



WHAT'S INSIDE:	<u>Page</u>
Calendar Details	2
<u>Agenda Notes:</u>	
Agenda Item #12 – Rezoning Petition: 2016-029 by White Pace Properties, LLC.....	2
Agenda Item #16 – Rezoning Petition: 2016-045 by Pamlico Investments, Inc.	2
<u>Information:</u>	
May 19 – FAA Public Meeting on Flight Procedures.....	3
2016 State Legislative Report #3	4

WEEK IN REVIEW:

Mon (May 16)	Tues (May 17)	Wed (May 18)	Thurs (May 19)	Fri (May 20)
12:00 PM Council Agenda Briefing (Optional), Room 886		Mayor and Council to Raleigh	12:00 PM Community Safety Committee, Room 280	
12:00 PM Intergovernmental Relations Committee, Room 280				
5:00 PM Zoning Meeting, Room CH-14				

CALENDAR DETAILS:

Monday, May 16

12:00 PM Council Agenda Briefing (Optional), Room 886

12:00 PM Intergovernmental Relations Committee, Room 280

AGENDA: Mayor and Council to Raleigh 5/18; State update; Trending topics

5:00 PM Zoning Meeting, Room CH-14

Wednesday, May 18

Mayor and City Council to Raleigh

Thursday, May 19

12:00 PM Community Safety Committee, Room 280

AGENDA: Update on revisions to PVH Ordinance; CFD community programs

May and June calendars are attached.



May-June 2016.pdf

AGENDA NOTES:

Agenda Item #12 – Rezoning Petition: 2016-029 by White Point Paces Properties, LLC

Staff Resource: Tammie Keplinger, Planning, 704-336-5967, tkeplinger@charlottenc.gov

As noted in an email Wednesday, the Council Zoning Notebook did not contain Zoning Committee Recommendation for petition 2016-029. The Zoning Committee materials are attached below.



2016-029.pdf

Agenda Item #16 – Rezoning Petition: 2016-045 by Pamlico Investments, Inc.

Staff Resource: Tammie Keplinger, Planning, 704-336-5967, tkeplinger@charlottenc.gov

As noted in an email Wednesday, the Council Zoning Notebook did not contain Zoning Committee Recommendation for petition 2016-045. The Zoning Committee materials are attached below.



2016-045.pdf

INFORMATION:

May 19 – FAA Public Meeting on Flight Procedures

Staff Resource: Brent Cagle, Aviation, 704-359-4035, bdcagle@cltairport.com

On the evening of May 19, 2016, the FAA will hold a public meeting to discuss their planned implementation of the Metroplex Study described below. The public meeting will be held from 6 p.m. to 8 p.m. at the Charlotte Police & Fire Training Academy located at 1770 Shopton Road. FAA will conduct a short briefing on the Metroplex program and then be available to answer questions. The formal FAA announcement for the meeting is attached. Council members are encouraged to attend.

In February 2011, the Federal Aviation Administration (FAA), Charlotte Optimization of the Airspace and Procedures in the Metroplex Team (CLT OAPM Team) began to study potential flight operation(s) alternatives to optimize the use of airspace in the Charlotte (CLT) Metroplex area. The FAA's goal for the project is to enhance safety and increase efficiency of the CLT airspace.

As part of the study, FAA conducted an Environmental Assessment (EA) and issued a Finding of No Significant Impact in June of 2015. The CLT OAPM Team then began implementation of the study recommendations in a three-phased approach.

In October 2015, the FAA implemented Phase One which focused on dispersing existing departure routes to the southwest of the Airport. After implementation the Airport experienced a significant increase in the number of noise complaints received from the Chapel Cove and the Sanctuary neighborhoods. Both of these neighborhoods are located in the southwest area of the study area and, historically, have received a small number of overflights. Due to the dispersion of the departure routes associated with the study, the Sanctuary and Chapel Cove areas have indeed experienced an increase in the number of overflights in their areas (while other neighborhoods in the southwest area have experienced a decrease in the number of overflights). Representatives from the neighborhoods are in contact with the FAA asking the agency to look at this issue.

Phase Two of the study focuses on the departure routes located to the southeast of the Airport and the FAA believes that, upon implementation, a similar dispersion of departure routes will occur. Similar to Phase One, the Phase Two changes take a concentrated departure path and disperse it over a larger geographic area – which will serve to reduce overflights in some neighborhoods while increasing them in others.



CLT Meeting
Notice.pdf

2016 State Legislative Report #3

Staff Resource: Dana Fenton, City Manager's Office, 704-336-2009, dfenton@charlottenc.gov

Attached is the Week 3 State Legislative Report. House Appropriations subcommittees rolled out their budget proposals on Thursday and the leadership expects to pass their budget by the end of next week. The first major bill filing deadline for legislation from study commissions and FY 2016-2017 budgetary matters passed on May 10. The next significant deadline is for local bills and retirement bills on Thursday, May 19. The next Mayor & Council Trip to Raleigh is scheduled for Wednesday, May 18.



2016 week 3
report.pdf

May

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
1	<p>12:00pm Environment Committee Mtg., Room 280</p> <p>5:00pm Council Workshop/Citizens' Forum, Room 267</p> <p>7:00pm Budget Presentation, Meeting Chamber</p>	3	<div style="border: 1px solid black; padding: 5px; text-align: center;"> Mayor and Council to Raleigh </div> <p>12:00pm Housing & Neighborhood Development Committee Mtg., Room 280</p>	5	<p>3:00pm City Manager Search Committee Mtg., HR Large Conf. Room</p>	7
8	<p>2:00pm Transportation & Planning Committee Mtg., Room 280</p> <p>5:00pm Council Business Mtg., Room 267</p> <p>5:30pm Budget Public Hearing, Meeting Chamber</p>	10	11	<p>1:00pm Budget Adjustments, Room 267</p>	<p>12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14</p>	14
15	<p>12:00pm Council Agenda Briefing (optional), Room 886</p> <p>12:00pm Intergovernmental Relations Committee Mtg., Room 280</p> <p>5:00pm Zoning Meeting, Room CH-14</p>	17	<div style="border: 1px solid black; padding: 5px; text-align: center;"> Mayor and Council to Raleigh </div>	19	<p>12:00pm Community Safety Committee Mtg., Room 280</p>	21
22	<p>12:00pm Governance & Accountability Committee Mtg., Room 280</p> <p>5:00pm Citizens' Forum/Council Business Mtg., Room 267</p>	24	25	<p>12:00pm Budget Adjustments/Straw Votes, Room 267</p> <p>5:30pm MTC Meeting, Room 267</p>	<p>12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14</p>	28
29	<div style="border: 1px solid black; padding: 5px; text-align: center;"> Memorial Day </div>	31				

2016

June

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
			<p>1</p> <p>Mayor and Council to Raleigh</p> <p>12:00pm Housing & Neighborhood Development Committee Mtg., Room 280</p>	<p>2</p> <p>6:30pm CM Mitchell's Engagement Through Economic Development Town Hall Mtg., Room 267</p>	<p>3</p>	<p>4</p>
<p>5</p>	<p>6</p> <p>12:00pm Environment Committee Mtg., Room 280</p> <p>5:00pm Council Workshop/Citizens' Forum, Room 267</p>	<p>7</p>	<p>8</p> <p>NCLM Town Hall Day Raleigh, NC</p>	<p>9</p> <p>12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14</p>	<p>10</p>	<p>11</p>
<p>12</p>	<p>13</p> <p>2:00pm Transportation & Planning Committee Mtg., Room 280</p> <p>5:00pm Council Business Mtg., Room 267</p> <p>7:00pm Budget Adoption, Meeting Chamber</p>	<p>14</p>	<p>15</p>	<p>16</p> <p>12:00pm Community Safety Committee Mtg., Room 280</p>	<p>17</p>	<p>18</p>
<p>19</p>	<p>20</p> <p>12:00pm Council Agenda Briefing (optional), Room 886</p> <p>12:00pm Intergovernmental Relations Committee Mtg., Room 280</p> <p>5:00pm Zoning Meeting, Room Ch-14</p>	<p>21</p>	<p>22</p> <p>5:30pm MTC Meeting, Room 267</p>	<p>23</p> <p>12:00pm ED & Global Competitiveness Committee Mtg., Room CH-14</p>	<p>24</p> <p>25</p> <p>US Conference of Mayors Annual Meeting Indianapolis, IN</p>	
<p>26</p>	<p>27</p> <p>12:00pm Governance & Accountability Committee Mtg., Room 280</p> <p>2:00pm City Manager's Update Mtg., Room CH-14</p> <p>5:00pm Citizens' Forum/Council Business Mtg., Room 267</p>	<p>28</p>	<p>29</p> <p>Mayor and Council to Raleigh</p>	<p>30</p>		

2016

US Conference of Mayors Annual Meeting Indianapolis, IN

REQUEST	Current Zoning: R-8 (single family residential), R-22MF (multi-family residential) and I-2 (general industrial) Proposed Zoning: TOD-MO (transit oriented development – mixed-use, optional)
LOCATION	Approximately 11.85 acres located on the east and west side of North Brevard Street and generally surrounded by Parkwood Avenue, Belmont Avenue, East 16 th Street and North Brevard Street. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to reuse an existing mill building in the Optimist Park neighborhood and within ½ mile of the Parkwood Transit Station for all uses permitted in the TOD-M (transit oriented development - mixed-use) district.
PROPERTY OWNER	Highland Mills, Inc., Charles Creech, 1101 LLC and Belmont Avenue LLC
PETITIONER AGENT/REPRESENTATIVE	White Point Paces Properties, LLC John Carmichael, Robinson Bradshaw
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none">• The Zoning Committee found this petition to be consistent with the <i>Blue Line Extension Transit Station Area Plan</i>, based on information from the staff analysis and the public hearing, and because:<ul style="list-style-type: none">• The petition is consistent with the <i>Blue Line Extension Transit Station Area Plan's</i> recommendation for office, retail, industrial/warehouse/distribution uses for the area between North Brevard Street and the rail line; and• The petition is also consistent with the plan recommendation for transit supportive development for the portion of the site between Parkwood Avenue and North Brevard Street.• 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:<ul style="list-style-type: none">• This project proposes to repurpose an existing factory known as Highland Park Mill Building No. 1 and constructed around 1900; and• The petition intends to save the original mill structure and remove recent additions that detract from the historic character as a condition of the rezoning; and• The site of the mill building is located between ¼ and ½ mile from the Parkwood Transit Station; and• The historic mill building could be reused for any use allowed in the TOD-M (transit oriented development – mixed-use) district. The proposed reuse would meet both historic preservation and transit station area development goals; and• The site is adjacent to existing single family residential uses along North Brevard Street and Belmont Avenue, which are expected to transition to transit supportive development over time. Development abutting the residential sites will be required to meet all TOD-M (transit oriented development – mixed use) ordinance requirements that protect established residential areas from negative impacts of more intense development;

By a 6-0 vote of the Zoning Committee (motion by Eschert seconded by Sullivan).

ZONING COMMITTEE ACTION

The Zoning Committee voted 6-0 to recommend **APPROVAL** of this petition with the following modifications:

Transportation

1. Added Note 4(G) as follows: "Prior to the issuance of the first certificate of occupancy for any structure located on the Site, Petitioner shall pay the sum sixty-five thousand dollars (\$65,000.00) to the City to be used by the City to install a temporary traffic signal at the intersection of Parkwood Avenue and Belmont Avenue. This payment shall be Petitioner's only obligation with respect to any transportation improvements other than the streetscape improvements described below."
2. Revised the site plan to depict and provide a 20-foot wide Permanent Sidewalk Utility Easement (SUE) for a proposed northeast/southwest multi-use path connecting North Brevard Street to 16th Street. The multi-use path will be constructed with a 12-foot wide asphalt surface and will include landscaping.
3. Amended Note 5(F) as follows: "Petitioner acknowledges that the City may, at its sole cost and expense, realign East 16th Street in the future through a portion of Development Area C as generally depicted on the Rezoning Plan. The exact alignment and location of realigned East 16th Street within Development Area C shall be determined by CDOT. Petitioner shall reserve the required right of way within Development Area C for the realignment of East 16th Street, and Petitioner shall dedicate and convey the same to the City upon the request of the City. Notwithstanding the foregoing, in no event shall Petitioner be required to dedicate and convey the right of way within Development Area C for the realignment of East 16th Street prior to the issuance of a building permit for Development Area A. Until such time that the right of way for realigned East 16th Street is dedicated and conveyed to the City, Petitioner may utilize that portion of Development Area C to be dedicated and conveyed to the City for surface parking."
4. Revised the site plan to dedicate 38.5 feet of right-of-way in fee simple from the existing centerline of North Brevard Street, Belmont Avenue and East 16th Street, and relocated existing curb lines as determined in the construction permitting process to implement these transportation improvements before the site's first certificate of occupancy is issued (see CLDS U-05C, revision 13).
5. Added Note 5(H) as follows: "Upon the request of the City but in no event prior to the issuance of the first building permit for Development Area A, Petitioner shall dedicate and convey to the City (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Parkwood Avenue for right of way and easements required for the City's Parkwood NECI project, which right of way and easements are more particularly depicted on the City's concept plan. Petitioner acknowledges that the exact locations of the right of way and easements shall be determined by the City at a later date. Petitioner and the City will work cooperatively to effect the development of the Site and the City's Parkwood NECI project, and the City confirms that the dedication of the right of way and easements for the City's Parkwood NECI project will not adversely impact or prohibit the preservation and re-use of the Mill Building and/or the development contemplated on the Site under this Rezoning Plan."
6. Located proposed site access point#5 ten feet from the northern property line of Lot K within Development Area A.

Site and Building Design

7. Removed deck shown encroaching into Rail Road right-of-way per NCRR's recent input prohibiting encroachment.
8. Staff has rescinded the request to add the following Note in Section 4 as the parking lots are deemed temporary: "if and only if the

Rail Road revokes it's parking agreement that Development Area B could be used for temporary parking per the TOD-M zoning ordinance."

9. Identified existing structures to remain.
10. Staff has rescinded the request to Amend Optional Provisions to specify the time frame for removal of temporary parking lots located on Development Area C as the parking lot is not considered temporary.
11. Amended Notes D and E under Optional Provisions to specify that more than 35% of the total lot width that may be covered by surface parking lots.
12. Added Note 7(H) under Streetscape/Landscape/Open Space to apply to the right-of-way area to be abandoned on Parkwood Avenue and 16th Street as follows: "In the event that East 16th Street is realigned through Development Area C and the right-of-way for the former location of East 16th Street that is located between Development Area A and the realigned portion of East 16th Street is abandoned and incorporated into Development Area A (the abandoned East 16th Street right-of-way), the entry plaza/motor court located on the east side of the Mill Building shall be extended by petitioner into the abandoned East 16th Street right-of-way."
13. Added Note 2(P) under Optional Provisions as follows: "The existing building located on Development Area B1 shall not be required to meet the minimum setback requirements of Section 9.1208(1)(a) of the ordinance, provided, however, that the existing building must be setback a minimum of 20 feet from the back of the future curb along North Brevard Street."
14. Amended Note 2(Q) under Optional Provisions to specify that the existing building located on Development Area B2 shall not be required to meet the minimum setback requirements of Section 9.1208(1)(a) of the ordinance, provided, however, that the existing building must be setback a minimum of seven feet from the back of the existing curb along Belmont Avenue.
15. Amended Note 2(T) under Optional Provisions to retain the request for a waiver from the 10-foot buffer along the western boundary line of Development Area B2 and added the following: "However, a 10-foot buffer along the western boundary line of Development Area B2 shall be provided when Development Area B2 is redeveloped if a buffer is required under the ordinance at the time of redevelopment."
16. Amended Note 2(F) under Optional Provisions to estimate that the required number of parking spaces on Development Area A, in the absence of this optional provision, would be 300 parking spaces.
17. Amended Note 6(A)(5) to add the following "Transition between the building and the sidewalk may be grade change, landscaping, a porch or stoop. The type of transition will be determined by the petitioner during the permitting and urban review phase."
18. Amended Note 2M under Optional Provisions to only request an exemption of additions to the Mill building and any new buildings constructed on Development Area A from Sections 9.1209(1)(g), (i) and (j) of the ordinance pertaining to roof line variation, and the provision of entrances that face the street for ground floor units located across from single family zoning or abutting single family zoning on the same side of the street, instead of all of the design standards.

