County and State Agencies and Consultants:

- Charlotte-Mecklenburg Planning Department
- Charlotte Department of Transportation
- Charlotte Area Transit System (CATS)
- Charlotte Engineering and Property Management
- Charlotte-Mecklenburg Police Department
- Mecklenburg County Park & Recreation
- Charlotte-Mecklenburg Schools
- Charlotte Regional Transportation Planning Organization
- North Carolina Department of Transportation
- Market Consultant: Noell Consulting Group



*Public meetings provided opportunities for City staff to discuss plan concepts with residents/stakeholders.*



*Area stakeholders examine maps and provide comments during a public meeting.*

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1

# Prosperity Hucks

Concept  
Plan



# 1

# Concept Plan

## Plan Context

### Purpose of the Plan

The Prosperity Hucks Area Plan establishes a community-supported vision and provides detailed policy direction to shape the character and pattern of development for this growing area of Charlotte. This vision builds upon Charlotte's *Centers, Corridors and Wedges Growth Framework* by defining the unique character of the Prosperity Hucks area within the context of the City's overall growth framework.

This is a special time for the Prosperity Hucks area. The completion of the I-485 interchange and its supporting transportation infrastructure will dramatically reposition this area within the region. This public investment in infrastructure will bring with it new opportunities for private investment and development. This is not however a typical interchange. This unique interchange concept establishes a network of connections which distributes access in order to create a series of smaller-scaled streets and blocks, and establish a walkable, pedestrian-scaled pattern for new development to follow.

### Building on a Unique Vision

This plan has been many years in the making. It builds upon the *Prosperity Church Road Villages Plan* from 1999, which set forth the unique concept for the Prosperity Church Road/I-485 interchange. It establishes a framework for a walkable, urban, mixed use center that supports and is connected to the surrounding neighborhoods. This development pattern is made possible by a unique street network specifically designed to facilitate walkable urban form. To achieve this, the interchange is designed with three bridge crossings of I-485 within 1/4 mile of each other, to disperse the traffic onto three pedestrian-oriented minor thoroughfares. From there, traffic is to be dispersed further on a network of collector and local streets. The result is a network of appropriately scaled streets that are pedestrian friendly and that support a wide range of street-oriented uses and development.

### The Time is Now

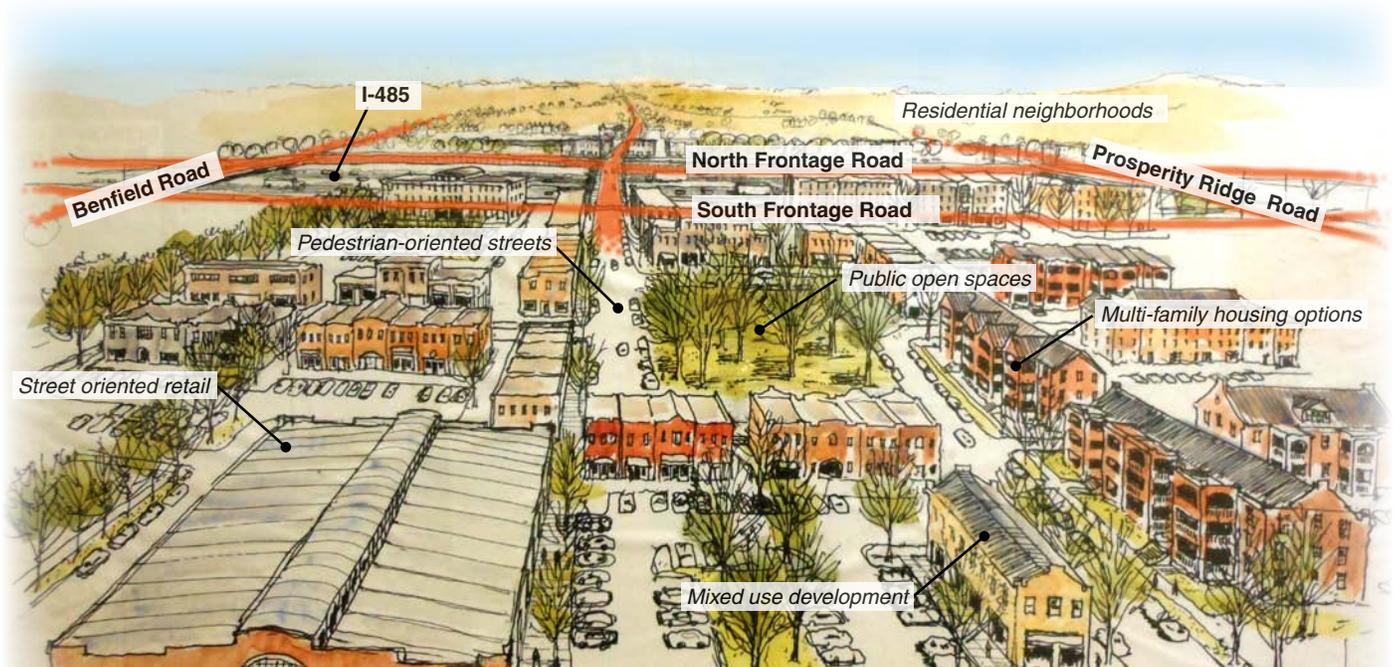
The construction of the I-485 interchange is nearing completion (2015) and further investment in the extension of Prosperity Church Road is underway. This new infrastructure and resulting access will make this area an attractive location for new development. While some development of the center has occurred, much of the area remains undeveloped and dramatic change is anticipated. This plan establishes the vision and intended character of this area in a time of unique change. It serves to guide public and private investment in the center, while protecting and enhancing the surrounding neighborhoods, in order to shape a special place in the Charlotte region.



Active street-level uses and pedestrian-scaled streetscapes create a vibrant urban environment.



Walkable streets that encourage a range of travel modes and pedestrian-oriented mixed use development.



The vision for Prosperity Hucks is centered on a walkable Activity Center that supports the surrounding neighborhoods.



Parks and public spaces enhance quality of life and provide places for public gatherings and festivals.



A range of housing options within the Activity Center provide walkable lifestyle choices.

## Vision

The vision for the Prosperity Hucks area is to create a unique and sustainable community that is a great place to live, work, and play. The blend of neighborhoods; along with an emerging Mixed Use Activity Center; plus an array of civic and institutional facilities will provide for a thriving community.

The vision incorporates the following elements:

- **Activity Center** will be a community serving Mixed Use place complementing and enhancing the surrounding neighborhoods; with a rich variety of retail, office, entertainment and residential uses in a well-designed and appropriately scaled form.

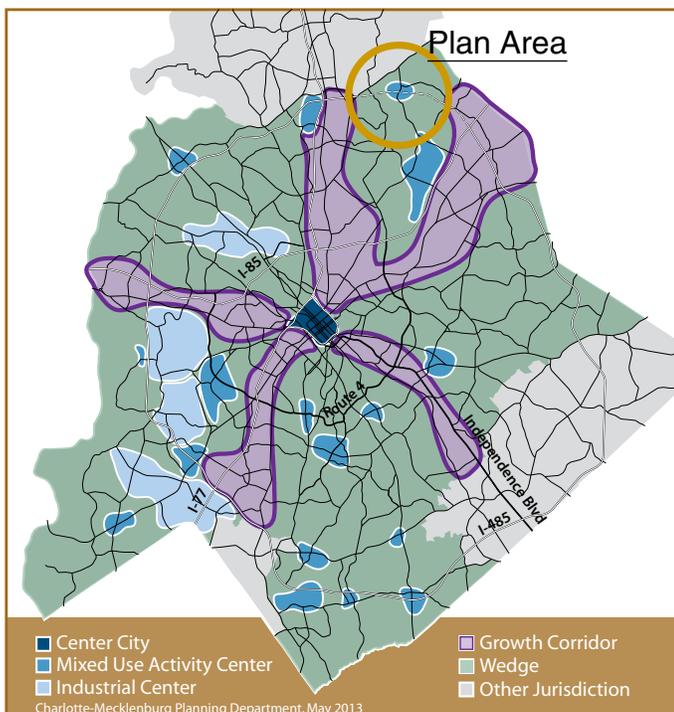
- **Neighborhoods** are the backbone to the stability of the area. Continuing development in and around the neighborhoods will take into account its impact on the quality of life of area residents and protect the tree canopy.
- **Transportation** infrastructure will be developed to connect neighborhoods, Activity Center and other destinations within and beyond the plan area; it should safely accommodate pedestrians, bicyclists, transit users, and motorists.
- **Open Space** will be well integrated into the community, preserving elements of the natural landscape, becoming part of a meaningful, connected open space network of greenways, parks, and bike paths.

## Function of the Plan

This document provides policy direction to guide future growth and development consistent with the *Centers, Corridors and Wedges Growth Framework*. Once adopted, this plan will:

- Update existing policies for the plan area, including the *Northeast District Plan* (1996), *Prosperity Church Road Villages Plan* (1999), and *Northeast Area Plan* (2000);
- Address key land use, mobility, community design and development issues identified through the planning process;
- Provide guidance for future land use and infrastructure decisions;
- Serve as the official streetscape plan for the plan area; and
- Refine the Activity Center and Wedge boundaries within the plan area.

The City's *Centers, Corridors and Wedges Growth Framework*, as shown on Map 1, establishes an overall vision for future growth and development. It does this by identifying three geographic land use categories for Charlotte's sphere of influence, and outlining the desired characteristics of each of these geographies. The Prosperity Hucks area incorporates Activity Center and Wedge components.



Map 1: The Centers, Corridors and Wedges Growth Framework is the City's overall vision for future development. The plan area includes a Center, surrounded by a Wedge.

## Plan Boundaries

The plan area encompasses about 6,200 acres. It is bounded generally on the northwest by Eastfield Road and the Town of Huntersville; on the northeast by the Cabarrus County line, on the southeast by Beard Road and Mallard Creek Road, on the south by various streets, property lines, and greenway elements south of Hucks Road, and to the west by various property lines of large tracts west of Browne Road. The official boundaries of the plan area are as shown on Map 2.

The plan area incorporates the entire Prosperity Church Road/I-485 Activity Center as defined by the Charlotte's *Centers, Corridors and Wedges Growth Framework*. The remaining portion of the plan area lies within the Wedge. Wedge areas are defined in the *Centers, Corridors and Wedges Growth Framework* as predominantly residential with both single-family and multi-family development, and some supporting commercial and institutional uses. The area is characterized by strong stable neighborhoods, established as planned developments largely since 1990. This plan incorporates some changes to the boundaries of the Activity Center and Wedge as shown on Map 3, as described further in the document.

## Document Organization

This document is organized into three parts. Only the first part, the Concept Plan, will become adopted City policy. Part 2, Implementation Guide, will be used to guide staff work. Part 3, Appendix, provides supporting information.



Map 2 This plan proposes a minor change to the Mixed Use Activity Center boundary.

## Community Engagement

The need for this plan was identified based on an analysis of a number of criteria including existing land use patterns, recent rezoning petitions, and population growth. Of particular note were recent development pressures, expected impact of the coming I-485 interchange, the need for improved connectivity, and environmentally sensitive areas.

Development of the plan occurred over a multi-year period and included the following key public involvement opportunities:

### 2012: Kickoff

- A *Prosperity Hucks Area Plan* website was established in 2012 to keep the public informed of plan progress and as a public repository of draft plan materials and maps, meeting notices, agendas, and presentations.
- The public was invited to provide input via a preliminary online survey, with continuing opportunities to fill out paper surveys at the meeting. A total of 179 responses were recorded.
- A public kickoff meeting was held on November 15, 2012 with about 150 people attending.

### 2012-14: Plan Development

- Two public workshop meetings were held on December 6, 2012 (56 attending) and January 10, 2013 (42 attending). At these sessions, concepts related to Land Use, Community Design, Transportation, Parks/Greenways, and Public Facilities were reviewed. Surveys were collected at each workshop to aid in policy preparation and revision.
- Another public meeting was held on August 8, 2013 to present draft recommendations.
- The plan document was made available on the web in December 2013. A public open house was held January 14, 2014 to solicit further input.
- The Planning Committee of the Charlotte-Mecklenburg Planning Commission heard citizen comments on January 21, 2014 recommended plan approval on February 18.
- Public Comment to City Council scheduled for February 24, 2014 was postponed when new concerns emerged about recommended land uses in the Mixed Use Activity Center.

### 2014: Community Dialog

- A community dialog process focused on the Activity Center began in March 2014 at a meeting organized by residents with specific concerns about plan recommendations.
- Staff organized a series of public meetings and activities throughout the Spring and Summer of 2014 intended to understand the points of view of area residents and to identify specific plan refinements. The process concluded with the Community Workshop in September 2014. The workshop included small group work sessions, an open house, and a public Summary Presentation.

### 2015: Next Steps

- This Refined Draft of the Area Plan will be presented to the community for review at a public meeting in April 2015. It will then be taken through the adoption process, with additional public input opportunities in front of the Planning Commission and City Council.
- The Planning Committee of the Charlotte-Mecklenburg Planning Commission and City Council's Transportation and Planning Committee will review the plan, consider public comments, and make their recommendations to the Charlotte City Council concerning plan adoption.
- Further revisions based on public input will be tracked and incorporated in the final adopted document.
- The City Council will make the final decision concerning adoption of the plan.



*Community members gathered around tables to work on concepts for the Activity Center in September 2014.*

## Glossary of Frequently Used Terms

These definitions are intended to provide clarification for some terms that frequently are used throughout this document, and to provide context to the Prosperity Hucks Area Plan.

**Apartment** - A room or set of rooms designed as a residence, and generally located in a building containing other residences. The term may be used to refer to such dwellings whether or not they are owner-occupied.

**Condominium** - The ownership of single units within a structure with common areas and facilities.

**Institutional** - Institutional uses are considered to include cultural, educational, medical, governmental, religious, athletic, and other similar types of uses that are generally open to the public. Large scale churches and day cares (as defined by the zoning ordinance) should typically be located on thoroughfares and provide a physical transition to existing neighborhoods by way of building height and landscaping. Institutional uses such as jails, prisons, and landfills are not typically appropriate within this plan area.

**Dwelling Units Per Acre (DUA)** - Indicates the minimum or maximum number of dwelling units permitted on each acre of land. These refer to both single-family and multi-family units.

**Greenway** - A vegetated natural buffer that improves water quality, reduce the impacts of flooding, and provide wildlife habitat. Greenways may be used to provide recreation, transportation, fitness, and economic benefits.

**Live-work Unit** - A unit within a building which incorporates both the residence and the place of business of the proprietor, generally with the residence on upper floors over the business.

**Mixed Use** - One or more multi-story buildings that contain more than one type of land use, such as office, institutional, residential, retail/service uses, vertically integrated.

**Multi-Use** - any horizontally integrated development which includes at least two of the following uses: office, institutional, residential, retail/service uses in separate but abutting buildings, and located on one tract of land, or on multiple adjacent sites. Multi-use developments must be pedestrian oriented, compact, and architecturally integrated, and the uses must be well connected to each other.

**Multi-Family Residential** - Building or buildings containing more than one dwelling unit placed one on top of another or side by side and sharing common walls or common floors and ceilings.

**Multi-unit Residential Building** - A structure containing multi-family residential dwelling units; may be apartments, townhomes. or other dwelling type.

**Multi-use Path** – A bi-directional, hard-surfaced path physically separated from motor vehicle traffic intended for use by pedestrians and bicyclists.

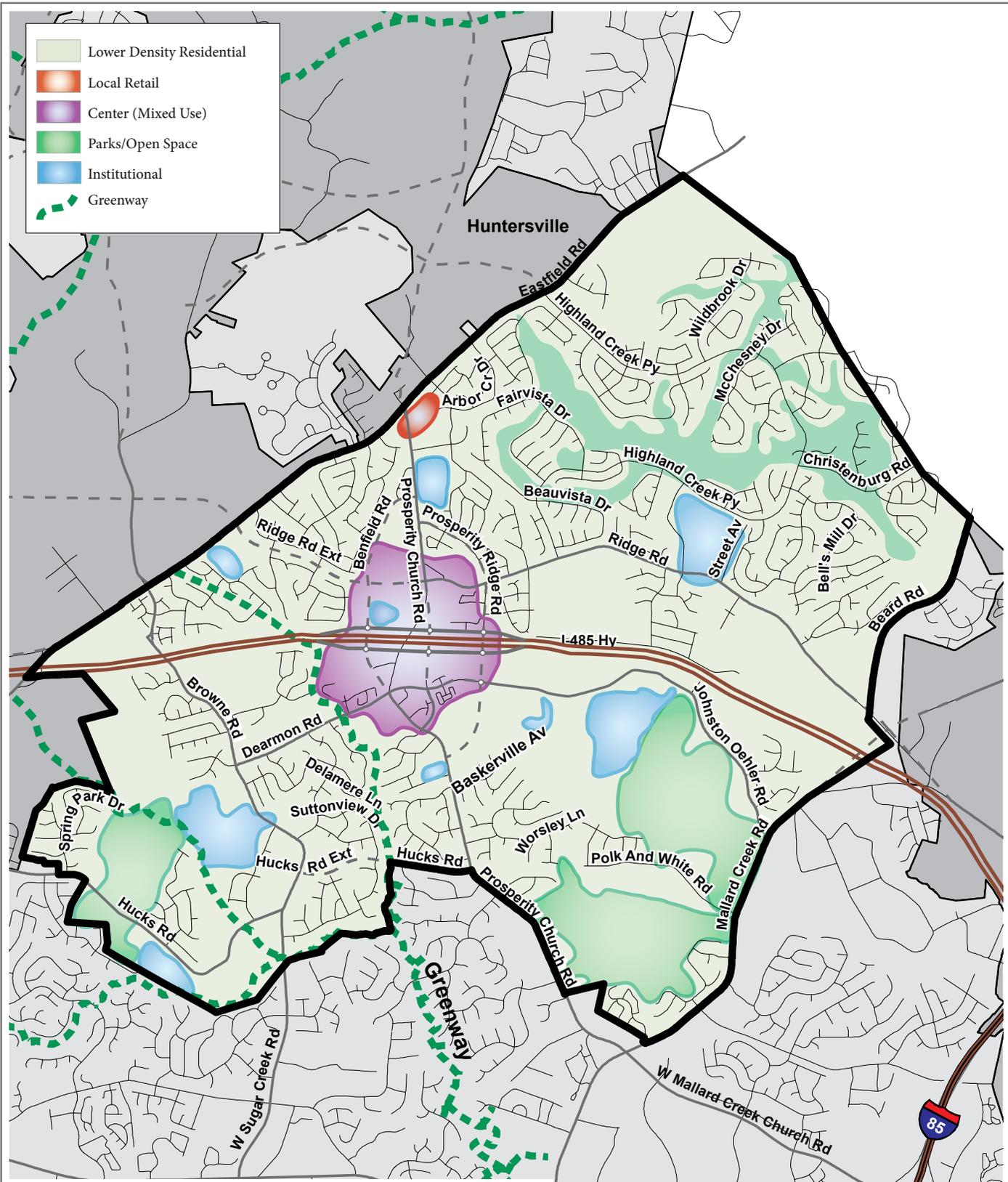
**Open Space** - An area of land or water, which is open and unobstructed including areas maintained in a natural or undisturbed character, areas improved for active or passive recreation, and areas with plazas, courtyards and fountains for common enjoyment. Open space does not include areas covered with buildings, structures, streets, or off-street parking areas.

**Retail Anchor** - A retail store used to attract customers to smaller retailers. Retail anchors are often department stores, grocery stores, or other larger specialty retailers, and are generally part of a retail chain.

**Secondary Uses** - A second land use type on a single property of much lesser prominence than the primary use and integrated into the overall site plan, such as small retail shops incorporated into a residential development.

**Small shops** - Retail stores, restaurants, offices, and service shop spaces typically attached to other similar shops, and typically less than 5,000 square feet each.

**Townhome** - A type of residential development with two or more dwelling units placed side-by side sharing common walls, but each with an individual exterior entrance.



Data Source: City of Charlotte, Mecklenburg County, data as of December 2014  
 Produced By: Charlotte-Mecklenburg Planning Department

**Concept**  
 Prosperity Hucks Area Plan

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# Plan Concept

The Activity Center is poised to be a vibrant, walkable place that provides a gathering space and sense of place for the larger community. While the Activity Center is a primary focus of the area plan, the Wedge area is equally important. Lower density residential neighborhoods with strategically located small scale non-residential uses will characterize the Wedge area.

The Concept Map (Map 3) illustrates the recommended development pattern for the plan area. The Concept Map identifies the principal nodes of activity on the map:

## Activity Center

- The Activity Center is in the vicinity surrounding Prosperity Church Road and I-485. It will act as a gathering place for all of the surrounding neighborhoods.
- The Activity Center should provide a mixture of uses to include retail, office, institutional, and residential uses, ideally in mixed use buildings, to be developed in a dense, pedestrian friendly form with a fine-grained layer of connected local streets.
- Existing and future institutional uses are expected to remain an important element throughout the Activity Center.
- The mixed use development pattern is supported by a dense street network and a small block development form, which is intended to accommodate pedestrians, vehicles, and cyclists for maximum accessibility in a safe manner.
- One element of accessibility is the greenway system and connection to parks and open space.

## Wedge

- Beyond the Activity Center, the plan calls for a lower density in the existing and future wedge neighborhoods. These neighborhoods are supported by a network of public and private open space, including an expanded greenway system to provide further recreation and transportation options. The wedge also is supported by institutional uses, and a network of interconnected streets.



*The Prosperity Activity Center should try to emulate the NoDa neighborhood's organic development pattern of diverse uses and building types.*



*This South End business features a pedestrian-friendly entrance and an outdoor dining area, encouraging pedestrian activity and interest at the ground floor level.*

# Introduction to Plan Recommendations

The following sections on the Activity Center and the Wedge set forth policies for the two areas. Each will recommend appropriate land uses to realize the plan vision. Related policies dealing with community design, mobility, and open space are incorporated into the Activity Center section as well. In addition, separate sections for transportation, infrastructure, and environment follow, building upon and complementing the policies discussed in the Activity Center and Wedge sections.

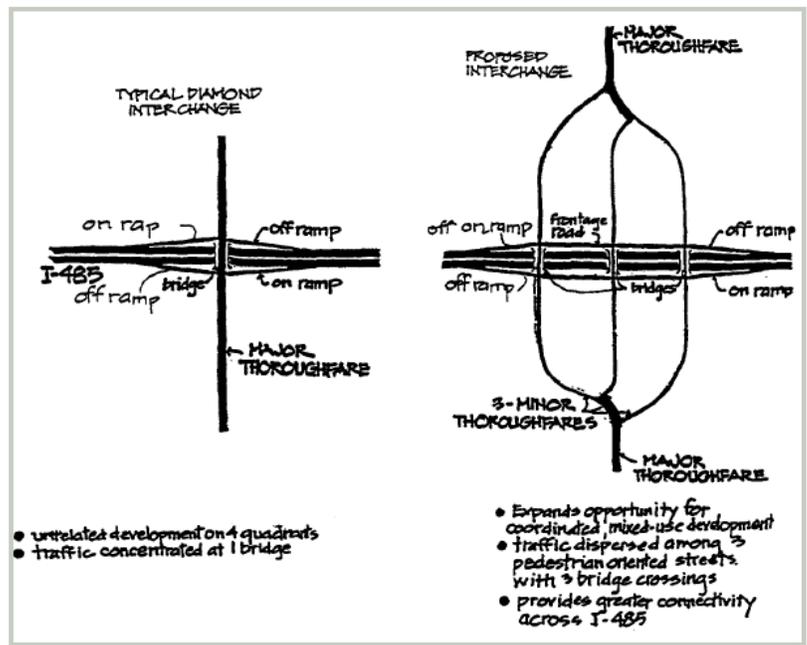
The plan area incorporates the Prosperity Church Road/I-485 Mixed Use Activity Center as defined by the City's *Centers, Corridors and Wedges Growth Framework*, as was shown on Map 1. Slight revisions to the boundary between the Activity Center and the Wedge are recommended as shown on Map 2. These changes are appropriate due to their interchange accessibility, thoroughfare orientation and accessibility, and existing and proposed land use patterns and densities.

The land use policies are shown on Map 5 for the Activity Center, and Map 6 for the Wedge. Each policy is numbered, and the specific location noted on the maps. The policies also are cross referenced by number in the Implementation Guide.

Because of the importance of vehicular, bicycle, and pedestrian interconnectivity to the functioning of the Activity Center and to the surrounding wedge neighborhoods, provision of appropriate street network is critical. This includes not just the thoroughfares, but smaller local streets expected to infill as development progresses. The location of new streets shown in this plan is conceptual. Alternative locations, consistent with the intent of the proposed network, will also be considered.



The Prosperity Church Road Villages Plan set the original form for the Activity Center.



Illustrations from the 1999 Prosperity Church Road Villages Plan, showing the concept for the three bridges crossing the interstate.

# Activity Center

## Prosperity Activity Center

The Land Use Goal for this area is:

- Support continuing development of the Activity Center at the Prosperity Church/I-485 interchange as a compact, pedestrian-oriented mixed use center, serving as a gathering place for surrounding neighborhoods and the larger community.

An Activity Center is a focal point of economic activity typically planned for concentrated development. Beginning with the Northeast District Plan, various approaches to creating a pedestrian-oriented mixed use center around I-485 and Prosperity Church Road were proposed. The Prosperity Church Road Villages Plan carried that concept forward. A standard diamond interchange at a location like Prosperity Church Road would have one bridge crossing the freeway, with on- and off-ramps in each direction, severing the two sides of the freeway from each other. City staff worked with NCDOT to develop an interchange concept specifically to facilitate a walkable mixed use community and avoid the type of segregated development that typically occurs at interstate highway interchanges.

The Prosperity Church Road interchange design has three bridge crossings of I-485 within 1/4 mile of each other, with on- and off- access provided at the two outside bridges. The bridge crossings disperse the traffic onto three pedestrian-oriented minor thoroughfares, further dispersed to a network of collector and local streets. This network provides the framework for the development of the Activity Center.

In the planning, design, and construction of the Prosperity Church Road/I-485 interchange and its access roads, the North Carolina and Charlotte Departments of Transportation have followed the Prosperity Church Road Villages Plan concept rather closely.

The planning process for this Prosperity Hucks Area Plan has confirmed and reinforced much of the planning that has preceded it. With the completion of I-485, it is anticipated that pressure for development in the Prosperity Activity Center will be intensified. This plan anticipates that future development in the Center can and should be more intense than that in place on the few parcels that are currently developed. The land use, transportation, and community design policies set forth in this document are focused on continuing the evolution of the compact pedestrian-oriented mixed use center.

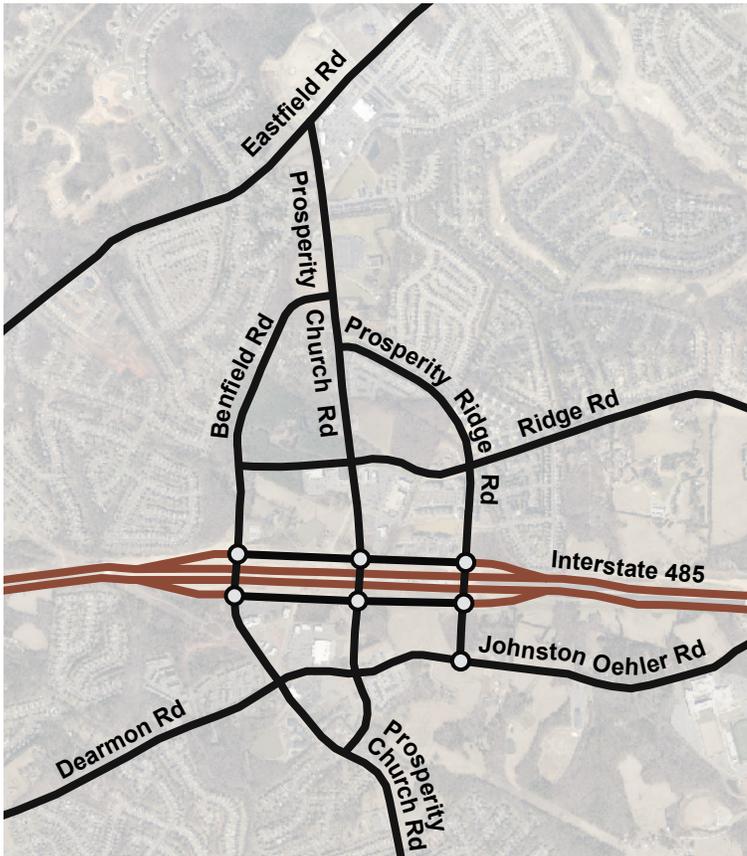
The following series of illustrations are adapted from illustrations presented at community workshop meetings. They show how the recommended form of the Activity Center has been influenced by various factors, including the freeway interchange configuration, the street network, available land and walking patterns, and the potential for connected open space.



*Mixed use buildings at Birkdale Village are set at the back of the wide sidewalks, allowing for arcades, stoops, retail displays, and amenities.*

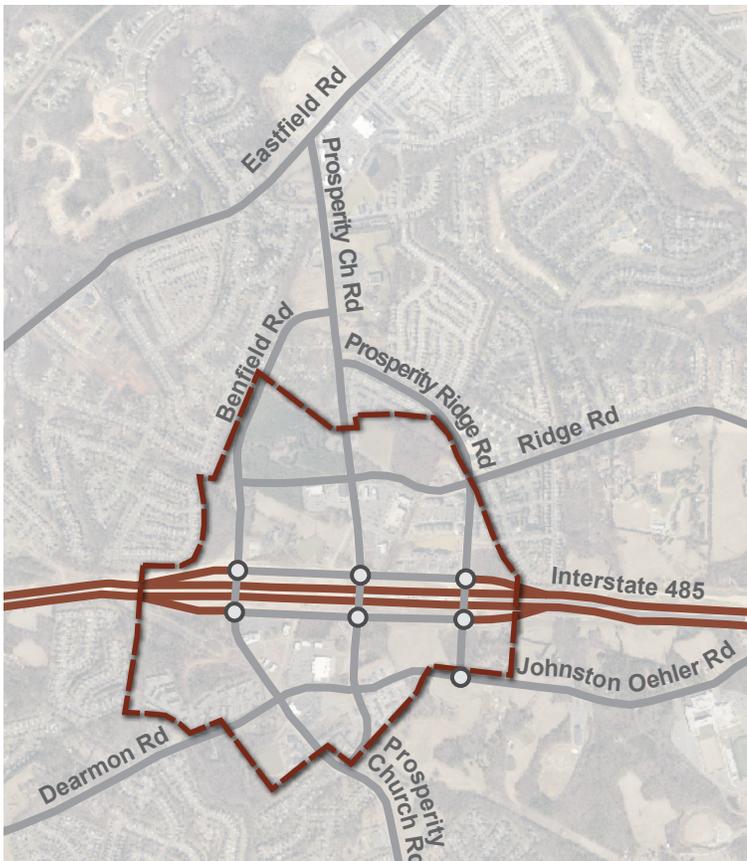
### Transportation and Access

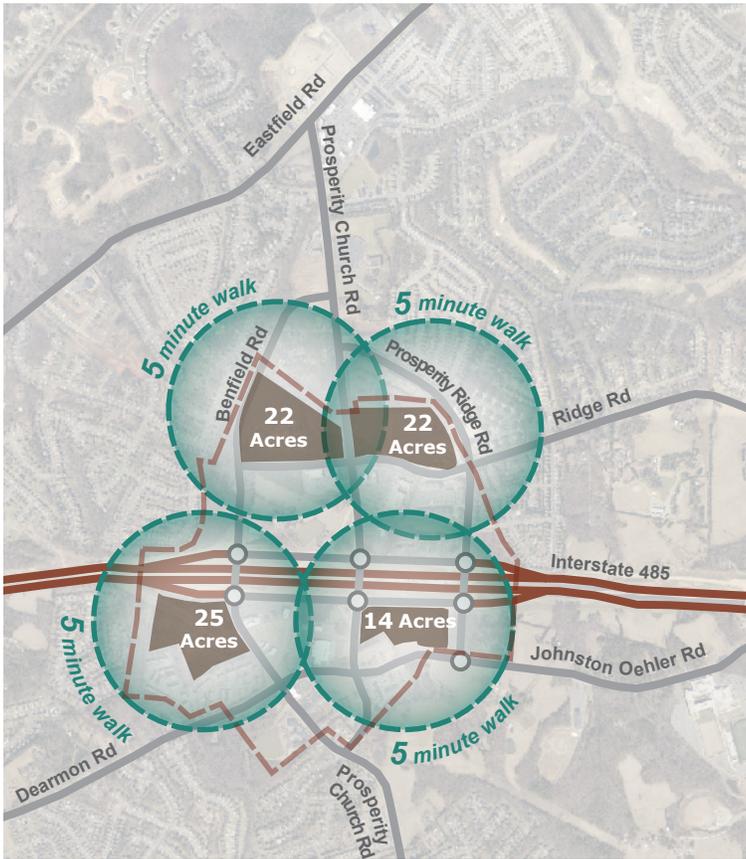
The final leg of I-485, Charlotte's Outer Beltway, is under construction through the center of the Prosperity Activity Center, scheduled to open in early 2015. The principal elements of the new street network also are under construction by the State and the City, and will be critical to making the interchange function. This map shows the street network with elements due to be completed when the interchange opens or shortly thereafter.



### Defining the Activity Center Boundary

The Activity Center defined here is smaller than the area of the earlier *Prosperity Church Road Villages Plan*. It incorporates property appropriate for walkable mixed use purposes, with retail, commercial, multi-family, or institutional potential, as well as some townhome areas. Properties at the edge of the Activity Center developed as, or best suited for, single family or residential at a townhome density are generally placed within the Wedge Neighborhood area. Even so, the closest neighborhoods are still quite walkable and well connected into the Activity Center.





### Focus on Walkable Center

Within the center would be a mix of uses, to be developed in a form appropriate for a walkable town center, and designed to support the desired vibrant retail environment. The Town Center includes a wider area than just a single parcel or development. It is expected that individual developments would tie together along their street frontage to create the larger activity center.

This map shows four large undeveloped tracts within the proposed Activity Center which could be a catalyst for other parcels to form the larger town center. The five-minute walks from these centers intersect in such a way that supports the larger activity center vision.

### Two Core Areas

Community discussions indicated that most people regard the areas north and south of the freeway as closely linked but separately accessed places. As such the plan recognizes two Core Areas. Each core area has two of the large developable areas, as well as areas suitable for new or continuing uses. This map shows the concept. While both Core Areas might include a full range of walkable uses, the North Core would be expected to emphasize retail. The South Core would have a stronger employment emphasis, reflecting office uses already in place.

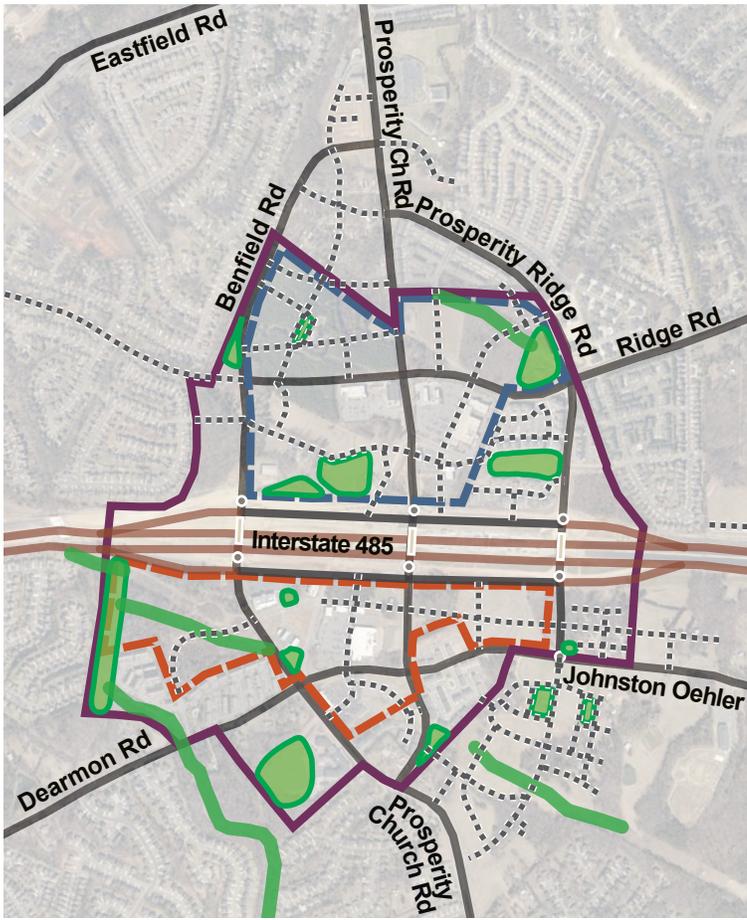
#### **North Core:**

- The **heart** of the Activity Center
- Variety of uses, emphasis on **retail**
- Will **establish** a sense of place for the community & provide spaces for gathering

#### **South Core:**

- A **core part** of the Activity Center
- Variety of uses, emphasis on **employment**
- Will **strengthen** a sense of place for the community & promote walking





### Open Space Network

A major concern for neighborhood residents has been establishment of an open space network linking Activity Center elements to each other, to the Little Sugar Creek Greenway, and to surrounding neighborhoods. This map shows some elements of a possible network. It incorporates existing open space elements, open space elements shown on approved site development plans, and possible open space elements located in sensitive locations within the Activity Center and discussed in the Land Use policies herein.

This map does not illustrate all the open space that could result through private development. Instead, the intent is for this map to inform the provision of such open space to create an overall network.

Provision of connected open space will be an expectation of any and all development proposed within the Activity Center. These elements will combine with the sidewalks and bike routes expected on public and private streets, and additional required open space in new development. In combination with the planned greenway, the recreational facilities, at Mallard Creek Park, the nature preserve, the Tradition Golf Course, and the proposed Eastfield Regional Park, the area is intended to be well served by open space.

## Policy Area Delineation

For purposes of describing appropriate type and design of future development and redevelopment within the Activity Center, the Center is divided into a series of Policy Areas.

- North of I-485 are seven policy areas, numbered C1 through C7. Four are within the North Core area, and three are on the periphery, with policies related to appropriate transition to the Wedge.
- South of I-485 are eight policy areas, numbered C8 through C15. Three are within the South Core area, and the remaining five are on the periphery, with policies related to appropriate transition to the Wedge.

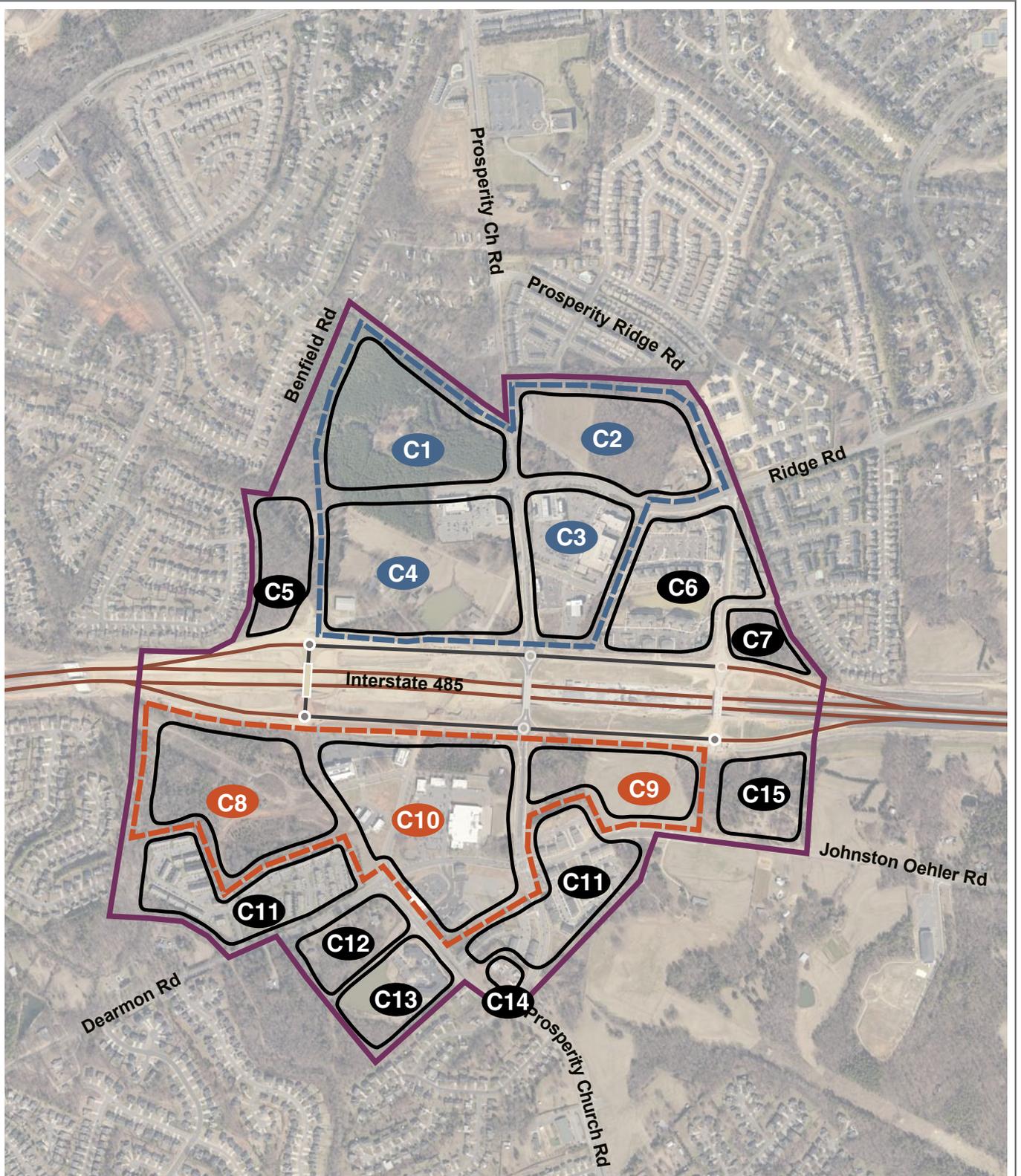
Policies for each of the fifteen Policy Areas address the following:

- Land Use
- Community Design
- Mobility
- Open Space

General policies that apply to development throughout the Activity Center and supplement the more specific policies for each of the 15 areas are provided in subsequent sections:

- Community Design, including a section on Land Uses with Drive-through facilities and/or gasoline pumps
- Transportation & Streetscape
- Infrastructure & Public Facilities
- Environment

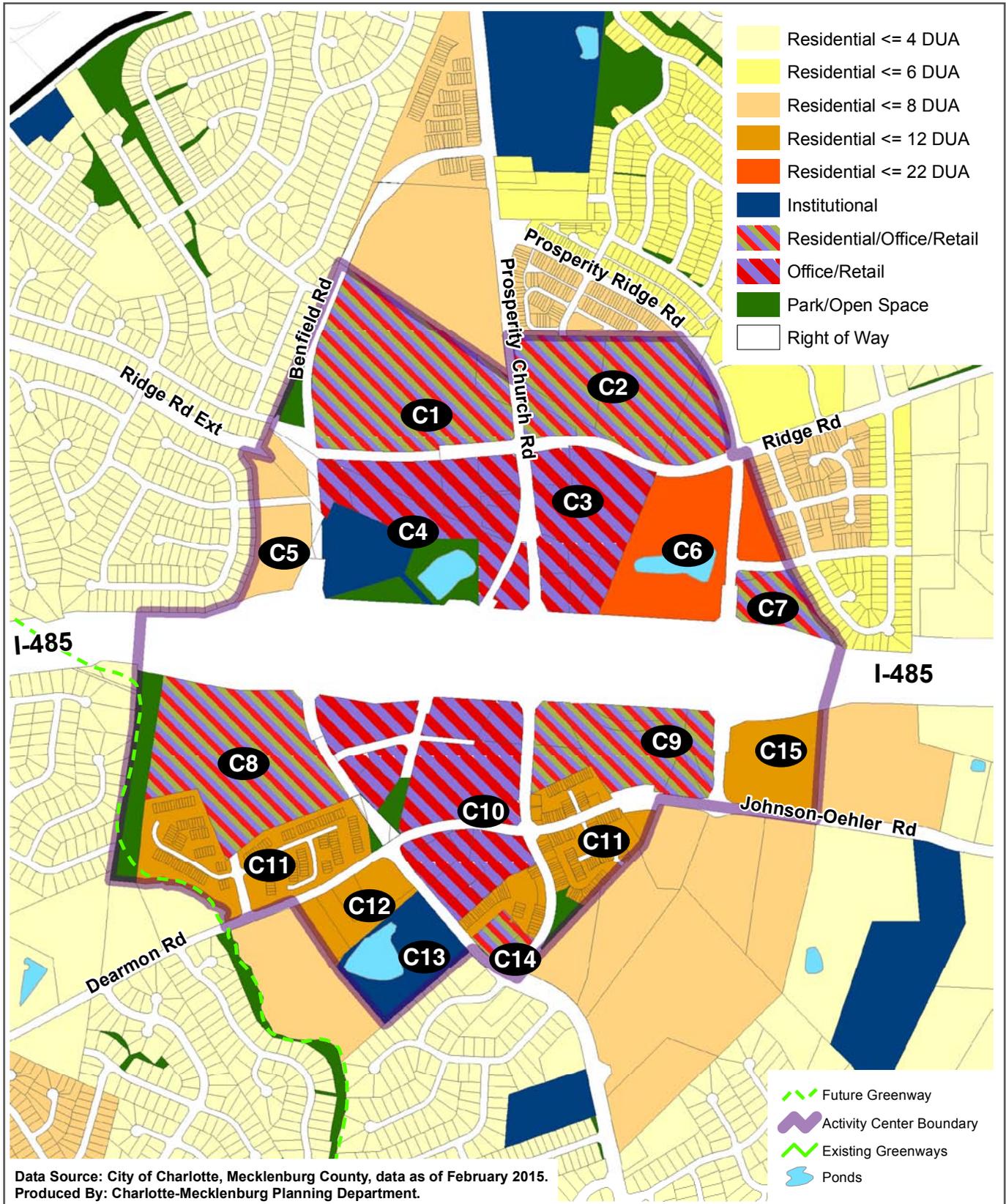
Map 4 following shows the property included within each Policy Area. Map 5 shows a generalized view of the recommended land use for the Activity Center, with a reference to the appropriate Policy Area. Map 7 shows the recommended major street network needed to support the land uses.



Data Source: Mecklenburg County aerials dated April 2014  
 Produced By: Charlotte-Mecklenburg Planning Department

# Activity Center Policy Areas

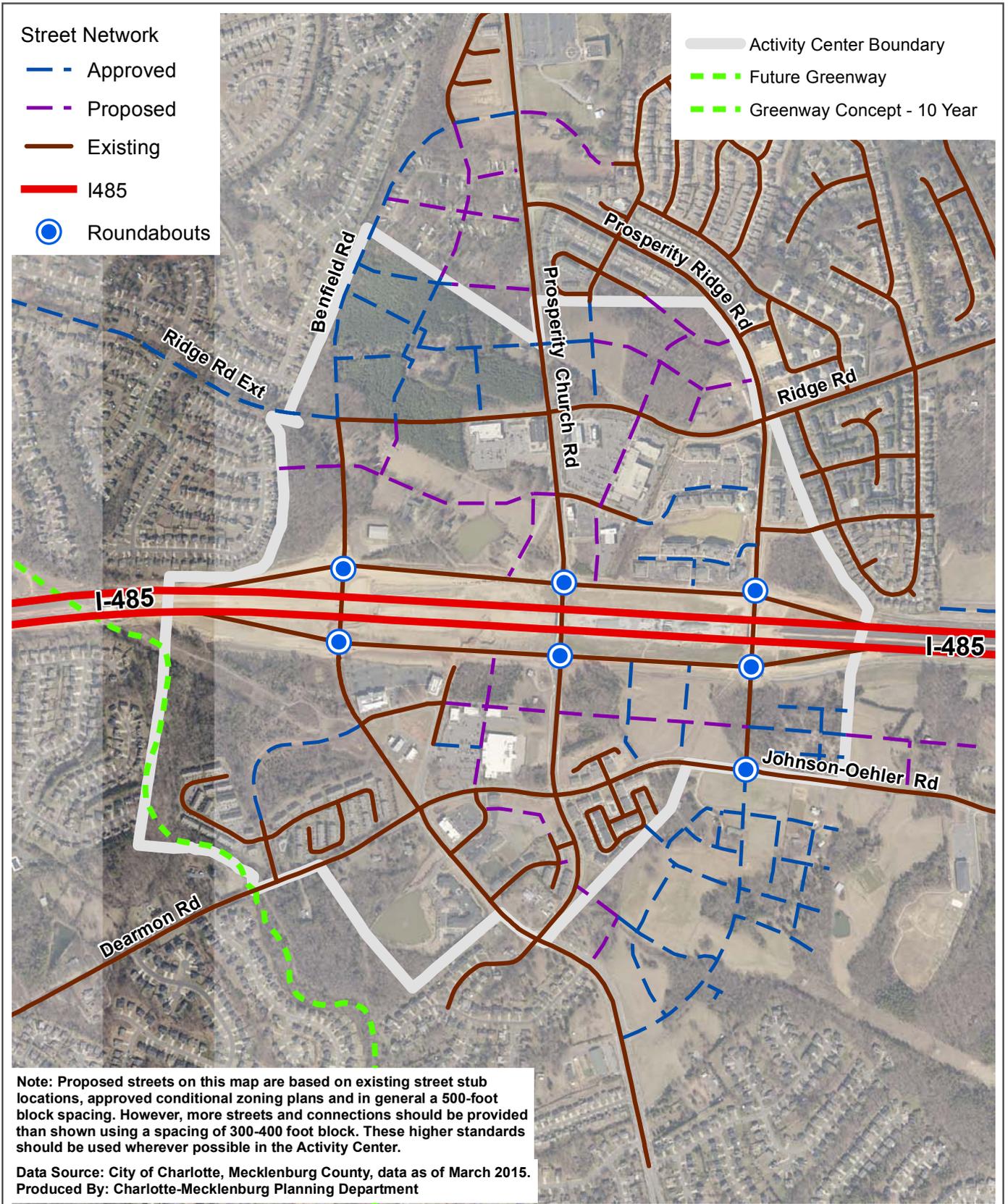
## Prosperity Hucks Area Plan



**Activity Center Recommended Land Use**  
**Prosperity Hucks Area Plan**

Feet

0 375 750 1,500



# Activity Center Street Network

## Prosperity Hucks Area Plan

Feet

0 375 750 1,500

# Activity Center North Core

## Vision:

The heart of the Prosperity Hucks Mixed Use Activity Center, containing a variety of uses with an emphasis on retail. It will establish a sense of place for the community, promote walking and provide spaces for gathering.

