

1801 N Graham St., Suite 320
 Charlotte, NC 28206
 Phone: (704) 376-1555
 www.bolton-menk.com

WILMORE PRESERVATION LLC

2333 RANDOLPH ROAD, STE 135
 CHARLOTTE, NORTH CAROLINA 28207

WILMORE SCHOOL REZONING RZP 2023-042

428 WEST BOULEVARD
 CHARLOTTE, NORTH CAROLINA 28203

EXISTING CONDITIONS

PROJECT NO:
4912

REVISIONS:

| | |
|----------|---------------------------------|
| 08/14/23 | RESUBMITTAL PER STAFF COMMENTS |
| 11/15/23 | RESUBMITTAL PER STAFF COMMENTS |
| 12/11/23 | RESUBMITTAL PER STAFF COMMENTS |
| 03/11/24 | RESUBMITTAL PER STAFF COMMENTS |
| 04/18/24 | ZONING COMMITTEE SUBMITTAL |
| 04/30/24 | CITY COUNCIL DECISION SUBMITTAL |

REZONING PLAN SHEETS

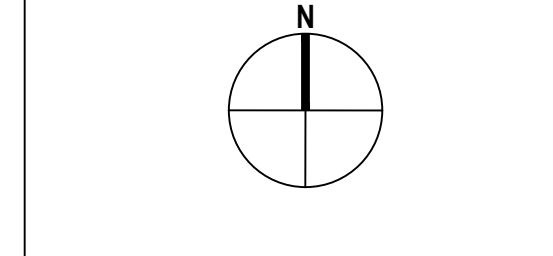
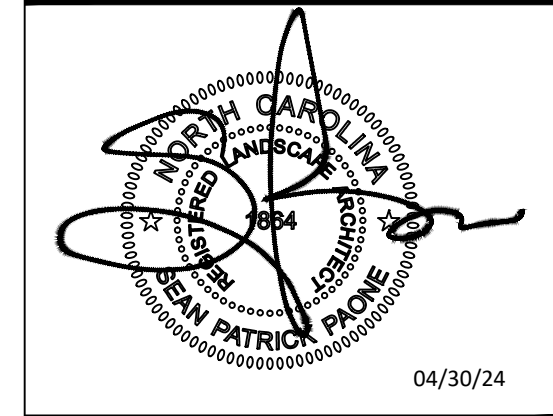
- RZ-100 EXISTING CONDITIONS
- RZ-200 REZONING PLAN
- RZ-300 DEVELOPMENT NOTES
- RZ-301 DEVELOPMENT SECTIONS

LEGEND

- | | |
|--|--|
| | PROPERTY LINE/RIGHT-OF-WAY |
| | EXISTING BUILDING |
| | POTENTIAL DEMOLITION OF EXISTING BUILDING COMPONENTS TO REFLECT ORIGINAL HISTORIC BUILDING |
| | POTENTIAL REMOVAL OF EXISTING IMPERVIOUS AREA |

REZONING SUMMARY:

PETITIONER: WILMORE PRESERVATION LLC
 PROPERTY OWNER: CHARLOTTE MECKLENBURG BOARD OF EDUCATION
 REZONING SITE AREA: 3.49 ± AC
 TAX PARCEL#: 11907801
 EXISTING ZONING: R-8 (HD)
 PROPOSED ZONING: MUDD-O (HD)
 EXISTING USE: VACANT



SCALE: 1"=30'

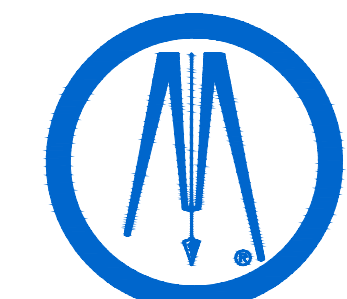
0 15' 30' 60'

