

DATE: 27 FEBRUARY 2017
DESIGNED BY:
DRAWN BY:
CHECKED BY:
Q.C. BY:
SCALE: **AS SHOWN**PROJECT #: 1016320 RZ-00

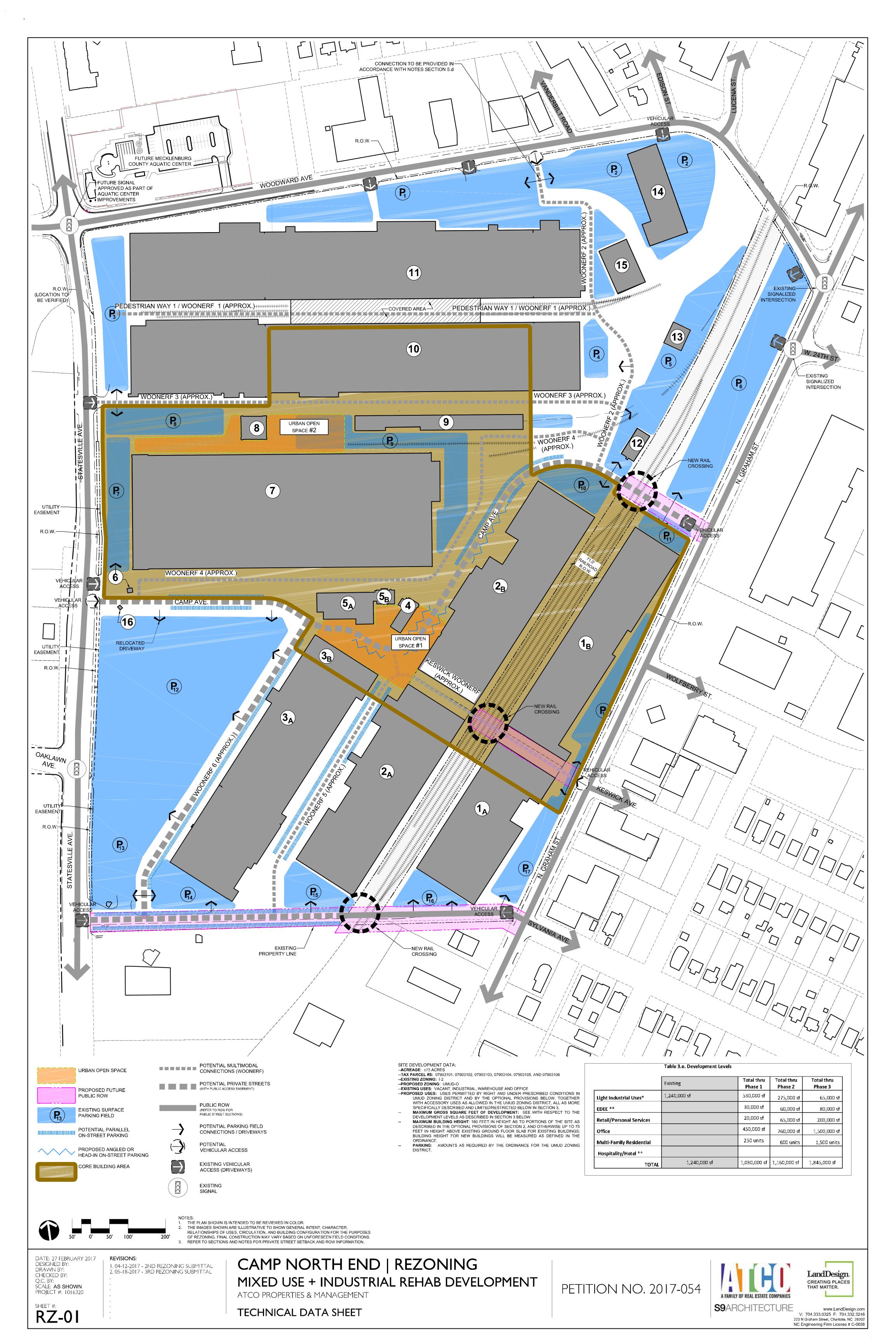
I. 04-12-2017 - 2ND REZONING SUBMITTAL 2. 05-18-2017 - 3RD REZONING SUBMITTAL

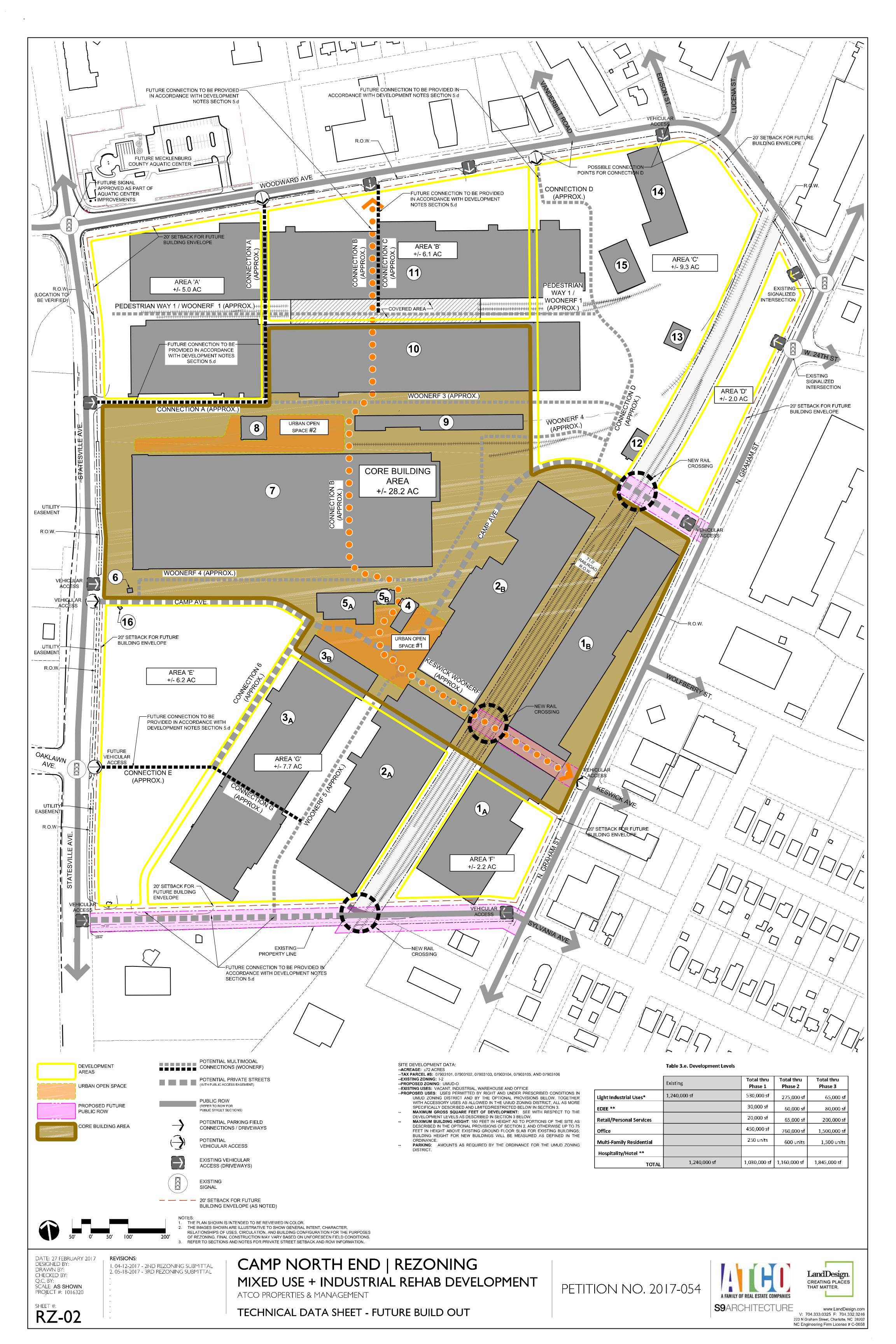
CAMP NORTH END | REZONING MIXED USE + INDUSTRIAL REHAB DEVELOPMENT ATCO PROPERTIES & MANAGEMENT

