

COMMUNITY MEETING REPORT
Petitioner: NAI Southern Real Estate
Rezoning Petition No. 2017-177

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte-Mecklenburg Planning Commission pursuant to the provisions of the City of Charlotte Zoning Ordinance.

PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Petitioner mailed a written notice of the date, time and location of the Community Meeting to the individuals and organizations set out on Exhibit A attached hereto by depositing such notice in the U.S. mail on December 28, 2017. A copy of the written notice is attached hereto as Exhibit B.

DATE, TIME AND LOCATION OF MEETING:

The Community Meeting was held on January 9th at 6:00 p.m. at Central Piedmont Community College - Central Campus, Zeiss Building Auditorium 1106, located at 1221 Elizabeth Avenue, Charlotte NC 28204.

PERSONS IN ATTENDANCE AT MEETING (see attached copy of sign-in sheet):

The Community Meeting was attended by those individuals identified on the sign-in sheet attached hereto as Exhibit C. The Petitioner was represented at the Community Meeting by Caldwell Rose as well as Petitioner's agents: Collin Brown and Bailey Patrick, Jr. with K&L Gates, Ernie Munoz with Gensler, Jeff Oden with Stewart Engineering, and John Zotter with Design Resource Group. Council member Larkin Egleston also attended the meeting.

SUMMARY OF PRESENTATION/DISCUSSION:

Petitioner's agent, Collin Brown, opened the meeting by welcoming the attendees and introducing the Petitioner's development team, using a PowerPoint presentation, attached hereto as Exhibit D. Mr. Brown stated that the Petitioner's team has been in discussions with representatives of the Cherry neighborhood since March 2017 and the project has evolved based on initial neighborhood feedback.

Mr. Brown explained that the petition involves approximately 3.4 acres of land located at the corner of Third Street and Baldwin Avenue. The commercial strip portion of the property is currently zoned MUDD-O (mixed use - optional) and the Novant building is currently zoned O-2 (office). The Petitioner proposes to rezone the entire property to the MUDD-O zoning district.

Mr. Brown explained that a developer must consider many factors, including property owner requirements (here, the Petitioner is also the property owner), existing zoning, natural and environmental constraints, access and transportation requirements, the Midtown Morehead Cherry Area Plan, other Ordinance requirements (such as the Tree, Subdivision, and Stormwater Ordinances), adjacent property owner concerns, community concerns, city priorities, and market realities. Mr. Brown then gave a brief overview of the rezoning process and redevelopment considerations, generally.

The Midtown Morehead Cherry Area Plan, adopted by the City Council in 2012, recommends a mix of residential/office/retail uses on the property. The Plan states that area in question is considered separated from the Cherry neighborhood by some distance and by intense vehicular traffic on Third Street, leading

to decreased concerns on building height and density.

Mr. Brown stated that the property location is desirable for the Petitioner due to its proximity to the Gold Line streetcar (approximately 400 feet away). At the same time, the City is interested in seeing investment in the area to match their infrastructure investment into the Gold Line, which is currently surrounded by many tax-exempt institutional uses.

Mr. Brown then walked through the Petitioner's redevelopment proposal, which consists of an office tower at the corner of Third Street and Baldwin Avenue, structured parking to the rear of the site, and potential hotel on the opposite corner. Initial design priorities included the creation of an active pedestrian streetscape and relationship to the Cherry neighborhood.

Mr. Brown explained that initial feedback included concerns over traffic implications, general lack of affordable housing in the area, aesthetic appearance (including height), and employment opportunities for nearby residents. In response to traffic concerns, the Petitioner intends to provide access points from three different streets and install a traffic signal at the intersection of Third Street and Baldwin Avenue. The addition of the traffic signal will be a significant benefit to both the traffic movement and pedestrian crossing experience. A pedestrian crossing is also proposed across Fourth Street in order to facilitate foot traffic to the Gold Line. The Petitioner intends to explore traffic impacts further once the Traffic Impact Analysis Study is complete, and will provide follow up information to the community.

In response to affordable housing concerns, the Petitioner believes that the proposed site is not appropriate for residential uses. However, he has learned that the Charlotte Housing Authority and Laurel Street Residential have plans to develop a significant number of new units in the Cherry neighborhood within walking distance of the Petitioner's site. The Petitioner believes that this development could create vital employment opportunities within walking distance of residential communities.

Mr. Brown stated that a lot of discussion so far has centered around the building height and appearance. The Petitioner is currently proposing a building height of 290 feet (approximately 20 stories). He explained his belief that many Charlotte areas are fatigued with typical and uninspiring development and the Petitioner would like to create something that is exciting and stimulating. In order to finance an inspiring-looking building, rather than a ten-story beige box, the Petitioner requires additional height to attract higher rent-paying tenants. Mr. Brown walked through the building height in the context of surrounding buildings to demonstrate that there is precedence for increased height in the area, such as the Metropolitan (which recently received approval for a height of 285 feet). Mr. Brown then showed several renderings demonstrating the proposed building as compared to a ten-story building in the context of various viewpoints throughout the Cherry neighborhood.

Mr. Brown stated that the intended rezoning timeline consists of a public hearing in Spring 2018 and a City Council decision by Summer 2018. In the meantime, the Petitioner intends to have further discussions with the community and Planning Staff.

Mr. Brown then opened the meeting up for questions and discussion. One attendee asked whether a tax revenue analysis has been done for this proposal. The Petitioner's agent responded that one has not been done at this point but that the Petitioner would be willing to look into preparing an analysis.

Another attendee inquired into the impact of the development on the Elizabeth neighborhood and surrounding businesses. Mr. Caldwell Rose stated that he did not believe the proposal would spur a significant amount of additional building height or development since a majority of the surrounding property is controlled by Novant. However, the additional employment in the proposed office building

would benefit local restaurants and other businesses in the area.

One attendee asked whether ground-floor retail would be provided around the entire site. The Petitioner's agents responded that the majority of the ground-floor emphasis is intended for the corner of Third Street and the elevated terrace walkway. However, the parking deck will also be screened with ground-floor retail as well as potential retail uses on the base floor of the proposed hotel.

Another attendee asked what the top of the proposed office building will consist of. The Petitioner's agent responded that the top floor would likely be corporate board meeting space with rooftop terrace, not a restaurant or public space. The Petitioner is sensitive to noise concerns from the Cherry neighborhood and is willing to commit to restrict the rooftop from restaurant or bar uses.

In response to an attendee question regarding the proposed hotel height, the Petitioner's agent responded that the hotel would likely be approximately nine stories but the design phase for the hotel portion of the development is still in an initial phase.

In response to an attendee's question regarding residential uses, the Petitioner's agent confirmed that no residential units are proposed for this development.

An attendee stated that she was still concerned about the height of the proposed building. Another attendee said she hoped that there could be a consensus on a building height somewhere between ten stories and twenty stories.

Another attendee asked why building renderings were not submitted with the rezoning plan. Mr. Brown explained that renderings were not submitted due to ongoing conversations with the community regarding height and design.

One attendee commented that they believe a traffic signal at the intersection of Third Street and Baldwin Avenue is a positive addition to the area since it is very hard to get across to Elizabeth Avenue.

Mr. Brown then concluded the formal portion of the presentation and the Petitioner's representatives continued to answer individual questions. Notecards were provided to attendees who wished to write down additional comments or questions for the Petitioner to consider. No notecards were utilized. The formal meeting concluded at 7:00 p.m.

Respectfully submitted, this 12th day of February, 2018.

cc: Council Member Larkin Egleston
Solomon Fortune, Charlotte-Mecklenburg Planning Department