## Policy Areas:

C1, C2, C3, and C4

**Policy Area C1:  
North of Ridge Road & West of  
Prosperity Church Road**

## Context:

Large undeveloped site.

## Intent:

Highly integrated and walkable places with a mix of uses and a focus on retail, restaurants, residential uses, and community gathering space.

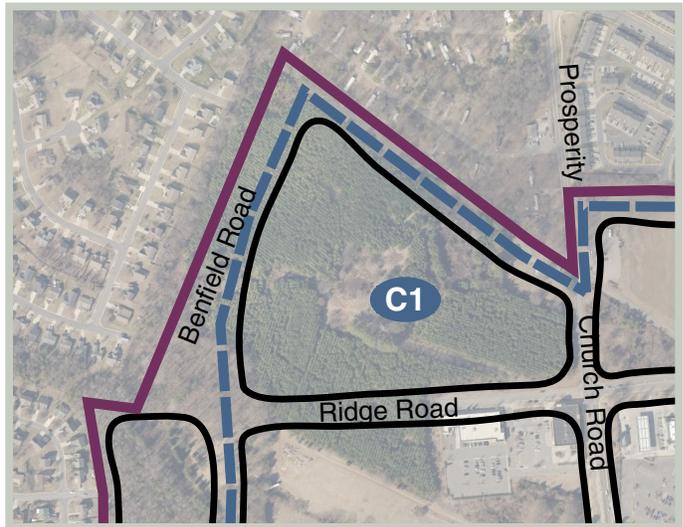
## Land Use

- Future land use should be a mix of uses** – retail/service, office, institutional, and residential. Larger development parcels (larger than about 5 acres) must include at least two of these uses, such that a single use does not dominate the area. The mix of uses may be vertical or horizontal, but must be designed and connected to create a unified walkable place.
- Moderate density residential uses (up to 22 du/a) are only appropriate as part of a development with a vertical or horizontal mixture of uses** incorporating non-residential elements.
- Retail development may include an anchor use** of up to about 50,000 square feet on the ground floor. The anchor use should be complemented by small shop space (retail, office, restaurants). The intent is to provide for vital street-oriented activity within the area.
- Additional land uses with drive-through facilities and/or gasoline pumps** are not appropriate at this location. The area is already well served by several drive-through facilities in place or approved.

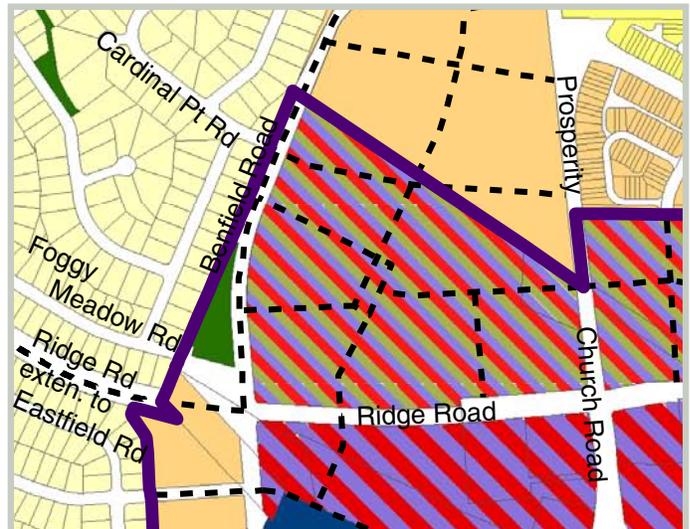
## Community Design

*refer also to General Policies starting on Page 49*

- Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.



Policy Area Location



Policy Area Recommended Future Land Use



View of Birkdale Village, showing a mix of land use, including retail/service, office, institutional, and residential.

6. **New buildings should be oriented toward streets**, with the majority of parking located to the side or rear of buildings. Shared parking and/or structured parking is encouraged.
7. **The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; Building corners that feature prominent entrances and distinctive architectural design; and/or Multi-family residential development with direct connections to the sidewalk for ground floor units where feasible. Multi-story buildings are encouraged.
8. **Development is encouraged to include a variety of housing options** such as detached single-family homes, attached single-family homes, townhomes, live/work buildings, and multi-unit residential buildings. The visual mass of buildings should be broken up through a combination of design techniques, including but not limited to: variation of architectural styles, building heights, and/or roof pitches to reduce apparent building size; and variation of building mass, scale, and type (such as townhomes and carriage houses mixed with standard apartment buildings).
9. **Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'**. Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible.
10. **Landscaping, architectural features**, materials and other techniques should be used to tie development together to establish a sense of place.
11. **Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.

### Mobility

*refer also to Transportation Policies starting on Page 60*

12. **Complete construction of Prosperity Church Road, Benfield Road, and Ridge Road**, to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
13. **Build a network of local streets** as development occurs. Block spacing should be 500 feet or less.
14. **Extend Cardinal Point Road** from Benfield Road to Prosperity Church Road as a Local Street.
15. **Extend Ridge Road from Prosperity Church Road to Eastfield Road** as a two-lane Avenue with sidewalks, bike lanes, and planting strips.



*New buildings should be oriented toward streets, with the majority of parking located to side or rear of buildings.*



*The ground floor of buildings should be designed to activate streets and open space by including clear glass windows and operable doors along the street front.*



*Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'.*

- 16. **Provide additional mid-block landscaped pedestrian islands** along Ridge Road to facilitate crossing opportunities where appropriate.
- 17. **Build a pedestrian path from Foggy Meadow Road** to the intersection of Benfield and Ridge Road.

**Open Space**

*refer also to General Policies starting on Page 73*

- 18. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and larger community gatherings.
- 19. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)



*Open space is used for community gatherings. (Photo from a collection of inspiration shots provided by area residents.)*

**Retail Anchor**  
Store faces onto a street-like connection helping to establish street grid

**Open Space**  
Plaza/Green space as focal point with varied active uses surrounding

**Retail Shops**  
Street-oriented shops and restaurants with parking behind or to the side



**Townhomes**  
Provide reduced mass at edge of the Activity Center as step-down to neighborhoods

**Apartments**  
Built to the sidewalk; entrances to the street; Varied building sizes and styles to break mass

**Street Edges**  
Tree-lined streets with buildings at the sidewalk form a uniform connection between different uses

*Sketch showing a vision of how this policy area might be developed with a mix uses including retail, open space, and varying type of residential dwellings all interconnected by a common streetscape .*



*The ground floor of buildings should be designed to activate streets and open space. (Photo from residents' inspiration collection.)*

## Policy Area C2: North of Ridge Road & East of Prosperity Church Road

### Context:

Largely undeveloped site.

### Intent:

Highly integrated and walkable places with a mix of uses and a focus on retail, restaurants, and community gathering space.

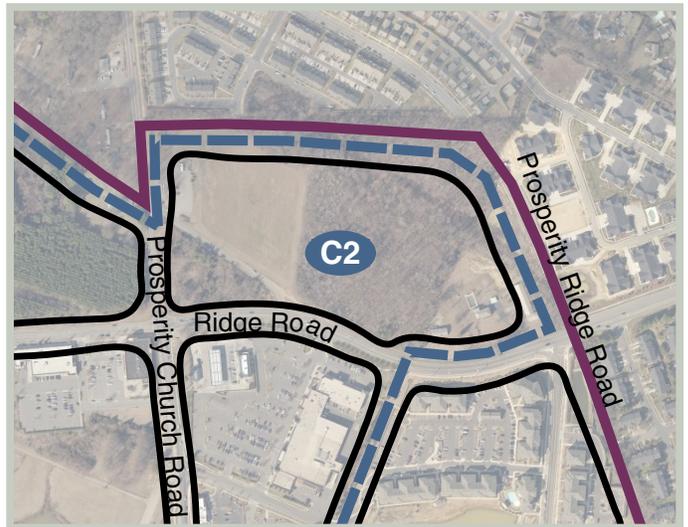
### Land Use

1. **Future land use should be a mix of uses** – retail/service, office, institutional, and residential. Larger development parcels (larger than about 5 acres) must include at least two of these uses, such that a single use does not dominate the area. The mix of uses may be vertical or horizontal, but must be designed and connected to create a unified walkable place.
2. **Moderate density residential uses (up to 12 du/a)** similar to existing townhouse and small lot residential in adjoining areas, are appropriate as a part of the mix of uses. Multi-unit residential buildings such as apartments are not appropriate unless vertically integrated with other uses.
3. **Retail development may include an anchor use** of up to about 50,000 square feet on the ground floor. The anchor use should be complemented by small shop space (retail, office, restaurants). The intent is to provide for vital street-oriented activity within the area.
4. **Additional land uses with drive-through facilities and/or gasoline pumps** are not appropriate at this location beyond approvals already in place. The area has several drive-through facilities approved.

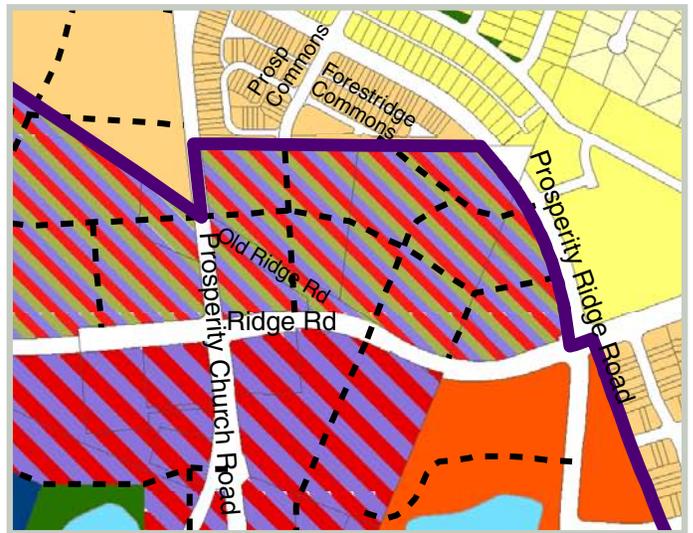
### Community Design

*refer also to General Policies starting on Page 49*

5. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.
6. **New buildings should be oriented toward streets**, with the majority of parking located to the side or rear of buildings. Shared parking and/or structured parking is encouraged.



Policy Area Location



Policy Area Recommended Future Land Use



*Moderate density residential uses similar to existing townhouses in adjoining areas, are appropriate as a part of the mix of uses.*

7. **The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; Building corners that feature prominent entrances and distinctive architectural design; and/or Multi-family residential development with direct connections to the sidewalk for ground floor units where feasible. Multi-story buildings are encouraged.
8. **Development is encouraged to include a variety of housing options** such as: detached single-family homes, attached single-family homes, townhomes, and live/work buildings. Multi-unit residences are only appropriate in vertically mixed use buildings. The visual mass of buildings should be broken up through a combination of design techniques, including but not limited to: variation of architectural styles, building heights, and/or roof pitches to reduce apparent building size; and variation of building mass, scale, and type.
9. **Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'.** Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible. Parking should be to the rear in all residential uses within this area.
10. **Landscaping, architectural features,** materials and other techniques should be used to tie development together to establish a sense of place.



Windows and doors at ground level help to activate the street.

11. **Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.

### Mobility

*refer also to Transportation Policies starting on Page 60*

12. **Complete improvements to Prosperity Church Road, Prosperity Ridge Road, and Ridge Road,** to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
13. **Build a network of local streets as development occurs.** Block spacing should be 500 feet or less.
14. **Make street network connections to Prosperity Commons Drive and Forestridge Commons Drive** as development occurs to complete a direct and continuous street pattern.
15. **Provide for the abandonment and removal of Old Ridge Road** as development occurs, with a new replacement street network in a generally rectilinear form.
16. **Provide additional mid-block landscaped pedestrian islands** along Ridge Road to facilitate crossing opportunities where appropriate.

### Open Space

*refer also to General Policies starting on Page 73*

17. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and larger community gatherings.
18. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)



New buildings oriented toward streets, with parking located to side or rear help tie the Activity Center together..



**Townhomes**

Extends and completes existing form

**Retail/Office Uses**

Built up to the street edge, with parking to the side or rear

**Retail Shops**

Built up to the street edge to hold the corner, with any automobile uses away from the public right of way

**Townhomes**

Extension of existing residential form for seamless connection

**Open Space**

Use of natural topography and stormwater feature for use as an amenity

**Retail Anchor**

Sited along street edges so as to help frame a walkable street network, with parking to the side

*Sketch showing how the area might be developed, incorporating stormwater areas into usable open space, completing existing residential area with similar homes, and with new retail in a street oriented walkable form.*

**Parking**

Located behind buildings, off main pedestrian spines

**Retail/Office Uses**

Built up to the street edge, with parking to the side or rear



**Open Space**

Use of natural topography and stormwater feature for use as an amenity

*An aerial perspective view of the above Community Design concept.*

## Policy Area C3: South of Ridge Road & East of Prosperity Church Road

### Context:

Existing shopping center..

### Intent:

Infill and transition to more connected and street-oriented retail and employment uses.

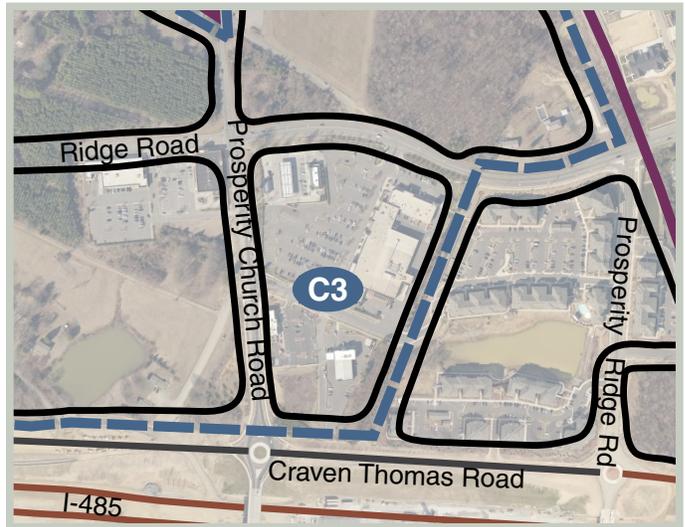
## Land Use

1. **Future land use should be a mix of uses** – retail/ service, office, and institutional; (residential uses are only appropriate if vertically integrated with other uses). Larger development parcels (larger than about 5 acres) must include at least two of these uses, such that a single use does not dominate the area. The mix of uses may be vertical or horizontal, but must be designed and connected to create a unified walkable place.
2. **Retail development may include an anchor use** of up to about 50,000 square feet on the ground floor. The anchor use should be complemented by small shop space (retail, office, restaurants). The intent is to provide for vital street-oriented activity within the area.
3. **Land uses with drive-through facilities and/or gasoline pumps** should be limited, but may be appropriate along Craven Thomas Road if in conformance with the Design Guidance for such uses in the Community Design section of this document.

## Community Design

*refer also to General Policies starting on Page 49*

4. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.
5. **New buildings should be oriented toward streets**, with the majority of parking located to the side or rear of buildings. Shared parking and/or structured parking is encouraged.
6. **The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; and/or Building corners that feature prominent entrances and distinctive architectural design. Multi-story buildings are encouraged.



*Policy Area Location*



*Policy Area Recommended Future Land Use*



*Landscaping, architectural features, materials and other techniques should be used to tie development together to establish a sense of place, as seen on this Rea Road site. (Photo from residents' inspiration collection.)*

- 7. **Landscaping, architectural features,** materials and other techniques should be used to tie development together to establish a sense of place.
- 8. **Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.

**Mobility**

*refer also to Transportation Policies starting on Page 60*

- 9. **Complete improvements to Prosperity Church Road and Ridge Road,** to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
- 10. **Establish a street connection between Ridge Road and Highland Shoppes Drive, and on south to Craven Thomas Road** as redevelopment occurs; upgrade Highland Shoppes Dr. to public street standards.

**Open Space**

*refer also to General Policies starting on Page 73*

- 11. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and other small gatherings.
- 12. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)



*Include small site design features in development, as shown in this photo from the residents' inspiration collection.*



*Street oriented building in Plaza Midwood, showing street activating elements on a large retail building beyond where windows and doors are provided.*

**New Street Connection**  
north to south could be incorporated through site in event of redevelopment

**Highland Shoppes Drive**  
is an important east-west connection



*Sketch showing how future development might allow for extension of existing streets through the existing shopping center site.*

## Policy Area C4: South of Ridge Road & West of Prosperity Church Road

### Context:

Largely undeveloped site with pond and existing church.

### Intent:

Connected and street-oriented retail, employment, and civic uses centered on the existing pond as a significant open space.

### Land Use

- Future land use should be a mix of uses** – retail/service, office, and institutional; (residential uses are only appropriate if vertically integrated with other uses). Larger development parcels (larger than about 5 acres) must include at least two of these uses, such that a single use does not dominate the area. The mix of uses may be vertical or horizontal, but must be designed and connected to create a unified walkable place.
- Retail development should include a variety of small shop space** for uses such as retailers, offices, and restaurants. No single retail tenant space should exceed 20,000 square feet on the ground floor.
- The existing pond should remain and be incorporated into a significant open space.** There could be small retail uses along a realigned McKay Road and the extension of Highland Shoppes Drive.
- The existing church facility is expected to remain.** In the event of redevelopment, appropriate uses would be the same as the remainder of this policy area.
- Surplus NCDOT right of way should be used as open space** in conjunction with land around the pond. This property is located along the I-485 frontage road and was left over from the construction of I-485.
- Additional land uses with drive-through facilities and/or gasoline pumps** are not appropriate at this location. The area in combination with area C1 is already well served by several drive-through facilities in place or approved.

### Community Design

*refer also to General Policies starting on Page 49*

- Development should be compact,** pedestrian-oriented, and well-connected internally, and to surrounding development.



Policy Area Location



Policy Area Recommended Future Land Use



*The existing pond should remain as a significant open space, with possible small retail uses on the perimeter. (Photo from residents' inspiration collection.)*

8. **New buildings should be oriented toward streets**, with the majority of parking located to the side or rear of buildings. Shared parking and/or structured parking is encouraged.
9. **The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; and/or Building corners that feature prominent entrances and distinctive architectural design. Multi-story buildings are encouraged.
10. **Landscaping, architectural features**, materials and other techniques should be used to tie development together to establish a sense of place.
11. **Development should recognize the existing pond as a key open space element**. Any additional required open space should build upon this unique amenity, and ground floor uses should orient to it or to the adjacent street.
12. **Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.
14. **Build a network of local streets** as development occurs. Block spacing should be 500 feet or less.
15. **Extend Highland Shoppes Drive** through the site to connect to Benfield Road as a local public street, and make a street network connection north to Ridge Road.
16. **Provide for the relocation of McKay Road** to intersect with the Highland Shoppes Drive extension and to align with the Aldi/Rite Aid Driveway. Consider an enhanced extension north to Ridge Road in the event of redevelopment.

**Open Space**  
refer also to General Policies starting on Page 73

17. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining socializing and larger community gatherings.
18. **The existing pond should remain** and be incorporated into a significant open space. This could include passive open space, walking trails, and community amphitheater, as well as potential small scale, well integrated retail/ commercial/ restaurant uses that take advantage of water orientation.
19. **Surplus NCDOT right of way should be used as open space** in conjunction with land around the pond.
20. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network.

**Mobility**  
refer also to Transportation Policies starting on Page 60

13. **Complete improvements to Prosperity Church Road, Benfield Road, and Craven Thomas Road** (the I-485 service road), to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.



Sketch showing the extension of Highland Shoppes Drive through the policy area to Benfield Road, and the relocation of McKay Road. The pond is shown as a significant open space in this illustrative development scenario.

## Activity Center North Edge

### Policy Areas:

C5, C6, and C7

### Policy Area C5:

West of Benfield Road, between I-485 and the future Ridge Road Extension

### Context:

Small vacant property at the interchange, immediately adjacent to a single family neighborhood.

### Intent:

Residential development up to attached townhome style buildings (with secondary office and retail uses).

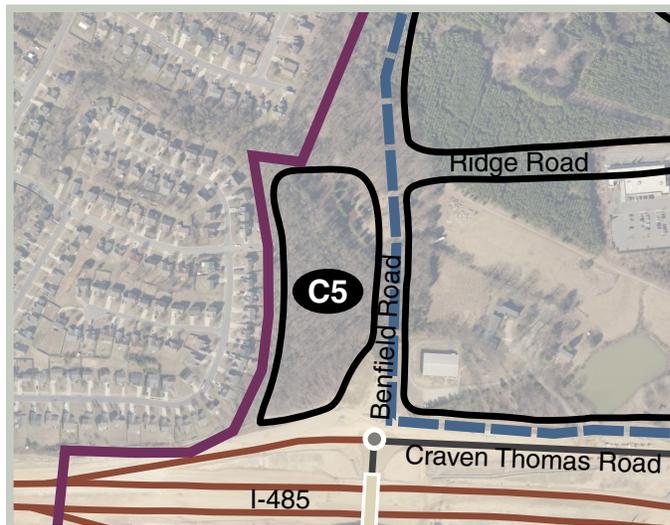
### Land Use

1. **Future land use should be residential** at an intensity no greater than 8 dwelling units per acre (such as an attached townhome style building).
2. **Residential development could have a secondary retail and/or office component** fronting Benfield Road if designed and integrated with the residential uses to create a unified walkable place. The mix of uses may be vertically or horizontally integrated.
3. **Additional land uses with drive-through facilities and/or gasoline pumps** are not appropriate at this location because of its close proximity to single family residential and its limited vehicular points of access.

### Community Design

*refer also to General Policies starting on Page 49*

4. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.
5. **New buildings should be oriented toward streets**, with the majority of parking located to side or rear of buildings.
6. **Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'**. Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible.
7. **The intensity of residential development should transition in height and scale** to adjacent single family areas. Building placement also should be sensitive to these areas.



Policy Area Location



Policy Area Recommended Future Land Use

8. **The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; Building corners that feature prominent entrances and distinctive architectural design; and/or Residential development with direct connections to the sidewalk for ground floor units where feasible.
9. **Landscaping, architectural features,** materials and other techniques should be used to tie development together to establish a sense of place.

### **Mobility**

*refer also to Transportation Policies starting on Page 60*

10. **Complete construction of Benfield Road and Ridge Road,** to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
11. **Build a network of local streets** as development occurs. Block spacing should be 500 feet or less.
12. **Build extension of Summer Creek Lane** to Benfield Road.
13. **Extend Ridge Road** from Prosperity Church Road to Eastfield Road as a two-lane Avenue with sidewalks, bike lanes, and planting strips.

### **Open Space**

*refer also to General Policies starting on Page 73*

14. **Incorporate open space** such plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and other small gatherings.
15. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)

**Policy Area C6:  
Ridge Road at Prosperity Ridge, north of  
I-485; site of The Ridge Apartments**

Context:

Existing apartment development.

Intent:

Residential development up to multi-unit residential buildings.

**Land Use**

1. **Future land use should be residential** at an intensity no greater than 22 dwelling units per acre (such as a 2-4 story apartment building).
2. **Residential development could have a secondary retail and/or office component** fronting Craven Thomas Road if designed and integrated with the residential uses to create a unified walkable place. The mix of uses may be vertically or horizontally integrated.
3. **Additional land uses with drive-through facilities and/or gasoline pumps** are not appropriate at this location because of its primary residential use.

**Community Design**

*refer also to General Policies starting on Page 49*

4. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.
5. **New buildings should be oriented toward streets**, with the majority of parking located to the side or rear of buildings. Shared parking and/or structured parking is encouraged.
6. **Landscaping**, architectural features, materials and other techniques should be used to tie development together to establish a sense of place.
7. **Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.

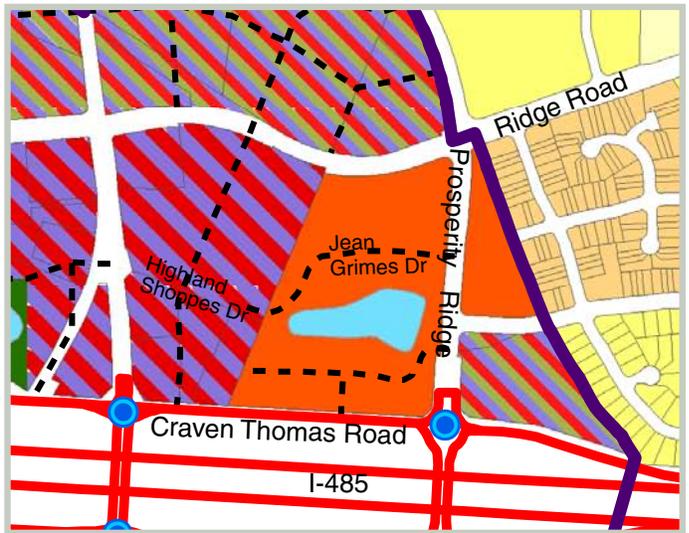
**Mobility**

*refer also to Transportation Policies starting on Page 60*

8. **Complete construction of Ridge Road and Prosperity Ridge Road**, to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
9. **Upgrade connection of Jean Grimes Drive to Highland Shoppes Drive** to public street standards.



*Policy Area Location*



*Policy Area Recommended Future Land Use*

**Open Space**

*refer also to General Policies starting on Page 73*

10. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and other small gatherings.
11. **The existing pond should remain as a significant open space amenity.** This could include natural areas, walking trails, and recreational features that take advantage of water orientation.
12. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)

## Policy Area C7:

Mixed Use site east of Prosperity Ridge Road, north of I-485

### Context:

Small vacant property at the interchange off-ramp across from the existing apartments.

### Intent:

Connected and street-oriented retail and employment uses (with possible townhome residential use).

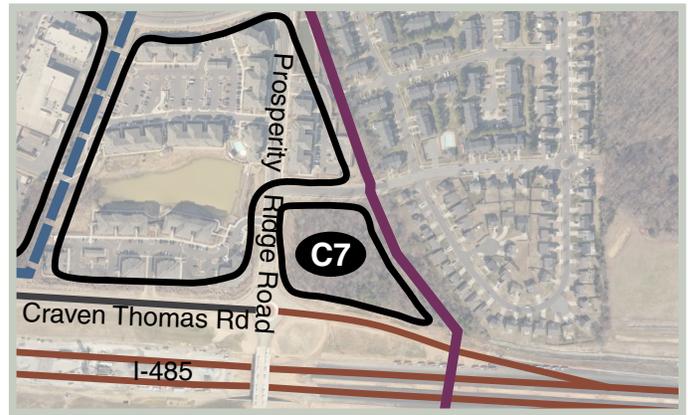
## Land Use

1. **Future land use should be one or more of these uses** – retail/service, office, institutional, and residential up to 12 dwelling units per acre.
2. **Moderate density residential uses** (up to 12 du/a) similar to existing townhouse and small lot residential in adjoining areas, are appropriate as a part of the mix of uses. Multi-unit residential buildings such as apartments are not appropriate unless vertically integrated with other uses.
3. **Additional land uses with drive-through facilities and/or gasoline pumps** are not appropriate at this location because of its close proximity to single family residential and its limited vehicular points of access.

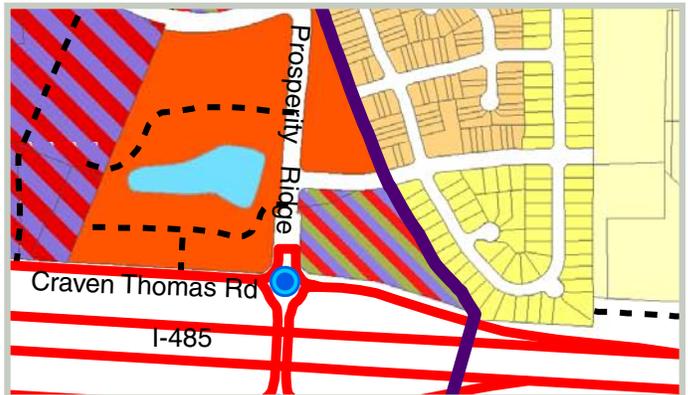
## Community Design

*refer also to General Policies starting on Page 49*

4. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.
5. **Buildings should be oriented toward streets**, with the majority of parking located to the side or rear of buildings. Shared parking is encouraged.
6. **Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'**. Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible.
7. **The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; Building corners that feature prominent entrances and distinctive architectural design; and/or Residential development with direct connections to the sidewalk for ground floor units where feasible.
8. **Landscaping**, architectural features, materials and other techniques should be used to tie development together to establish a sense of place.



Policy Area Location



Policy Area Recommended Future Land Use

9. **Parks and open spaces** should be oriented toward building entries and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.

## Mobility

*refer also to Transportation Policies starting on Page 60*

10. **Complete construction of Prosperity Ridge Road**, to include planting strips, sidewalks, on-street parking, and bike lanes.

## Open Space

*refer also to General Policies starting on Page 73*

11. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and other small gatherings.
12. **A portion of this area is located within established water quality buffers.** Feasibility of development may depend on location in relation to these buffers.
13. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)

# Activity Center South Core

## Vision:

A core part of the Prosperity Hucks Activity Center, containing a variety of uses, with an emphasis on employment. It will strengthen a sense of place for the community, promote walking, and provide spaces for gathering.

## Policy Areas:

C8, C9, and C10

### Policy Area C8: West of Benfield Road just south of I-485

## Context:

Large undeveloped site with immediate access to and visibility from I-485.

## Intent:

Highly integrated and walkable places with a mix of uses and a focus on employment and supporting uses.

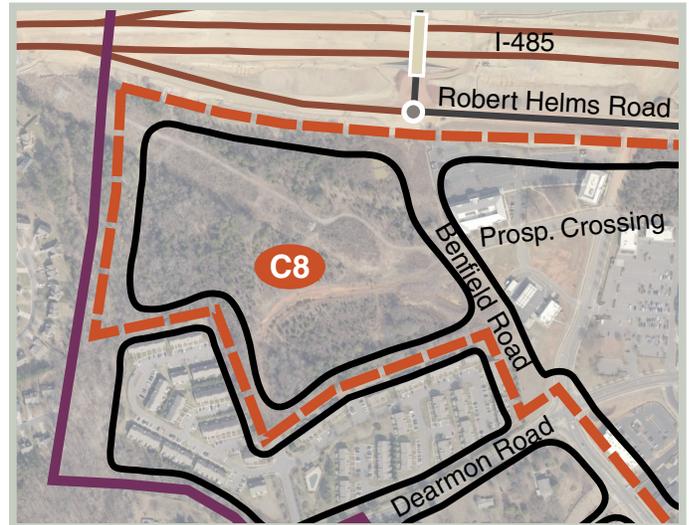
## Land Use

1. **Future land use should be a mix of uses** – retail/service, office, hotel, institutional, and residential. Larger development parcels (larger than about 5 acres) must include at least two of these uses, such that a single use does not dominate the area. The mix of uses may be vertical or horizontal, but must be designed and connected to create a unified walkable place.
2. **Moderate density residential uses (up to 22 du)** are only appropriate as part of a development with a vertical or horizontal mixture of uses incorporating non-residential elements.
3. **Retail development should include a variety of small shop space** for uses such as retailers, offices, and restaurants. No single retail tenant space should exceed 20,000 square feet on the ground floor.
4. **Additional land uses with drive-through facilities and/or gasoline pumps** are not appropriate at this location. The area in combination with area C9 is already well served by several drive-through facilities in place or approved.

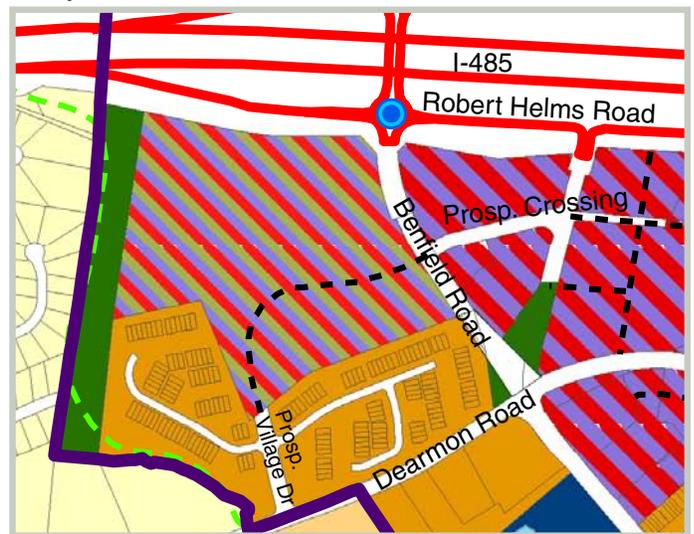
## Community Design

refer also to General Policies starting on Page 49

5. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.



Policy Area Location



Policy Area Recommended Future Land Use



Landscape features can be used to tie together elements on different developments in the larger area.

6. **New buildings should be oriented toward streets**, with the majority of parking located to the side or rear of buildings. Shared parking and/or structured parking is encouraged.
7. **Development is encouraged to include a variety of housing options** such as: detached single-family homes, attached single-family homes, townhomes, live/work buildings, and multi-unit residential buildings. The visual mass of buildings should be broken up through a combination of design techniques, including but not limited to: variation of architectural styles, building heights, and/or roof pitches to reduce apparent building size; and variation of building mass, scale, and type (such as townhomes and carriage houses mixed with standard apartment buildings).
8. **Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'**. Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible.
9. **The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; Building corners that feature prominent entrances and distinctive architectural design; and/or Multi-family residential development with direct connections to the sidewalk for ground floor units where feasible. Multi-story buildings are encouraged.
10. **Landscaping**, architectural features, materials and other techniques should be used to tie development together to establish a sense of place.

11. **Parks and open spaces should be oriented toward building entries and strategically located near pedestrian walkways** to create desirable gathering destinations. Consolidation of required open space is encouraged.

### Mobility

*refer also to Transportation Policies starting on Page 60*

12. **Complete improvements to Benfield Road**, to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
13. **Build a network of local streets** as development occurs. Block spacing should be 500 feet or less.
14. **Extend Prosperity Crossing Drive** through the area to connect to Prosperity Village Drive.

### Open Space

*refer also to General Policies starting on Page 73*

15. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and larger community gatherings.
16. **Create a greenway connector** for pedestrian and bicycle transportation modes as a vital element, extending through the area from the Clarks Creek Greenway to the Activity Center.
17. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)



#### Office/Hotel

Prominent multi-story buildings along freeway edge as anchor for the Activity Center South Core.

#### Office/Retail

Retail uses along Benfield Road activates the street and tie to uses on adjoining properties.

#### New Street Connection

Connection from Prosperity Crossing Road to Prosperity Village Road from Benfield Road to DeArmon Road supports Activity Center mobility.

#### Residential

Residential uses at perimeter are compatible with existing townhomes.

*Sketch of an illustrative scenario showing the extension of Prosperity Crossing Road.*

## Policy Area C9: Between Prosperity Church Road and Prosperity Ridge Road South of I-485

### Context:

Mostly undeveloped with frontage on Robert Helms Road (the I-485 service road).

### Intent:

Highly integrated and walkable places with a mix of uses and a focus on employment and supporting uses.

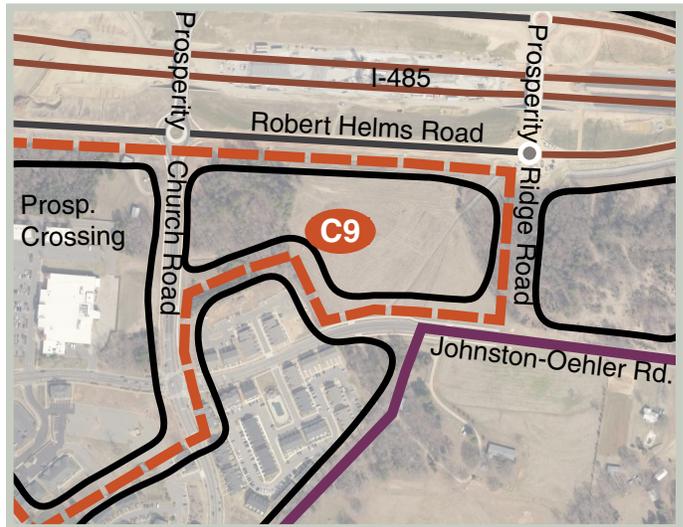
### Land Use

1. **Future land use should be a mix of uses** – retail/ service, office, hotel, institutional, and residential. Larger development parcels (larger than about 5 acres) must include at least two of these uses, such that a single use does not dominate the area. The mix of uses may be vertical or horizontal, but must be designed and connected to create a unified walkable place.
2. **Moderate density residential uses** (up to 22 du/a) are only appropriate as part of a development with a vertical or horizontal mixture of uses incorporating non-residential elements.
3. **Retail development should include a variety of small shop space** for uses such as retailers, offices, and restaurants. No single retail tenant space should exceed 20,000 square feet on the ground floor.
4. **Land uses with drive-through facilities and/or gasoline pumps** should be limited, but may be appropriate along Robert Helms Road if in conformance with the Design Guidance for such uses in the Community Design section of this document.

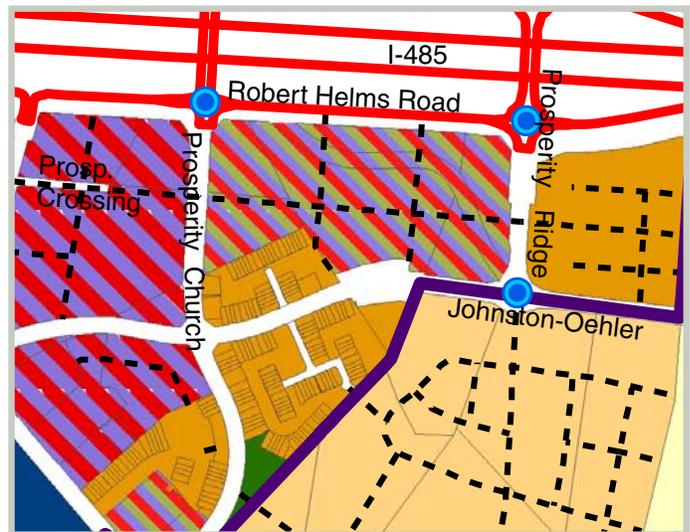
### Community Design

*refer also to General Policies starting on Page 49*

5. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.
6. **New buildings should be oriented toward streets**, with the majority of parking located to the side or rear of buildings. Shared parking and/or structured parking is encouraged.
7. **Development is encouraged to include a variety of housing options** such as: detached single-family homes, attached single-family homes, townhomes, live/work buildings, and multi-unit residential buildings. The visual mass of buildings should be broken up through a combination of design techniques, including but not limited to: variation of architectural styles,



Policy Area Location



Policy Area Recommended Future Land Use



*Clear glass windows and prominent entrances help to activate the street.*

building heights, and/or roof pitches to reduce apparent building size; and variation of building mass, scale, and type (such as townhomes and carriage houses mixed with standard apartment buildings).

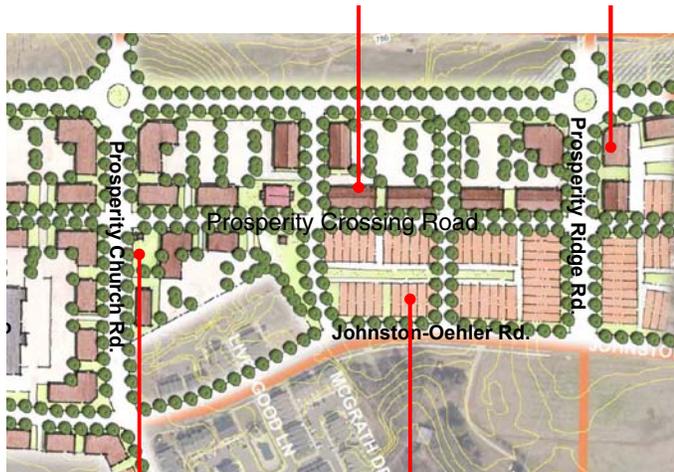
- 8. **Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'.** Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible.
- 9. **The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; Building corners that feature prominent entrances and distinctive architectural design; and/or Multi-family residential development with direct connections to the sidewalk for ground floor units where feasible. Multi-story buildings are encouraged.
- 10. **Landscaping**, architectural features, materials and other techniques should be used to tie development together to establish a sense of place.

**New Mixed Uses**

fronting on extended Prosperity Crossing Road provides a pedestrian experience and street connectivity through the Core of the Activity Center.

**Retail and Office**

as an integrated element of residential uses in adjoining Area 15 ties the Activity Center together.



**Open Space and Streetfront Retail** along Prosperity Church Road ties the area together.

**Townhomes** provide a residential option near Activity Center action and tie to existing surroundings.

*Sketch showing an illustrative development scenario with the extension of Prosperity Crossing Road through the site.*

- 11. **Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.

**Mobility**

*refer also to Transportation Policies starting on Page 60*

- 12. **Complete improvements to Prosperity Church Road, Prosperity Ridge Road, Robert Helms Road, and Johnston Oehler Road**, to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
- 13. **Build a network of local streets** as development occurs. Block spacing should be 500 feet or less, and include additional connections from Robert Helms Road to Johnston Oehler Road.
- 14. **Extend Prosperity Crossing Drive** through the area to connect from Prosperity Church Road to Prosperity Ridge Road.

**Open Space**

*refer also to General Policies starting on Page 73*

- 15. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and larger community gatherings.
- 16. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)



*Future land use should be a mix of uses, as shown here at Phillips Place with office and residential uses over ground level retail.*

## Policy Area C10:

Between Benfield Road and Prosperity Church Road, South of I-485, from Robert Helms Road to south of Johnston-Oehler Road

### Context:

Existing shopping center, medical office buildings, mixed use office/retail, low density office condominiums, and undeveloped sites.

### Intent:

Connected and street-oriented retail and employment uses.

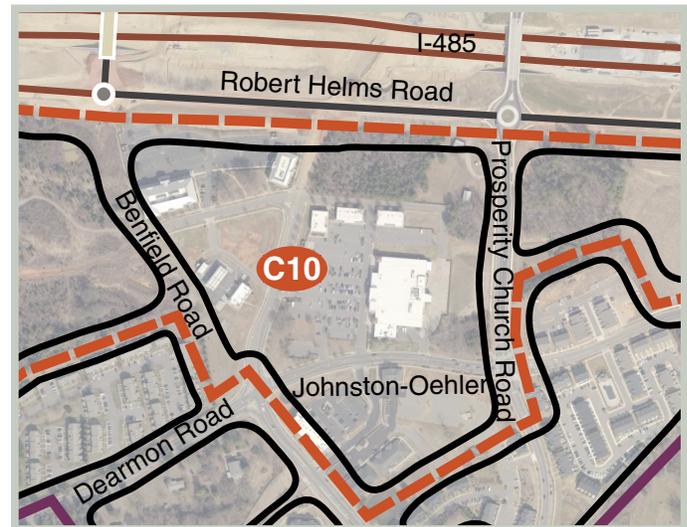
### Land Use

1. **Future land use should be a mix of uses** – retail/service, office, hotel, and institutional; (residential uses are only appropriate if vertically integrated with other uses). Larger development parcels (larger than about 5 acres) must include at least two of these uses, such that a single use does not dominate the area. The mix of uses may be vertical or horizontal, but must be designed and connected to create a unified walkable place.
2. **Retail development may include an anchor use** of up to about 50,000 square feet on the ground floor. The anchor use should be complemented by small shop space (retail, office, restaurants). The intent is to provide for vital street-oriented activity within the area.
3. **Land uses with drive-through facilities and/or gasoline pumps** should be limited, but may be appropriate along Robert Helms Road if in conformance with the Design Guidance for such uses in the Community Design section of this document.

### Community Design

*refer also to General Policies starting on Page 49*

4. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.
5. **New buildings should be oriented toward streets**, with the majority of parking located to side or rear of buildings. Shared parking and/or structured parking is encouraged.
6. **The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; Building corners that feature prominent entrances and



Policy Area Location



Policy Area Recommended Future Land Use



*Clear glass windows and prominent entrances on non-residential ground floor uses help to activate streets and open space..*

distinctive architectural design; and/or Multi-family residential development with direct connections to the sidewalk for ground floor units where feasible. Multi-story buildings are encouraged.

- 7. **Landscaping**, architectural features, materials and other techniques should be used to tie development together to establish a sense of place.
- 8. **Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.

### Mobility

refer also to *Transportation Policies starting on Page 60*

- 9. **Complete improvements to Prosperity Church Road, Benfield Road, Johnston Oehler Road, and Docia Crossing Road**, to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
- 10. **Build a network of local streets** as development or redevelopment occurs. Block spacing should be 500 feet or less.
- 11. **Extend Prosperity Crossing Drive** through the site to connect to Prosperity Church Road.

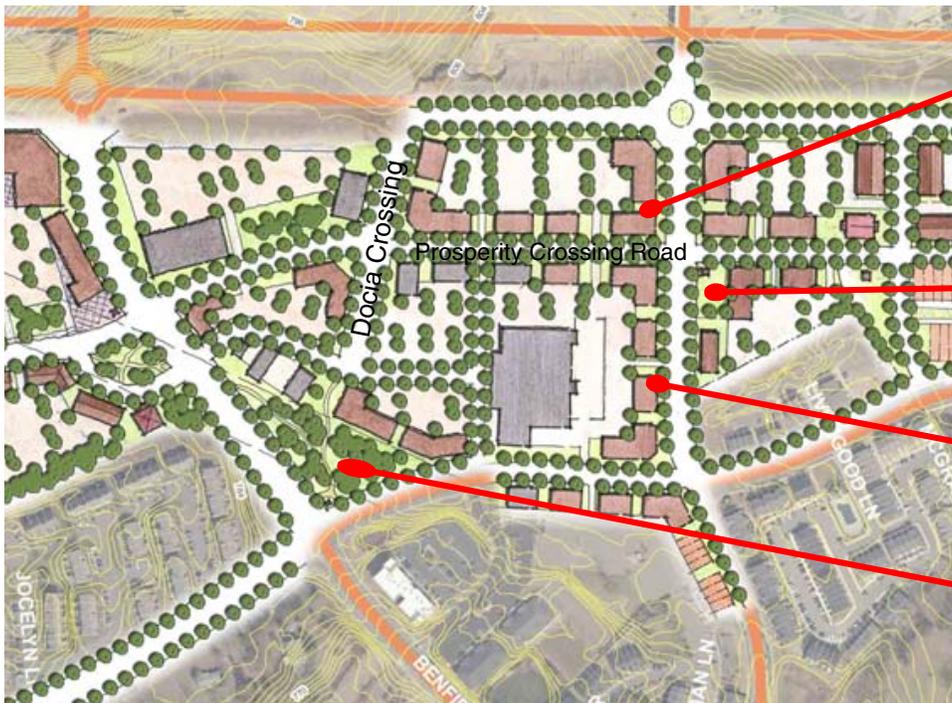
### Open Space

refer also to *General Policies starting on Page 73*

- 12. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and other small gatherings.
- 13. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)



An aerial perspective view showing how streetfront development could look along the extended Prosperity Crossing Road.