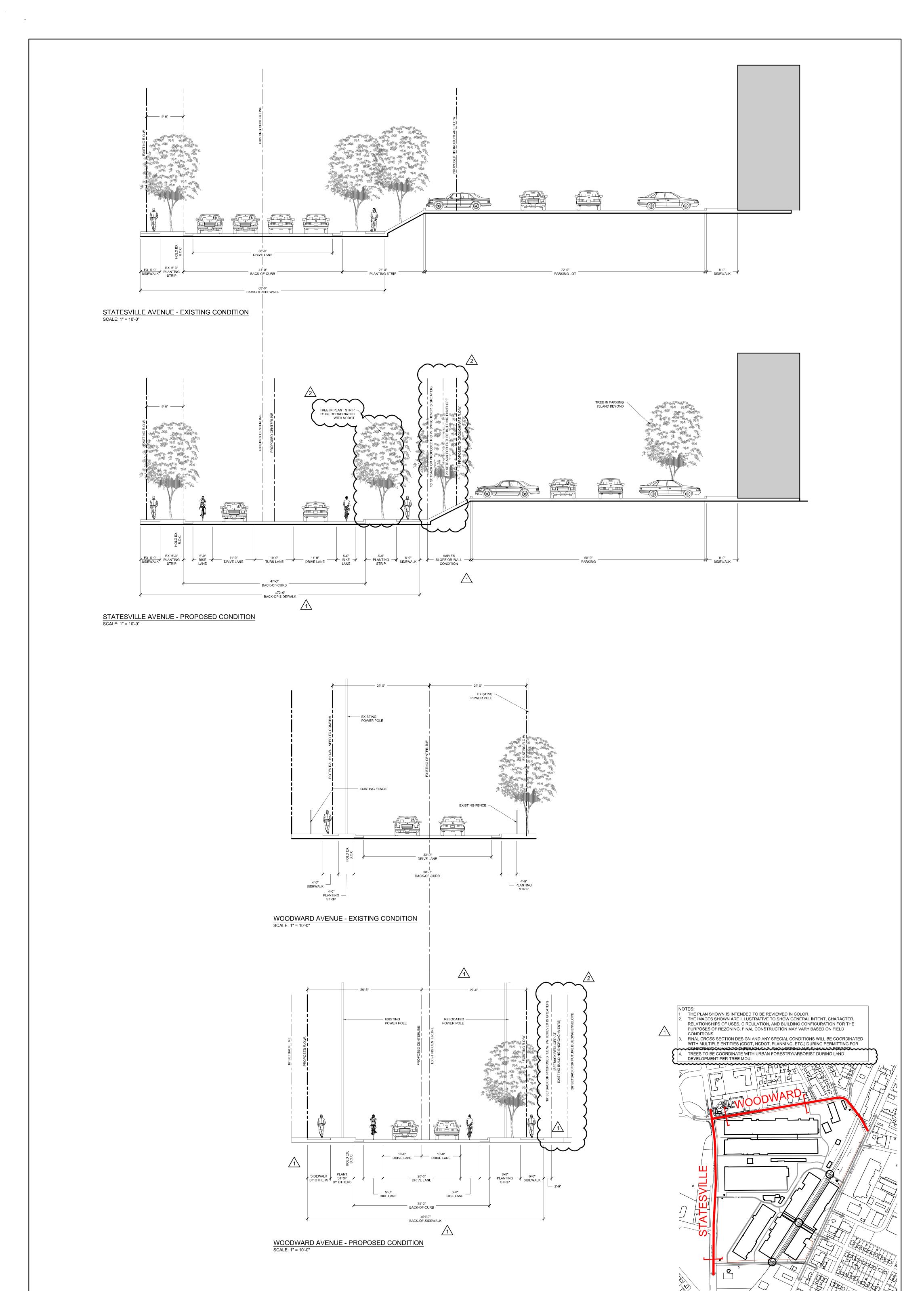
CONTEXT MAP

PETITION NO. 2017-054



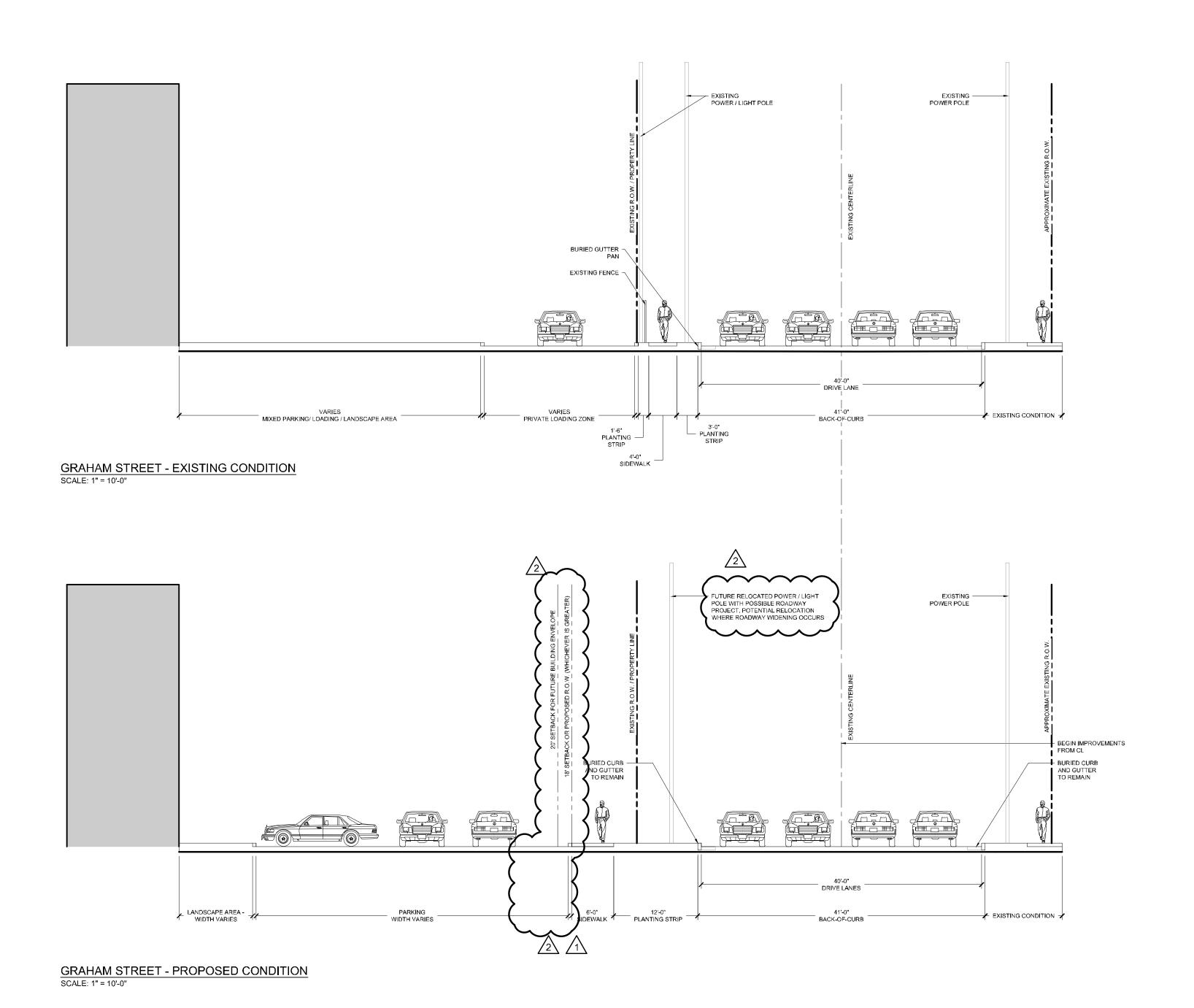


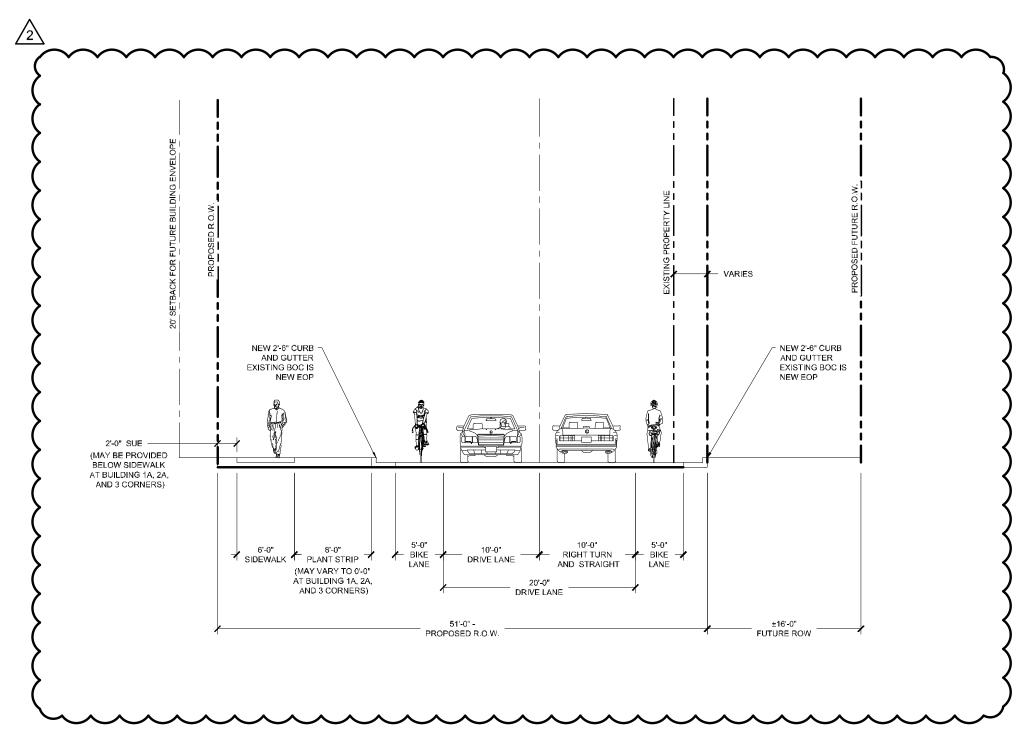




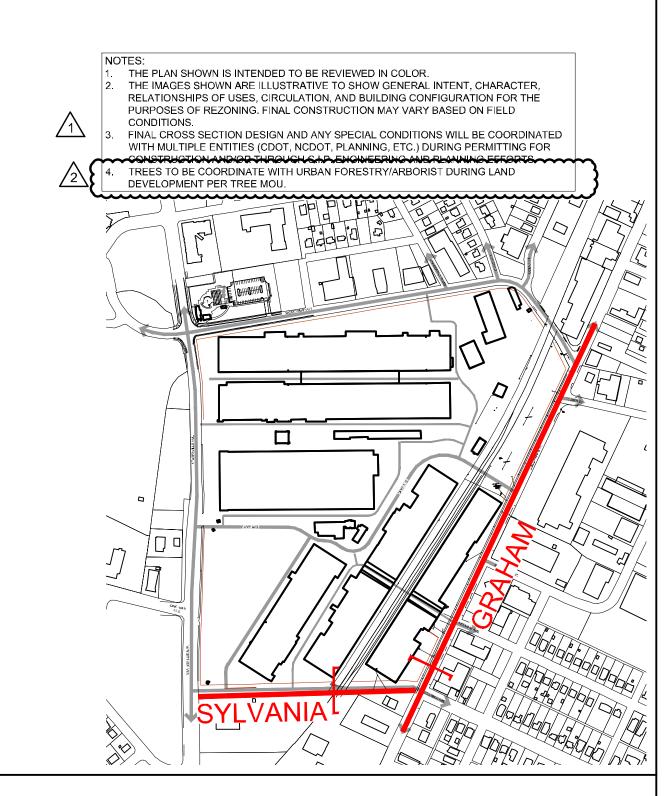
STREET SECTIONS - STATESVILLE AND WOODWARD

223 N Graham Street, Charlotte, NC 28202 NC Engineering Firm License # C-0658



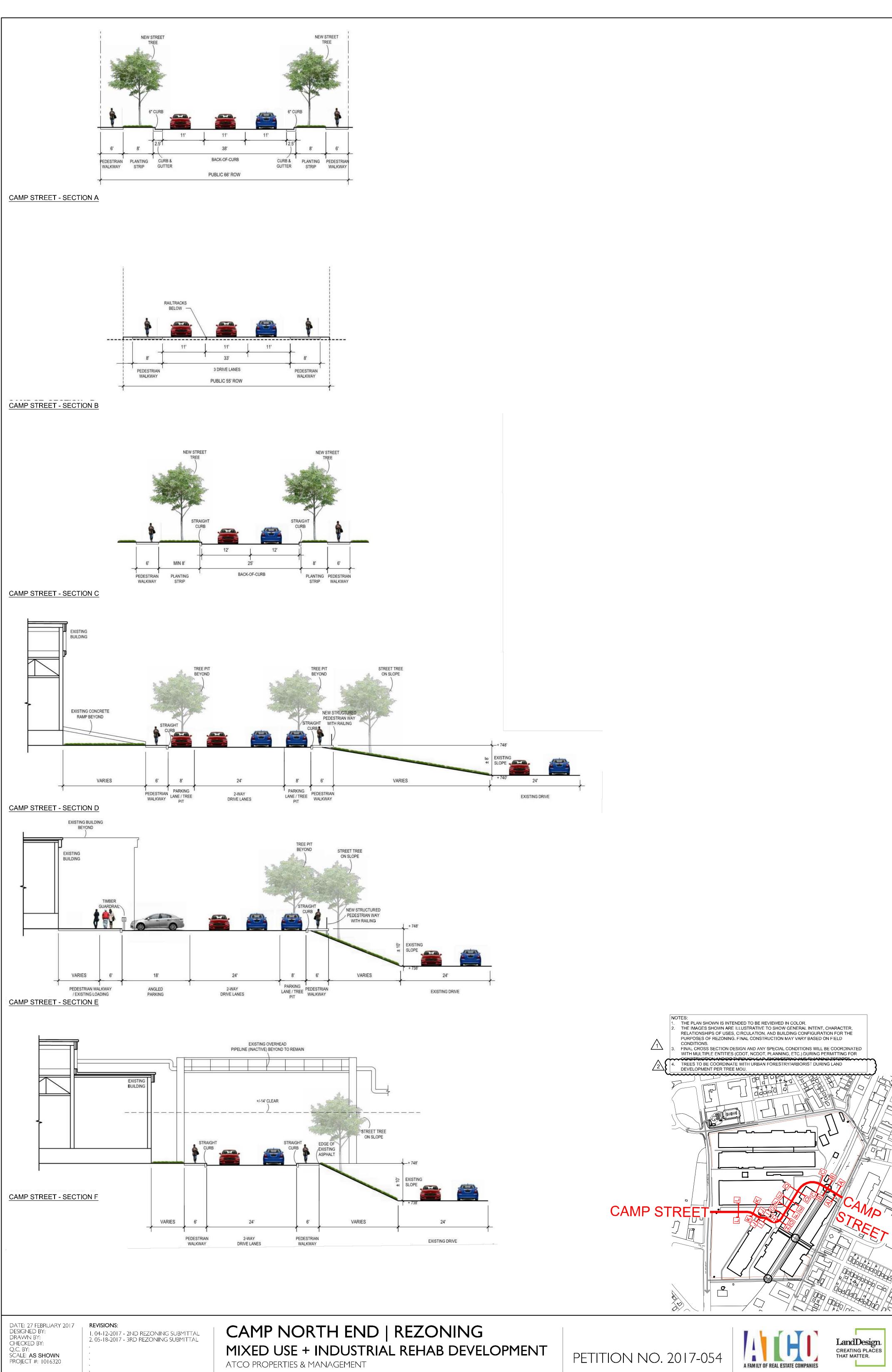


SYLVANIA AVENUE EXTENSION - PROPOSED CONDITION
SCALE: 1" = 10'-0"

