

REQUEST	Current Zoning: I-2(CD) (general industrial, conditional) Proposed Zoning: MUDD(CD) (mixed use development, conditional) with five-year vested rights
LOCATION	Approximately 20.91 acres located at the intersection of NC Music Factory Boulevard and Hamilton Street generally surrounded by Interstate 77, West Brookshire Freeway, and Seaboard Coast Line Railroad. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes a maximum of 670,000 square feet of non-residential uses, a 200-room hotel, and 440 dwelling units.
PROPERTY OWNER	Silver Hammer Properties, LLC and Hamilton Street Properties, LLC
PETITIONER	Silver Hammer Properties, LLC
AGENT/REPRESENTATIVE	John Carmichael, Robinson Bradshaw & Hinson, P.A
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 6
STATEMENT OF CONSISTENCY	<p>This petition is found to be consistent with the <i>Center City 2020 Vision Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none">• The plan recommends a variety of residential, office, retail, entertainment, and cultural uses for the subject property. <p>Therefore, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because the request:</p> <ul style="list-style-type: none">• Provides a mixture of uses; and• Transfers development rights from the adjacent development; and• Provides architectural guidelines for portions of the site; and• Specific building materials; <p>By a 6-0 vote of the Zoning Committee (motion by Commissioner Sullivan seconded by Commissioner Nelson).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none">1. The petitioner has agreed to request an administrative amendment for the adjacent parcels rezoned in 2005 and 2014 reducing the amount of developable square footage by what is being added to this site.2. The note has been modified that all modifications will be in accordance with Section 6.2 of the Zoning Ordinance.3. A wetland's letter has been submitted for the subject site.4. An easement or possible dedication has been agreed upon with Mecklenburg County Park and Recreation for the proposed Greenway.5. Transportation comments have been addressed.
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VOTE	Motion/Second: Sullivan/Nelson Yeas: Dodson, Eschert, Labovitz, Nelson, Ryan, and Sullivan Nays: None Absent: Walker Recused: None
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ZONING COMMITTEE DISCUSSION	Staff presented this item and stated that all the outstanding issues had been addressed. Staff reviewed the modifications to the site plan since
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the public hearing. One commissioner had a question about the funding for the traffic calming measures for the adjacent neighborhood. Transportation staff responded stating, after discussions with the petitioner, they agreed to \$12,000 for the traffic calming measures. The funds would be held by Charlotte Department of Transportation for ten years. The type of traffic claiming measures would be determined at a later date once the development was constructed. There was no further discussion of the petition.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

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

PLANNING STAFF REVIEW

- **Background**

- The subject site was rezoned under petition 1986-022, which allowed a maximum of 325,000 square feet for fabrication and manufacturing uses and prohibiting commercial billboards as a permitted use.
- The adjacent properties, owned by a related entity, form what is known as the "NC Music Factory." The properties have undergone multiple rezonings over the years. However, the development rights that existed pursuant to the previous rezoning petitions have not been exhausted. The owner wishes to incorporate a portion of the development rights into the properties under consideration by this petition in order to mitigate traffic impacts.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Three development areas; A, B and C.
- Up to 670,000 square feet of non-residential uses. Retail sales and eating/drinking/entertainment establishments are limited to 10,000 square feet.
- Maximum of 200 hotel rooms.
- Up to 440 residential dwelling units.
- An additional 90,000 square feet of non-residential uses, excluding retail uses and eating/drinking/entertainment establishments may be developed by reducing the number of residential units at the rate of one residential unit per 1,000 square feet of gross floor area devoted to non-residential uses.
- Up to 160 additional residential units may be developed by reducing the amount of non-residential gross floor area permitted at the rate of 1,000 square feet of gross floor area per residential unit.
- Transfer of development rights under petition 2014-022 to the subject site.
- Commits to filing an Administrative Amendment to reduce the development rights on the adjacent "NC Music Factory" site.
- Three internal private streets with cross-sections showing planting strips and sidewalks.
- Access to the site will be provided from Hamilton Street.
- Eight-foot planting strip and six-foot sidewalk along Hamilton Street.
- Architectural design guidelines for portions of the site to regulate how buildings will address public streets, private streets, open space areas, and parking areas.
- Proposed building elevations of building proposed in Development Area A.
- Maximum building height of 120 feet.
- Maximum detached lighting height of 25 feet.
- Building materials will be a combination of glass, brick, stone, simulated stone, precast stone, precast concrete, aluminum store front and curtain wall systems, architectural concrete, metal panels, synthetic stone, stucco, cementitious siding, EIFS or wood. Vinyl as a building material will not be allowed except on windows and soffits.
- An easement or dedication of land to Mecklenburg County for the proposed Greenway System.

- **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*.
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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:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** 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

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

Planner: Solomon Fortune (704) 336-8326