#### Streetfront Retail/Office

fronting on extended Prosperity Crossing Road provides a pedestrian experience and street connectivity through the Core of the Activity Center.

#### Small Open Space

at strategic locations throughout the Activity Center improves the pedestrian experience.

#### Retail/Office Uses

built on available land serves to screen the existing grocery store loading area.

#### Open Space Element

added on former right of way of what is now Docia Crossing can become part of a network of connecting open space between parcels.

Sketch showing the extension of Prosperity Crossing Road, and streetfront mixed use development facing onto it. Small open spaces add to the pedestrian experience.

# Activity Center South Edge

## Policy Areas:

C11, C12, C13, C14, and C15

### **Policy Area C11: Existing Townhome Developments, South Edge Area**

## Context:

Several existing townhome developments.

## Intent:

Continued residential development of a density similar to or less than the existing townhome communities in the policy area.

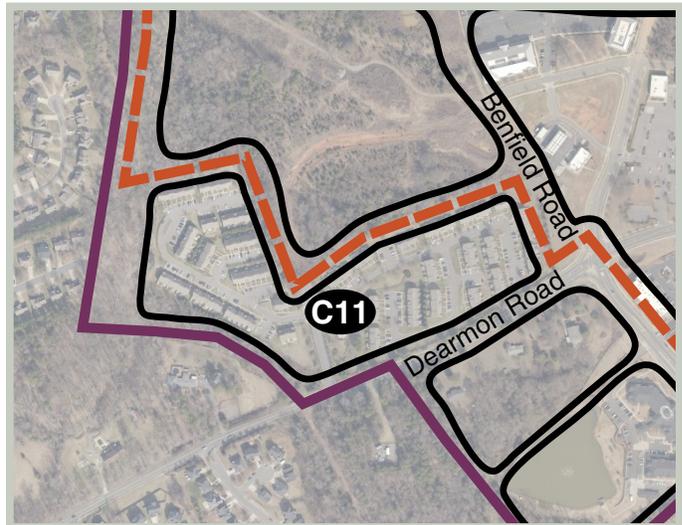
## **Land Use**

1. **Future land use should be residential at a density no greater than 12 dwelling units per acre** (such as an attached townhome style building). Multi-unit residential buildings such as apartments are not appropriate at these locations.

## **Community Design**

*refer also to General Policies starting on Page 49*

2. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.
3. **Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'**. Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible. Parking should be to the rear.
4. **The intensity of residential development should transition in height and scale to adjacent single family areas.** Building placement also should be sensitive to these areas.
5. **Landscaping**, architectural features, materials and other techniques should be used to tie development together to establish a sense of place.
6. **Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.



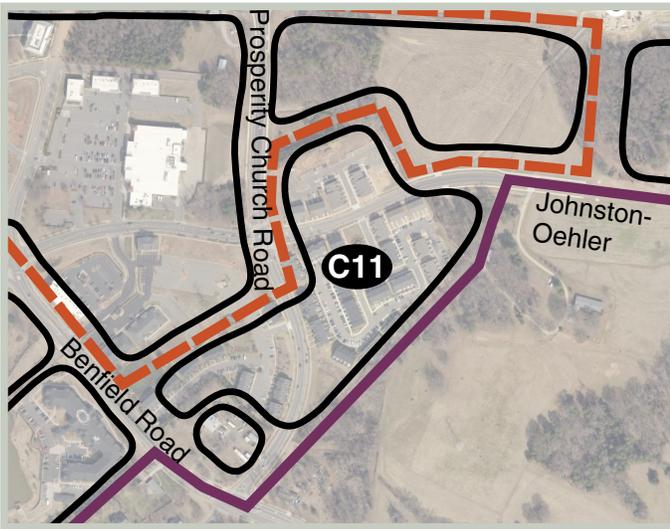
*Policy Area Location A*



*Policy Area Recommended Future Land Use A*



*Residential buildings face the street and include a front yard.*



Policy Area Location B



Policy Area Recommended Future Land Use B

### Mobility

*refer also to Transportation Policies starting on Page 60*

7. **Complete improvements to adjacent major thoroughfares**, to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
8. **Build a network of local streets** as development occurs. Block spacing should be 500 feet or less.

### Open Space

*refer also to General Policies starting on Page 73*

9. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access.
10. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)

## Policy Area C12: Corner of Benfield and DeArmon Roads

### Context:

Large lot single family residential use.

### Intent:

Residential development up to attached townhome style buildings (with secondary office and retail uses)

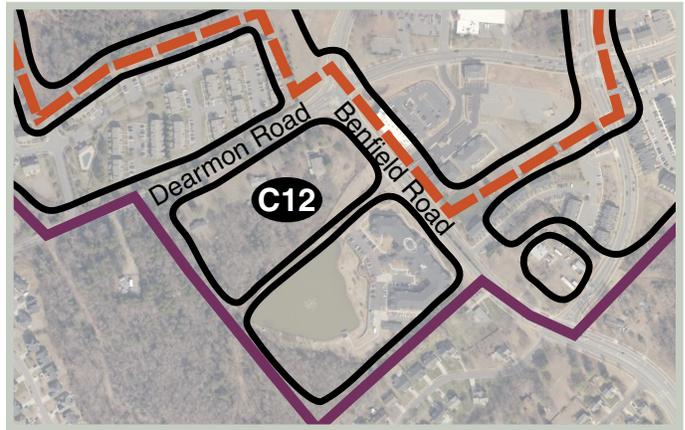
### Land Use

1. **Future land use should be residential at a density no greater than 12 dwelling units per acre** (such as an attached townhome style building). Multi-unit residential buildings such as apartments are not appropriate at these locations.
2. **Residential development could have a secondary retail and/or office component** fronting Benfield Road if designed and integrated with the residential uses to create a unified walkable place. The mix of uses may be vertically or horizontally integrated.
3. **Additional land uses with drive-through facilities and/or gasoline pumps** are not appropriate at this location. The intent is for this area to be primarily residential and walkable.

### Community Design

*refer also to General Policies starting on Page 49*

4. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.
5. **Buildings should be oriented toward streets**, with the majority of parking located to side or rear of buildings. Shared parking is encouraged.
6. **Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'**. Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible.
7. **The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; Building corners that feature prominent entrances and distinctive architectural design; and/or Multi-family residential development with direct connections to the sidewalk for ground floor units where feasible. Multi-story buildings are encouraged.



Policy Area Location



Policy Area Recommended Future Land Use

8. **Landscaping**, architectural features, materials and other techniques should be used to tie development together to establish a sense of place.
9. **Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.

### Mobility

*refer also to Transportation Policies starting on Page 60*

10. **Complete improvements to Benfield Road and DeArmon Road**, to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
11. **Build a network of local streets** as development occurs. Block spacing should be 500 feet or less.

### Open Space

*refer also to General Policies starting on Page 73*

12. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and other small gatherings.
13. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)

## Policy Area C13: Benfield Road south of Dearmon Road

### Context:

Existing senior dependent living community.

### Intent:

Continued institutional use as a senior living community to provide for a range of residential options within the Activity Center.

### Land Use

1. **Future land use should be institutional** to allow for continuation of the existing senior living facility.

### Community Design

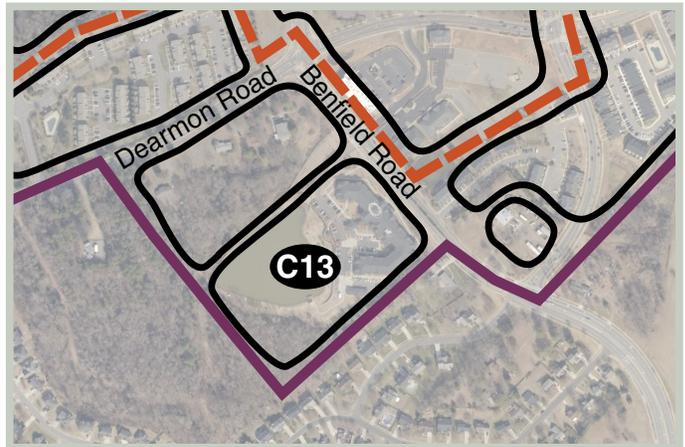
*refer also to General Policies starting on Page 49*

2. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.
3. **New buildings should be oriented toward streets**, with the majority of parking located to side or rear of buildings. Shared parking and/or structured parking is encouraged.
4. **Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'**. Uses should be oriented to the street.
5. **Landscaping**, architectural features, materials and other techniques should be used to tie development together to establish a sense of place.
6. **Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged

### Mobility

*refer also to Transportation Policies starting on Page 60*

7. **Complete improvements to Benfield Road**, to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
8. **Build a network of local streets** to serve any new development that may occur on the property. Block spacing should be 500 feet or less.



Policy Area Location



Policy Area Recommended Future Land Use

### Open Space

*refer also to General Policies starting on Page 73*

9. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and other small gatherings.
10. **The existing pond should remain** as a significant open space element.
11. **Future development should provide a connection to Clarks Creek Greenway** as part of an area-wide network. (See map on page 14.)

## Policy Area C14: Corner of Prosperity Church and Benfield Roads

### Context:

Large lot single family residential.

### Intent:

Connected and street-oriented retail and employment uses (with possible townhome residential use) as a transition to Wedge residential areas.

### Land Use

- Future land use should be retail/service, office, and/or institutional.** Residential at a density no greater than 12 dwelling units per acre (such as an attached townhome style building) also is appropriate. Multi-unit residential buildings such as apartments are not appropriate at this location.
- Retail uses should provide a mix of types** such as small shops and restaurants in support of the surrounding employment and residential uses.
- Land uses with drive-through facilities and/or gasoline pumps** are not appropriate at this location. The area abuts existing townhouse development and is across from wedge single family; as such the intent is to provide for a compatible walkable environment.

### Community Design

*refer also to General Policies starting on Page 49*

- Development should be compact,** pedestrian-oriented, and well-connected internally, and to surrounding development.
- Buildings should be oriented toward streets,** with the majority of parking located to side or rear of buildings.
- Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'.** Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible.
- The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; Building corners that feature prominent entrances and distinctive architectural design; and/or Multi-family residential development with direct connections to the sidewalk for ground floor units where feasible. Multi-story buildings are encouraged.



Policy Area Location



Policy Area Recommended Future Land Use

- Landscaping,** architectural features, materials and other techniques should be used to tie development together to establish a sense of place.
- Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.

### Mobility

*refer also to Transportation Policies starting on Page 60*

- Complete improvements to Benfield Road and Prosperity Church Road,** to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.

### Open Space

*refer also to General Policies starting on Page 73*

- Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and other small gatherings.
- When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)

## Policy Area C15: Northeast corner of Prosperity Ridge and Johnston Oehler Roads

### Context:

Undeveloped site adjacent to interchange on-ramp.

### Intent:

Residential development up to attached townhome style buildings (with secondary office and retail uses)

## Land Use

1. **Future land use should be residential at a density no greater than 12 dwelling units per acre** (such as an attached townhome style building). Multi-unit residential buildings such as apartments are not appropriate at these locations.
2. **Residential development could have a secondary retail and/or office component** fronting Prosperity Ridge Road if designed and integrated with the residential uses to create a unified walkable place. The mix of uses may be vertically or horizontally integrated.
3. **Land uses with drive-through facilities and/or gasoline pumps** are not appropriate at this location. The intent is for the area to be primarily walkable residential and provide a transition to adjoining residential areas.

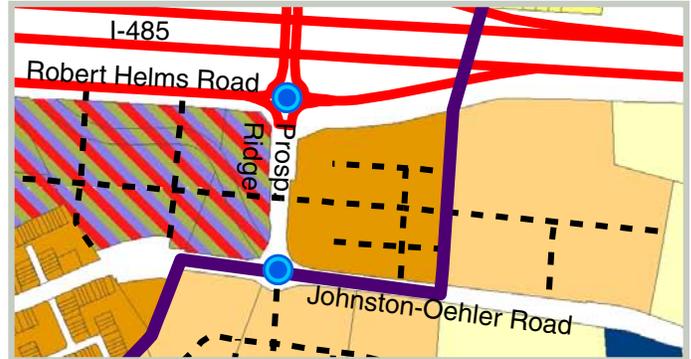
## Community Design

*refer also to General Policies starting on Page 49*

4. **Development should be compact**, pedestrian-oriented, and well-connected internally, and to surrounding development.
5. **Buildings should be oriented toward streets**, with the majority of parking located to side or rear of buildings. Shared parking is encouraged.
6. **Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'**. Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible.
7. **The ground floor of buildings should be designed to activate streets and open space** through a combination of design techniques that may include: Non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; Building corners that feature prominent entrances and distinctive architectural design; and/or Multi-family residential development with direct connections to the sidewalk for ground floor units where feasible. Multi-story buildings are encouraged.



Policy Area Location



Policy Area Recommended Future Land Use

8. **Landscaping**, architectural features, materials and other techniques should be used to tie development together to establish a sense of place.
9. **Parks and open spaces should be oriented toward building entries** and strategically located near pedestrian walkways to create desirable gathering destinations. Consolidation of required open space is encouraged.

## Mobility

*refer also to Transportation Policies starting on Page 60*

10. **Complete improvements to Prosperity Ridge Road and Johnston Oehler Road**, to include planting strips or amenity zones, sidewalks, on-street parking, and bike lanes.
11. **Build a network of local streets** as development occurs. Block spacing should be 500 feet or less.

## Open Space

*refer also to General Policies starting on Page 73*

12. **Incorporate open space** such as plazas, gazebos, courtyards, fountains, and play areas, into new development. Design these spaces to maximize common or shared access and to encourage outdoor dining, socializing and other small gatherings.
13. **When feasible, connect open space** to existing and planned greenways and other open space amenities to establish an area-wide network. (See map on page 14.)



# Wedge

## Wedge Neighborhoods

The Land Use Goal for this area is:

- Maintain the distinctive character of the area's established and emerging neighborhoods, and foster further improvements to quality of life.

Wedges are the large areas between Growth Corridors primarily comprised of lower density residential neighborhoods. The Wedges provide a range of housing choices as well as supporting facilities and services. Most of the Prosperity Hucks Area is located with a Wedge as defined by the *Centers, Corridors and Wedges Growth Framework*: that is, everything outside of the Prosperity Activity Center. As previously noted, this plan adjusts the boundary between the Center and the Wedge slightly from what had been identified in previous planning initiatives.

The Prosperity Hucks Wedge is primarily developed as, and zoned for, single family residential development. The area has been built out largely since 1990 in large tracts. Highland Creek in particular is a master planned community of over 1,200 acres with a golf course, extensive sidewalks and other amenities. It extends eastward from what is now designated as the Prosperity Activity Center into Cabarrus County, and sets a very high standard for development quality. Including the Cabarrus County section, Highland Creek consists of about 4,500 homes.

The intent of the land use policies for the Wedge neighborhoods is to preserve the character and integrity of neighborhoods in the Wedge, while improving connectivity and access to green spaces and neighborhood serving land uses. The policies are illustrated on Map 7.

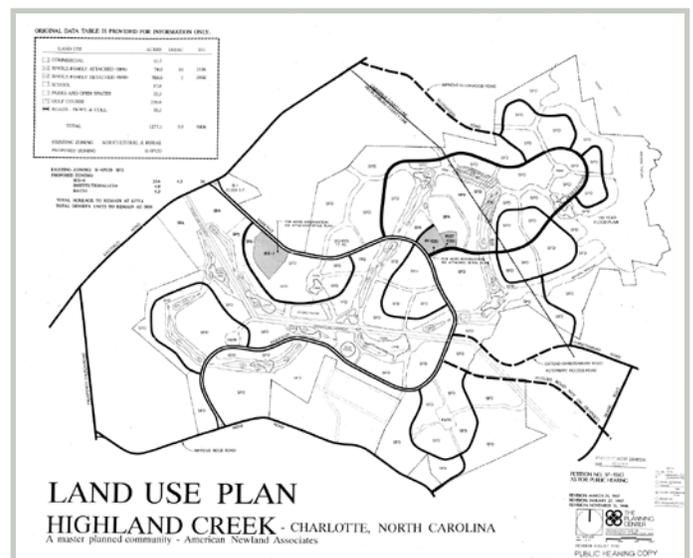
In addition to preserving neighborhood character, the Wedge land use policies will contribute to protection of the environment in areas where it is most vulnerable, mainly around creeks and streams.

## Wedge Neighborhoods Land Use Policies

**W1. Wedge Residential:** Low density residential development, up to four dwelling units per acre (dua), should remain the predominant land use in the Wedge neighborhood areas. In addition to single family homes, the current developments have some slightly higher density residential and neighborhood serving institutional uses at strategic locations.

Throughout the Prosperity Hucks Wedge there remain a few undeveloped areas, generally in the form of large lot residential or small farms. Most of these likely will be developed in the coming years. For these locations, just as for the existing developed area, residential development at up to 4 dua is appropriate.

Small clusters of slightly higher density residential are appropriate at strategic locations as elements of a larger development, such as a small grouping of duplexes or townhouses along the edge of an open space. Neighborhood serving institutional uses also may be appropriate if compatible with surrounding uses. Principal concerns in determining compatibility are massing, scale, and buffers in relation to existing properties. Ample site access and street connectivity not dependent on local residential streets also are a significant factor.



*Highland Creek was a significant 1990's planned development extending into Cabarrus County.*

**W2. Residential bordering the Activity Center:**

The blocks generally around the outside edge of the Activity Center are recommended for residential development up to 8 dua. Townhouses, small lot single family, and other housing forms in this density range are appropriate in these blocks. They are intended to serve as a good transition from the denser mixed use to the surrounding lower density wedge neighborhoods beyond. The area to the northeast of the Activity Center is already largely built out, and is an appropriate model for further development in these areas. Critical to these areas is inclusion of interconnecting local streets. Building designs with rear loaded garages are also important to providing a quality streetscape.

The boundary line between the Activity Center and the Wedge reflects minor changes from that identified in previous planning initiatives.

**W3. Forest Park Mobile Home Community:**

This community, along with its associated convenience store has been in place since the 1960's, providing one of the most affordable housing alternatives in the area. It is expected to remain for some time to come. In the future, if redeveloped, the site should be residential, at a density up to 8 dua. Townhouses, small lot single family, and other housing forms in this density range are appropriate in these blocks, serving as a transition to the wedge

neighborhoods. Inclusion of interconnecting local streets is critical to this area; building designs with rear loaded garages are also important to providing a quality streetscape.

**W4. Prosperity Ridge area south of Johnston-Oehler Road:**

This area is recommended for residential development up to 8 dua. Townhouses, small lot single family, and other housing forms in this density range are appropriate in these blocks. Completion of Prosperity Ridge Road from Johnston Oehler Road southward to Prosperity Church Road is a critical element of development within this area. New development must include construction of the extension of Prosperity Ridge Road and for a local street network interconnecting to surrounding development. Building designs with rear loaded garages are also important to providing a quality streetscape.

**W5. Eastfield Road at Prosperity Church Road:**

This intersection is surrounded by the Eastfield Village Center and a development in Huntersville called Huntersville Market, establishing a node of low-scale retail and mixed use. The remaining southwest quadrant of the intersection is appropriate for similar retail and mixed uses that are compatible with the adjoining single family neighborhood. Principal concerns in determining compatibility are massing, scale, and buffers in relation to existing properties.



*The gas station and convenience store at the mobile home park are long-time landmarks.*



*The wedge area has a number of large residential lots and small farms that may redevelop at some point.*

**W6. Neighborhood and Convenience**

**Commercial:** Two small sites within the Wedge are shown as appropriate for small commercial uses. Both of these sites are zoned for commercial development and have previously approved site plans. The site at Eastfield Road and Highland Creek Parkway is zoned for up to 100,000 square feet of retail, office, institutional, and recreational uses. The site at DeArmon and Browne Roads is zoned for up to 20,000 square feet of retail, office, institutional, and recreational uses. Future development on the sites should reflect the intent of these approved square footages to complement the surrounding residential areas. Site design should incorporate pedestrian access from the street. Any development should be compatible with the adjoining neighborhoods. Principal concerns in determining compatibility are massing, scale, and buffers in relation to existing properties.

Residential use up to 8 duu, including single family homes, townhomes, and other housing forms in this density range are appropriate in these locations.

**W7. Institutional areas:** Several large churches are located on prominent parcels within the wedge. These centers of activity serve the community well, and are appropriate uses at these locations. Additional institutional uses, including schools, libraries, religious facilities, assisted living homes, and the like, also would serve the community. In general, other such institutional uses would be appropriate throughout the plan area if compatible with adjoining uses. Principal concerns in determining compatibility are massing, scale, and buffers in relation to existing properties. Ample site access and street connectivity not dependent on local residential streets are also significant factors in determining compatibility.

**W8. Eastfield Road & Cabarrus County Line:**

Wallace Farm is a sizeable tract of land on Eastfield Road right at the Cabarrus County line, in long-standing agricultural use.

In the future when this tract is redeveloped, it should be predominantly single family residential, consistent with existing surrounding neighborhoods. Small clusters of slightly higher density residential are appropriate at strategic locations as elements of a larger development, such as a small grouping of duplexes or townhouses along the edge of an open space. Because of the tract size, it could be well-suited to larger neighborhood serving institutional uses such as schools, churches, and cultural facilities as well.

**W9. Clarks Creek Nature Preserve:**

This 98-acre nature preserve consists of open fields and mature hardwood forest cover. A tributary of Clarks Creek runs through the property. The preserve is an excellent place for wildlife. Every effort needs to be made to minimize the ecological impacts on this valuable natural resource. In particular, a previously planned relocation of Hucks Road will not be built through the Nature Preserve property. Alternative routes to achieve a continuous street connection from Old Statesville Road to Prosperity Church Road will be investigated.



*The plan area has a variety of neighborhoods, each with its own identity.*

**W10. Greenway Extension:** The Clarks Creek and Clarks Creek Tributary Greenways, and the Carolina Thread Trail, will traverse the plan area to link pedestrians and cyclists to Mallard Creek Greenway to the southeast and to the future “Moorestville to Charlotte Trail” to the west, well outside the plan area. Future development within the Prosperity Hucks Area should be carefully planned to serve and to be served by the future park and recreation facilities.

**W11. Ridge Road Natural Heritage Site:** Property at the corner of Ridge and Beard Roads is listed by the NC Department of Environment and Natural Resources (DENR) as a Natural Heritage Site due to the presence of wetlands and rare natural plant and animal life. Named the Ridge Road Hardpan Forest, it is currently owned by the NC Department of Transportation (NCDOT) to provide mitigation for I-485 construction projects. Over time, there have been discussions of management and ownership transfer to the Catawba Lands Conservancy. These discussions need to be finalized to provide for long term preservation of this site in its natural state.

**W12. School Development:** Public schools in the Prosperity Hucks area are overcrowded. The CMS Facilities Master Plan identifies an increasing need for all school levels. There are two proposed schools in the plan area: an elementary on Johnston-Oehler Road, and a middle on Hucks Road. In addition, continuing development will necessitate even more school construction. CMS needs to continue site evaluation and acquisition for further school facilities in close proximity to neighborhoods within the plan area.

# Community Design

Community Design policies help ensure that new development complements the existing or desired character of the community. While design policies alone do not dictate land use or zoning, they are used to strengthen how various land uses fit together. These policies consider not only the built environment in conjunction with the natural environment, but also how people move through those spaces as pedestrians, bicyclists or automobile drivers.

The Community Design Goal for the plan area is:

- Encourage sustainable design for an attractive community that promotes accessibility for pedestrians and cyclists, integrates environmentally sensitive features, and builds on the synergy of infrastructure investments.

## Prosperity Activity Center

The continued evolution of the Activity Center is a primary focus of the Community Design element of this plan. The Activity Center should be built around a network of small block pedestrian- and bicycle-friendly streets connected to a robust system of parks, open spaces, and greenways. The center should contain a variety of building types and uses.

The principal design policies for the Activity Center were previously described for each policy area in the preceding Activity Center section of this plan. For additional design guidance, refer to the design policies in the tables following.

Also following in this section are design guidelines for commercial land uses with drive-through facilities and/or gasoline pumps. The locations appropriate for such facilities are noted by Policy Area under “Land Use” in the Activity Center section of this plan.

## Wedge Neighborhoods

In general, development in the Wedge area should have lower building heights next to existing or planned low density residential neighborhoods. A transition, either through a buffer or screening, should be provided between low density residential development and non-residential development located either within the Wedge or in the Activity Center.

New development should be designed to facilitate pedestrian and bicycle access and circulation, and to minimize motor vehicle trips. Mixed use and retail districts should be designed to allow automobile and pedestrian access, and to encourage easy pedestrian circulation upon arrival.

Design guidance for development in the Wedge is provided in the tables on the following pages.



*Low density residential neighborhoods should be designed to minimize vehicle trips while accommodating both pedestrians and cyclists.*

**RESIDENTIAL DESIGN POLICIES <sup>1</sup>**  
**Building Architecture and Site Design**

Policy Number	Single Family Detached	Single Family Attached and Multi-Family	
			<i>Close attention to building design serves to enhance the community. Design policies do not result in conformity of design, but provide direction for both new and infill development.</i>
1A	•	•	Preserve and/or reuse historically or architecturally significant structures.
1B		•	Avoid blank walls along pedestrian circulation areas.
1C	•	•	Orient building towards street (unless a thoroughfare) or common open space and provide pedestrian access to the street.
1D	•	•	Blend scale and setbacks of buildings with existing structures.
1E	•	•	<b>Provide a variety of building types.</b>
1F		•	<b>Activity Center: Encourage architectural design that complements the scale, style, character, and materials of surrounding retail and mixed use structures.</b>

<sup>1</sup> Adopted by City Council, the General Development Policies (GDP) provide guidance for the location, intensity and form of future development and redevelopment throughout the community. Many of the residential and mixed/multi-use center policies for the plan area are based upon these adopted GDP policies. Plan policies that appear in standard font are based upon those previously adopted GDP policies. **Additional new plan-specific policies are shown in bold font.** Plan-specific policies augment the GDP design guidelines.



**1B** Windows, landscaped planters, and a variety of building materials provide pedestrian scale interest instead of a blank wall in this multi-family residential property.



**1C** These single family homes are oriented to the street and each provides direct pedestrian access to the public sidewalk.



**1E** Single family homes, townhomes, and live-work units are all found on Arbor Creek Drive, providing a variety of housing types.

## RESIDENTIAL DESIGN POLICIES <sup>1</sup>

### Pedestrian and Vehicular Network

Policy Number	Single Family Detached	Single Family Attached and Multi-Family	<p><i>Providing a safe, accessible and comfortable network of streets, sidewalks and pathways for all modes of transportation is an important step in establishing a livable community. The policies below provide guidance for achieving mobility and connectivity for pedestrians, bicyclists, and automobile drivers. Refer also to the City's <b>Urban Street Design Guidelines (2007)</b> and the Transportation section of this plan.</i></p>
2A		•	Provide pedestrian amenities, such as street furniture and pedestrian scale lighting.
2B	•	•	Provide bicycle parking in appropriate common areas (for example, near playgrounds, parks, and swimming pools).
2C	•	•	Provide pedestrian/bicycle connections to parks, greenways, bikeways and trails.
2D	•	•	Design streets with pedestrian safety and comfort in mind.
2E	•	•	Encourage shared alleys and other forms of access.
2F	•	•	Design street system to calm traffic and enhance pedestrian and bicycle activity.
2G	•	•	Align collectors at thoroughfare intersections to promote safe crossings for pedestrians, cyclists, and automobile drivers.
2H		•	Provide on-street parking to reduce the size of surface parking lots.
2I	•	•	<b>Provide controlled vehicular entry points through the use of medians and fewer and more strategically located curb cuts.</b>
2J		•	Design an internal street system with spine road, including: <ul style="list-style-type: none"> <li>• Parallel parking, street trees, and sidewalks.</li> <li>• Driveways, secondary streets, and/or pedestrian paths to connect parking lots and primary street.</li> <li>• Sidewalks on secondary streets.</li> </ul>

<sup>1</sup> Refer to footnote, previous page.



**2E** Four attached single family homes share a common driveway access, reducing the number of curb openings on the street and the amount of impervious surface.



**2H** On-street parking for these townhomes reduces the amount of off-street parking required for residents and guests.



**2I** The center median on Highland Creek Parkway provides controlled entry points.

**RESIDENTIAL DESIGN POLICIES <sup>1</sup>**  
**Natural Environment**

Policy Number	Single Family Detached	Single Family Attached and Multi-Family	
			<p><i>These policies provide direction to accommodate growth and change while protecting the natural environment on which we depend, including the quality of our air, water and land.</i></p>
3A	•	•	Provide a meaningful amount of usable and accessible open space. In single family development, this should be common open space.
3B	•	•	Incorporate functional, unique, natural, and/or historical elements into the open space.
3C	•	•	Preserve steep slopes along streams or adjacent to significant natural landscape features.
3D	•	•	Preserve at least 10% of the site as a “tree save area” consistent with the City of Charlotte tree ordinance.
3F	•	•	<b>Design new development and redevelopment to minimize adverse impacts to the tree canopy.</b>
3G	•	•	<b>Encourage ‘green’ site design and building practices especially to reduce stormwater runoff and minimize adverse environmental impacts.</b>
3H	•	•	<b>Activity Center: Design open space in new development to integrate with a network of plazas, parks, green spaces, and trails.</b>
<p><sup>1</sup> Adopted by City Council, the General Development Policies (GDP) provide guidance for the location, intensity and form of future development and redevelopment throughout the community. Many of the residential and mixed/multi-use center policies for the plan area are based upon these adopted GDP policies. Plan policies that appear in standard font are based upon those previously adopted GDP policies. <b>Additional new plan-specific policies are shown in bold font.</b> Plan-specific policies augment the GDP design guidelines.</p>			



**3A** Prosperity Park provides the Highland Creek neighborhood with a generous amount of common accessible open space and amenities.



**3F** This multi-family residential building was designed to incorporate a large tree instead of removing it, thus minimizing adverse impacts to the tree canopy.



**3G** Construction of a pervious parking area to serve these townhomes will minimize stormwater runoff, providing a “green” alternative to traditional pavement.

## NON-RESIDENTIAL DESIGN POLICIES <sup>1</sup>

### Building Architecture and Site Design

Policy Number	Retail-Oriented Mixed/Multi-Use	Retail	Office	Mixed use	
					<p><i>Architecture and landscape design define streets and public spaces as areas of shared use. Streets lined by buildings, well lit open spaces and common areas, and trees rather than vast expanses of parking lots provide a visually rich and physically safe environment.</i></p>
4A	•	•	•	•	Design buildings with transparent openings, ornamentation, and architectural character.
4B	•	•	•	•	Establish entrances with pedestrian interest.
4C	•	•	•	•	Orient buildings towards street and provide pedestrian access.
4D	•	•	•	•	Arrange buildings in an orderly block pattern.
4E	•	•	•	•	Design buildings with human scale and visual interest in mind.
4F	•	•	•	•	Minimize impacts of uses with drive-through facilities and/or gasoline pumps, through specific design policies in this document.
4G	•	•	•	•	Design for pedestrian safety.
4H	•	•	•	•	Locate dumpsters and service areas away from residential areas.
<b>4I</b>	•	•	•	•	<b>Activity Center: Design buildings to include pedestrian-friendly entrances, outdoor dining areas, plazas, transparent windows, public art, and a variety of other elements to encourage pedestrian activity at the street level.</b>

<sup>1</sup> Adopted by City Council, the General Development Policies (GDP) provide guidance for the location, intensity and form of future development and redevelopment throughout the community. Many of the residential and mixed/multi-use center policies for the plan area are based upon these adopted GDP policies. Plan policies that appear in standard font are based upon those previously adopted GDP policies. **Additional new plan-specific policies are shown in bold font.** Plan-specific policies augment the GDP design guidelines.



**4A & 4B** Transparent windows and doors and the use of architectural ornamentation create pedestrian scale interest around this retail store's entrance.



**4E** These mixed use buildings were designed at a human scale and with visual interest in mind, providing a pleasant pedestrian experience.



**4I** Several people-friendly design elements are incorporated into these buildings, ensuring a vibrant street life.

## NON-RESIDENTIAL DESIGN POLICIES <sup>1</sup> Pedestrian and Vehicular Networks

Policy Number	Retail-Oriented Mixed/Multi-Use	Retail	Office	Mixed use	
					<i>Circulation in and through the site should be comfortable, safe, secure and efficient for pedestrians, bicyclists, and automobile drivers.</i>
5A	•	•	•	•	Create an interconnected sidewalk system.
5B	•	•	•	•	Design and preserve short blocks with an organized street pattern.
5C	•	•	•	•	Provide pedestrian/bicycle connections to nearby parks, greenways, bikeways, and trails.
5D	•	•	•	•	Design streets with pedestrian safety and comfort in mind.
5E	•	•	•	•	Provide ample sidewalk width to accommodate pedestrian circulation, congregation, outdoor dining, and amenities such as street furnishings, trash receptacles, art work, and trees.
5F	•	•	•	•	Establish clear “wayfinding” signage for pedestrians and automobile drivers.
5G	•	•	•	•	Provide safe pedestrian circulation throughout the development, including through parking lots and decks, by incorporating traffic calming measures such as stop signs, speed humps, and speed limit signs.
5H	•	•	•	•	Provide bicycle parking and storage areas.
5I	•	•	•	•	Establish a central vehicular access into the site from the more auto-oriented street and provide secondary access options from the minor streets.



**5C** This mixed use development is directly connected to the adjacent greenway.



**5D** A wide sidewalk serving adjacent retail shops is separated from the street by on-street parking and tree islands, enhancing pedestrian safety.



**5F** A cleverly designed wayfinding sign directs both pedestrians and motorists to nearby shopping, parking, and a weekly farmers market.

5J	•	•	•	•	Design parking lots on a street/block pattern to minimize large surface lots.
5K	•	•	•	•	Minimize large surface parking lots with smaller pods and extensive landscaping.
5L	•	•	•	•	Encourage commercial or residential uses in parking decks fronting pedestrian circulation areas
5M	•	•	•	•	Design access from surrounding neighborhood so that the appearance is residential in character.
5N	•	•	•	•	Provide structured parking where feasible to conserve land and minimize surface parking.
5O	•	•	•	•	Integrate landscaping with seating along facades when possible and, when practical, work to integrate the existing tree canopy into the site design.
5P	•	•	•	•	Encourage shared driveways and alleys within the development.

<sup>1</sup> Adopted by City Council, the General Development Policies (GDP) provide guidance for the location, intensity and form of future development and redevelopment throughout the community. Many of the residential and mixed/multi-use center policies for the plan area are based upon these adopted GDP policies. Plan policies that appear in standard font are based upon those previously adopted GDP policies. **Additional new plan-specific policies are shown in bold font.** Plan-specific policies augment the GDP design guidelines.



**6A** A bridge is used to connect across the creek, rather than a culvert.



**7B** Buildings are connected by pedestrian connections to each other and to the street.

NON-RESIDENTIAL DESIGN POLICIES <sup>1</sup>					
Natural Environment					
Policy Number	Retail-Oriented Mixed/Multi-Use	Retail	Office	Mixed use	
				<p><i>Site development should respect the natural environment and historical context and landscape of the area.</i></p>	
6A	•	•	•	•	Use a bridge rather than a culvert at existing creeks, where possible. Avoid piping creeks and minimize channelization.
6B	•	•	•	•	Preserve steep slopes along stream beds or adjacent to significant natural landscape features.
6C	•	•	•	•	Consider pervious pavement for overflow parking.
6D	•	•	•	•	Retain existing landscaping, including the tree canopy, where possible.
6E	•	•	•	•	Design new development and redevelopment to minimize adverse impacts to the tree canopy.
6F	•	•	•	•	<b>Encourage innovative building practices such as the use of alternative energy sources and green roofs.</b>
6G	•	•	•	•	<b>Minimize disruption of natural ecosystems.</b>
6H	•	•	•	•	<b>Incorporate conservation efforts to reduce waste and minimize consumption of natural and economic resources.</b>
<p><sup>1</sup> Adopted by City Council, the General Development Policies (GDP) provide guidance for the location, intensity and form of future development and redevelopment throughout the community. Many of the residential and mixed/multi-use center policies for the plan area are based upon these adopted GDP policies. Plan policies that appear in standard font are based upon those previously adopted GDP policies. <b>Additional new plan-specific policies are shown in bold font.</b> Plan-specific policies augment the GDP design guidelines.</p>					

NON-RESIDENTIAL DESIGN POLICIES <sup>1</sup>					
Freestanding Interconnected Buildings					
Policy Number	Retail-Oriented Mixed/Multi-Use	Retail	Office	Mixed use	
				<p><i>Freestanding single tenant buildings can be classified as either independent or interconnected. Independent buildings function separate of the surrounding complex while interconnected buildings share parking and site amenities with other buildings in the same complex. Typically interconnected buildings are preferred. The design of any freestanding buildings should be sensitive to the surrounding neighborhood, both built and natural environments.</i></p>	
7A	•	•	•	•	Design buildings so that they relate to the overall scale, height, and configuration of the center. If drive-through windows and services are included they must not compromise pedestrian circulation.
7B	•	•	•	•	Design to encourage (and facilitate) pedestrians to walk to the freestanding building from other buildings within the center. The connections should be directly accessible without creating conflicts with automobiles by providing safe pedestrian pathways and crossings.
7C	•	•	•	•	Design the site so that dumpsters, service areas, or auxiliary storage do not interfere with, and are not visible from, the pedestrian circulation area and do not negatively impact surrounding residential areas.
7D	•	•	•	•	Cluster site layout in a village arrangement around shared amenities.
7E	•	•	•	•	<b>Design buildings to address the primary street with minimized setback wherever possible.</b>
7F	•	•	•	•	<b>Encourage 'green' site design and building practices, especially to reduce storm water runoff and provide other environmental benefits.</b>

## Design Guidance for Land Uses with Drive-through facilities and/or gasoline pumps

### Use Characteristics

The Prosperity Hucks Activity Center is located at a highway interchange and is therefore likely to experience significant pressure for development of commercial land uses with drive-through facilities and/or gasoline pumps. While such uses can be desirable and convenient for providing needed goods and services, they present challenges to achieving the plan vision for this area to become a very walkable place with a unique identity. This interchange and supporting street network were designed specifically to facilitate walkability and to create a sense of place by enabling active uses along streets, setting up a network of smaller scale streets and providing for on-street parking in key locations. Typical characteristics of land uses with drive-through facilities and/or gasoline pumps that present challenges to creating this type of environment include:

- High traffic volumes and numerous vehicle movements at access points and within sites;
- Large areas devoted to parking, maneuvering, and stacking of automobiles that detract from a pedestrian friendly environment;
- Buildings occupying a relatively low percentage of the site area and making it difficult to establish a strong street edge;
- Impacts on the surrounding area, especially residential areas, resulting from noise, light, nighttime activity, litter and odor;
- Site designs that do not contribute to pedestrian or bicycle friendly streetscapes;
- Impacts on adjacent streets and site access, particularly due to the location and relationship between drive-through lanes, stacking spaces and site access points; and,
- Conflicts between pedestrians and automobiles at drive-through lanes, building entrances, driveways and parking areas.

### Appropriate Locations

Locations that may be appropriate for uses with drive-through facilities or gas pumps are noted in the Activity Center section of this Area Plan specific to each Policy Area, under Land Use. Several of these facilities already exist or have been approved within the Activity Center, and were taken into consideration in determining new/additional locations. In general, recommendations for appropriate locations were based upon the guidelines below.

Commercial uses with drive-through facilities and/or gasoline pumps should be located:

- within areas appropriate for non-residential development, typically shown as a mixture of uses on the land use map;
- in close proximity and with good access to I-485, such as along the I-485 frontage roads;
- away from existing or approved land uses with drive-through facilities and/or gasoline pumps to avoid the cumulative impacts of these uses;
- in only one quadrant of an intersection so that impacts on the pedestrian environment can be mitigated; and
- away from key place-making streets or locations.

In addition to being located appropriately, these uses should meet the design guidance provided below in Policies 8A and 8B.

### Design Strategies

Site planning and building design strategies can mitigate many of the impacts presented by uses with drive-throughs and/or gasoline pumps through careful placement of buildings and their component parts, the creation of well landscaped areas and attention to massing and scale. The following design guidelines are intended to help ensure designs that are sensitive to and enhance their surroundings, and create a safe and high quality public realm where walking, cycling, and transit use are encouraged.



*This pharmacy in the plan area was designed with the building up to the street edge, entrance at the corner, and parking and drive-through to the rear.*

## Community Design Policy 8A: Uses with Drive-Through Facilities

### **Relationship to the Street**

1. Locate the principal buildings at or near the street with customer entrance doors clearly visible from the street and directly accessible from the sidewalk.
2. Make the majority of the pedestrian level facade facing the street highly transparent with clear glass windows and doors that animate streets and maximize views in and out of the building.
3. Landscape the area in front of blank walls that face streets and use projections, recesses, arcades, awnings, color, and texture to reduce the visual size of any unglazed walls.
4. Locate service and loading areas to the rear or side yards, away from the primary streets, to reduce their visibility.
5. Reinforce the street edge along parking areas by constructing permanent, architectural low walls.

### **Vehicular Access and Parking**

6. Provide only the minimum number of parking spaces required by the Zoning Ordinance.
7. Use shared access and/or other measures to help minimize the number of driveways.
8. Locate drive-through lanes at rear or side yards and not between the building and the street. In certain locations, such as next to residential areas, increased setbacks or additional landscaping and screening may be needed.
9. When multiple drive-through lanes are provided, design any canopies over them so that they are integrated with the overall architectural design of the primary buildings.

### **Walkability/Pedestrian Comfort**

10. Provide continuous and unobstructed pedestrian connections from the street and sidewalks to the buildings.
11. Limit the number and width of driveways and other sidewalk crossings.
12. Enhance the visibility of pedestrian crosswalks with varied pavement treatments and/or raising walkways to curb level.



*This site has a building at the street edge, with drive-through circling on an internal side.*



*The pharmacy at Prosperity Church and Ridge Roads has its parking and drive through internal to the site.*



*This street edge has a permanent low architectural wall to reinforce the street edge in the absence of a building.*

## Community Design Policy 8B: Uses with Gasoline Pumps

### Relationship to the Street

1. Locate the principal buildings at or near the street with customer entrance doors clearly visible from the street and directly accessible from the sidewalk.
2. Make the majority of the pedestrian level facade facing the street highly transparent with clear glass windows and doors that animate streets and maximize views in and out of the building.
3. Landscape the area in front of blank walls that face streets and use projections, recesses, arcades, awnings, color and texture to reduce the visual size of any unglazed walls.
4. Locate service and loading areas to the rear or side yards, away from the primary streets, to reduce their visibility.
5. Reinforce the street edge along parking areas by constructing permanent, architectural low walls.

### Vehicular Access and Parking

6. Provide only the minimum number of parking spaces required by the Zoning Ordinance.
7. Use shared access and/or other measures to help minimize the number of driveways.
8. If included with primary use, car washed should be:
  - Located to the rear or to the back portion of the site to mitigate traffic impacts;
  - Designed to minimize noise and lighting impacts on adjacent residential or other sensitive uses; and,
  - Designed so that exits face away from abutting residential properties or be fully screened from neighboring residential views.

### Walkability/Pedestrian Comfort

9. Provide continuous and unobstructed pedestrian connections from the street and sidewalks to the buildings.
10. Limit the number and width of driveways and other sidewalk crossings.
11. Enhance the visibility of pedestrian crosswalks by using varied pavement treatments and/or raising walkways to curb level.



*This site at a Davidson traffic circle has a convenience store building with clear glass entrances at the street edge.*



*The site plan at Davidson has gasoline pumps and vehicular circulation to the rear of the building.*



*Placing the convenience store building along the street edge defines the street and screens the vehicular elements from pedestrian conflicts and views.*

# Transportation & Streetscape

This section establishes transportation policies for the area and recommends key transportation projects to realize the plan vision.

The Transportation Goal for the plan area is:

- Support and develop a connected, affordable, balanced transportation system connecting neighborhoods and the Activity Center. It should safely and sensibly accommodate pedestrians, bicyclists, and transit users while allowing for neighborhood-friendly automobile speeds for motorists and business patrons traveling to and through the area.

Streets connect people to places. As the public face of any neighborhood, streets set the tone for the surrounding environment and should help create a sense of community. The Prosperity Hucks area consists of an emerging mixed use Activity Center surrounded by many new and established neighborhoods, including many large-lot residential parcels and undeveloped tracts of land.

## Prosperity Activity Center Street Network

The street network concept within the Prosperity Activity Center was originally developed as part of the *Prosperity Villages Plan* in 1999. Rather than constructing a standard interchange, the plan called for the construction of a network of minor thoroughfares to disperse traffic and encourage complimentary land uses that would aid in transforming the area into a walkable center.

In the planning, design, and construction of the Prosperity Church Road/I-485 interchange and its access roads, the North Carolina and Charlotte Departments of Transportation have closely followed the *Prosperity Church Road Villages Plan* concept. Many of the streets identified in the 1999 plan will be built by the time I-485 opens in 2015. Specifically, the streets are as follows:

- New Western Arc Road (Benfield Road)
- Central Route (Prosperity Church Road)
- Eastern Arc segment completions (Prosperity Ridge Road)
- Johnston-Oehler Road (partial new east to west alignment)

Street names have been a point of discussion in the community, with various names used over time. The names used herein reflect the most recent designations.

The area streets should support and complement the wide variety of activities and the vibrancy of the Activity Center, as well as the livability of the surrounding residential neighborhoods as established by the land use policies in this plan. To achieve this vision, the area's streets should reflect and support a pedestrian scaled environment within the Activity Center that encourages walking while also supporting other modes of transportation.

The resulting street network will have a direct impact on the community's quality of life. If the street network is designed appropriately, the community can benefit from a range of travel choices, route options, emergency access, a mix of land uses, and pedestrian and bicycle options. The following policies provide guidance for creating a well-connected network of streets and improving the overall transportation system in the Prosperity Hucks plan area.

The transportation policies are organized into three subsections:

- General policies that are applicable to all parts of the Prosperity Hucks area:
- Policies that are primarily applicable to the Activity Center and
- Policies that are applicable to the Wedge Neighborhoods.

The policies are shown on Maps 8 and 9. Each policy is numbered, and the specific location noted on the maps. The policies also are cross referenced by number in the Implementation Guide.

### General Plan Area Transportation Policies

The policies listed below are applicable to streets in the entire Prosperity Hucks Area plan (Activity Center and Wedge Neighborhoods):

**T1. Install sidewalks on thoroughfares:** The Prosperity Hucks area has limited sidewalks along most of the existing thoroughfare system. See Map A7 in the Appendix. As development occurs, new sidewalks may be required to be constructed along existing thoroughfares, following adopted streetscape standards. Additionally, the City will continue to explore opportunities for installation of sidewalk through capital investments.

**T2. Reduce gaps in the sidewalk system within existing residential areas:** Most of the neighborhoods within the Prosperity Hucks area have a robust sidewalk network, and in most cases, sidewalks within new development are required through ordinance. However, some neighborhoods do not have sidewalks because they were built prior to standards requiring sidewalks. The City's policy typically requires public support for construction of new sidewalks through a petition-based process for non-thoroughfare streets in these areas.

**T3. Construct appropriate bicycle facilities on thoroughfares:** As infrastructure development occurs, new bicycle facilities should be included along any thoroughfare with a new or relocated curb line. For example, all streets classified as an Avenue or Boulevard should, at a minimum include bicycle lanes or other separated bicycle facilities as appropriate.

**T4. Expand transit service to the area:** As the Prosperity Hucks plan area develops and intensifies, CATS will consider expanded service. The current bus service (Route 22) from the Activity Center is planned to be re-routed to the adjoining Northeast Corridor with the opening of the Blue Line Extension. New Express service also is planned via the new I-485 to a new park and ride, such as a church parking lot. Three new routes currently planned include:

- Route 53X: Highland Creek Express
- Route 110: Concord Mills
- Route 125: Mallard Creek



*The sidewalk and planting strip give protection to the young pedestrians here.*

## Prosperity Activity Center

### Activity Center Transportation Policies

The following policies are intended to support the public's vision for the Activity Center by focusing on key transportation concepts.

Mobility policies for specific locations within the Activity Center were previously described for each policy area in the preceding Activity Center section of this plan.

#### **T5. Continue to implement a network of thoroughfares to support active transportation in the Activity Center:**

The City, NCDOT, and private developers will continue to implement the thoroughfare network to support the center and the I-485 interchange. The thoroughfares will meet the intent of the Urban Street Design Guidelines and land-use objectives. The following streets will be modified or nearing completion when I-485 opens in 2015.