Requested Technical Revisions

19. Added Note 11A to anticipate future developer agreements as follows: "Petitioner and the City may, at their option, enter into Development Agreements subsequent to the approval of this rezoning petition, with respect to streetscape improvements. . ."
20. Amended Section 7, (Note 7(D)(1)-(3) under Streetscape/Landscaping/Open Space, to address streetscape requirements for Brevard Street, Belmont Avenue and East 16th Street as follows:

- a. East 16th Street
 - i. Petitioner shall install an eight-foot wide planting strip from the back of the existing curb and an eight-foot wide sidewalk along Development Area A's frontage on East 16th Street.
 - ii. Petitioner shall install an eight-foot wide planting strip from the back of the existing curb and an eight-foot wide sidewalk along Development Area C's frontage on East 16th Street. As provided above under Optional Provisions, the existing power poles located along Development Area C's frontage on East 16th Street may remain in place.
- b. Parkwood Avenue
 - i. In lieu of installing the required streetscape improvements along the Site's frontage on Parkwood Avenue (which frontage includes Development Area B2, Development Area A and Development Area C), Petitioner shall pay to the City an amount equal to the cost to install such streetscape improvements (the "Parkwood Streetscape Funds"). The City shall construct all required streetscape improvements along the Site's frontage on Parkwood Avenue in connection with the City's Parkwood NECI project, and the Parkwood Streetscape Funds shall be applied to the City's cost to construct the Parkwood NECI project. Petitioner shall pay the Parkwood Streetscape Funds to the City upon the issuance of the first building permit for Development Area A. The payment of the Parkwood Streetscape Funds to the City shall satisfy Petitioner's obligations with respect to any and all streetscape improvements along the Site's frontage on Parkwood Avenue, and the issuance of building permits and certificates of occupancy shall not be withheld by the City in the event that the City has not completed such streetscape improvements prior to the issuance of any building permits or certificates of occupancy for the Site.
- c. North Brevard Street
 - i. Excluding any portion of North Brevard Street that is abandoned by the City as described above, Petitioner shall complete the following along Development Area A's and Development Area B1's frontage on North Brevard Street prior to the issuance of the first certificate of occupancy for Development Area A:
 - (i) Dedicate and convey to the City (subject to a reservation for any necessary utility easements) those portions of Development Area A and Development Area B1 located immediately adjacent to North Brevard Street that are necessary to provide one-half of the right of way required for the local office/commercial wide street section as measured from the existing centerline of North Brevard Street and based upon a symmetrical widening.
 - (ii) Install new curb and gutter in the location required for the local office/commercial wide street section.
 - (iii) Install an eight-foot wide planting strip and a 12-foot wide multi-use path.—The 12 foot wide multi-use path shall be in lieu of a sidewalk.
- d. Belmont Avenue
 - i. Petitioner shall install a sidewalk against the back of the existing curb along Development Area B2's frontage on Belmont Avenue. The width of this sidewalk shall be eight feet where feasible. However, the width may be less than eight feet in certain areas. Petitioner shall not be required to install a planting strip. This shall be a temporary condition and upon the Redevelopment of Development Area B2, Petitioner shall complete the following along

Development Area B2's frontage on Belmont Avenue: prior to the issuance of the first certificate of occupancy for a new structure on Development Area B2:

- (i) Dedicate and convey to the City (subject to a reservation for any necessary utility easements) those portions of Development Area B2 located immediately adjacent to Belmont Avenue that are necessary to provide one-half of the right of way required for the local office/commercial wide street section as measured from the existing centerline of Belmont Avenue and based upon a symmetrical widening.
 - (ii) Install new curb and gutter in the location required for the local office/commercial wide street section.
21. Petitioner has obtained an off-site parking agreement with Norfolk Southern for the I-2 property.
 22. Labeled the site to reflect Development Areas A, B1, B2 and C.
 23. Amended Notes 2G under Optional Provisions and 4B under Development Limitations to specify the maximum height of the existing smokestack on the Mill Building as 165 feet.
 24. Amended Note 1G under General Provisions to define "redevelopment."
 25. Staff rescinded the request to provide a time frame for redevelopment of Development Areas A, B and C as the petitioner indicates there is not a time frame at this point in the process.
 26. Petitioner is working to coordinate curb line and path construction into Charlotte Storm Water Project. However, if coordination cannot be accomplished, petitioner will be required to construct element, as specified under streetscape improvements for North Brevard Street and shown on the site plan, with development construction. This resolves CDOT's outstanding issue.
 27. Amended Note 2B under Optional Provisions to specify "until such time that Development Area B2 is redeveloped."
 28. Amended Note 2G under Optional Provisions as follows: "The maximum height of the Mill building located on Development Area A, and any additions thereto, shall be 50 feet as measured from the average grade at the base of the Mill building, excluding the existing smokestack on Development Area A."
 29. Amended Note 2N under Optional Provisions to state that the existing buildings located on Development Areas B1 and B2 shall not be required to meet the urban design standards set out in Sections 9.1209(1), (2), (3) and (4) of the ordinance.
 30. Added Note 2R as under Optional Provisions follows: "Upon the redevelopment of Area B1 the minimum setback on Development Area B1 from North Brevard Street shall not be required to meet the 30-foot setback per the standards of Section 9.1208(1)(a)(1) of the Ordinance required because of the adjacent R-8 zoning next to portions of the site, and the minimum setback from North Brevard Street shall be 20 feet from the back of the future curb along North Brevard Street."
 31. Added Note 2S under Optional Provisions as follows: "Upon the Redevelopment of Development Area B2, the minimum setback on Development Area B2 from Belmont Avenue shall not be required to meet the 30-foot setback per the standards of Section 9.1208(1)(a)(1) of the Ordinance required because of the adjacent R-8 zoning next to portions of the site, and the minimum setback from Belmont Avenue shall be 16 feet from the back of the future curb along Belmont Avenue."
 32. Added Note 2V under Optional Provisions as follows: "The existing power poles located along Development Area C's frontage on East 16th Street may remain in place but may not be located in a public sidewalk."
 33. Added Note 2W under Optional Provisions as follows: "In addition to all signs permitted under the Ordinance, the following signage

shall be permitted on the Site:

- a. Walls signs may be installed on each wall of a building located on the Site, and the maximum sign surface area of all wall signs on one single wall of a building shall be 120 square feet.
 - b. Ground mounted or monument signs with a maximum sign surface area of 32 square feet per side.
 - c. A development sign over a covered awning may be installed on the eastern side of the Mill Building facing East 16th Street. The maximum sign surface area of this sign shall be 24 square feet.
 - d. A development sign may be installed on two sides of the existing smokestack located on Development Area A. These signs shall be comprised of painted or raised vertical letters and the maximum sign surface area of each such sign shall be 160 square feet. A light box may be installed at the top of the smokestack at the option of Petitioner.
 - e. The foregoing signs and any other signs allowed under the ordinance may be internally or externally illuminated."
39. Amended Note 3(B) under Permitted Uses to delete reference to temporary surface parking lots. Provided the following language: "The surface parking of vehicles shall be permitted on the site. The surface parking lots located on Development Areas B1 and B2 are considered to be accessory uses to the Mill Building as well as to the existing buildings located on Development Areas B1 and B2. The surface parking lot located on Development Area C is less than one acre in size."
40. Amended Note 4(A) under Development Limitations to add the following: "Any additions to the Mill Building must be located within the building and parking envelope set out on Sheet RZ-1.0 of the rezoning plan."
41. Amended Note 4(C) under Development Limitations as follows: "In addition to any expansion or addition to the Mill Building, a new freestanding building may be constructed on Development Area A in the location generally depicted on the rezoning plan."
42. Amended Note 4(D) under Development Limitations as follows: "The existing building located on Development Area B1 may remain in place and be devoted to uses permitted under this rezoning plan."
43. Added Note 4(E) under Development Limitations as follows: "The existing building located on Development Area B2 may remain in place and be devoted to uses permitted under this rezoning plan."
44. Amended Note 4(F) under Development Limitations as follows: "Subject to Sections F, R and U under Optional Provisions, in the event that Development Area B1 is Redeveloped, the Redevelopment of Development Area B1 shall be in accordance with the requirements of the TOD-M zoning district. The number of buildings allowed on Development Area B1 shall be governed by the Ordinance, provided that all buildings are located within the Building and Parking Envelope set out on Sheet RZ-1.0 of the Rezoning Plan."
45. Added Note 4(G) under Development Limitations as follows: "Subject to Sections F, S and U under Optional Provisions, in the event that Development Area B2 is Redeveloped, the Redevelopment of Development Area B2 shall be in accordance with the requirements of the TOD-M zoning district. The number of buildings allowed on Development Area B2 shall be governed by the Ordinance, provided that all buildings are located within the Building and Parking Envelope set out on Sheet RZ-1.0 of the Rezoning Plan."
46. Added Note 4(H) under Development Limitations as follows: "Subject to Sections F and U under Optional Provisions, in the event that Development Area C is Redeveloped, the Redevelopment of Development Area C shall be in accordance with the requirements of the TOD-M zoning district. The number of buildings allowed on Development Area C shall be governed by the Ordinance, provided that all buildings are located within the Building and Parking Envelope set out on Sheet RZ-1.0 of the Rezoning Plan."

- 47. Amended Note 5(D) under Transportation as follows: "Petitioner shall submit a petition to the City of Charlotte the "City" requesting the abandonment of that portion of North Brevard Street that is generally depicted on the rezoning plan."
- 48. Amended Note 6(A)(5) under Architectural and Design Standards to add the following: "The transition between the building and the sidewalk may include without limitation, grade change, landscaping, outdoor dining or seating, a plaza, a porch and/or a stoop. The type of transition shall be determined by petitioner during the permitting and urban review phase."
- 49. Amended Note 7(C) under Streetscape/Landscaping/Open Space as follows: "The transition between the building and the sidewalk may include, without limitation, grade change, landscaping, outdoor dining or seating, a plaza, a porch and/or a stoop. The type of transition shall be determined by Petitioner during the permitting and urban review phase."
- 50. Added Note 9(A) under Signage as follows: "Subject to the optional provisions set out above, all signs installed on the site shall comply with the requirements of the ordinance."

VOTE

Motion/Second: Wiggins / Majeed
 Yeas: Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins
 Nays: None
 Absent: Dodson
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided an overview of the petition and noted that there are no outstanding issues. A committee member questioned whether the requested optional changes will allow the existing Mill Building to retain its historical character. Staff responded that the optional provisions have been requested to allow the existing building to remain as is.

Another committee member asked if the Mill building is deemed a historic structure and, if not, how will it be ensured that the Mill building will remain. Staff responded that the building is not currently a designated historic structure but the site plan specifies that the existing Highland Park Mill Building No. 1, identified as the Mill Building, in Development Area A, will remain except for those portions of the building that are required to be demolished by the NC State Historic Preservation Office. The petitioner's agent stated that the petitioner is seeking tax credits with the state of NC and will follow-up with the petitioner as to whether a request for historic designation has been submitted to the local historic landmarks commission.

Staff noted that this petition is consistent with the *Blue Line Extension Transit Station Area Plan*.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
 (Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Designates Development Areas A, B1, B2 and C.
- Development Areas allow all uses permitted in the TOD-M (transit oriented development - mixed-use) district.
- Development Area A
 - Preserves the existing Highland Park Mill Building No. 1, identified as the Mill Building, in Development Area A, except for those portions of the building that are required to be demolished by the NC State Historic Preservation Office.
 - Permits alterations to the exterior portions of, and additions or expansions to, the Mill

- Buildings as allowed by the NC State Historic Preservation Office. In addition, a new freestanding building may be constructed on Development Area A in the location generally depicted on the rezoning plan.
- Limits the maximum height of the existing Mill Building in Development Area A to 50 feet, and the maximum height of the existing smokestack on the Mill Building to 165 feet. The smokestack may remain on the Mill Building at the option of the petitioner.
 - Provides a minimum of 195 parking spaces on Development Area A.
 - Commits to off-site parking on abutting tax parcel 083-011-43 to serve development on Development Area A, in the event that the petitioner obtains written permission of the property owner of tax parcel 083-011-43.
 - Development Area B (Subareas B1 and B2)
 - Surface parking lots shall be permitted on the site. Such surface parking lots are considered to be accessory to the Mill Building as well as to the existing buildings located on Development Areas B1 and B2. The surface parking lot located on the westernmost portion of Development Area B1 is less than one acre in size.
 - Future redevelopment of parking lots shall comply with the TOD-M (transit oriented development – mixed-use) district standards.
 - The existing buildings and structures located in Development Area B1 and B2 may remain in place and be devoted to uses permitted under this rezoning plan. The number of buildings allowed on Development Area B1 and B2 shall be governed by the ordinance, provided that all buildings are located within the Building and Parking Envelope set out on sheet RZ-1 of the rezoning plan.
 - Development Area C
 - Allows a surface parking lot that is less than one acre in size.
 - Future redevelopment of parking lots shall comply with the TOD-M (transit oriented development – mixed-use) district.
 - The number of buildings allowed shall be governed by the ordinance, provided that all buildings are located within the Building and Parking Envelope set out on sheet RZ-1 of the rezoning plan.
 - Architectural Standards for Residential Buildings
 - Requires any new residential buildings with ground floor units that face Parkwood Avenue or Belmont Avenue to have entrances that face the street, with up to four ground floor units allowed to share and utilize the same entrance.
 - Requires a primary building entrance for residential units to be provided at the rate of one primary building entrance every 100 feet if ground floor unit individual entrances are not provided on other street.
 - Commits to entrances into any ground floor dwelling residential unit from Parkwood Avenue or Belmont Avenue having a minimum of three architectural features as listed on the site plan.
 - Requires façade variations on residential buildings over 150 feet in length to visually separate the individual units.
 - Architectural Standards for All New Residential, Nonresidential or Mixed Use Buildings
 - Commits to all new buildings having blank walls treated with both horizontal and vertical variations in wall planes.
 - Requires the ground floor of any multi-story building to be architecturally distinct from the upper floors and have more transparency.
 - The ground floor of any parking structure must be wrapped with active uses such as residential, office and/or retail uses.
 - All new buildings and structures located on Parkwood Avenue shall be setback a minimum of 24 feet from the back of curb and shall include a transition from the sidewalk to the building. The transition between the building and the sidewalk may include, without limitation, grade change, landscaping, outdoor dining or seating, a plaza, a porch and/or a stoop. The type of transition shall be determined by the petitioner during the permitting and urban review phase.
 - Transportation and Streetscape
 - Provides site access via Belmont Avenue and East 16th Street.
 - Commits to no vehicular entrances into any parking structure along on Parkwood Avenue.
 - Commits to dedicate any right-of-way for the realignment of East 16th Street or the construction of realigned East 16th Street should East 16th Street be realigned by the City of Charlotte in the future.
 - Allows the petitioner to seek abandonment of a portion of North Brevard Street located interior to the site as depicted on the site plan.
 - Provides a 12-foot wide multi-use path (MUP) within the Development Area A of the site, which may meander, and will provide a pedestrian connection from the MUP to be installed

along the site's frontage on North Brevard Street to the sidewalk to be installed by the city along the site's frontage on Parkwood Avenue. The exact location is to be determined during the permitting process. In locations where the MUP is not located in the right-of-way, the petitioner shall grant to the city a 20-foot wide easement to accommodate the relevant portions of the MUP. The city shall be responsible for maintenance of the MUP. The petitioner shall install the MUP within Development Area A and dedicated and convey the easement prior to issuance of the first certificate of occupancy for Development Area A.

- Parkwood Avenue
 - In lieu of installing the required streetscape on the frontage along Parkwood Avenue (includes frontage on Development Areas B2, A, and C), petitioner shall pay to the city an amount equal to the cost to install such streetscape improvements. Funds shall be paid to the city upon the issuance of the first building permit for Development Area A.
 - Petitioner to pay \$65,000 to the city to be used by the city to install a temporary traffic signal at the intersection of Parkwood Avenue and Belmont Avenue prior to the issuance of the first certificate of occupancy for any structure on the site.
- East 16th Street
 - Provides an eight-foot planting strip and an eight-foot sidewalk along Development Area A's and Development Area C's frontage on East 16th Street.
 - Petitioner commits to dedicate and convey to the City those portions of Development Areas A and B1 located immediately adjacent to North Brevard Street that are necessary to provide one-half of the right-of-way required for the local office/commercial wide street section as measured from the existing centerline of North Brevard Street and based upon a symmetrical widening. All commit to install new curb and gutter in the location required for the local office/commercial wide street section, and install an eight-foot planting strip and a 12-foot wide multi-use path in lieu of a sidewalk.
 - Petitioner shall install a sidewalk against the back of the existing curb along Development Area B2's frontage on Belmont Avenue. The sidewalk width shall be eight feet where feasible, but may be less than eight feet in certain areas. A planting strip shall not be required, which shall be a temporary condition. Upon redevelopment of Development Area B2 the petitioner shall dedicate and convey to the City those portions of Area B2 immediately adjacent to Belmont Avenue necessary to provide one-half of the right of way required for the local office/commercial wide street section. New curb and gutter will be installed as required, along with an eight-foot sidewalk and eight-foot planting strip, both of which may meander to save existing trees.
 - Commits to installing an entry plaza/motor court within Development Area A as specified on the rezoning plan. The entry plaza/motor court located on the east side of the Mill Building shall be extended by the petitioner into the abandoned East 16th Street right-of-way, in the event that East 16th Street is realigned through Development Area C and the right-of-way for the former location of East 16th Street located between Development Area A and the realigned portion of East 16th Street is abandoned and incorporated into Development Area A.
- Belmont Avenue
 - Petitioner shall install a sidewalk against the back of the existing curb along Development Area B2's frontage on Belmont Avenue. The width of this sidewalk shall be eight feet where feasible. However, the width may be less than eight feet in certain areas. Petitioner shall not be required to install a planting strip. This shall be a temporary condition and upon the Redevelopment of Development Area B2, Petitioner shall complete the following along Development Area B2's frontage on Belmont Avenue- prior to the issuance of the first certificate of occupancy for a new structure on Development Area B2:
 - (i) Dedicate and convey to the City (subject to a reservation for any necessary utility easements) those portions of Development Area B2 located immediately adjacent to Belmont Avenue that are necessary to provide one-half of the right of way required for the local office/commercial wide street section as measured from the existing centerline of Belmont Avenue and based upon a symmetrical widening.
 - (ii) Install new curb and gutter in the location required for the local office/commercial wide street section.
- Requests the following optional provisions:
 - Allow surface parking lot and vehicular maneuvering between the permitted uses on Development Area A and the required setbacks.
 - Allow surface parking lot and associated maneuvering areas on Development Area B2,

which may be located between the permitted uses and the required setbacks until such time that Area B2 is redeveloped.