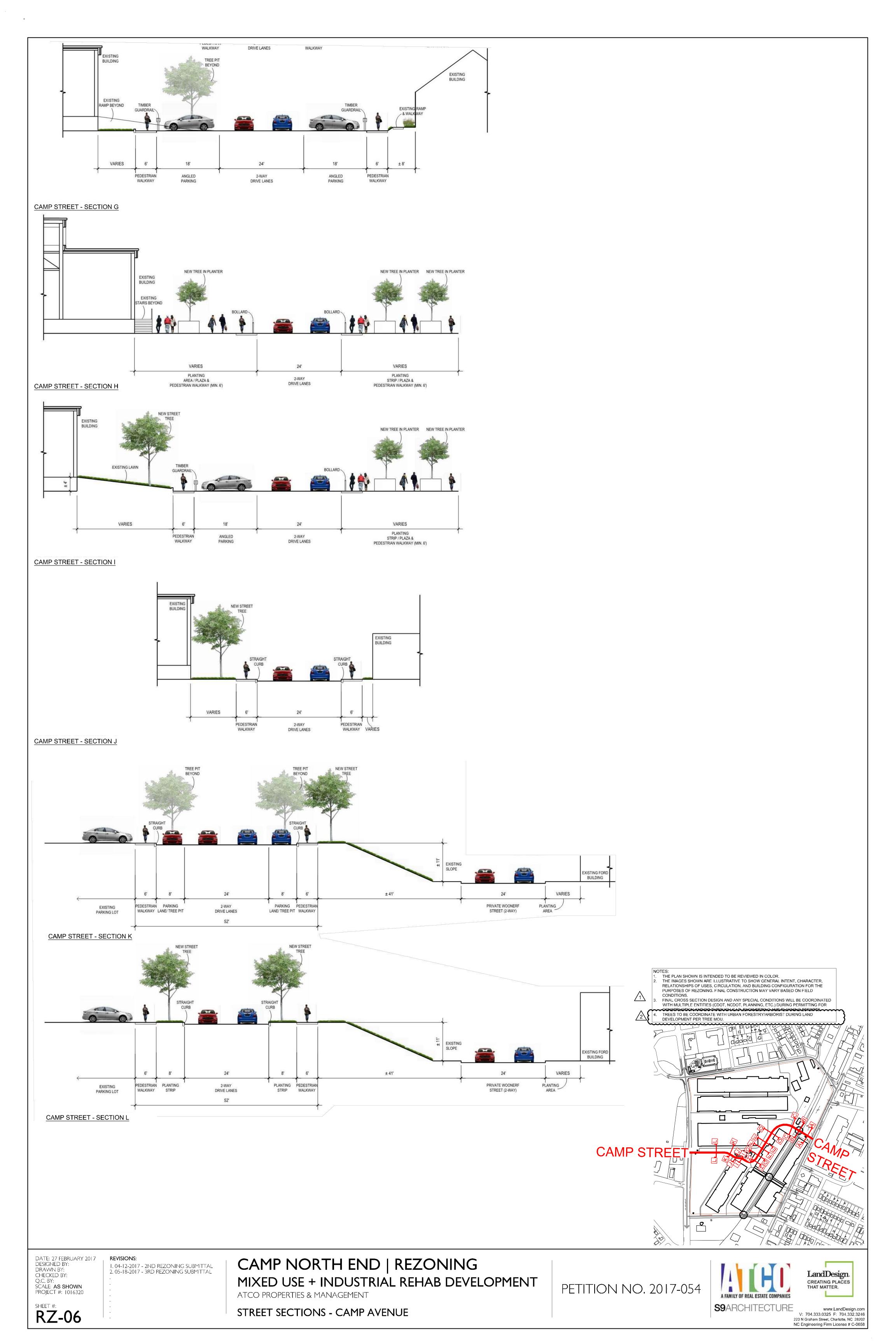


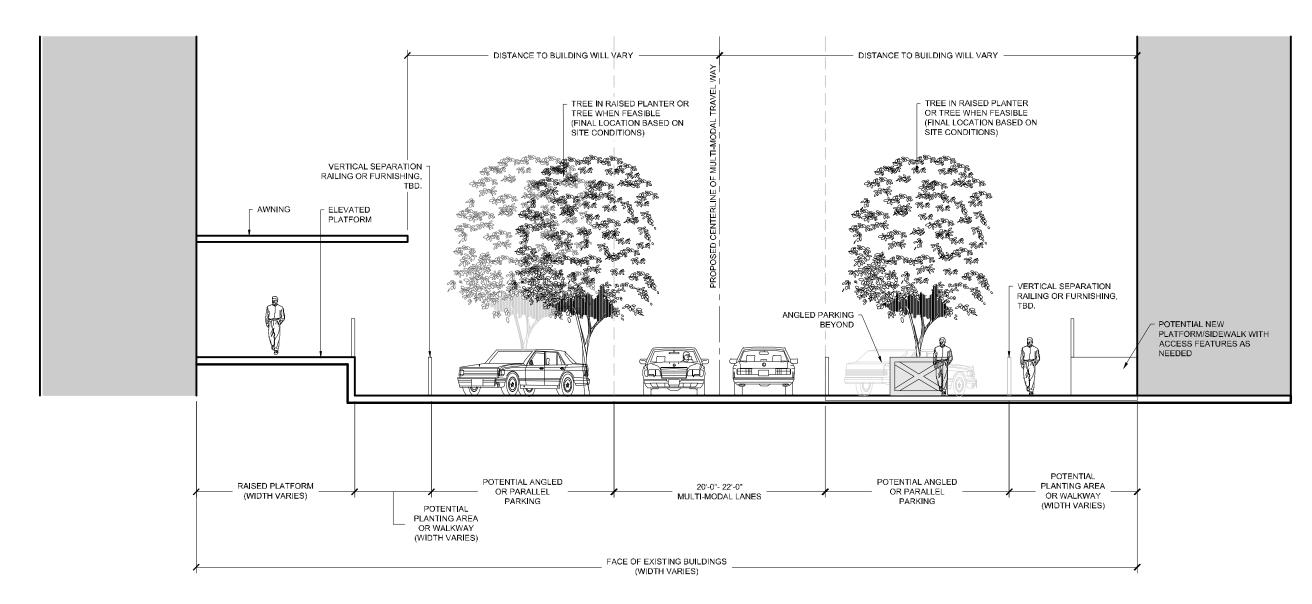
STREET SECTIONS - GRAHAM AND SYLVANIA

223 N Graham Street, Charlotte, NC 28202 NC Engineering Firm License # C-0658

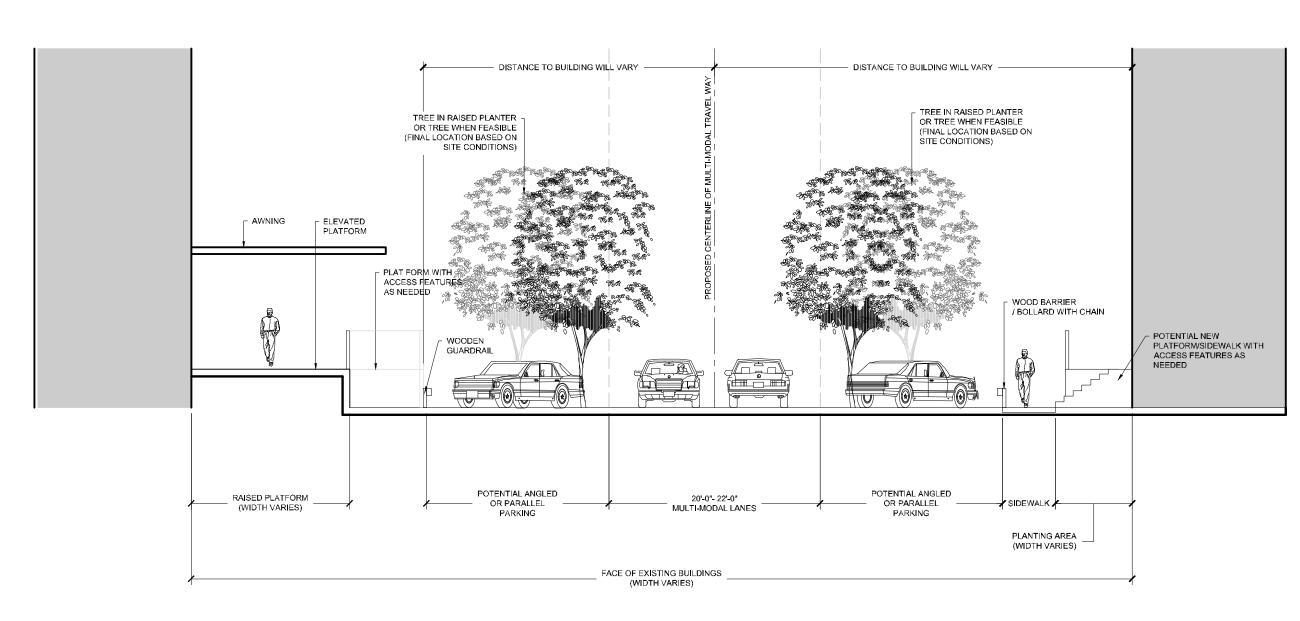


RZ-05

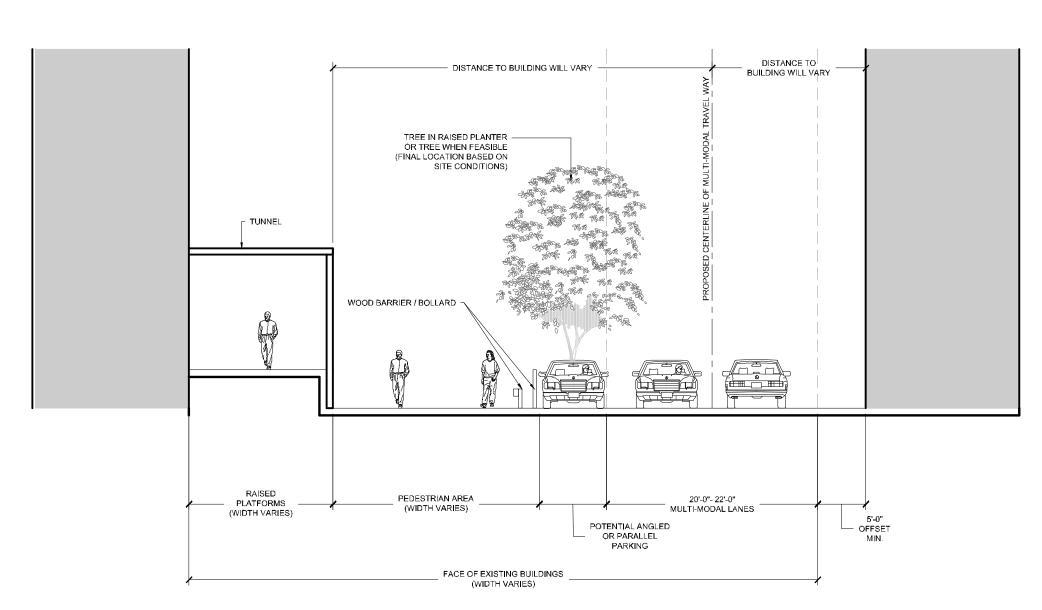




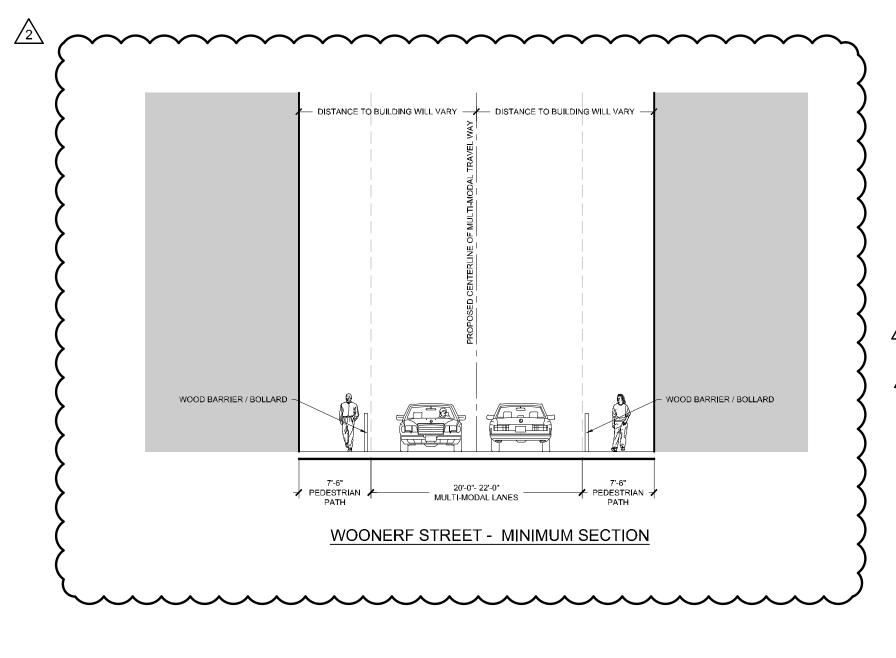
WOONERF STREET - TYPICAL SECTION

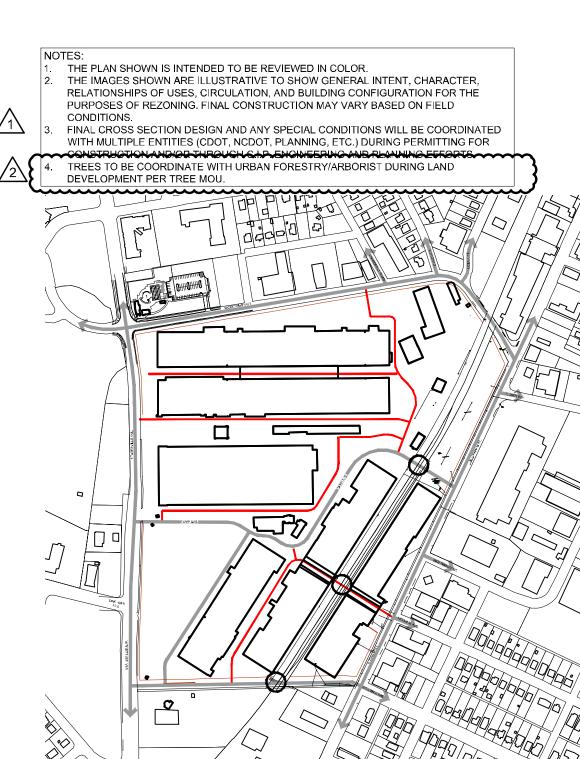


WOONERF STREET - TYPICAL SECTION



WOONERF STREET - TYPICAL SECTION



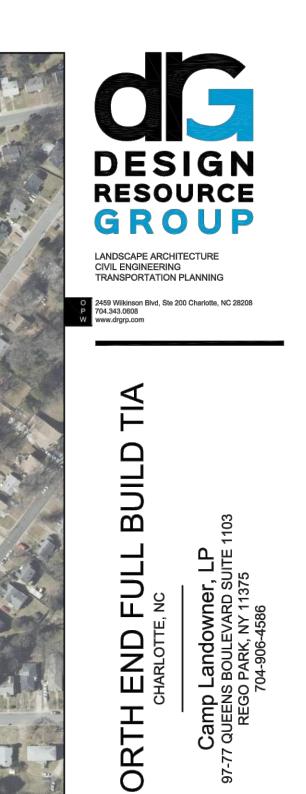


**WOONERF SECTIONS** 









CIP & SUGGESTED CONCEPTUAL **IMPROVEMENTS** 

SCALE: 1" = 250' PROJECT #: DRAWN BY: CHECKED BY: MAY 2017 REVISIONS:

Exhibit 1

RZ-TIA



#### Site Development Data:

**–Acreage:** ±72 acres -- **Tax Parcel #s:** 07903101, 07903102, 07903103, 07903104, 07903105, and 07903106

-Existing Zoning: I-2 -Proposed Zoning: UMUD-O

-Existing Uses: Vacant, Industrial, Warehouse and Office

-- Proposed Uses: Uses permitted by right and under prescribed conditions in UMUD zoning district and by the Optional Provisions below, together with accessory uses as allowed in the UMUD zoning district, all as more specifically described and limited/restricted below in Section 3.