- a. Benfield Road (western route)
- b. Prosperity Church Road (central route)
- c. Prosperity Ridge Road (eastern route) (north of Johnston-Oehler Road only)
- d. Ridge Road (between Benfield Road and Prosperity Church Road)
- e. Johnston-Oehler Road (within the Village Center)
- f. I-485 frontage roads, north and south

**T6. Create new local streets in the Activity Center:** Additional connections will provide a more robust system of local streets which, in turn, offer more route choices and shorter trips for all modes of transportation. Smaller blocks also support denser, pedestrian-friendly streetscapes through development within the Activity Center. New local streets will typically be created through the land development process, although some streets or short segments of streets may be constructed as part of City capital projects. Possible general

alignments for local streets are identified on Map 8. To support the development, circulation, and walkability of the Activity Center, block spacing should be 500 feet or less.

#### **T7. Facilitate cross-access and parallel connections within the Activity Center:**

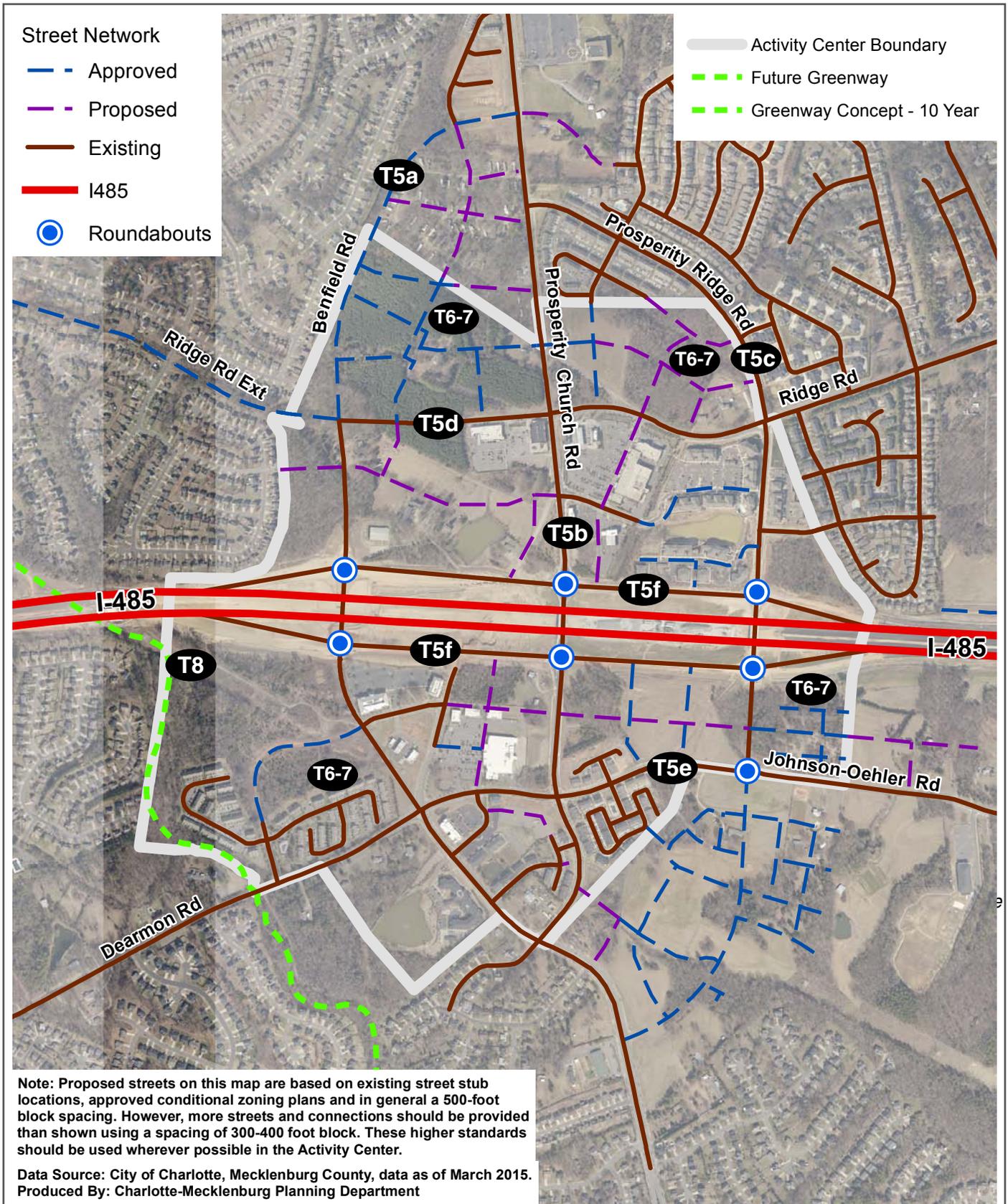
Short-distance trips originating within the Activity Center should have alternate routes other than the thoroughfares. New development should incorporate multiple access points with secondary driveways located on side streets, cross access driveways, and parallel street connections. These elements should apply to local streets in order to achieve a greater level of pedestrian comfort and safety throughout the Activity Center.

#### **T8. Create an overland connector on DeArmon Road to connect the Activity Center to Clark's Creek Greenway for active transportation modes:**

In order to better facilitate access for pedestrians and bicyclists between Clark's Creek Greenway and the Activity Center, a multi-use path should be considered along DeArmon Road between the greenway and the future Prosperity Church Road alignment.



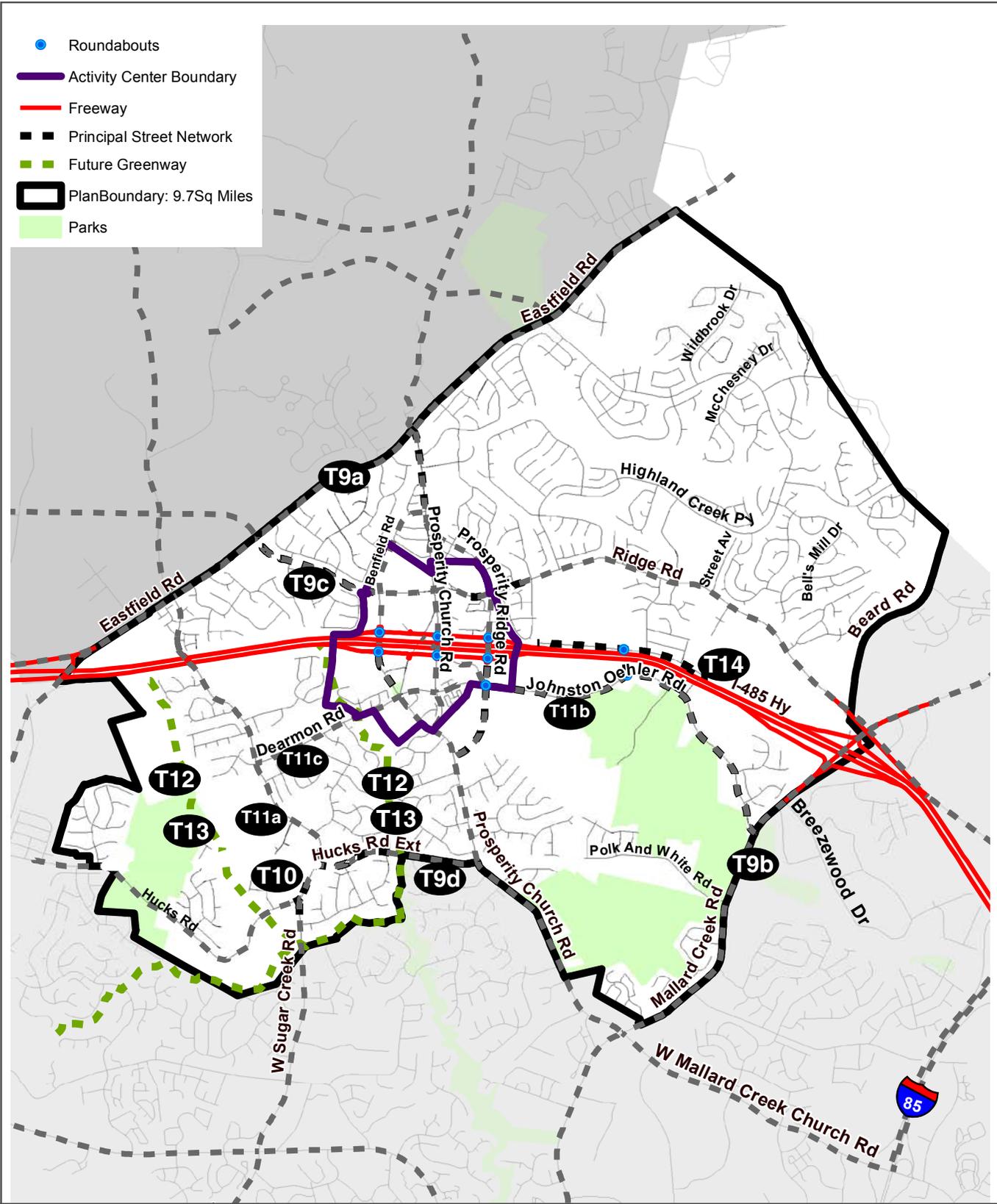
*Sidewalks built as a part of an individual development do not necessarily continue until the next parcel is developed.*



# Activity Center Street Network

## Prosperity Hucks Area Plan

0 375 750 1,500 Feet



**Wedge Street Network**  
Prosperity Hucks Area Plan

0 0.25 0.5 1 Miles

## Wedge Neighborhoods

### Wedge Neighborhood Transportation Policies

The policies below reflect the unique need to improve and upgrade roads to improve their functionality as city streets in addition to supporting the existing and planned land uses.

**T9. Extend and widen key thoroughfares:** The following major thoroughfare projects are recommended to keep pace with area growth and complement accessibility to the Activity Center:

- a. Widen Eastfield Road (from 2 lanes to 4 lanes) from the western plan boundary to the Cabarrus County line;
- b. Widen Mallard Creek Road (from 2 lanes to 4 lanes) from Prosperity Church Road to Breezewood Drive;
- c. Extend Ridge Road (2 lanes) from Prosperity Church Road to Eastfield Road;
- d. Extend Hucks Road (2 lanes) from Prosperity Church Road to Browne Road.

**T10. Realign the Hucks Road Extension between Browne Road and Spring Park Drive to avoid the Clark's Creek Nature Preserve:** The currently adopted alignment in the CRTPO Thoroughfare Plan for the Hucks Road Extension between Browne Road and Spring Park Drive would impact the Clark's Creek Nature Preserve if constructed. The City will work with the Charlotte Regional Transportation Planning Organization and NCDOT to develop and adopt an alternative alignment that does not impact the nature preserve.

**T11. Upgrade Farm-to-Market Roads to accommodate traffic, improve safety and provide transportation choices:** Farm-to-market upgrades include:

- a. Browne Road
- b. Johnston-Oehler Road (in the wedge)
- c. DeArmon Road

**T12. Complete greenways in the Prosperity Hucks area:** Planning of the greenway trail system should be coordinated with the Mecklenburg County Park and Recreation Department and other partners. (See also the Park and Recreation policies contained in the Infrastructure and Public Facilities section of this area plan.)

**T13. Encourage bikeway and pedestrian connections to primary greenways and trails:** Greenways and trails serve both recreation and transportation functions. Tributaries and streams leading to Clark's Creek provide contiguous open spaces, create focal points for development and make key connections to the greenway system. These areas should be considered for dedication during the land development process. (See also the Park and Recreation policies contained in the Infrastructure and Public Facilities section of this area plan.)



*Existing conditions on Highland Creek Parkway (major thoroughfare)*

**T14. The City should consider constructing a second bridge over I-485 between Johnston-Oehler Road and Ridge Road:**

I-485 serves as a barrier to north-south connectivity and movement in the area. It restricts access between neighborhoods, schools, and civic buildings along Ridge Road and the neighborhoods, schools, and parks along Johnston-Oehler Road. As part of the Johnston-Oehler Road farm-to-market project, one bridge will be constructed across I-485 near the main entrance of Mallard Creek High School. This bridge will facilitate north-south movement in the area for pedestrians, bicyclists, and drivers, allowing for traffic to cross I-485 without traversing the Prosperity Church Road or Mallard Creek Road interchanges.

Building a second bridge that crosses I-485 east of the bridge currently under construction will further lessen the barrier effect that I-485 creates. In addition to creating increasing connectivity and providing additional route options, it will aid in routing pedestrian, bicycle, and vehicular traffic away from the Prosperity Church Road and Mallard Creek Road interchanges. While there is no defined alignment for the eastern bridge, the City should undertake a planning process to establish a suitable alignment.



Existing DeArmon Road has no sidewalks or bike lanes.

## Street Cross Sections

The streetscape cross-sections and development standards on the following pages will help shape the character of the future street network. Future cross-sections have been determined for plan area streets except for streets where few changes to existing conditions are anticipated, primarily in residential neighborhoods. These cross-sections have been developed in accordance with the *Urban Street Design Guidelines* (USDG), adopted by City Council in 2007. Map 10 indicates where each of the cross-section types are located, referenced by number.

The streetscape cross-sections specifically define the character and width of the area behind the curbs, including accommodations for sidewalks, landscaping, and pedestrian amenities as well as building setback guidelines. The cross-sections also illustrate the future character of the street inside the curbs, visualizing the conceptual location and number of travel lanes, bicycle lanes, transit, and provisions for on-street parking.

The dimensions on the streetscape cross-section diagrams reflect typical street sections at mid-block locations. They will be used by the Charlotte Department of Transportation (CDOT), in consultation with the Charlotte-Mecklenburg Planning Department, to determine the location of the ultimate curb lines. If variations from the typical street sections are needed to address physical conditions, enhance operations, or better meet the intent of this area plan, such variations may be identified during future design and analysis phases.

When this plan is adopted, the streetscape standards specified herein will become the official “Streetscape Plan” for the Plan Area, as referenced in the Charlotte Zoning Ordinance. As such, future development zoned MUDD, NS, UR, TOD, TS, PED, UMUD, or other urban zoning districts that may be established, must be designed in accordance with these standards. Future development not zoned to one of these urban districts will only be required to construct streetscape elements as may be indicated under other applicable regulations.

The street types recommended for the plan area correspond to the street types identified in the USDG.

## Avenues

Avenues can serve a diverse set of functions in a wide variety of land use contexts. They are the most common non-local street type in the plan area, as well as in Charlotte. Avenues provide access from neighborhoods to commercial areas, between areas of the city, and in some cases, through neighborhoods. They are designed to provide a balance of service for all users, but with special emphasis on pedestrians and localized transit services. Avenues may also have options for on-street parking and dedicated bicycle lanes. Avenues in the plan area have differing recommended cross-sections according to location. These include:

### Two- & Three-Lane Avenues

#### **Activity Center:**

- A1. Benfield Road; Prosperity Ridge Road
- A2. Prosperity Church Road (within Activity Center, Prosperity Church Road at north to Prosperity Ridge Road at south)
- A3. Craven Thomas Road (north); Robert Helms Road (south) (I-485 frontage roads, with 1-way operation)
- A4. DeArmon Road (East of Clark's Creek)
- A5. Johnston-Oehler Road (Benfield Road to Prosperity Ridge Road)

#### **Wedge Neighborhoods:**

- A6. Johnston-Oehler Road (Prosperity Ridge Road to Countryside Montessori School)
- A7. Ridge Road Extension (Eastfield Road to Prosperity Church Road)
- A8. Ridge Road (Highland Creek Parkway to Mallard Creek Road)
- A9. Browne Road (David Cox Road to Hucks Road): Browne Road (DeArmon Road to Eastfield Road); DeArmon Road (West of Clark's Creek)
- A10. Johnston-Oehler Road (Countryside Montessori School to Mallard Creek Road)
- A11. Hucks Road Extension (Browne Road to Prosperity Church Road)

### Four- & Five-Lane Avenues

#### **Activity Center & Wedge:**

- A12. Ridge Road (Benfield Road to Prosperity Church Road)
- A13. Prosperity Church Road (Eastfield Road to Prosperity Ridge Road); Ridge Road (Prosperity Church Road to Highland Creek Parkway)

#### **Wedge Neighborhoods:**

- A14. Browne Road (Hucks Road to DeArmon Road)



*Example of a Two-lane Avenue cross-section (Seneca Place)*



*Example of Four-lane Avenue cross section.*

## Boulevards

Boulevards are intended to move large numbers of vehicles, often referred to as “through traffic”, from one part of the city to another. As a result, the modal priority on Boulevards shifts towards motor vehicles, while still accommodating pedestrians and cyclists as safely and comfortably as possible. Many major thoroughfares will be classified as Boulevards and, as with Avenues, a variety of land uses and development intensities will be found along Boulevards. In the plan area, the following streets classified as boulevards have recommended cross-sections identified. These include:

### **Wedge Neighborhoods:**

- B1. Eastfield Road; Mallard Creek Road (Mallard Creek Church Road to I-485); Prosperity Church Road (Prosperity Ridge Road to Mallard Creek Road)
- B2. Mallard Creek Road (Breezewood Drive to Cabarrus County Line)

## Local Streets

Local Streets provide access to residential, commercial, or mixed use districts. The majority of Charlotte’s streets are classified as local streets and are typically built as development occurs. Local Streets within neighborhoods and other established areas are likely to remain unchanged. New local streets will cover a variety of circumstances, and will be expected to be designed and built in conformance with the appropriate typology in the *Urban Street Design Guidelines*.

<b>Typical Speeds for Streets</b> <i>Urban Street Design Guidelines (2007)</i>		
	<b>Recommended Posted Speed</b>	<b>Recommended Design Speed</b>
Avenues	25-35 mph with 35 mph allowable	30-40 mph
Boulevards	35-45 mph	up to 45 mph

Source: Charlotte Department of Transportation, *Urban Street Design Guidelines*, 2007



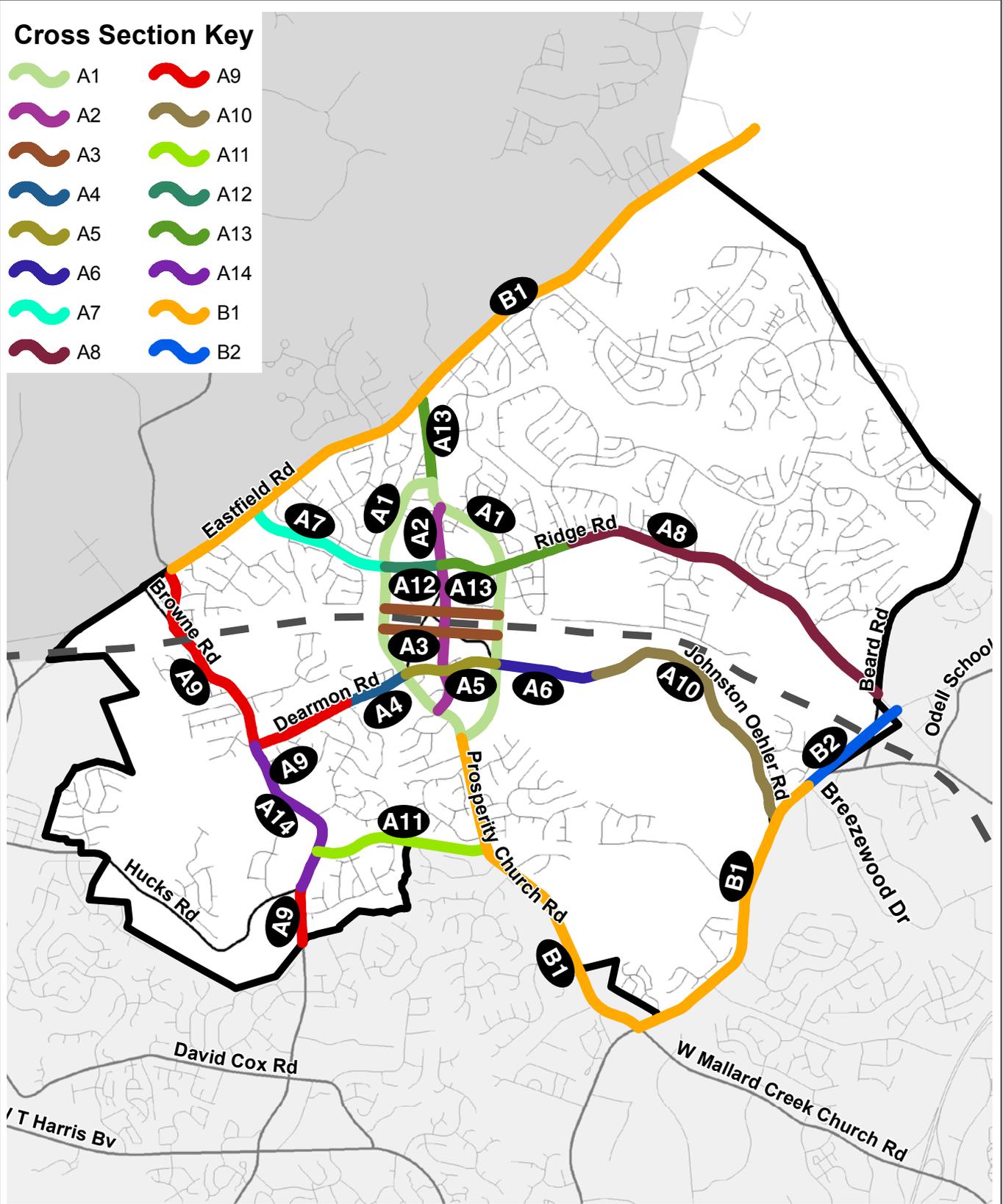
*Example of a Boulevard cross-section (Prosperity Church Road)*



*Example of a Local Street cross section (Hassel Place)*

### Cross Section Key

- |  |   |
|--|---|
|  A1 |  A9  |
|  A2 |  A10 |
|  A3 |  A11 |
|  A4 |  A12 |
|  A5 |  A13 |
|  A6 |  A14 |
|  A7 |  B1  |
|  A8 |  B2  |



## Street Cross Sections

### Prosperity Hucks Area Plan



GIS  
Create more than maps.

0 0.25 0.5 1 Miles

## Avenues Two- & Three-Lane

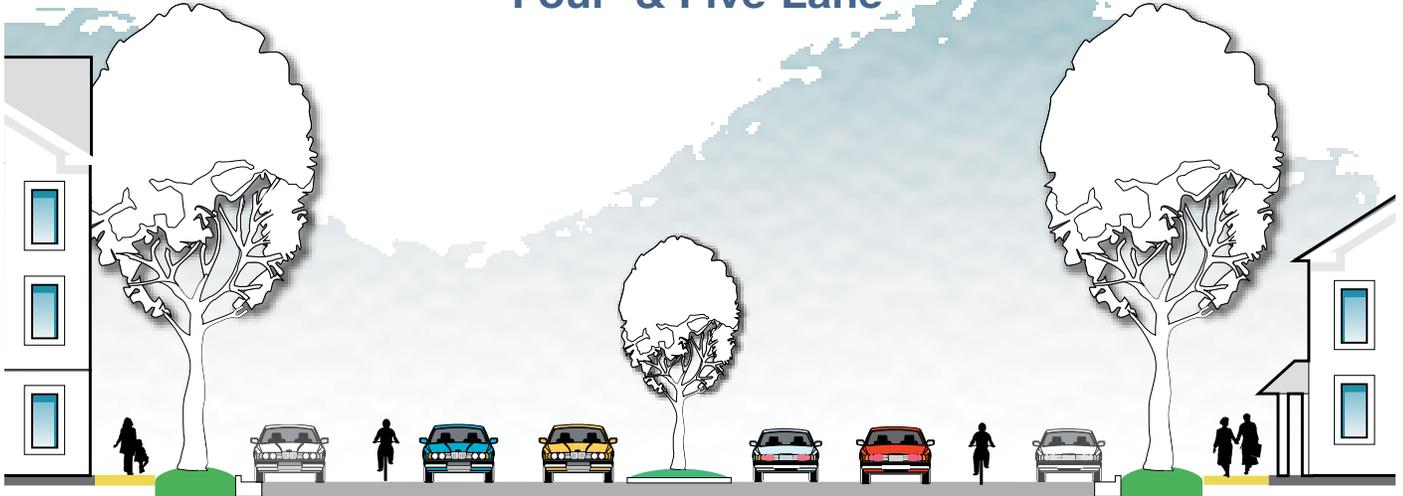


	Sidewalk	Planting Strip	Parking	Bike Lane	Travel Lane	Median	Travel Lane	Bike Lane	Parking	Planting Strip	Sidewalk	
<b>ACTIVITY CENTER</b>	<b>A1 Benfield Road; Prosperity Ridge Road</b>											
	6'	8'	6'*	6'	11'	n/a	11'	4'	n/a	8'	6'	
	* Parking only on inner side of Activity Center loop streets: East side of Benfield Road; West side of Prosperity Ridge Road											
	<b>A2 Prosperity Church Road</b> <i>(within Activity Center, Prosperity Church Road at north to Prosperity Ridge Road at south)</i>											
	6'	8'	7'	6'	10'	n/a	10'	6'	7'	8'	6'	
	<b>A3 Craven Thomas Road (N); Robert Helms Road (S)</b> <i>(I-485 frontage roads within Activity Center, with 1-way operation)</i>											
n/a	n/a	n/a	n/a	n/a	n/a	12'	6'	7'	8'	6'		
<b>A4 DeArmon Road (East of Clark's Creek)</b>												
6'	8'	n/a	5'	11'	10'	11'	5'	n/a	8'	6'		
<b>A5 Johnston-Oehler Road (Benfield Road to Prosperity Ridge Road)</b>												
6'	8'	7'	6'	11'	n/a	11'	6'	7'	8'	6'		
Left-turn lanes allowed when needed												
<i>For all cross sections in the Activity Center, an 'amenity zone' or hardscape treatment may be considered in lieu of a planting strip with appropriate land use contexts</i>												
<b>WEDGE NEIGHBORHOODS</b>	<b>A6 Johnston-Oehler Road (Prosperity Ridge Road to Countryside Montessori School)</b>											
	6'	8'	n/a	4'	11'	n/a	11'	4'	n/a	8'	6'	
	Left-turn lanes allowed when needed											
	<b>A7 Ridge Road Extension (Eastfield Road to Prosperity Church Road)</b>											
	10'*	8'	n/a	5'	11'	10'	11'	5'	n/a	8'	10'*	
	* Multi-use path											
<b>A8 Ridge Road (Highland Creek Parkway to Mallard Creek Road)</b>												
10'*	8'	n/a	n/a	11'	10'	11'	n/a	n/a	8'	6'		
* Multi-use path to be located on the north side of Ridge Road												
<b>A9 Browne Road (David Cox Road to Hucks Road) (DeArmon Road to Eastfield Road)</b>												
<b>A9 DeArmon Road (West of Clark's Creek)</b>												
6'	8'	n/a	5'	11'	11'	11'	5'	n/a	8'	6'		
<b>A10 Johnston-Oehler Road (Countryside Montessori School to Mallard Creek Road)</b>												
6'	8'	n/a	4'	11'	11'	11'	4'	n/a	8'	6'		
Intermittent islands shall be installed in middle												
<b>A11 Hucks Road Extension (Browne Road to Prosperity Church Road)</b>												
10'*	8'	n/a	n/a	11'	0 - 20'	11'	n/a	n/a	8'	10'*		
*Multi use path												

Source: Charlotte Department of Transportation (CDOT), 2013

**Prosperity Hucks** area plan

# Avenues Four- & Five-Lane



## ACTIVITY CENTER AND WEDGE

<b>A12</b>	<b>Ridge Road (Benfield Road to Prosperity Church Road)</b>												
	6'	8'*	7'	6'	11'	11'	11'	11'	11'	6'	7'	8'*	6'

Median or 5th lane allowed.

\* An 'amenity zone' or hardscape treatment may be considered with appropriate land use contexts  
Back-in angled parking to be used as an interim condition within paved area until the additional travel lanes are needed

<b>A13</b>	<b>Prosperity Church Road (Eastfield Road to Prosperity Ridge Road north end) Ridge Road (Prosperity Church Road to Highland Creek Parkway)</b>												
	6'	8'*	n/a	5'	11'	11'	11'	11'	11'	5'	n/a	8'*	6'

Median or 5th lane allowed.

Parallel parking allowed if adjacent land use is appropriate. If parking is provided, adjust bike lane to 6'.  
\* An 'amenity zone' or hardscape treatment may be considered with appropriate land use contexts

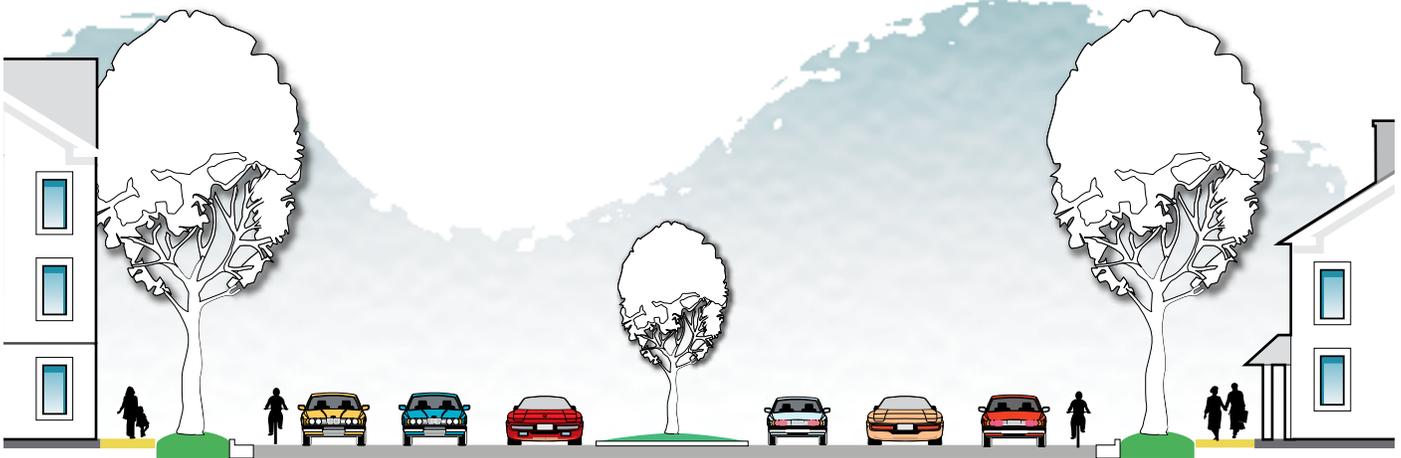
## WEDGE NEIGHBORHOODS

<b>A14</b>	<b>Browne Road (Hucks Road to DeArmon Road)</b>												
	6'	8'	n/a	5'	11'	11'	n/a*	11'	11'	5'	n/a	8'	6'

\*11' left-turn lane at collector/thoroughfare intersections

Source: Charlotte Department of Transportation (CDOT), 2013

# Boulevards



Sidewalk	Planting Strip	Bike Lane	Travel Lane	Travel Lane	Travel Lane	Median	Travel Lane	Travel Lane	Travel Lane	Bike Lane	Planting Strip	Sidewalk
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## ACTIVITY CENTER

There are no Boulevards located within the Activity Center

## WEDGE NEIGHBORHOODS

<b>B1</b>	<b>Eastfield Road</b>												
<b>B1</b>	<b>Mallard Creek Road (Mallard Creek Church Road to Breezewood Lane)</b>												
<b>B1</b>	<b>Prosperity Church Road (Prosperity Ridge Road south end to Mallard Creek Road)</b>												
	6'	8'	5'	n/a	11'	11'	17'	11'	11'	n/a	5'	8'	6'
	Existing segments of Prosperity Church Road include 4' bike lanes, to remain in place												
<b>B2</b>	<b>Mallard Creek Road (Breezewood Lane to Cabarrus County Line)</b>												
	6'	8'	5'	12'	12'	12'	17'	12'	12'	12'	5'	8'	6'

Source: Charlotte Department of Transportation (CDOT), 2013

# Infrastructure & Public Facilities

This section addresses public facilities, storm water services, water, and sewer. As Charlotte-Mecklenburg continues to grow, proper planning and coordination are necessary to maintain a high quality of life for the residents of the community.

The Infrastructure & Public Facilities goal for the plan area is:

- Maintain and enhance public facilities such as parks and greenways, and emphasize environmental and economic sustainability for new or updated public facilities and infrastructure.

The following policies are intended to enhance and preserve the community and to encourage infrastructure that serve the needs of all residents and visitors.

## Infrastructure and Public Facilities Policies

### Parks & Greenways

- 11. Support continued extension of parks, greenways, and open spaces** as valuable assets to the community. They should be leveraged to achieve the vision of a multimodal community interconnected to major focal points in the area, especially connecting the Wedge Neighborhoods to the Activity Center.
- 12. Seek public/private opportunities to create civic plazas and squares** as elements throughout the Activity Center at intersections and within major development elements. These will serve as meeting and gathering places for the community.

### Water and Sewer

- 13. Maintain a level of service** equal to or superior to the capacity and condition of current service to support future development. Water and sewer systems should be expanded, repaired, updated, or replaced as they become outmoded or outdated. As development occurs, a periodic review of water and sewer service may be needed to meet new service demands.



*School construction is challenged to keep up with area growth, as evidenced by the trailers at Highland Creek School.*



*Mallard Creek Park has a number of active recreational uses including this playground.*

# Environment

## Stormwater

- 14. Upgrade storm water management facilities** as needed when improvements are made to the street network. Upgrading storm water management facilities at the same time as road improvements will minimize unnecessary disruption of traffic and be cost effective.

## Schools

- 15. Strive to extend school capacity as development occurs.** Many of Charlotte-Mecklenburg Schools (CMS) are currently overcrowded and schools in the plan area will continue to face increasing demand as development occurs. The Charlotte-Mecklenburg Long Range School Facilities Master Plan includes plans for an elementary school and a middle school within the plan area. Additional schools will be needed if the area grows as projected. The construction of schools in the plan area could be impacted by a lack of funding as CMS continues to face financial challenges.

As development occurs, the opportunity exists to reserve land for school sites as part of future development, when appropriate. To make the best use of resources and preserve land in the area, consideration should be given to locating schools adjacent to parks and other public facilities. New schools should be in close proximity to the neighborhoods to be served, and should integrate environmentally sensitive and sustainable design standards consistent with other policies in the plan. Consideration should be given to sites within or adjacent to the Activity Center.

## Public Facilities

- 16. Ensure that public facilities (including schools, libraries, and the like) are well connected** to the surrounding area and to each other to take advantage of joint use opportunities.

The Prosperity Hucks plan area includes thriving neighborhoods; educational, religious, and civic institutions; and developing retail and business destinations. While these activities are essential to the vitality of the area and to Charlotte as a whole; air, land and water resources must also be protected in order to promote a healthy balance and coexistence of the urban and natural environments. Improved access to parks and greenways; protection of the tree canopy; and impacts of development activities on impervious surface and storm water were some of the concerns expressed by area residents and property owners during the planning process.

The Area Plan seeks to recognize the natural environment as an essential part of the community's character, as well as to promote policies that serve to protect and enhance these resources. Creative, quality and responsible developments that address the concerns of area residents, and are sensitive to the natural resources in the area are key to creating successful sustainable communities. The tools to implement these goals are found in these policies, intended to minimize the impacts of land development activities on the natural environment, while at the same time allowing for continued economic growth.



*The Natural Heritage Site at Ridge and Beard Roads is inaccessible at present.*

The Environmental goal for the plan area is:

- Preserve and protect the natural environment, parks, tree canopy, open space, and natural resources. Promote measures to minimize the adverse effects of new development on land, air, and water quality, and encourage the use of sustainable building practices.

In addition to the policies in this section, the land use, community design, transportation, and infrastructure/public facilities policies of this plan recognize the importance of the natural environment. Policies in these sections also support environmental sustainability by encouraging compact mixed use, pedestrian oriented development. Transportation policies focus on mobility for pedestrians, cyclists, and transit users as well as automobile drivers. And community design policies address the need for green site design and building practices.

## Environmental Policies

### Land Quality

**E1. Encourage actions that will help ensure the long-term sustainability of the tree canopy.** As development continues, impacts to tree coverage should be monitored and measures supported to help mitigate loss of canopy, especially in the Activity Center. One strategy to help reverse the loss of tree canopy is to plant additional trees in parks, public and private open spaces, and in planting strips along public streets where practical. This strategy should also address replacement of trees that are lost or damaged through disease, development, or other causes.

**E2. Minimize impacts to existing tree canopy** when developing, maintaining, or constructing streets, sidewalks, pedestrian/ bicycle paths, public facilities, and utilities. A strategy is needed to prevent practices that damage or destroy mature trees. Such a strategy should be developed in consultation with utility companies and the construction industry to increase its acceptance and enhance compliance efforts.

**E3. Achieve a tree canopy goal of 25% in the Activity Center and 55% in the Wedge for the Prosperity Hucks area.** City Council adopted a 50% Tree Canopy Goal by 2050 in 2011, and set different goals based on the *Centers, Corridors and Wedges Growth Framework*. Some strategies for achieving the tree canopy goals include increasing the number of street trees and tree plantings in parking lots, and providing open space in new developments.

**E4. Minimize ecological impacts on the Clarks Creek Nature Preserve.** The preserve consists of 98 acres of open fields and mature hardwood forest cover, as previously noted in the Land Use section of this plan. A tributary of Clarks Creek runs through the property. It is an excellent place for wildlife and a valuable natural resource that must be preserved. In particular, a previously planned relocation of Hucks Road will not be built through the Nature Preserve property. Alternative routes to achieve a continuous street connection from Old Statesville Road to Prosperity Church Road will be investigated.

**E5. Finalize ownership provisions for the property at the corner of Ridge and Beard Roads.** This property is listed as a Natural Heritage Site by the NC Department of Natural Resources due to the presence of wetlands and rare natural plant and animal life. It is currently owned by NC Department of Transportation to provide I-485 right of way for construction and mitigation. Over time, there have been discussions of management and ownership transfer to the Catawba Lands Conservancy. These discussions need to be finalized so as to provide for long term preservation of this site in its natural state.

**E6. Support mixed use and compact development** that preserves land, reduces vehicular trips and protects natural resources. Mixed use and compact development reduces trip lengths and supports alternative travel options. This type of development encourages walking and biking as well as protects air quality, water quality, and other natural resources. The land use and design sections provide details about the appropriate location for mixed use development and provide guidance for appropriate design. The land use and design policies help insure that impacts of growth are mitigated.

Air Quality

**E7. Encourage new pedestrian and bicycle connections to reduce vehicle miles travelled.** Encourage pedestrian and bike connections especially between the Activity Center and the residential wedges by creating a neighborhood focused pedestrian/bike network. The network can be built on existing local streets as well as on existing rights-of way that have not been built as streets (paper streets).

**E8. Implement the land use, community design, and transportation policies to reduce vehicle emissions.** Future development should strive to reduce vehicle trips, improve connectivity and provide travel choices/ route options. The reduction of vehicles miles traveled (VMT) and the implementation of policies recommended throughout the plan will help improve air quality.

Water Quality

**E9. Encourage the use of low impact design** to facilitate better water quality protection. Low impact design measures such as minimizing the clearing of natural areas and working with the existing natural topography to minimize grading can improve the storm water quality and reduce the amount of storm water run-off.

**E10. Utilize innovative best management practices (BMP)** for development projects. The use of innovative and eco-friendly storm water management practices should be integrated into the design of new developments to the greatest extent practicable. This may include rain gardens, green roofs, rain barrels, dedicated use of gray water, porous concrete parking areas, and other approved measures that may come into accepted use. The testing of proprietary storm water management measures for possible approval should be considered as well.

**E11. Support environmental education** as a means of reducing the amount of pollutants entering area streams and creeks. Encourage local community involvement in efforts to educate area residents about topics such as the proper use of lawn fertilizers and pesticides, disposal of leaves, grass clippings, and yard debris, storm drain marking, and Adopt-A-Stream programs. Vigorous enforcement of existing water quality regulations by the appropriate local and State agencies is also vitally important.



*Bicycle and pedestrian facilities, as seen here, help to reduce vehicle miles traveled and improve air quality.*

# 2

## Prosperity Hucks Implementation Guide



# 2 Implementation Guide

Achieving the vision articulated in this plan will occur incrementally over time through the combined efforts of local government, private property owners, residents, developers and many others. This Implementation Guide is primarily a staff document that outlines specific steps that can be taken by various public and private bodies so that the desired future envisioned in this plan may be realized. These strategies are listed in the Implementation Strategies table that follows; the lead responsible agency and tentative time frame is also included. The strategies are numbered sequentially and correspond to the policies discussed in the Concept Plan. This allows staff to track progress of the plan's policies over time.

Some strategies are physical such as installation of sidewalks or the construction of specific street cross sections. Other recommended strategies are organizational. Some will even require changes to existing City policies, regulations and/or practices.

One implementation approach for the Prosperity Hucks area involves funding for capital projects through the City's Comprehensive Neighborhood Improvement (CNIP) Program. The Prosperity Hucks area is one of five project areas identified for funding through taxpayer funded bonds.

The strategies shown in the following table do not imply a public or private sector commitment. The Charlotte City Council will not be asked to adopt this Implementation Guide; however, many of the strategies in this section will require future action by elected officials and will be presented to them for approval on a case-by-case basis.

Finally, since conditions change over time, staff will update this Implementation Guide to reflect changes and progress.

## Implementation Strategies

The number of each action corresponds to the number for the policy in the Concept Plan.

Policy Number	Action Item	Project Type	Lead Agency	Time Frame
<b>Land Use</b>				
C1-C15 W1-W12	Use land use and community design policies to guide and evaluate development proposals.	Zoning	Planning	As development occurs
C1-C15 W10	Provide for maximum interconnectivity to the Clarks Creek Greenway through new development proposals.	Zoning	Planning/ Park & Rec.	As development occurs
W2	Work with Planning GIS staff to modify the Centers, Corridors and Wedges boundary layer reflecting expansion of the Prosperity Activity Center as shown on Map 7.	Zoning	Planning	Within 1 month of Plan Adoption
W9	Minimize impact of new development on the Clarks Creek Nature Preserve through review of development proposals and establishment of a new Hucks Road alignment.	Park/ Open Space	Planning/ CDOT/ Park & Rec.	As development occurs
W11	Work with NC Department of Transportation to finalize management and ownership transfer of the Ridge Road Natural Heritage Site.	Park/ Open Space	CDOT/ Park & Rec.	Short (0-5 yr)
W12	Provide for ongoing school planning and construction as area development continues; consider school sites in close proximity to neighborhoods and within the Activity Center.	Public Facilities	CMS	Long (>10 yr)
<b>Community Design</b>				
CD 1A-7F CD 8A-8B	Use Community Design Policies to guide and evaluate development proposals, including policies for land uses with drive-through facilities and/or gasoline pumps.	Zoning	Planning	As development occurs
<b>Transportation &amp; Streetscape</b>				
T1	Work with developers to provide new sidewalks in accordance with street standards on thoroughfares; Construct sidewalks in some situations when development will not do so in a reasonable time frame.	Transp.	CDOT/ Planning	As development occurs
T2	Seek funding and encourage citizen initiated petitions for elimination of gaps in sidewalk system.	Transp.	CDOT / E&PM / Planning	As development occurs

Policy Number	Action Item	Project Type	Lead Agency	Time Frame
T3	Seek funding and continuing support for construction of bicycle facilities on thoroughfares.	Transp.	CDOT / E&PM / Planning	As development occurs
T4	Expand transit service based on current and future service plans.	Transp.	CATS/ Planning	Medium (5-10 yr)
T5	Continue construction and upgrading of the thoroughfares in support of the Activity Center: <ul style="list-style-type: none"> <li>◦ Benfield Road (western route)</li> <li>◦ Prosperity Church Road (central route)</li> <li>◦ Prosperity Ridge Road (eastern route) (north of Johnston-Oehler Road only)</li> <li>◦ Ridge Road (between Benfield Road and Prosperity Church Road)</li> <li>◦ Johnston-Oehler Road (within the Activity Center)</li> <li>◦ I-485 frontage roads, north and south (within Activity Center)</li> </ul>	Transp.	CDOT / E&PM / Planning	Short (0-5 yr)
T6	Work with petitioners in rezonings to achieve a network of local streets with block spacing in the Activity Center of 500 feet or less.	Transp.	CDOT / E&PM / Planning	As development occurs
T7	Work with developers to achieve cross-access and parallel connections within the Activity Center.	Transp.	CDOT/ Planning	As development occurs
T8	Consider construction of a greenway overland connector along DeArmon Road from Clarks Creek Greenway to the Activity Center.	Transp.	CDOT/ Park & Rec.	Medium (5-10 yr)
T9	Seek funding and work to design and execute extensions & widenings of key thoroughfares: <ul style="list-style-type: none"> <li>◦ Widen Eastfield Road (from 2 lanes to 4 lanes) from Independence Hill Road to the Cabarrus County line;</li> <li>◦ Widen Mallard Creek Road (from 2 lanes to 4 lanes) from Prosperity Church Road to Breezewood Drive;</li> <li>◦ Extend Ridge Road (4 lanes) from Prosperity Church Road to Eastfield Road;</li> <li>◦ Extend Hucks Road (4 lanes) from Prosperity Church Road to Browne Road.</li> </ul>	Transp.	CDOT / E&PM	Long (>10 yr)
T10	Develop and adopt a revised alignment for Hucks Road in the vicinity of Browne Road and Spring Park Drive that does not impact the Clarks Creek Nature Preserve, and construct the street segment.	Transp.	CDOT/ E&PM/ Park & Rec./ CRTPO	Long (>10 yr)

Policy Number	Action Item	Project Type	Lead Agency	Time Frame
T11	Work with developers and seek funding for upgrades to farm to market roads to accommodate traffic and improve safety: <ul style="list-style-type: none"> <li>◦ Browne Road</li> <li>◦ Johnston-Oehler Road (in the wedge)</li> <li>◦ DeArmon Road</li> </ul>	Transp.	CDOT / E&PM	Long (>10 yr)
T12	Work with Park and Recreation and the development community on joint opportunities to secure funding to complete greenways in the plan area.	Transp.	Park & Rec./ CDOT	Medium (5-10 yr)
T13	Encourage bicycle and pedestrian connections on properties adjoining or connecting to the greenway system through the development approval process.	Transp.	CDOT/ Planning	as development occurs
T14	Continue to evaluate and consider funding for design and construction of a second bridge over I-485.	Transp.	CDOT / E&PM	Long (>10 yr)
A1-A14 B1-B2	Use the streetscape standards and street cross sections specified in the plan as the official "Streetscape Plan" for the area in evaluating site plan approvals.	Transp	CDOT/ NCDOT/ Planning	as development occurs
<b>Infrastructure &amp; Public Facilities</b>				
I1	Create a network of interconnected open space through the park and greenway system. Use Open Space Network map on page 14 for tracking, and update as appropriate.	Park	Park & Rec.	Medium (5-10 yr) and ongoing
I2	Seek opportunities to create civic plazas and squares as elements of the Activity Center through the development process and public projects.	Park	Planning/ Park & Rec./ CDOT	as development occurs
I3-14	Maintain and upgrade as needed water and sewer as well as stormwater infrastructure in the area. Continue discussions with Charlotte Water on area needs.	Utilities	Charlotte Water/ E&PM	Ongoing
I5	Provide for ongoing school planning and construction as area development continues; consider school sites in close proximity to neighborhoods and within the Activity Center.	Education	CMS/ Planning	Long (>10 yr)
I6	Continue interdepartmental collaboration to identify and coordinate joint use opportunities.	Planning/ Capital Facilities	Planning/ E&PM	As development occurs

Policy Number	Action Item	Project Type	Lead Agency	Time Frame
<b>Environment</b>				
E1	Use the land development process to implement land use and environmental policies.	Zoning	Planning	As development occurs
E2-E3	Work to achieve the City's Tree Canopy Goal by 2050, by working with local groups such as Tree Charlotte in planting over 2,000 trees in the public rights of ways and seek opportunities on private properties when possible.	Land Development/ Tree Ordinance	E&PM / Planning	As development occurs
E4	Establish and maintain Clarks Creek Nature Preserve; seek alternative route for Hucks Road connection.	Park	Park & Rec./ CDOT/ Planning	Medium (5-10 yr)
E5	Work with NC Department of Transportation to finalize management and ownership transfer of the Ridge Road Natural Heritage Site.	Environment	CDOT/ Park & Rec.	Short (0-5 yr)
E6	Continue to support mixed use and compact development that preserves land, reduces vehicular trips, and protects natural resources through land use and community design policies as development proposals are reviewed.	Land Development	Planning/ CDOT	As development occurs
E7-E8	Continue to apply the City's existing environmental ordinances such as the tree Ordinance (and subsequent text amendments) as well as Post Construction Controls Ordinance.	Land Development	E&PM / Planning/ CDOT	As development occurs
E9-E10	Coordinate with Storm Water Management and Engineering and Property Management during site plan review to ensure runoff and erosion issues are addressed.	Land Dev./ Storm Water	E&PM/ Planning/ Storm Water Mgmt.	As development occurs
E11	Work with citizen groups, agencies, and City departments in support of programs to publicize and enforce environmental awareness	Environment	E&PM / Planning	Ongoing

# 3

## Prosperity Hucks

### Appendix (Existing Conditions)



# 3 Appendix (Existing Conditions)

*A thorough review and understanding of existing conditions – physical, economic, and social – was needed to identify the opportunities and constraints facing the plan area, and to develop the plan vision, goals, and policies. The following discussion highlights the existing conditions, trends, and forecasts most significant to the plan area.*

The Prosperity Hucks plan area encompasses approximately 6,200 acres located in the northeast portion of Charlotte. Most of the plan area is within the City limits; only a small portion at the western most edge is still unincorporated. The final portion of the I-485 loop is under construction through the center of the area.