| | |
|--------------|----------|
| DATE: | 01/30/23 |
| DESIGNED BY: | BMI |
| DRAWN BY: | BMI |
| CHECKED BY: | |

RZ - 100

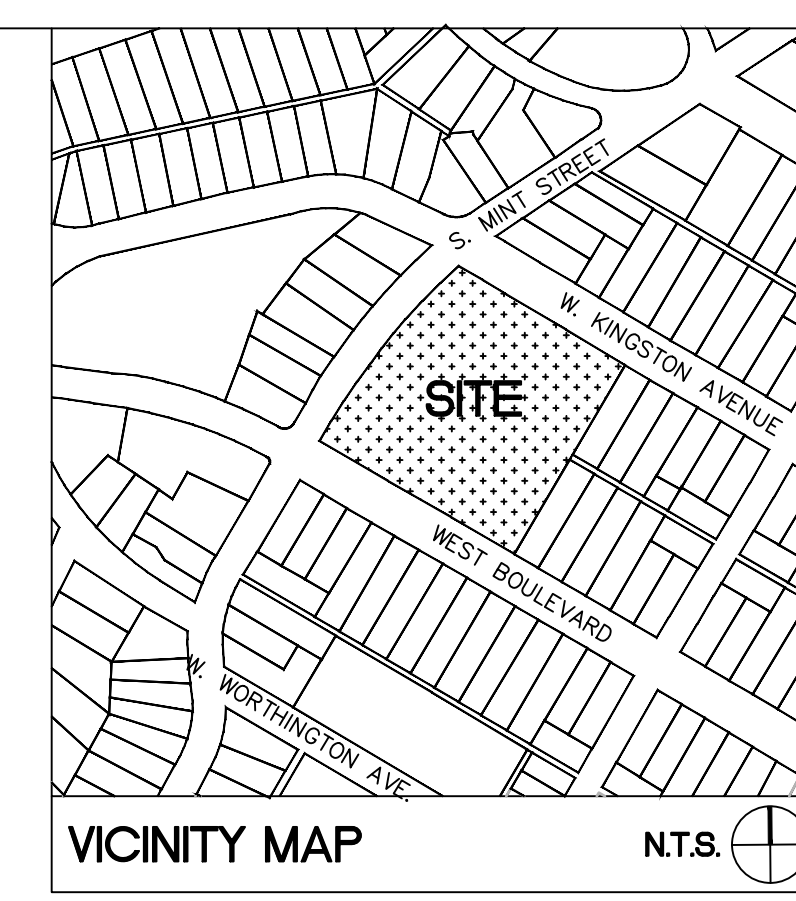
FILE NO.:

-
- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
 - CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES, USING FLAG MEN, ETC., AS NECESSARY TO ENSURE THE SAFETY OF THE PUBLIC.
 - ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO THE STANDARDS OF THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, OR LOCAL JURISDICTION, WHICHEVER IS MORE STRINGENT.
 - SHORING SHALL BE IN ACCORDANCE WITH OSHA TRENCHING STANDARDS, 29 CFR, PART 1926, SUBPART P, OR AS AMENDED.



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REZONING PLAN

PROJECT NO:
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REVISIONS:

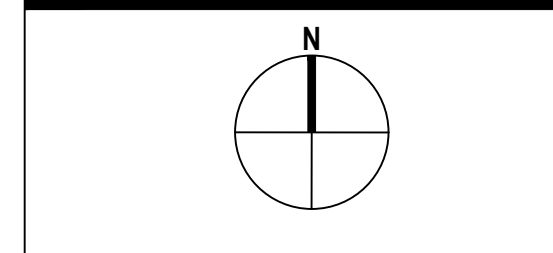
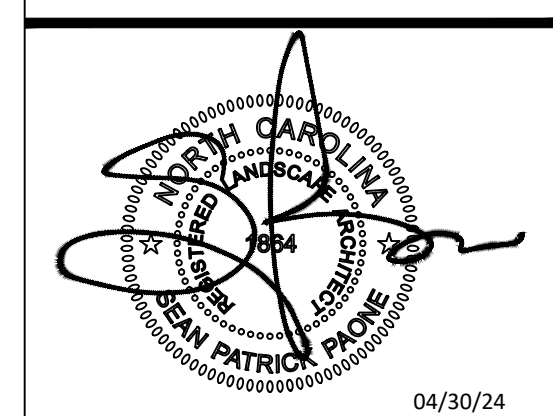
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LEGEND

| SYMBOL | DESCRIPTION |
|--------|-----------------------------|
| | PROPERTY LINE |
| | ACCESS LOCATIONS |
| | BUILDING/ PARKING ENVELOPE |
| | USE DEVELOPMENT ENVELOPE |
| | ADJACENT RESIDENTIAL OFFSET |