--Maximum Gross Square feet of Development: See with respect to the Development Levels as described in Section 3 below. Maximum Building Height: 180 feet in height as to portions of the Site as described in the Optional Provisions of Section 2, and otherwise up to 75 feet in height above existing ground floor slab for existing buildings; building height for new buildings will be measured as defined in the Ordinance. **Parking**: Amounts as required by the Ordinance for the UMUD zoning district.

#### General Provisions:

a. Site Location. These Development Standards, the Technical Data Sheet of Sheet RZ-1 and other graphics set forth on attached Sheets form this rezoning plan (collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by ATCO ("Petitioner") for an approximately 72 acre site located between Statesville Avenue and Graham Street south of Woodward Avenue (the "Site").

b. Overview/Nature of Redevelopment. Redevelopment of the Site as contemplated by the Rezoning Plan involves an innovative, adaptive reuse of significant portions of the existing industrial/distribution buildings that were constructed as early as the 1920s. The redevelopment to be known as "Camp North End" seeks to resurrect and continue the legacy of innovation of this unique property by transforming the historical industrial distribution components into a vibrant destination and vehicle for economic mobility. The Rezoning Plan contemplates a dynamic mix of retail, food and beverage, creative office, craft/light industrial production, creative lab, community programing, film studios, entertainment venues, educational uses and other commercial and light industrial related uses, and possible lodging and multi-family residential uses - many of which will occupy in an adaptive reuse format the existing unique industrial period buildings and some will occupy new buildings located in certain designated areas on the Site. The Rezoning Plan reflects the need for creativity and flexibility in compliance with land use regulations by way of UMUD Optional Provisions and other regulatory allowances in order to create the innovative and unique place sought for the City's Applied Innovation Corridor, among other community planning instruments.

c. Zoning District/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") for the UMUD-O zoning district. Unless the Rezoning Plan establishes more stringent standards the regulations established under the Ordinance, the UMUD-O zoning elassification shall govern the Site, subject to the Optional Provisions set forth below.

d. Development within Existing & New Buildings.

It is acknowledged that the existing buildings located on the Site as generally depicted and identified on [Sheet RZ-00, Sheet RZ-01 and Sheet RZ-02] of the Rezoning Plan (each an "Existing Building" and collectively the "Existing Buildings") consist of ±1.24 million square feet of space and in the recent past over 90% of such Existing Building space has been used for a combination of distribution, light industrial and office related uses.

(ii) Given the size and scale of the Site, portions of the Site and the Existing Buildings will be developed in a combined effort to meet and create market demand with a mix of small or larger rehabs of portions of Existing Buildings for the permitted uses as well as development of new buildings on the Site (each a "New Building" and collectively the "New Buildings") that will occur in areas currently consisting of surface parking or driveway areas or portions of Existing Buildings, each as generally depicted within the "yellow outlined areas" on [Sheet RZ-02]. The boundaries of the "yellow outlined areas" may be subject to minor adjustments as set forth in Section 3.d. below (New Building Areas). (iii) The provisions of Section 3.d. (New Building Areas) below reflect the above-described approach to construction of

New Buildings on portions of the Site and redevelopment with Adaptive Reuses of portions of the Existing Buildings; it is

expressly agreed that at least 632,000 square feet of gross floor area within the Existing Buildings shall remain on the Site (subject to fire, casualty or similar events) and such areas may be developed for Adaptive Reuses (as defined below). e. Graphics and Alterations. The schematic depictions of the uses, parking areas, sidewalks, structures and buildings (including without limitation Existing Buildings or New Buildings; together "buildings"), driveways, and other development matters and site elements (collectively the "Development/Site Elements") as may be set forth on the Rezoning Plan

should be reviewed in conjunction with the provisions of these Development Standards. The layout, locations, sizes and formulations of the Development/Site Elements depicted on the Rezoning Plan are graphic representations of the Development/Site elements proposed. 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/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:

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; or

modifications to move structures or buildings graphically depicted on the Rezoning Plan closer to adjacent properties but no closer than the "external building line" (in this case the yards) indicated on the Rezoning Plan; or

(iv) 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 each instance, however, subject to the Petitioner's appeal rights set forth in the

f. Number of Buildings Principal and Accessory. Given the phased master planned nature of the Site, Petitioner is not required to set forth the number of the buildings and structures on the Site, and the total number of such buildings or structures to be developed on the Site shall not be limited.

g. Planned/Unified Development. The Site and Development Areas within the Site shall be viewed as a planned/unified development plan as to the elements and portions of the Site generally depicted on the Rezoning Plan for the Site and such Development Areas. As such, side and rear yards, buffers, building height separation standards, FAR requirements, and other similar zoning standards will not be required internally between improvements and other Development/Site Elements located within the Site or an applicable Development Area. Furthermore, the Petitioner and/or owner of any portion of the Site reserves the right to subdivide portions or all of the Site and create lots within the interior of the portion of the Site or within a Development Area without regard to any such internal separation standards and FAR requirements, provided, however, all such separation standards along the exterior boundary of the Site shall be adhered to. In addition, all FAR requirements will be regulated by any development limitations set forth in this Rezoning Plan for the Plan Site as a whole and not individual portions, Development Areas or lots located therein

h. Five Year Vested Rights. Per Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the scale, size and master planned nature of the development & its timing, and the level of investment, among other factors, this Petition includes vesting of the Rezoning Plan and conditional zoning districts for a five (5) year period, but such provisions shall not limit any other vested rights at common law or otherwise

**Definitions & Clarifications.** In addition to certain defined terms set forth in the Development Standards, the following

Gross Floor Area Clarification. When determining the maximum development levels set forth in this Rezoning Plan, the term gross floor shall exclude mechanical spaces, erawl spaces, elevator shafts and similar areas as well as any surface or structured parking facilities (including, without limitation, corridors and elevators within such facilities), enclosed loading dock/service areas, and outdoor dining and gathering areas whether on the roof of the building or at street level.

**Personal Services.** The terms "personal service uses" and/or "personal services" (whether capitalized or not) will mean and refer to uses that primarily provide or sell a service to customers versus the selling of goods. A personal service use may also sell products or merchandised but the sale of products and merchandise is typically ancillary. Examples of Personal Service uses include but are not limited to: beauty salons and barber shops, artist studios and galleries, Yoga and exercise studios, fitness and wellness facilities, nail salons, martial art training studios, laundries and dry cleaning establishments, locksmiths, funeral homes and the like.

Limited Service Restaurant. A "Limited Service Restaurant" or "limited service restaurant" (whether capitalized or not) shall mean a restaurant with no more than 3,000 square feet of gross floor area serving primarily items such as coffee, ice cream, yogurt, juices, bagels, muffins, pastries, sandwiches and similar foods that do not require on-premise cooking of food (other than heating and the baking of premixed dough).

(iv) Urban Open Space. References to the term "Urban Open Space" (whether capitalized or not) shall have the meaning ascribed to such term in the Ordinance as modified pursuant to the Optional Provisions in Section 2 below and in

EDEE Uses. References to the term "EDEE" shall mean "Eating Drinking Entertainment Establishments" as defined in the Ordinance and shall include without limitation restaurants and multi-room drinking establishments.

Commercial Uses. References to the term "commercial uses" or "Commercial Uses" (whether capitalized or not) shall mean office uses, retail uses, EDEE uses and personal services uses, and the term "non-office commercial uses" or "Non-office Commercial Uses") (whether capitalized or not) shall mean retail uses, EDEE uses and personal

(vii) Light Industrial Uses. References to the term "Light Industrial Uses" or "light industrial uses" (whether capitalized or not) shall mean all such uses permitted by right or under prescribed conditions under the UMUD zoning district other than the Commercial Uses, hotel/lodging uses and multi-family residential uses. (viii) Adaptive Reuse. Reference to the term "Adaptive Reuse" (whether capitalized or not) is intended to describe reuse

of as much of an Existing Building as practical and as permitted by applicable building regulation codes. The reuse will marry the spirit of the original architecture with anticipated sympathetic architectural intervention such as, but not limited to renovations, repairs, upgrades to mechanical systems and otherwise, portal demolitions, minor expansions, and establishment of passageways, patios, entries, connectivity, new fenestration, façade treatments, roof replacement and

(ix) Active Ground Floor Use. Reference to the term "Active Ground Floor Use" (whether capitalized or not) shall mean retail, Personal Services, business services, EDEE, galleries, office, lobbies, meeting areas, instructional venues, financial services, hotel lobby, leasing offices, lounges, exercise facilities, amenity areas and/or similar uses.

# **Optional Provisions under UMUD:**

Ordinance Section

DATE: 27 FEBRUARY 2017

DESIGNED BY:

DRAWN BY:

CHECKED BY:

SCALE: AS SHOWN PROJECT #: 1016320

RZ-NI

Intent/Context. The Site is part of the Center City 2020 Vision Plan, Central District Plan, Applied Innovation Corridor and Smart District planning areas that place an emphasis on adaptive reuse, innovative development and maintaining space and opportunities for industrial uses that can be integrated into the area with residential, Commercial Uses and Light Industrial Uses. As noted in Section 1.b above, the intent of Camp North End is to maintain much of the unique character and innovative nature associated with many of the existing Development/Site Elements. This will require flexibility in the application of and variations from certain UMUD standards to preserve portions of the existing Development/Site Elements while incorporating New Buildings and connectivity throughout the Site.

b. Specific Identified Optional Provisions. While UMUD provides many exemptions for the Existing Buildings and does not require renovated or rehabilitated structures to comply with the setback requirements or urban open space, the following UMUD-Optional Provisions (the "Optional Provisions" or "optional provisions") shall apply to existing and new development taking place on the Site for so long as no less than 632,000 square feet of gross floor area of the Existing Buildings remains, as the same may be redeveloped for Adaptive Reuse.

Deviation/Rationale

Standard

Of diffiance Section	Standard	De viation/Rationale		
9.905 (2)		Setbacks shall be established on public and private streets as		
		generally depicted on Sheets RZ-03 -07 but in response to		
		existing utilities, parking, existing buildings, site constraint		
	Setback	and/or similar features Existing Buildings shall be exempt		
		from setback requirements.		
		New Buildings will adhere to 20 foot setbacks measured		
		from existing or future back of curb, whichever is greater at		
		permitting.		
		Existing utilities in the setback may remain so long as they		
		do not obstruct the sidewalk.		
9.906(2)(b)	Street walls	Design standards for street walls on Existing Buildings shall		
		not apply to allow for maximum flexibility for existing and		
		future uses.		
		Design standards for street walls on New Buildings are		
		defined in Section 6.c of these Development Standards.		
9.906(2)(b)	Structured Parking	Design standards for structured parking facilities are defined		
	Facilities	in Section 6.c of these Development Standards.		
		Existing areas located on the Site as generally depicted on		
	Screening	Sheet RZ-01 that are used for surface parking, structures and		
		facilities for trash, storage, loading, and other outdoor		
		equipment do <u>not</u> need to be screened from streets or		
9.906(2)(c)		pedestrian circulation areas. Screening for New Building		
		improvements shall adhere to the UMUD screening		
		standards except that the Planning Director, in his or her		
		discretion, may allow deviations from these standards when		
		site conditions dictate flexibility or the design of New		
		Buildings is viewed as in keeping with the design ingredients		
		associated with adjacent Existing Buildings so as to render		
		screening requirements of limited utility.		
9.906(2)(e)	G.	Signs that vary from the UMUD standards shall be permitted		
	Signage	as set forth in Section 8 below.		
9.906(2)(j)	Building Entrances	Doorways do not need to be recessed into the building on		
		Existing Buildings.		

I. 04-12-2017 - 2ND REZONING SUBMITTAL

2. 05-18-2017 - 3RD REZONING SUBMITTAL

9.906(4)(a-i)	Urban Open Space	Urban Open Space is <i>not</i> required by Ordinance for Existing Buildings or any new uses with such Existing Buildings. When open space is provided as a requirement of office development or as amenity for the Site as part of the development for New Buildings, it will be developed as defined in Section 7 Environmental Features of these Development Standards in lieu of the standards set forth in Section 9.906(4)(ai.) of the Ordinance.		
9.906(6)	First Floor Retail Required	To the extent applicable, first floor retail uses will not be required within Existing Buildings nor New Buildings, but Active Ground Floor Uses (as defined in Section 1 above) shall be provided as part of New Buildings at the street level on <i>public</i> and private streets for 50% of the ground floor street frontage. All Active Ground Floor Uses may be applied in their entirety rather than as a percentage of the applicable use, except as noted in Section 6.c. below for proposed parking decks in Development Area C, for which no Active Ground Floor Uses shall be required.		
9.907(1)(a-e)	Parking Standards	By Ordinance, existing floor area in Existing Buildings is exempt from parking requirements of this section and no such parking requirements shall apply to uses within Existing Buildings.  Due to the locations of the Existing Buildings and parking locations, parking may be provided a distance on Site of more than 1,600 feet from new uses.  New Buildings shall meet the UMUD parking ratio standards.		
9.907(2)	Loading Standards	Certain deviations of loading standards shall be permitted including and others permitted by CDOT and Planning during the design development review process.		