Identifying landmarks within the plan area include Mallard Creek High School and Community Park, The Tradition Golf Course, Hucks Road Community Park, Clark’s Creek Nature Preserve, and Eastfield Village.

Per the City’s *Centers, Corridors and Wedges Growth Framework*, the center of the plan area is identified as an Activity Center, referred to as Prosperity Church Road/I-485. An Activity Center is defined as a focal point of economic activity typically with a concentration of compact development. Most of the plan area is in the Wedge category. A Wedge is defined as primarily low-density residential, with services that primarily support the neighborhoods.

Much of the Wedge neighborhood area has been built out with single family neighborhoods. By contrast, the Activity Center has considerable undeveloped land, largely because the I-485 interchange has yet to be completed.

## Demographic Profile

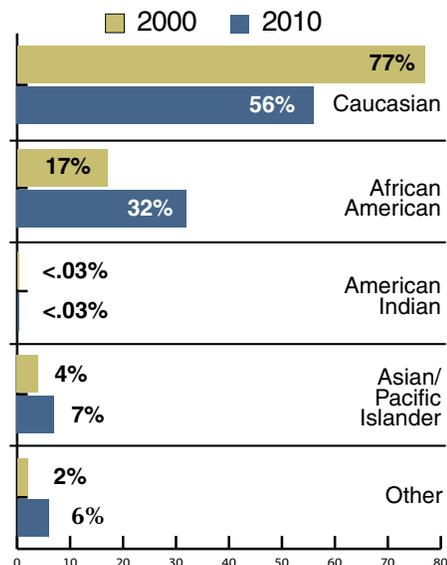
### Population

According to US Census Bureau, the population in the plan area almost doubled in the last decade. 12,429 people lived in the plan area in 2000, which increased to 24,469 in 2010. As of the 2010 census,

- 31% were between the ages of 0 and 19
- 31% were between the ages of 20 and 39
- 29% were between the ages of 40 and 61
- 9% were age 62 and older

Source: US Census Bureau

### Population Characteristics



People of Hispanic origin are not listed as a separate category, since they may be of any race. Their percentages were: 3% in 2000 and 7% in 2010.

Source: 2010 US Census Data

## Income and Housing Values

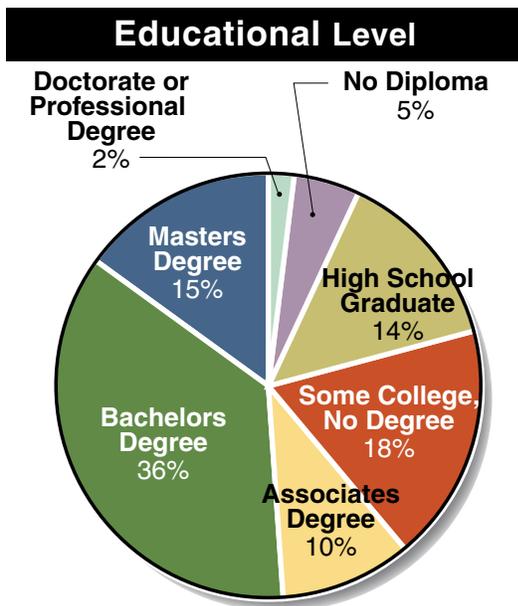
The median household income in the plan area was \$76,742, according to 2006-2010 American Community Survey estimates. This is well above the median household income of \$52,446 for City of Charlotte. The median home value was \$190,136; more than the median home value for the City which was \$173,300. (Source: 2006-2010 American Community Survey)

### Households

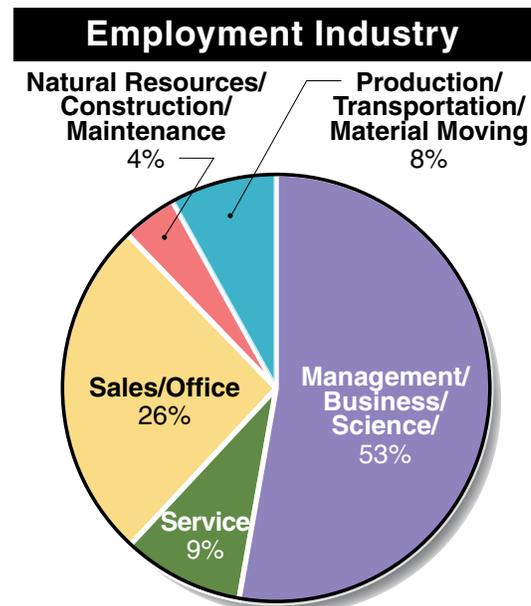
Based on 2010 Census data, there were 9,129 households in the plan area with an average household size of 2.68 persons per household. The majority of the homes were owner occupied (82 percent).

Household Characteristics			
Housing Units		Households	
9,635		9,129	
Owner Household		Renter Household	
7,500 (82%)		1,629 (18%)	
One Person Household		Married Couple Household	
2,033 (22%)		5,156 (56%)	
Median Household Value		Median Household Income	
Plan Area	\$190,136	Plan Area	\$76,742
Charlotte	\$173,300	Charlotte	\$52,446

Source: 2010 U.S. Census Data, 2006-2010 American Community Survey (ACS)



Source: 2006-2010 American Community Survey (ACS)



Source: 2006-2010 American Community Survey (ACS)

### Education

Education levels are reflected in the type of jobs held by the residents.

- 53% have a bachelors or higher degree education,
- 28% have an associate degree or at least some college education.

### Employment

The majority of the working population (age 25+) in this area has some college education.

- 53% of jobs are in the management professional category,
- 26% of jobs are in sales and office category.

# Policy Framework

The following key documents provide guidance and direction for this plan:

## Centers, Corridors and Wedges Growth Framework

The *Centers, Corridors and Wedges Growth Framework* establishes a vision for future growth and development. It does this by identifying three geographic land use categories for Charlotte's sphere of influence, and outlining the desired characteristics of each of these geographies:

- **Activity Centers** are generally appropriate for new growth, with the type and intensity of development corresponding to the Center type.
- **Growth Corridors** are often priority locations for new growth, especially in identified Transit Station Areas.
- **Wedges** will remain predominantly low density residential with limited higher density housing and neighborhood serving commercial uses.

Much of Charlotte's future moderate to higher intensity development is expected to occur within five major Growth Corridors and in designated Activity Centers. This will help maximize existing infrastructure and services.

Map 1 in the Concept Plan section of this document shows the general layout of *Centers, Corridors and Wedges*. The plan area is at the northeast corner



*The plan and principal area thoroughfare are namesake of the historic Prosperity Presbyterian Church.*

of Charlotte's jurisdiction along the route of I-485 currently under construction. The center of the plan area is designated as an Activity Center. The bulk of the plan area is shown in a Wedge. Part of this plan process includes refinement of the *Centers, Corridors and Wedges* boundaries.

## General Development Policies

The *General Development Policies* are adopted policies on various topics relevant to development and redevelopment in Charlotte-Mecklenburg. In particular, they address residential location and design, retail-oriented mixed/multi-use centers and transit supportive development. Additionally, the *General Development Policies* provide guidance to minimize negative environmental impacts of land development and to more closely link land use and development decisions to the availability of infrastructure to support it. This plan builds upon the *General Development Policies'* guidance in these areas: Residential Location and Design, Retail-Oriented Mixed/Multi-Use Centers, Environmental and Infrastructure.

## Northeast District Plan

The *Northeast District Plan* (1996), is one of six geographic district plans covering Charlotte's planning jurisdiction. It addresses a wide range of physical development issues and provides parcel-specific land use policies within the district. This plan will update the *Northeast District Plan* for the plan area.



*Some existing retail development within the Activity Center displays a high level of finish quality.*

### Prosperity Church Road Villages Plan

The *Prosperity Church Road Villages Plan* (1999), is a land use and urban design plan prepared for the Prosperity Church Road/I-485 interchange area, generally corresponding to the Activity Center in this plan. This plan will build upon concepts from the Villages plan, while updating the policies and boundaries.

### Northeast Area Plan

The *Northeast Area Plan* (2000); is a plan for neighborhoods generally southeast of Mallard Creek Road and Beard Road. While mostly separate from this plan area, a portion does extend along Ridge Road and Johnston-Oehler Road into the Prosperity Hucks area. As such, this plan will update policies for the area of overlap.

### Transportation Action Plan

The *Transportation Action Plan* (2006, updated 2011) defines short and long-term policies for accommodating motor vehicles, transit riders, bicyclists and pedestrians together with an implementation “blueprint” for improvements. The Transportation Action Plan’s comprehensive “toolbox” of transportation programs will help implement the recommendations made in this plan.

### 2030 Transit Corridor System Plan

The *2030 Transit Corridor System Plan* (2006) is a long-range multi-modal transportation plan that identifies five transportation corridors, a series of Center City improvements, and enhanced bus service and facility improvements throughout the region.

### Urban Street Design Guidelines

The *Urban Street Design Guidelines* (2007) offer a comprehensive approach to designing new and modified streets within the City. They are also a key component of the Transportation Action Plan, and were used in developing this plan to assist with street classifications and cross-sections that will guide the design and redesign of streets. The *Urban Street Design Guidelines* also address integrating land use and transportation to create synergy between the streets and the land uses adjacent to them.

### Greenway Master Plan Update

The *Greenway Master Plan Update* (2008) identifies an expanded greenway network and greenway trail system throughout Mecklenburg County. As land is acquired and set aside over time, the greenway system should also improve water quality by reclaiming natural floodplains, protect wildlife habitats and open space, and provide recreational and educational opportunities for residents. The development and extension of park and greenway elements running through the plan area are important elements of the plan.

# Key Opportunities and Challenges

An understanding of existing conditions, including feedback received from the public during the planning process, reveals opportunities to build upon and challenges to overcome. Key opportunities and challenges, highlighted below, form the basis for the vision statement and plan policies. They are taken from survey results and workshop discussions.

## Opportunities

- **Neighborhoods:** The plan area includes a number of strong, stable neighborhoods including the Highland Creek planned community, dating primarily since 1990.
- **Natural Environment:** A combination of well-landscaped planned development, preserved open space network, and undeveloped property provide the area with tree canopy and a natural setting.
- **Interstate Access:** The Mixed Use Activity Center includes access ramps to the section of I-485 now under construction, which will provide easy regional access.
- **Street Network under construction:** As an element of the I-485 construction project, the major elements of an innovative network of streets providing access to properties in the Activity Center is also under construction.
- **Walking/Biking Opportunities:** Highland Creek and other area neighborhoods have well-developed networks of walking and biking facilities internally.
- **Parks & Greenways:** The area is served by Mallard Creek Community Park, Clark's Creek Nature Preserve, public and private golf courses, and a greenway network. Some elements are in place; others are still in planning.
- **Nucleus of shopping opportunities:** Several shopping centers within the Activity Center provide basic shopping needs for the area including a wide range of grocery stores; these centers include some attractive mixed use elements.

- **Activity Center land availability:** There is a critical mass of vacant property at the proposed Activity Center, much of which is zoned or programmed for appropriate pedestrian oriented development.

## Challenges

- **Traffic congestion:** Residential development to date has been served by old farm to market roads with connections inadequate or incomplete for good traffic flow. The principal thoroughfares are heavily congested at rush hours. The freeway and street network construction projects underway are expected to mitigate congestion somewhat, but additional street network also will be needed.
- **Loss of natural habitat:** As development projects move ahead, previously wooded or natural areas are lost, with a consequent need for mitigation measures.
- **Lack of sidewalks and bike paths:** The good local sidewalks and pathways within neighborhoods do not extend out to the older public thoroughfares and into the Activity Center.
- **Development Pressure:** With completion of I-485 in the near future, land in the Activity Center is coming under strong development pressure for strip commercial uses inconsistent with the walkable mixed use concept. A market study, as summarized in the Appendix of this plan, sets forth expected market demand.



*Live/work storefronts at Eastfield Village are an example of mixed use pedestrian oriented development.*



# Land Use and Zoning

## Existing Land Use

There are a total of about 6,200 acres within the plan area. Of that, 806 acres are within street right-of-way. Single family residential uses comprise the largest use, with 33% of the total. Open Space/Recreation and Vacant land constitute substantial elements of the plan area. Large lot residential, generally thought to have a high potential for redevelopment, also is a sizeable element. Otherwise, there is no other dominant use group. The Existing Land Use is shown on Map A1, and in the following table.

Existing Land Use		
Land Use	Acres	% of Total
Single Family - Detached	2017	33%
Multi-Family	216	3%
Office	7	0%
Retail	53	1%
Civic/Institutional	296	5%
Vertical Mixed Use	3	0%
Agriculture	282	5%
Large Lot Residential	563	9%
Utility	31	1%
Open Space/Recreation	1072	17%
Vacant	854	14%
Right-Of-Way	806	13%
<b>Total</b>	<b>6200</b>	<b>100%</b>

Source: Charlotte-Mecklenburg Planning Department database, February 2013



 Agriculture



 Large Lot Residential



 Single Family - Detached



 Multi-Family



 Civic/Institutional



 Office



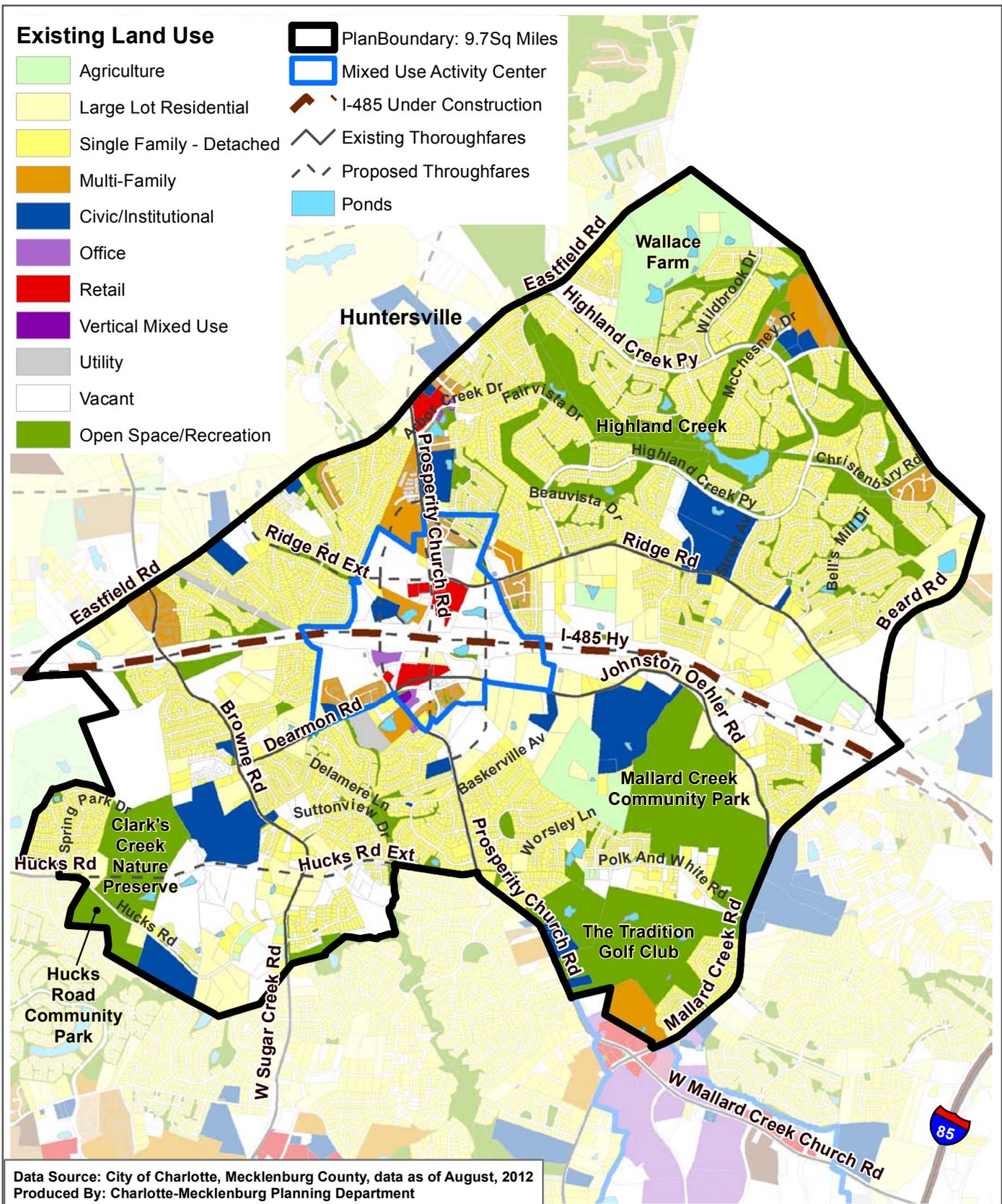
 Retail



 Vertical Mixed Use

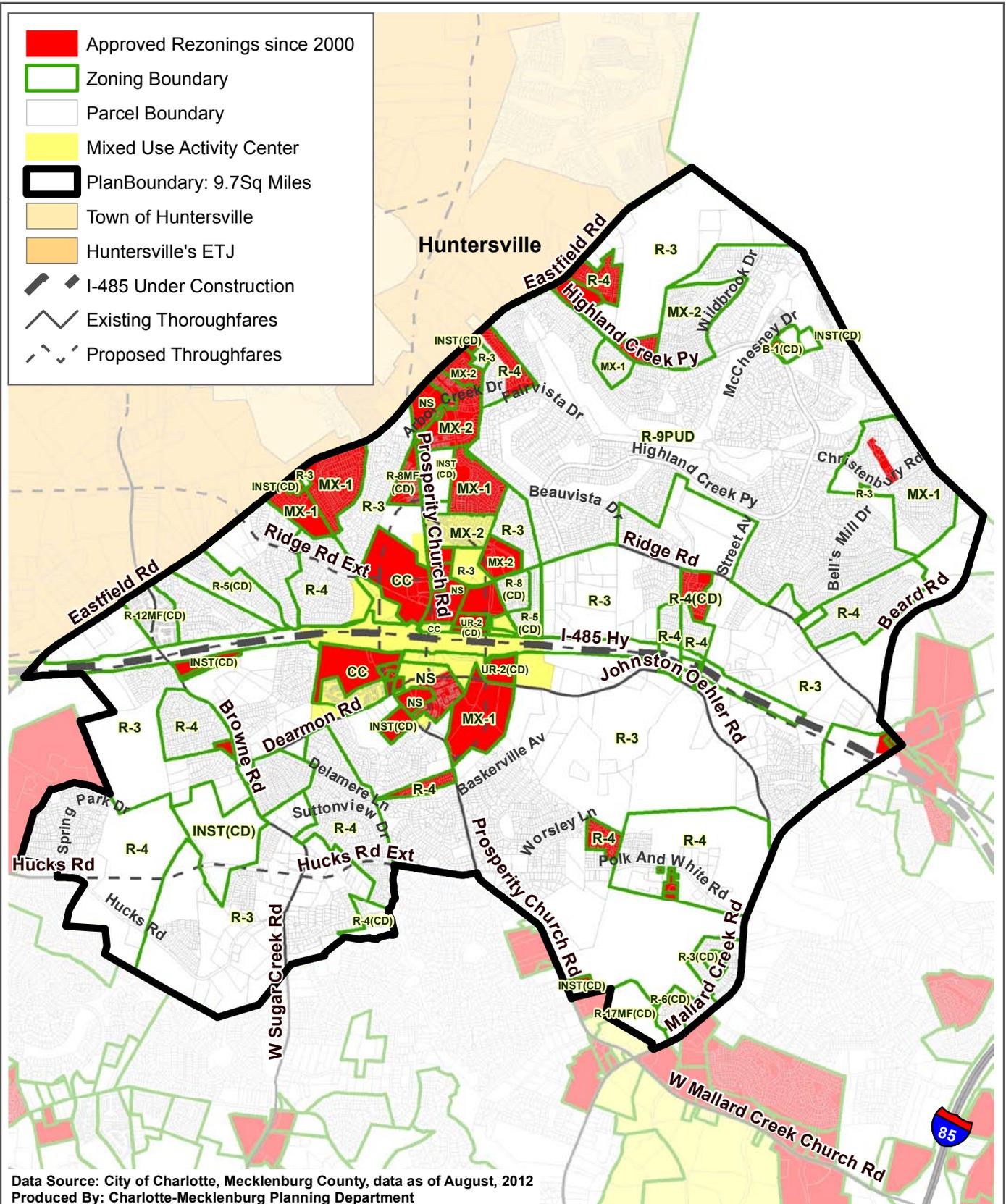


 Open Space/Recreation



**Existing Land Use**  
**Prosperity Hucks Area Plan**

0 0.25 0.5 1 Miles



**Existing Zoning**  
**Prosperity Hucks Area Plan**

## Existing Zoning

As shown in the table below and in Map A2, most of the plan area is zoned Residential, with single family zoning being the bulk of that. Most of the public and private open space and the schools within the plan area are included in the single family zoning districts. The mixed use residential category includes single family and some slightly higher density development such as townhomes, built as part of planned developments. Multi-family zoning is a very small part of the plan area.

The various business, office, and commercial zoning districts are a small component of the overall plan area but focused within the Mixed Use Activity Center.

Map A2 shows properties that have been rezoned in the period since 2000 in red. This includes a large portion of the Prosperity Activity Center. Almost all of the rezonings have been approved with conditional plans, generally providing for street connectivity and pedestrian friendly building placements. While a few of the rezoned properties have begun construction, most have not moved forward, as previously noted in the Existing Land Use statistics. This reflects economic difficulties since 2008, as well as owners' intentions to await stronger market conditions as I-485 comes online.



*Single family neighborhoods along Highland Creek Parkway, built as a planned development, exhibit a range of forms.*



*Townhouses along the edge of the planned Activity Center are consistent with the future vision.*



*Retail centers within the planned Activity Center have some attractive design features.*

Existing Zoning		
Zoning Category	Acres	% of Total
Residential	5,640	94%
<i>Single Family</i>	3,911	65%
<i>Multi-Family</i>	111	2%
<i>Urban Residential</i>	22	0%
<i>Mixed Use Residential</i>	1,596	27%
Institutional	128	2%
Business	110	2%
Commercial Center	99	2%
Office	<1	0%
<b>Total</b>	<b>5978</b>	<b>100%</b>

Source: Charlotte-Mecklenburg Planning Department database, February 2013

## Building Permits

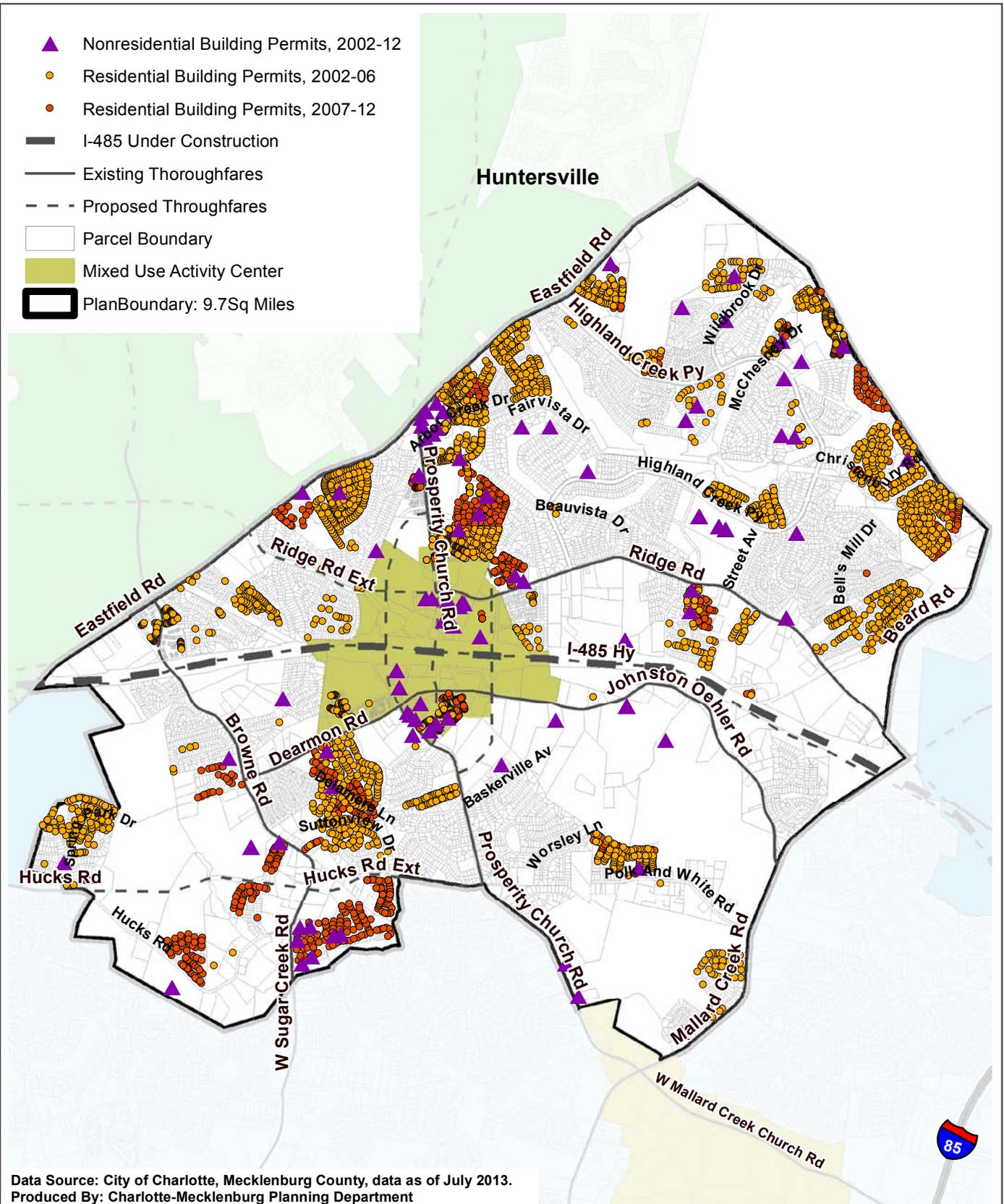
Recent building permit activity for the plan area is shown in the tables below and on Map A3, Building Permit Activity. Permits for single family detached housing units peaked in 2000 where as building permits for attached housing units saw the highest numbers in 2005. There has been a substantial decline in residential permitting activity since 2008. As seen in the Non-residential Building permits table, these building types generally have followed a pattern similar to attached housing.

<b>Residential Building Permits</b>			
<b>Year Issued</b>	<b>Single Family Detached</b>	<b>All Attached Units</b>	<b>Total Building Permits</b>
2000	808	146	954
2001	643	147	790
2002	453	146	599
2003	423	115	538
2004	325	154	479
2005	238	188	426
2006	371	167	538
2007	271	81	352
2008	98	53	151
2009	86	12	98
2010	79	56	135
2011	44	17	61
<b>Total</b>	<b>3,839</b>	<b>1,282</b>	<b>5,121</b>

*Source: Mecklenburg County Building Permit Data*

<b>Non-Residential Building Permits (Square Feet)</b>								
<b>Year Issued</b>	<b>Recreational Buildings</b>	<b>Religious Buildings</b>	<b>Medical Facilities</b>	<b>Banks/ Offices</b>	<b>Educational Buildings</b>	<b>Retail Shops/ Restaurants</b>	<b>Other Non-Residential</b>	<b>Total Heated Sq Ft</b>
2000						35,689		35,689
2001			38,008		11,680			49,688
2002						13,824		13,824
2003				13,382		107,083		120,465
2004	1,236	3,390		8,226	11,258	20,432		44,542
2005	2,691	18,000		119,355	402,326	20,436		562,808
2006	2,995		98,922	513	25,197	15,945	5,517	149,089
2007		2,596		10,464	85,289	4,025	1,663	104,037
2008					174,772			174,772
2009				466	103	3,592	1,221	5,382
2010					1,536		650	2,186
2011		60,590				9,584		70,174
<b>TOTAL</b>	<b>6,922</b>	<b>84,576</b>	<b>136,930</b>	<b>152,406</b>	<b>712,161</b>	<b>230,610</b>	<b>9,051</b>	<b>1,332,656</b>

*Source: Mecklenburg County Building Permit Data*



# Building Permit Activity

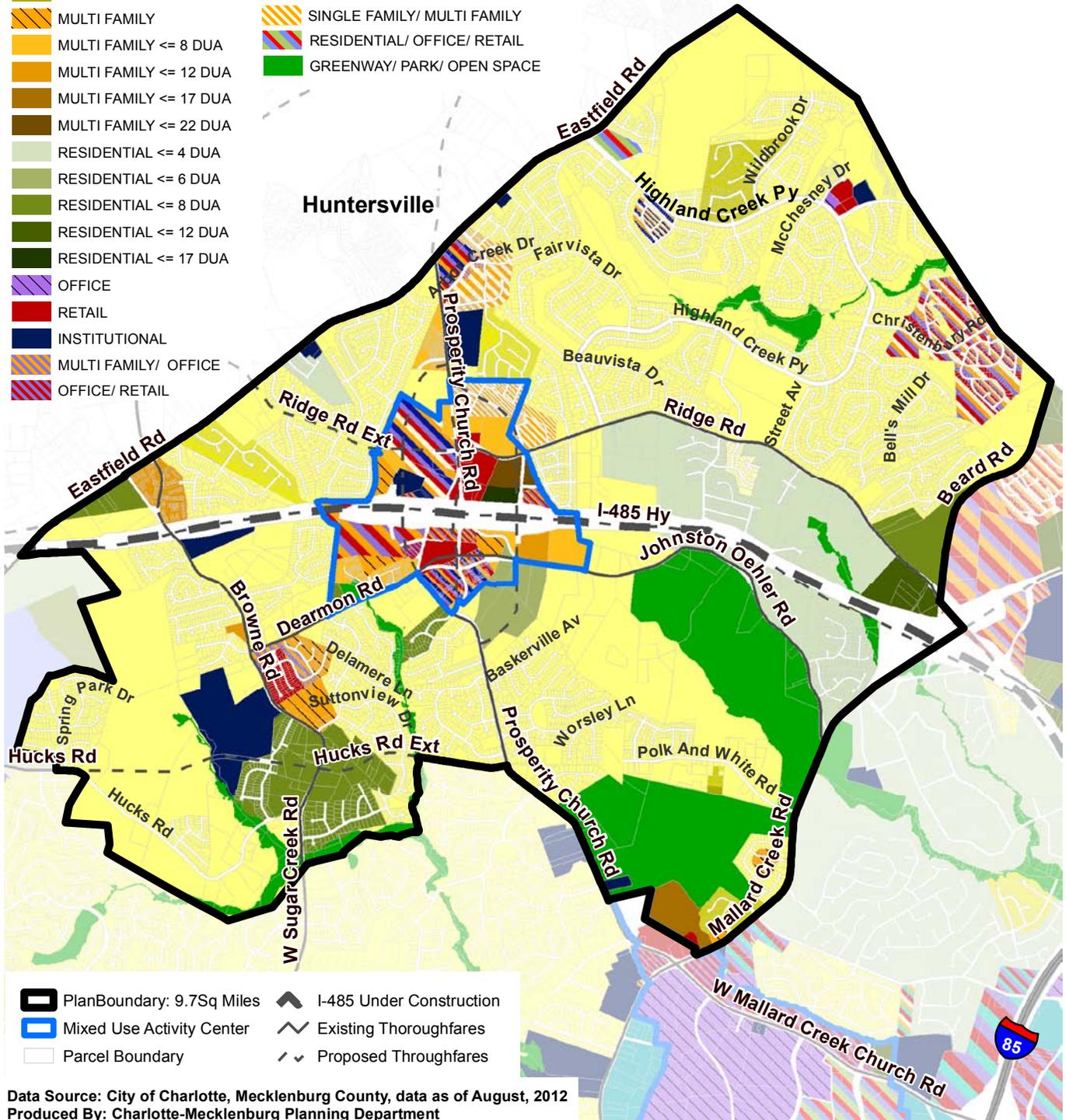
## Prosperity Hucks Area Plan

Miles

0 0.25 0.5 1

**Adopted Future Land Use**

- SINGLE FAMILY <= 3 DUA
- SINGLE FAMILY <= 4 DUA
- SINGLE FAMILY <= 5 DUA
- SINGLE FAMILY <= 6 DUA
- SINGLE FAMILY <= 8 DUA
- MULTI FAMILY
- MULTI FAMILY <= 8 DUA
- MULTI FAMILY <= 12 DUA
- MULTI FAMILY <= 17 DUA
- MULTI FAMILY <= 22 DUA
- RESIDENTIAL <= 4 DUA
- RESIDENTIAL <= 6 DUA
- RESIDENTIAL <= 8 DUA
- RESIDENTIAL <= 12 DUA
- RESIDENTIAL <= 17 DUA
- OFFICE
- RETAIL
- INSTITUTIONAL
- MULTI FAMILY/ OFFICE
- OFFICE/ RETAIL
- MULTI - FAMILY/ INSTITUTIONAL/ OFFICE/ RETAIL
- MULTI FAMILY/ OFFICE/ RETAIL
- SINGLE FAMILY/ MULTI FAMILY/ INSTITUTIONAL/ OFFICE/ RETAIL
- SINGLE/ MULTI - FAMILY/ INSTITUTIONAL
- SINGLE/ MULTI - FAMILY/ OFFICE/ RETAIL
- SINGLE FAMILY/ MULTI FAMILY
- RESIDENTIAL/ OFFICE/ RETAIL
- GREENWAY/ PARK/ OPEN SPACE



Data Source: City of Charlotte, Mecklenburg County, data as of August, 2012  
 Produced By: Charlotte-Mecklenburg Planning Department

# Adopted Future Land Use

## Prosperity Hucks Area Plan

N

Miles

0 0.25 0.5 1

## Adopted Future Land Use

Adopted future land use for most of the plan area is designated by the *Northeast District Plan*, adopted in 1996. The *Prosperity Church Road Villages Plan*, adopted in 1999, covers the I-485 interchange area, generally corresponding to the Activity Center in this plan. A small portion of the plan area was included in the Northeast Area Plan, adopted in 2000. Adopted land use from these plans has been modified over time by rezonings approved since the plans' were adopted. See map A4.

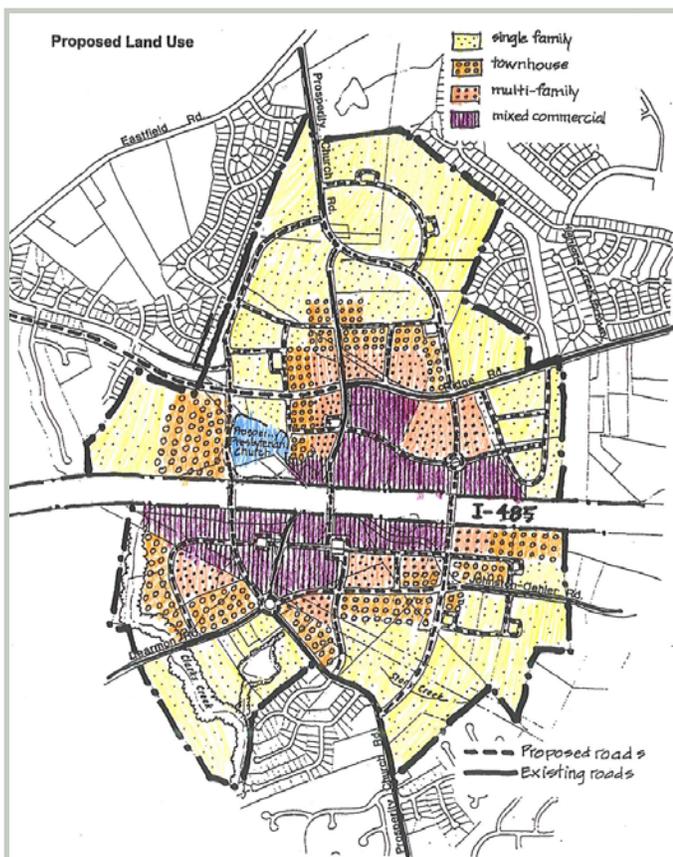
In general, property in the vicinity of the Prosperity Activity Center is shown as mixed use, retail, multi-family, and other higher density uses. The surrounding Wedge areas are mostly lower density residential uses with a scattering of open space, institutional, and other uses supportive of neighborhoods.



*The Wallace Farm is an existing agricultural use, likely to be redeveloped at some point in the future.*



*Vacant wooded land within the Activity Center sits across Ridge Road from retail built up to the street edge.*



*The Proposed Land Use map from the 1999 Villages Plan called for a hierarchy of land uses, with the highest density of mixed use at the center.*



*Multi-story mixed use building at the street edge of Prosperity Church Road is a model for future area development.*

# Community Design

The plan area consists of the Prosperity Activity Center and the surrounding residential neighborhoods.

## Prosperity Activity Center and Environs

The activity center is in the approximate geographic center of the plan area. It encompasses the area surrounding the new I-485 interchange area and its accompanying street network, and is roughly equal to the plan area of the 1999 Prosperity Church Road Villages Plan. Prosperity Church Road was the only north-south street linking the two sides of the interstate, although this is changing as the new road system is developed.

The southern part of the Activity Center includes a mix of medium density residential uses, primarily townhomes, as well as office and retail uses. The largest retail site is the 9-acre Bi-Lo center, a suburban-style supermarket with three auxiliary retail buildings and a broad expanse of surface parking between the buildings and the street.

The northern part of the center includes similar uses to the southern side, with a concentration of retail uses at the Prosperity Church-Ridge Road intersection. There is also a retail center at Prosperity Church and Eastfield Roads just outside the Activity Center, with outparcel buildings that front the street with parking behind, a pattern of development preferred over large parking fields between the street and the buildings. In addition to the many townhomes, live/work, and multi-family units in the area, there is a mobile home community providing affordable single family housing, plus a large church campus, both just outside of the Activity Center.

Spread throughout the center are several large tracts of undeveloped land or land devoted to agricultural use, although much of this land will likely be developed for more intense uses in the future.



*New multi-family residential development along Ridge Road in the northern portion of the Activity Center is situated between existing townhomes and a retail center.*



*Existing supermarket centers, with parking fields out front, do not represent expectations for future projects.*

## Wedge Neighborhoods

Outside of the Prosperity Activity Center, the plan area consists primarily of residential subdivisions, agricultural lands, and open space.

The largest residential development is Highland Creek, which occupies more than two square miles of the northeast portion of the plan area, not including the portion that is in neighboring Cabarrus County.

Development of Highland Creek as a planned community began in the early 1990's, and undeveloped sections are still being built today. Typical of residential subdivisions of the era, it is composed of distinct neighborhoods accessed from a central parkway, each with its own name and identity.

The road network is characterized by winding residential streets emanating from the central parkway, punctuated with numerous cul-de-sacs. The predominant housing type in the subdivision is single family, two stories in height, sided with clapboard, brick, and/or stone, built in a traditional or Colonial architectural style.

The Highland Creek Golf Club meanders through the subdivision, providing open space and recreation, as does a walking trail network and several smaller parks, swimming pools, and amenity areas.



*Single family homes in the Highland Creek neighborhood are often clustered around cul-de-sacs. The adjacent golf course provides open space and recreation.*

Most of the other residential subdivisions in the wedge area, while not as expansive, share Highland Creek's characteristics in terms of age, neighborhood design, and character.

There are several large lot single family homes in the wedge area, some dating to the 1950's and earlier. Some of these homes are associated with small agricultural uses like "family farms". The largest agricultural use in the wedge area is Wallace Farm, a commercial producer of compost and mulch. Occupying about two acres in the northeast corner of the plan area, its original farmhouse dates to 1921.



*Large lot single family homes like this are scattered throughout the wedge area. They are sometimes part of a family farm.*

# Market Analysis

Noell Consulting Group (NCG) conducted a market analysis of the Prosperity Hucks Area. The market analysis was used in the plan process as one of many sources of information and ideas. In particular, it was used as a reality test to confirm the types and locations of land uses included in the plan. The opinions and data following in this section are extracted from the consultant’s market analysis.

The plan area has an abundance of stable neighborhoods in a relatively quiet suburban setting. It has park space, schools, and solid access to neighborhood retail services. Regional access is due for substantial improvement with the expected opening of the I-485 extension.

The Prosperity Hucks area is not a significant employment area today, with the greatest concentrations of employment being in local-serving industries, including restaurants (food services), health care, and retail trade. The majority of these jobs are low to moderate-paying, with higher -paying professional services and finance & insurance jobs being located closer to the University Research Park.

Relative to the Northeast District, and particularly to the county overall, the area is lacking in higher paying finance & insurance and professional services jobs, which are largely located around Center City and in areas south.

Overall, households in the Prosperity Hucks area are more affluent than those found in the Charlotte jurisdiction. Of particular note is the lack of low-income households in the area and the high amount of middle- to upper-middle income households (those earning between \$75,000 and \$150,000), which equates to home prices of around \$200,000 to \$400,000.

## Retail

Prosperity Hucks largely serves as a neighborhood-serving retail core anchored by grocery, drug stores, and local-serving retail and office users. While it is not anticipated that big box retailers will be attracted to the Prosperity Hucks area, it is worth noting the significant distance that exists between this area and other big box cores, most of which are five or more miles away. Bryton, just westward along I-77 in Huntersville, has the potential to capture this market, but the study area geographically is well-positioned to catch these retailers’ attention.

**Retail Opportunities:** Several short- and long-term retail opportunities exist in the plan area:

- Pull existing retail centers together via streetscaping, key design elements and infilling of neighborhood retail to create greater sense of a core;
- Infill restaurants and other food opportunities and add residential components to core;
- Recognize potential for big box retail and address through the planning process.



*Multi-story buildings provide for a mix of uses that pull this retail center together and create a sense of a core.*



*Site design elements such as this fountain add significantly to the ambiance of this center.*

## Office

The Prosperity Hucks Area is located between two office cores: the newly emerging I-77 North core and the more mature University core. Over the past five years the I-77 North core has outperformed the University area and has gained market share relative to Mecklenburg County. This core is driven by the growing affluence of North Mecklenburg and quick access to Downtown. The University area's multi-tenant market, meanwhile, has lost market share over the last five years, as the area generally lacks executive housing and a sense of location needed to attract office tenants. The exception to this are large-scale build-to-suit projects in University Research Park, which do not show up in these numbers.

On a regional level the Prosperity Hucks area has not offered the key factors needed to attract larger-scale office development:

- The area is not proximate to a significant base of executive housing, most of which can be found south of Center City with a secondary core around Lake Norman;
- The area has also lacked access to the region's freeway network, something that will change in the next few years.

In the coming years Bryton and the I-77 North Corridor will likely account for a large share of "northside" multi-tenant office tenant growth while University Research Park will account for the larger, back-office corporate users.

On a local level the Prosperity Hucks plan area lacks the demand generators and regional access found at nearby freeways. The local/neighborhood-serving orientation of the existing retail and the low-density environment indicate a more local-serving office play may be most appropriate. These factors, combined with the lack of nearby local-serving office cores, indicate a moderately-strong opportunity for neighborhood-type office uses.

**Office Opportunities:** Significant depth exists in the area for local-serving office tenants, many of which are located in retail centers today or are in nearby areas such as the University City core or along I-77. Assuming a better than fair share capture of demand, we believe the Prosperity Hucks area can support around 60,000 square feet of local-serving office and 25,000 square feet of demand from retail-using services.

- Create a greater sense of lifestyle in the area by furthering a mixed use environment and enhancing walkability, providing a relatively unique environment in Northeast Mecklenburg.
- I-485, while not enough to create a regional location, furthers the potential to attract local-serving office users.
- Focus on smaller, local-serving office users under 5,000 SF in size. This includes a mix of medical users, and smaller professional firms such as accountants, lawyers, architects, real estate agents-those that serve area residents.



*The Prosperity Hucks office market is focused on locally serving office and medical facilities such as this.*

## Rental Housing

The improved access to the Prosperity Hucks area will further residential opportunities in the plan area; opportunities that could extend to a wider range of housing opportunities beyond conventional single-family and townhouse product. This access will complement already solid neighborhood retail, access to area parks and greenways, and solid schools. Still missing from the area is a walkable retail or mixed use core, something that offers strong appeal to younger singles and couples in particular.

Northeast Mecklenburg, which includes the Prosperity Hucks area, has a history of being slightly overbuilt, with vacancies averaging close to 8% since 1995. This said, the submarket has seen vacancy rates drop significantly over the last couple of years and is now approaching a 5% vacancy rate, considered healthy for Class A rental apartments.

The Harris/Northeast Mecklenburg submarket has been among the most active in the Charlotte region over the past 17 years, capturing nearly 25% of all Mecklenburg County absorption. This equates to an average annual absorption of more than 500 units annually during the entire period. Due to a relatively consistently high vacancy rate and steady construction, rent growth in the Harris/Northeast Mecklenburg submarket has averaged around 1.2% since 1995, about half the rate seen in Mecklenburg County overall.



*This new multi-family building will serve the increasing demand for new rental product in the plan area.*

**Rental Residential Opportunities:** With the extension of I-485 through the Prosperity Hucks area, and the increased regional access it will provide, we believe demand potential for new rental product in the area will increase significantly, particularly in the next 8 years. Over time, competition will likely shift to areas such as Bryton and along the planned Blue Line Extension to UNC Charlotte, tempering long-term demand. Still the presence of significant neighborhood retail, the existing low-density neighborhood environment, and the access provided by I-485 will be attractive to many renters in the market.

## For Sale Housing

Like the Charlotte region overall, Northeast Mecklenburg has seen a sharp drop-off in sales volumes (down 82%) and new home prices (down 20% from peak). Over the next few years sales volumes will increase in Northeast Mecklenburg, albeit at a level below that seen in the mid 2000's, with townhouses potentially accounting for a greater share of product mix.

Home prices in the Prosperity Hucks Area are generally relatively affordable and are consistent with those seen in Mecklenburg County overall. Townhouse product serves as a price-alternative to single-family homes in the area, with some buyers choosing townhouse product for lifestyle purposes. North of Eastfield Road, Skybrook and Olmsted have been able to achieve significantly higher home prices, driven in part by their lower development intensities and golf & nature orientations.



*The Shad's Landing retirement community is a specialized element of the area's multi-family market.*

While the Prosperity Hucks area has seen a gradual loss in market share for new detached and attached home sales over the past few years, the extension of I-485 through the area will result in an increased capture in the coming 5 to 10 years given its improved accessibility to the region's freeway network and regional employment cores. Over time, as the area builds out, captures of new for-sale residential, particularly single-family detached product, will decrease.

**For Sale Residential Opportunities:** The Prosperity Hucks area is well-positioned to regain market share as I-485 increases regional access to area residents. To this, value creation and broadening housing appeal will be important to the long-term sustainability of the area.

- Infill attached for-sale and rental residential adjacent to existing retail core to enhance walkable environment. This could include adding product targeting more mature singles and couples.
- Identify opportunities for street-oriented rental apartments, attracted to the area by the enhanced access provided by I-485.
- Continue infill of single-family homes, focusing on connectivity and value creation to enhance the lifestyle proposition of the area.

## Market Demand Summary

Market Demand by Land Use 2011-2030		
Category	Quantity	Acres
Retail	444,329 s.f.	41.7
Office	97,547 s.f.	9.0
Rental Residential	1,188 units	46.0
For Sale Attached Residential	612 units	40.8
For Sale Detached Residential	2,322 units	513.5
Total	541,876 s.f.; 4,122 units	651.0

Source: Noell Consulting Group projections, December 2012



*Attached single family in and adjacent to the Activity Center will continue to have strong appeal.*



*The single family home market will continue to be a focus within the Wedge neighborhoods of the plan area.*

## Activity Center Capacity

The market study forecasted the demand for additional development in the plan area by 2030. This analysis compares the land use capacity within an Area of Analysis: the Activity Center extended to include areas immediately surrounding it (generally medium density or townhouse residential) at buildout to that demand.