REZONING SUMMARY:

| | |
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| PETITIONER: | WILMORE PRESERVATION LLC |
| PROPERTY OWNER: | CHARLOTTE MECKLENBURG BOARD OF EDUCATION |
| REZONING SITE AREA: | 3.49 ± AC |
| TAX PARCEL#: | 11907801 |
| EXISTING ZONING: | R-8 (HD) |
| PROPOSED ZONING: | MUDD-O (HD) |
| EXISTING USE: | VACANT |
| PROPOSED USE: | USES PERMITTED BY RIGHT AND UNDER PRESCRIBED CONDITIONS TOGETHER WITH ACCESSORY USES, AS ALLOWED IN THE MUDD ZONING DISTRICT NOT OTHERWISE LIMITED IN THE REZONING PLAN. |
| MAXIMUM DEVELOPMENT: | 250 MULTI-FAMILY AND/OR SINGLE-FAMILY ATTACHED RESIDENTIAL UNITS AND 3,500 SQUARE FEET OF RETAIL/EDGE/PERSONAL SERVICE USES, AND 4,500 SQUARE FEET OF OFFICE, ASSEMBLY, EVENT, VENUE, LIVE PERFORMANCE VENUE— INDOOR, AND/OR COMMUNITY GATHERING SPACE. |
| BUILDING SETBACK: | 14 FEET MINIMUM FROM BACK OF EXISTING OR PROPOSED CURB WHICHEVER IS GREATER |
| MIN. SIDE YARD: | NONE |
| MIN. REAR YARD: | NONE |
| MAX. HEIGHT: | PER DEVELOPMENT STANDARDS AND HDC CONDITIONAL ARCHITECTURAL ELEVATIONS |
| REQUIRED PARKING: | AS REQUIRED BY CODE |
| OPEN SPACE REQUIRED: | AS REQUIRED BY CODE |
| *REQUIRED OPEN SPACE MAY BE LOCATED WITHIN INTERIOR COURTYARDS | |
| **PROJECT SITE IS LOCATED WITHIN THE CORRIDOR TREE SAVE ORDINANCE AREA. | |
| ***PROJECT SITE IS LOCATED WITHIN THE BUSINESS CORRIDOR REVITALIZATION AREA. | |



SCALE: 1"=30'
0 15' 30' 60'