#### Permitted Uses; Development Levels; Conversion Rights.

regulations.

a. Permitted Uses Generally. The Site may be developed with uses permitted by right and under prescribed conditions in the UMUD zoning district together with accessory uses as allowed in the UMUD zoning district, in accordance with the Optional Provisions set forth above AND EXCEPT as noted below in Sections 3.b., 3.c., 3.d. and 3.e.

b. Permitted Uses Under Prescribed Conditions. The following principle uses are permitted as described below and under the prescribed conditions for such uses that are set forth in the Ordinance.

(i) Retail sales for automobiles (new and used), feed, fences and fence materials, packaged fertilizer, motorcycles, pawnshops and trucks within a completely enclosed building limited to Development Areas A, B, and C as generally depicted on RZ-02. Exterminators, funeral homes and embalming, laundries and dry cleaning establishments and locksmiths and

gunsmiths limited to Development Areas A, B, and C as generally depicted on RZ-02. (iii) Utility and related facilities such as distribution lines, railroad rights-of-way, telephone repeater stations, and water storage tanks if currently or previously existing on the site and with expansion

(iv) Drive-in windows as part of an accessory part of a principal structure designed to be completely internal to the

(v) Outdoor sales accessory, subject to the regulations of the Zoning Ordinance Section 12.417 limited to Development *Areas A, B, and C as generally depicted on RZ-02.* (vi) Beneficial fill permitted from within the overall Site and as associated with Brownfield restoration and related

c. Prohibited Uses. The following uses are not permitted: animal crematoriums, jails, land clearing and inert debris landfills (but not to exclude on-site reuse of soils), crematory facilities, petroleum storage, and uses with drive through window facilities. d. New Building Areas. [Sheet RZ-02] generally depicts those portions of the Site outlined in yellow in which New Buildings and associated development, in lieu of all or a portion of an Existing Building or associated site elements, could take place (the "New Building Development Areas"). Development within the New Building Development Areas may include demolition of all or portions of the Existing Buildings. Minor adjustments to the boundary of the New Building Development Areas may be take place, provided, that: (i) at least 632,000 square feet of gross floor area within Existing Buildings shall remain on the Site (subject to fire, casualty or similar events) and (ii) in no event shall such New Building Development Areas encroach into the core of the Existing Buildings and associated site elements (the "Core Existing Building Areas") as generally depicted

the same may be adjusted as described above, may be redeveloped as Adaptive Reuses (as defined above in Section 1). e. Development Levels. Development levels for certain permitted uses are set forth in Table 3.e. below for the purposes of regulating traffic/transportation related aspects that may result from development taking place on the Site as more particularly set forth in Section 4 below. When referencing development levels in Table 3.e. below, it is understood that those permitted uses falling within the category of uses listed below shall be accounted for within the listing for Light Industrial uses. It is acknowledged that the actual development levels allowed may be increased or decreased above or below the development levels reflected in Table 3.e. below in accordance with the conversion rights set forth in Sections 3.f. - 3.i. below up to the maximum conversion amounts set forth in such sections.

on [Sheet RZ-02]. It is expressly understood that the portions of the Site not identified as New Building Development Areas, as

#### Table 3.e. Development Levels

	Existing	Total thru Phase 1	Total thru Phase 2	Total thru Phase 3
Light Industrial Uses*	1,240,000 sf	530,000 sf	275,000 sf	65,000 sf
EDEE **		30,000 sf	60,000 sf	80,000 sf
Retail/Personal Services		20,000 sf	65,000 sf	200,000 sf
Office		450,000 sf	760,000 sf	1,500,000 sf
Multi-Family Residential		250 units	600 units	1,500 units
Hospitality/Hotel **				
TOTAL	1,240,000 sf	1,030,000 sf	1,160,000 sf	1,845,000 sf

\* Light Industrial Uses under Phases 1, 2 and 3 include uses that are not accounted for under the other listed uses listed. \*\* EDEE includes drinking establishments.

\*\*\*Hospitality/hotel uses allowed per conversion rights.

Conversion of Commercial Uses. Retail, EDEE, and Personal Services uses ("non-office commercial uses") may exceed the applicable development levels set forth in Section d. above by up to 40% and office commercial uses may exceed the applicable development level specifications by up to 40% by converting non-office commercial uses into office commercial uses and vice versa at a ratio of 1.0 square foot of gross floor area of such uses so converted. In such event the total gross floor area of commercial uses (office and non-office) allowed shall not exceed the total specified amount as a result of such conversions, rather only the mix of such uses shall change but not by greater than 40%. The conversions described above are in addition to other conversions set forth herein. Notwithstanding the foregoing, the limit on conversion of the above commercial uses that consist of high turnover restaurant uses shall be up to an increase of no greater than 25% of such high turnover restaurant uses, not 40% as described above.

g. Conversion of Hotel Rooms & Residential Units. Hotel rooms may be developed within the Site by converting residential dwelling units into hotel rooms at the rate of one (1) residential unit so converted into one (1) hotel room, up to a maximum of 300 hotel rooms created in the aggregate within the Site by such conversion. The conversions described above are

Conversion of Hotel Rooms, Multifamily Units & Commercial Uses. Hotel rooms and additional multifamily residential units may be developed within the Site by converting commercial uses (e.g. office, retail, EDEE and Personal Services uses) into hotel rooms or multifamily units at the rate of 500 square feet of gross floor area of such commercial uses so converted for one (1) hotel room added or one (1) multifamily unit so added, up to a maximum of 300 hotel rooms and/or multifamily units created in the aggregate by such conversion, and additional commercial uses may be developed by converting hotel rooms or multifamily units into commercial uses at the rate of one (1) hotel room or one (1) multifamily unit so added so converted into 500 square feet of gross floor area of commercial uses so created up to a maximum of 300 hotel rooms or multifamily units so converted in the aggregate. The conversions described above are in addition to other conversions set forth herein.

Conversion of Light Industrial Uses & Commercial Uses. Light Industrial uses and commercial uses (office and non-office) may exceed the applicable development levels set forth in Section d. above by up to 40% by converting such commercial uses into Light Industrial uses at the rate of 1.0 square foot of gross floor area of commercial use so converted to 1.5 square foot of gross floor area of Light Industrial uses created and vice-versa for the conversion of Light Industrial uses into commercial uses. The conversions described above are in addition to other conversions set forth herein. Notwithstanding the foregoing, the limit on conversion of Light Industrial uses into high turnover restaurant uses shall be up to an increase of no greater than 25% of such high turnover restaurant uses, not 40% as described above. Written Requests & Records for Conversions; Administrative Amendments. Prior to any conversions of entitlement

pursuant to subsections 3.f, g, h and i above, the Petitioner or owner of the portion of the Site involved in the conversion under request shall provide to the Planning Department a written request for such conversion as well as an updated Entitlement Summary, including the applicable Conversions Levels. Furthermore, the results of such conversions shall be evidenced by an administrative site plan amendment.

### Transportation Related Aspects Transportation Evaluation/Assessment & Improvements.

a. Context/Transportation Evaluation & Assessment. The ±72 acre Site is currently zoned I-2 and contains ±1.24 Million square feet of floor area in the Existing Buildings on the Site, which have been and many of which currently are occupied for industrial/distribution and other active uses. In addition, the existing I-2 zoning allows currently "by right" a broad range of commercial uses (including without limitation retail, EDEE, office and similar uses) in addition to the industrial/distribution and other active uses that have been operating on the site for years. Accordingly, the existing I-2 zoning and uses currently result in significant level of existing or allowed by right vehicular trips to and from the Site by way of the existing street network located

Based on discussions and evaluation/assessment by CDOT, it is estimated that the vehicular trip generation associated with the Phase I level of development set forth in Section 3.e. and on <u>Table 3.e.</u> (the "<u>Phase I Development</u>") will be less than the estimated trip generation levels that would be associated with a reasonable level of development that is available under the existing by right I-2 zoning for the Site.

Similarly, based on discussions and evaluation/assessment by CDOT, it is estimated that the vehicular trip generation associated with the Phase I level of development set forth in Section 3.e. and on Table 3.e. (the "Phase II Development") will not be substantially higher than the estimated trip generation levels that would be associated with a reasonable level of development that is available under the existing by right I-2 zoning for the Site.

Accordingly, the Traffic Impact Study undertaken in consultation with CDOT focuses on the full build-out associated with the Phase III level of development set forth in Section 3.c. and Table 3.c. above (the "Phase III Development"), together with possible traffic safety elements associated with vehicular accesses to and from the Site. The TIA requested by CDOT and provided by the Petitioner provides an assessment of certain transportation improvements that may be appropriate with upon the full build-out associated with the Phase III Development, and such items are addressed in Section 4.I.d. below. It is noted, however, that most of the improvements listed in Section 4.I.d. below are set forth for validation related to the City of Charlotte's Community Improvements Program for the Applied Innovation Corridor (the "CIP Project").

b. Phase I Development. As referenced in subsection a, above, the Phase I Development is expected to result in less trips to

the Site than the estimated trip generation levels from the existing by right zoning and allowed uses. As such, there are no transportation improvements called for as part of the Phase I Development provided that Petitioner shall cooperate with CDOT and NCDOT in connection with possible adjustments to the existing points of access to and from the Site as may be appropriate to reflect traffic safety aspects. c. Phase II Development. As referenced in subsection b. above, the Phase II Development is not expected to result in

substantially more trips to the Site than the estimated trip generation levels from the existing by right zoning and allowed uses. As such, there are no transportation improvements called for as part of the Phase I Development provided that Petitioner shall cooperate with CDOT and NCDOT in connection with possible adjustments to the existing points of access to and from the Site as may be appropriate to reflect traffic safety aspects, [IT IS NOTED THAT NCDOT IS IN THE PROCESS OF REVIEW OF THE PHASE II DEVELOPMENT IMPLICATIONS

d. Validation of CIP Improvements & Phase III Development & Other Phase III Aspects. As set forth in subsection a. above, The TIA requested by CDOT sets forth an assessment of improvements that may be appropriate upon full build-out

associated with Phase III Development, most of which are set for validation related to the CIP Project. The following sets for the

Validation of CIP Improvements along Graham Street & Statesville Ave. corridors (See [Sheet RZ-TIA] for map showing general location of Improvements):

The following improvements are set out for validation related to the CIP Project and are not required to be installed by Petitioner

# 4a. Statesville Avenue & Oaklawn Avenue/Oaklawn Avenue Extension (signalized)

• Remove the outer northbound thru lane on Statesville Avenue (the existing outer thru lane terminates as a right turn lane at Sylvania Avenue Extension [as mentioned below]).

• Modify the existing northbound left turn lane on Statesville Avenue to an off-set left turn lane with 225 feet of storage and

• Construct an off-set southbound left turn lane on Statesville Avenue with 225 feet of storage and an appropriate bay taper (within the existing median) • The off-set lefts will separate the lefts from the thru lanes and maintain the road diet section in both directions

## • Modify the existing eastbound right turn lane on Oaklawn Avenue to a combined thru-right turn lane

#### 10a. N. Graham Street & Sylvania Avenue/Sylvania Avenue Extension. (signalized - RECOMMENDED CONFIGURATION)

### • Install a traffic signal with left turn permitted/protected phasing on the N. Graham Street legs of the intersection

• Construct a northbound left turn lane on N. Graham Street with 160 feet of storage and an appropriate bay taper • Construct a southbound left turn lane on N. Graham Street with 140 feet of storage and a 90-foot bay taper (back-to-back

with the northbound left turn lane at intersection #11 described in the next segment)

• Modify the existing westbound right turn lane on Sylvania Avenue to a combined thru-right turn lane • Construct Sylvania Avenue Extension with one entering lane and two exit lanes (a dedicated left turn lane and a combined thru-right turn lane with 140 feet of storage)

#### 11a. N. Graham Street & Keswick Avenue/Keswick Avenue Extension (unsignalized)

• Construct a northbound left turn lane on N. Graham Street with 145 feet of storage and a 70-foot bay taper (back-to-back with the southbound left turn lane at intersection #10 described in the previous segment)

• Construct a southbound left turn lane on N. Graham Street with 50 feet of storage and an appropriate bay taper • Modify the existing westbound right turn lane on Sylvania Avenue to a combined thru-right turn lane

## 15a. Statesville Avenue & Existing Cemetery Driveway/Proposed Access "A" (unsignalized)

### • Construct a southbound left turn lane on Statesville Avenue with 135 feet of storage (within the proposed two-way left-turn

• Construct a northbound left turn lane on Statesville Avenue with 125 feet of storage (within the proposed two-way left-turn

#### • Remove one northbound/southbound thru lane on Statesville Avenue

• Remove one northbound/southbound thru lane on Statesville Avenue

16a. Statesville Avenue & Proposed Access "B" (unsignalized)

• Construct a southbound left turn lane on Statesville Avenue with 150 feet of storage (within the proposed two-way left-turn

17a. Statesville Avenue & Sylvania Avenue Extension (unsignalized) • Install an off-set southbound left turn lane on Statesville Avenue with 135 feet of storage and an appropriate bay taper

• The off-set left will separate the southbound left from the southbound thru lane and maintain the road diet section • Widen the existing raised median on the south side of Sylvania Avenue Extension

• The modification of the northbound outer thru lane on Statesville Avenue will terminate as a right turn lane • Construct Sylvania Avenue Extension with one entering lane and two exit lanes (a left turn lane and a right turn lane with 125 feet of storage)