Most existing land uses within the plan area are expected to remain. Properties are classified as “Vacant & Underutilized” if the site is vacant, or if it consists of a house on three acres or more.

Because the plan calls for Wedge neighborhoods to remain largely low density, all projected future land uses except for single family detached residential were attributed to the Area of Analysis: the Activity Center and surrounding medium density residential. New Institutional uses were not tracked because there are no market projections for comparison.

The plan calls for a revised future land use, including areas with a mix or option of uses. Land in mixed use areas was allocated among the basic market uses for both existing and future projects.

The chart below shows calculations of building area (or dwelling unit count) for each use type.

- First is the existing land use. This represents a baseline, with 249 acres available for future development within the Area of Analysis.
- Next is the Market demand for each use type (above what already exists), as previously discussed. Because nearly all future

detached residential is expected to be in the Wedge area, it is omitted from this analysis.

- The third set of columns shows development that is approved but not built as of 2013. Rezoning approvals in 2014 are not included in these numbers, but replace similar prior approvals for the same building area. A number of small lot detached homes are included in these approvals. All of this will account for 177 acres of the available land in the Area of Analysis.
- The final columns show additional market demand after subtracting the approved but unbuilt projects as of 2013. Note that planned office uses may exceed demand, but retail demand makes up for that. The acreage expectation is based on conservative project yields. The 90.4 acres of estimated demand is more than the 72.9 acres of vacant and underutilized land within the Activity Center unaccounted for.

This analysis indicates that there is sufficient market demand for available land within the Activity Center over the coming years to support its continuing development, and that it can develop without impacting nearby existing centers. Because much of the Activity Center is recommended for a mix of uses, there is considerable flexibility in the allocation of land uses to accommodate changing demand patterns. Density in mixed use projects may exceed these conservative estimates, but institutional and open space uses will also find their way into the Activity Center.

Development Potential Compared to Market Demand							
Category	Existing Land Use		Market Demand	Development Approved but unbuilt		Additional Demand Capacity	
	Quantity	Acres	Quantity	Quantity	Acres	Quantity	Acres
Retail	267,214 s.f.	53.0	444,329 s.f.	200,000 s.f.	30.0	244,329 s.f.	24.4
Office	74,637 s.f.	7.3	97,547 s.f.	173,300 s.f.	22.0	(75,753)	(7.6)
Institutional, Open Space, Other Non-residential	180,536 s.f.	86.5					
Multi-family Residential	361 units	16.4	1,188 units	626 units	33.0	562 units	25.5
Attached Residential	632 units	116.0	612 units	228 units	30.0	384 units	48.0
Detached Residential	331 units	74.0		288 units	62.0		
Vacant & Underutilized		249.9					
<b>Total</b>	<b>522,387 s.f.; 1,324 units</b>	<b>603.1</b>	<b>541,876 s.f.; 1,800 units</b>	<b>373,300 s.f.; 1,142 units</b>	<b>177.0</b>	<b>168,576 s.f.; 946 units</b>	<b>90.4</b>

Source: Charlotte-Mecklenburg Planning Department data, August 2013; Noell Consulting Group projections, December 2012

# Public Safety

The Charlotte-Mecklenburg Police Department (CMPD) was asked to evaluate the impact that future growth in the Activity Center may have on crime and public safety. They looked for an older, more built-up area with comparable demographic and locational characteristics, but with substantial commercial and multi-family residential components already in place. The South Charlotte area in the vicinity of Pineville-Matthews Road extending roughly from Pineville to the Arboretum fit the bill with its proximity to I-485 and golf course orientation of some neighborhoods.

As can be seen here, the crime numbers per 10,000 residents are quite similar within the two areas, while the numbers for the CMPD city-county full jurisdiction overall are far higher. The prior year's statistics were very similar, with the crime rate in the Prosperity Hucks area slightly exceeding the comparable area in a few more of the categories. This would indicate that the area's crime rate should not rise significantly due to expected increases in commercial and multi-family residential, but remain relatively steady given the overall demographics of the area.

The chart below shows a comparison of Police Department crime statistics for the period October 1, 2012 to September 30, 2013, aggregated into a few broad categories. Shown are figures for Prosperity Hucks, for the South Charlotte comparison area, and for the CMPD jurisdiction as a whole. The figures per 10,000 population allow for easier comparison. Also shown are census population and dwelling unit counts for each area as a reference.

Crime data comparison, Prosperity Hucks and other areas Oct 2012-Sep 2013						
Category	Prosperity Hucks plan area		South Charlotte comparison area		CMPD city-county full jurisdiction	
	Quantity	per 10k pop.	Quantity	per 10k pop.	Quantity	per 10k pop.
Larceny	240	98.1	161	85.4	21,640	270.0
Residential Burglary	40	16.3	36	19.1	5,344	66.7
Aggravated Assault	14	5.7	9	5.3	2,085	26.0
Auto Theft	12	4.9	10	5.3	1,839	22.9
Robbery	11	4.5	3	1.6	1,824	22.8
Commercial Burglary	6	2.5	12	6.4	1,181	14.7
Rape & Attempted Rape	0	0.0	3	1.6	223	2.8
Arson	3	1.2	1	0.4	190	2.4
Homicide	0	0.0	0	0.0	52	0.6
<b>TOTAL CRIME INCIDENTS</b>	<b>326</b>	<b>133.2</b>	<b>235</b>	<b>124.7</b>	<b>34,378</b>	<b>429.0</b>
Population	24,469		18,849		801,392	
Single family dwellings	4,993		4,279			
Multi-family dwellings	1,857		4,723			

Source: Charlotte-Mecklenburg Police Department and Charlotte-Mecklenburg Planning Department data, October 2013

# Transportation

The Prosperity Hucks area is a dynamic region of Charlotte. Over the past 25 years, it has experienced numerous changes including rapid growth and increasing demands on the transportation system. Additionally, the construction of I-485 and the Prosperity Activity Center street network will have lasting impacts to travel conditions for pedestrians, cyclists, transit, and motorists.

This report provides a detailed analysis of several different aspects of the transportation system, each of which reflect the rapid growth in the area. It also describes the relationship with regional transportation plans, describes conditions for pedestrians, cyclists, and motorists, and explains the ongoing construction projects associated with I-485.

Specific plans and policies guide the identification and implementation of projects. Thoroughfares are defined by the Charlotte Regional Transportation Planning Organization’s (CRTPO) *Thoroughfare Plan*. Within Charlotte, the *Transportation Action Plan* and the *Urban Street Design Guidelines* use the *Thoroughfare Plan* as the basis for project programming, development, and design. While some thoroughfares in the area are being built or improved as part of, or in conjunction with, the construction of I-485, many more remain as unfunded. Unfunded projects include extensions (e.g., Hucks Road Extension, Ridge Road Extension), widenings (e.g., Ridge Road), and farm-to-market improvements (e.g., Browne Road, DeArmon Road). Map A5 shows the Adopted Future Transportation Network based on these policy documents.

## The Street Network

The number of route choices available to pedestrians, bicyclists, and motorists describes the adequacy of an area’s street network. A dense, well-connected network offers greater route choice and more direct routes to destinations than does a less connected network. In addition, a highly-connected network provides greater overall system capacity than a less-connected network.

Connectivity is quantified by two independent metrics: Connectivity Index and Route Directness Index (RDI). The Connectivity Index quantifies how well a roadway network connects destinations and is calculated by dividing the number of roadway links (street segments) by the number of roadway nodes (intersections, dead-ends, and cul-de-sacs). A Connectivity Index of 1.45 or more is desirable for transit station areas and in-town neighborhoods, while an index of 1.35 is recommended for all other areas, including the Prosperity Hucks plan area.

RDI is based on the ratio between the straight-line distance (“as the crow flies”) between two points and the network (travel) distance between those same two points, and is usually expressed as a percentage. For example, if the straight-line distance between Point A and Point B is 500 feet, but someone has to travel along 1000 feet of road to get there, the RDI is 500/1000 or 50%. “Good” RDI is considered 61-100 and “poor” RDI is 0-39.

Key statistics of the Prosperity Hucks plan area include the following, and are compared to 3 other areas of Charlotte:

Connectivity Measures				
	Prosperity Hucks	Dil-worth	Cots-wold	Arbo-retum
Size of Area (sq. mi.)	9.7	1.9	1.3	6.2
Miles of streets	81	44	23	75
Lane-miles of streets	213	104	53	100
Lane-miles of street per sq. mi.	22	55	41	16
<b>Connectivity index</b>	<b>1.11</b>	<b>1.40</b>	<b>1.20</b>	<b>1.05</b>
<b>Route Directness Index<sup>1</sup></b>	<b>48.4</b>	<b>70.3</b>	<b>62.8</b>	<b>53.5</b>

Source: Charlotte Department of Transportation, 2012 data.

<sup>1</sup>Median value

The lane-miles of street per sq. mi. statistic shows how dense or compact a street network is. A lane-mile is one mile of a single roadway lane, and, generally speaking, the more lane-miles of streets there are in a street network, the greater the overall traffic carrying capacity. More-dense street networks provide more lanes in a given area, thus being able to handle much more development compared to less-dense street networks.

Certainly when compared to older, more urban areas of Charlotte such as Dilworth or Cotswold, the Prosperity Hucks area is lacking in connectivity. However, it is lacking in connectivity even when compared to other typical 1990's-era suburban developments, such as the Arboretum on Providence Road in south Charlotte. Travel in the plan area is therefore very indirect, leading to higher rates of vehicle-miles of travel (VMT) and congestion.

Due to the largely-developed suburban character of the Prosperity Hucks area, residents have yet to experience the benefit of having a highly connected street network, excellent pedestrian facilities, and a balanced mixture of land uses that support a live-work-play-shop lifestyle. As this area continues to develop, this lack of connectivity and limited neighborhood-serving land uses will result in serious congestion issues unless there is change in the pattern of development. Currently, the Prosperity Hucks area receives low marks relating to land use accessibility relative to the city average, as shown in the table following.

Land Use Accessibility			
	Plan Area		City
	Pop	%	%
Total Population	24,469	100%	100%
Within 1/4 mile of			
Shopping	5,765	24%	43%
Schools	4,739	19%	24%
Parks	6,593	27%	38%
Local transit route	1,525	6%	50%

Source: Charlotte Department of Transportation, 2012, based on 2010 U.S. Census Block data.

An important goal in the *Prosperity Hucks Area Plan* is to increase land use accessibility by identifying opportunities to connect existing neighborhoods to changing land uses within the area.

## The Thoroughfare Plan

The *Charlotte Regional Transportation Planning Organization Thoroughfare Plan* is the adopted major roadway plan for Mecklenburg and other area counties and is used to assure that the most appropriate street system is developed to meet existing and future travel needs. Streets are classified and designed according to their intended functions so that land use and traffic conflicts are minimized. The street classifications applicable to the Prosperity Hucks Area Plan are as follows:

**Major Thoroughfares:** Browne Road, Eastfield Road, Hucks Road, Mallard Creek Road, Ridge Road, and most of Prosperity Church Road are major thoroughfares serving the area. As major thoroughfares, these streets are designed or will be designed to accommodate regional travel and larger volumes of traffic at moderate to high speeds. At full buildout, these streets typically have 4 travel lanes, bike lanes, a continuous median or two-way left-turn lane, and posted speed limits of 35 to 45 MPH. They provide access to major commercial, employment, and residential land uses. Additionally, Prosperity Church Road is proposed to be extended north into Huntersville to connect to NC 73, and it is also a segment of the future Eastern Circumferential. The Eastern Circumferential is a proposed major thoroughfare that will connect Prosperity Church Road with Sardis Road North in south Charlotte; it will provide a circumferential travel corridor located halfway between Harris Boulevard and I-485.



*Existing conditions of Hucks Road (major thoroughfare)*

**Minor Thoroughfares:** DeArmon Road, Johnston-Oehler Road, Benfield Road, Prosperity Ridge Road, and parts of Prosperity Church Road are minor thoroughfares. They provide for sub-regional travel and also split up a major thoroughfare into several smaller parallel thoroughfares. Minor thoroughfares are designed to carry moderate traffic volumes at moderate speeds and provide access to residential, commercial, and institutional land uses within a region. At full buildout, these streets generally have 2 travel lanes and bike lanes, and may or may not have a median, left-turn lane, or two-way left-turn lane. Posted speed limits are typically 30 or 35 MPH, although they can be posted at 45 if still located outside City limits where they are still maintained by NCDOT.

**Collectors & Locals:** Beard Road, Christenbury Road, and Highland Creek Parkway are major collectors. Cardinal Point Road, Clarke Creek Parkway, Creek Breeze Road, Foggy Meadow Road, Hampton Place Drive, Old Timber Road, Polk and White Road, and Suttonview Drive are minor collectors. Collectors are designed to carry traffic between the thoroughfares and local streets at moderate volumes and speeds and providing access to adjacent land uses. Major collectors are intended to carry up to 10,000 vehicles per day in a neighborhood context; minor collectors are intended to carry up 4000 vehicles per day in a neighborhood context. Traffic volumes, route continuity (i.e., number of turns a route must make) and the type of intersection a street has when it connects to a thoroughfare (e.g., traffic signal, two-way stop, right-in/right-out, etc.) all help to determine whether a collector street is classified as major or minor. The minor collectors have not been adopted by City Council as an official list.

The remaining roadways in the plan area are local streets that carry low traffic volumes, have slow operating speeds and provide access to individual properties. Much of the local street network in this area is very disconnected, typical of the cul-de-sac development patterns of the 1980's and 1990's when this area was developed. This is consistent with the previously-mentioned low connectivity index and marginal RDI scores for the plan area.

### Motorist Levels of Service

**Level of Service (LOS)** measures the quality of service provided by a transportation facility to its users. The City of Charlotte evaluates level of service for pedestrians, bicyclists and motorists and uses the results to help balance their competing needs when planning and designing streets. Levels of service range from A through F (A being best), with desirable levels of service based on the street typologies of the *Urban Street Design Guidelines*.

Motorist Level of Service ratings for area streets, along with select area Traffic Counts, are shown on Map A6.

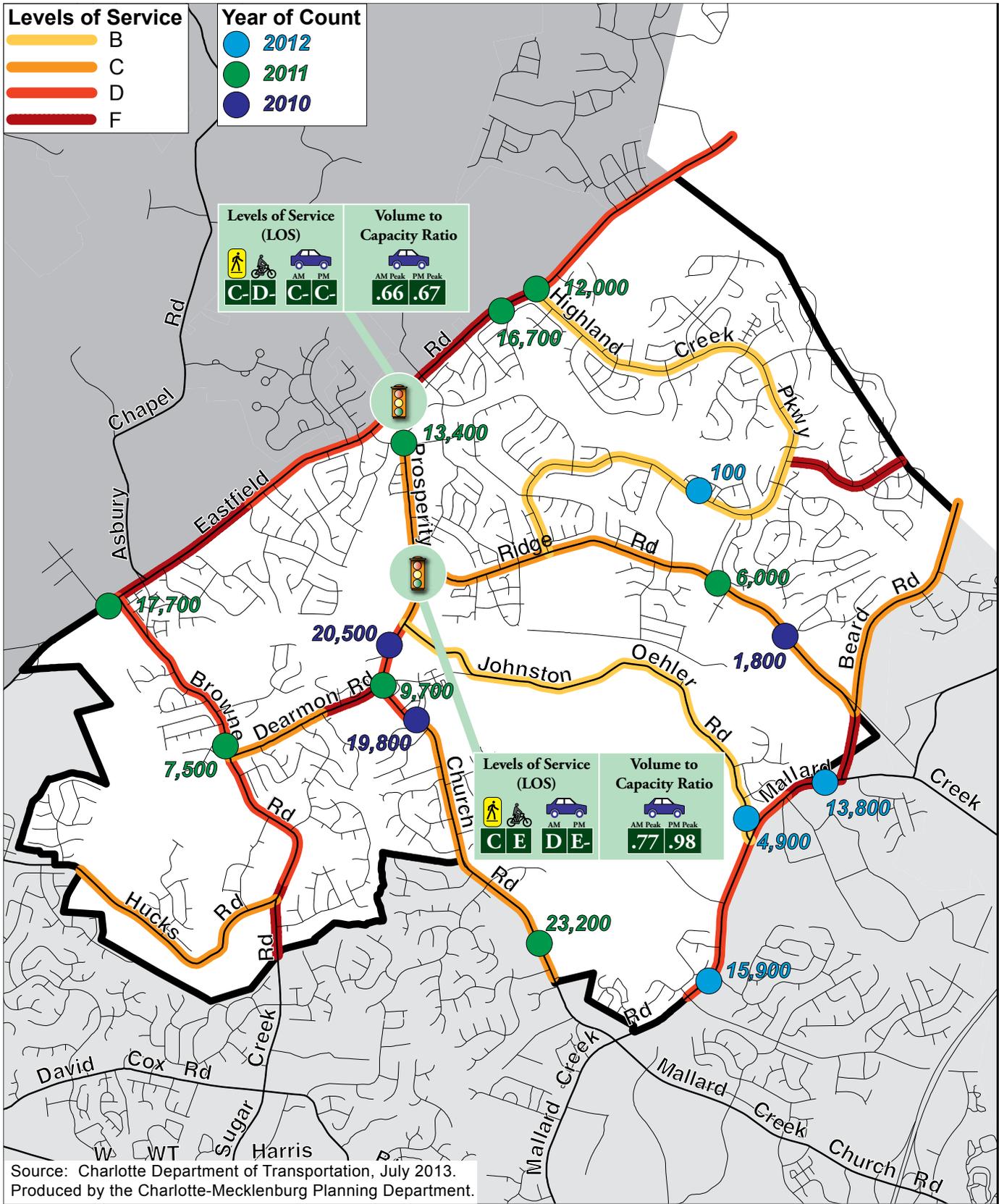
Pedestrian and bicycle level of service is rated according to the level of comfort and safety offered by the design features at signalized intersections, while motor vehicle level of service is based on motorist delays. Motor vehicle quality of service is also measured by the Volume to Capacity ratio (V/C), which describes an intersection's ability to process traffic. Values greater than .95 suggest an intersection is near its capacity during this time period and that motorists may experience substantial congestion.

**Motor Vehicle Network:** Traffic congestion at major intersections like Prosperity Church Road/ Eastfield Road or Prosperity Church Road/ Ridge Road is a daily occurrence. However, when I-485 opens in early 2015, traffic patterns are expected to change significantly. It would not make for an appropriate comparison to cite traffic congestion levels today



*Johnston-Oehler Road leading to a new low-density residential development (minor thoroughfare)*





Source: Charlotte Department of Transportation, July 2013.  
 Produced by the Charlotte-Mecklenburg Planning Department.

**Average Daily Traffic Counts & Service Levels**  
**Prosperity Hucks Area Plan**

when the street networks and traffic patterns around the I-485 interchanges of Prosperity Church Road and Mallard Creek Road will change dramatically in the next couple of years. More information on these changes can be found in Part 1, The Concept Plan, Transportation Section.

### Traffic Analysis

Following the announcement in 2009 of the advancement of the I-485 construction, City staff began an analysis of the Prosperity Church Interchange. In recent years, various segments of the network were constructed through the development process. The analysis determined which additional segments would be needed for the interchange to operate efficiently and with minimal levels of congestion upon opening. The City initiated projects to construct these segments and fill in the gaps. Numerous projects have been under construction in 2014 to help complete the roadway network around the interchange area as opening day approaches. In 2015, construction of additional roadway segments not critical to opening day will occur.

In addition, City staff analyzed operation of the interchange area for future years. This involved computer modeling to determine what traffic volumes should be expected on each street as the area continues to develop. The results of that analysis indicate that all of the roads in the area should operate at acceptable Levels of Service (LOS) and with reasonable levels of congestion up to the design year of 2035.



*The pedestrian and wear path along the side of this road demonstrate the importance of a good sidewalk network.*

## Pedestrian & Bicycle Facilities

### Pedestrian System

Of the 81 miles of streets within the Prosperity Hucks Area, 38% of the total mileage has no sidewalk, 22% has limited amounts of sidewalk (intermittent sidewalks and/or sidewalks on only 1 side of the street), and 40% has generally continuous sidewalk on both sides of the street. The pedestrian system is shown on Map A7. The map clearly shows that most of the subdivision streets have sidewalk on at least one side of the street. On the other hand, unless there has been adjacent development, the thoroughfares typically have no sidewalk; what little sidewalk there is on the thoroughfares is typically intermittent and discontinuous.

Additionally, there are seven signalized intersections in the Area. All seven of these intersections have unacceptable pedestrian levels-of-service (C+ or lower); the “best” intersection is Ridge Road/ Prosperity Church Road in the Activity Center, which has an LOS of C+.

### Bicycle System

There are currently few designated roadway facilities for bicyclists in the Prosperity Hucks area. In the long-term, various farm-to-market, widening, and new-construction projects will build these bicycle facilities along an entire corridor. However, funding for these comprehensive improvements is generally not available, so any bicycle improvements would likely be built on a parcel-by-parcel basis as property develops.

Map A7 shows the limited dedicated bike lane provision within the plan area.

Of the seven signalized intersections within the area, all have an unacceptable LOS for cyclists (C+ or lower). The “best” intersections each have a bicycle LOS of D-; they are Prosperity Church Road/Eastfield Road and Prosperity Church Road/DeArmon Road/Johnston-Oehler Road. Prosperity Church/DeArmon/Johnston-Oehler intersection is located in the Activity Center. Generally speaking, none of the seven signalized intersections have continuous bike lanes, although there may be a bike lane on an individual leg.

## Complete Streets

Outside of the City's and NCDOT's projects in and around I-485/Prosperity Activity Center to build streets, the best opportunity for implementing complete streets that accommodate all modes of travel – cars, transit, biking, and walking – will be through the land development process. Comprehensive complete-streets improvements to corridors have been identified as significant needs in the area, but the funding necessary to implement them is not available. The land-development process is expected to implement these complete streets on a parcel-by-parcel basis as land develops. Fortunately, the policy basis for creating complete streets exists both at the City level (the TAP, the USDG) and at the NCDOT level (their 2009 complete streets policy).

Until 2012, the City conducted regular biannual annexation of surrounding urbanized development in a planned, methodical manner. This annexation allowed the City to assume maintenance of roads and streets from NCDOT, making it easier to implement complete streets. However, in 2012, the state annexation laws were made much more restrictive, making it unlikely that Charlotte will be able to continue to annex new development proactively. It is therefore critical that NCDOT follow through with implementation of their complete-streets policy so that the visions of this plan in particular, and of Charlotte street-design policies in general, can still be achieved.

## Transit System

**Bus Service:** The Charlotte Area Transit System (CATS) currently provides the following fixed-route bus service in the Prosperity Hucks plan area:

- Route 22: Graham Street operates between Uptown and the University Research Park, with limited service to the Prosperity Activity Center.

This route is depicted on Map A7.

## Additional Program Guidance

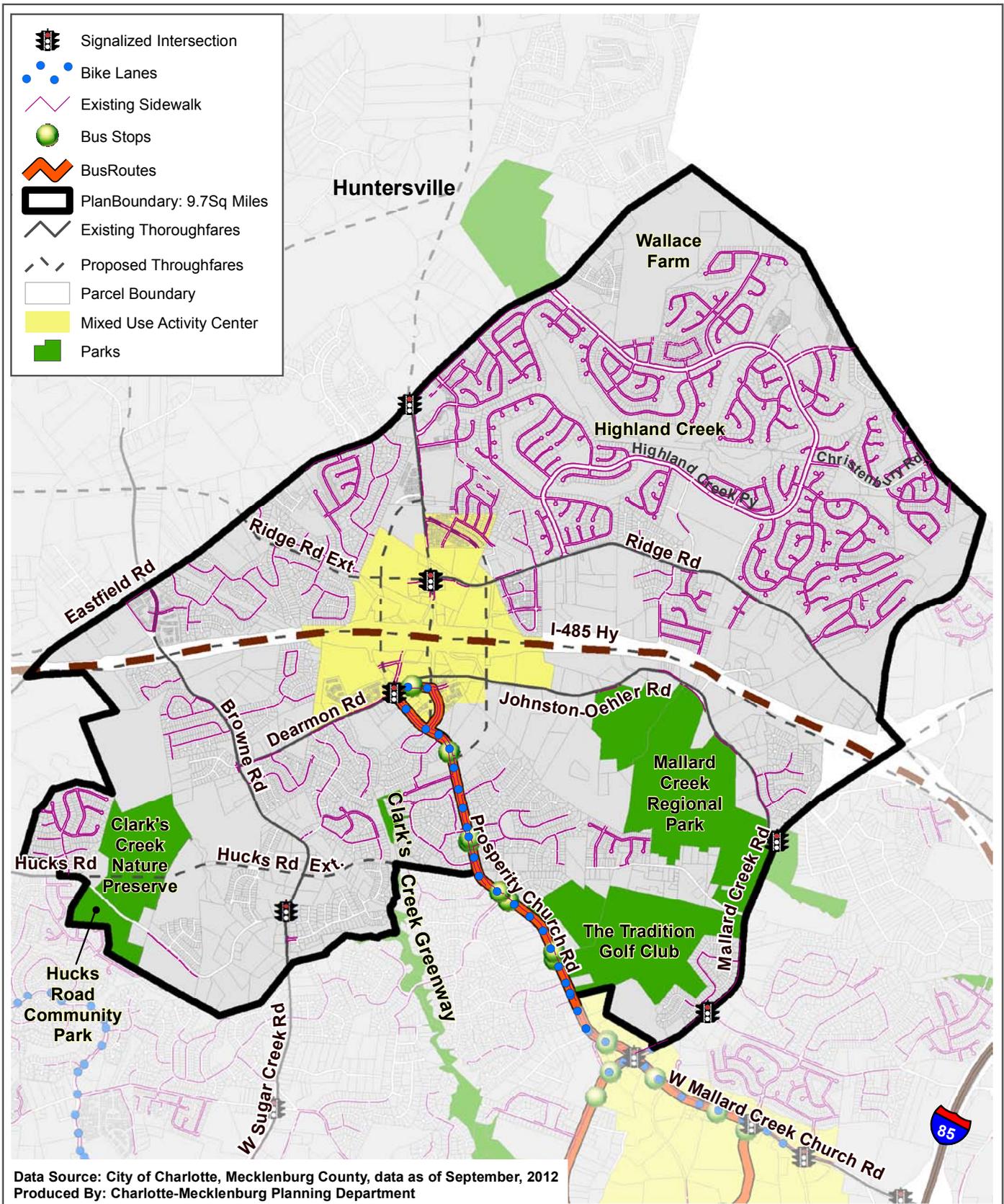
**NCDOT Complete Streets Guidelines:** Many of the roads within the Prosperity Hucks plan area are maintained by the North Carolina Department of Transportation, notably all streets outside the city limits of Charlotte. Improvements made to streets under NCDOT's jurisdiction will require coordination with that agency to ensure that the goals and policies established under the NCDOT Complete Streets Guidelines are met.

**Farm-to-Market Roads:** Many of the roads in the wedge area are "farm-to-market" roads. Historically, these roads served rural development and agricultural land uses. Over time new growth and development created additional demands on these roads, often causing them to be congested and poorly serve pedestrians and bicyclists, if at all. The City's Transportation Action Plan recommends additional funding to upgrade farm-to-market roads within Charlotte's city limits.

Typical improvements include the addition of specific features to build a 'complete street' to better serve multiple users: drivers, pedestrians, cyclists, and when appropriate, transit. Examples include curb and gutter, sidewalks, bicycle lanes, additional lane width, and turning lanes to improve traffic flow. The identified improvements will typically be created through the land development process, although short segments of streets should be constructed as part of adjacent City capital projects when appropriate.



*Bus service to the plan area at present is served by a single bus route.*



**Existing Pedestrian, Bike & Transit Facilities**  
**Prosperity Hucks Area Plan**

GIS  
 Charlotte-Mecklenburg  
 Planning Department

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**Funding & Implementation:** The City and the State are completing a considerable number of street and highway improvements in this plan area, as outlined in the Existing Conditions section and Map A8. However, the transportation needs in the plan far exceed the funds available to implement projects.

As noted in the Existing Conditions section, there are no timetables established or funding identified to implement the identified capital projects. Many of the identified needs will be implemented incrementally via the land development process. In some cases, as parcels are developed, the City's development ordinances will require widening streets and the installation of curb, gutter and sidewalks. In other cases streets may require construction as a capital project.

## Area Transportation Projects

The completion of Interstate 485 in 2015 will change travel patterns within the Prosperity Hucks area forever. The project creates two new interchanges at the Prosperity Activity Center and at Mallard Creek Road. While the area will benefit immediately from improved regional accessibility, more localized travel within the area faces increased congestion unless additional improvements are made to thoroughfare network. The tables below compile the variety of State, City, and developer-built transportation projects planned in the area.

City/NCDOT Projects Underway or Funded, 2013				
Project Name	General Limits	Status & Scope	Timetable	Approx. Cost
I-485 <sup>1</sup>	NC 115 east to I-85	Under Construction New 8-lane freeway	Completion in 2014	\$140,000,000
Edinmeadow Drive Bridge	Johnston-Oehler Road to Jimmy Oehler Road, near Mallard Creek High School	Under Construction New bridge over I-485	Completion in 2014	\$2,000,000
Benfield Road Northwest Arc <sup>2</sup> and Ridge Road Extension	I-485 clockwise to Prosperity Church Road, and also extend Ridge Road west from its current stub to connect to the NW Arc	New 2-lane street	Completion in 2014	\$11,000,000
Benfield Road Southwest Arc	Johnston-Oehler Rd./ DeArmon Rd. intersection clockwise to I-485	New 2-lane street	Completion in 2014	\$2,000,000
Prosperity Ridge Road Northeast Arc	Ridge Road north to the existing stub of Prosperity Ridge Road; additional widening on Ridge Road east of this intersection	Pending New 2-lane street	Completion in 2014	\$3,000,000
Johnston-Oehler Road Farm-to- Market <sup>3</sup>	Future Prosperity Ridge Road east to Mallard Creek Road	Pending Farm-to-market upgrade	Completion in 2015	\$13,000,000

Source: Charlotte Department of Transportation, 2013

<sup>1</sup>Includes interchanges at Mallard Creek Road and Prosperity Activity Center, plus modifications to many other streets.

<sup>2</sup>Includes partial widening of Prosperity Church Road from Crossway Community Church north to Eastfield Road to a 4-lane facility. Local street connections will also be provided.

<sup>3</sup>Includes construction of one segment of Prosperity Ridge Road.

### Recent Developer-Implemented Project, 2013

Project Name	General Limits	General Project Scope	Timetable
Prosperity Church Road Central Arc	Ridge Road south to I-485	New 2-lane street	Completed 2013

Source: Charlotte Department of Transportation, 2013

### Unfunded but Identified Projects, 2013

Project Name	General Limits	General Project Scope	Timetable & 2035 LRTP Cost (2010 \$)
Ridge Road Extension <sup>1</sup>	Benfield Road NW Arc west to Eastfield Road	New 4-lane street	None
Ridge Road Widening	Prosperity Church Road east to Mallard Creek Road	Widen to 4 lanes	None No cost estimate available.
Prosperity Church Road Widening	Benfield north to Eastfield Road	Supplement the improvements made by NW Arc	None \$4,800,000
Mallard Creek Road Widening	Prosperity Church Road to I-485	Widen to 4 lanes	None \$6,900,000
Eastfield Road Widening	Independence Hill Road east to Cabarrus County Line	Widen to 4 lanes	None \$6,900,000
New Hucks Road, eastern segment	Prosperity Church Road west to Browne Road	New 4-lane street	None \$7,000,000
New Hucks Road, western segment	Browne Road west to NC 115	TBD	No timetable for construction, and new alignment must be chosen. No cost estimate available.
Prosperity Ridge Road Southeast Arc	Johnston-Oehler Road clockwise to Prosperity Church Road	New 2-lane street	When property develops \$5,000,000
Prosperity Ridge Road/Prosperity Church Road intersection realignment	Current intersection of Prosperity Ridge Road/Prosperity Church Road north of I-485	Intersection reconfiguration to make Prosperity Ridge Road the through movement	None, although it should be implemented concurrently with construction of the Southeast Arc. \$2,000,000

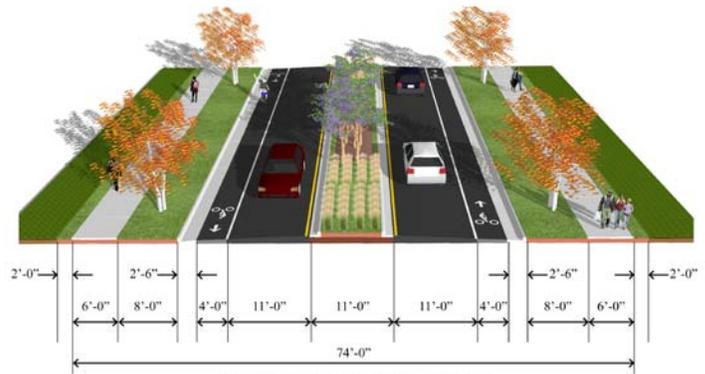
Source: Charlotte Department of Transportation, 2013

<sup>1</sup>The thoroughfare plan calls for Ridge Road to continue into Huntersville and connect with Hambright Road.

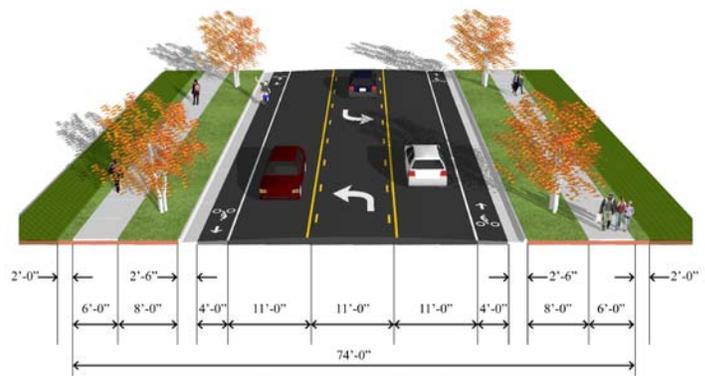
## Farm to Market Road Projects

The City has over 200 miles of narrow farm-to-market roads that serve as the primary routes for developing areas of the City. These roads were the roads that farmers used to take their goods to market, back when Mecklenburg County was still very much a rural county. Development has occurred on these roads over the decades but upgrades to them have been minimal in most cases: many are still two-lane roads with few if any sidewalks, turn lanes, traffic signals, and the like. They were not designed to accommodate suburban and urban land uses or densities that now border them and use them. As development has occurred, these roadways have become overburdened by traffic, resulting in significant congestion, and their rural character no longer matches the context of the adjacent land uses.

The *Transportation Action Plan* recommended additional funding to make improvements to farm-to-market roads located within the Charlotte city limits. Farm-to-market projects convert these rural roads into urban/suburban streets. Examples of improvements include new curb and gutter, new sidewalks, additional lane width, and new turn lanes to improve traffic flow. Farm-to-market roads within the plan area include Browne Road, DeArmon Road, and Johnston-Oehler Road. The adjoining diagrams show an example of what a farm-to-market upgrade accomplishes, taken from the Johnston-Oehler Road farm-to-market project.



*Proposed Improvements to Johnston-Oehler Road  
Typical Section for “Avenue” Classification  
(2-Lane Section with Island)*



*Proposed Improvements to Johnston-Oehler Road  
Typical Section for “Avenue” Classification  
(3-Lane Section)*

Unfunded but Proposed Farm-to-Market Projects			
Project Name	General Limits	General Project Scope	Timetable
Browne Road Farm-to-Market	Hucks Road north to I-485	Farm-to-market upgrade	None \$11,600,000
DeArmon Road Farm-to-Market	Browne Road east to Prosperity Church Road	TBD	None \$5,900,000

Source: Charlotte Department of Transportation, 2013

Other segments of Browne and Sugar Creek Roads outside the plan area are also identified for farm-to-market projects.

# Infrastructure and Public Facilities

Public facilities, as shown on Map A9, are provided by both the City of Charlotte and Mecklenburg County. Some City services, such as Fire, serve those areas within the Charlotte City limits. However, City service providers plan for eventual service to all areas within Charlotte’s Extraterritorial Jurisdiction (ETJ), if and when they might be incorporated into the City.

## Parks and Greenways

The Prosperity Hucks Area has several existing and proposed park, greenway and nature preserve facilities for public recreation and preservation of natural resources.

- **Mallard Creek Community Park** is located in the southeast portion of the area. Located off Mallard Creek Road and Johnson-Oehler Road, it contains ball fields, picnic shelters, walking trails and playgrounds on 313 acres.
- **The Tradition Golf Club** offers an 18-hole golf course, practice range and clubhouse on 195 acres. Located off Prosperity Church Road and Mallard Creek Road, the golf course opened to the public in 1996.
- **The Hucks Road Community Park** is a 32-acre recreational open space adjacent to Hucks Road Elementary School, operated in partnership with Charlotte Mecklenburg Schools.

- **Clarks Creek Nature Preserve** is across Hucks Road from the community park. This 98-acre nature preserve consists of over 70 acres of open fields and 28 acres of mostly mature hardwood forest cover, including one of the largest Swamp Chestnut Oaks in Mecklenburg County, an uncommon tree for our region. A tributary of Clarks Creek runs through the property with an associated small pond and wetlands. This tributary is the subject of a NC Ecosystem Enhancement Program stream/wetland/buffer restoration project and will be protected via perpetual conservation easement. The preserve is an excellent place for wildlife with a diverse variety of habitats and is known to have breeding and foraging bird species of County conservation concern including American Kestrel, Grasshopper Sparrow, Field Sparrow, Loggerhead Shrike and Eastern Meadowlark. Funds to provide access to the public are being raised by the local community in collaboration with Mecklenburg County Park and Recreation. Every effort needs to be made to minimize the ecological impacts on this valuable natural resource.



*The Tradition Golf Club provides open space and a public recreational opportunity.*



*The Mallard Creek Community Park and Recreation Center is a major area amenity.*

- **The proposed Eastfield Regional Park** located off Eastfield Road across from Highland Creek Parkway, just out of the plan area in Huntersville. It is a 115 acre undeveloped parcel for future park and recreation facilities.
- **Greenway Master Plan:** The 2008 Mecklenburg County Park and Recreation Master Plan indicates that Clarks Creek Greenway, the proposed Clarks Creek Tributary Greenway, and the Carolina Thread Trail will traverse across the area to link pedestrians and cyclists to Mallard Creek Greenway to the southeast and to the future “ Mooresville to Charlotte Trail” paralleling Highway 115 and Norfolk Southern rail to the west. The proposed Red Line commuter rail would operate on this rail line as well. These public commuter facilities would provide connectivity for active transportation corridors within the study area including connectivity to UNCC and Cabarrus County, Mooresville, Uptown Charlotte and the western region of the county.

## Schools

There are numerous schools in the Prosperity Hucks area serving elementary, middle and high school age students. Public schools include:

- **Highland Creek Elementary** located at 7242 Highland Creek Parkway;
- **Croft Community Elementary** located at 4911 Hucks Road;
- **Ridge Road Middle School** located at 7260 Highland Creek Parkway;
- **Mallard Creek High School**, located at 3825 Johnston-Oehler Road.

All of these schools are currently overcrowded and the CMS Facilities Master Plan identifies an increasing need for all school levels in this area. There are two proposed schools in the plan area: an elementary on Johnston-Oehler Road, and a middle on Hucks Road.

There are also two Montessori Schools:

- **Countryside Prosperity Campus**, located at 4755 Prosperity Church Road;
- **Countryside Johnston-Oehler Campus**, located at 9026 Mallard Creek Road.



*Mallard Creek High School, on Johnston Oehler Road, serves the plan area and beyond.*



*Countryside Montessori School operates on two campuses within the plan area.*

## Fire

- Fire Station 31, in the plan area located at 3820 Ridge Road, opened in 1997. It houses Engine 31 and Ladder 31.
- The Prosperity Hucks area is also served by Station 28 located at 8031 Old Statesville Road. It opened in 1989, and houses Engine 28.
- Station 36 is just south off the plan area at 2325 West Mallard Creek Church Road, and serves a portion of the area. It opened in 2004, and houses Engine Company 36.

## Police

- The eastern portion of the plan area is served by the University City Division, located on University Executive Park Drive.
- The western portion of the plan area is served by the North Division, located on Harris Oaks Boulevard.

## Libraries

The area is near the University City Regional Branch located at 301 East W.T. Harris Boulevard and the North County Regional Branch located at 16500 Holly Crest Lane in Huntersville.

Library staff projects the need for an additional branch library in the general vicinity of the plan area. A location within the Prosperity Activity Center would be viewed as an excellent opportunity.



*Fire Station 31 on Ridge Road is in the plan area, and serves a portion of the area.*

## Post Offices

The area is near the W.T. Harris Post Office located at 3515 David Cox Road. The area is also served by the Huntersville Post Office located at 400 Gilead Road in Huntersville.

## Water and Sewer

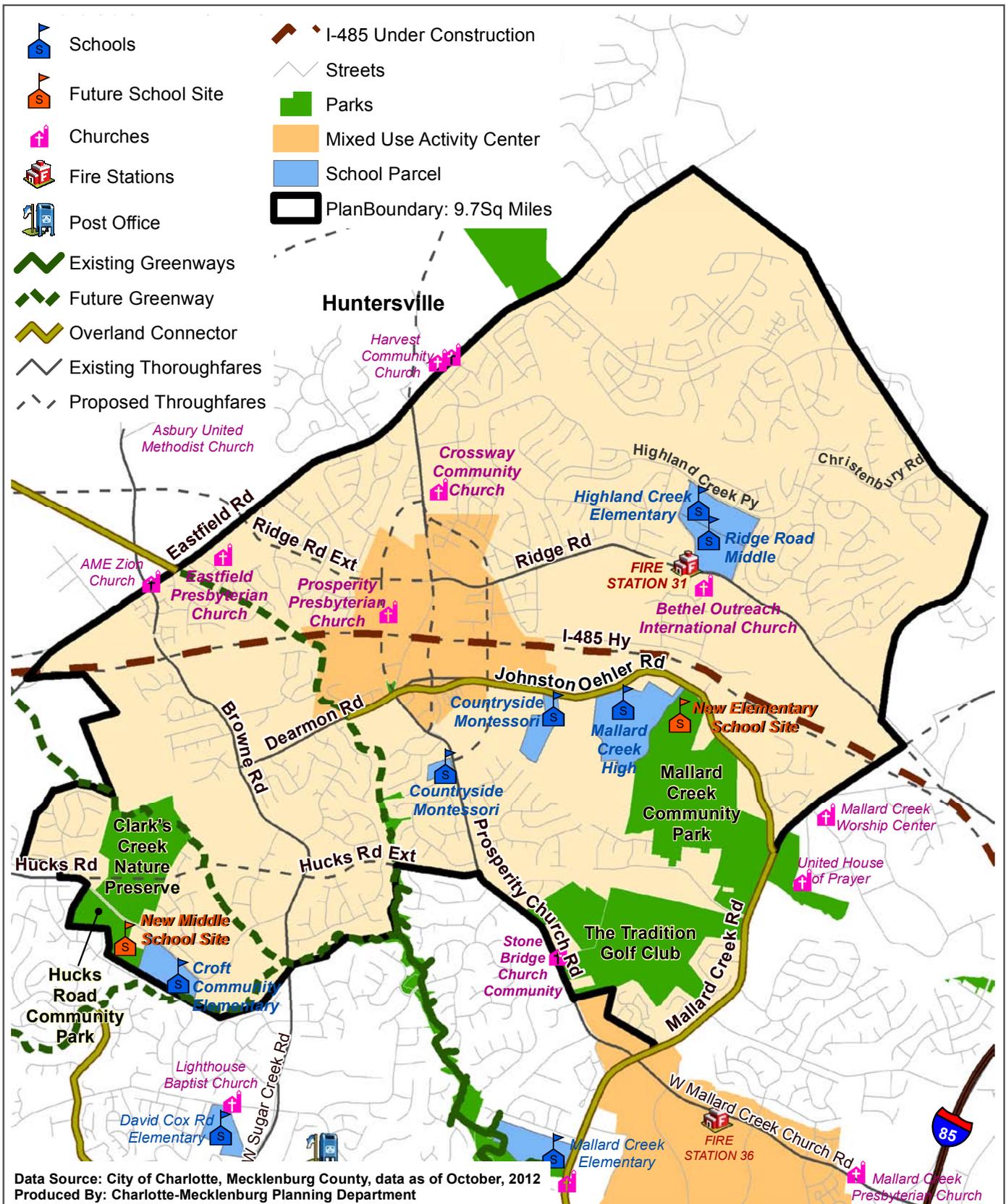
The Charlotte- Mecklenburg Utility Department has public water and sewer in place, and available for the entire plan area.

- Water service to the area is provided by the Lee S. Dukes water treatment plant in Huntersville, NC.
- Waste water is conveyed and treated by the Mallard Creek waste water treatment plant and the Rocky River waste water treatment plant owned by Cabarrus County.

There are no large scale water and sewer capital improvement projects planned for the area.



*The University City Regional Branch Library is about four miles southeast of the plan area.*



# Existing Public Facilities

## Prosperity Hucks Area Plan

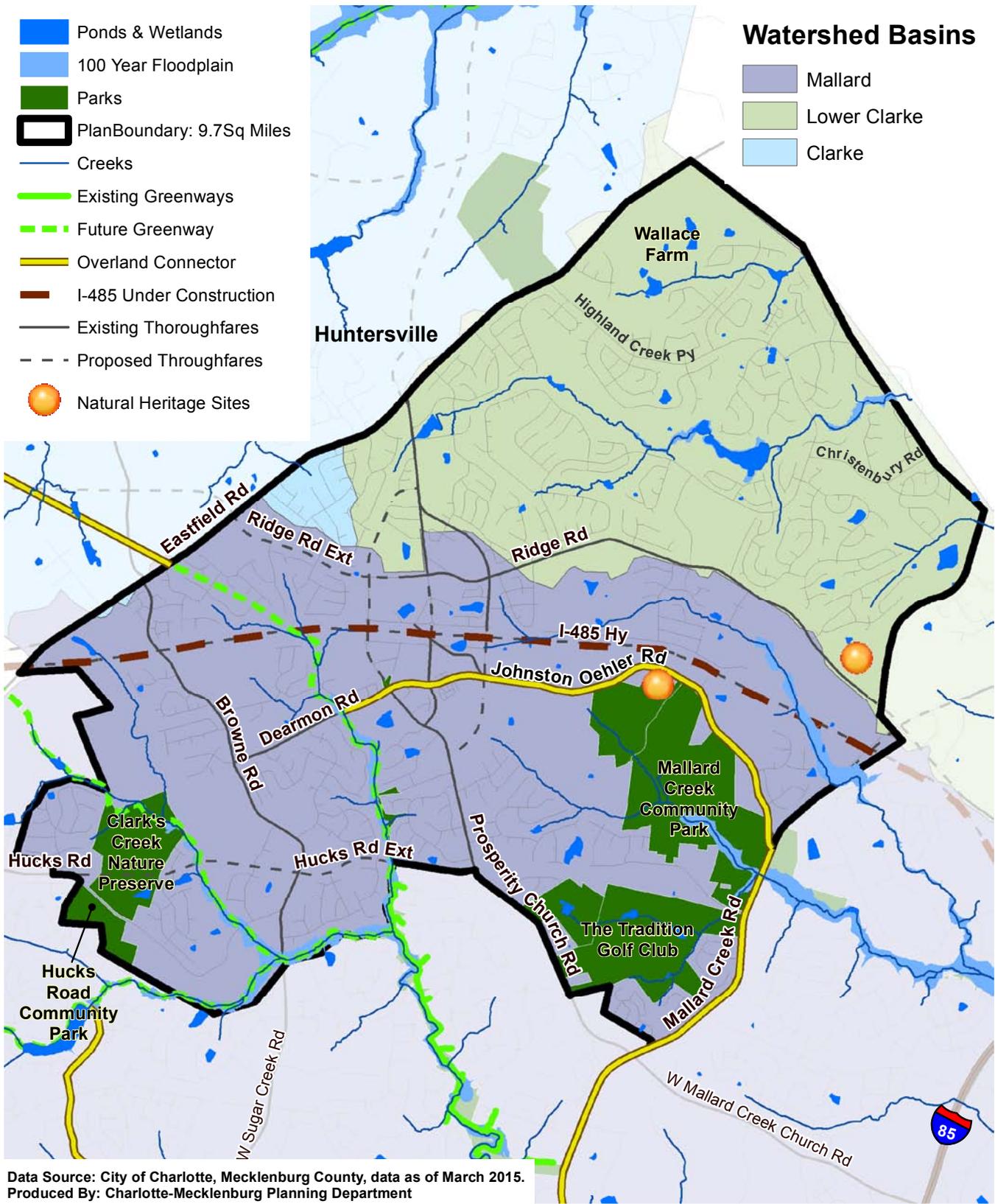
GIS Charlotte  
 More than maps.