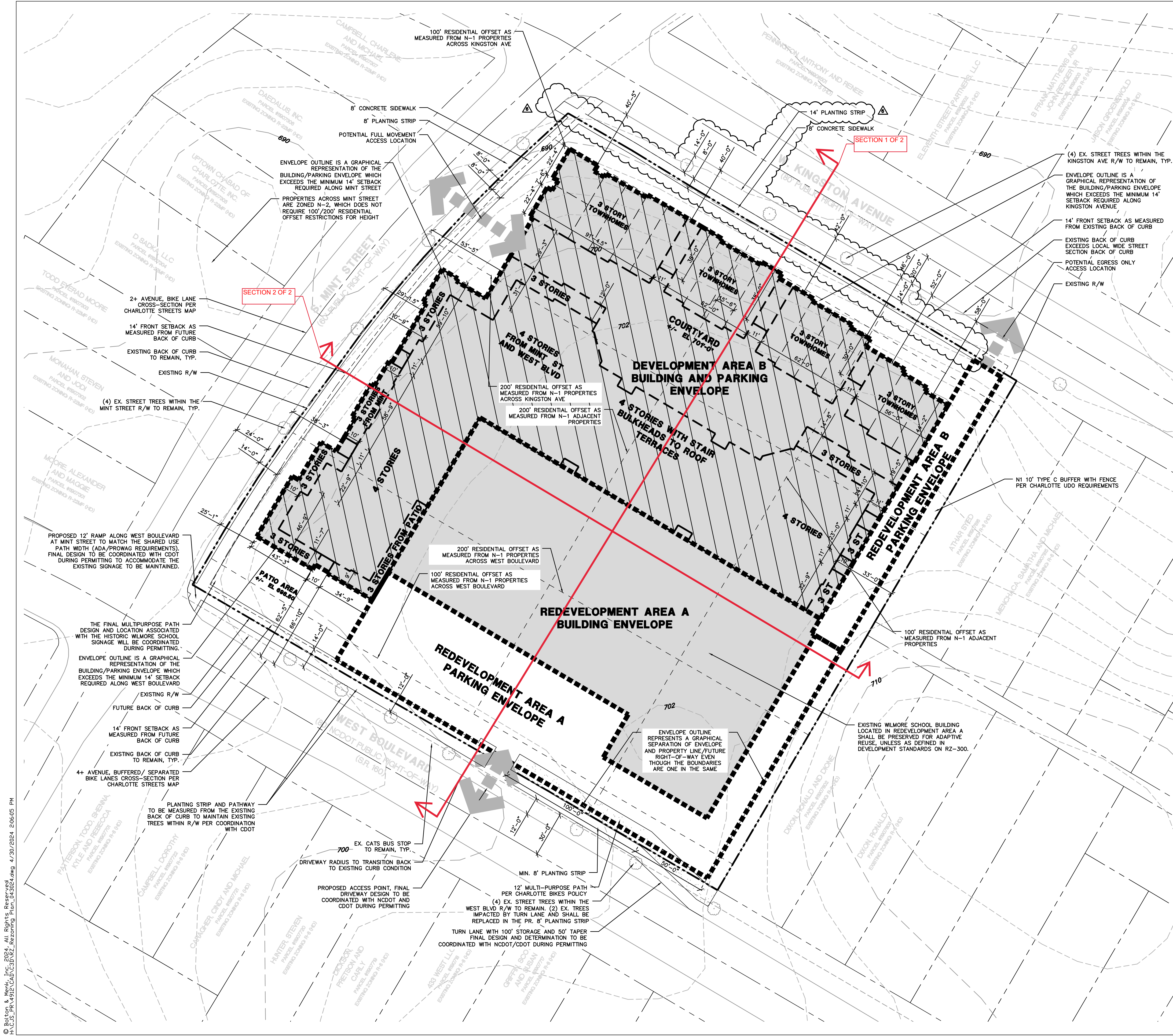
DATE: 01/30/23
DESIGNED BY: BMI
DRAWN BY: BMI
CHECKED BY:

RZ - 200

FILE NO.:



- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ENSURING THAT ALL EXISTING UTILITIES ARE LOCATED PRIOR TO CONSTRUCTION.
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**WILMORE SCHOOL
DEVELOPMENT STANDARDS**
Petitioner: Wilmore Preservation, LLC
Rezoning Petition No. 2023-042
4/30/2024

Site Development Data:

- Acreage: ± 3.28 acres
- Tax Parcels: 119-078-01
- Existing Zoning: R-8 (HD)
- Proposed Zoning: MUDD-O (HD)
- Existing Uses: Vacant
- Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district not otherwise limited in the Rezoning Plan.
- Maximum Development: 250 multi-family and/or single-family attached residential units (5% affordable at 80% AMI) and 3,500 square feet of retail/EDEE/personal service uses, and 4,300 square feet of office, community recreation centers, conference centers, museums, theaters, galleries, other similar indoor community facilities and other MUDD uses except those listed in Section III.
- Maximum Building Height: 65 feet, as measured per the Ordinance, as further restricted below
- Parking: Per Ordinance

I. General Provisions:

- a. **Site Description.** These Development Standards and the Technical Data Sheet form the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by Wilmore Preservation, LLC ("Petitioner") to accommodate development of a new mixed-use and adaptive reuse development of the existing Wilmore School building in coordination with the Historic District standards on the approximately 3.28-acre site located at 428 West Boulevard, more particularly described as Mecklenburg County Tax Parcel Number 119-078-01 (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, or as otherwise provided in the optional provisions below, the regulations established under the Ordinance for the MUDD zoning district shall govern all development taking place on the Site.
- c. In the case of any discrepancies between the conditional rezoning plan and the HDC approved plan, the HDC approved plan shall supersede.