### Phase III Access Improvements:

The following improvements are set out for evaluation and consideration in connection with access improvements to the Site upon Phase III Development, which may or may not be part of the CIP Project:

#### 4a. Statesville Avenue & Oaklawn Avenue/Oaklawn Avenue Extension (signalized)

• Construct Oaklawn Avenue Extension with one entering lane and two exit lanes (a dedicated left turn lane and a combined thru-right turn lane with 100 feet of storage)

#### 11a. N. Graham Street & Keswick Avenue/Keswick Avenue Extension (unsignalized)

• Construct Keswick Avenue Extension with one entering lane and two exit lanes (a dedicated left turn lane with 125 feet of storage and a combined thru-right turn lane)

### 15a. Statesville Avenue & Existing Cemetery Driveway/Proposed Access "A" (unsignalized)

• Construct Proposed Access "A" with one entering lane and two exit lanes (a dedicated left turn lane with 75 feet of storage

#### and a combined thru-right turn lane)

16a. Statesville Avenue & Proposed Access "B" (unsignalized)

### • Construct Proposed Access "B" with one entering lane and two exit lanes (a left turn lane with 150 feet of storage and a

18. N. Graham Street & Proposed Access "C" (RECOMMENDED SIGNALIZATION)

• Install a traffic signal with northbound left turn permitted/protected phasing on N. Graham Street • Construct Proposed Access "C" with one entering lane and two exit lanes (a left turn lane and a right turn lane with 75 feet

#### 19. Woodward Avenue & Proposed Access "D" (unsignalized)

• Construct Proposed Access "D" with one entering lane and two exit lanes (a left turn lane with 225 feet of storage and a

# Non-CIP Suggested Offsite Improvements

would be installed by Petitioner as part of the Phase III Development. 1. <u>Statesville Avenue & Atando Avenue (signalized)</u>

The following improvements are set forth for evaluation and assessment in connection with certain off-site improvements that

### • Install a 2nd northbound left turn lane on Statesville Avenue with 150 feet of storage (pavement re-mark). This

Non-CIP Suggested Offsite Improvements by Offsite Third Party Developer: The following improvements are set forth for evaluation and assessment in connection with off-site improvements that are not part of the CIP Project and that are already contemplated to be installed by a third party developer in connection with other

improvement is suggested whether the Statesville Avenue and N Graham Street roadway corridors are modified or not.

# projects and not by the Petitioner in connection with the development of the Site.

6. N. Graham Street & 12th Street/I-277 Outer Ramps (signalized)

Future improvements associated with the NC Music Factory offsite development include (these improvements are suggested whether the Statesville Avenue and N Graham Street roadway corridors are modified or not):

• Construct a 2nd westbound right turn lane on 12th Street with 275 feet of storage and an appropriate bay taper • Install a 3rd northbound thru lane on N. Graham Street (pavement re-mark)

# 7. N. Graham Street & NC Music Factory Boulevard (signalized)

A future improvement associated with the NC Music Factory offsite development includes (these improvements are suggested whether the Statesville Avenue and N Graham Street roadway corridors are modified or not): • Install a 2nd northbound left turn lane on N. Graham Street with 185 feet of storage (pavement re-mark)

e. General Corridor Suggested Improvements:

The TIA requested by CDOT and CDOT's evaluation have reflected the following additional suggested corridor related improvements that are contemplated to be or become part of the CIP Project: Statesville Road "Road Diet" - The primary benefits of reducing a roadway section from 4-lanes to 3-lanes is to increase pedestrian safety (pedestrian crossing medians) and the inclusion of bike lanes on both sides of the corridor as anticipated with

Graham Street Widening - The primary benefit associated with a 5-lane roadway section is that with the inclusion of left turn lanes on N. Graham Street the chance of rear-end collisions is reduced (left turning vehicles are no longer queued in the thru

In addition, mid-block pedestrian refuge islands should be considered along the N. Graham Street and Statesville Road corridors adjacent to the site to promote connectivity and complete streets.

# II. Standards, Phasing and Other Provisions.

a. CDOT Standards; Improvements by Others. Any of the foregoing public roadway improvements described for the Phase III Development, as part of the CIP Project or otherwise, will be subject to the standards and criteria of CDOT (as it relates to the roadway improvements within its road system authority). It is understood that such improvements may be undertaken by other parties/developers, by governmental bodies and/or in conjunction with other development or roadway projects taking place within the Statesville Avenue/Graham Street areas such as the CIP Project, by way of a private/public partnership effort or other public sector project support such as the CIP Project by way of a reimbursement agreement whereby the Petitioner undertakes the

b. Phase III Development Subphasing Provisions. The following provisions shall permit development to take place in subphases prior to substantial completion of all of the above-referenced improvements associated with the Phase III Development: [TO BE FORTHCOMING]

Substantial Completion. Reference to "substantial completion" or substantially completed" for certain improvements as set forth in the provisions of Section 4.II above shall mean completion of the roadway improvements in accordance with the standards set forth in Section 4.II.a above 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 in connection with related development phasing described above, 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 a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the applicable improvements.

d. Right-of-way Availability. It is understood that some of the public roadway improvements referenced in subsection a. above may not be possible without the acquisition of additional right of way. Such right of way may be acquired by governmental bodies as part of customary roadway projects funded by such governmental bodies; if not then in such event after the exercise of diligent good faith efforts over a minimum of a 60 day period, the Petitioner is unable to acquire any land necessary to provide for any such additional right of way upon commercially reasonable terms and at market prices, then CDOT, the City of Charlotte Engineering Division or other applicable agency, department or governmental body agree to proceed with acquisition of any such land. In such event, the Petitioner shall reimburse the applicable agency, department or governmental body for the cost of any such acquisition including compensation paid by the applicable agency, department or governmental body for any such land and the expenses of such proceedings. Furthermore, in the event public roadway improvements referenced in subsection a. above are delayed because of delays in the acquisition of additional right-of-way as contemplated herein and such delay extends beyond the time that the Petitioner seeks to obtain a certificate of occupancy for building(s) on the Site in connection with related development phasing described above, then CDOT will instruct applicable authorities to allow the issuance of certificates of occupancy for the applicable buildings; provided, however, Petitioner continues to exercise good faith efforts to complete the applicable road-way improvements; in such event the Petitioner may be asked to post a letter of credit or a bond for any improvements not in place at the time such a certificate of occupancy is issued to secure completion of the

e. Alternative Improvements. Changes to the above referenced roadway improvements associated with Phase III Development can be approved through the Administrative Amendment process upon the determination and mutual agreement of Petitioner, CDOT and the Planning Director; provided, however, the proposed alternate transportation improvements provide (in the aggregate) comparable transportation network benefits to the improvements identified in this Petition.

f. Access. Access to the Site will be from Graham Street, Statesville Avenue, Woodward Street and Sylvania Street as generally depicted on the Rezoning Plan.

# 5. Internal/External Streets, Streetscape & Pedestrian Mobility.

a. Context. As referenced above, the unique existing conditions and the largely adaptive reuse nature of the redevelopment contemplated by this Rezoning Plan seeks to create the innovative and unique place sought by the Applied Innovation Corridor among other community planning objectives. As such, the following provisions address the approach to the design of the internal streets, streetscape and pedestrian mobility in a manner that recognizes the unique site conditions and adaptive reuse nature of the redevelopment. These provisions are set forth with the understanding that the provisions of Section 3.d. (New Building Areas) shall be complied with such that a minimum of 632,000 square feet of gross floor area of the Existing Buildings and the Core Existing Buildings Development Areas shall remain in place, with the further understanding that the redevelopment of the same for Adaptive Reuse is permitted.



improvements contemplated by such TIA assessment.

an appropriate bay taper

**PETITION NO. 2017-054** 





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Connectivity/Mobility Plan Generally. Reference is made to [Sheet RZ-02] which sets forth the conceptual connectivity and mobility plan for private and limited public streets that are internal to the Site as well as the design approach to streetscape and pedestrian mobility features (the "connectivity/pedestrian features"). As such, connectivity/mobility features shall include a combination of sidewalks, gathering places and multi-modal connections, some of which may be woonerf-style connections that support the historical warehouse district and proposed Adaptive Reuse character of most of the project, and others of which may be more traditional in format if the character of the adjacent development is more typical of traditional development patterns. These connectivity/pedestrian mobility features are anticipated to be privately owned and maintained provided that certain portions of the vehicular connections described below and generally depicted on [Sheet RZ-02], will have public access easements. The intent of this Section 5 is generally depicted on [Sheet RZ-02], but it is understood that the locations of connectivity/pedestrian feature shown are illustrative and diagrammatic since the same will be more concretely planned and developed as part of the design development and construction phases of the project when development parcels and/or redevelopment of Buildings occurs.

c. Installation of Connectivity/Pedestrian Features Generally. Except as set forth in the provisions of subsection 5.d below regarding the installation of specific connectivity/pedestrian features and the timing of such installation, the connectivity/pedestrian features generally depicted on [Sheet RZ-02] shall be installed as redevelopment, including Adaptive Reuse of the Existing Buildings, occurs as may be necessary to ensure appropriate vehicular and/or pedestrian access to the redevelopment site in question or such portion of the Existing Buildings being redevelopment for such Adaptive Reuse; provided, however, subject to the provisions of subsection d. below, only such connectivity/pedestrian features that are in close proximity to such redevelopment site or Adaptive Reuse location or that are so required to ensure such vehicular and/or pedestrian access thereto shall be required at the time of the applicable redevelopment. It is understood that the routes for such connectivity/pedestrian features, including without limitation streets and woonerfs generally depicted on [Sheet RZ-02], may be adjusted as reasonably necessary to address site constraints such as abrupt changes in topography, implications arising from the railroad conditions, brownfields regulations and the like.

d. Specific Connectivity/Pedestrian Features Provisions. The following provisions shall govern the design and installation of certain specific connectivity/pedestrian features described below and generally depicted on [Sheet RZ-02]. To the extent of a conflict between the general provisions of subsection c. above and the more specific provisions of this subsection d., this subsection d. shall control, but subsection c. shall control when for those connectivity/pedestrian features not set forth or referenced below.

Interim Driveway Conditions. Current conditions of the Site reflect driveways that provide external connections to adjacent public streets such as Statesville Avenue, Woodward Avenue, and Graham Street and driveways that provide internal connections to various Site Elements within the Site. It is understood that such external and internal driveways may stay in their current form and design, subject to appropriate refurbishing of pavement surfaces to ensure public safety until such time that the contemplated connectivity/pedestrian features generally depicted on [Sheet RZ-02] are installed per the requirements of this Section 5 in connection with redevelopment.

Statesville Avenue & Graham Street Connections. As generally depicted on [Sheet RZ-02] but subject to the other provisions of this subsection d. dealing with specific street and woonerf connections to Statesville Avenue and Graham Street (other than Sylvania Avenue), those streets that are proposed to connect to Statesville Avenue and Graham Street shall reflect a more customary street cross-section for the portion of such street located with 75 feet of the intersection with such public streets with the understanding that the cross-section/profile may become more [innovative and tight/urban] in nature in areas located more internal to the Site.

Urban Open Space #1. In the event that the portion of Existing Buildings 2A, 2.B, 3A, 3B, 4, 5A or 5B located adjacent to the proposed urban open space area located within the internal portion of the Site as generally depicted and designated as "Urban Open Space #1" on [Sheet RZ-02] is redeveloped for Adaptive Reuse (but not triggered upon reuse by a tenant or user in predominantly "as-is" condition), then such Urban Open Space #1 and accompanying pedestrian features and improvements (to the extent not already completed) shall be installed prior to the issuance of the certificate of occupancy for the applicable portion of such Existing Buildings being redeveloped for Adaptive Reuse.

Urban Open Space #2. In the event that the portion of Existing Buildings 7,8, 9 or 10 located adjacent to the proposed urban open space area located within the internal portion of the Site as generally depicted and designated as "Urban Open Space #2" on [Sheet RZ-02] is redeveloped for Adaptive Reuse (but not triggered upon reuse by a tenant or user in predominantly "as-is" condition), then such Urban Open Space #2 and accompanying pedestrian features and improvements (to the extent not already completed) shall be installed prior to the issuance of the certificate of occupancy for the applicable portion of such Existing Buildings being redeveloped for Adaptive Reuse.

(v) Installation of Camp Street. The portion of Camp Street extending from Graham Street into the Site and connecting to and through Urban Open Space #1 as generally depicted on [Sheet RZ-02] shall be installed (if not already installed) prior to issuance of certificates of occupancy for greater than 50% of the floor area within Building 2B or Building 7 for Adaptive Reuses (but not triggered upon reuse by a tenant or uses in predominantly "as is" condition), and the balance of Camp Street (if not already installed) extending from the Urban Open Space #1 to Statesville Avenue as generally depicted on [Sheet RZ-02] shall be installed prior to issuance of certificates of occupancy for greater than 75% of the floor area within Building 7 or issuance of a certificate of occupancy for the first New Building to be located within Area E that is adjacent to the proposed right of way of Camp Street. The general cross-section for portions of Camp Street are set forth on [Sheets RZ-05 & 06] but such portions of such cross-sections may be adjusted as reasonably necessary to address site constraints such as abrupt changes in topography, implications arising from the railroad conditions, brownfields regulations and the like. The above commitments are subject to approval of the applicable railroad crossings near Graham Street and alterations to Graham Street per the improvements contemplated by the City's Community Investment Plan for

(vi) Connection A - Woodward/Statesville Connectivity Network. In the event that greater than fifty percent (50%) of each portion of Building 10 and Building 11 located within Area A as generally depicted on [Sheet RZ-02] is developed for New Buildings (as opposed to Adaptive Reuse of Existing Buildings), the conceptual private streets/connection/woonerfs shown within Area A that provide vehicular and pedestrian connectivity to Statesville Avenue and Woodward Avenue as so depicted shall be installed in order to provide for such connectivity, provided, however, the profile of such connections beyond an appropriate distance from Statesville Avenue and Woodward Avenue may be more innovative and tight/urban in nature in areas located more internal to the Site and may take the form of woonerfs or otherwise to the extent that the New Buildings continue to be in character with the historical character of the Site rather than being characterized by more customary ordinary built vocabulary.