- Allow the surface parking lot on Development Area C to cover the entire width and depth of the development area subject to required setbacks and yards.
- Allow parking areas located on the side of any structures located in Development Area A to cover more than 35% of the total lot width. Allow the temporary parking lots located on the side of any structures located in Development Area B1 and B2 to cover more than 35% of the total lot width until such time as the development areas are redeveloped.
- Existing power poles located along Development Area C's frontage on East 16th Street may remain in place but may not be located in a public sidewalk. Allow uses and proposed development for the site to not meet the minimum parking requirements due to the proximity of the site to a transit station and the unique elements of the site and the proposed development. A minimum of 195 parking spaces will be provided in Development Area A. The minimum number of parking spaces that would be required under the ordinance for Development Area A, in the absence of this optional provision, would be 300 parking spaces.
- Limit the maximum height of the Mill Building to 50 feet, excluding the existing smokestack, which may remain on the Mill Building at the option of the petitioner, and may not exceed 165 feet in height.
- Development in Development Area A shall not be required to meet the minimum residential density and/or the minimum floor area ratio requirements of the TOD-M (transit oriented development - mixed-use) district.
- Until such time that Development Area B1, Development Area B2, and Development Area C is redeveloped, the development areas shall not be required to meet the minimum residential density and/or the minimum floor area ratio requirements of the TOD-M (transit oriented development - mixed-use) district.
- The Mill Building, alterations to the exterior portions of the Mill Building, any additions to the Mill Building and any new buildings constructed on Development Area A shall not be required to meet the urban design standards set out in Section 9.1209(1), (2), (3) and (4) of the ordinance.
- Existing buildings located in Development Areas B1 and B2 shall not be required to meet the urban design standards set forth in Sections 9.1209 (1-4) pertaining to street walls, base of high rise building, top of buildings and building entrances and orientation.
- The existing Mill Building located on Development Area A shall not be required to meet minimum setback requirements from North Brevard Street, Parkwood Avenue or East 16th Street, provided that the Mill Building may not be located in the public right-of-way.
- The existing building located on Development Area B1 shall not be required to meet the minimum setback requirements of Section 9.1208(1)(a), provided the existing building must be setback a minimum of 20 feet from the back of the future curb along North Brevard Street.
- The existing building located on Development Area B2 shall not be required to meet the minimum setback requirements of Section 9.1208(1)(a), provided that the existing building must be setback a minimum of seven feet from the back of the existing curb along Belmont Avenue.
- Upon redevelopment of Development Area B1 the minimum setback on Development Area B1 from North Brevard Street shall not be required to meet the 30-foot setback per the standards of Section 9.1208(1)(a)(1) of the ordinance required because of the adjacent R-8 zoning next to portions of the site, and the minimum setback from North Brevard Street shall be 20 feet from the back of the future curb.
- Upon redevelopment of Development Area B2 the minimum setback on Development Area B2 from Belmont Avenue shall not be required to meet the standards of Section 9.1208(1)(a)(1) of the ordinance and the minimum setback from Belmont Avenue shall be 16 feet from the back of the future curb.
- A 10-foot buffer required per Section 9.1208(9) along the western boundary line of Development Area B2 shall not be required but shall be provided when Development Area B2 is redeveloped if a buffer is required under the ordinance at the time that Development Area B2 is redeveloped.
- Planting strips and sidewalks shall be permitted as described under Streetscape/Landscaping/Open Space.
- Wall signs may be installed on each wall of a building located on the site and the maximum sign face area of all wall signs on one single wall of a building shall be 120 square feet.
- Allow ground mounted or monument signs with a maximum sign surface area of 32 square feet per side.
- Allow a development sign to be installed on two sides of the existing smokestack located on

Development Area A, with a maximum sign surface area of each such sign limited to 160 square feet. A light box may be installed at the top of the smokestack at the option of the petitioner. All signs may be internally or externally illuminated.

- **Public Plans and Policies**

- The *Blue Line Extension Transit Station Area Plan* (2013) recommends office, retail, and/or industrial-warehouse-distribution uses for the area between North Brevard Street and the rail line.
- The plan recommends transit supportive development for the portion of the site between Parkwood Avenue and North Brevard Street.
- The petition supports the *General Development Policies-Environment* by redeveloping an existing site in a developed area, thereby minimizing further environmental impacts while accommodating growth.

- **TRANSPORTATION CONSIDERATIONS**

- CDOT, Planning, and Charlotte Storm Water have worked closely with the petitioner to determine the necessary coordination of transportation, streetscape and multi-use path needs to improve the site plan proposal for pedestrians, bicyclists and vehicles. All the outstanding transportation issues have been addressed but CDOT has not received confirmation from the Storm Water project manager of the North Brevard Street multiuse path concept at the site's proposed access driveway #1. Should the path and associated street work not be incorporated into the Storm Water project, the petitioner is aware that separate construction of the street and multiuse path as agreed is still a condition of this rezoning.
- **Vehicle Trip Generation:**
Current Zoning: Trip generation cannot be determined due to the variety of permitted land uses.
Proposed Zoning: Trip generation cannot be determined due to the variety of permitted land uses.

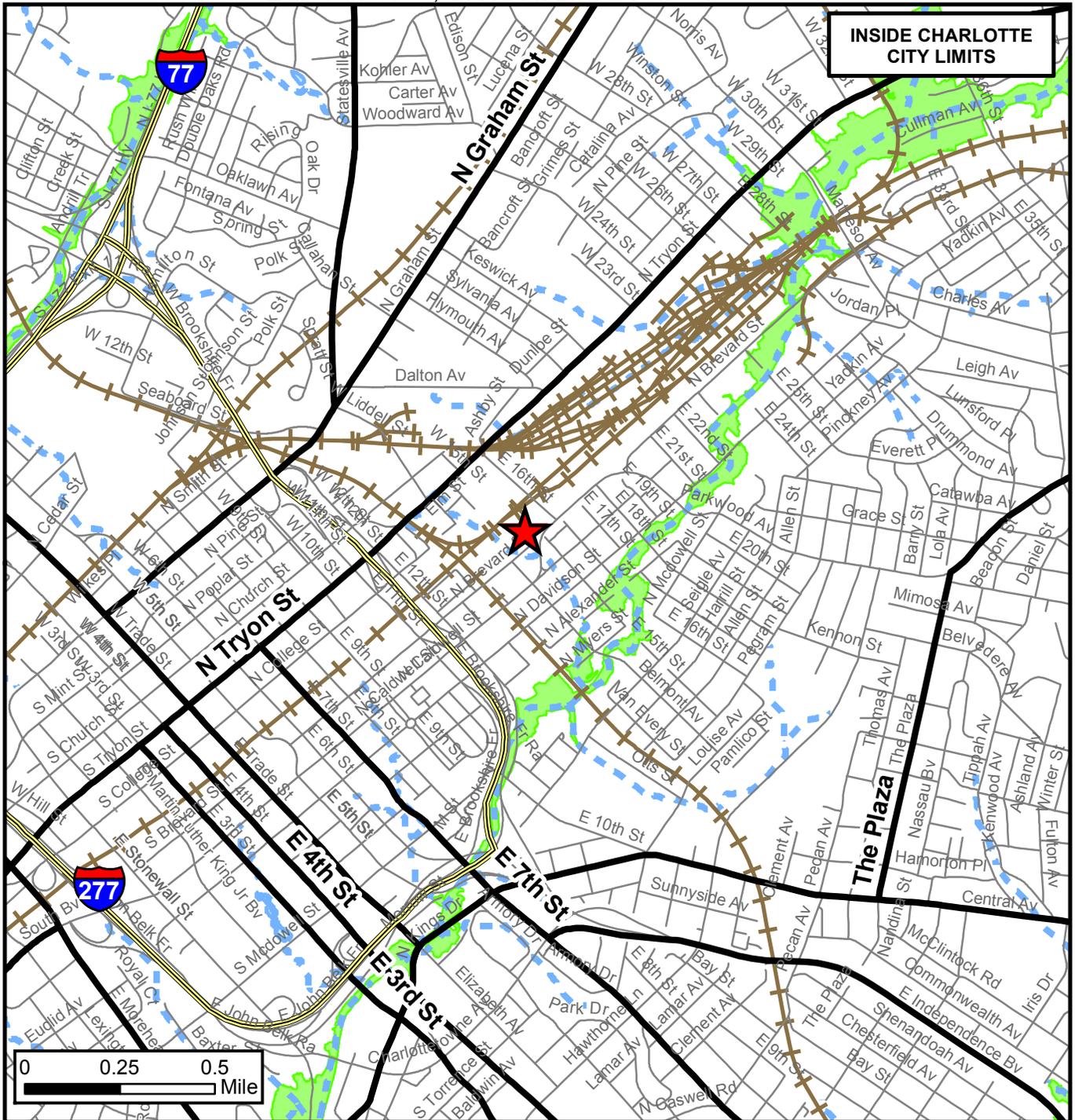
DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Advisory comments received.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

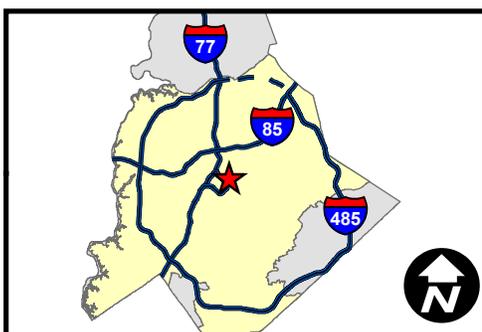
Attachments Online at www.rezoning.org

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

Approximately 11.85 acres located on the east and west side of North Brevard Street
Acreage & Location : Street and generally surrounded by Parkwood Avenue, Belmont Avenue, East 16th Street, and North Brevard Street.



INSIDE CHARLOTTE CITY LIMITS



★ Rezoning Petition: 2016-029

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

Petition #: **2016-029**

Petitioner: **White Point Paces Properties, LLC**

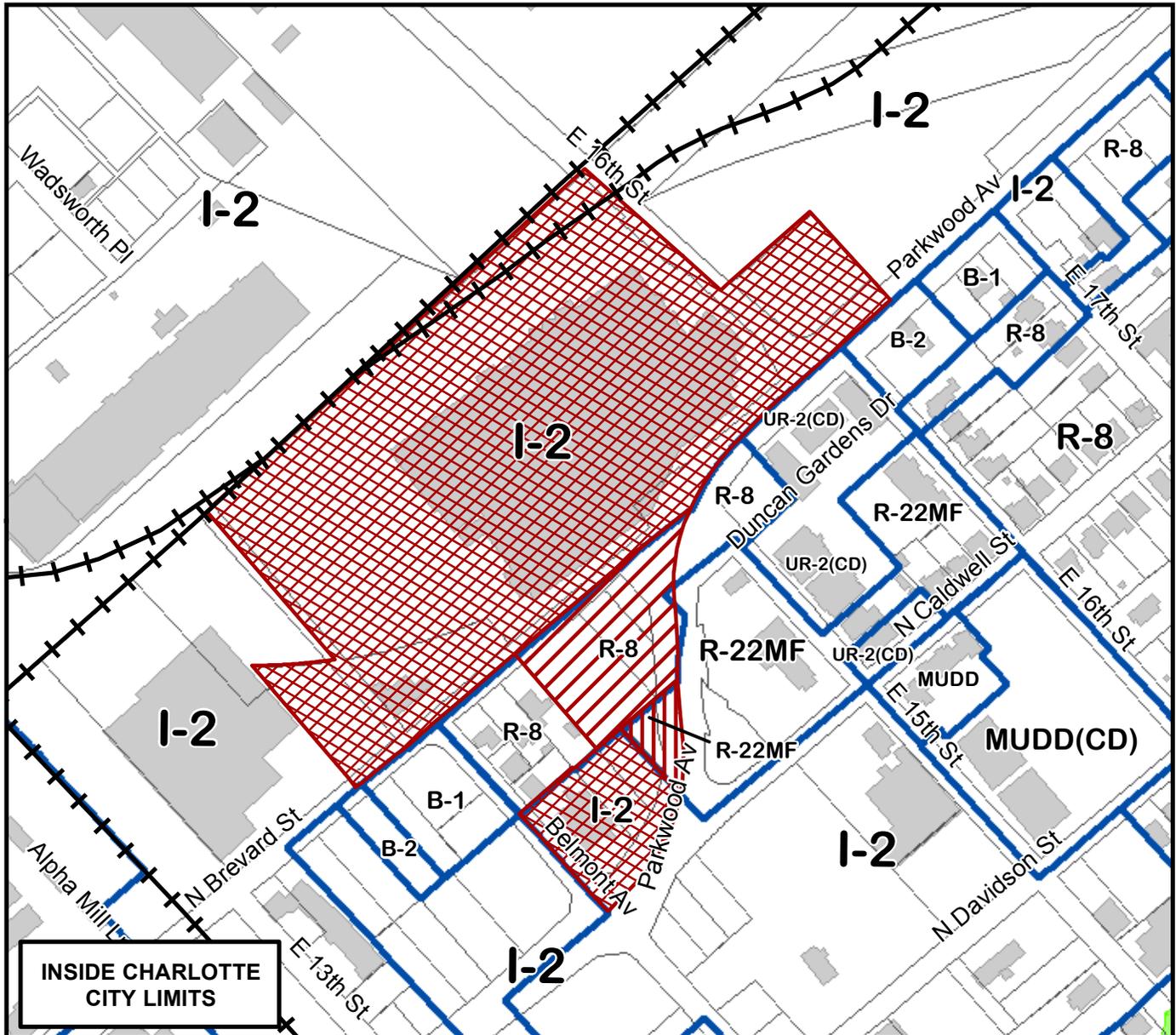
Zoning Classification (Existing): **I-2, R-8, & R-22MF**

(General Industrial; Single Family, Residential and Multi-Family, Residential)

Zoning Classification (Requested): **TOD-MO 5-Year Vested Rights**

(Transit Oriented Development, Mixed Use, Optional, Five Year Vested Rights)

Acreage & Location: Approximately 11.85 acres located on the east and west side of North Brevard Street and generally surrounded by Parkwood Avenue, Belmont Avenue, East 16th Street, and North Brevard Street.