Exhibit A

2017-177	TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
2017-177	12511103	CAMERON DONNELLY F COMPANY OF	CHAR INC			1320 SCOTLAND AVE		CHARLOTTE	NC	28207
2017-177	12511104	TORRENCE STREET PARTNERS LLC				4601 PARK RD,STE 450		CHARLOTTE	NC	28209
2017-177	12511108	LEE & C INC				PO BOX 35584		CHARLOTTE	NC	28235
2017-177	12511110	BOYER	JAMES C		% ARZBERGER ENGRAVERS	4601 PARK RD,STE 450		CHARLOTTE	NC	28209
2017-177	12511111	BOYER	JAMES C		C/O ARZBERGER ENGRAVERS	4601 PARK RD,STE 450		CHARLOTTE	NC	28209
2017-177	12511112	PROVIDENCE ROAD LAND PARTNERS LLC				4500 CAMERON VALLEY PKWY STE 350		CHARLOTTE	NC	28211
2017-177	12511114	PROVIDENCE ROAD LAND PARTNERS LLC				4601 PARK RD,STE 450		CHARLOTTE	NC	28209
2017-177	12511115	PROVIDENCE ROAD LAND PARTNERS LLC				4500 CAMERON VALLEY PKWY	SUITE 350	CHARLOTTE	NC	28211
2017-177	12511117	PROVIDENCE ROAD LAND PARTNERS LLC				4500 CAMERON VALLEY PKWY	SUITE 350	CHARLOTTE	NC	28211
2017-177	12511118	PROVIDENCE ROAD LAND PARTNERS LLC				4500 CAMERON VALLEY PKWY	SUITE 350	CHARLOTTE	NC	28211
2017-177	12511120	PROVIDENCE ROAD LAND PARTNERS LLC				4500 CAMERON VALLEY PKWY	SUITE 350	CHARLOTTE	NC	28211
2017-177	12511121	OPERA CAROLINA				301 S TRYON ST STE 1550		CHARLOTTE	NC	28282
2017-177	12511122	TORRENCE STREET PARTNERS LLC				4601 PARK RD,STE 450		CHARLOTTE	NC	28209
2017-177	12511124	PROVIDENCE ROAD LAND PARTNERS LLC				4500 CAMERON VALLEY PKWY	SUITE 350	CHARLOTTE	NC	28211
2017-177	12511128	CHARLOTTE KING LLC			C/O ROBERT DILL	PO BOX 460189		HOUSTON	TX	77056
2017-177	12511201	TUCSON MOON NUMBER FIVE LLC				132 BREVARD CT		CHARLOTTE	NC	28204
2017-177	12511202	CAH HOLDINGS LLC				1521 EAST 3RD ST		CHARLOTTE	NC	28204
2017-177	12511203	CAH HOLDINGS LLC				1521 EAST 3RD ST		CHARLOTTE	NC	28204
2017-177	12511204	WELLS PROPERTY NUMBER ONE LLC				132 BREVARD CT		CHARLOTTE	NC	28202
2017-177	12511205	TUCSON MOON NUMBER SEVEN LLC				132 BREVARD CT		CHARLOTTE	NC	28202
2017-177	12511206	WELLS PROPERTY NUBER ONE LLC				132 BREVARD CT		CHARLOTTE	NC	28202
2017-177	12511207	GREEN ACRES INC			C/O JOHN MILLER	447 S SHARON AMITY RD UNIT 150		CHARLOTTE	NC	28211
2017-177	12511208	QUINTER INC				1512 E 4TH ST		CHARLOTTE	NC	28204
2017-177	12511209	CAH HOLDINGS LLC				1521 E 3RD ST		CHARLOTTE	NC	28204
2017-177	12511211	HAIGLER	BRADLEY L			1654 ARNOLD DR		CHARLOTTE	NC	28205
2017-177	12511212	HAIGLER	BRADLEY L			1654 ARNOLD DR		CHARLOTTE	NC	28205
2017-177	12511304	KSA CAROLINA HOLDINGS LLC				5523 PROVIDENCE COUNTRY CLUB DR		CHARLOTTE	NC	28277
2017-177	12511305	MCGUIRE	HADEN T	SHIRLEY M	MCGUIRE	108 FAIRWIND CT		FORT MILL	SC	29708
2017-177	12511306	NSP BALDWIN AVENUE LLC				1518 E THIRD ST		CHARLOTTE	NC	28204
2017-177	12511310	S L THOMAS PROPERTIES LLC				516 N TRYON ST		CHARLOTTE	NC	28202
2017-177	12511318	FWPHQ LLC				1518 E 3RD ST		CHARLOTTE	NC	28204
2017-177	12511335	NSP BALDWIN AVENUE LLC				1518 E THIRD ST		CHARLOTTE	NC	28204
2017-177	12511601	CNSA REAL ESTATE LLC				225 BALDWIN AVE		CHARLOTTE	NC	28204
2017-177	12511801	125 BALDWIN LLC				4201 CONGRESS ST STE 170		CHARLOTTE	NC	28209
2017-177	12511802	1701 E THIRD LLC			1701 E THIRD (SRE) LLC	4201 CONGRESS ST STE 170	C/O SOUTHERN REAL ESTATE COMPANY	CHARLOTTE	NC	28209
2017-177	12511803	100 Q LLC				1031 S CALDWELL ST #200		CHARLOTTE	NC	28203
2017-177	12511804	BALDWIN SRE-A LLC			HAMPSTEAD SC (SRE) LLC	4201 CONGRESS ST STE 170	ATTN CALDWELL R ROSE	CHARLOTTE	NC	28209
2017-177	12525182	CRITTENDON COMMODITIES LLC				417 S SHARON AMITY RD #C		CHARLOTTE	NC	28211
2017-177	12525183	OLIVE BARRISTER LLC				200 QUEENS RD #200		CHARLOTTE	NC	28204
2017-177	12525184	OLIVE BARRISTER LLC				200 QUEENS RD #200		CHARLOTTE	NC	28204
2017-177	12525185	MONNETT	CHARLES G III			6842 MORRISON BLVD,STE 100		CHARLOTTE	NC	28211
2017-177	12525186	QUEENSMAC LLC				1042 CODDINGTON PL		CHARLOTTE	NC	28211
2017-177	12525187	RADONC VENTURES PARTNERSHIP				200 QUEENS RD STE 400		CHARLOTTE	NC	28204
2017-177	12525191	NOVANT HEALTH INC			ATTN: PROPERTY MANAGEMENT	PO BOX 33549		CHARLOTTE	NC	28233
2017-177	12703801	NOVANT HEALTH INC				2085 FRONTIS PLAZA BLVD		WINSTON-SALEM	NC	27103
2017-177	15501304	NOVANT PROPERTIES LLC			C/O DAVID G PARK	2085 FRONTIS PLAZA BLVD		WINSTON-SALEM	NC	27103
2017-177	15501305	NOVANT HEALTH INC			ATTN: PROPERTY MANAGEMENT	PO BOX 33549		CHARLOTTE	NC	28233
2017-177	15501307	NOVANT HEALTH INC				2085 FRONTIS PLAZA BLVD		WINSTON-SALEM	NC	27103

	ORGANIZATI	FIRST_NAME	LAST_NAME	STREET_ADD	UNIT_NUM	CITY	STATE	ZIP
2017-177	Amherst Place Homeowners Association	June	Watts-Mistri	1730 Amherst Pl		Charlotte	NC	28204
2017-177	Chantilly Neighborhood Association	Rick	Winiker	2101 Shenandoah Ave		Charlotte	NC	28205
2017-177	Chantilly Neighborhood Association	Rick	Winiker	2121 Chesterfield Av		Charlotte	NC	28205
2017-177	Charlotte Regional Realtor Association	Joe	Padilla	1201 Greenwood Cliff		Charlotte	NC	28204
2017-177	Cherry	Maggi	Bixler	1805 Baxter St		Charlotte	NC	28204
2017-177	Cherry Neighborhood Association	Kathryn	Hubicki	325 Baldwin Ave		Charlotte	NC	28204
2017-177	Cherry Neighborhood Association	Kristen Joyce	Moyer	1922 Luther St		Charlotte	NC	28204
2017-177	Cherry Neighborhood Association	Myron	Patton	1623 Luther St		Charlotte	NC	28204
2017-177	Cherry Neighborhood Association	Stephanie	Wick	1712 Amherst Pl		Charlotte	NC	28204
2017-177	Cherry Neighborhood Joint Leadership Team	Sylvia	Bittle- Patton	1623 Luther Street		Charlotte	NC	28204
2017-177	Crescent Heights Neighborhood Association	Cullen	McNulty	2237 Crescent Av		Charlotte	NC	28207
2017-177	Dilworth Community Development Association	Jill K	Walker	1140 Liganore Pl		Charlotte	NC	28203
2017-177	Dilworth Community Development Association	John	Fryday	1119 Belgrave Pl		Charlotte	NC	28203
2017-177	Elizabeth	David	Wolfe	316 Cameron Avenue		Charlotte	NC	28204
2017-177	Elizabeth Community Association	Beth	Haenni	2133 Greenway Av		Charlotte	NC	28204
2017-177	Elizabeth Community Association	Claire	Short	2300 Greenway Ave		Charlotte	NC	28204
2017-177	Elizabeth Community Association	Eric	Davis	2200 Greenway Av		Charlotte	NC	28204
2017-177	Elizabeth Community Association	Jim	Belvin	624 Lamar Ave		Charlotte	NC	28204
2017-177	Elizabeth Community Association	Melanie	Sizemore	2309 Vail Av		Charlotte	NC	28207
2017-177	Elizabeth Community Association	Monte	Ritchey	525 Clement Av		Charlotte	NC	28204
2017-177	First Ward Neighbors, Inc	Bob	Szymkiewicz	702 E 9th St		Charlotte	NC	28202
2017-177	First Ward Neighbors, Inc	Will	Haden	633 N. Alexander St.		Charlotte	NC	28202
2017-177	First Ward, Southend	Cassie	Brown	709 E. 8th Street		Charlotte	NC	28202
2017-177	Friends & Residents Of Historic Cherry	Karen	Jensen	311 Baldwin Av		Charlotte	NC	28204
2017-177	MoRA	Rex	Jones	308 Queens Road #22		Charlotte	NC	28204
2017-177	Myers Park Manor	Kris	Taylor	430 Queens Road	#521	Charlotte	NC	28207
2017-177	Office Of The Governor Of The North Carolina	Budd D.	Berro	600 E Fourth St		Charlotte	NC	28202
2017-177	Plaza Central Partners Neighborhood Association	John L.	Nichols, III	1200 Central Av		Charlotte	NC	28204
2017-177	Plaza Midwood Merchants Association	Lesa	Kastanas	1512 Central Ave	Unit A	Charlotte	NC	28205
2017-177	The Cherry Community Organization (CCO)	Barbara	Rainey	610 Baldwin Avenue		Charlotte	NC	28204

Exhibit B



December 28, 2017

Collin W. Brown
collin.brown@klgates.com

T +1 704 331 7531
F +1 704 331 7598

NOTICE TO INTERESTED PARTIES OF COMMUNITY MEETING

Date: Tuesday, January 9th at 6:00 p.m.
Location: Central Piedmont Community College - Central Campus
Zeiss Building, Auditorium 1106
1221 Elizabeth Avenue
Charlotte, NC 28204
(Parking available in parking deck on Elizabeth Avenue)
Petitioner: NAI Southern Real Estate
Petition No.: 2017-177

Dear Charlotte Resident,

We represent NAI Southern Real Estate (the "Petitioner") in its plans to redevelop an approximately 3.4-acre property bounded by East 3rd Street and East 4th Street, on the southeast side of Baldwin Avenue (the "Property"). The Petitioner requests a site plan amendment to the Property's current MUDD-O zoning district, and rezone a portion of the Property from the O-2 zoning district to the MUDD-O zoning district, in order to accommodate a mixed-use redevelopment with office, hotel and street-level retail uses.

In accordance with the requirements of the City of Charlotte Zoning Ordinance, the Petitioner will hold a Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte-Mecklenburg Planning Commission's records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the Site.

Accordingly, on behalf of the Petitioner, we invite you to attend the Official Community Meeting regarding this Petition on **Tuesday, January 9th at 6:00 p.m.** to meet with the Petitioner and its design and development team. We will give a brief overview of the redevelopment concept and then provide an opportunity for you to meet and talk with individuals that are involved in planning the project.

Please contact me if you are unable to attend and would like additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Collin W. Brown', written over a horizontal line.