(vii) Connection B - "Spine" Pedestrian Connection through Existing Buildings to Urban Open Space #1. Prior to completion of redevelopment for Adaptive Use of greater than 75% all gross floor area of Building 7 and greater than 75% for Building 10, the pedestrian open space feature generally depicted on [Sheet RZ-02] shall be installed within such Buildings thereby connecting to connectivity/pedestrian features such as the woonerfs between Building 10 and 11, between Building 10 and Buildings 9 and 7, and between Building 7 and Buildings 5A, 5B, and 4, then connecting to Urban Open Space #1, all as generally depicted on [Sheet RZ-02]. Furthermore, in the event that Building 11 is redeveloped for Adaptive Reuse or portions or all demolished for New Buildings, at such time as greater than 75% of Building 11 is so redeveloped, the pedestrian connection described herein shall be installed so as to provide for a continued connection to Woodward Avenue. Similarly, once the portions of Buildings 2A, 2B, 1A and 1B located adjacent to the pedestrian connection generally depicted on [Sheet RZ-02] are redeveloped for Adaptive Use such pedestrian connection shall be further extended to Graham Street, subject to the approval of the applicable railroad crossing.

(viii) Connection C - North/South Connection to Woodward across Building 11. Upon the demolition and redevelopment of the entire portion of Building 11 located within Area B, a woonerf connection shall be installed to connect Woodward Avenue to the woonerf located between Buildings 10 and 11 and if such woonerf between Buildings 10 and 11 has not yet been installed it shall be installed at such time.

(ix) Connection D - North/South Connection from Camp Street to Woodward Avenue. Upon the demolition of Buildings 15 and 16 and the redevelopment of the portions of Area C in lieu of such Buildings, a private street extending from Camp Street to Woodward Avenue as generally depicted on [Sheet RZ-02] shall be installed. The form of such private street shall reflect a minimum of two (2) eleven foot (11') vehicular travel lanes and six foot (6') sidewalks on both sides, but such form may be adjusted as reasonably necessary to address site constraints such as abrupt changes in topography, implications arising from the railroad conditions, brownfields regulations and the like.

Connection E & Other Area E Connections. The following connectivity/pedestrian features shall be reserved and installed within Area E:

(A)the potential street connection from Statesville Avenue across from its intersection with Oaklawn Avenue as generally depicted within Area E on [Sheet RZ-02] and identified as "Connection E" thereon shall be reserved so as to avoid New Buildings from preventing its connection internal as shown, but it shall not be required to be installed until New Buildings located adjacent to such proposed street within Area E are developed or when greater than 50% of the floor area that portion of Building 3 outlined in yellow is redeveloped for New Buildings, whereupon such street shall be connected to the diagonal street shown within Area E or if practicable to the woonerf located between Building 3 and Building 2A, and then on to the proposed extension of Sylvania Street, as generally depicted on [Sheet RZ-02]. The form of such Connection E shall reflect a minimum of two (2) eleven foot (11') vehicular travel lanes and six foot (6') sidewalks on both sides, but such form may be adjusted as reasonably necessary to address site constraints such as abrupt changes in topography, implications arising from the railroad conditions, brownfields regulations and the like. (B) the diagonal private street within Area E as generally depicted on [Sheet RZ-02] shall be installed prior to development of greater than 50% of the floor area of that portion of Building 3A is redeveloped for Adaptive Reuse or for New Buildings, and such private street shall connect to Camp Street and to the proposed extension of Sylvania Street as applicable at the time of such installation.

(xi) Installation of Pedestrian Ways/Woonerfs. In addition to the provisions above regarding installation of woonerf features, the following shall apply, subject to adjustments reflecting then-existing industrial/distribution uses in the areas referenced for installation:

(A)Pedestrian Way #1/Woonerf #1. In the event that a portion of Building 10 or Building 11 that has frontage on the Pedestrian Way #1/Woonerf #1 as generally depicted on [Sheet RZ-02] as "Pedestrian Way #1/Woonerf #1" is redeveloped for Adaptive Reuse (but not triggered upon reuse by a tenant or user in predominantly "as-is" condition), then a portion of such Pedestrian Way #1/Woonerf #1 shall be installed to connect such redeveloped portion to internal private streets, driveways and/or parking areas, as applicable (such internal private streets, driveways, and/or parking areas being allowed for connectivity in an interim condition until greater than 50% of the applicable Building is redeveloped for Adaptive Reuse and/or demolished for redevelopment with New Buildings).

(B) Woonerf #3. In the event that a portion of Building 10 that has frontage on Woonerf #3 as generally depicted on [Sheet RZ-02] is redeveloped for Adaptive Reuse (but not triggered upon reuse by a tenant or user in predominantly "as-is" condition), then a portion of such Woonerf #3 shall be installed to connect such redeveloped portion to internal private streets, driveways, and/or parking areas (such internal private streets, driveways and/or parking areas being allowed for connectivity in an interim condition until greater than 50% of the applicable Building is redeveloped for Adaptive Reuse and/or demolished for redevelopment with New Buildings).

(C) Woonerf #4. In the event that a portion of Building 7 that has frontage on Woonerf as generally depicted on [Sheet RZ-02] is redeveloped for Adaptive Reuse (but not triggered upon reuse by a tenant or user in predominantly "as-is" condition), then a portion of such Woonerf #4 shall be installed to connect such redeveloped portion to internal private streets, driveways, and/or parking areas (such internal private streets, driveways and/or parking areas being allowed for connectivity in an interim condition until greater than 50% of the applicable Building is redeveloped for Adaptive Reuse and/or demolished for redevelopment with New Buildings).

(D)Woonerf #5. In the event that a portion of Building 2A, Building 2B, Building 3A or Building 3B that has frontage on the Woonerf #5 as generally depicted on [Sheet RZ-02] is redeveloped for Adaptive Reuse (but not triggered upon reuse by a tenant or user in predominantly "as-is" condition), then a portion of such Woonerf #5 shall be installed to connect such redeveloped portion to internal private streets, driveways, and/or parking areas (such internal private streets, driveways and/or parking areas being allowed for connectivity in an interim condition until greater than 50% of the applicable Building is redeveloped for Adaptive Reuse and/or demolished for redevelopment with New Buildings).

# e. Streetscape Improvements for Exterior Streets/Roads.

Reference is made to [Sheets RZ-03 and RZ-04] for proposed streetscape improvements to be undertaken with respect to Site edges adjacent to Statesville Avenue, Woodward Avenue, Graham Street, the existing portion of Sylvania Avenue and the proposed extension of Sylvania Avenue. It is contemplated that many of the streetscape improvements described therein will be completed as part of the CIP Project, and such improvements may take place in phases as adjacent

(ii) In addition, the special site and regulatory conditions and Adaptive Reuse nature of the development contemplated by this Rezoning Petition may dictate that adjustments be made to the cross-sections and streetscape improvements design set forth on [Sheets RZ-03 and RZ-04] and such adjustments will be made in coordination with the Planning Department and CDOT during the design development phases and/or as part of the CIP Project implementation.

(iii) Similarly, reference is made to the Tree Ordinance Alternative Compliance MOU (as defined below) by which in light of the special site and regulatory conditions and the Adaptive Reuse nature of the development the Petitioner shall comply with alternative compliance provisions as to "Perimeter Tree Planting". Accordingly, adjustments may be made to the cross-sections and streetscape improvements design set forth on [Sheets RZ-03 and RZ-04] in connection with the Tree Ordinance Alternative Compliance MOU.

(iv) It is understood that as to streetscape improvements related to Sylvania Avenue, such improvements will be made along the northerly right of way margin as part of development of the Site but not on the southerly margin until the southerly right of way portion is installed as the property south of the Site is developed, and such southerly improvements shall be the responsibility of other parties.

#### 6. Design Standards and Setbacks: Buffer/Yards; Screening & Open Space:

use this Open Space to count toward future open space requirements.

Above-ground backflow preventers will be screened from public view and will be located outside of the required Dumpster areas and recycling areas will be enclosed by a solid wall or fence with one side being a decorative gate.

The wall or fence used to enclose the dumpster will be architecturally compatible with the building materials and colors used on the principal building. Open Space will be provided as generally depicted on [Sheet RZ-02]. New Buildings construction on the Site will

**Existing Buildings.** The following standards shall apply to all Adaptive Reuses of the Existing Buildings: Renovated Existing Building(s) shall have fenestration through vision glass, doors or active outdoor spaces along 30% of the building side that fronts the public right-of-way or private street between two (2) feet and eight (8) feet of the

ground floor. If the building architecture or site prohibits meeting the above condition, Planning Director or designee may approve alternative approaches. Utilities associated with existing buildings or adaptive reuse of existing buildings may remain in their current form, location and/or be replaced in like kind in a comparable manner.

**New Buildings.** The following standards shall apply to all New Buildings constructed on the Site: New Buildings fronting Statesville Avenue and Woodward Avenue shall not have parking between the building and

I. 04-12-2017 - 2ND REZONING SUBMITTAL

2. 05-18-2017 - 3RD REZONING SUBMITTAL

the street. Parking shall be permitted to the side of the building. New Buildings fronting Graham Street and Sylvania Avenue may have parking, maneuvering and loading between the building and the street limited to one bay. Decorative louvers, grillwork, or panels shall be utilized to screen cars from view on all facades facing public

Proposed parking deck(s) in [Development Area "C" generally depicted on sheet RZ-02 shall be permitted without

active ground floor use. Unless regarding and/or significant site work is completed and creates an opportunity for a relationship between the building and the street.

(v) New Building heights shall not exceed 180 feet. New Buildings located on and fronting Woodward Avenue, Statesville Avenue, Graham Street and Sylvania Avenue taller than 70 feet will have a building step-back 60' above grade or lower that is a minimum of 10'deep. If the building setback is increased by 10' (with a minimum setback of 24') and improved as an amenity area, the building step back is not required. This standard does not apply to New Buildings developed at the center of the site that are not located on the setback of the above noted streets.

New Buildings principally for residential uses ("Residential Building(s)") will have a four (4) foot transition zone between the sidewalk or a multi-use trail provided along public or any required private network streets. The principle building will not be allowed to be located in the four (4) foot transition zone, however, stoops, porches, steps, rails, and similar items may be located within the transition zone.

(vii) Residential Building(s) entrances shall be at or slightly above grade (individual unit entrances will be located a minimum of one (1) to two (2) feet above grade), and shall be highly visible and architecturally treated as prominent pedestrian entrances through a combination of at least five (5) of the following features: (1) decorative pedestrian lighting/sconces; (2) architectural details carried through to upper stories; (3) covered porches, canopies, awnings or sunshades; (4) archways; (5) transom windows; (6) terraced or raised planters that can be utilized as seat walls; (7) common outdoor seating enhanced with specialty details, paving, landscaping or water features; (8) double doors; (9) stoops or stairs;

and/or (10) contrasting pavement from primary sidewalk. (viii) New building with non-residential facades, excluding parking decks located in [Development Area C], fronting on public streets shall include a minimum of 60% transparent glass between two feet (2') and eight feet (8') on the first floor. Shadow boxes or window graphics may be utilized behind transparent glass to screen bathrooms, back of house or kitchens, but may not exceed more that 20% of the total required building transparency requirement. Multi-story buildings shall have

a minimum upper story transparency of 20% per floor. (ix) The scale and massing of multi-tenant non-residential or Residential Buildings longer than 150 feet along a street shall be minimized by utilizing a combination of the following options: (1) varied roof lines through the use of slopes, modulated buildings heights, gables, dormers or innovative architectural solutions; (2) building corners to provide visual interest at the pedestrian level as well as to differentiate roof lines or highlight ground floor uses; (3) horizontal and vertical

variations in wall planes; and/or (4) architectural protrusion; and/or (5) architectural recess or projections with a minimum offset of 15 feet by 15 feet that extends the full height of the building. (x) Principle entrances for all New Buildings will be connected via a sidewalk to adjacent public or private street sidewalks.

(xi) Between the New Building(s) principally used for non-residential uses and the sidewalk there shall be a transition zone. For such uses the transition zone may be a wider sidewalk, artwork, outdoor dining, artwork, bike racks, and

(xii) Utilities shall be screened and shall not be visible from the public street. This includes, mechanical and electrical equipment, utility meters, dumpsters, and backflow preventers. No fencing shall be located between the building and the (xiii) With respect to New Buildings, utilities shall be screened and shall not be visible from the public streets; this

includes, mechanical and electrical equipment, utility meters, dumpsters, and backflow preventers. Utilities should be out of the setback, located either to the side or rear of a building. Utilities are permitted in the setback if they are underground. No permanent fencing shall be located between the building and the public street subject to the Planning Director's approval. d. Setbacks: Existing Buildings shall be exempt for setback requirements. New Buildings will adhere to a 20 foot setback measured from existing or future back of curb, whichever is greater at permitting.