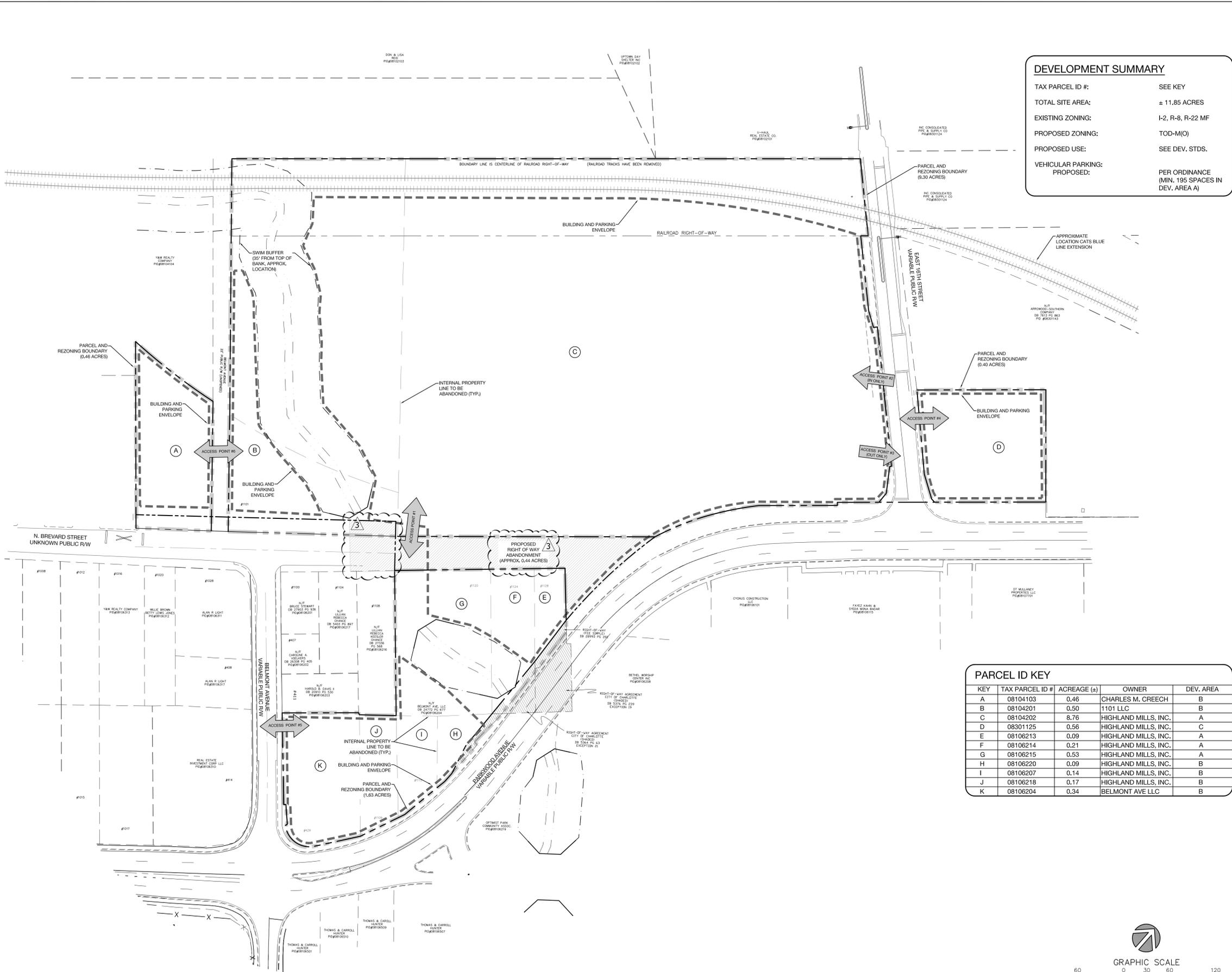
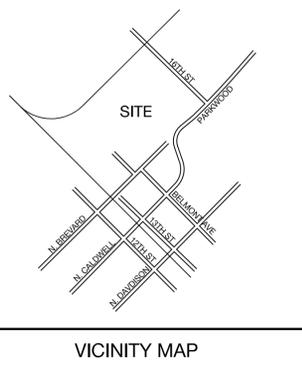
Map Produced by the Charlotte-Mecklenburg Planning Department, 3-8-2016.



Zoning Map #(s)

88, 102

-  Requested TOD-MO 5-Year Vested Rights from R-8
-  Requested TOD-MO 5-Year Vested Rights from R-22MF
-  Requested TOD-MO 5-Year Vested Rights from I-2
-  Existing Building Footprints
-  Existing Zoning Boundaries
-  Charlotte City Limits
-  Pedestrian Overlay
-  FEMA flood plain
-  Watershed
-  Lakes and Ponds
-  Creeks and Streams
-  Historic District

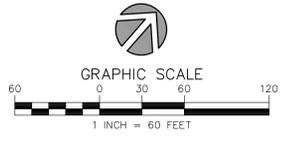


DEVELOPMENT SUMMARY

TAX PARCEL ID #:	SEE KEY
TOTAL SITE AREA:	± 11.85 ACRES
EXISTING ZONING:	I-2, R-8, R-22 MF
PROPOSED ZONING:	TOD-M(O)
PROPOSED USE:	SEE DEV. STDS.
VEHICULAR PARKING: PROPOSED:	PER ORDINANCE (MIN. 195 SPACES IN DEV. AREA A)

PARCEL ID KEY

KEY	TAX PARCEL ID #	ACREAGE (±)	OWNER	DEV. AREA
A	08104103	0.46	CHARLES M. CREECH	B
B	08104201	0.50	1101 LLC	B
C	08104202	8.76	HIGHLAND MILLS, INC.	A
D	08301125	0.56	HIGHLAND MILLS, INC.	C
E	08106213	0.09	HIGHLAND MILLS, INC.	A
F	08106214	0.21	HIGHLAND MILLS, INC.	A
G	08106215	0.53	HIGHLAND MILLS, INC.	A
H	08106220	0.09	HIGHLAND MILLS, INC.	B
I	08106207	0.14	HIGHLAND MILLS, INC.	B
J	08106218	0.17	HIGHLAND MILLS, INC.	B
K	08106204	0.34	BELMONT AVE LLC	B



PERKINS+WILL

White Point Paces Partners LLC
Two Morrocroft Centre
4064 Colony Road, Suite 430
Charlotte, NC 28211

HIGHLAND PARK MILL

Technical Data Sheet
Charlotte, NC

NO.	DATE:	BY:	REVISIONS:
1	2.19.16	UDP	PER STAFF COMMENTS
2	4.21.16	UDP	PER STAFF COMMENTS
3	5.09.16	UDP	PER STAFF COMMENTS

Project No: 15-077
Date: 11.23.2015
Designed by: udp
Drawn by: udp
Scale: 1"=60'
Sheet No:

REZONING PETITION #2016-029

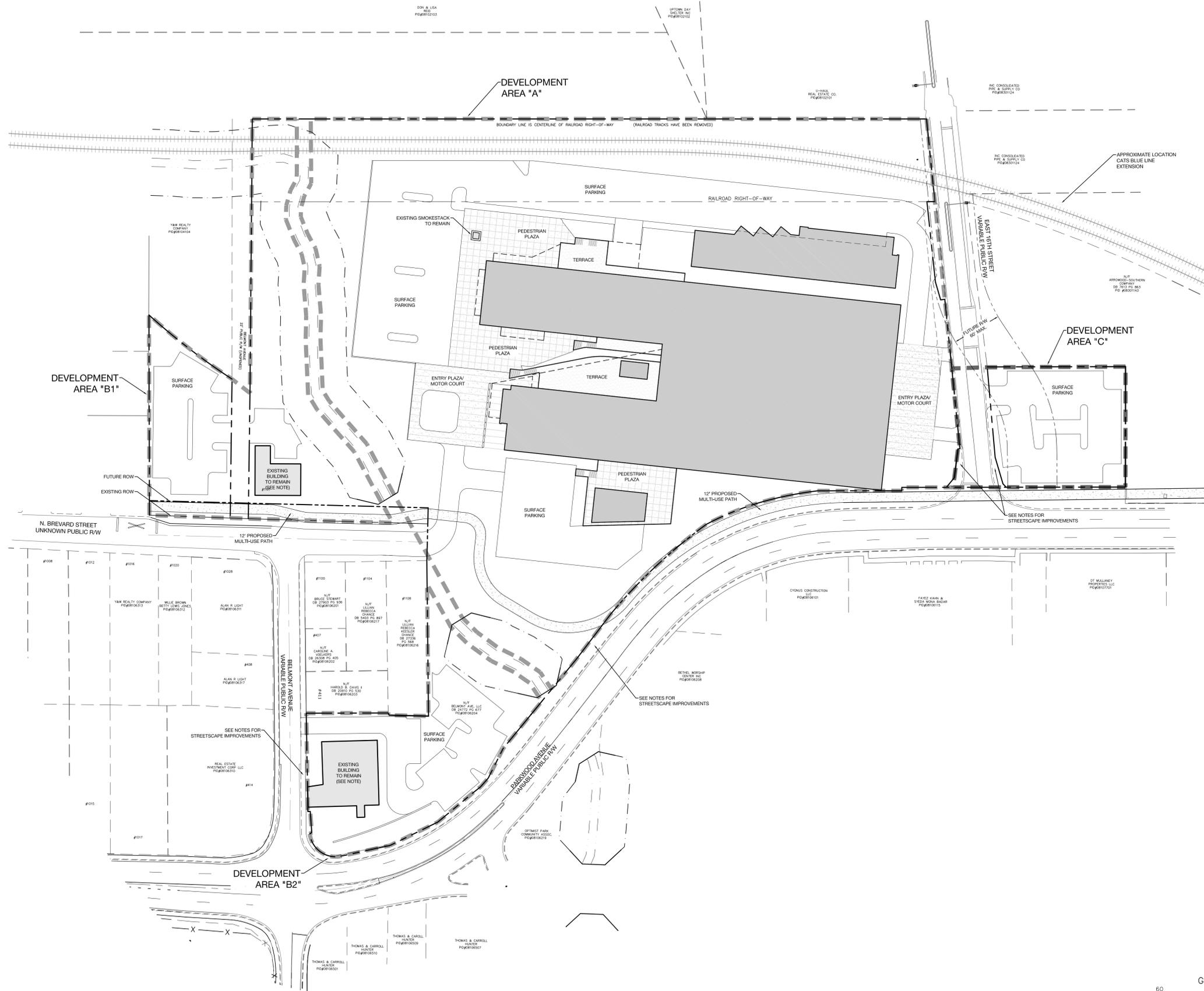
RZ-1.0



URBAN
DESIGN
PARTNERS

1318-W Central Ave., # 704.334.3303
Charlotte, NC 28205 / 704.334.3305
urbandesignpartners.com

PERKINS+WILL



White Point Paces
Partners LLC

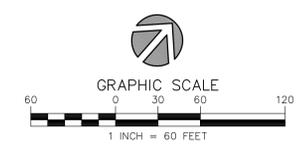
Two Morrocroft Centre
4064 Colony Road, Suite 430
Charlotte, NC 28211

HIGHLAND PARK MILL

Rezoning Site Plan
Charlotte, NC

NO.	DATE	BY	REVISIONS
1	2.19.16	UDP	PER STAFF COMMENTS
2	4.21.16	UDP	PER STAFF COMMENTS
3	5.09.16	UDP	PER STAFF COMMENTS

Project No: 15-077
Date: 11.23.2015
Designed by: udp
Drawn by: udp
Scale: 1"=60'
Sheet No:



REZONING PETITION #2016-029

RZ-2.0

DEVELOPMENT STANDARDS

1. GENERAL PROVISIONS

- A. These Development Standards form a part of the Rezoning Plan (comprised of the Technical Data Sheet, the Rezoning Site Plan and Development Standards) associated with the Rezoning Petition filed by White Point Paces Properties, LLC (the "Petitioner") for an approximately 11.85 acre site located on the north and south sides of North Brevard Street at the intersection of North Brevard Street and Belmont Avenue, which site is more particularly depicted on the Rezoning Plan (hereinafter referred to as the "Site"). The Site is comprised of these parcels of land designated as Tax Parcel Nos. 083-011-25, 081-042-02, 081-062-13, 081-062-14, 081-062-15, 081-062-20, 081-062-07, 081-062-18, 081-041-03, 081-042-01 and 081-062-04.
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 TOD-M zoning district shall govern the development and use of the Site.
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 the 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. For entitlement purposes, the Site is divided into separate development areas that are designated as Development Area A, Development Area B and Development Area C on the Rezoning Plan. Development Area B is further divided into two separate subareas designated as Development Area B1 and Development Area B2 on the Rezoning Plan. Any reference herein to the Site shall include Development Area A, Development Area B and Development Area C unless otherwise noted. Any reference herein to Development Area B shall include Development Area B1 and Development Area B2 unless otherwise noted.
F. The Highland Park Mill No. 1 Building (the "Mill Building") is located on Development Area A and is generally depicted on the Rezoning Plan.
G. For all purposes herein, the terms "Redeveloped" or "Redevelopment" shall mean the demolition of an existing building and/or the construction of a new building on the relevant portion of the Site. "Building" shall be defined as provided under the Ordinance. For all purposes herein, "Redeveloped" or "Redevelopment" shall not include the construction and installation of a surface parking lot, planting strips, sidewalks and related improvements on the Site.
H. 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 boundaries of the Site.
I. 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.
J. 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.

2. OPTIONAL PROVISIONS

The optional provisions set out below shall apply to the development of the Site.

- A. Surface parking and vehicular maneuvering areas shall be permitted between the permitted uses on Development Area A and the required setbacks.
B. The surface parking lot and associated maneuvering areas to be constructed on Development Area B2 may be located between the permitted uses located on Development Area B2 and the required setbacks until such time that Development Area B2 is Redeveloped.
C. The surface parking lot located on Development Area C may cover the entire width and depth of Development Area C subject to required setbacks and yards.
D. Parking areas that are located to the sides of any structures located on Development Area A may cover more than 35% of the total lot width as generally depicted on the Rezoning Plan.
E. Until such time that Development Areas B1 and B2 are Redeveloped, the surface parking lots that are located to the sides of any structures located on Development Areas B1 and B2 may cover more than 35% of the total lot width as generally depicted on the Rezoning Plan.
F. The uses and development proposed for the Site pursuant to this Rezoning Petition shall not be required to meet the minimum and/or the maximum parking requirements of the Ordinance due to the proximity of the Site to a transit station and the unique elements of the Site and the proposed development. Notwithstanding the foregoing, the number of parking spaces set out below under Transportation will be provided on Development Area A. The minimum amount of parking spaces that would be required under the Ordinance for Development Area A in the absence of this optional provision would be 300 parking spaces.
G. The maximum height of the Mill Building located on Development Area A, and any additions thereto, shall be 50 feet as measured from the average grade at the base of the Mill Building, excluding the existing smokestack on Development Area A. The existing smokestack may remain at the option of Petitioner, and the maximum height of the existing smokestack shall be 165 feet as measured from the average grade at the base of the smokestack.
H. The development located on Development Area A shall not be required to meet the minimum residential density and/or the minimum floor area ratio requirements of the TOD-M zoning district.
I. Until such time that Development Area B1 is Redeveloped, Development Area B1 shall not be required to meet the minimum residential density and/or the minimum floor area ratio requirements of the TOD-M zoning district.
J. Until such time that Development Area B2 is Redeveloped, Development Area B2 shall not be required to meet the minimum residential density and/or the minimum floor area ratio requirements of the TOD-M zoning district.
K. Until such time that Development Area C is Redeveloped, Development Area C shall not be required to meet the minimum residential density and/or the minimum floor area ratio requirements of the TOD-M zoning district.
L. The Mill Building shall not be required to meet the urban design standards set out in Sections 9.1209(1), (2), (3) and (4) of the Ordinance. Alterations to the exterior portions of the Mill Building shall not be required to meet the urban design standards set out in Sections 9.1209(1), (2), (3) and (4) of the Ordinance.
M. Any additions to the Mill Building and any new buildings constructed on Development Area A shall not be required to meet the urban design standards set out in Sections 9.1209(1)(g), (f) and (i) of the Ordinance.
N. The existing buildings located on Development Areas B1 and B2 shall not be required to meet the urban design standards set out in Sections 9.1209(1), (2), (3) and (4) of the Ordinance.
O. The Mill Building located on Development Area A shall not be required to meet any minimum setback requirement from North Brevard Street, Parkwood Avenue or East 16th Street, provided, however, that the Mill Building may not be located in public right of way.
P. The existing building located on Development Area B1 shall not be required to meet the minimum setback requirements of Section 9.1208(1)(a) of the Ordinance, provided, however, that the existing building must be setback a minimum of 20 feet from the back of the future curb along North Brevard Street.
Q. The existing building located on Development Area B2 shall not be required to meet the minimum setback requirements of Section 9.1208(1)(a) of the Ordinance, provided, however, that the existing building must be setback a minimum of 7 feet from the back of the existing curb along Belmont Avenue.
R. Upon the Redevelopment of Development Area B1, the minimum setback on Development Area B1 from North Brevard Street shall not be required to meet the standards of Section 9.1208(1)(a)(1) of the Ordinance, and the minimum setback from North Brevard Street shall be 20 feet from the back of the future curb along North Brevard Street.
S. Upon the Redevelopment of Development Area B2, the minimum setback on Development Area B2 from Belmont Avenue shall not be required to meet the standards of Section 9.1208(1)(a)(1) of the Ordinance, and the minimum setback from Belmont Avenue shall be 16 feet from the back of the future curb along Belmont Avenue.
T. A 10 foot buffer along the western boundary line of Development Area B2 under Section 9.1208(9) of the Ordinance shall not be required. However, a 10 foot buffer along the western boundary line of Development Area B2 shall be provided when Development Area B2 is Redeveloped if a buffer is required under the Ordinance at the time that Development Area B2 is Redeveloped.
U. The streetscape improvements along the Site's public street frontages described below under Streetscape/Landscaping/Open Space, which improvements include planting strips and sidewalks, shall be permitted.
V. The existing power poles located along Development Area C's frontage on East 16th Street may remain in place, however, the power poles may not be located in a public sidewalk.
W. In addition to all signs permitted under the Ordinance, the following signage shall be permitted on the Site:

- (1) Walls signs may be installed on each wall of a building located on the Site, and the maximum sign surface area of all wall signs on one single wall of a building shall be 120 square feet.
(2) Ground mounted or monument signs with a maximum sign surface area of 32 square feet per side.
(3) A development sign over a covered awning may be installed on the eastern side of the Mill Building facing East 16th Street. The maximum sign surface area of this sign shall be 24 square feet.
(4) A development sign may be installed on two sides of the existing smokestack located on Development Area A. These signs shall be comprised of painted or raised vertical letters and the maximum sign surface area of each such sign shall be 160 square feet. A light box may be installed at the top of the smokestack at the option of Petitioner.
(5) The foregoing signs and any other signs allowed under the Ordinance may be internally or externally illuminated.