Collin W. Brown

cc: Larkin Egleston, Charlotte City Council
Solomon Fortune, Charlotte-Mecklenburg Planning Staff

Exhibit C

Community Meeting Sign-In Sheet
 Petitioner: NAI Southern Real Estate
 Petition: 2017-177

CPCC- Central Campus
 1201 Elizabeth Ave.
 Charlotte, NC 28235
 January 9, 2018 @ 6:00 p.m.

Please fill out completely. This information is used by the Planning Department to distribute material regarding this petition.

Name	Address	Phone No.	Email
Diane Powell	1623 Main St	704 654 5417	dianepowell@gmail.com
Rex Jones	308 Queens Rd #22 28204	865 406 2498	rtjones1869@gmail.com
RAY McLaughlin	729 BALDWIN AVE	704-334-2701	—
Oscar Hope	615 Torrence St	704-376-2220	—
Davin Stamp	316 S. Torrence St.	205 994-1379	davin.stamp@gmail.com
Lauren Dalton	2300 South Blvd	703-994-8711	
Kathy Kinsey	2324 Greenway Ave	704.376.5367	pkinsay@carolinacn.com
Matt Stiene	1900 Randolph Rd	704 316 4351	mstiene@northcarolina.com
Ang H. Lee	2300 CRESCENT	704 375 3775	qua productions@aol.com
K. Muller	419 Clematis St	617 5170	Kathy Kennedy Miller
PAUL FREEMAN	2228 E. 5TH ST.	980 272 6465	PAULM.FREEMAN@att.net
FRANCIS McLeod	625 TORRENCE ST	704) 332-6426	
Sylvia Bette Patton	1623 Luther St	(704) 372-3720	shpascad@bellsouth.net
Erin Ball	125 Baldwin Ave. Suite 100	704.316.1915	eeball@northhealth.org
BRAD HAUGER	1654 Arnold Dr	704 905-5425	bradh@specinfmgmt.com
Klint Mullis	552 Oakland Ave.	704-491-1286	kmullis@charlottecentercity.org
Billy Parrish			KELGATS
JIM BELVIN	624 LAMAR AV	704 576 9029	J.belvin@bluewaterdb.com
MARTIN DRISCOLL	9826 South Pine 28273	704-501-0500	martindriscoll@ic.com

CPCC- Central Campus
1201 Elizabeth Ave.
Charlotte, NC 28235
January 9, 2018 @ 6:00 p.m.

Please fill out completely. This information is used by the Planning Department to distribute material regarding this petition.

[illegible]

CPCC- Central Campus
1201 Elizabeth Ave.
Charlotte, NC 28235
January 9, 2018 @ 6:00 p.m.

Please fill out completely. This information is used by the Planning Department to distribute material regarding this petition.

[illegible]

Exhibit D

Community Meeting Rezoning Petition 2017-177

Zeiss Building CPCC
January 9, 2018

AGENDA

- Introductions
- Property Location
- Development Considerations
- Current Zoning
- Land Use Plans
- Lynx Gold Line
- Development Concept
- Community Discussions
- Initial Community Concerns
- Building Concepts/Comparisons
- Current Rezoning Plan
- Timeline
- Discussion