II. Optional Provisions:

The following Optional Provisions are provided to accommodate deviations from the MUDD standards:

- a. To allow the existing Wilmore School building (with the exception of the 1970's additions as identified by the Historic Landmark Commission (HLC)) to remain within Development Area A and to permit changes of use within the existing building without having to bring the building into full compliance with MUDD design standards. Such adaptive reuse of the existing Wilmore School building shall occur in coordination with the Historic Districts Commission (HDC) and HLC and not be renovated in a manner that makes the building more nonconforming with MUDD design and architectural standards unless otherwise approved by HDC, HLC and/or the Planning Director or its assignee. For the sake of clarity, all new construction (Area B) must comply with all MUDD design standards for newly constructed buildings (partially or entirely). In the event the historic Wilmore School building is demolished or destroyed by fire, flood, wind, or other act(s) of God, the Wilmore School building may be repaired or restored to its original dimensions and conditions as required with HDC/HLC approval.
- b. To allow existing off-street, surface level, vehicular parking and maneuvering areas to remain between the existing Wilmore School building and public and private streets in the areas generally depicted on the Rezoning Plan in the Development Area A Parking Envelope.
- c. To allow existing parking infrastructure to function in the current location. Streetscape improvements shall be permitted as shown on RZ-200.

III. Permitted Uses, Maximum Development, and Conversion Rights:

- a. The principal building(s) constructed on the Site may be developed with a maximum of two hundred fifty (250) multi-family and/or single-family attached residential units; 3,500 square feet of retail/EDEE/personal service uses; and 4,300 square feet of office, community recreation centers, conference centers, museums, theaters, galleries, other similar indoor community facilities, and other MUDD uses except those listed below, along with any accessory uses allowed in the MUDD zoning district.
 - i. The following uses shall be prohibited onsite: adult establishments, automotive service stations, building material sales, bus passenger stations, children's homes and similar non-profit institutions providing domiciliary care for children, telecommunications and data storage facilities, utility and related facilities, and warehousing within an enclosed building for self-storage.

- b. **Affordable Housing Commitment.** A minimum of 5% of the total number of multi-family dwelling units actually constructed on the Site shall be designated as affordable housing in perpetuity. The monthly rents of the affordable units will be restricted to households with an Area Media Income (AMI) of 80% or less (as published and periodically updated by the US Department Housing and Urban Development). Household income will be determined by Household income verification under Federal Code of Regulations 24 CFR Part 5. Affordable units will remain affordable in perpetuity. Affordable units provided must reflect the unit mix of the multifamily portion of the development. Once affordable units are placed in service, they will be subject to inspection by the City of Charlotte for the duration of the affordability period. Affordable units on the multifamily portion of the development must be substantially complete before the first certificates of occupancy will be issued for that portion of the development. Petitioner will execute an administrative agreement with the City of Charlotte to provide a permanent deed restriction on the identified affordable units.

- c. **Conversion Rights.** Multi-family residential units may be converted to office uses at a ratio of one (1) residential unit per 1,000 square feet of office uses up to a maximum of 190,000 square feet.

IV. Transportation:

- a. Vehicular access will be as generally depicted on the Rezoning Plan. The placements and configurations of the vehicular access point(s) shown on the Rezoning Plan are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required by CDOT/NCDOT for approval, as applicable.
- b. Minimum setbacks shall be as generally depicted on the Rezoning Plan.
- c. Petitioner shall provide APS pushbuttons and pedestrian ramp upgrades at the existing traffic signal at the intersection of West Boulevard and South Mint Street.
- d. The existing CATS bus stop and seating along the Site's frontage of West Boulevard shall remain as coordinated with CATS.
- e. Petitioner shall provide a right turn lane with 100' storage and 50' taper into a full access driveway on the Site's frontage of West Boulevard, as generally depicted on the Rezoning Plan.
- f. Where necessary, the Petitioner shall dedicate and convey in fee simple all rights-of-way to the City of Charlotte before the Site's first building certificate of occupancy is issued. Right-of-way or sidewalk utility easement shall be set at two (2) feet behind back of sidewalk where feasible.
- g. All transportation improvements shall be substantially completed before the Site's first building certificate of occupancy is issued.
 - 1. Reference to "substantially complete" shall mean completion of the roadway improvements in accordance with the Technical Data Sheet provided, however, in the event certain non-essential roadway improvements (as reasonably determined by CDOT) are not completed at the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings, and in such event the Petitioner may be asked to post a letter of credit or bond for any improvements not in place at the time such certificate of occupancy is issued to secure completion of the applicable improvements.
- h. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad western Mecklenburg area, by way of a private/public partnership effort or other public sector project support.
- i. Full access driveway onto West Boulevard shall be coordinated during permitting. The final location to correspond to existing driveway location as shown on RZ-200.
- j. Pending review and approval by NCDOT, petitioner shall provide an eight (8) foot multi-use path as shown on RZ-200 along West Boulevard.
- k. Petitioner shall provide a twelve (12) foot wide ramp along the Site's frontage of West Boulevard at Mint Street to match the shared use path width, per ADA/PROWAG requirements.