3. PERMITTED USES

- A. The Site may be devoted to any use or uses allowed by right or under prescribed conditions in the TOD-M zoning district (including any combination of such uses), together with any incidental or accessory uses associated therewith that are permitted under the Ordinance in the TOD-M zoning district.
B. The surface parking of vehicles shall be permitted on the Site. The surface parking lots located on Development Areas B1 and B2 are considered to be accessory uses to the Mill Building as well as to the existing buildings located on Development Areas B1 and B2. The surface parking lot located on Development Area C and the surface parking lot located on the westernmost portion of Development Area B1 are less than one acre in size.
4. DEVELOPMENT LIMITATIONS
A. The Mill Building shall be preserved except for those portions of the Mill Building that are required to be demolished by the North Carolina State Historic Preservation Office. Alterations to the exterior portions of the Mill Building and additions to or expansions of the Mill Building shall be permitted as allowed by the North Carolina State Historic Preservation Office or any other applicable regulating agency. Any additions to the Mill Building must be located within the Building and Parking Envelope set out on Sheet RZ-1.0 of the Rezoning Plan.
B. The maximum height of the Mill Building located on Development Area A, and any addition thereto, shall be 50 feet as measured from the average grade at the base of the Mill Building, excluding the existing smokestack on Development Area A. The existing smokestack may remain at the option of Petitioner, and the maximum height of the existing smokestack shall be 165 feet as measured from the average grade at the base of the smokestack.
C. In addition to any expansion or addition to the Mill Building, a new freestanding building may be constructed on Development Area A in the location generally depicted on the Rezoning Plan.
D. The existing building located on Development Area B1 may remain in place and be devoted to uses permitted under this Rezoning Plan.
E. The existing building located on Development Area B2 may remain in place and be devoted to uses permitted under this Rezoning Plan.
F. Subject to Sections F, R and U under Optional Provisions, in the event that Development Area B1 is Redeveloped, the Redevelopment of Development Area B1 shall be in accordance with the requirements of the TOD-M zoning district. The number of buildings allowed on Development Area B1 shall be governed by the Ordinance, provided that all buildings are located within the Building and Parking Envelope set out on Sheet RZ-1.0 of the Rezoning Plan.
G. Subject to Sections F, S and U under Optional Provisions, in the event that Development Area B2 is Redeveloped, the Redevelopment of Development Area B2 shall be in accordance with the requirements of the TOD-M zoning district. The number of buildings allowed on Development Area B2 shall be governed by the Ordinance, provided that all buildings are located within the Building and Parking Envelope set out on Sheet RZ-1.0 of the Rezoning Plan.
H. Subject to Sections F and U under Optional Provisions, in the event that Development Area C is Redeveloped, the Redevelopment of Development Area C shall be in accordance with the requirements of the TOD-M zoning district. The number of buildings allowed on Development Area C shall be governed by the Ordinance, provided that all buildings are located within the Building and Parking Envelope set out on Sheet RZ-1.0 of the Rezoning Plan.

5. 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 ("CDOT") and/or the North Carolina Department of Transportation ("NCDOT").
B. The alignment of the internal vehicular circulation areas and the driveways may be modified by Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by CDOT and/or NCDOT in accordance with applicable published standards.
C. A minimum of 195 vehicular parking spaces shall be provided on Development Area A.
D. Petitioner shall submit a Petition to the City of Charlotte (the "City") requesting the abandonment of that portion of North Brevard Street that is generally depicted on the Rezoning Plan.
E. The development located on Development Area A may use Tax Parcel No. 083-011-43 for off-site vehicular parking in the event that Petitioner obtains the written permission of the owner of Tax Parcel No. 083-011-43.
F. Petitioner acknowledges that the City may, at its sole cost and expense, realign East 16th Street in the future through a portion of Development Area C as generally depicted on the Rezoning Plan. The exact alignment and location of realigned East 16th Street within Development Area C shall be determined by CDOT. Petitioner shall reserve the required right of way within Development Area C for the realignment of East 16th Street, and Petitioner shall dedicate and convey the same to the City upon the request of the City. Notwithstanding the foregoing, in no event shall Petitioner be required to dedicate and convey the right of way within Development Area C for the realignment of East 16th Street prior to the issuance of a building permit for Development Area A. Until such time that the right of way for realigned East 16th Street is dedicated and conveyed to the City, Petitioner may utilize that portion of Development Area C to be dedicated and conveyed to the City for surface parking.
G. Prior to the issuance of the first certificate of occupancy for any structure located on the Site, Petitioner shall pay the sum sixty-five thousand dollars (\$65,000.00) to the City to be used by the City to install a temporary traffic signal at the intersection of Parkwood Avenue and Belmont Avenue. This payment shall be Petitioner's only obligation with respect to any transportation improvements other than the streetscape improvements described below.
H. Upon the request of the City but in no event prior to the issuance of the first building permit for Development Area A, Petitioner shall dedicate and convey to the City (subject to a reservation for any necessary utility easements) those portions of the Site located immediately adjacent to Parkwood Avenue for right of way and easements required for the City's Parkwood NECI project, which right of way and easements are more particularly depicted on the City's concept plan. Petitioner acknowledges that the exact locations of the right of way and easements shall be determined by the City at a later date. Petitioner and the City will work cooperatively to effect the development of the Site and the City's Parkwood NECI project, and the City confirms that the dedication of the right of way and easements for the City's Parkwood NECI project will not adversely impact or prohibit the preservation and re-use of the Mill Building and/or the development contemplated on the Site under this Rezoning Plan.

6. ARCHITECTURAL AND DESIGN STANDARDS

- A. The architectural and design standards set out below shall apply to new buildings developed on Development Area B and Development Area C.
(1) Any new residential buildings shall meet the following standards:
(a) Ground floor units that face Parkwood Avenue or Belmont Avenue shall have entrances that face such street. No more than four ground floor units shall be allowed to share and utilize the same entrance.
(b) If ground floor unit individual entrances are not provided on other streets, a primary building entrance shall be provided at the rate of one primary building entrance every 100 feet.
(c) The entrances into any ground floor dwelling units from Parkwood Avenue or Belmont Avenue shall be located above the grade of the adjacent sidewalk located along Parkwood Avenue or Belmont Avenue, and the entrances shall be located an average of 18 inches above average grade, which means that some of such entrances may be located greater than 18 inches above average grade, and some of such entrances may be located less than 18 inches above average grade. Each entrance shall include a minimum of three of the following:
(i) decorative pedestrian lighting/sconces;
(ii) architectural details carried through to upper stories;
(iii) covered porches, canopies, awnings or sunshades;
(iv) archways;
(v) transom windows;
(vi) terraced or raised planters that can be utilized as seat walls;
(vii) common outdoor seating enhanced with specialty details, paving, landscaping or water features;
(viii) double doors (entrances should have an appearance of a front entry rather than a back patio design); and
(ix) stoops or stairs.
(d) Any building that is over 150 feet in length shall provide facade variations that visually separate the individual units. These variations may be accomplished through the arrangement and placement of windows, variations in the sizes of the windows, the entrances into the building, roof variation, variations in exterior building materials and/or offset wall planes.
(2) All new buildings, whether residential, non-residential or mixed use, shall meet the following standards:
(a) Blank walls shall be treated with both horizontal and vertical variations in wall planes.
(b) The ground floor of any multi-story building shall have a floor to floor height that is greater than the floor to floor heights of the upper floors of such building, and the ground floor shall be architecturally distinct from the upper floors and have more transparency.
(3) The ground floor of any parking structures shall be wrapped with active uses such as residential, office and/or retail uses.
(4) No vehicular entrances into any parking structure shall be located on Parkwood Avenue.
(5) All new buildings and structures that are located on Parkwood Avenue shall be setback a minimum of 24 feet from the back of curb and shall include a transition from the sidewalk to the building. The transition between the building and the sidewalk may include, without limitation, grade change, landscaping, outdoor dining or seating, a plaza, a porch and/or a stoop. The type of transition shall be determined by Petitioner during the permitting and urban review phase.
B. The following design guidelines shall apply to the Site:
(1) All roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.
(2) 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 the Site.

- C. The existing buildings located on Development Area B1 and Development Area B2 may remain in place, or they may be demolished at the option of Petitioner.
7. STREETScape/LANDSCAPING/OPEN SPACE
A. Subject to the optional provisions set out above and except as provided below, the Site will comply with the TOD-M standards with respect to the streetscape along the Site's frontage on public streets.
B. The development of the Site shall comply with the applicable landscaping and screening requirements of the Ordinance.
C. Petitioner shall install a 12 foot wide multi-use path (the "MUP") within Development Area A that will provide a pedestrian connection from the MUP to be installed along the Site's frontage on North Brevard Street to the sidewalk to be installed by the City along the Site's frontage on Parkwood Avenue. The MUP may meander within Development Area A provided that the required pedestrian connectivity is provided. The exact location of the MUP within Development Area A and the terminus point of the MUP on Parkwood Avenue shall be determined during the permitting process. In those locations where the MUP is not located within right-of-way, Petitioner shall grant to the City a 20 foot wide easement to accommodate the relevant portions of the MUP. The City shall be responsible for the maintenance of the MUP. Petitioner shall install the MUP within Development Area A and dedicate and convey the 20 foot wide easement to the City prior to the issuance of the first certificate of occupancy for Development Area A.
D. Streetscape Improvements shall be installed along the Site's public street frontages as described below.

- (1) East 16th Street
(a) Petitioner shall install an 8 foot wide planting strip from the back of the existing curb and an 8 foot wide sidewalk along Development Area A's frontage on East 16th Street.
(b) Petitioner shall install an 8 foot wide planting strip from the back of the existing curb and an 8 foot wide sidewalk along Development Area C's frontage on East 16th Street. As provided above under Optional Provisions, the existing power poles located along Development Area C's frontage on East 16th Street may remain in place, however, the power poles may not be located in a public sidewalk.
(2) Parkwood Avenue
(a) In lieu of installing the required streetscape improvements along the Site's frontage on Parkwood Avenue (which frontage includes Development Area B2, Development Area A and Development Area C), Petitioner shall pay to the City an amount equal to the cost to install such streetscape improvements (the "Parkwood Streetscape Funds"). The City shall construct all required streetscape improvements along the Site's frontage on Parkwood Avenue in connection with the City's Parkwood NECI project, and the Parkwood Streetscape Funds shall be applied to the City's cost to construct the Parkwood NECI project. Petitioner shall pay the Parkwood Streetscape Funds to the City upon the issuance of the first building permit for Development Area A. The payment of the Parkwood Streetscape Funds to the City shall satisfy Petitioner's obligations with respect to any and all streetscape improvements along the Site's frontage on Parkwood Avenue, and the issuance of building permits and certificates of occupancy shall not be withheld by the City in the event that the City has not completed such streetscape improvements prior to the issuance of any building permits or certificates of occupancy for the Site.
(3) North Brevard Street
(a) Excluding any portion of North Brevard Street that is abandoned by the City as described above, Petitioner shall complete the following along Development Area A's and Development Area B1's frontage on North Brevard Street prior to the issuance of the first certificate of occupancy for Development Area A:
(i) Dedicate and convey to the City (subject to a reservation for any necessary utility easements) those portions of Development Area A and Development Area B1 located immediately adjacent to North Brevard Street that are necessary to provide one-half of the right of way required for the local office/commercial wide street section as measured from the existing centerline of North Brevard Street and based upon a symmetrical widening.
(ii) Install new curb and gutter in the location required for the local office/commercial wide street section.
(iii) Install an 8 foot wide planting strip and a 12 foot wide multi-use path. The 12 foot wide multi-use path shall be in lieu of a sidewalk.
(4) Belmont Avenue
(a) Petitioner shall install a sidewalk against the back of the existing curb along Development Area B2's frontage on Belmont Avenue. The width of this sidewalk shall be 8 feet where feasible, however, the width may be less than 8 feet in certain areas. Petitioner shall not be required to install a planting strip. This shall be a temporary condition and upon the Redevelopment of Development Area B2, Petitioner shall complete the following along Development Area B2's frontage on Belmont Avenue prior to the issuance of the first certificate of occupancy for a new structure on Development Area B2:
(i) Dedicate and convey to the City (subject to a reservation for any necessary utility easements) those portions of Development Area B2 located immediately adjacent to Belmont Avenue that are necessary to provide one-half of the right of way required for the local office/commercial wide street section as measured from the existing centerline of Belmont Avenue and based upon a symmetrical widening.
(ii) Install new curb and gutter in the location required for the local office/commercial wide street section.
(iii) Install an 8 foot wide planting strip and an 8 foot wide sidewalk.
E. Sidewalks and planting strips can meander to save existing trees.
F. Urban open space will be provided as required by the Ordinance.

- G. Petitioner shall install two curbside, woonerf-style motor courts and pedestrian plazas (hereinafter collectively referred to as the "Entry Plaza/Motor Courts") and individually referred to as an "Entry Plaza/Motor Court") within Development Area A in the general locations designated on the Rezoning Plan. Surfacing materials for the Entry Plaza/Motor Courts may include, without limitation, scored, patterned or decorative concrete, pavers, grasspave or other specialty hardscape. Standard asphalt with typical curb and gutter shall not be allowed. The Entry Plaza/Motor Courts may include seat walls, planters, bollards, benches and other similar features. The precise location of each Entry Plaza/Motor Court and the layout and design of each Entry Plaza/Motor Court will be determined during the construction permitting process and may differ from what is depicted on the Rezoning Plan.
H. In the event that East 16th Street is realigned through Development Area C and the right of way for the former location of East 16th Street that is located between Development Area A and the realigned portion of East 16th Street is abandoned and incorporated into Development Area A (the "Abandoned East 16th Street Right of Way"), the Entry Plaza/Motor Court located on the east side of the Mill Building shall be extended by Petitioner into the Abandoned East 16th Street Right of Way.

8. ENVIRONMENTAL FEATURES

- A. Development of the Site shall comply with the requirements of the City of Charlotte Tree Ordinance.
9. SIGNAGE
A. Subject to the optional provisions set out above, all signs installed on the Site shall comply with the requirements of the Ordinance.
10. LIGHTING
A. All outdoor lighting fixtures for parking lots and pedestrian activity areas shall be classified as full cut-off, cutoff or semi-cutoff. In addition, any building light fixtures used to illuminate parking and pedestrian areas and service areas shall be classified as full cutoff, cutoff or semi-cutoff.
B. No outdoor lighting fixture or building light fixtures shall cause glare on public travel lanes or on adjacent residentially used or zoned property. All fixtures shall be screened in such a way that the light source shall not cast light directly on public travel lanes or on adjacent residentially used or zoned property.
C. The maximum height of any new freestanding lighting fixture installed on the Site, including its base, shall be 25 feet.
D. The lighting of signs shall be in accordance with standards of Chapter 13 of the Ordinance.

11. DEVELOPMENT AGREEMENTS

- A. Petitioner and the City may, at their option, enter into Development Agreements subsequent to the approval of this Rezoning Petition that relate to matters such as storm water improvements, and such Development Agreements may refine and/or alter the parties' respective obligations with respect to streetscape improvements and other matters.
12. 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.



PERKINS+WILL

White Point Paces Partners LLC
Two Morrocroft Centre
4064 Colony Road, Suite 430
Charlotte, NC 28211

HIGHLAND PARK MILL
Development Notes
Charlotte, NC

Table with 4 columns: NO., DATE, BY, REVISIONS. Contains revision history for the document.

Project No: 15-077
Date: 11.23.2015
Designed by: udp
Drawn By: udp
Scale:
Sheet No:

REZONING PETITION #2016-029

RZ-3.0

REQUEST	Current Zoning: B-1 (neighborhood business), and R-22MF (multi-family residential) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 1.37 acres located on the southwest corner at the intersection of East 10th Street and Seigle Avenue. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to allow the redevelopment of a site in the Belmont neighborhood with up to 150,000 square feet of uses including general office, business/retail, eating/drinking/entertainment establishments, breweries, warehousing within an enclosed building for self-storage, and other non-residential uses as permitted in the MUDD (mixed use development) district.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Numerous Pamlico Investments, Inc. Keith MacVean, Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • The Zoning Committee found the majority of this petition to be inconsistent with the <i>Belmont Area Revitalization Plan</i>, and the lot currently zoned B-1 consistent with the <i>Belmont Area Revitalization Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The plan recommends multi-family residential uses up to 22 units per acre, and greenway/open space uses for the majority of the petition; and • The plan recommends retail uses at the corner of 10th Street and Seigle Avenue. • 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: <ul style="list-style-type: none"> • The petitioner has been sensitive to the desires of the neighborhood by providing retail space; and • Uses provided will fulfill the needs of the neighborhood; and • The proposed use will provide a good buffer for the neighbors in the multi-family development across the street from traffic noise, billboards and the cell tower; and • The development will provide space for public art; <p>By a 6-0 vote of the Zoning Committee (motion by Wiggins seconded by Labovitz).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <p>Land Use</p> <ol style="list-style-type: none"> 1. Limited maximum building height to three stories and 45 feet along Seigle Avenue, excluding rooftop activities, and four stories and 60 feet along Stevens Street. 2. Eliminated the optional provision to allow signs to be installed above the third floor and up to 50 feet above ground. 3. Labeled the elevations and clearly depicted what will be constructed, including the portion of the building that will be along Stevens Street and Independence Boulevard. 4. Provided adequate area to accommodate the full width of the Cross Charlotte Trail that will run parallel to Independence
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- Boulevard. In addition, provided building and pedestrian activity along the trail.
5. Reduced maximum square footage from 150,000 square feet to 117,000 square feet. Also limited the square footage devoted to non-self-storage uses to no less than 8,000 square feet of gross floor area and no more than 10,000 square feet of gross floor area, excluding rooftop activities.
 6. Added Optional Request as follows: "For purposes of the development limitations set forth in these development standards, the following items will not be counted as part of the allowed gross floor area (as defined by the ordinance) for the site: surface parking, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the buildings) or at street level."
 7. Added Optional Request as follows: "Outdoor seating does not count towards parking calculations or maximum square footage of allowed uses."
 8. Amended Note 3(a) under Optional Provisions as follows: "Because Stevens Street will not be improved as a vehicular road but rather a pedestrian connection from the Cross Charlotte Trail to 10th Street, the percentage of the ground floor façade along Stevens Street being used for professional business and general offices, retail sales, eating/drinking/and entertainment establishments may be reduced to 0%."
 9. Deleted Note 6(b): "Except as otherwise provided in these development standards, the building will be constructed and operated in accordance with the restriction described in the ordinance."