Caldwell Rose



Michael Wagner &
Ernie Munoz



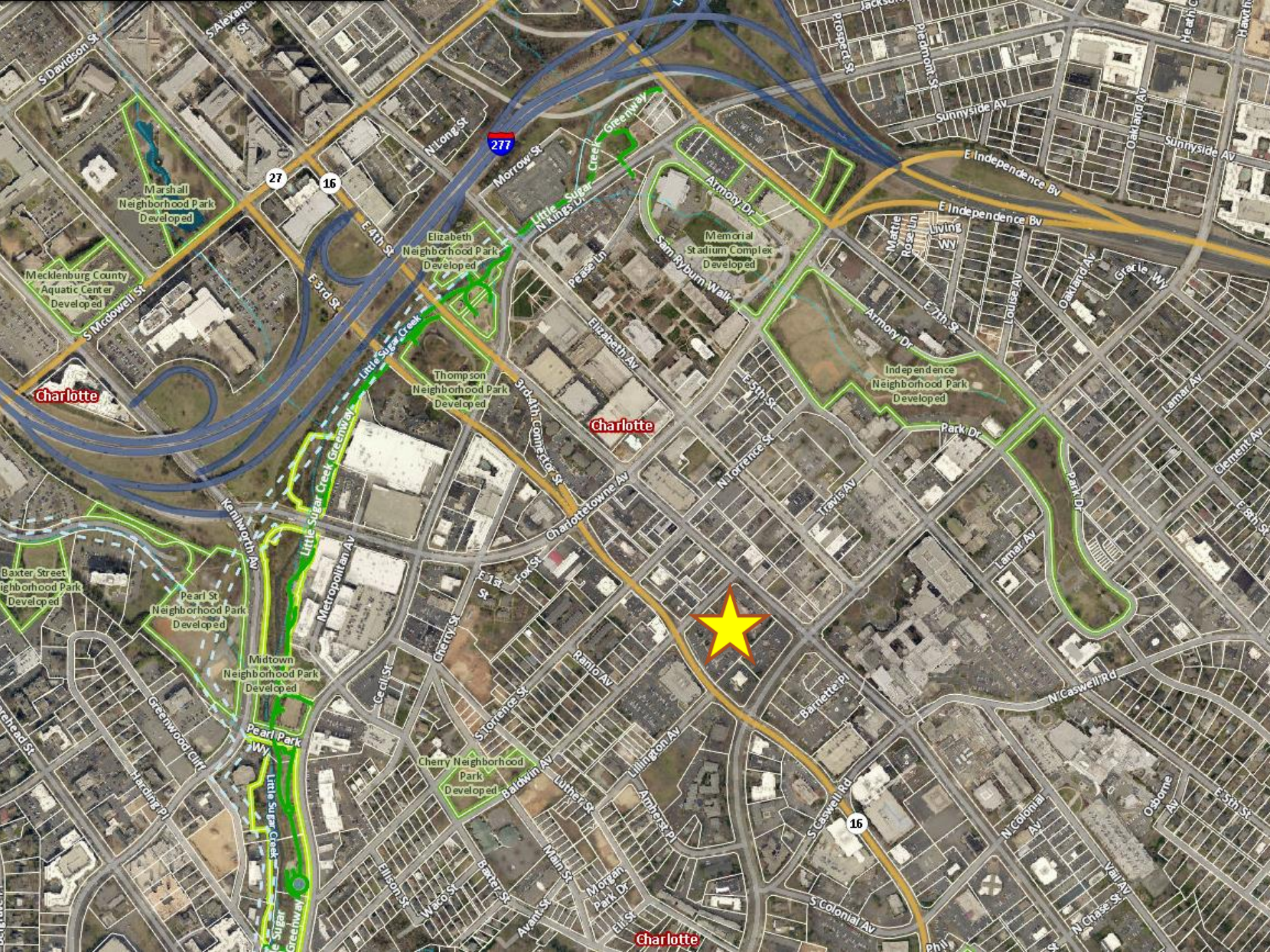
Jim Haden



Randy Goddard

K&L GATES

Bailey Patrick, Collin Brown & Brittany Lins





Lawrence St

Charlotte

16

1500-1599

100-199

Baldwin Av

1600-1699

100-199

Hawthorne Ln

200-299

1600-1699

100-199

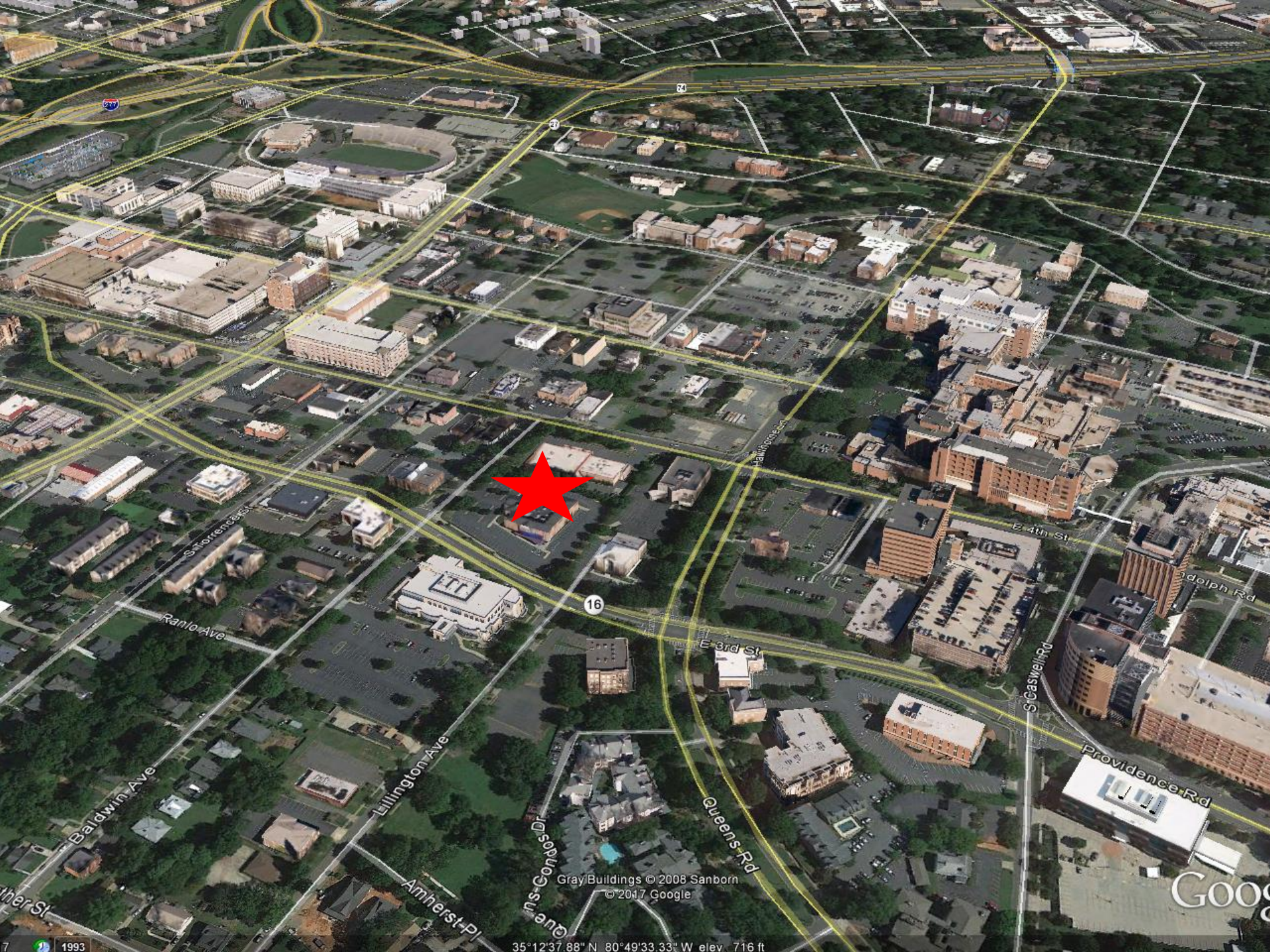
1700-1799

1700-1799

16

100-199

Barnette Pl



Gray Buildings © 2008 Sanborn
© 2017 Google

35°12'37.88" N 80°49'33.33" W elev. 716 ft

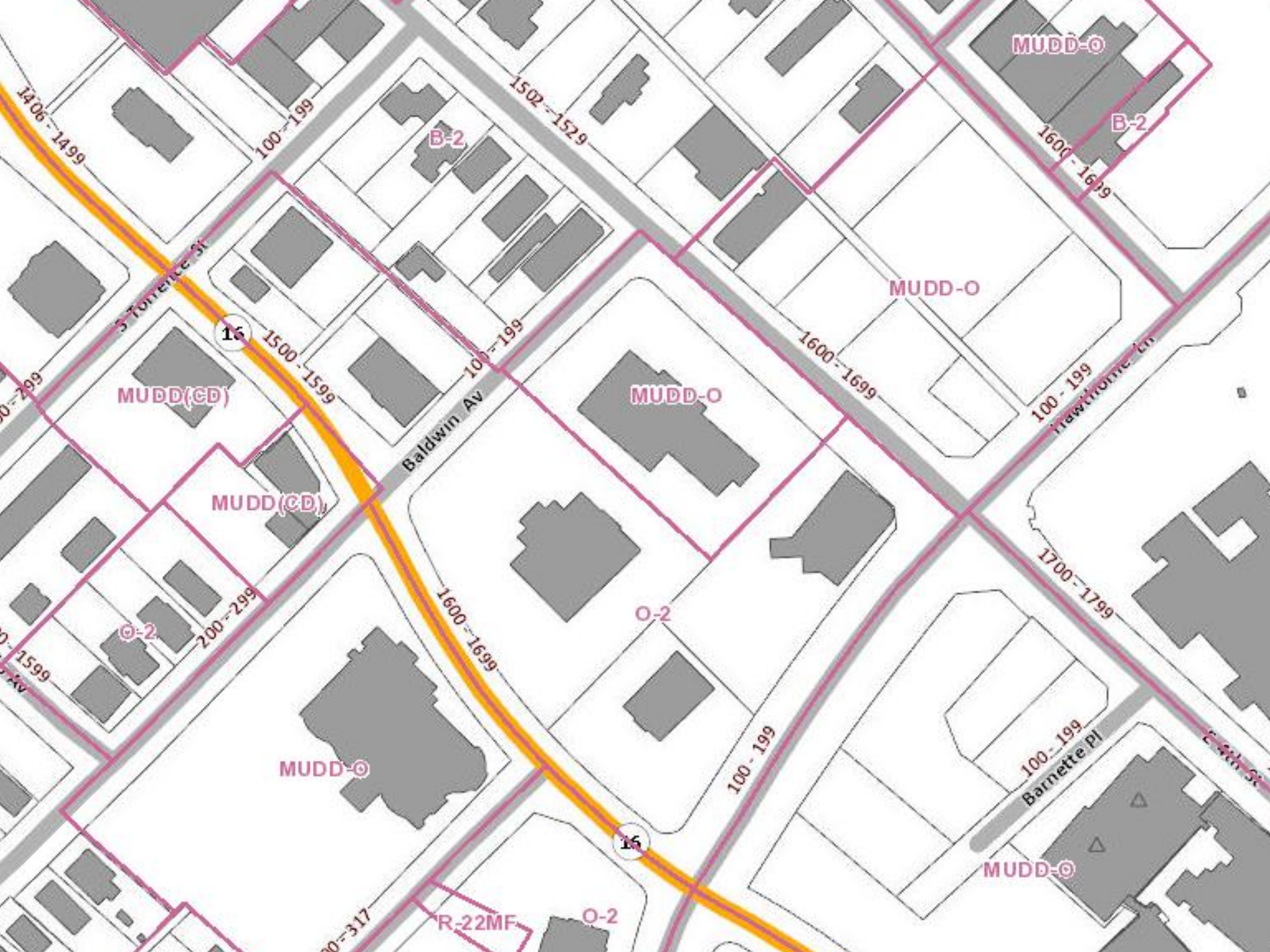
Google





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Current Zoning



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Development Considerations

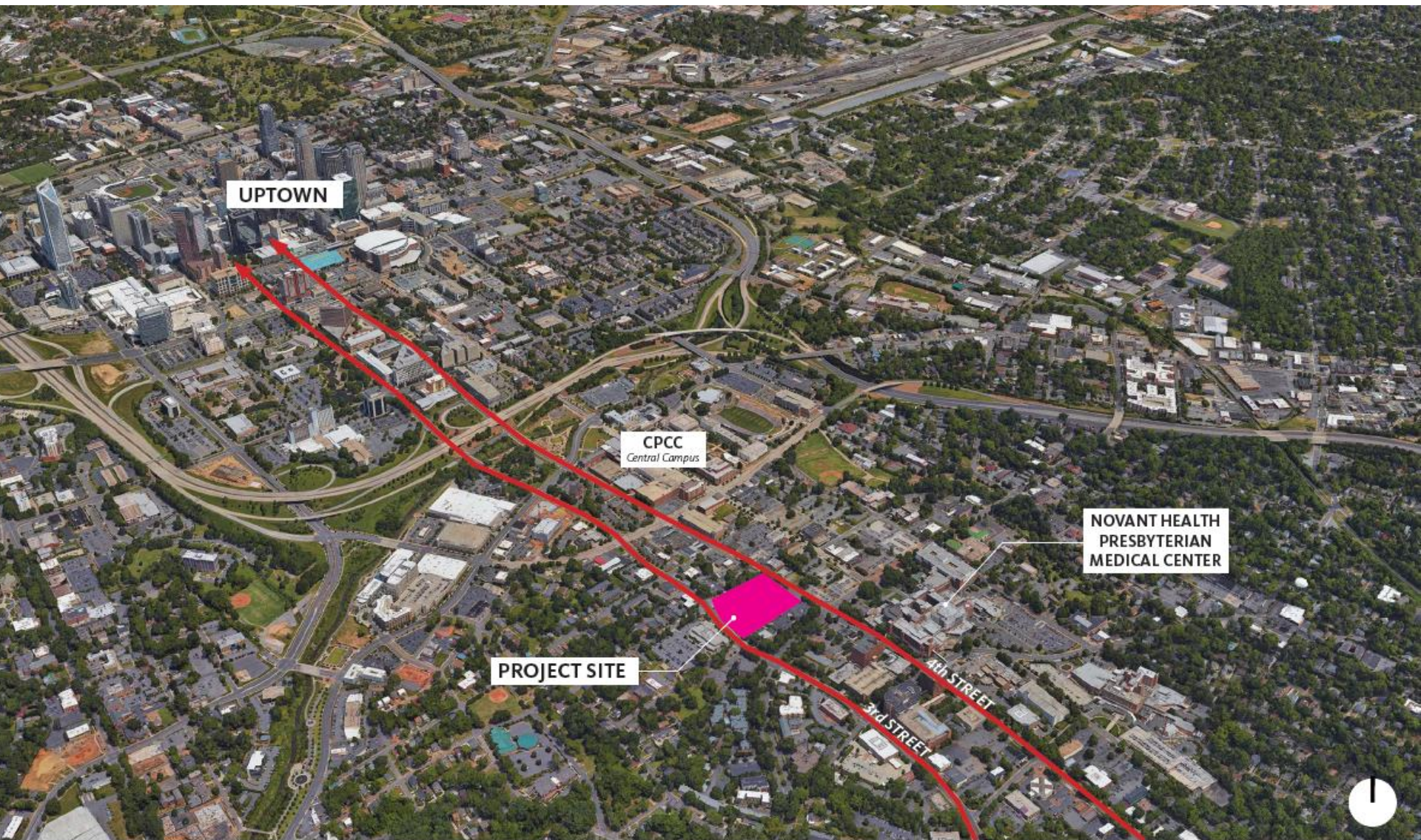
DEVELOPMENT CONSIDERATIONS

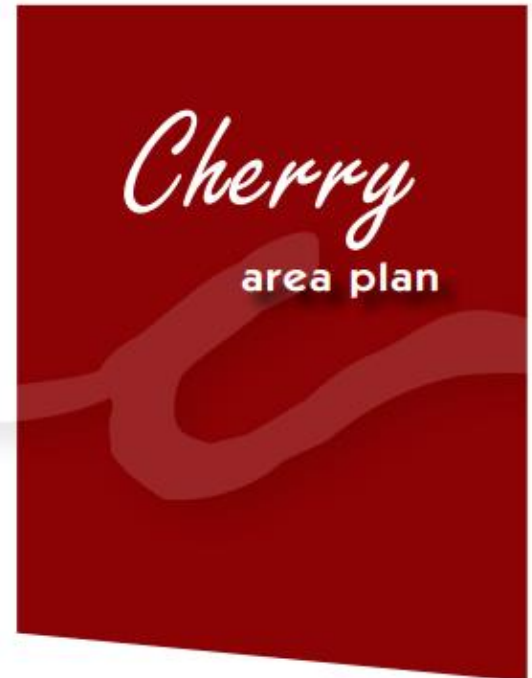
- Property Owner Requirements
- Existing Zoning
- Natural/Environmental Constraints
- Access/Transportation Requirements
- Adjacent Owner Concerns
- Ordinance/Policy Requirement (non-zoning)
- Adopted Area Plans
- City Priorities
- Community Concerns
- Market Realities



