

<b>REQUEST</b>	Current Zoning: MUDD-O, mixed use development, optional Proposed Zoning: MUDD-O SPA, mixed use development, optional, site plan amendment
<b>LOCATION</b>	Approximately 9.18 acres located on the northeast corner at the intersection of Hamilton Street and NC Music Factory Boulevard. (Council District 2 - Austin)
<b>SUMMARY OF PETITION</b>	The petition proposes a site plan amendment to allow the installation of five detached digital solar powered advertising signs on the subject property.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Noah Lazes, Music Factory Condominiums, LLC, & Fiber Mills, LLC Ingenuity Sun Media, LLC Music Factory Condominiums, LLC and Fiber Mills, LLC
<b>COMMUNITY MEETING STATEMENT OF CONSISTENCY</b>	Meeting is required and has been held. Report available online. This petition is found to be consistent with the <i>Center City 2020 Vision Plan</i> and to be reasonable and in the public interest, based on information from the staff analysis and the public hearing by a 6-0 vote of the Zoning Committee (motion by Commissioner Labovitz seconded by Commissioner Eschert).

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. A site plan has been submitted with the note that all the previously approved conditional notes from rezoning petitions 2005-043 and 2011-003 still apply to the site.</li> <li>2. The conditional notes have been placed in the standard format.</li> <li>3. A note has been added to the site plan that the optional request is for five detached digital advertising signs.</li> <li>4. A note has been added that the proposed digital sign face area will not be seen from public right-of-way.</li> <li>5. A note has been added limiting the maximum height of the overall total sign to 17 feet from grade.</li> <li>6. The maximum screen height of 14 feet has been added to the site plan and the sign diagram.</li> <li>7. A note has been added that no trees will be moved in order for these signs to be installed.</li> </ol>
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<b>VOTE</b>	<table border="0"> <tr> <td>Motion/Second:</td> <td>Labovitz/Ryan</td> </tr> <tr> <td>Yeas:</td> <td>Allen, Dodson, Eschert, Labovitz, Ryan, and Zoutwelle</td> </tr> <tr> <td>Nays:</td> <td>None</td> </tr> <tr> <td>Absent:</td> <td>Low and Walker</td> </tr> <tr> <td>Recused:</td> <td>None</td> </tr> </table>	Motion/Second:	Labovitz/Ryan	Yeas:	Allen, Dodson, Eschert, Labovitz, Ryan, and Zoutwelle	Nays:	None	Absent:	Low and Walker	Recused:	None
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Nays:	None										
Absent:	Low and Walker										
Recused:	None										

<b>ZONING COMMITTEE DISCUSSION</b>	<p>Staff presented the petition to the Zoning Committee and noted the outstanding issues had been addressed. Staff noted that they supported the request due to the unique venue and the location of the subject property. One Commissioner questioned why the optional request was needed. Staff explained that the proposed signage was not currently allowed in the Zoning Ordinance.</p> <p>One Commissioner questioned if these sign would be visible from the public right-of-way. Staff noted that the digital sign face would not be seen from any street.</p> <p>One Commissioner questioned if this would start a precedent with other signage requests. Staff stated that if property owners for any</p>
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other sites would like this type of signage, they would have to go through the rezoning process and staff would review each request on a case-by-case basis. There was no further discussion of this petition.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

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

**PLANNING STAFF REVIEW**

- **Background**
    - Petition 2005-043 rezoned the subject site to MUDD-O (mixed use development, optional) to allow the development of 600 residential units and 600,000 square feet for office, retail, and entertainment uses.
    - Petition 2011-003 approved a site plan amendment optional request for an 820-square foot "JFG" sign, and a possible 500-square foot identification sign for the NC Music Factory Venue.
  - **Proposed Request Details**
    - The site plan accompanying this petition contains the following provisions:
      - The location of five proposed internal digital solar powered advertising signs for the NC Music Factory.
      - A map labeling the setbacks and location description of each proposed sign.
      - Digital sign face advertising area limited to 15 square feet per side.
      - Minimum height of the proposed signs mounted on a pole will be eight feet.
      - The proposed solar array affixed to the sign will be a maximum of 112 square feet.
      - A note limiting the total sign height to 17 feet from grade.
      - A maximum digital screen height from grade limited to 14 feet.
      - All proposed signs will be oriented so that they are not directly facing the public right-of-way and will not be seen from the public right-of-way.
      - The following prohibitions apply to the proposed signage:
        - No trees shall be removed to install any sign.
  - **Public Plans and Policies**
    - The *Center City 2020 Vision Plan* (2011) recommends a variety of residential, office, retail, entertainment, and cultural uses for the subject site.
    - The petition is consistent with the *Center City 2020 Vision Plan* (2011).
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** No issues.
  - **Charlotte Fire Department:** No comments received.
  - **Charlotte-Mecklenburg Schools:** Not applicable.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **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.
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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**

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

- Application
- Pre-Hearing Staff Analysis
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte-Douglas International Airport Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Engineering and Property Management Review
- Mecklenburg County Parks and Recreation Review

**Planner:** Solomon Fortune (704) 336-8326