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**Watershed Basins**

- Mallard
- Lower Clarke
- Clarke

- Ponds & Wetlands
- 100 Year Floodplain
- Parks
- PlanBoundary: 9.7Sq Miles
- Creeks
- Existing Greenways
- Future Greenway
- Overland Connector
- I-485 Under Construction
- Existing Thoroughfares
- Proposed Thoroughfares
- Natural Heritage Sites



Data Source: City of Charlotte, Mecklenburg County, data as of March 2015.  
 Produced By: Charlotte-Mecklenburg Planning Department

**Environmental Features**  
 Prosperity Hucks Area Plan

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# Natural Environment

## Topography

Ridge Road runs generally east to west through the plan area. Appropriately named, it runs along the ridge separating the Mallard Watershed to the north from the Lower Clarke Watershed to the south. A number of creeks run through the area marking low points. Floodplains and wetlands follow the creeks and smaller tributaries. Dedicated SWIM Buffers and planned greenways also follow the stream network. While streams have moderate slopes, the plan area otherwise has gently rolling terrain. See Map A10: Environmental Features.

## Natural Heritage Sites

The North Carolina Department of Natural Resources compiles a listing of Natural Heritage Sites based on natural features such as wetlands and rare natural plant and animal life. It has identified two locations in the plan area.

- **The corner of Ridge and Beard Roads** is currently owned by the NC Department of Transportation (NCDOT) to provide mitigation for I-485 construction impacts. Over time, there have been discussions of management and ownership transfer to the Catawba Lands Conservancy.

- **Property on Johnston-Oehler Road** including private property and small portions of Mallard Creek Community Park and Mallard Creek High School also is identified as a natural heritage site.

## Land Cover

About 2,460 acres or 40% of the plan area is covered with trees, out of the total 6,200 total acres of the plan area. See Map A11. There are another 2,446 acres or 39% considered open space: parcels that have grass cover or scattered trees on 50 to 75% of the total parcel area. Around 19% of the plan area is considered impervious surface: buildings, structures, and any other hard surface that prevents the soil from absorbing water, including streets and parking lots.

The area's 40% tree coverage compares to 46% for the City of Charlotte and 50% for Mecklenburg County overall. This reflects the relatively recent buildout of much of the area with single family homes, with relatively recent tree plantings in yards and along street edges. It also reflects the extensive public and private open space not occupied by trees, such as athletic fields and golf courses.

Tree coverage data within the Wedge and within the Activity Center at present are indistinguishable. The general expectation is that an Activity Center will have lower tree coverage due to the density of development. Density concentration has its own virtue in reducing sprawl and vehicular travel.



*The Eastfield Village development includes an attractive lake with trees around the perimeter.*



*The I-485 right of way, currently under construction, will have an impact on overall area tree canopy.*

In the case of the Prosperity Activity Center, it is still largely unbuilt. It is likely that the tree canopy will decrease within the Activity Center as it is built out with commercial and residential uses and more impervious surface. The challenge is to mitigate the effects of new growth with appropriate tree-friendly development approaches.

All data is based on 2008 mapping, which is the most recent comprehensive tree canopy survey data available. While the recession has reduced the extent of development since 2008, it is likely that continuing development activity has reduced tree canopy over the intervening period. Likewise, construction of I-485 also is impacting the tree canopy. Freeway right of way through the plan area is about 242 acres, or 4% of the total area. This will replace some areas of trees and open space with impervious cover of the travel lanes, and with open space in medians and edges.

Citywide, Centers constitute 13% of the land area; the City's tree canopy goal for built out Centers is 25-35% tree coverage. Wedge areas constitute 67% of the City's land area; the tree canopy goal within wedges is 55-60% coverage.



*The Highland Creek Golf Course is private open space classified as grass cover, with trees on its perimeter.*

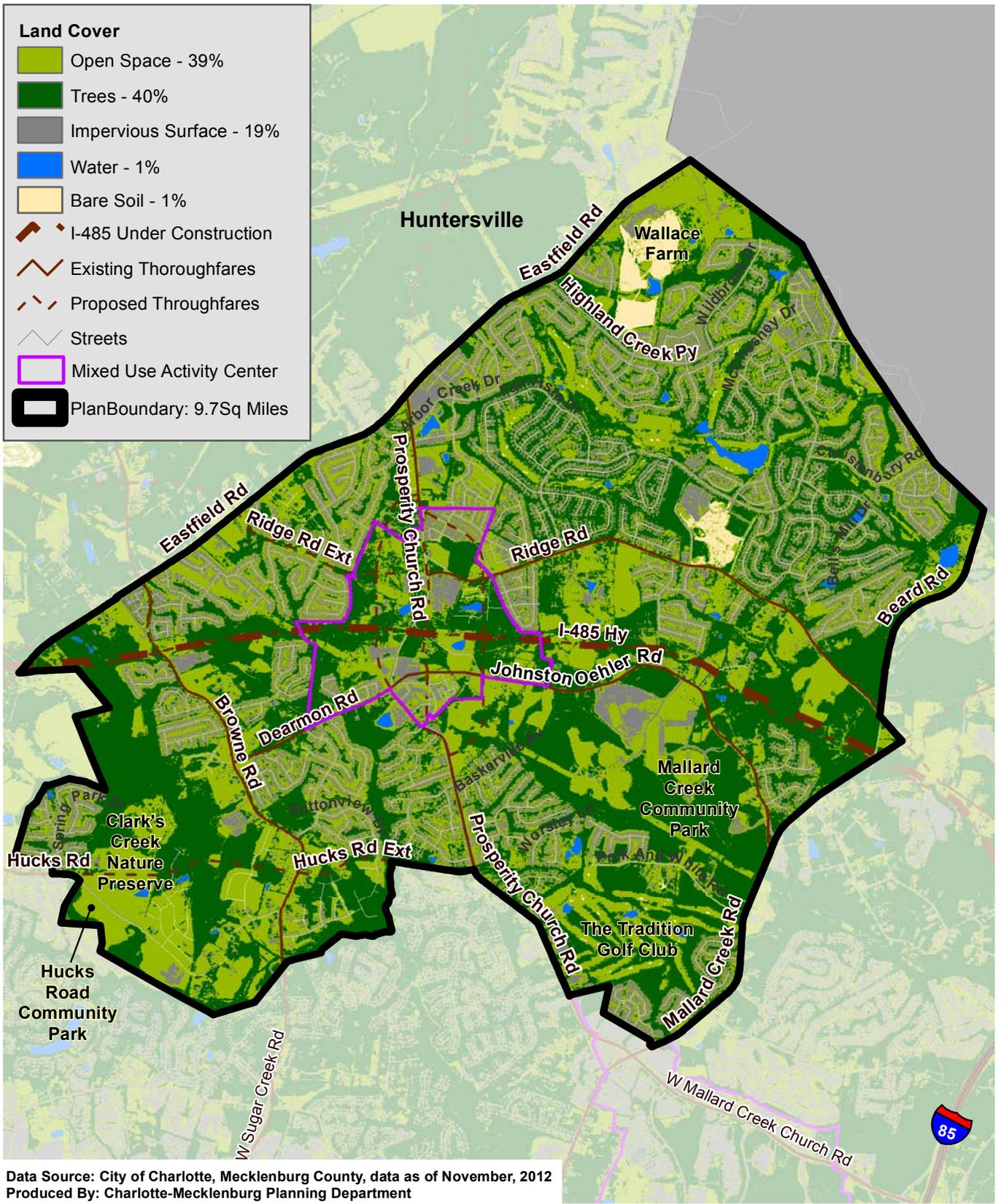


*Vacant tree-covered property on Ridge Road within the Activity Center is likely to develop at considerable density.*

**Land Cover**

-  Open Space - 39%
-  Trees - 40%
-  Impervious Surface - 19%
-  Water - 1%
-  Bare Soil - 1%

-  I-485 Under Construction
-  Existing Thoroughfares
-  Proposed Thoroughfares
-  Streets
-  Mixed Use Activity Center
-  PlanBoundary: 9.7Sq Miles



Data Source: City of Charlotte, Mecklenburg County, data as of November, 2012  
 Produced By: Charlotte-Mecklenburg Planning Department

**Land Cover**  
 Prosperity Hucks Area Plan

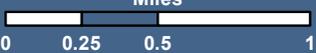


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**CHARLOTTE-MECKLENBURG  
PLANNING**



**CHARLOTTE.**

**TRANSPORTATION**

[www.charlotteplanning.org](http://www.charlotteplanning.org) 600 East Fourth Street, Charlotte, NC 28202-2853

PH: 704-336-2205 FAX: 704-336-5123

PROSPERITY HUCKS AREA PLAN  
Proposed Revisions to March 30, 2015 Refined Draft Plan  
Comparative Text, as of May 27, 2015

Recommendation and Location	Nature of Change	Original	Revision (new or changed material underlined)
<b>A. Changes to Plan Recommendations</b>			
1. Page 32, Policy Area C8: Land Use #3	Provide for a possible retail anchor use in Policy Area C8 as in other similar areas.	<b>Retail development should include a variety of small shop space</b> for uses such as retailers, offices, and restaurants. No single retail tenant space should exceed 20,000 square feet on the ground floor.	<u><b>Retail development may include an anchor use of up to about 50,000 square feet on the ground floor. The anchor use should be complemented by small shop space (retail, office, restaurants). The intent is to provide for vital street-oriented activity within the area.</b></u>
2. Page 32, Policy Area C8: Land Use #4	Provide for a use with a drive-through facility in Policy Area C8 as in other similar areas.	<b>Additional land uses with drive-through facilities and/or gasoline pumps</b> are not appropriate at this location. The area in combination with area C9 is already well served by several drive-through facilities in place or approved.	<u><b>Land uses with drive-through facilities</b> should be limited, but may be appropriate near the I-485 off-ramp if designed according to the guidelines for such uses in the Community Design section of this document; they should not be located along Benfield Road or the extension of Prosperity Crossing Road. Land uses with gasoline pumps are not appropriate at this location due to the proximity to similar existing facilities.</u>
3. Policy Area Community Design items: C-1, p. 19, #9 C-2, p. 22, #9 C-5, p. 28, #6 C-7, p. 31, #6 C-8, p. 33, #8 C-9, p. 35, #8 C-11, p. 38, #3 C-12, p. 40, #6 C-13, p. 41, #4 C-14, p. 42, #6 C-15, p. 43, #6	Clarify intent and provide for some flexibility on ways to meet the intent.	<b>Residential buildings should be a minimum of 24' from the back of curb, including a front yard area of at least 8'.</b> Uses should be oriented to the street. The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible.	<u><b>Residential uses should be oriented to the street.</b></u> The front door of single-family detached, attached and townhouse units should have direct connections to the sidewalk where feasible. <u>To provide a sense of privacy for first floor residents, buildings should have an appropriately designed front yard setback from the sidewalk. This typically would be 8', resulting in a setback from the curb of 22' to 24'. Alternative approaches that provide a sense of privacy also may be appropriate, such as increasing the setback, installing additional landscaping, and/or raising the first floor (providing vertical separation.).</u>

Recommendation and Location	Nature of Change	Original	Revision (new or changed material underlined)
4. Page 61, New Item T15 (to be renumbered in final document)	Provide additional transit policy for a wider range of possible future services.	<i>(New item)</i>	<u>Seek opportunities to enhance transit service: As the area's population grows and diversifies, demand for transit service is likely to increase and change. Flexibility and innovation will be needed to meet changing demands and service expectations. Future opportunities to enhance transit service could include such things as adding special services to various destinations, such as airport, schools, light rail, and job centers; and/or creating a hub or central location for use by a variety of transportation providers.</u>
<b>B. Minor mapping or narrative changes to clarify language and intent</b>			
5. Page 2, paragraph 3	Minor language change to add clarity.	It establishes a framework for a walkable, urban, mixed use center that supports and is connected to the surrounding neighborhoods. This development pattern is made possible by a unique street network specifically designed to facilitate walkable urban form.	It establishes a framework for a walkable, <u>pedestrian-friendly</u> mixed use center that supports and is connected to the surrounding neighborhoods. This development pattern is made possible by a unique street network specifically designed to facilitate <u>walkable</u> form.
6. Page 3, Top left picture caption	Minor language change to add clarity.	Active street-level uses and pedestrian-scaled streetscapes create a vibrant urban environment.	Active street-level uses and pedestrian-scaled streetscapes create a vibrant <u>walkable</u> environment.
7. Page 6, paragraph 1	Minor language change to acknowledge public input.	The need for this plan was identified based on an analysis of a number of criteria including existing land use patterns, recent rezoning petitions, and population growth.	The need for this plan was identified based on an analysis of a number of criteria including existing land use patterns, recent rezoning petitions, <u>public input</u> , and population growth.
8. Page 13, paragraph 3, Two Core Areas.	Minor language change to clarify that the north and south core areas are equally important.	...While both Core Areas might include a full range of walkable uses, the North Core would be expected to emphasize retail. The South Core would have a stronger employment emphasis, reflecting office uses already in place.  <b>North Core</b> <i>(text and all bullets)</i> <b>South Core</b> <i>(text and all bullets)</i>	...While both Core Areas might include a full range of walkable uses, the North Core would be expected to emphasize retail. The South Core, <u>while also emphasizing retail, would have a strong employment component as well</u> , reflecting office uses already in place.  <i>delete</i> <i>delete</i>
9. Page 18, and Page 32, Vision for North and South Core Areas	Minor language change to remove confusion over North and South Core area visions.	<b>Vision:</b> (caption and text)	<i>delete</i>

Recommendation and Location	Nature of Change	Original	Revision (new or changed material underlined)
10. Page 49, paragraph 3	Emphasize intention to encourage a park once approach to parking.	The Activity Center should be built around a network of small block pedestrian- and bicycle-friendly streets connected to a robust system of parks, open spaces, and greenways.	The Activity Center should be built around a network of small block pedestrian- and bicycle-friendly streets connected to a robust system of parks, open spaces, and greenways, <u>and allow for parking once and walking to multiple destinations.</u>
11. Page 61, Item T3	Emphasize the intention to improve connectivity of the bicycle network.	<b>Construct appropriate bicycle facilities on thoroughfares:</b> As infrastructure development occurs, new bicycle facilities should be included along any thoroughfare with a new or relocated curb line. For example, all streets classified as an Avenue or Boulevard should, at a minimum include bicycle lanes or other separated bicycle facilities as appropriate.	<b>Construct appropriate bicycle facilities on thoroughfares <u>and provide for better bicycle connectivity.</u></b> As infrastructure development occurs, new bicycle facilities should be included along any thoroughfare with a new or relocated curb line. For example, all streets classified as an Avenue or Boulevard should, at a minimum include bicycle lanes or other separated bicycle facilities as appropriate.
12. About Page 67, New small map	Provide an additional map to show the heirarchy of Local Streets, Avenues, and Boulevards.	The street types recommended for the plan area correspond to the street types identified in the USDG.	The street types recommended for the plan area correspond to the street types identified in the USDG. <u>The following map illustrates these street types by category within the plan area. (Insert new small map depicting Two- &amp; Three lane Avenues, Four- &amp; Five-Lane Avenues, and Boulevards)</u>
13. Page 74, Item I-5	Clarify the need for additional schools at all grade levels.	Additional schools will be needed if the area grows as projected.	Additional schools <u>at all grade levels</u> will be needed if the area grows as projected.
14. Page 74, Item I-6	Add a specific reference to police	<b>Ensure that public facilities (including schools, libraries, and the like) are well connected</b> to the surrounding area and to each other to take advantage of joint use opportunities.	<b>Ensure that public facilities <u>and services</u> (including schools, libraries, <u>police support</u>, and the like) are well connected</b> to the surrounding area and to each other to take advantage of joint use opportunities.
15. Implementation Guide Page 79, Land Use Item C1- C15 and W1-W12 (Information, not to be adopted)	Emphasize continuing need for effective public input through rezoning and development processes.	Use land use and community design policies to guide and evaluate development proposals.	Use land use and community design policies to guide and evaluate development proposals. <u>Maintain active public input throughout the development process.</u>

In addition, minor typographical corrections that do not impact the intent of the plan will be made in the final published plan.  
All numbered items will be renumbered in a coherent and consecutive sequence reflecting additions, deletions, and corrections.



**CHARLOTTE**<sup>SM</sup>

# **Emergency Solutions Grant Allocations**

Housing & Neighborhood Development Committee

June 10, 2015

- Background
- Request for Proposal Process
- Proposal Evaluation Criteria
- FY2016 Emergency Solutions Grant Recommendations
- Next Steps

- Emergency Solutions Grant (ESG) funds are allocated annually by the U.S. Department of Housing and Urban Development (HUD).
- Eligible uses of ESG funds include:
  - Engaging homeless individuals and families living on the streets
  - Improving the quality and operation of emergency shelters
  - Providing essential services to shelter residents
  - Rapidly re-housing homeless individuals and families, and
  - Preventing families and individuals from becoming homeless

ESG Program components:

Street Outreach: connects unsheltered homeless individuals or families with shelter, housing or services

Emergency Shelter: provides funds to operate a shelter and provide essential services (case management, education assistance, life skills, etc.)

Prevention: financial assistance and services to prevent an individual or family from becoming homeless

ESG Program components:

Rapid Re-Housing: financial assistance and services to assist an individual or family living in a shelter or a place not meant for human habitation to move quickly in to permanent housing

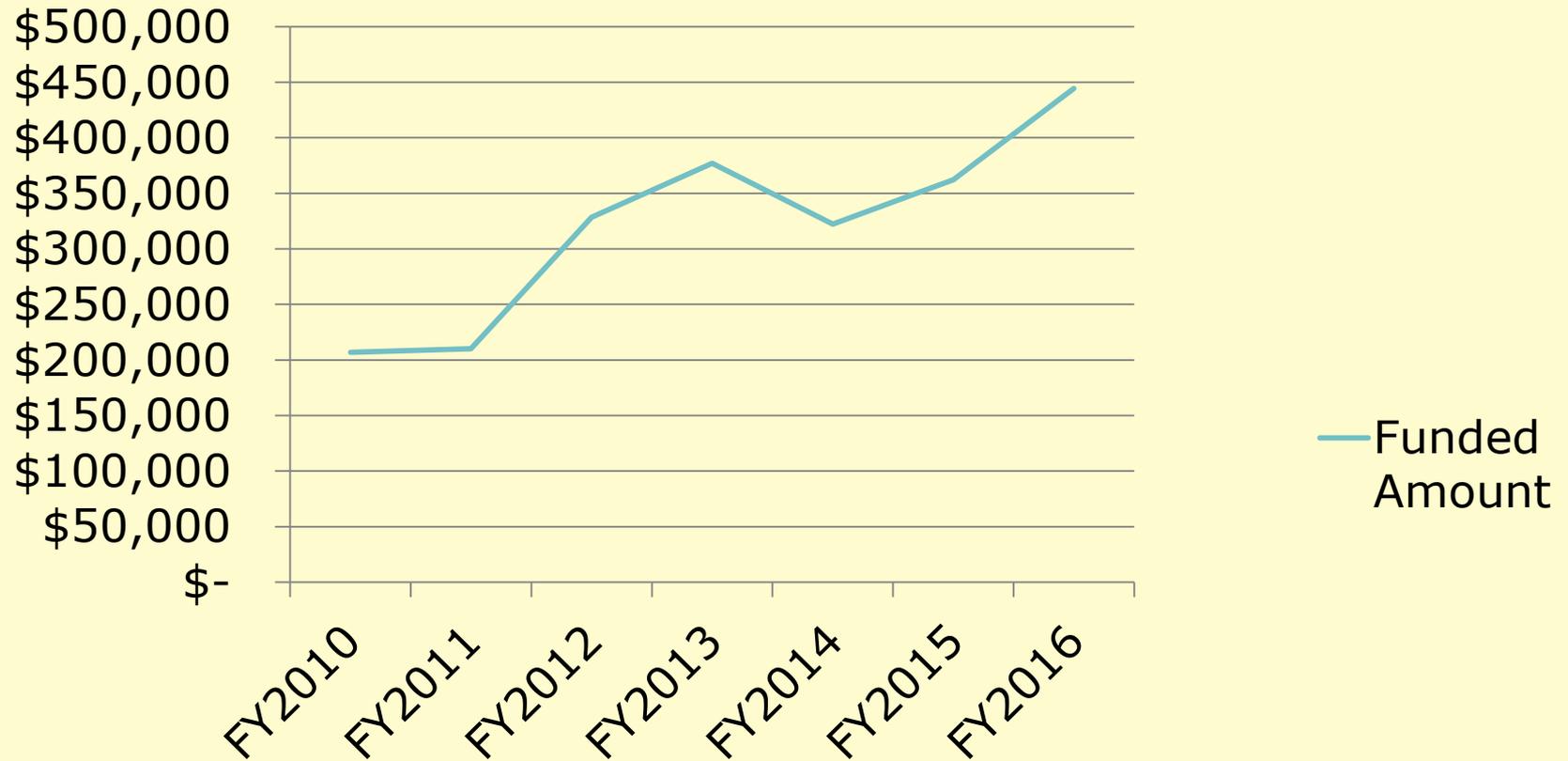
Data Collection: participating in local Homeless Management Information System

- Emergency Solutions Grant is the only federal funding available to support emergency shelters
- On any given night an average of:
  - 400 women and children are staying at the Salvation Army, Center of Hope
  - 360 men are staying at the Men's Shelter of Charlotte

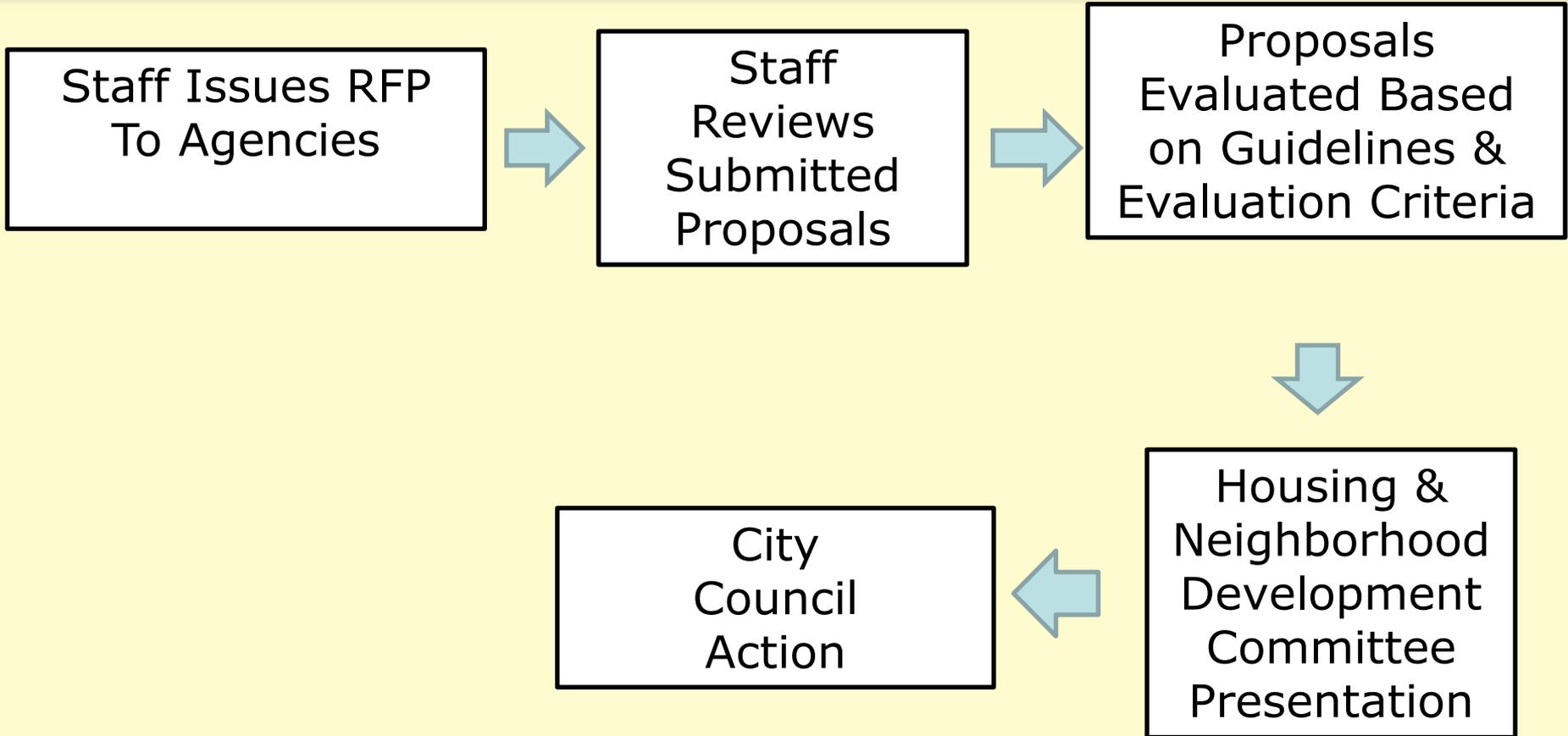


# Emergency Solutions Grant Funding FY2010-FY2016

## Emergency Solutions Grant



# Request for Proposal Process





# Key Proposal Evaluation Criteria

- Service Alignment
  - City Focus Areas
  - Program Objectives
  - Housing and Urban Development (HUD)
- Agency Experience
  - Impact on Community
  - Capacity
- Financial Strength
  - Agency and Program Budget
  - Leverage of City Funds

- In May 2015, Housing Services received nine proposals
- Eight of the nine met the City's submission requirements and are recommended for funding
- Of the nine proposals, two exceeded \$100,000 and require City Council approval



# Emergency Solutions Grant Recommendation

Organization	Funding	ESG Program Component	Target number to be served
Community Link*	\$ 99,987	Prevention; Rapid Re-Housing , Data Collection	13 households with Prevention; 12 households with Rapid Re- Housing
Friendship Community Development Corporation	\$ 8,730	Emergency Shelter; Data Collection	52 individuals
Neighborhood & Business Services	\$ 20,025	Data Collection	assist with community cost
Safe Alliance	\$ 12,512	Emergency Shelter	50 individuals
Supportive Housing Communities*	\$ 67,812	Rapid Re-Housing	10 households
The Relatives	\$ 5,000	Street outreach	50 individuals
Urban Ministry Center	\$ 10,000	Street outreach	20 individuals
Total	\$ 224,066		

## Emergency Solutions Grant Recommendation



- Provide emergency shelter to 2,700 women and children (\$43,011)
- Assist 29 households with Rapid Re-Housing Assistance (\$67,814)
- Total request \$110,825.00

\*Salvation Army, Center of Hope  
534 Spratt Street  
District 2

## Emergency Solutions Grant Recommendation



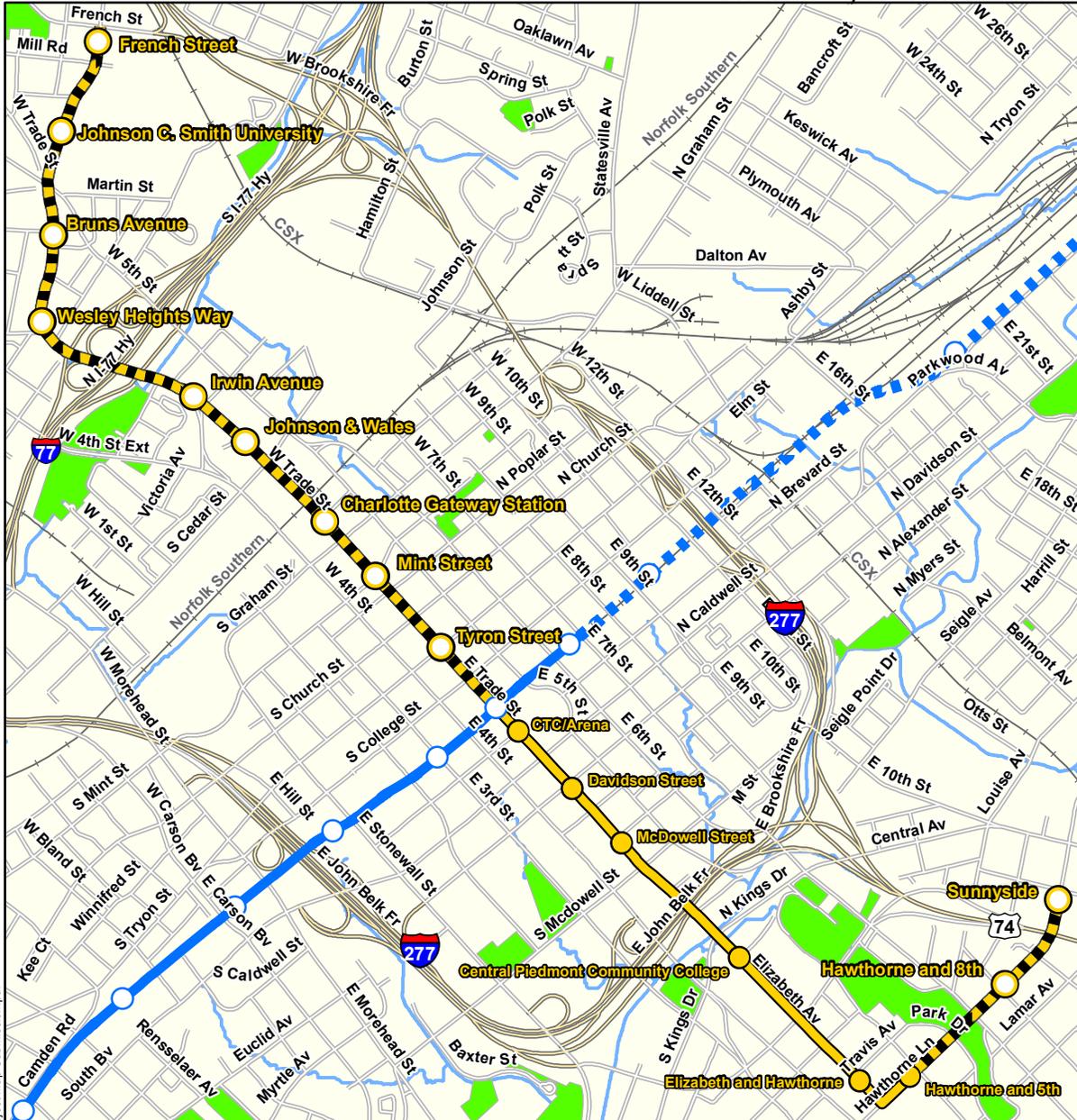
Men's Shelter of Charlotte  
1210 North Tryon Street  
District 1

- Provide emergency shelter to 1,500 men (\$65,512)
- Assist 55 households with Rapid Re-Housing Assistance (\$67,812)
- Participate in data collection (\$9,100)
- Total Request \$142,424.00

- On June 22, 2015, City Council will consider:
  - Approval for FY2016 Emergency Solutions Grant Requests



# Phase Two Small Starts Project Map Charlotte, North Carolina



CityLYNX Gold Line Phase Two Small Starts Project Map Submission.pdf

### Legend

CityLYNX Gold Line	LYNX Rapid Transit	Major Highway
Phase One Opens in 2015	Blue Line Opened in 2007	Streets
Phase Two	Blue Line Extension Opens in 2017	Railroad
Phase Two Stop	Blue Line Station	Streams
	Parks	

Map Vicinity

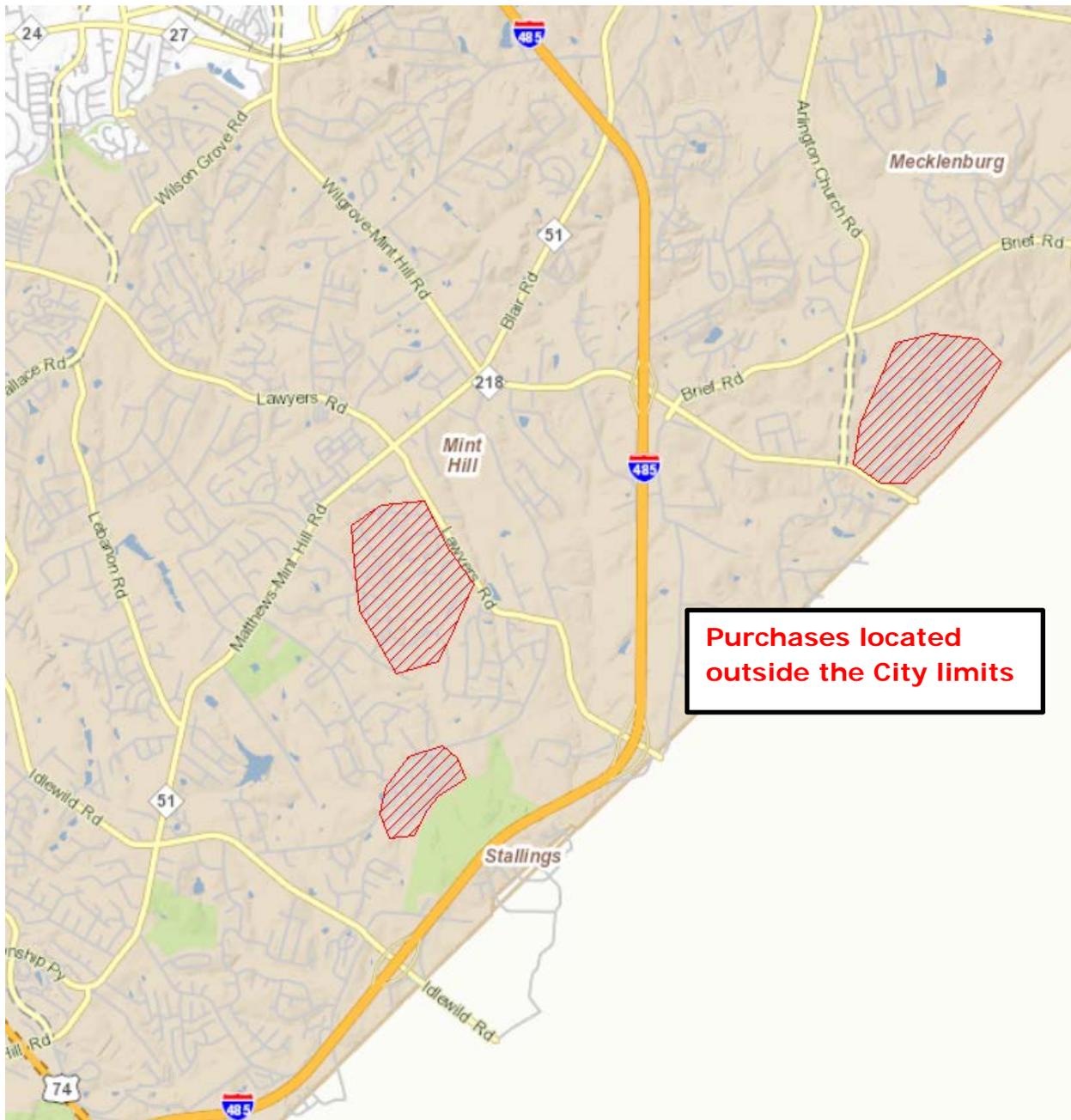
Mecklenburg County

0 0.25 0.5 Miles

Data Source: City of Charlotte, CATS

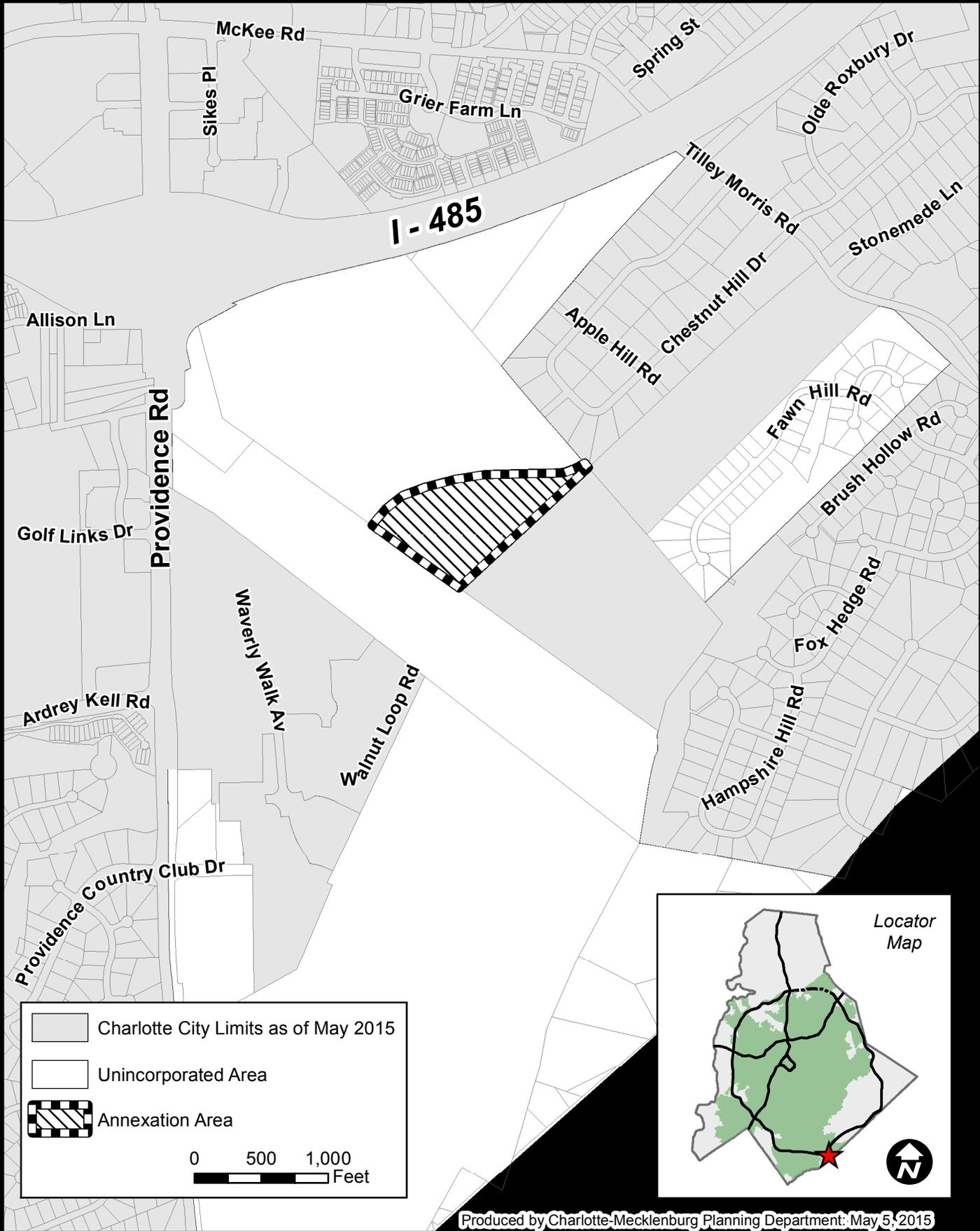
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# Purchase of Aqua North Carolina, Inc. Water and Sewer Systems - Map



# Marsh Tract II

## Proposed Voluntary Annexation



**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION  
OF ANNEXATION PURSUANT TO G.S. 160A-31**

**MARSH TRACT II AREA**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held in the Meeting Chamber of the Charlotte-Mecklenburg Government Center, 600 E. Fourth Street, Charlotte, N.C. at 7:00 p.m. on July 27, 2015.

Section 2. The area proposed for annexation is described as follows:

**LEGAL DESCRIPTION**

A portion of Mecklenburg County Tax Parcel: 231-231-01

To find the true Point of Beginning: commencing at NCGS monument "sixteen" having NC grid coordinates (NAD 83) n: 481,362.44, E: 1,470,361.07 thence S 66-13-04 E 3571.62 feet ground distance, 3571.08 feet grid distance (combined grid factor 0.99984914) to a #2 rebar being on the southern line of Chestnut Hills Subdivision, said rebar being the southwest corner of Lot 3, Chestnut Hills as recorded in Map Book 18, page 262 of the Mecklenburg County Public Registry; thence with a new line within the property of Marsh Mortgage Co. the following four (4) courses and distances: 1) S47-38-16W 40.02 feet to a #5 rebar; 2) S40-47-24E 20.02 feet to a point; 3) S47-36-55W 1.05 feet to a point; 4) with an arc of a circular curve to the right having a radius of 731.44 feet an arc length of 298.94 feet and a chord bearing and distance of N 59-18-53 E 296.86 feet to a point said point being the true **Point of Beginning**; Thence continuing with the new line within the property of Marsh Mortgage Co. with the following six (6) courses and distances; 1) S18-59-09E 76.01 feet to a point; 2) N70-39-34E 22.64 feet to a point; 3) S41-29-39E 16.46 feet; 4) S47-38-16W 399.88 feet to a #5 rebar; 5) with an arc of a circular curve to the right having a radius of 2,000.00 feet an arc length of 166.05 feet and a chord bearing and distance of S 50-00-58 W 166.00 feet to a #5 rebar; 6) with an arc of a circular curve to the left having a radius of 1,500.00 feet an arc length of 396.62 feet and a chord bearing and distance of S 44-49-11 W 395.46 feet to a #5 rebar; thence northwest on the line of the Star City Development Co. Inc. being Mecklenburg County tax parcel 231-131-05 with the following bearing and distance N54-16-24W 956.74 feet to a point; thence with a new line within the property of Marsh Mortgage Co. the following four (4) courses and distances: 1) with an arc of a circular curve to the right having a radius of 798.00 feet an arc length of 450.53 feet and a chord bearing and distance of N 73-17-40 E 444.57 feet to a point; 2) N 89-28-06 E 764.01 feet to a point; 3) with an arc of

a circular curve to the left having a radius of 732.00 feet an arc length of 235.75 feet and a chord bearing and distance of N 80-14-31 E 234.73 feet to a point said point being the true **Point of Beginning**, being +/- 12.58 acres.

Section 3. Notice of the public hearing shall be published in the *Mecklenburg Times*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of the public hearing.

## **Certification**

Pursuant to North Carolina Personnel Privacy law, North Carolina General Statutes Article 160A Section 160(c2), attached hereto, the University of Chicago (“UChicago”), through the undersigned authorized professional representative, agrees to the following limitations, required by the City of Charlotte North Carolina through its City Council, permitting access to the Charlotte-Mecklenburg Police Department (“CMPD”) Personnel Data:

1. The UChicago, through the undersigned, certifies it is an academic institution that will be provided access to CMPD personnel data.
2. The UChicago , through the undersigned, certifies the CMPD data will be used for an academic research project to use statistical information to develop design specifications for an Early Intervention System to be used by law enforcement.
3. The UChicago, through the undersigned, certifies the access to the CMPD data will be supervised by Rayid Ghani as the professional representative of the UChicago overseeing student researchers.
4. Rayid Ghani on behalf of himself and the UChicago certify that he will not release information identifying the employees disclosed in the CMPD data and the information provided by CMPD will be used solely for statistical, research or teaching purposes.
5. The UChicago, through the undersigned, certifies that all UChicago employees, volunteers, representatives or agents who will have access to the CMPD data will agree to abide by the confidentiality requirements set forth in this Certification, the Project Agreement including all exhibits attached thereto.

6. At the termination of the Project Agreement, the undersigned, on behalf of the UChicago, agrees to provide written verification of the return, destruction and/or erasure of all CMPD data as required by Section 5(d) of the Project Agreement.
7. This certification shall be retained by the City of Charlotte as long as the CMPD data is retained by the UChicago.

Sworn to and subscribed before me

\_\_\_\_\_

Michael R. Ludwig  
Associate VP for Research Admin.  
The University of Chicago

this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

N.C. Gen. Stat. § 160A-168 (2014)

Privacy of employee personnel records

(a) Notwithstanding the provisions of [G.S. 132-6](#) or any other general law or local act concerning access to public records, personnel files of employees, former employees, or applicants for employment maintained by a city are subject to inspection and may be disclosed only as provided by this section. For purposes of this section, an employee's personnel file consists of any information in any form gathered by the city with respect to that employee and, by way of illustration but not limitation, relating to his application, selection or nonselection, performance, promotions, demotions, transfers, suspension and other disciplinary actions, evaluation forms, leave, salary, and termination of employment. As used in this section, "employee" includes former employees of the city.

(b) The following information with respect to each city employee is a matter of public record:

(1) Name.

(2) Age.

(3) Date of original employment or appointment to the service.

(4) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the city has the written contract or a record of the oral contract in its possession.

(5) Current position.

(6) Title.

(7) Current salary.

(8) Date and amount of each increase or decrease in salary with that municipality.

(9) Date and type of each promotion, demotion, transfer, suspension, separation, or other change in position classification with that municipality.

(10) Date and general description of the reasons for each promotion with that municipality.

(11) Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the municipality. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the municipality setting forth the specific acts or omissions that are the basis of the dismissal.

(12) The office to which the employee is currently assigned.

(b1) For the purposes of this subsection, the term "salary" includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the employing entity.

(b2) The city council shall determine in what form and by whom this information will be maintained. Any person may have access to this information for the purpose of inspection, examination, and copying, during regular business hours, subject only to such rules and regulations for the safekeeping of public records as the city council may have adopted. Any person denied access to this information may apply to the appropriate division of the General Court of Justice for an order compelling disclosure, and the court shall have jurisdiction to issue such orders.

(c) All information contained in a city employee's personnel file, other than the information made public by subsection (b) of this section, is confidential and shall be open to inspection only in the following instances:

(1) The employee or his duly authorized agent may examine all portions of his personnel file except (i) letters of reference solicited prior to employment, and (ii) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his patient.

(2) A licensed physician designated in writing by the employee may examine the employee's medical record.

(3) A city employee having supervisory authority over the employee may examine all material in the employee's personnel file.

(4) By order of a court of competent jurisdiction, any person may examine such portion of an employee's personnel file as may be ordered by the court.

(5) An official of an agency of the State or federal government, or any political subdivision of the State, may inspect any portion of a personnel file when such inspection is deemed by the official having custody of such records to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution (of the employee), or for the purpose of assisting in an investigation of (the employee's) tax liability. However, the official having custody of such records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.

(6) An employee may sign a written release, to be placed with his personnel file, that permits the person with custody of the file to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.

(7) The city manager, with concurrence of the council, or, in cities not having a manager, the council may inform any person of the employment or nonemployment, promotion, demotion, suspension or other disciplinary action, reinstatement, transfer, or termination of a city employee and the reasons for that personnel action. Before releasing the information, the manager or council shall determine in writing that the release is essential to maintaining public confidence in the administration of city services or to maintaining the level and quality of city services. This written determination shall be retained in the office of the manager or the city clerk, and is a record available for public inspection and shall become part of the employee's personnel file.

(c1) Even if considered part of an employee's personnel file, the following information need not be disclosed to an employee nor to any other person:

(1) Testing or examination material used solely to determine individual qualifications for appointment, employment, or promotion in the city's service, when disclosure would compromise the objectivity or the fairness of the testing or examination process.

(2) Investigative reports or memoranda and other information concerning the investigation of possible criminal actions of an employee, until the investigation is completed and no criminal action taken, or until the criminal action is concluded.

(3) Information that might identify an undercover law enforcement officer or a law enforcement informer.

(4) Notes, preliminary drafts and internal communications concerning an employee. In the event such materials are used for any official personnel decision, then the employee or his duly authorized agent shall have a right to inspect such materials.

(c2) The city council may permit access, subject to limitations they may impose, to selected personnel files by a professional representative of a training, research, or academic institution if that person certifies that he will not release information identifying the employees whose files are opened and that the information will be used solely for statistical, research, or teaching purposes. This certification shall be retained by the city as long as each personnel file examined is retained.

(c3) Notwithstanding any provision of this section to the contrary, the Retirement Systems Division of the

Department of State Treasurer may disclose the name and mailing address of former local governmental employees to domiciled, nonprofit organizations representing 2,000 or more active or retired State government, local government, or public school employees.

(d) The city council of a city that maintains personnel files containing information other than the information mentioned in subsection (b) of this section shall establish procedures whereby an employee who objects to material in his file on grounds that it is inaccurate or misleading may seek to have the material removed from the file or may place in the file a statement relating to the material.

(e) A public official or employee who knowingly, willfully, and with malice permits any person to have access to information contained in a personnel file, except as is permitted by this section, is guilty of a Class 3 misdemeanor and upon conviction shall only be fined an amount not more than five hundred dollars (\$ 500.00).

(f) Any person, not specifically authorized by this section to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove or copy any portion of a confidential personnel file shall be guilty of a Class 3 misdemeanor and upon conviction shall only be fined in the discretion of the court but not in excess of five hundred dollars (\$ 500.00).