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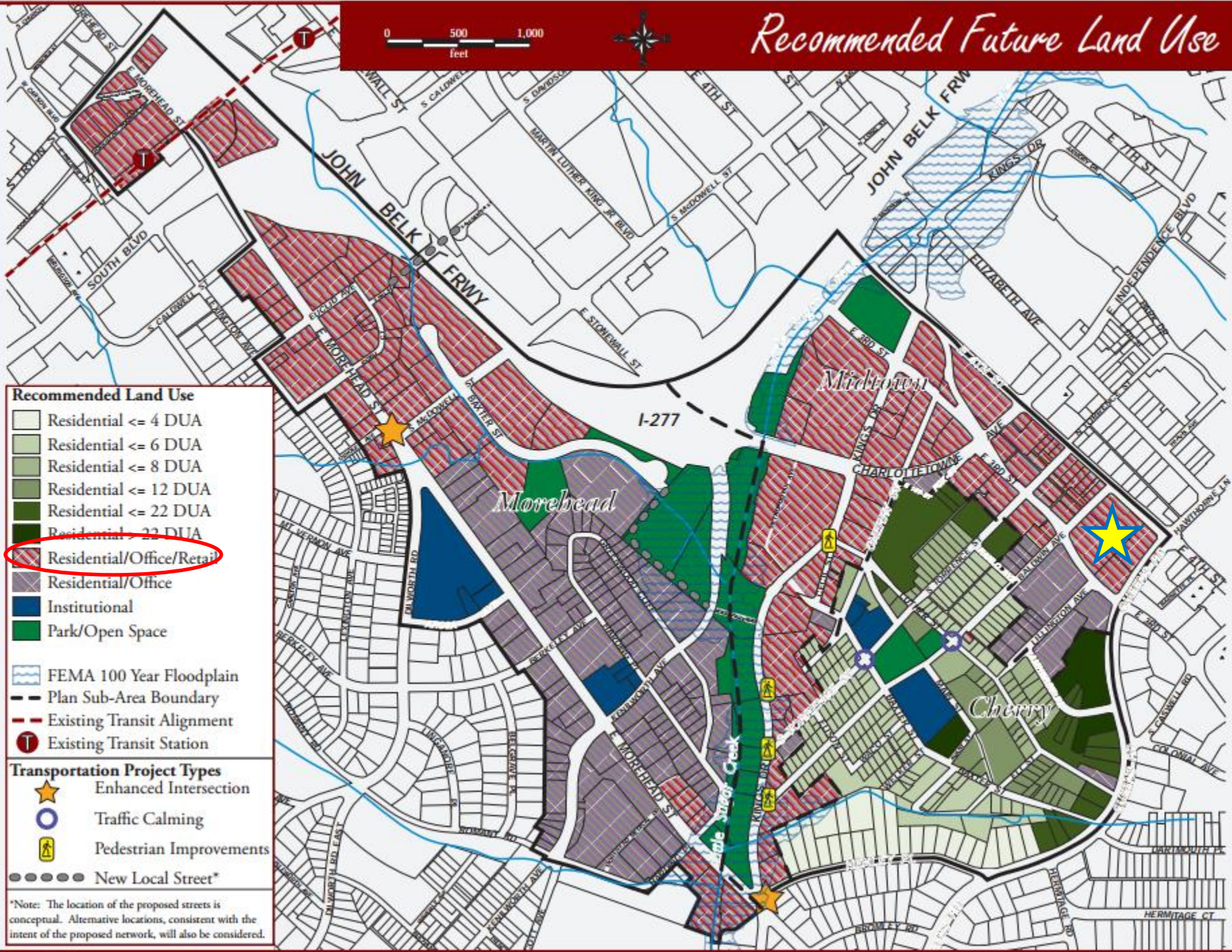
Land Use Plans





Charlotte-Mecklenburg Planning Department
Adopted by City Council
February 27, 2012

Recommended Future Land Use



Recommended Land Use

- Residential <= 4 DUA
- Residential <= 6 DUA
- Residential <= 8 DUA
- Residential <= 12 DUA
- Residential <= 22 DUA
- Residential/Office/Retail**
- Residential/Office
- Institutional
- Park/Open Space

FEMA 100 Year Floodplain

Plan Sub-Area Boundary

Existing Transit Alignment

Existing Transit Station

Transportation Project Types

- Enhanced Intersection
- Traffic Calming
- Pedestrian Improvements
- New Local Street*

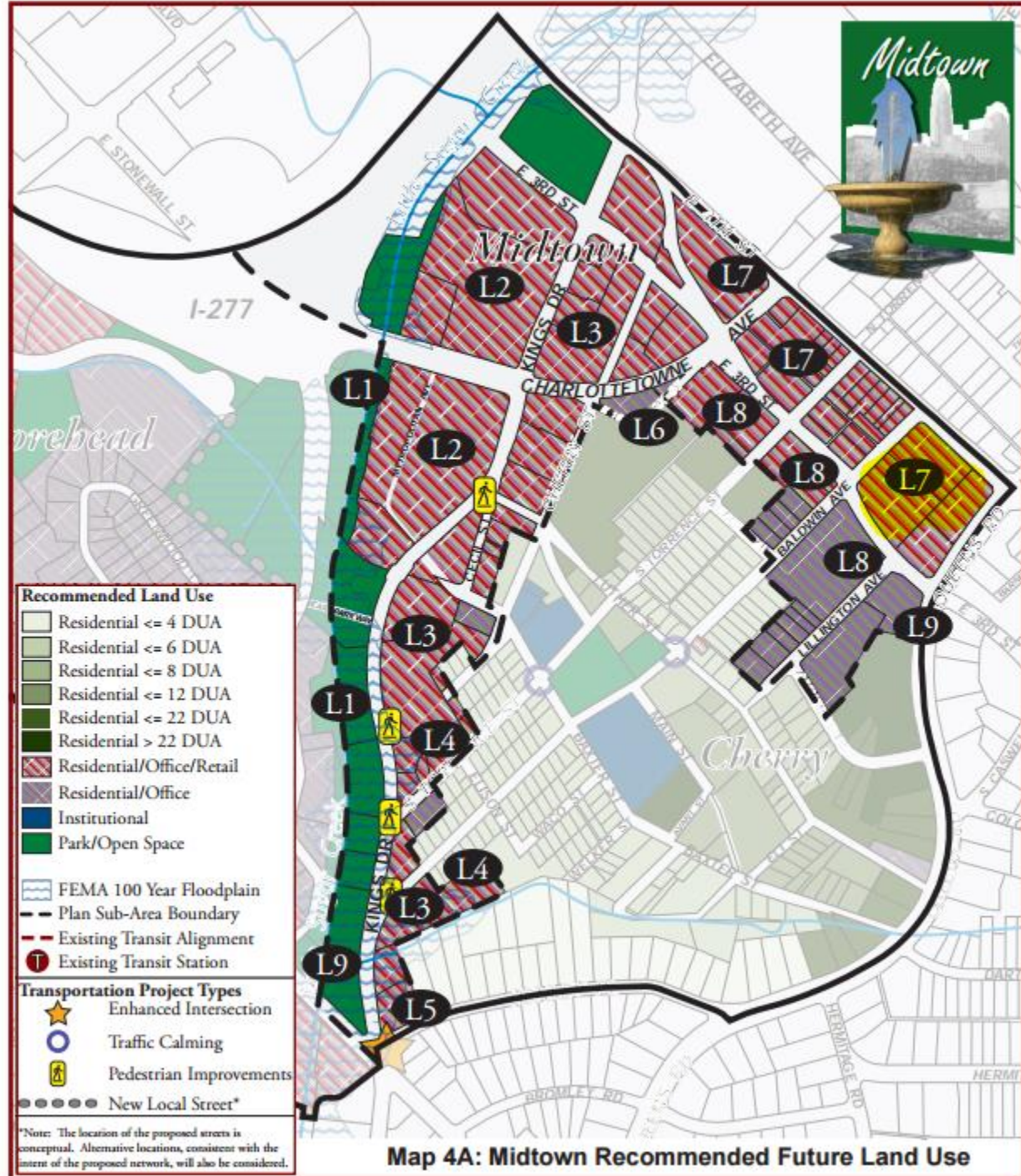
*Note: The location of the proposed streets is conceptual. Alternative locations, consistent with the intent of the proposed network, will also be considered.

L6. Charlottetown Avenue at Fox Street: A small triangular block fronting Charlottetown Avenue is zoned residential, but contains small nonconforming uses. It is considered an element of the Cherry neighborhood. The location is appropriate for mixed uses including residential and/or office.