The Petitioner shall comply with the Charlotte City Council approved Post Construction Ordinance.

The Site will comply with the Tree Ordinance, as reflected in that certain Memorandum of Understanding regarding alternative compliance dated , 2017 (the "Tree Ordinance Alternative Compliance MOU"), [TO BE FORTHCOMING] whereby certain matters regarding alternative compliance with the Tree Ordinance provisions based on the unique nature of this project redevelopment.

c. Urban Open Space shall be provided in the areas as generally depicted on [Sheet RZ-01 and RZ-02] (including those within the "yellow outlined areas") and shall be used to meet the open space requirements for office uses in New Buildings. Urban Open Space may include a combination of the following features: raised planters, seat walls, benches, outdoor dining, displays of art, water features, play amenities, specialty pavers or other similar features or amenities that encourage

d. A minimum of 1.5 acres of open space shall be provided.

Signage & Signage Optional Variations: The UMUD signage standards may be modified to allow a signage system for the Site that accounts for the unique nature of this signature mixed use project consisting of Adaptive Reuses of the most of the Existing Buildings in a large urban setting and helps to create a vibrant sense of place while encouraging and connectivity among uses. Accordingly, all signage associated with the Site shall conform to Section 13.108(a) of the Ordinance with the exception of the following Optional Provisions that allow

Optional Provision: Allowable Sign Types. As an Optional Provision, allowable signage types may include all detached and attached signs permitted under Chapter 13 of the Ordinance together with the following additional signage types:

wall signs;

detached signs;

- monument signs and freestanding signs; - project and tenant/user identification signs;

marquee and display signs;

- awning/canopy signs;

directional/address information signs: - computer programmable L.E.D. systems with full-color, full-matrix and/or digital display;

- full color outdoor video display; Blade/flag signs;

- fabricated letters, symbols and/or logos; - signs with moveable parts;

- movie posters, signs and/or banners

- movie type projected images from either direct projection or rear screen projection; - digitally printed vinyl wall signs wrapped around a supporting structure;

 murals/artwork sculpture signs;

landscape wall signs;

- banners hung on a supporting structure or above a pedestrian or vehicular connection on public or private streets; - construction, tenant, leasing, and/or sales events signs;

- water towers & shipping container and accessory structure signs; and - other such signs having substantially the same characteristics as the foregoing;

**provided, however**, it is expressly understood that the following signage types shall not be permitted unless approved by the Planning Director, in his or her discretion: digitally printed vinyl projecting signs, internally illuminated flat panel acrylic face embossed signs with translucent vinyl graphics, or internally illuminated box signs.

b. Optional Provision: Applicability Visible Signs/Internal Signs. The following Optional Provisions governing signs set forth in subsections c., d. and e. below shall apply only to those signs ("Visible Signs") that are visible from the existing public rights of way at grade and/or within 300' of the existing back of curb on Sylvania Street, Statesville Avenue, Graham Street and Woodward Avenue. Except as limited by the provisions of subsection a above, all other allowable signs not visible ("Internal Signs") from the existing public rights of way at grade and/or within 300' of the existing back of curb on Sylvania Street, Statesville Avenue, Graham Street and Woodward Avenue shall be permitted without regard to the provisions of subsections c., d. and e. below nor the provisions of Section 13.108(a) of the Ordinance.

c. Optional Provision: Visible Building and Wall Signs. The following Optional Provisions shall apply to all Visible Signs (but not Internal Signs) that are building and wall signs which shall refer to all signs located on, projecting or extending from and/or located on the parapet wall or roof of a building. This includes, without limitation, all signage on walls, parapets, roofs, awnings or canopies, project identification, marquee, display, directional or address information greater than five square

feet, and/or window graphics subject to the size limitations set forth below. The maximum aggregate amount of signage area per building side for all types of wall signs shall not exceed the lesser of: (A) square footage equal to three (3) X (times) the linear foot length of the building's public or private street frontage per building side (e.g. if a building has street frontage of 1,000 linear feet then the maximum square footage for this item (i) shall be 3,000 square feet), or (B) 2,000 square feet.

The maximum size of each individual wall sign, excluding digital display or LED signs referenced in item (iii) below, shall be [500] square feet, except that each building wall may have one (1) such sign of greater than [500] feet but not to exceed up to [1,000] square feet, subject to the aggregate maximum size limitations per wall set forth in item (i)

Digital display or LED wall signs may be up to [300] square feet in size, subject to the aggregate maximum size (iv) Signage may project from a building face up to [15] feet and may extend above and/or beyond the parapet or roof of a building by [15 feet], provided that such projecting signs are over [9] feet in height above grade measured from the base of the sign. The area of projecting signs and the parapet or (except as set forth below) the roof mounted signs shall be included within and calculated as part of the maximum aggregate area and the size per individual sign limitations set forth in items (i) and (ii) above. A projecting sign may be located on any building wall. One roof mounted sign is permitted per

building but does <u>not</u> count toward the maximum aggregate sign area set forth in item (i) above. d. Optional Provision: Visible Detached Signs. The following Optional Provisions shall apply to all Visible Signs (but not Internal Signs) that are detached signs, which shall refer to all ground mounted and/or free standing signs as well as signage applied to accessory structures, shipping containers, landscape walls or similar structures, subject to the size limitations set forth

The maximum height for large detached signs shall be [forty (40')] feet and the maximum size of such detached signs shall not exceed [300] square feet. The maximum number of large detached signs shall not eight (8) such signs nor greater than [three (3)] such detached signs on any such street. Such detached signs may be placed in the required setbacks

The maximum height for small detached signs shall be [ten (10')] feet and the maximum size of such detached signs shall not exceed [50] square feet. The maximum number of small detached signs permitted in the aggregate shall not exceed eight (8) such signs nor greater than [three (3)] such detached signs on any such street. Such detached signs may be placed in the required setbacks as long as they do not block sidewalks. Optional Provision: General Sign Provisions for Visible Signs. The following general sign provisions apply to Visible

Signs (but not to Internal Signs): Illumination. All signs shall be indirectly illuminated. Internally illuminated signs (not including LED or neon

Tenant event/leasing signs. Any sign upon which the copy relates to upcoming or pending tenant/user sales events or building space leasing matters shall not be calculated as a part of the maximum allowable wall signage area nor individual sign size limitations set forth in subsection b. above; otherwise, such signs are subject to the UMUD standards of

(iii) Artwork/Murals/Sculptures. Artwork, such as but not limited to murals, may be painted directly onto the building facades or digitally printed on an acrylic or vinyl type material and permanently applied to facades of buildings and thereon shall not be calculated as a part of the maximum allowable wall signage area nor individual sign size limitations set forth in

(iv) Lighting Deemed Not Signs & Allowed. Lighting on the Site or buildings/structures thereon are not considered to be signage under the Ordinance nor this Rezoning Petition, provided, however, in addition to other provisions of these Development Standards addressing lighting, it is understood that lighting will be a design element for the project, and as such any type of lighting, such as but not limited to accent lighting, Tivoli type lighting, neon lights, flashing lights, colored lights, attached lighting, major or minor projecting lighting, light beams of any color and lamppost lighting may be utilized on the Site. Any lighting on the Site shall not be calculated as a part of the maximum allowable wall signage area nor individual sign size limitations set forth in subsection b. above. In addition, year-round decorative lighting may be attached to trees on the Site and/or within abutting rights-of-way subject to any necessary approval from the appropriate

(v.) Existing Water Tower. The existing water tower on the Site may be used for wall signs or artwork and shall not be subject to maximum wall sign limitations set forth above.

All new detached and attached lighting shall be full cut-off type lighting fixtures excluding lower, decorative lighting that may be installed along the driveways, sidewalks, and parking areas.

**b.** Detached lighting on the Site will be limited to 26 feet in height.

c. Pedestrian lighting shall be provided along public streets and the private network streets generally depicted on the Rezoning Plan and will complement other lighting.

10. Workforce Housing.

The Petitioner, or assigns, recognizes that transformative communities with exceptional livability are benefitted by a variety of housing opportunities to promote a vibrant community accessible to residents who will make up the broad-based workforce associated with the community vision for the area. Accordingly, Petitioner agrees to the following commitments:

Phase I Workforce Housing Commitment. 60 workforce housing residential rental units (the "Phase I & II Commitment;" and reflecting 7% of the available multifamily dwelling units entitlement permitted under the Phases I & II Development) will be provided prior to the issuance of certificates of occupancy for greater than 850 residential dwelling units as part of the residential development allowed in Phases I & II set forth in Table 3.e. above. The Phase I & II Housing Commitment will be subject to and based on approval by applicable governmental entities of an appropriate tax credit housing grants pursuant to North Carolina Housing Finance Agency, other possible public funding support in the form of tax increment grants and/or other such workforce housing funding vehicles ("Tax Credit/Housing Support Vehicles") associated with such commitment. The Phase I & II Housing Commitment will provide that the designated workforce/affordable housing rental units maintain monthly rents that are income restricted for households earning 80% or less of the area median income, for a period of not less than 15 years after occupancy, or some other metric mutually acceptable to the Petitioner, or assigns, and the City of Charlotte Neighborhood Development Department. Petitioner, or assigns, including without limitation experienced providers of workforce/affordable housing, will use diligent good faith efforts to comply in a timely manner with the Phase I & II Housing Commitment (including approval of an appropriate Tax Credit/Housing Support Vehicle(s)).

b. Additional Phase Workforce Housing Commitment. Petitioner, or assigns, including without limitation experienced providers of workforce housing, commit that 7% of the total number of residential dwelling units built in connection with Phase III (the "Phase III Housing Commitment") will consist of residential rental dwelling units that maintain monthly rents that are income restricted for households earning 80% or less of the area median income, for a period of not less than 15 years after occupancy, or some other metric mutually acceptable to the Petitioner, or assigns, and the City of Charlotte Neighborhood Development Department. It is understood that the Phase III Housing Commitment will be subject to and based upon approval of applicable Tax Credit/Housing Support Vehicle(s).

Amendments to the Rezoning Plan: a. Future amendments to the Rezoning Plan (which includes these Development Standards) may be applied for by the then Owner or Owners of the portion of the Site affected by such amendment in accordance with the provisions of Chapter 6 of the

12. 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 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.

CAMP NORTH END | REZONING **PETITION NO. 2017-054** 





223 N Graham Street, Charlotte, NC 28202 NC Engineering Firm License # C-0658

LandDesign.

SCALE: AS SHOWN PROJECT #: 1016320 RZ-N2

**DESIGNED BY:** 

DRAWN BY:

CHECKED BY:

DATE: 27 FEBRUARY 2017



Tax # 07510528 Zoning: R-8 HEBREW CEMETERY ASSOC OF CLT

Tax # 07510620 Zoning: B-1

4. HEBREW BENEVOLENT SOCIETY OF THE CITY OF CHARLOTTE Tax # 07510613

Zoning: B-1 5. HEBREW CEMETRY ASSOC OF CHAR

Zoning: B-1

DRAWN BY: CHECKED BY:

SCALE: **AS SHOWN** PROJECT #: 1016320

RZ-EX

Q.C. BY:

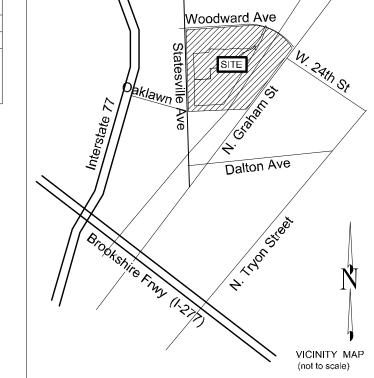
Tax # 07510611 Zoning: B-1 6. JETT ACQUISITIONS LLC Tax # 07510607

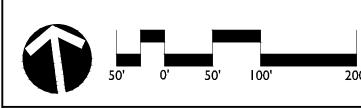
Zoning: I-2 \*ADDITIONAL OWNERSHIP INFORMATION SHOWN ON

Tax # 07909944

INDUSTRIAL DISTRICT (I-2) EXISTING ZONING EXISTING USES WAREHOUSE, VACANT PROPERTY OWNERS NEWCAMP LANDOWNER LP

REGO PARK, NY, 11374





EXISTING CONDITION PLAN DERIVED FROM VARYING SOURCES (I.E. MULTIPLE SURVEYS, GIS, AERIAL RECONNAISSANCE, AND SITE OBSERVATIONS). ACTUAL SITE AND/OR CONTEXT CONDITIONS MAY VARY. TO THE FULL KNOWLEDGE OF THE PETITIONER ALL KNOWN EXISTING EASEMENTS AND ROW RESERVATIONS ARE SHOWN.

DATE: 27 FEBRUARY 2017 DESIGNED BY: **REVISIONS:** 1. 04-12-2017 - 2ND REZONING SUBMITTAL 2. 05-18-2017 - 3RD REZONING SUBMITTAL

CAMP NORTH END | REZONING MIXED USE + INDUSTRIAL REHAB DEVELOPMENT ATCO PROPERTIES & MANAGEMENT



97-77 QUEENS BOULEVARD, SUITE 1103