- l. A Right-of-Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements.

V. Design Guidelines:

- a. **Preservation of Existing Wilmore School Building.** The Petitioner shall preserve the existing Wilmore School building located in Area A for adaptive reuse, unless determined to be in such condition from a structural or environmental standpoint that preservation may not be possible, as determined by the third-party engineer licensed in North Carolina. If the building is determined to be structurally/environmentally unsound or destroyed by an Act of God, it shall be rebuilt in a substantially similar manner, subject to HDC/HLC review.
 - 1. If any design or streetscape improvement requirements contained herein are contradictory to the requirements of historic preservation so as to affect the Wilmore School's eligibility for historic tax credits, the requirements related to historic preservation shall prevail so as not to impact the applicability of historic tax credits. Alternative Compliance or Alternative Improvements shall be provided in coordination with the Planning Director (or its assignee) and/or CDOT.
 - 2. For building(s) in Development Area A that are being adaptively reused, the Petitioner requests optional provisions (as stated in Section II above) to allow existing buildings to remain without triggering new building design guidelines.
- b. **New Building Design Guidelines.**
 - 1. **Preferred Exterior Building Materials and Massing** shall be negotiated with HDC and HLC.
 - 2. **Prohibited Exterior Building Materials:** The Petitioner will not utilize (1) vinyl siding (excluding the use of vinyl handrails, windows or door trim, which shall be permitted); or (2) concrete masonry units not architecturally finished.
 - 3. **Building Height:** Building height 3 and 4 stories above grade (with below grade parking) shall be a maximum of sixty-five (65) feet in the central portion of the Site (at roof access bulkheads), and not within 100' of the labeled N1 zoning boundary on the Rezoning Plan, with transition down to a maximum of fifty-five (55) feet along the South Mint Street frontage and thirty-seven (37) feet along the West Kingsion Avenue frontage, as approved by the Historic District Commission on February 14th, 2024, application number HDCCMA-2023-00283.

VI. Environmental Features:

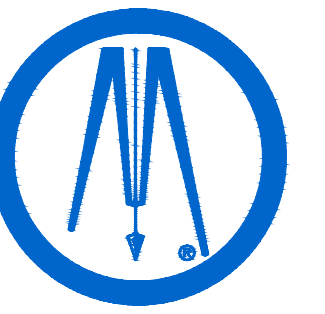
- a. The Petitioner shall comply with the requirements of the Post Construction Stormwater Ordinance.
- b. The Petitioner shall comply with the City of Charlotte Tree Ordinance.
- c. The Petitioner shall provide a ten (10) foot Type C buffer along the eastern property line as shown on RZ-200, the rezoning plan.

VII. Amendments to the Rezoning Plan:

Future amendments to the Rezoning Plan may be applied for by the then Owner or Owners of the applicable Lot of the Site affected by such amendment in accordance with the provisions herein and of Section 6.207 of the Ordinance.

VIII. Binding Effect of the Rezoning Application:

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, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.