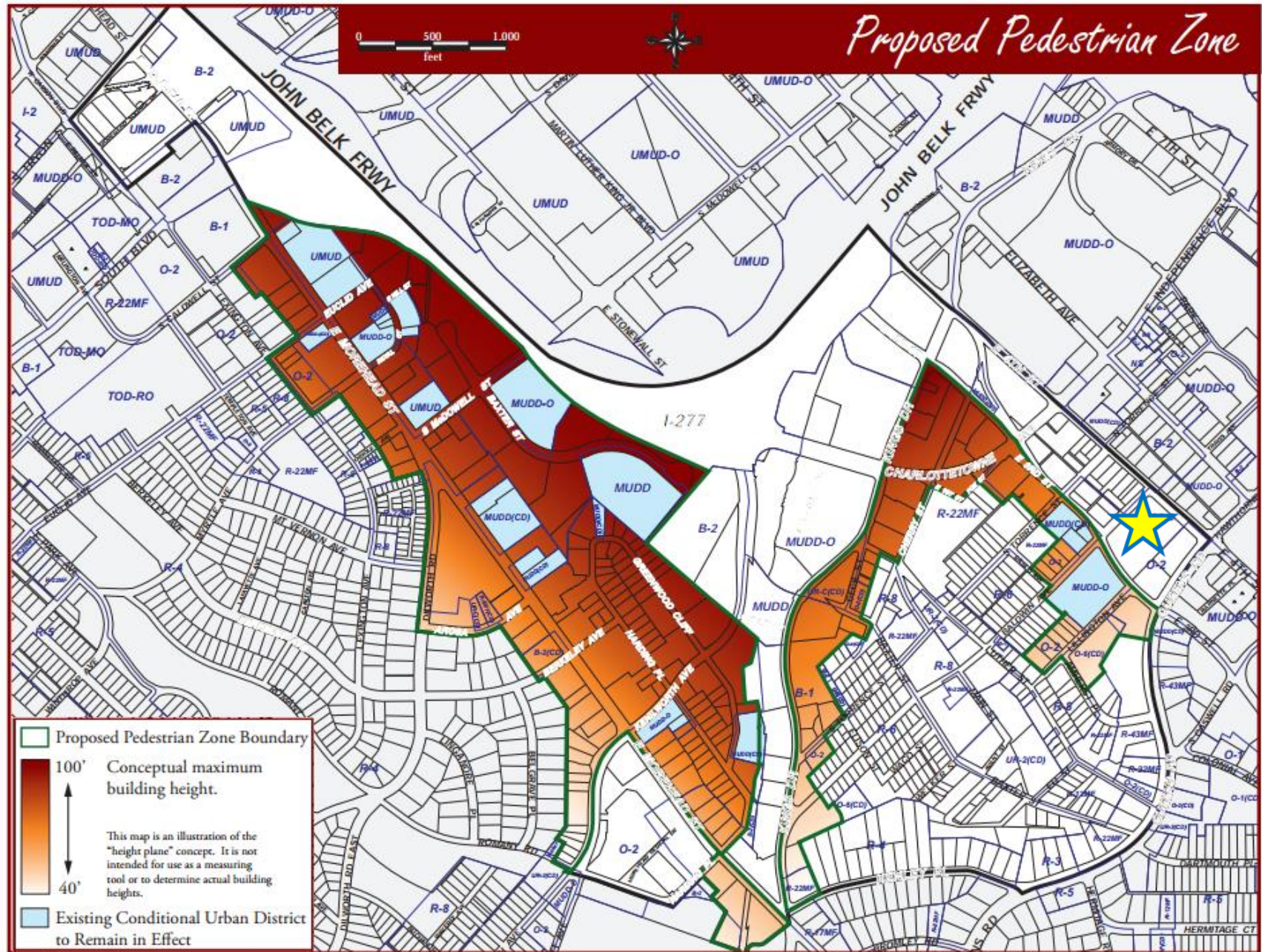
- Pedestrian Zone is recommended to ensure neighborhood compatibility and support pedestrian activity in the future.

L7. Third to Fourth Streets: This area is developed with retail, office, and institutional uses, some related to Central Piedmont Community College; some medical related, and some an extension of the Elizabeth commercial area further east. It is separated from the Cherry neighborhood by some distance and by intense vehicular traffic on Third Street, leading to **reduced concerns on building height and density**. The area is recommended for mixed use development including retail. Building heights exceeding usual PED limit (100 feet at present) may be appropriate, subject to site-specific rezoning applications. New uses should conform to the community design standards in this plan.

L8. Third Street abutting Cherry: A number of parcels front Third Street on the southwest side, or Lillington Avenue, Baldwin Avenue, or Torrence Street side streets extending from Third Street into the Cherry neighborhood by as much as a block. These are zoned and/or used for various retail and office uses. These properties are appropriate



Proposed Pedestrian Zone



22  Midtown Morehead Cherry area plan

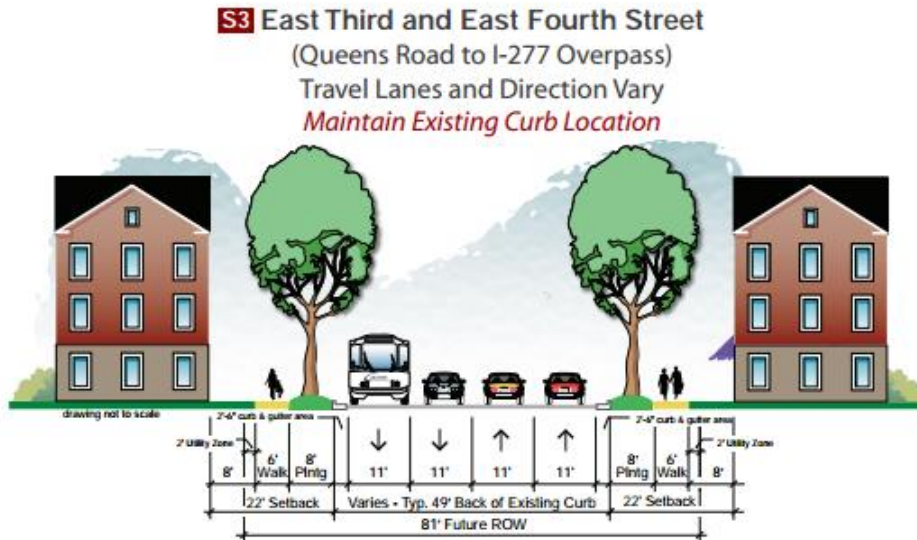
Map 5

Source: Charlotte-Mecklenburg Planning Department mapping, September 2011

S3. East Third and East Fourth Streets

(Queens Road to I-277 Overpass)

These radial thoroughfares carry significant commuter traffic, necessitating multiple lanes. Combined with existing physical constraints, motorist demand on these streets poses a challenge to providing space for bicyclists or additional pedestrian crossings. Still, back-of-curb streetscape improvements can be enhanced for pedestrians through the rezoning and urban zoning plan review process, when significant development occurs.



S3 Future Development Standards

Roadway	<ul style="list-style-type: none"> Existing curb location to remain Four 11' travel lanes, two in each direction 2' 6" curb and gutter
Bicycle Lanes	<ul style="list-style-type: none"> No bicycle lanes; Bicyclists use parallel streets
On-street Parking	<ul style="list-style-type: none"> No on-street parking
Planting Strip	<ul style="list-style-type: none"> 8' planting strip with street trees per <i>Charlotte Tree Ordinance</i>
Sidewalk	<ul style="list-style-type: none"> 6' sidewalk
Building Setbacks	<ul style="list-style-type: none"> Within PED and urban districts, 22' from back of curb In other areas, per zoning requirements



East Third Street is a major commuter route between Uptown and South Charlotte. Just beyond the plan area, East Third Street becomes Providence Road, a radial artery that stretches 13 miles to the City's southern limits and adjacent Union County.

The background of the slide is a deep blue color with a bokeh effect, featuring numerous out-of-focus light spots in shades of white and light blue. A solid orange horizontal band is positioned in the center of the slide, containing the title text.

Gold Line Streetcar





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FUTURE BUILDINGS



Mixed-use development and trolley expansion set to begin David T. Foster III - The Charlotte Observer

BUSINESS

Still waiting for a boom along Charlotte's Gold Line streetcar route

BY ELY PORTILLO
elyportillo@charlotteobserver.com

JANUARY 13, 2017 5:55 AM

When the first segment of the Gold Line streetcar opened in July 2015, supporters hailed the 1.5-mile track as the start of a major economic stimulus that would eventually revitalize swaths of uptown and land to the east and west of the Trade Street route.

Now, the second phase of the Gold Line – a 2.5-mile, \$150 million extension running from Johnson C. Smith University along Beatties Ford Road, east through uptown and Elizabeth to Sunnyside Avenue – is funded and set to start construction soon. It's projected to open in 2020.

So far, however, there's been little new development activity along the first portion of the

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CityLYNX Gold Line's 2nd anniversary 1:03

Early morning riders on the CityLYNX Gold Line streetcar along Elizabeth Avenue, Thursday, June 22, 2017. The CityLYNX Gold Line is a 10-mile streetcar system that is an integral part of the 2030 Transit Plan and is being constructed in phases. **Davie Hinshaw** - The Charlotte Observer

LOCAL

The streetcar is turning 2. When will the promised development boom happen?

BY STEVE HARRISON AND ELY PORTILLO

elyportillo@charlotteobserver.com

sharrison@charlotteobserver.com

JUNE 23, 2017 2:08 PM


Two years ago, Charlotte's streetcar carried its first passengers and brought the hope that it would eventually spark new development in areas that had been overlooked, particularly near Johnson C. Smith University.

The \$37 million streetcar, or Gold Line, exceeded ridership expectations in its first year.

klgates.com

23





This Site will be developed.
Almost certainly it will be a mixed use project
with a major office component.
The devil is in the detail.

The image features a blue background with a bokeh effect of out-of-focus light spots. A solid orange horizontal band is positioned in the center, containing the text "Development Proposal" in white.