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE APPROPRIATING \$70,262 FROM THE MECKLENBURG COUNTY JUVENILE CRIME PREVENTION COUNCIL TO FUND THE JUVENILE OFFENDER DIVERSION PROGRAM

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BE IT ORDAINED, by the City Council of the City of Charlotte;

- Section 1. That the sum of \$70,262 is hereby estimated to be available from the Mecklenburg County Juvenile Crime Prevention Council
- Section 2. That the sum of \$70,262 is hereby appropriated to the General Grants and LTD Project Fund (2600), project 304032004
- Section 3. All ordinances in conflict with this ordinance are hereby repealed.
- Section 4. This ordinance shall be effective upon adoption.

Approved as to form:

\_\_\_\_\_  
City Attorney



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$54,500 FOR TRAFFIC SIGNAL IMPROVEMENTS**

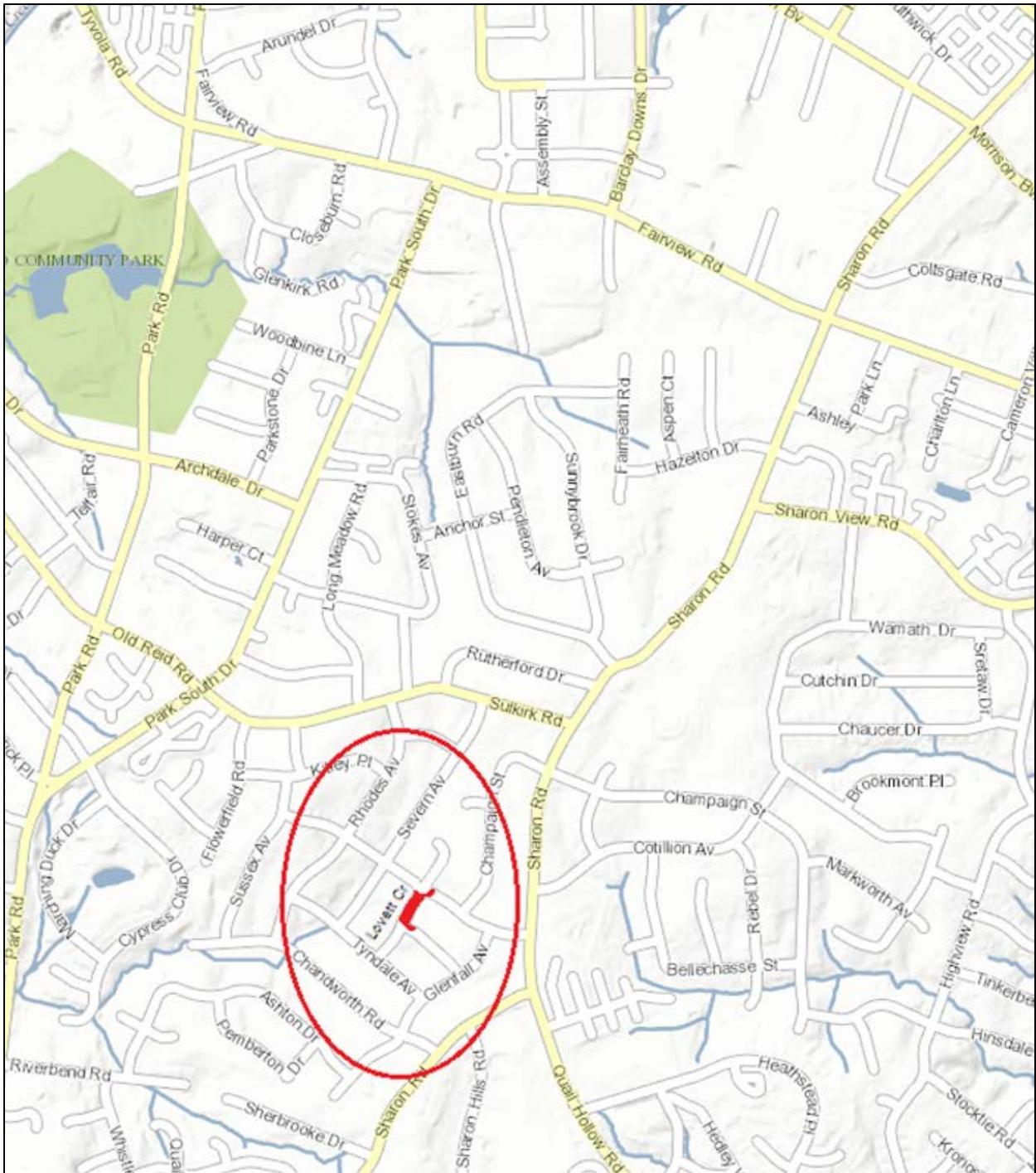
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BE IT ORDAINED, by the City Council of the City of Charlotte;

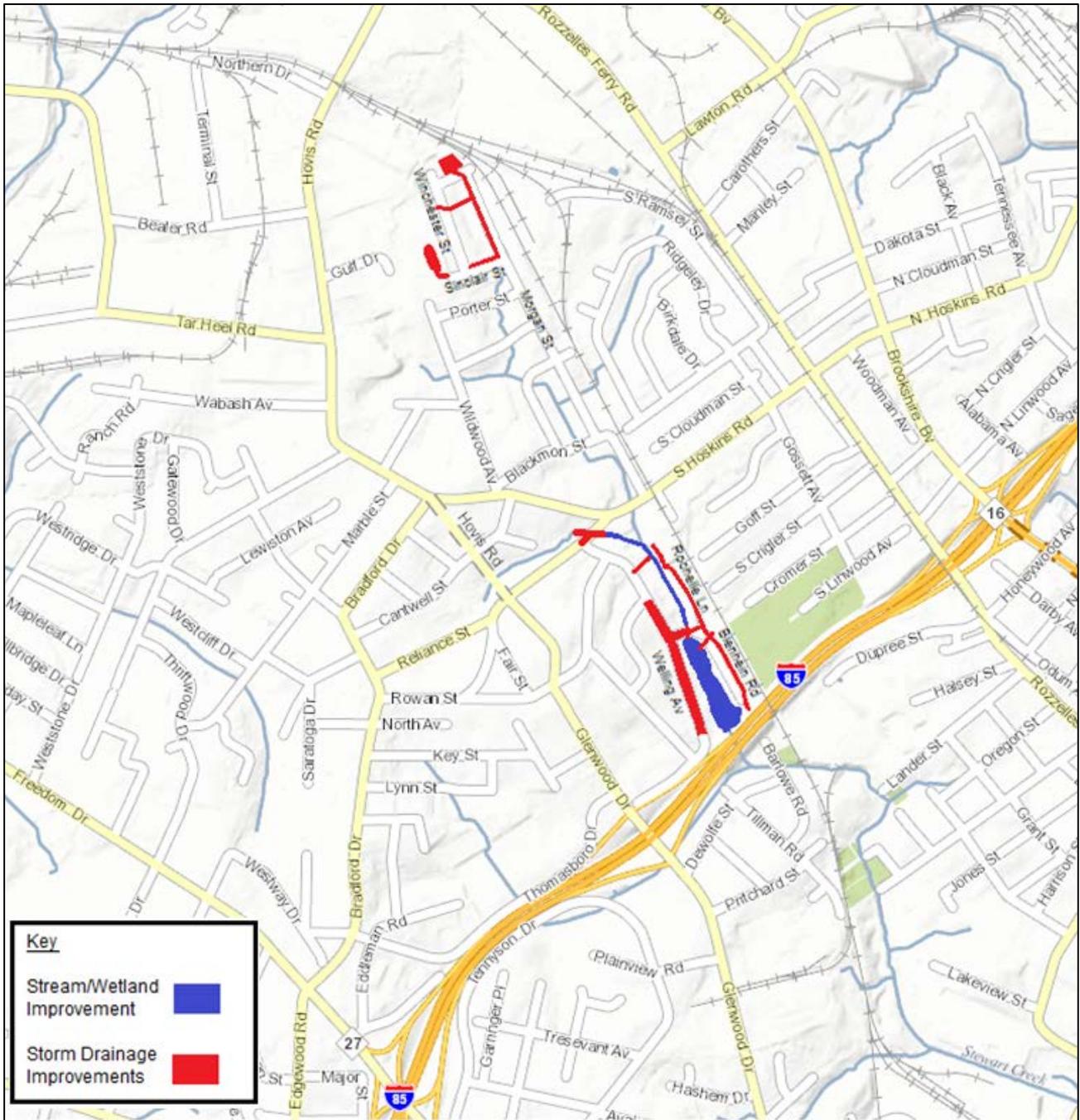
- Section 1. That the sum of \$54,500 hereby estimated to be available from Terwilliger Pappas Multi-Family Partners, LLC (\$9,000), Spectrum Properties (\$29,000), and Goode Development Corporation (\$16,500)
- Section 2. That the sum of \$54,500 is hereby appropriated in the General Capital Investment Fund (4001)  
Project Number:  
Terwilliger Pappas Multi-Family: 4292000186 (\$9,000)  
Spectrum Properties: 4292000188 (\$29,000)  
Goode Development Corporation: 4292000187 (\$16,500)
- Section 3. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.
- Section 4. All ordinances in conflict with this ordinance are hereby repealed.
- Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

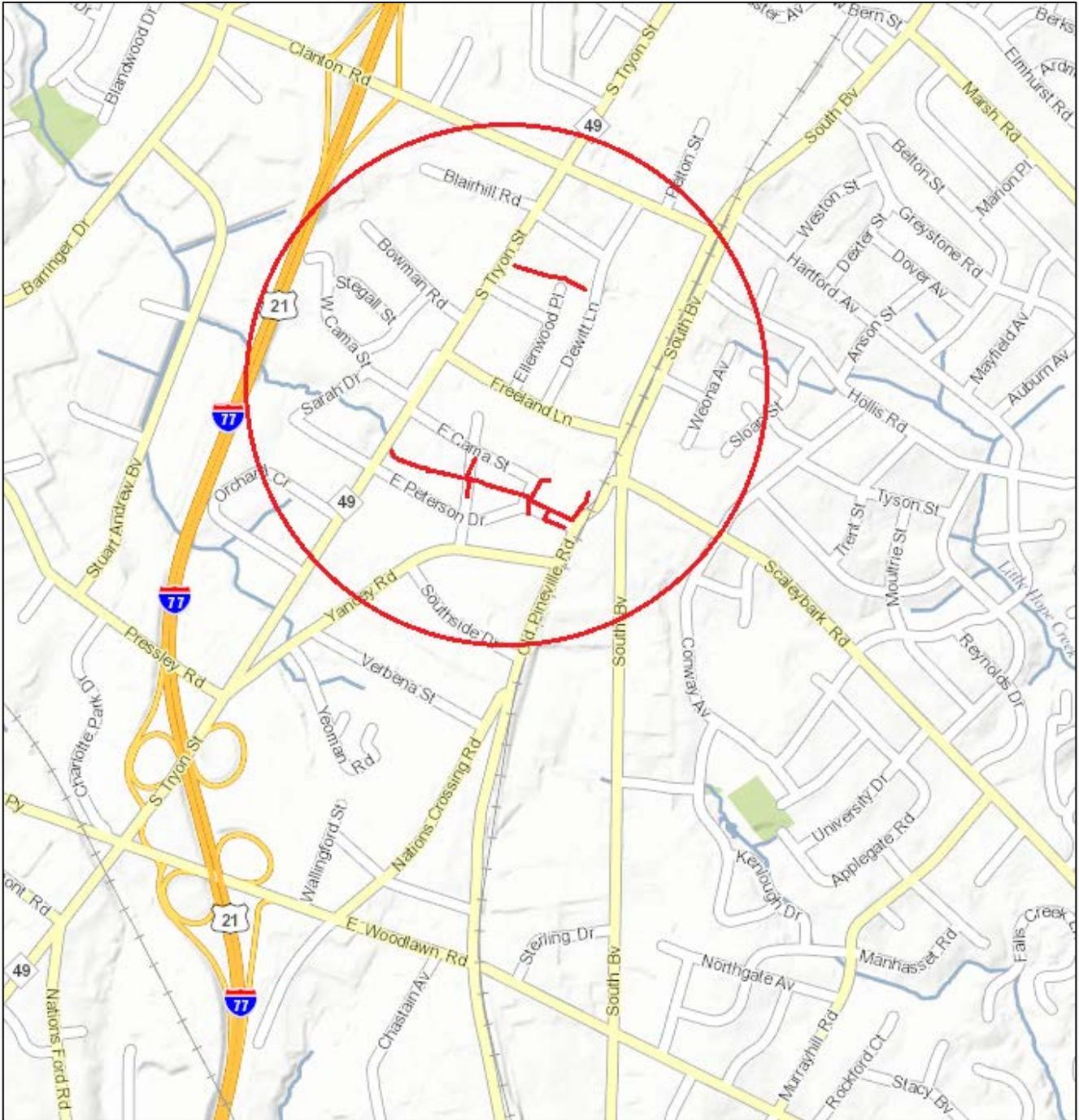
\_\_\_\_\_  
City Attorney



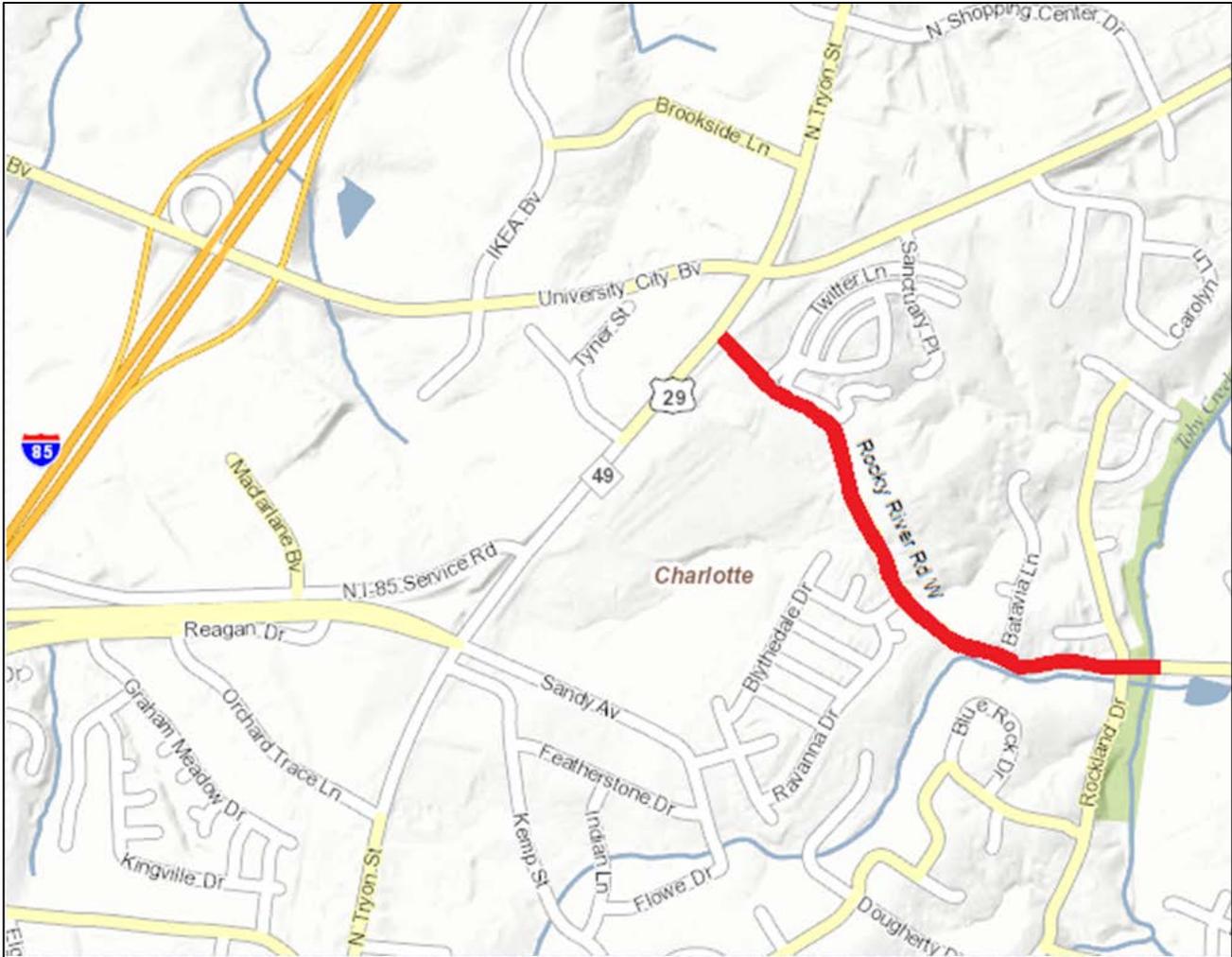
**Location Map –Lovett Circle Storm Drainage Repair (Council District 6)**



**Location Map - Blenheim Storm Drainage Improvement Project (Council District 2)**



**Location Map: Peterson Drive Storm Drainage Improvement Project - Phase III  
(Council District 3)**



**Location Map: Rocky River Road West Improvements (Council District 4)**

**Time Warner Cable Arena Upgrades - Council Action Summary**

Line Item	Original Project Budget 9/08/2014	Hornets Contribution	Revised Total Budget	CBI Commitment		RCA Amount	Council Date	Difference	Comments
				SBE	MBE				
Architectural Services	\$2,300,000	\$0	\$2,300,000	17.39%	0.00%	\$2,300,000	11/24/14	\$0	Design services for the \$27.5M capital plan that will involve approximately 15 projects throughout the arena to be completed over 5 years.
Package B - Video Replay Control Room Distribution - TV Display	\$1,854,500	\$0	\$2,050,000	8.59%	8.59%	\$1,979,865	6/8/15	\$70,135	Scope of work includes removal of the existing standard definition video system, installation of a new high definition video and video replay system, and install/remove approximately 550 televisions which will enable the Arena operator to broadcast "in-house" video in high-definition.
Package A - Backcourt Restaurant & 21 Suites Renovations	\$1,057,500	\$464,000	\$1,100,000	17.53%	13.93%	\$897,150	6/22/15	\$202,850	Scope of work includes the renovation of the Event level restaurant and the renovation of 21 private suites. Hornets will fund the suites renovations work per the Agreement
<b>Totals</b>	<b>\$5,212,000</b>	<b>\$464,000</b>	<b>\$5,450,000</b>	<b>14.05%</b>	<b>5.70%</b>	<b>\$5,177,015</b>		<b>\$272,985</b>	

**Future Council Agenda Items**

Line Items	Original Project Budget 9/08/2014	Hornets Contribution	Revised Total Budget	Expected CBI Goal	Expected Council Date	Comments
Secondary Tenant/Event Locker Room Alterations	\$157,500			5%-15%	Fall 2015	
Suites Renovations 22-64	\$1,200,000	\$1,200,000		>15%	2016	Hornets will fund the suites renovations work per the Agreement.
Visitors Locker Room Ph II - Renovate 4 Rooms	\$315,000			>15%	2016	
Event Production Rooms Refurbishment	\$90,000			>15%	2016	
Press Room Refurbishment (3 rooms) - Paint, Carpet, Countertops	\$225,000			>15%	2016	
Scoring & Video Digital Equipment Update	\$6,930,000			5%-15%	2016	
IT Infrastructure	\$504,000			5%-15%	2016	
Replace Beer Concessions Lines	\$315,000			0%-5%	2016	

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$641,613 FOR AIRPORT ENVIRONMENTAL SERVICES.

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BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$641,613 is hereby appropriated from the Aviation Discretionary Fund for contracts with the following firms:  
Landrum & Brown: \$495,365  
RS&H: 146,248

Section 2. That the sum of \$641,613 is hereby appropriated in the Aviation Community Investment Plan Fund

Fund	6064
Project	4020901542
Source	6000
Type	60006001
Year	0000

Section 3. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

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City Attorney

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 5405-X, THE 2014-2015 BUDGET ORDINANCE PROVIDING AN APPROPRIATION OF \$188,475 FOR AIRPORT MAINTENANCE HANGAR RENOVATIONS DESIGN**

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BE IT ORDAINED, by the City Council of the City of Charlotte;

Section 1. That the sum of \$188,475 is hereby appropriated from the Aviation Discretionary Fund for the contract to Michael Baker International dba Baker LPA Architects, PC for civil design for renovations to an existing maintenance hangar.

Section 2. That the sum of \$188,475 is hereby appropriated in the Aviation Community Investment Plan Fund

Fund	6064
Project	4020901544
Source	6000
Type	60006001
Year	0000

Section 3. That the existence of this project may extend beyond the end of the fiscal year. Therefore, this ordinance will remain in effect for the duration of the project and funds are to be carried forward to subsequent fiscal years until all funds are expended or the project is officially closed.

Section 4. All ordinances in conflict with this ordinance are hereby repealed.

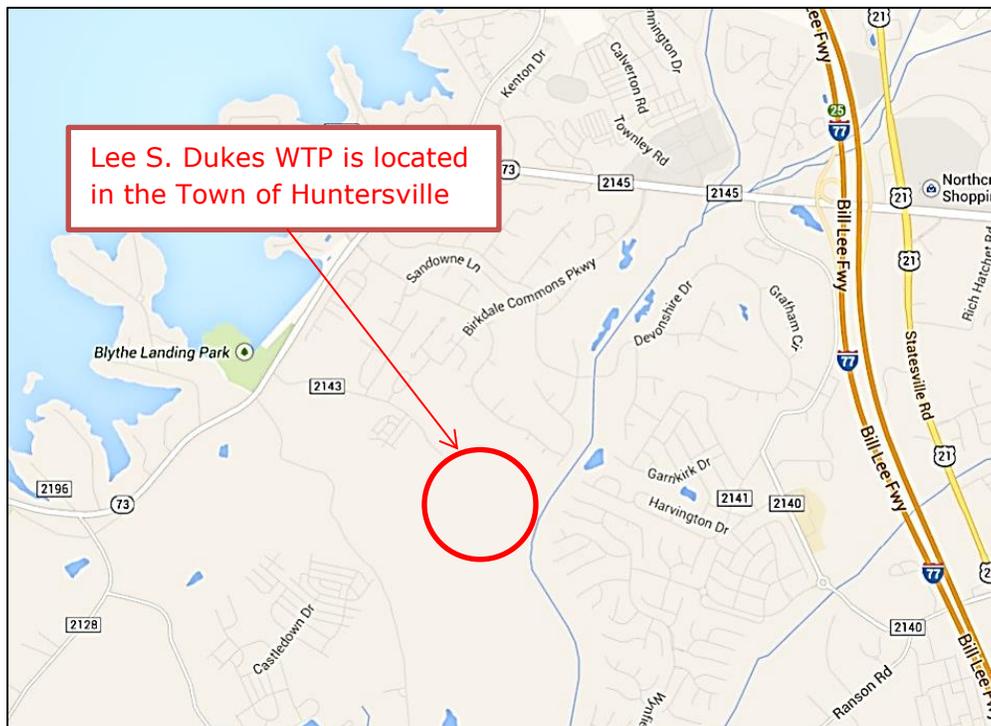
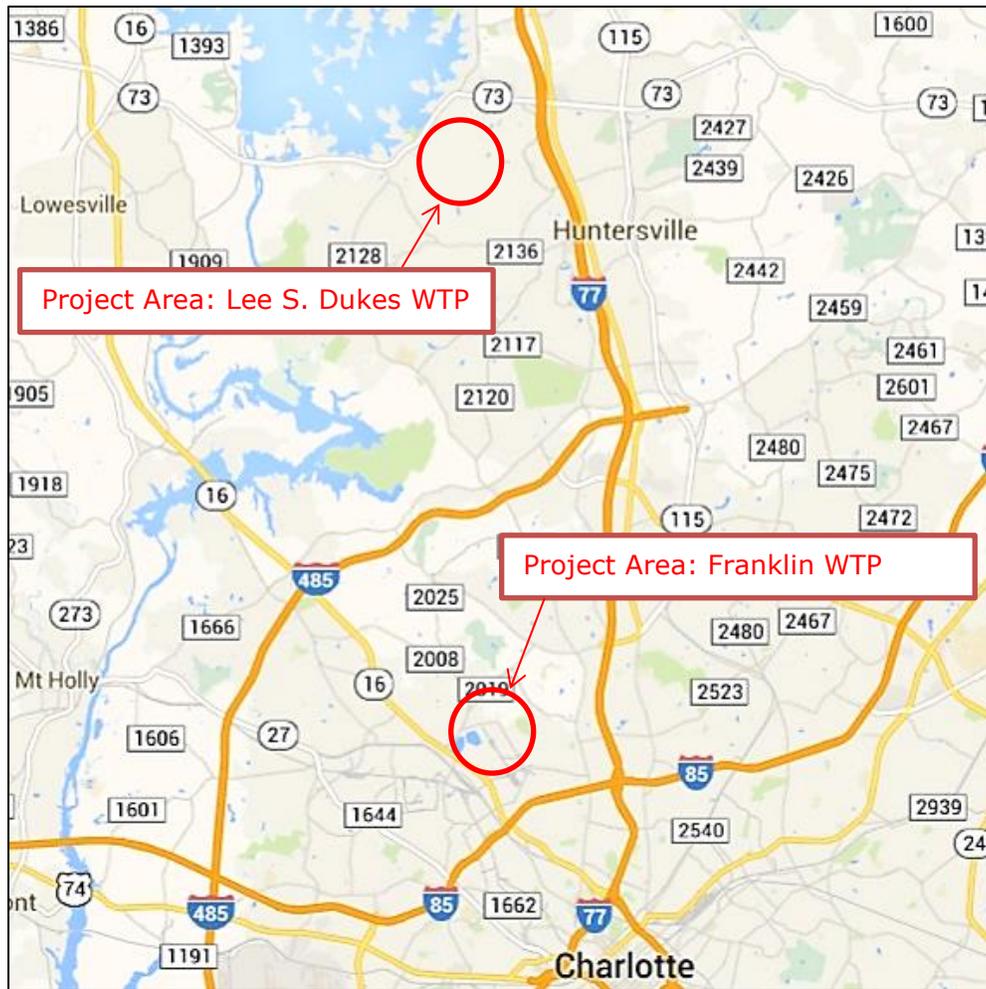
Section 5. This ordinance shall be effective upon adoption.

Approved as to form:

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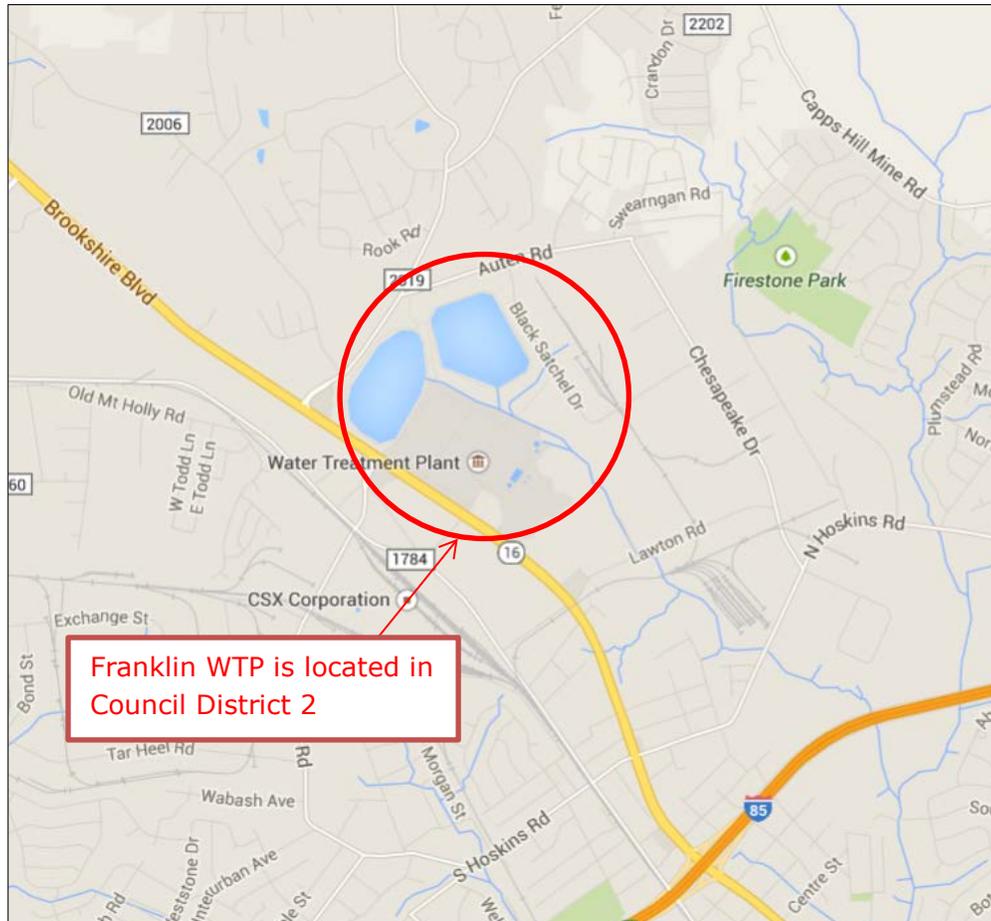
City Attorney

# Franklin and Lee S. Dukes Water Treatment Plants Improvements and Compressed Air System Upgrades - Map

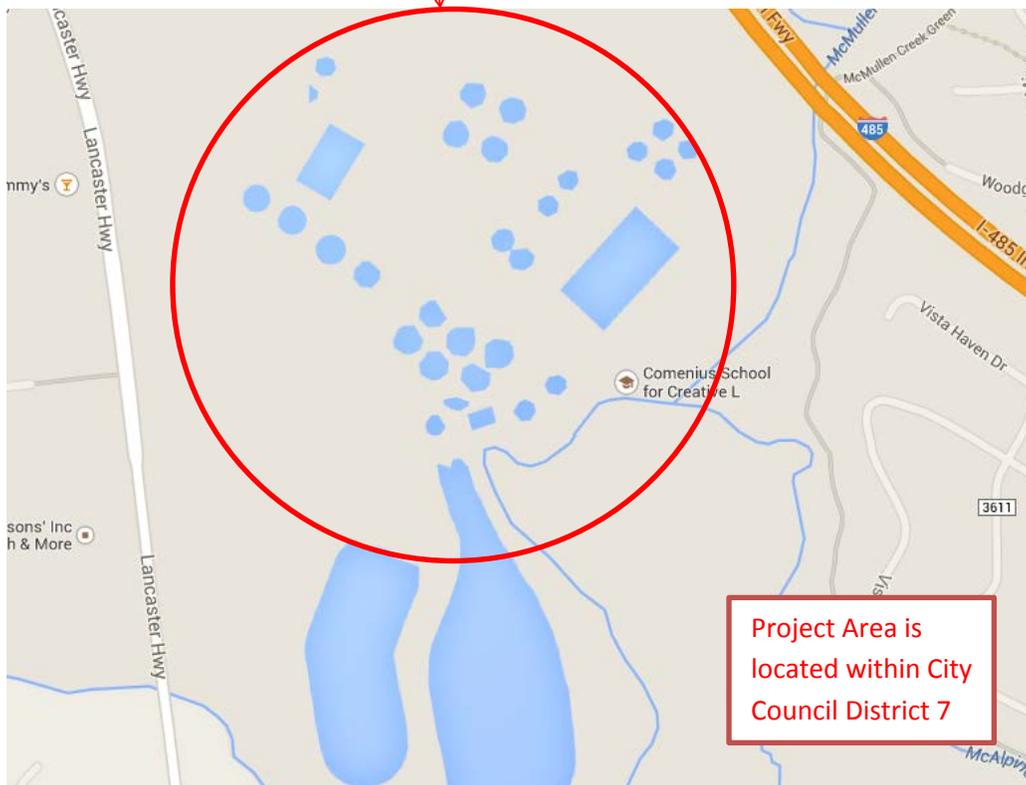
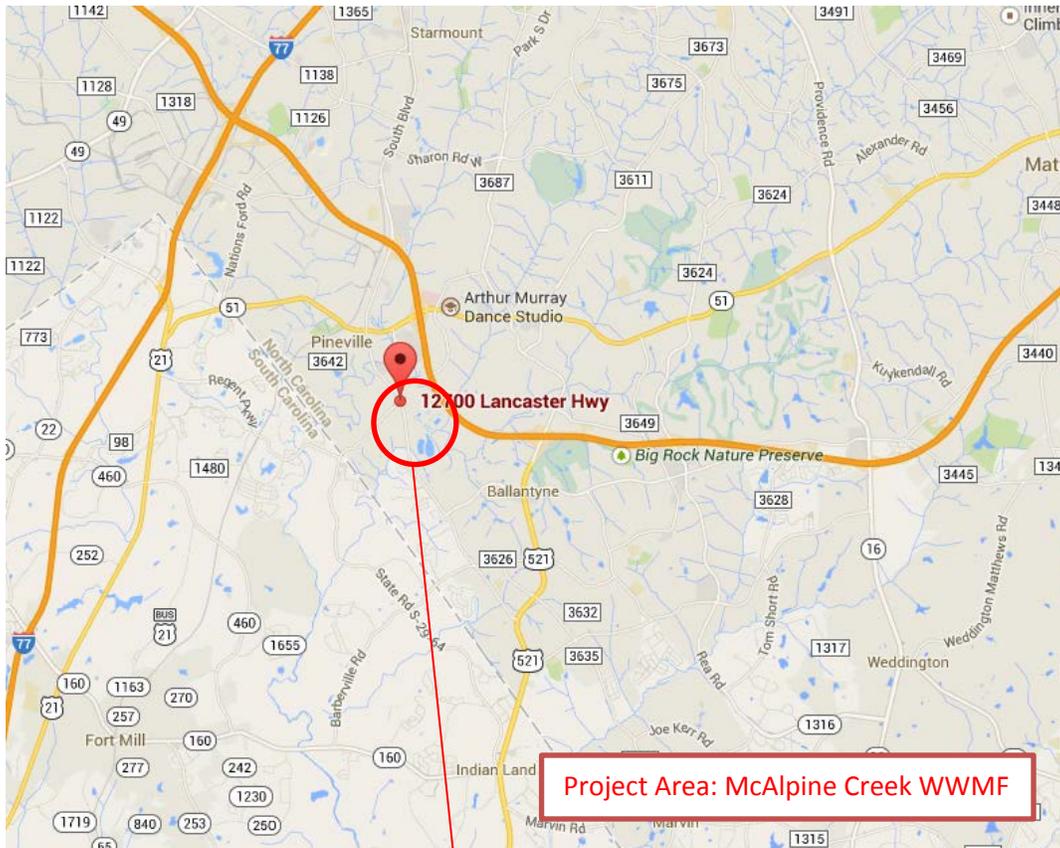


# Franklin and Lee S. Dukes Water Treatment Plants Improvements and Compressed Air System Upgrades - Map

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# Resolution to Accept Clean Water State Revolving Fund Loan for the Combined Heat and Power Project - Map



**RESOLUTION BY GOVERNING BODY OF APPLICANT**

**WHEREAS,** the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, water conservation projects, and

**WHEREAS,** the North Carolina Department of Environment and Natural Resources has offered a State Revolving Loan in the amount of \$ 3,266,736.00 for the construction of a Combined Heat and Power Facility, and

**WHEREAS,** the City of Charlotte intends to construct said project in accordance with the approved plans and specifications,

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHARLOTTE:**

That the City of Charlotte does hereby accept the State Revolving Loan offer of \$3,266,736.00.

That the City of Charlotte does hereby give assurance to the North Carolina Department of Environment and Natural Resources that all items specified in the loan offer, Section II - Assurances will be adhered to.

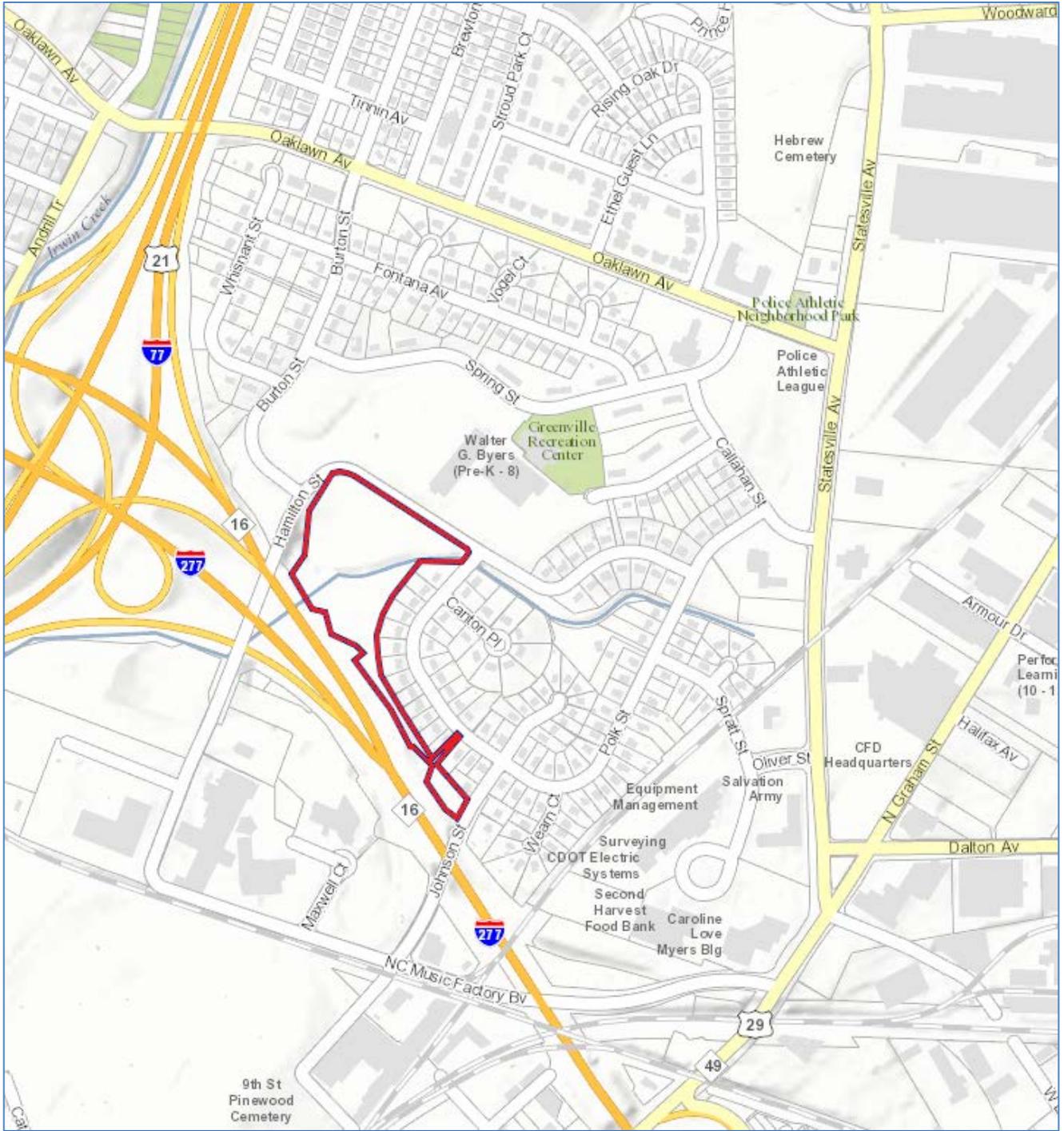
That the Director of Charlotte Water, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the City of Charlotte has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the \_\_\_\_\_ (date adopted) at \_\_\_\_\_ (place), North Carolina.

\_\_\_\_\_  
(Signature of Chief Executive Officer)

Date \_\_\_\_\_



**Location Map: Sale of Vacant Land on Hamilton Street (Council District 2)**

**RESOLUTION AUTHORIZING THE SALE OF LAND ON HAMILTON STREET BY THE  
UPSET BID PROCESS**

WHEREAS, North Carolina General Statute §160A-269 permits the City to sell property by upset bid, after receipt of an offer to purchase the property; and

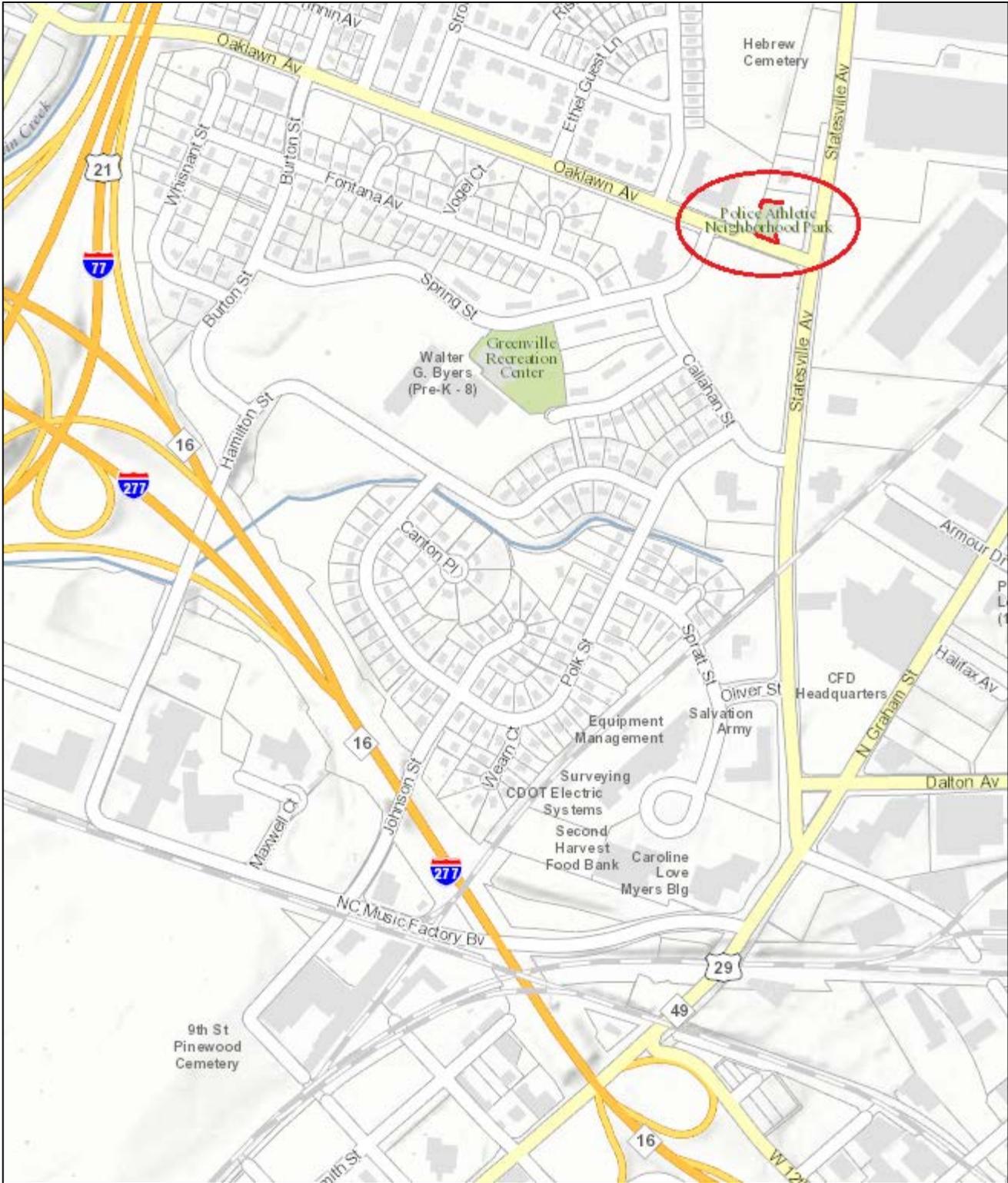
WHEREAS, the City has received an offer to purchase the property described above in the amount of \$70,000 submitted by Short Development Group, and/or its assigns , and

WHEREAS, Short Development Group has paid the required five percent (5%) deposit on its offer:

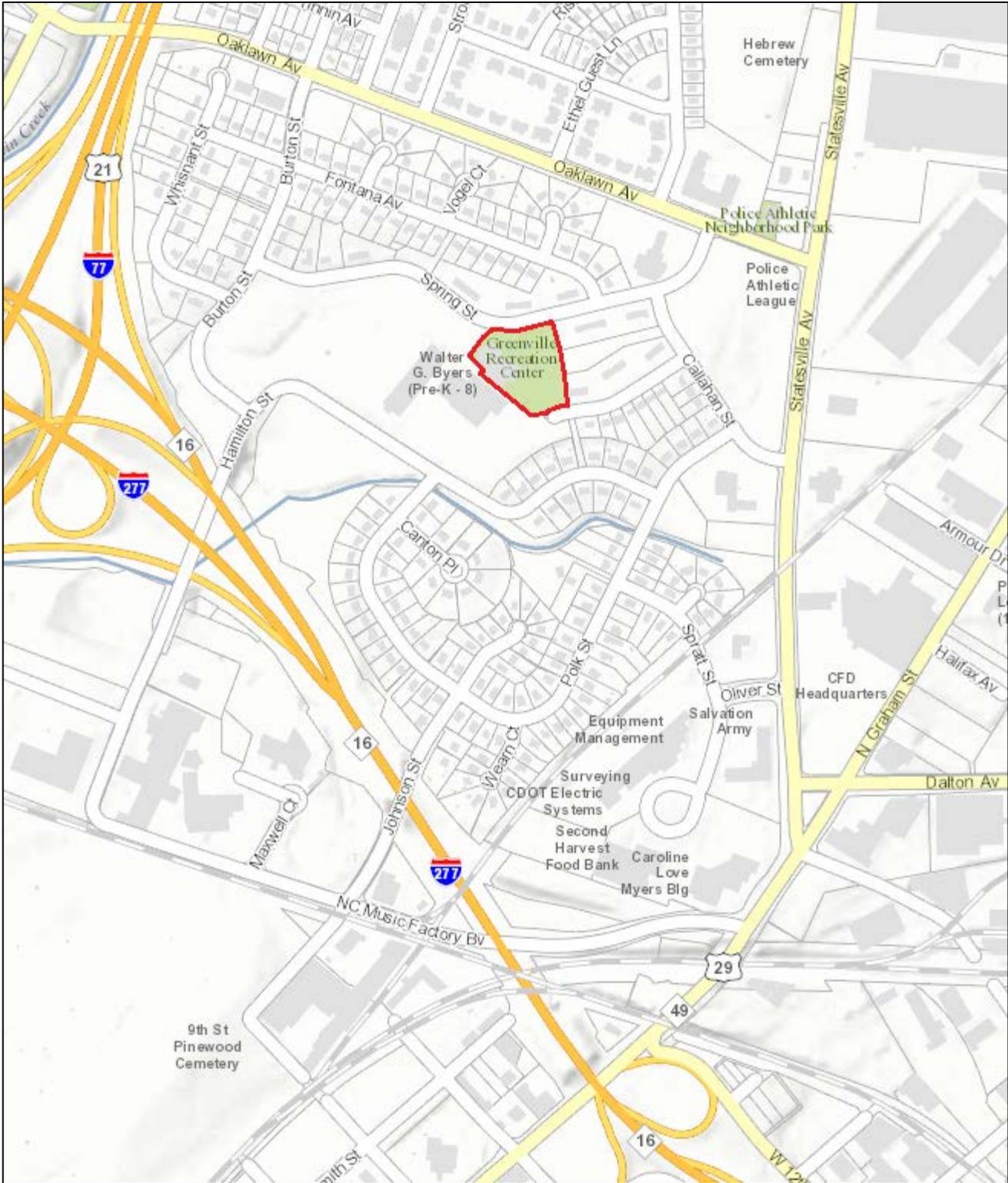
THEREFORE, THE CITY COUNCIL OF THE CITY OF CHARLOTTE RESOLVES THAT:

1. The City Council authorizes sale of the property described above through the upset bid procedure of North Carolina General Statute §160A-269 and accepts the offer Short Development Group as the initial offer.
2. A notice of the proposed sale shall be published in accordance with the statute. The notice shall describe the property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the office of the City of Charlotte Real Estate Manager in the Charlotte Mecklenburg Government Center by the date and time specified in the published notice, which shall be at least ten days after the notice is published. If a qualifying higher bid is received, that bid will become the new offer.
4. If a qualifying higher bid is received, a new notice of upset bid shall be published, and this process shall be repeated until a 10-day period has passed without any qualifying higher bid having been received.
5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000 of that offer and five percent (5%) of the remainder of that offer, and equals or exceeds all other material terms of the previous offer to the advantage of the City.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid. The bid may be made in cash, cashier's check, or certified check. The City will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The City will return the deposit of the final high bidder pursuant to the terms of the purchase contract.
7. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted, and the appropriate City officials are authorized to execute all instruments necessary to convey the property to Short Development Group and/or its assigns.

Adopted June 22, 2015



**Location Map: Lease of 832 Oaklawn Avenue (Council District 2)**



**Location Map: Lease of the Greenville Center (Council District 2)**