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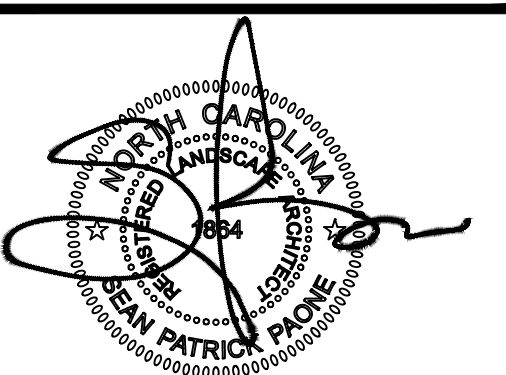
**DEVELOPMENT
NOTES**

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RZ - 300

FILE NO:

PRELIMINARY STUDY

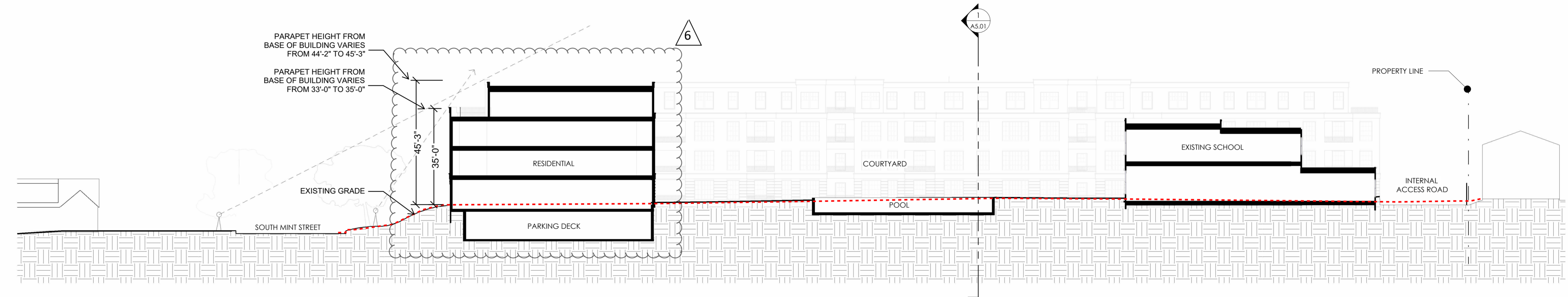
WILMORE

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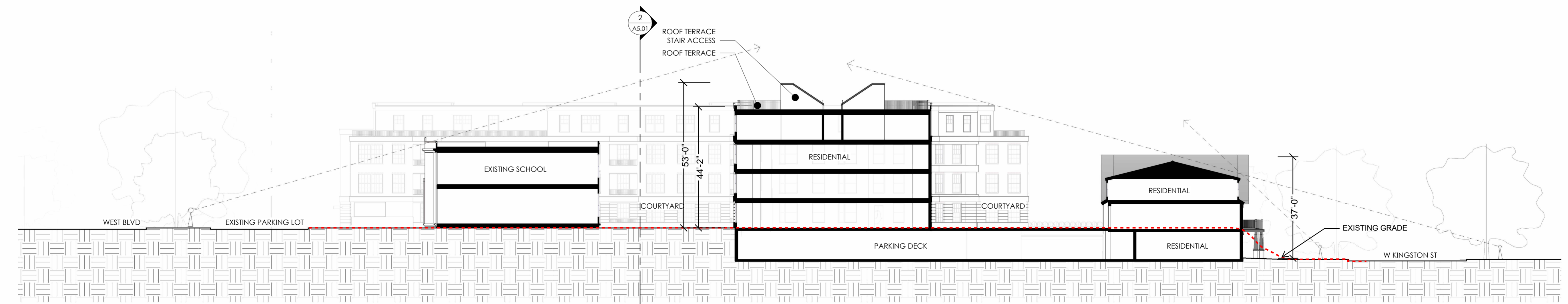
LOCATION / CHARLOTTE, NC
PROJECT # / 23AH100
DATE / 01.20.2024
DRAWN / HS

| REVISIONS | | |
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| NO. | DESCRIPTION | DATE |
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SITE SECTION



2 A5.01 SITE SECTION (SOUTH MINT) SCALE: 1" = 20'-0"



1 A5.01 SITE SECTION (WEST / KINGSTON) SCALE: 1" = 20'-0"