Development Proposal

MASSING_PERSPECTIVE VIEWS

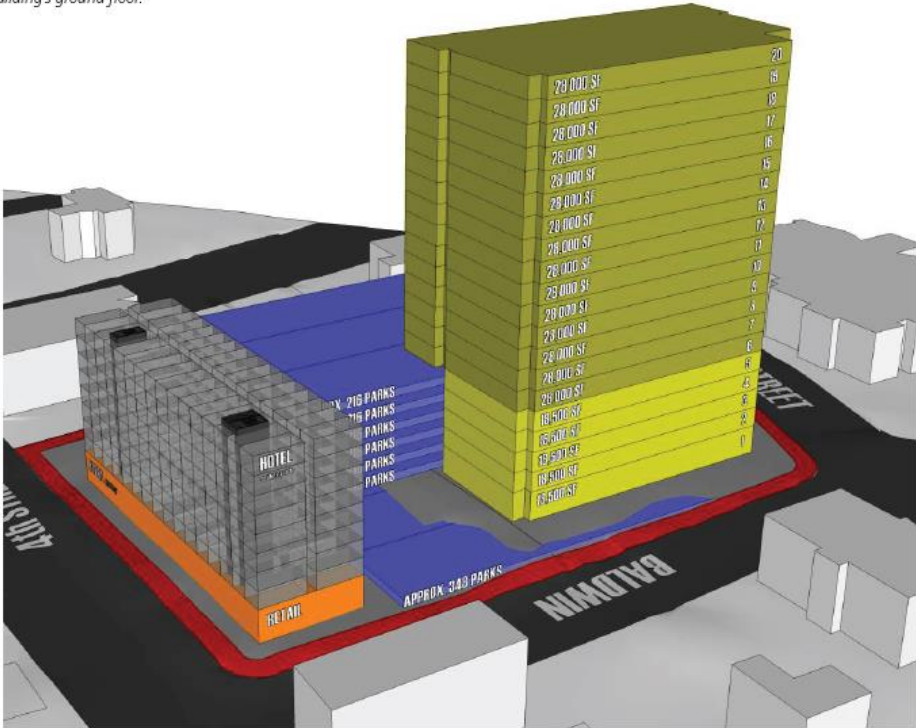
PROJECT METRICS

OFFICE BUILDING:
 LEVELS 01-05: 18,500 SF [FLOORS ADJACENT TO PARKING DECK]
 LEVELS 06-20: 28,000 SF [FLOORS ABOVE PARKING DECK]
 BUILDING TOTAL: 512,500 GSF

HOTEL/RETAIL:
 LEVEL 01: 16,800 SF [SHARED BETWEEN HOTEL LOBBY & RETAIL]
 LEVELS 02-09: 30 ROOMS/FLOOR, 240 KEY TOTAL

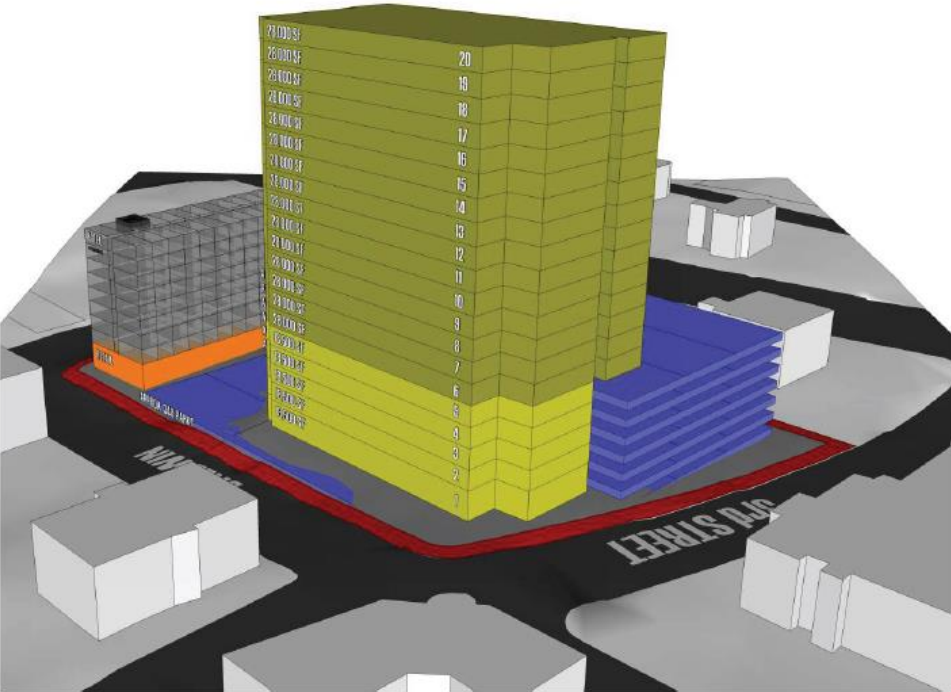
PARKING DECK:
 PARKING RATIO TARGET: 3/1,000
 SPACES/LEVEL: APPROX. 220
 REQUIRED NO. OF LEVELS: 7*

*NOTE: Site topography will allow one level to be located partially below grade and serve as the building podium. Two additional parking bays will be located beneath the office building's ground floor.

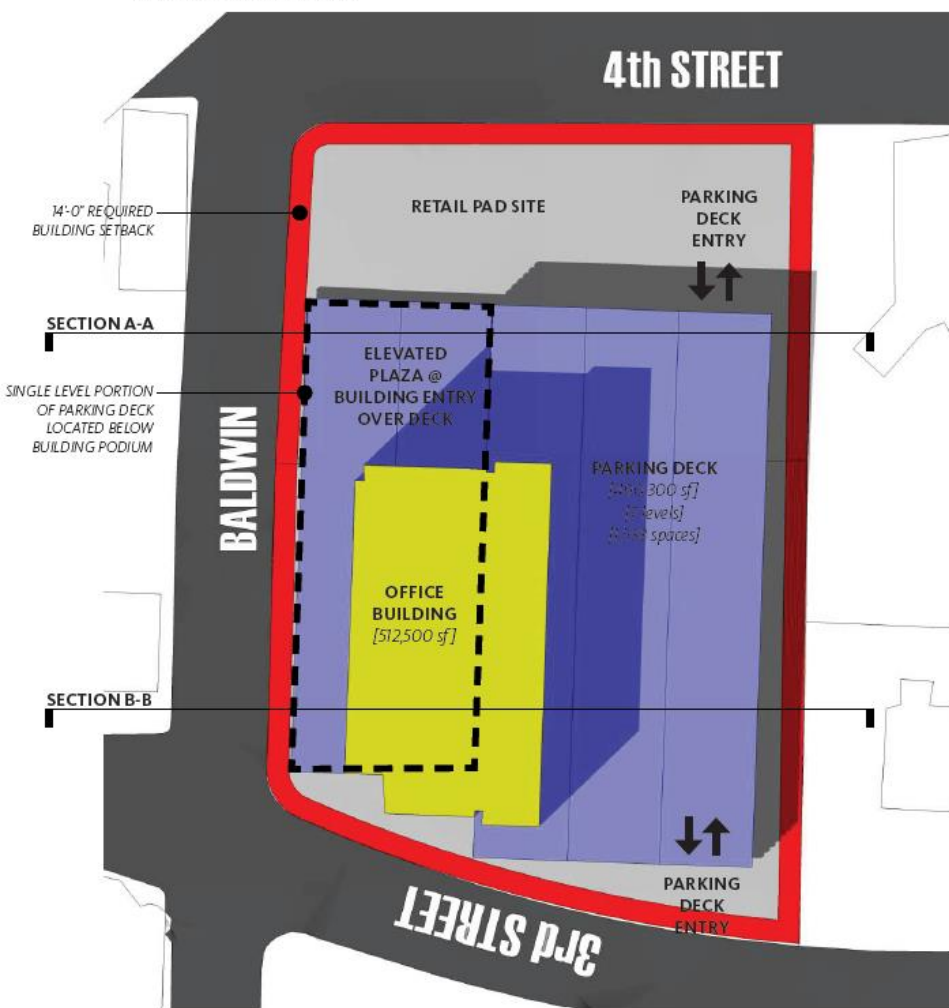


LEGEND

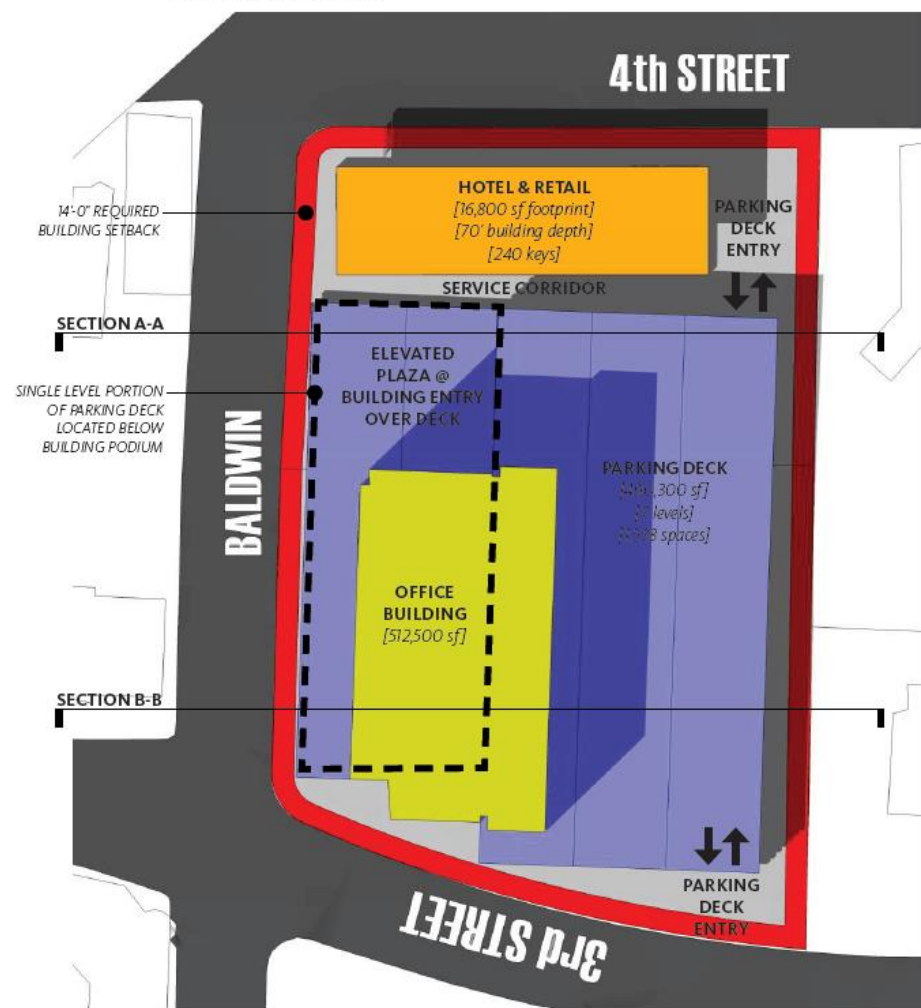
- LEVELS 01-05: 18,500 SF PER FLOOR
- LEVELS 06-20: 28,000 SF PER FLOOR
- PARKING LEVELS P1-P7
- PROJECT SITE
- 14'-0" REQUIRED BUILDING SETBACK PER UDO
- RETAIL / HOTEL