Design

10. Added Note 6(e) under Architectural Standards as follows: "The buildings will include vertical breaks, belt courses, string courses, molding, ornamentation and/or change in material and pedestrian scale storefront bays every 30 feet to prevent monolithic buildings and maintain a rhythm consistent with surrounding buildings."
11. Added Note 6(f) under Architectural Standards as follows: "The buildings must have a minimum of 70% transparency along the primary frontage where the retail/office establishments are located."
12. Added Note 6(g) under Architectural Standards as follows: "Maximum window sill height is three feet in front of the retail/office establishments."
13. Added Note 6(h) under Architectural Standards as follows: "Retail establishments shall maintain at least one street-facing entrance to a public or private street with doors unlocked during regular business hours."
14. Added Note 6(i) under Architectural Standards as follows: "Height of the retail/office establishments shall be greater than upper floors."
15. Added Note 7(c) under Streetscape and Landscaping as follows: "Parking area behind the building will be screened from the Cross Charlotte Trail by landscaping and a decorative security fence."
16. Added Note 7(d) under Streetscape and Landscaping as follows: "Reverse angle parking shall be located along Seigle Avenue as shown on site plan."
17. Deleted Note under Streetscape and Landscaping as follows: "Streetscape improvements will be generally as depicted on the site plan and will comply with all MUDD standards."
18. Deleted all notes under Parks, Greenway and Open Space.
19. Deleted all notes under Signage.
20. Deleted note under Phasing stating that the project will be developed in a single phase.
21. Provided an eight-foot sidewalk along Stevens Street.
22. Provided a decorative security fence and landscape screening to screen parking from Stevens Street.

- 23. Modified the optional provision regarding ground floor uses along Stevens Street to indicate that panels for art work will be provided along the building edge that abuts Stevens Street.
 - 24. Added note committing to provide no less than 40 linear feet of the ground floor area of the building frontage on Stevens Street with allowed nonresidential uses as called for by the MUDD regulations.
 - 25. Identified the uses allowed on the roof top to allow all uses in the permitted use list except warehousing, and limited the area of the roof that may be used to 15,000 square feet.
 - 26. Identified the streetscape improvement that will be made at the intersection of Seigle Avenue and East 10th Street as a monument sign that will reinforce the intersection of East 10th Street and Seigle Avenue as a gateway into the Belmont community.
 - 27. Added a note indicating that large maturing trees will be installed in the Stevens Street right-of-way every 40 feet.
 - 28. Added a note that a paved amenity area with plantings may be provided along East 10th Street.
- Transportation
- 29. Eliminated the request to abandon Stevens Street right-of-way as it is planned to be used by the Cross Charlotte Trail in the future.
 - 30. CDOT has rescinded the request to eliminate the reverse angle parking along Seigle Avenue and replace it with parallel on-street parking.
 - 31. Deleted Note 5(e) under Transportation, which read "Petitioner will improve pedestrian areas along East 10th Street in conjunction with development of the site per the ordinance and consistent with the Belmont Area Revitalization Plan."
 - 32. Amended Note 5(d) under Transportation to add the following: "Petitioner will improve 10th Street with on-street parallel parking spaces as generally depicted on the site plan and will improve Seigle Street with reverse angle parking spaces as generally depicted on the site plan."
 - 33. Deleted Note 5(g) under Transportation as follows: "Uses which do not have conflicting hours of operation may share parking as allowed by the ordinance."
 - 34. Added Note 5(h) under Transportation as follows: "Petitioner will provide an area within the site that can be used as a B-Cycle station in the future."
 - 35. Added Note 5(i) under Transportation as follows: "Petitioner will construct a pedestrian connection from the Cross Charlotte Trail along the Stevens Street right-of-way and across East 10th Street. Petitioner will provide an adequate area to accommodate the full width of the Cross Charlotte Trail that will run parallel to Independence Boulevard. Connections from the property to the Cross Charlotte Trail will be provided once points of egress from the improvements are established during project design."
- Environment
- 36. Provided a pedestrian connection from tax parcels 080-152-08, 09 and 10 to the Little Sugar Creek Greenway/Cross Charlotte Trail Corridor as called for in the 2014 Greenway Master Plan.

VOTE

Motion/Second: Eschert / Majeed
 Yeas: Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins
 Nays: None
 Absent: Dodson
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided an overview of the petition, noting that the proposed use is inconsistent with the *Belmont Area Revitalization Plan's* recommendation for multi-family uses. In addition, the following items remain outstanding:

1. Delete Note 2(c)(iii) under General Provisions.
2. Delete note on Sheet RZ-1 that reads "The rezoning plan is illustrative in nature and is intended to depict building, parking and circulation relationships."

Staff noted that the majority of this petition to be inconsistent with the *Belmont Area Revitalization Plan*, and the lot currently zoned B-1 consistent with the *Belmont Area Revitalization Plan*.

A Zoning Committee member stated that this is a good project. Another Commission stated they are impressed by the architecture and the plans and that the petitioner is taking a depressed area and developing it with something that is worthwhile. The petitioner spent a great deal of time talking to the people in the Belmont community and this will be a great addition to our city. There were several questions related to the plans for Stevens Street and access to the Cross Charlotte Trail.

A discussion ensued regarding how climate controlled self-storage is regulated and the changes in the self-storage industry due to smaller residential units without storage and lack of garages. It was noted that this issue merits further discussion.

STAFF OPINION

Staff disagrees with the recommendation of the Zoning Committee. While the site is located in an area that is redeveloped with multi-family housing and has a need for retail uses to service the neighborhood, the proposed self-storage as the primary use does not support the transformation anticipated by the area plan. The petition proposes warehousing within an enclosed building along the frontage on Stevens Street and does not provide adequate retail, active uses and activity along this frontage where the Cross Charlotte trail crosses Stevens Street.

FINAL STAFF ANALYSIS (Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 117,000 square feet of retail sales, type 1 and 2 eating/drinking/entertainment establishments, breweries, professional business and general offices, warehousing within an enclosed building for self-storage uses and other non-residential uses as permitted in the MUDD (mixed use development) district.
- Limited the square footage devoted to non-self-storage uses to no less than 8,000 square feet and no more than 10,000 square feet of the gross floor area, excluding rooftop activities. Permitted rooftop uses are limited to all uses in the permitted use list except warehousing, and may not exceed 15,000 square feet.
- Maximum of two buildings to be developed on the site.
- Project to be developed in a single phase.
- Building height limited to three stories and 45 feet along Seigle Avenue, excluding rooftop activities, and four stories and 60 feet along Stevens Street.
- Building materials to be a combination of portions of brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EIFS, wood, architectural concrete, decorative metal panels, decorative block and/or wood. Vinyl as a building material may only be used on windows, soffits and handrails/railings.
- Buildings will include vertical breaks, belt courses, string courses, molding, ornamentation and/or change in material and pedestrian scale storefront bays every 30 feet to prevent monolithic buildings and maintain a rhythm consistent with surrounding buildings.
- Buildings must have a minimum of 70% transparency along the primary frontage where the retail/office establishments are located. Maximum window sill height is three feet in front of the retail/office establishments. Retail establishments shall maintain one street facing entrance on each public or private street with doors unlocked during regular business hours. Height of the retail/office establishments shall be greater than upper floors.
- Parking area behind the building will be screened from the Cross Charlotte Trail by landscaping

- and a decorative security fence.
- Accessory buildings and structures will be constructed using similar building materials, colors, architectural elements and designs as the principal buildings located on the site.
 - The building shall incorporate community artwork to be located in unopened window facades along those portions of the building having unencumbered site lines to the Cross Charlotte Trail. In connection with developing the project, the petitioner shall create a fund of no less than \$10,000 to be used for art supplies, materials and other costs associated with the community artwork and shall commit to partnering with a local organization or school to create the community artwork.
 - Access to the site provided via East 10th Street and Seigle Avenue.
 - Right-of-way abandonment to be requested for the unopened alleyway running from East 10th Street to the Brookshire Boulevard right-of-way, dividing tax parcels 080-152-04 through 080-152-07 from 081-152-08-10. If approved, the petitioner will grant the City and/or Mecklenburg County a nonexclusive perpetual easement for pedestrian traffic along a portion of the former Stevens Street between East 10 Street and the Cross Charlotte Trail, and build a trail on such easement.
 - Parking provided on-site behind and next to the building(s) along with new and existing on-street parking. Petitioner will improve 10th Street with on-street parallel parking spaces as generally depicted on the site plan and will improve Seigle Street with reverse angle parking spaces as generally depicted on the site plan.
 - Petitioner will provide an area within the site for use as a B-Cycle station in the future.
 - A possible future connection to Cross Charlotte Trail is shown and labeled. Provided a pedestrian connection from tax parcels 080-152-08, 09 and 10 to the Little Sugar Creek Greenway/Cross Charlotte Trail Corridor.
 - Committed to construct a pedestrian connection from the Cross Charlotte Trail along Stevens Street right-of-way and across East 10th Street.
 - Petitioner will provide adequate area to accommodate the full width of the Cross Charlotte Trail that will run parallel to John Belk Freeway. In addition, provided community panels for artwork along the trail. Connections from the property to the Cross Charlotte Trail will be provided once points of egress from the improvements are established during project design.
 - An eight-foot sidewalk will be provided along Stevens Street.
 - Requested optional provisions:
 - Because Stevens Street will not be improved as a vehicular street but rather a pedestrian connection from the Cross Charlotte Trail to 10th Street, the percentage of the ground floor building façade along Stevens Street being used for professional business and general offices, retail sales eating/drinking/entertainment establishments may be reduced to 40 linear feet.
 - For purposes of the development limitations set forth in these development standards, the following items will not be counted as part of the allowed gross floor area (as defined by the ordinance) for the site: surface parking, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the buildings) or at street level.
 - Outdoor seating does not count towards parking calculations or maximum square footage of allowed uses.
 - **Public Plans and Policies**
 - The *Belmont Area Revitalization Plan* (2003) recommends multi-family residential uses for a majority of the proposed site, retail uses for the parcel with the convenience store building on the corner of Seigle Avenue and East 10th Street, and open space uses on about 0.18 acres adjacent to the I-277 on ramp from Independence Boulevard.
 - The Cross Charlotte Trail is planned to be located along the western edge of the proposed site. A signature connection between the existing Little Sugar Creek Greenway through the I-277 interchange is proposed to terminate in the vicinity of this site. Mecklenburg County already owns over a quarter of an acre along the on-ramp to I-277. This segment of the trail will be a connection point to the trail from other sites in the area.
 - **TRANSPORTATION CONSIDERATIONS**
 - This proposed rezoning achieves some transportation goals through the implementation of streetscape improvements. However, this proposal requires the abandonment of the Stevens Street right-of-way, which will be needed for possible Cross Charlotte Trail use, and the proposed parking configuration along 10th Street is not supported by CDOT.
 - **Vehicle Trip Generation:**
Current Zoning: 1,070 trips per day (based on 22 multi-family dwelling units and retail uses)
Proposed Zoning: 8,850 trips per day (based on 150,000 square feet of retail uses)

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via existing six-inch water mains located along East 10th Street and Seigle Avenue, and sewer system availability for the rezoning boundary via existing eight-inch gravity sewer mains located along East 10th Street, Stevens Street, and Seigle Avenue.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** LUESA Air Quality notes that development of this site may require submission of an asbestos Notification of Demolition and Renovation to MCAQ due to possible demolition or relocation of an existing structure. A letter of notification and the required forms have been mailed directly to the petitioner by MCAQ.

Ground Water Services records indicate a contamination site(s) exists on or within 1,500 feet of the properties included in the petitions. An established Area of Regulated Groundwater Usage (ARGU) extends 1,500 feet around the contamination sites and has special regulations on specific water systems within this area.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
-

OUTSTANDING ISSUESLand Use

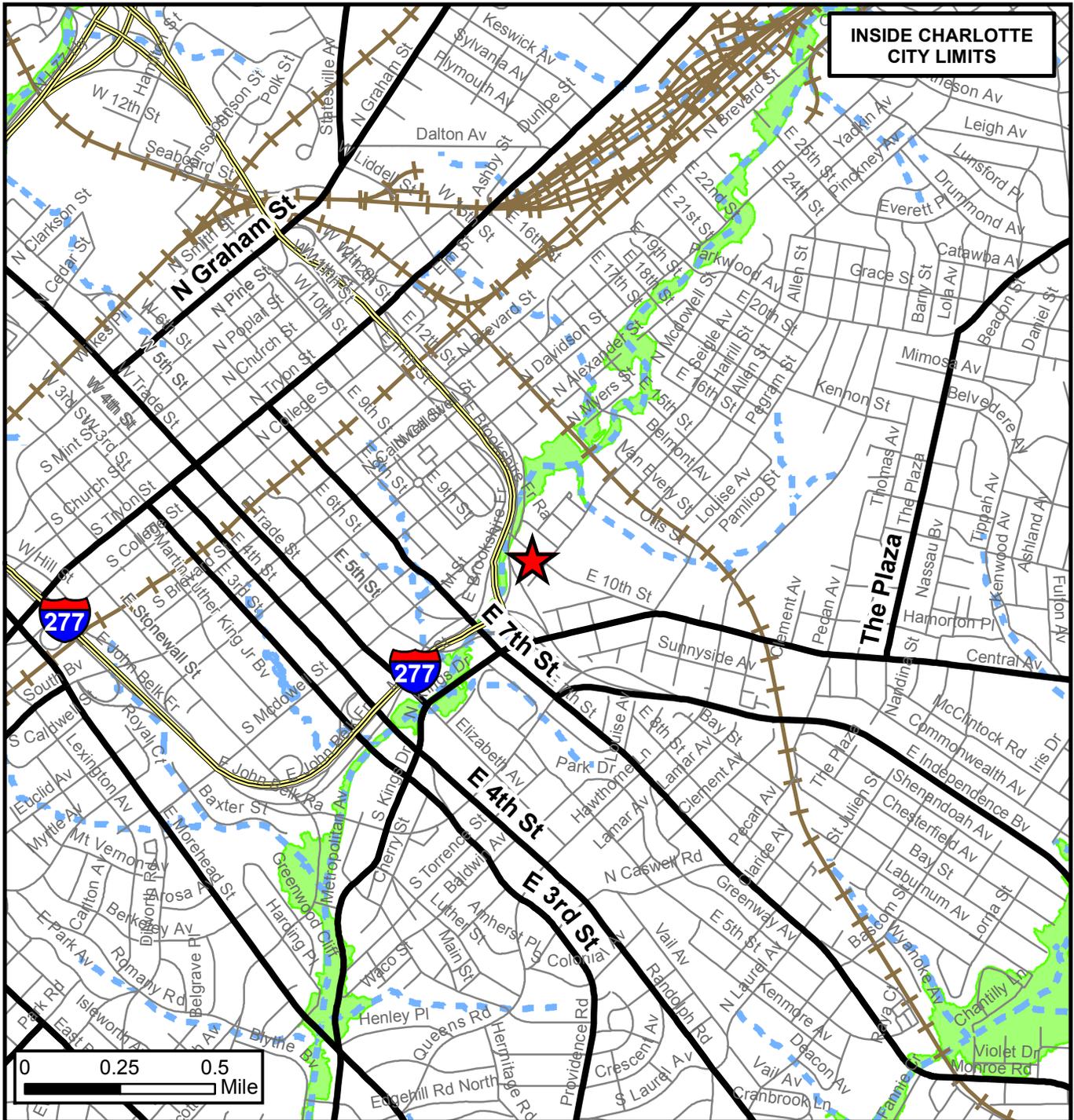
- The use is inconsistent with the plan recommendation for multi-family for the majority of the site.

