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| REQUEST | Proposed Zoning: MUDD-O SPA, mixed use development district, optional, site plan amendment |
| LOCATION | Approximately 1.77 acres located along the east side of Hamilton Street between Seaboard Street and West Brookshire Freeway. |
| SUMMARY OF PETITION | The petition proposes a site plan amendment for a portion of the NC Music Factory site to allow an optional provision for a maximum 1,152 square foot, two-sided roof mounted sign. |
| STAFF RECOMMENDATION | Staff does not recommend approval of this petition as currently proposed. Limitations need to be provided regarding what is being advertised on the signs and the maximum area of the signs. The petition is consistent with the <i>Center City 2010 Vision Plan (2000)</i> . |
| PROPERTY OWNER | Music Factory Condominiums, LLC |
| PETITIONER | Music Factory Condominiums, LLC |
| AGENT/REPRESENTATIVE | John Carmichael and Collin Brown/K&L Gates, LLP |
| COMMUNITY MEETING | Meeting is required and has been held. Report available online. |

PLANNING STAFF REVIEW

- **Background**

The subject property was part of a larger rezoning approved in 2005. The site plan contains the following conditions:

- No more than 600,000 square feet of nonresidential uses which include:
 - Up to 200,000 square feet of office uses.
 - Up to 150,000 square feet of retail uses.
 - Up to 250,000 square feet of entertainment uses.
- No more than 600 residential units.
- Optional requests to allow:
 - Existing parking between the public streets and existing buildings to remain so long as they are enhanced with plazas, courtyard, or dining areas.
 - Two 100 square foot detached project identification/tenant signs and detached monument signs not to exceed 18 square feet for each building.
 - Wall signage to conform to the UMUD regulations.
 - Modified streetscape along Seaboard Street.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions which will replace a 1.77 acre portion of the original 2005 rezoning:

- All conditional notes from the 2005 rezoning will remain in effect with the exception of the nonresidential square footages and residential unit counts. These limitations have been prorated based on the portion of the site being considered for a site plan amendment. The overall development will maintain the maximum 600,000 square feet of nonresidential uses and maximum 600 residential units.
- An additional optional request to allow an on-premises or off-premises, two-sided roof mounted sign to be installed on an existing one story building. The northern side, facing West Brookshire Boulevard, is proposed to have a maximum sign face area of 1,056 square feet. The opposite side of the sign, installed on the rear of the support structure for the northern facing sign, is proposed to have a maximum sign face area of 96 square feet.

- **Existing Zoning and Land Use**

The subject property is currently developed with a commercial building. The property north and east of the site is zoned I-2 and used for a government service garage. The property to the south is zoned MUDD-O and is occupied by the NC Music Factory entertainment complex. The property across Hamilton Street is zoned I-2(CD) and is currently utilized for surface parking.

- **Rezoning History in Area**

There have been no rezonings in the immediate area in recent years.

- **Public Plans and Policies**

- The *Center City 2010 Vision Plan* (2000) does not have specific recommendations for this site. However the plan envisions the Uptown as having a variety of living, entertainment, and cultural activities.
 - The petition is consistent with the *Center City 2010 Vision Plan* (2000).
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Transportation:** No issues.
 - **Vehicle Trip Generation:** This site plan amendment will not impact the vehicle trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** This site plan amendment will not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site meets minimum ordinance standards.
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OUTSTANDING ISSUES

- The petitioner should:
 1. Provide exhibits of the two-sided roof mounted sign proposed by the optional provision.
 2. Clarify Note C(a) under Optional Provisions to indicate that the roof mounted sign to be installed on the northern side, facing West Brookshire Boulevard, will be the JFG sign. Limit the maximum sign face area to the existing sign face area of the JFG sign. Indicate the JFG sign shall remain in place for a minimum of five years.

3. Provide an additional note under Optional Provisions to indicate conditions under which the JFG sign is allowed to be removed and replaced with another sign. These conditions should include the following:
 - a. The replacement sign shall be limited to 500 square feet and be for the identification of NC Music Factory venue and may advertise upcoming events.
 - b. The upcoming events may be displayed on an electronic changeable face sign while the remaining elements of the sign will remain static.
 - c. Up to 20 percent of the changeable sign face area may advertise sponsors of the event being advertised.
 - d. The changeable copy should remain static for at least 24 hours at a time.
 - e. Design of the sign should be included in this petition, and any change in that design should be approved by the Planning Director if the new design is deemed to be comparable with the design submitted with this petition.
4. Limit the roof mounted sign on the back side of the JFG sign, found in Note C(b) under Optional Provisions, to an on-premise identification sign associated with the use (s) within the building it is atop. Limit the maximum sign face area to 100 square feet and note it will take the place of the wall sign allowed on the southern facing wall.
5. Indicate the specific regulations they will follow for the wall signage instead of stating that the signage will comply with the UMUD standards.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

Planner: Shad Spencer (704) 353-1132