Attachments Online at www.rezoning.org

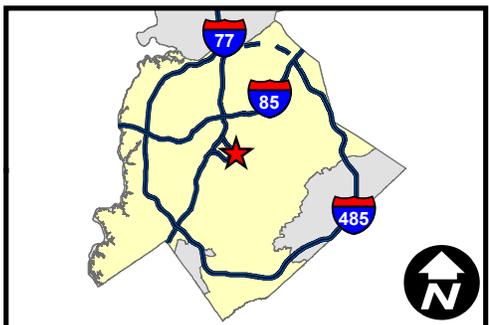
- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review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

Planner: Sonja Strayhorn Sanders (704) 336-8327

Acreeage & Location : Approximately 1.37 acres located on the southwest corner at the intersection of East 10th Street and Seigle Avenue.



INSIDE CHARLOTTE CITY LIMITS



★ Rezoning Petition: 2016-045

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

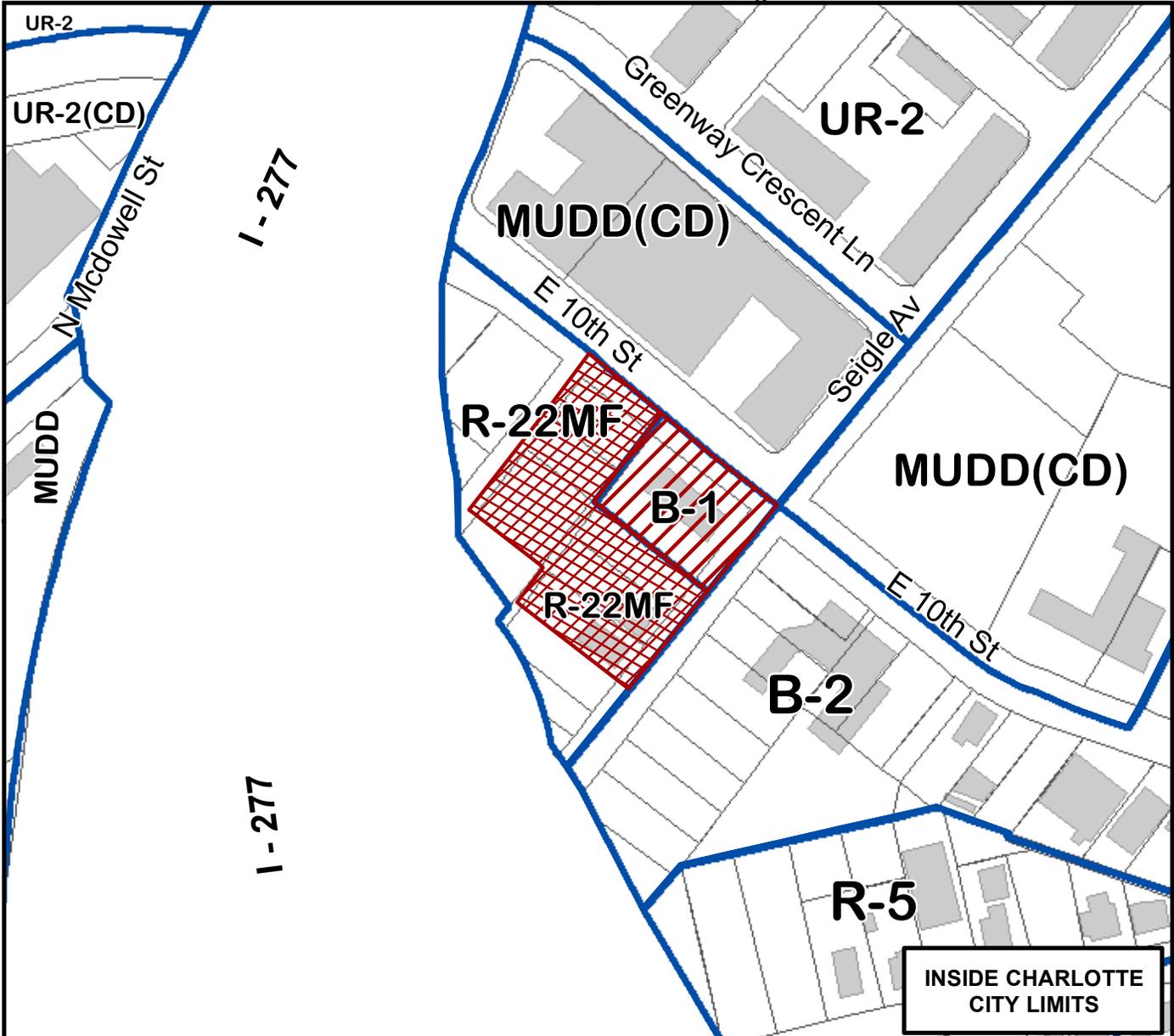
Petition #: **2016-045**

Petitioner: **Pamlico Investments, Inc.**

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

Zoning Classification (Requested): **MUDD-O**
(Mixed Use Development District, Optional)

Acreage & Location: Approximately 1.37 acres located on the southwest corner at the intersection of East 10th Street and Seigle Avenue.



Map Produced by the Charlotte-Mecklenburg Planning Department, 1-30-2016.



Zoning Map #(s)

102



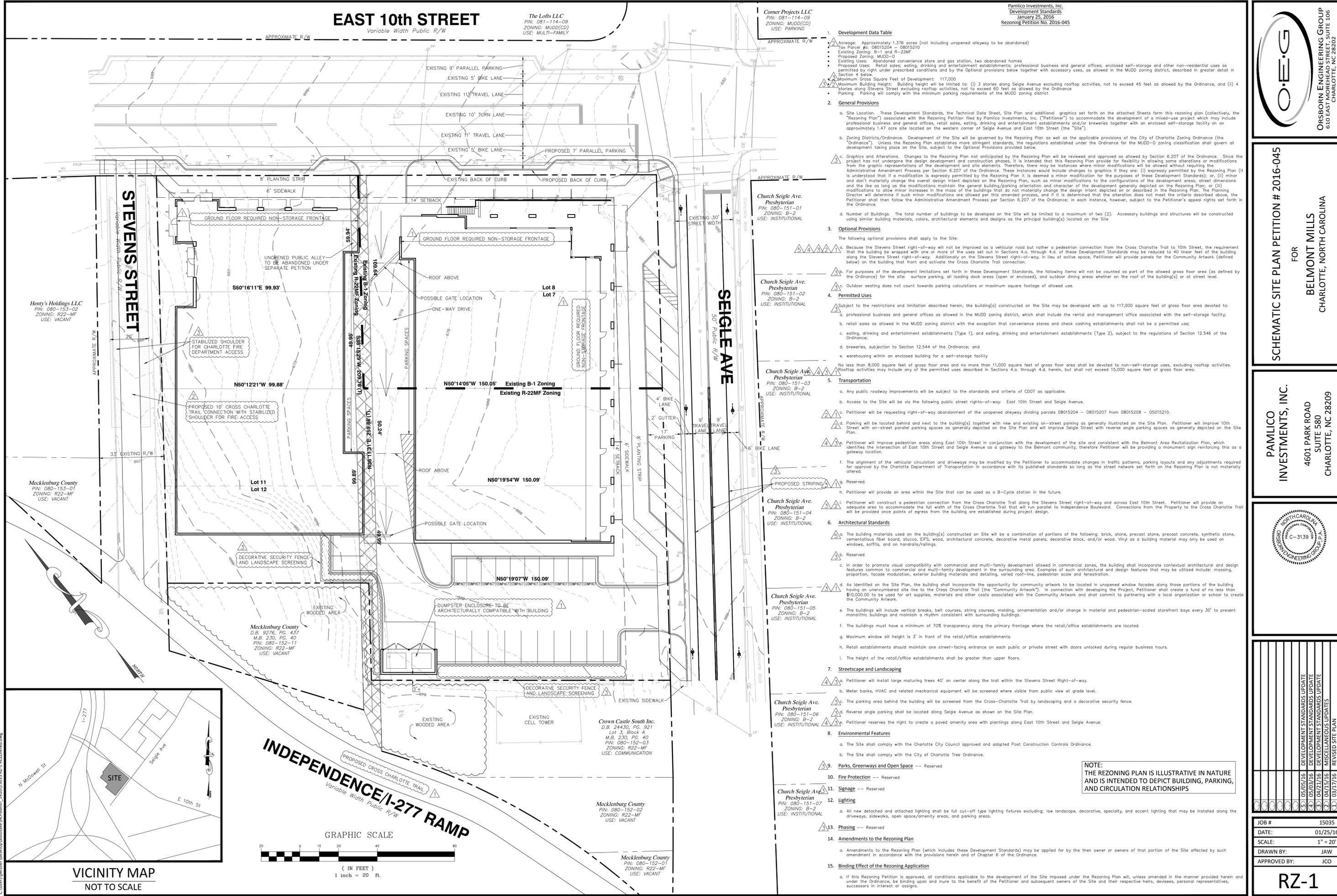
EAST 10th STREET

Variable Width Public R/W

The Lofts LLC
PIN: 081-114-09
ZONING: MUDD(CD)
USE: MULTI-FAMILY

Corner Projects LLC
PIN: 081-114-09
ZONING: MUDD(CD)
USE: PARKING

Pamlico Investments, Inc.
Development Standards
January 25, 2016
Rezoning Petition No. 2016-045



- Development Data Table**
 - 1. Acreage: Approximately 1.376 acres (not including unopened alleyway to be abandoned)
 - 2. Tax Parcel #: 08015204 - 08015210
 - 3. Existing Zoning: B-1 and R-22MF
 - 4. Proposed Zoning: MUDD-O
 - 5. Existing Uses: Abandoned convenience store and gas station, two abandoned homes
 - 6. Proposed Uses: Retail sales; eating, drinking and entertainment establishments; professional business and general offices; enclosed self-storage and other non-residential uses as permitted by right under prescribed conditions and by the Optional provisions below together with accessory uses, as allowed in the MUDD zoning district, described in greater detail in Section 4 below.
 - 7. Maximum Gross Square Feet of Development: 117,000
 - 8. Maximum Building Height: Building height will be limited to: (i) 3 stories along Seigle Avenue excluding rooftop activities, not to exceed 45 feet as allowed by the Ordinance, and (ii) 4 stories along Stevens Street excluding rooftop activities, not to exceed 60 feet as allowed by the Ordinance.
 - 9. Parking: Parking will comply with the minimum parking requirements of the MUDD zoning district.
- General Provisions**
 - a. Site Location: These Development Standards, the Technical Data Sheet, Site Plan and additional graphics set forth on the attached Sheets form this rezoning plan (collectively, the "Rezoning Plan") associated with the Rezoning Petition filed by Pamlico Investments, Inc. ("Petitioner") to accommodate the development of a mixed-use project which may include professional business and general offices, retail sales, eating, drinking and entertainment establishments and/or breweries together with an enclosed self-storage facility on an approximately 1.47 acre site located on the western corner of Seigle Avenue and East 10th Street (the "Site").
 - b. Zoning Districts/Ordinance: Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Rezoning Plan establishes more stringent standards, the regulations established under the Ordinance for the MUDD-O zoning classification shall govern all development taking place on the Site, subject to the Optional Provisions provided below.
 - c. Graphics and Alterations: Changes to the Rezoning Plan not anticipated by the Rezoning Plan will be reviewed and approved as allowed by Section 6.207 of the Ordinance. Since the project has not undergone the design development and construction phases, it is intended that this Rezoning Plan provide for flexibility in allowing some alterations or modifications from the graphic representations of the development and site elements. Therefore, there may be instances where minor modifications will be allowed without requiring the Administrative Amendment Process per Section 6.207 of the Ordinance. These instances would include changes to graphics if they are: (i) expressly permitted by the Rezoning Plan (it is understood that if a modification is expressly permitted by the Rezoning Plan it is deemed a minor modification for the purposes of these Development Standards); or, (ii) minor and don't materially change the overall design intent depicted on the Rezoning Plan, such as minor modifications to the configurations of the development areas, street dimensions and the like as long as the modifications maintain the general building/parking orientation and character of the development generally depicted on the Rezoning Plan; or (iii) modifications to allow minor increases in the mass of the buildings that do not materially change the design intent depicted on or described in the Rezoning Plan. The Planning Director will determine if such minor modifications are allowed per this amended process, and if it is determined that the alteration does not meet the criteria described above, the Petitioner shall then follow the Administrative Amendment Process per Section 6.207 of the Ordinance; in such instance, however, subject to the Petitioner's appeal rights set forth in the Ordinance.
 - d. Number of Buildings: The total number of buildings to be developed on the Site will be limited to a maximum of two (2). Accessory buildings and structures will be constructed using similar building materials, colors, architectural elements and designs as the principal building(s) located on the Site.
- Optional Provisions**

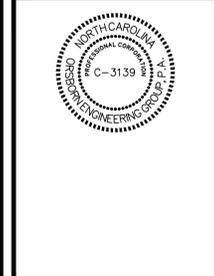
The following optional provisions shall apply to the Site:

 - a. Because the Stevens Street right-of-way will not be improved as a vehicular road but rather a pedestrian connection from the Cross Charlotte Trail to 10th Street, the requirement that the building be wrapped with one or more of the uses set out in Sections 4.4, through 4.6, of these Development Standards may be reduced to 40 linear feet of the building along the Stevens Street right-of-way. Additionally on the Stevens Street right-of-way, in lieu of active space, Petitioner will provide panels for the Community Artwork (defined below) on the building that front and activate the Cross Charlotte Trail connection.
 - b. For purposes of the development limitations set forth in these Development Standards, the following items will not be counted as part of the allowed gross floor area (as defined by the Ordinance) for the site: surface parking, all loading dock areas (open or enclosed), and outdoor dining areas whether on the roof of the building(s) or at street level.
 - c. Outdoor seating does not count towards parking calculations or maximum square footage of allowed use.
- Permitted Uses**
 - a. Subject to the restrictions and limitation described herein, the building(s) constructed on the Site may be developed with up to 117,000 square feet of gross floor area devoted to:
 - i. professional business and general offices as allowed in the MUDD zoning district, which shall include the retail and management office associated with the self-storage facility;
 - ii. retail sales as allowed in the MUDD zoning district with the exception that convenience stores and check cashing establishments shall not be a permitted use;
 - iii. eating, drinking and entertainment establishments (Type 1), and eating, drinking and entertainment establishments (Type 2), subject to the regulations of Section 12.546 of the Ordinance;
 - iv. breweries, subject to Section 12.544 of the Ordinance; and
 - v. warehousing within an enclosed building for a self-storage facility.
 - b. No less than 8,000 square feet of gross floor area and no more than 11,000 square feet of gross floor area shall be devoted to non-self-storage uses, excluding rooftop activities. Rooftop activities may include any of the permitted uses described in Sections 4.4, through 4.6, herein, but shall not exceed 15,000 square feet of gross floor area.
- Transportation**
 - a. Any public roadway improvements will be subject to the standards and criteria of CDOT as applicable.
 - b. Access to the Site will be via the following public street rights-of-way: East 10th Street and Seigle Avenue.
 - c. Petitioner will be requesting right-of-way abandonment of the unopened alleyway dividing parcels 08015204 - 08015207 from 08015208 - 08015210.
 - d. Parking will be located behind and next to the building(s) together with new and existing on-street parking as generally illustrated on the Site Plan. Petitioner will improve 10th Street with on-street parallel parking spaces as generally depicted on the Site Plan and will improve Seigle Street with reverse angle parking spaces as generally depicted on the Site Plan.
 - e. Petitioner will improve pedestrian areas along East 10th Street in conjunction with the development of the site and consistent with the Belmont Area Revitalization Plan, which identifies the intersection of East 10th Street and Seigle Avenue as a gateway to the Belmont community, therefore Petitioner will be providing a monument sign reinforcing this as a gateway location.
 - f. The alignment of the vehicular circulation and driveways may be modified by the Petitioner to accommodate changes in traffic patterns, parking layouts and any adjustments required for approval by the Charlotte Department of Transportation in accordance with its published standards so long as the street network set forth on the Rezoning Plan is not materially altered.
 - g. Reserved.
 - h. Petitioner will provide an area within the Site that can be used as a B-Cycle station in the future.
 - i. Petitioner will construct a pedestrian connection from the Cross Charlotte Trail along the Stevens Street right-of-way and across East 10th Street. Petitioner will provide an adequate area to accommodate the full width of the Cross Charlotte Trail that will run parallel to Independence Boulevard. Connections from the Property to the Cross Charlotte Trail will be provided once points of egress from the building are established during project design.
- Architectural Standards**
 - a. The building materials used on the building(s) constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, stucco, EPS, wood, architectural concrete, decorative metal panels, decorative block, and/or wood. Vinyl as a building material may only be used on windows, soffits, and on handrails/railings.
 - b. Reserved.
 - c. In order to promote visual compatibility with commercial and multi-family development allowed in commercial zones, the building shall incorporate contextual architectural and design features common to commercial and multi-family development in the surrounding area. Examples of such architectural and design features that may be utilized include: massing, proportion, facade modulation, exterior building materials and detailing, varied roof-line, pedestrian scale and fenestration.
 - d. As identified on the Site Plan, the building shall incorporate the opportunity for community artwork to be located in unopened window facades along those portions of the building having an unnumbered site line to the Cross Charlotte Trail (the "Community Artwork"). In connection with developing the Project, Petitioner shall create a fund of no less than \$10,000.00 to be used for art supplies, materials and other costs associated with the Community Artwork and shall commit to partnering with a local organization or school to create the Community Artwork.
 - e. The buildings will include vertical breaks, belt courses, string courses, molding, ornamentation and/or change in material and pedestrian-scaled storefront bays every 30' to prevent monolithic buildings and maintain a rhythm consistent with surrounding buildings.
 - f. The buildings must have a minimum of 70% transparency along the primary frontage where the retail/office establishments are located.
 - g. Maximum window sill height is 3' in front of the retail/office establishments.
 - h. Retail establishments should maintain one street-facing entrance on each public or private street with doors unlocked during regular business hours.
 - i. The height of the retail/office establishments shall be greater than upper floors.
- Streetscape and Landscaping**
 - a. Petitioner will install large maturing trees 40' on center along the trail within the Stevens Street Right-of-way.
 - b. Meter banks, HVAC and related mechanical equipment will be screened where visible from public view at grade level.
 - c. The parking area behind the building will be screened from the Cross-Charlotte Trail by landscaping and a decorative security fence.
 - d. Reverse angle parking shall be located along Seigle Avenue as shown on the Site Plan.
 - e. Petitioner reserves the right to create a paved amenity area with plantings along East 10th Street and Seigle Avenue.
- Environmental Features**
 - a. The Site shall comply with the Charlotte City Council approved and adopted Post Construction Controls Ordinance.
 - b. The Site shall comply with the City of Charlotte Tree Ordinance.
- Fire Protection** -- Reserved
- Signage** -- Reserved
- Lighting**
 - a. All new detached and attached lighting shall be full cut-off type lighting fixtures excluding: low landscape, decorative, specialty, and accent lighting that may be installed along the driveways, sidewalks, open space/amenity areas, and parking areas.
- Phasing** -- Reserved
- Amendments to the Rezoning Plan**
 - a. Amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then owner or owners of that portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.
- Binding Effect of the Rezoning Application**
 - a. If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site and their respective heirs, devisees, personal representatives, successors in interest or assigns.

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

SCHEMATIC SITE PLAN PETITION # 2016-045
FOR
BELMONT MILLS
CHARLOTTE, NORTH CAROLINA

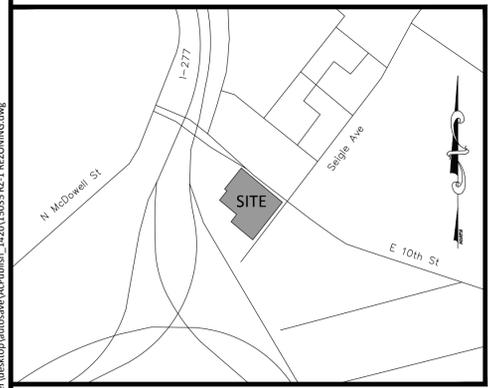
PAMLICO INVESTMENTS, INC.
4601 PARK ROAD
SUITE 580
CHARLOTTE, NC 28209



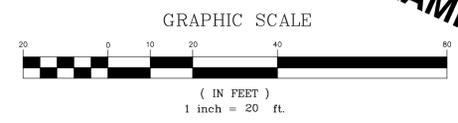
NO.	REVISIONS	DATE
1	DEVELOPMENT STANDARDS UPDATE	05/05/16
2	DEVELOPMENT STANDARDS UPDATE	05/03/16
3	DEVELOPMENT STANDARDS UPDATE	04/21/16
4	MISCELLANEOUS UPDATES	04/15/16
5	REVISED SITE PLAN	03/17/16

JOB # 15035
DATE: 01/25/16
SCALE: 1" = 20'
DRAWN BY: JAW
APPROVED BY: JCO

RZ-1

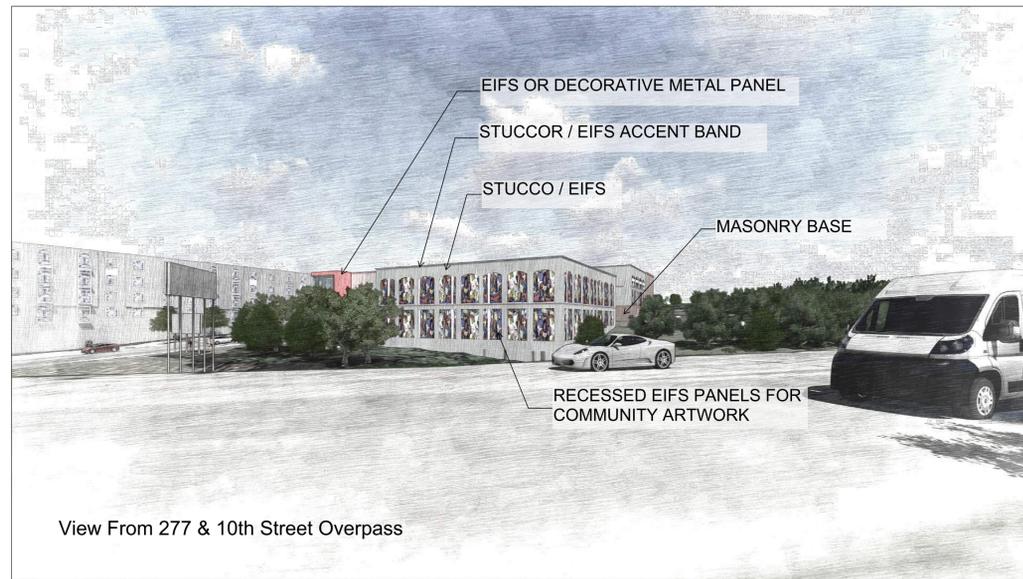


VICINITY MAP
NOT TO SCALE





Birds Eye View Above 12th Street & 707 Apartments



View From 277 & 10th Street Overpass



10th Street Looking Towards Seigal Ave. Intersection



10th & Seigal Ave. Intersection Looking Towards Uptown



Retail Corner at 10th & Seigal Ave. Intersection



RENDERINGS FOR PETITION # 2016-045
FOR
BELMONT MILLS
CHARLOTTE, NORTH CAROLINA

PAMLICO INVESTMENTS, INC.
4601 PARK ROAD
SUITE 580
CHARLOTTE, NC 28209



NO.	DATE	REVISIONS
1	05/05/16	RENDERING UPDATES
2	04/15/16	MISCELLANEOUS UPDATES
3	03/17/16	REVISED SITE PLAN

JOB #	15035
DATE:	01/25/16
SCALE:	NTS
DRAWN BY:	JAW
APPROVED BY:	JCO

RZ-2

May 05, 2016 - 11:42am By: JMcGee
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FAA News



Federal Aviation Administration, Washington, D.C. 20591

FOR IMMEDIATE RELEASE

May 10, 2016

PUBLIC MEETING NOTICE

FAA TO HOLD PUBLIC MEETING ON NEW AIR TRAFFIC PROCEDURES FOR CHARLOTTE DOUGLAS INTERNATIONAL AIRPORT

The Federal Aviation Administration (FAA) will hold a meeting to brief the public on new air traffic control procedures for flights at Charlotte Douglas International Airport (CLT) that will be effective on May 31, 2016.

WHO: Dennis Roberts, Regional Administrator, FAA Southern Region

WHEN: May 19, 2016, 6 to 8 pm

WHERE: Charlotte Police and Fire Training Academy, 1770 Shopton Road, Charlotte 28217

WHY: The FAA is establishing new Standard Instrument Departure (SID) procedures for flights heading to the northeast and southeast of the airport. The initial departure tracks are the same as aircraft fly today. However, the departure track splits into two different directions when the aircraft are at or above 3,000 to 6,000 feet. The third SID combines two procedures into one. The FAA also is modifying a new Standard Terminal Arrival Route (STAR) for flights approaching CLT from the northeast. The flight track remains the same below 16,000 feet.

The FAA conducted an Environmental Assessment (EA) of the changes, which included three public workshops in the Charlotte area, in December 2014 and January 2015. The EA resulted in a Finding of No Significant Impact in June 2015.

The changes are part of the FAA's Metroplex initiative, a comprehensive plan to improve the flow of air traffic at airports in major metropolitan areas nationwide.

The FAA will hold another meeting in June or July to brief the public on additional air traffic procedures, which will be implemented on July 24, 2016.

###



CHARLOTTE™

**CITY MANAGER'S OFFICE
M E M O R A N D U M**

May 13, 2016

TO: Ron Carlee, City Manager
Ron Kimble, Deputy City Manager

FROM: Dana Fenton, Intergovernmental Relations Manager

SUBJECT: **2016 State Legislative Report #3**

After the House and Senate reached agreement last week on a \$22.225 billion spending limit for the State General Fund in FY 2016-2017, the House Appropriations subcommittees met to consider FY 2016-2017 budget amendments and rolled out budget proposals on Thursday. House leadership is positioning itself to have final floor votes on the House budget proposal next week, possibly Thursday and Friday. Final passage on Friday would meet their goal of getting the budget to the Senate before the close of business on May 20. The bill to be used to advance the budget is the **2016 Appropriations Act ([HB 1030](#) – Dollar)**.

Among the budget recommendations of the House Appropriations Subcommittee on Transportation is to include language to repeal the light rail funding cap. This will provide two avenues to restore the data driven approach to transportation decision making, the other being HB 988 – Torbett. HB 988 was reported out of House Transportation and now goes to the House Appropriations Committee. The repeal of the light rail funding cap is a legislative priority of the Metropolitan Transit Commission.

The bill introduction deadline for legislation from study commissions and those that affect the FY 2016-2017 budget closed on May 10. Among the bills introduced this week include Change the Local Option Sales Tax Adjustment Factor ([SB 846](#)– Brown), The Equality for All Act ([HB 1078](#) – Sgro), Eliminate Use of Development Tiers ([HB 1082](#) – Davis / [SB 844](#) – Hise), Prosperity & Economic Opportunity for All NC Act ([SB 826](#) – Gunn), Repeal Light Rail Funding Cap ([SB 857](#) – McKissick), and Local Government Immigration Compliance ([SB 868](#) – Sanderson).

Bill introductions for local bills and changes to retirement systems close on Thursday, May 19. Accordingly, everybody is expecting a crush of bill filings next week in advance of the deadline.

Administrative & Fiscal

Repeal House Bill 2 ([HB 946](#) – Jackson, Meyer, Hamilton, G. Martin / [SB 784](#) – Van Duyn, J. Jackson, Woodard): Companion bills to, as the titles clearly state, repeal House Bill 2 enacted in the Second Extra Session. The bills include language stating that any “local ordinance, resolution, regulation, or policy enacted prior to March 23, 2016, is not abated or affected by S.L. 2016-3, and the local ordinance, resolution, regulation, or policy that would be valid but for the enactment of S.L. 2016-3 remains valid.” This language is intended to provide assurance that any local ordinances passed prior to the date of enactment of House Bill 2 are valid. HB 946 was referred to House Judiciary IV and, if favorable, Appropriations. SB 784 was referred to Senate Appropriations / Base Budget and, if favorable, Senate Ways & Means.

The Equality for All Act ([HB 1078](#) – Sgro): Modifies portions of House Bill 2 passed in the Second Extra Session relating to public accommodations and employment by adding sex, sexual orientation, gender identity, disability, marital status, familial status, military or veteran status, or genetic information to list of protected classes. HB 1078 extends similar protections to housing, education, credit and insurance. HB 1078 increases staffing in the State’s Human Relations Commission to investigate complaints and authorizes additional appropriations for the Commission. HB 1078 referred to House Judiciary I.

Change the Local Option Sales Tax Adjustment Factor ([SB 846](#) – Brown): Legislation would replace the system of local option sales tax adjustment factors for the various counties, which range from a low of 0.81 for Columbus County to a high of 1.49 for Dare County, with one that uses the development tier system. Tier one counties, presumably the poorest counties, would have a 1.10 factor, tier two counties at 1.00, and tier three counties at 0.90. Mecklenburg County, which currently has a 0.89 factor, would be grouped with other tier three counties at 0.90. Another section of the bill would repeal the annual State contribution of \$17.6 million for distribution to the 79 counties that benefit from the expansion of the sales tax base enacted in the 2015 session. SB 846 referred to Senate Finance and, if favorable, to Appropriations / Base Budget.

Economic Development

Municipal Service Districts ([HB 1023](#) – Davis / [SB 803](#) – Wade): Companion legislation recommended by the Committee on Municipal Service Districts. HB 1023 was referred to House Local Government. SB 803 was referred to Senate State and Local Government and, if favorable, to Finance.

Economic Development Changes and Study ([HB 1029](#) – S. Martin / [SB 810](#) – Brown): Companion legislation recommended by the Joint Legislative Oversight Committee on Economic Development and Global Engagement. The legislation calls for creation of the North Carolina Workgroup on Economic Development for Distressed Communities. The Workgroup is to consist of 11 members and is to reexamine North Carolina's strategy for assisting economically distressed communities to identify new programs to supplement the comprehensive State strategy of addressing chronic distress and targeting State aid to those communities. The Workgroup shall examine economic development programs utilized by other states or economic

development entities as well as academic and critical analyses of potential programs and shall make recommendations on how to implement those strategies that have been successfully employed or are anticipated to amplify North Carolina's ability to compete in the acquisition of new industries and job opportunities. The Workgroup shall also create a measurement plan with goals, objectives, time frames, and action steps that will assess progress toward the overall goal of reducing or eliminating economic distress within North Carolina. HB 1029 was referred to House Commerce and Job Development. SB 810 was referred to Senate Commerce.

Eliminate Use of Development Tiers ([HB 1082](#) – Davis / [SB 844](#) – Hise): Companion legislation recommended by the Joint Legislative Program Evaluation Oversight Committee ends the use of the current development tier system and replaces it with an economic distress index that uses unemployment, median household income, average wage, and high school graduation data. HB 1082 referred to House Rules. SB 844 referred to Senate Commerce, if favorable to Finance, and if favorable, to Senate Appropriations / Base Budget.

Prosperity & Economic Opportunity for All NC Act ([SB 826](#) – Gunn): Legislation to enact a number of new economic development programs and tax incentives to benefit primarily rural areas. SB 826 referred to Senate Commerce, if favorable, Appropriations / Base Budget, and, if favorable, Finance.

Infrastructure

Terminate Agreement for Tolling of I-77 ([HB 950](#) – Cotham / [HB 954](#) – Jeter, Hager, Bradford): Two different bills with the same title were introduced to terminate the I-77 HOT lanes contract. The primary difference between the introduced versions of the bills has to do with the payment of damages to the concessionaire. Section 2 of HB 950 intends for the State to pay any damages and reads as follows: “Payment of Damages. – If damages or other monetary penalties are determined to be owed by the State from the cancellation of the Comprehensive Agreement in accordance with Section 1 of this act, the Department of Transportation shall pay these amounts from unobligated funds available to the Department.” While HB 954 does not include similar language, Representative Jeter sought to assure Councilmembers Driggs and Phipps that it was not his intent to have the State charge “Charlotte” for the costs of cancellation. HB 950 was referred to House Rules, if favorable, Transportation, and, if favorable, Appropriations. HB 954 was referred to House Transportation and, if favorable, Appropriations.

Repeal Light Rail Funding Cap ([HB 988](#) – Torbett, Tine and Shepard / [SB 857](#) – McKissick): Legislation recommended by the House Select Committee on Strategic Transportation Planning and Long-Term Funding to repeal the \$500,000 cap on State contributions to new light rail construction projects. HB 988 was reported out of House Transportation on Tuesday, May 10, and will next be heard in House Appropriations.

Distribution of Highway Use Tax and Fees ([SB 798](#) – Rabon): Redirects highway taxes collected on short-term lease and rental of automobiles from the State General Fund to the State Highway Fund, and earmarks proceeds to be used for prioritized capital improvements to Port Authority and public airports. SB 798 was referred to Senate Transportation and, if favorable, Finance.

Public Safety

Body-Worn & Dashboard Cameras / No Public Records ([HB 972](#) – Faircloth, McNeil, Boles, Hurley): Legislation recommended by the Joint Legislative Oversight Committee on Justice and Public Safety to establish statewide standards for the release of body-worn and dashboard camera video and audio. HB 972 was referred to House Judiciary II.

Local Government Immigration Compliance ([SB 868](#) – Sanderson): SB 868 follows up on SL 2015-294 (HB 318) by adding “incentives” for local governments to comply with State immigration laws. If a municipality or county or its law enforcement agency is found to be an affected local government, which is one that is found to be not in compliance with a State law related to immigration, then that affected local government could lose eligibility for receiving funds from the Public School Building Capital Fund and Powell Bill programs. Powell Bill funding provides approximately \$20 million per year to the City of Charlotte for maintenance of local roads and streets. SB 868 creates a cause of action for any person who resides within the jurisdiction of a city, county, or law enforcement agency that the person believes is not in compliance with a State law related to immigration to bring an action for declaratory and injunctive relief, which must be filed in the Superior Court of Wake County. SB 868 referred to Senate Judiciary II, if favorable, to Finance, and if favorable, to Appropriations / Base Budget.