SITE PLAN OPTION 1



SITE PLAN OPTION 2







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Neighborhood Outreach

NEIGHBORHOOD OUTREACH

- February 2017: Initial Outreach to Cherry Community Organization
- April 13, 2017: Intro Meeting with Cherry Neighbors
- April 28, 2017: Follow-Up meeting with Cherry
- July 18, 2017: Meeting discuss Building Options
- August 5, 2017: Follow-Up Meeting

NEIGHBORHOOD CONCERNS/PRIORITIES

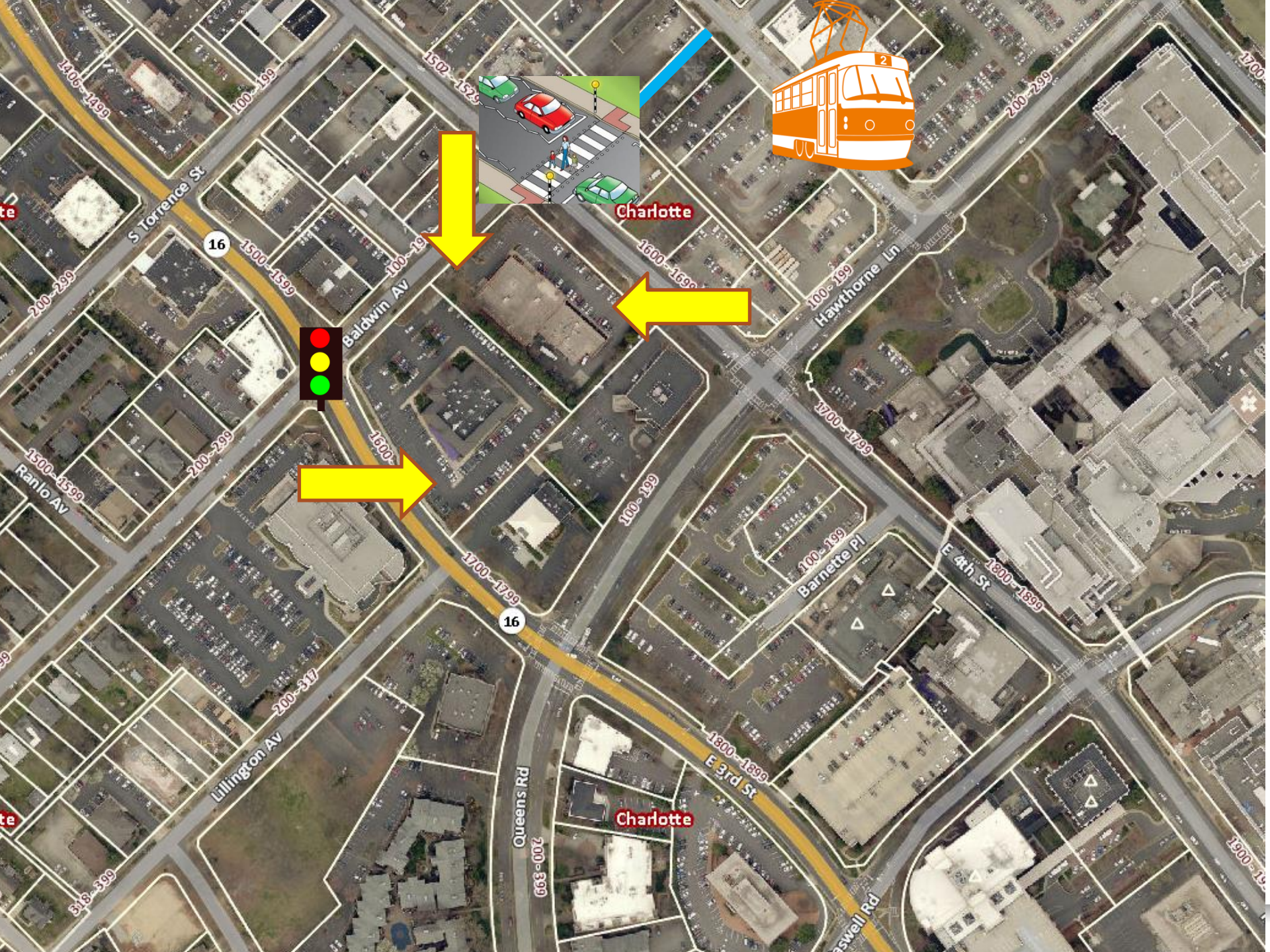
- Building Height
- Traffic Impact
- Lack of Affordable Housing
- Opportunities for Residents
- Connectivity Pro/Con
- Appearance
- Types of Employment
- Cut-Through Traffic

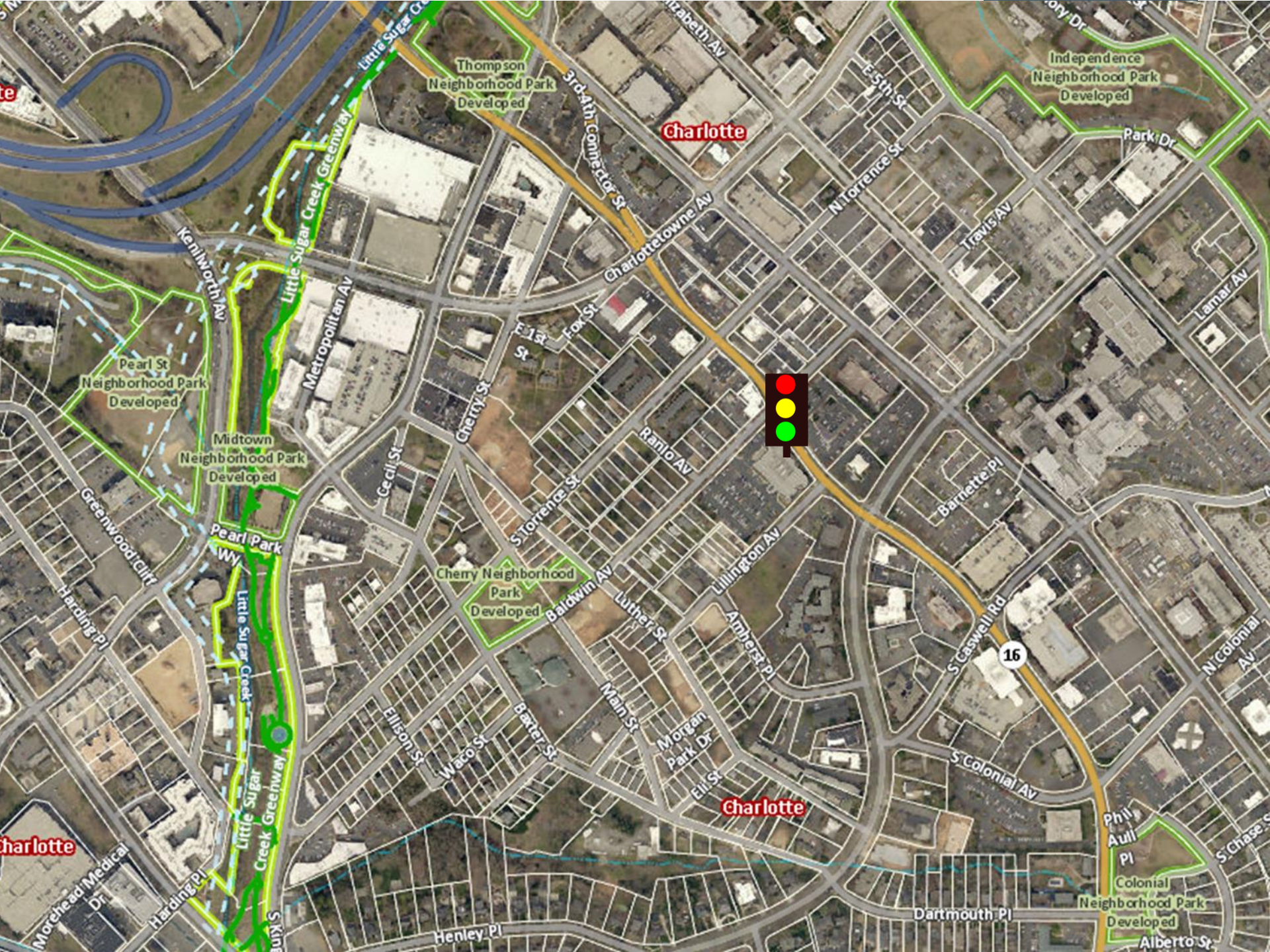
The background of the slide is a deep blue with a bokeh effect, featuring numerous out-of-focus light spots in shades of white and light blue. A solid orange horizontal band spans the middle of the image, serving as a background for the title text.

Responses to Community Concerns

The image features a bokeh background with out-of-focus light spots in shades of blue and white. A solid orange horizontal band is positioned in the center, containing the text.

Traffic/Connectivity/Cut-Through





Rezoning Transportation Analysis

Petition Number: 2017-177

General Location Identifier: 12511804, 12511801

From: Kelsie Anderson, PE
Kelsie.Anderson@charlottenc.gov
704-432-5492

Reviewer: Isaiah Washington
Isaiah.washington@charlottenc.gov
704-432-6511

Revision Log:

Date	Description
12-12-17	First Review

General Review Information

The site is bound by 3rd St (major thoroughfare), Baldwin Ave (minor collector), 4th St (major thoroughfare), and Queens Rd (major thoroughfare). The site is located in a corridor inside Route 4 and is within the Midtown/Cherry Area Plan. 3rd/4th carry five local bus routes and three express bus routes.

CDOT's review of this rezoning petition is intended to ensure consistency with the Transportation Action Plan (TAP) which seeks to ensure that the City's transportation network supports current and future land uses and includes streets that provide safe and comfortable mobility for motorists, pedestrians, bicyclists, and transit users.

This document is primarily for communication to Planning Department staff as part of the overall City staff analysis of the rezoning petition and includes an overall summary of the case from a transportation perspective, information on trip generation, and resolved or outstanding site plan concerns. Additional advisory information about the driveway permit process is provided for information only.

Based on our review of the petition, we offer the following information for your consideration.

Transportation Summary

To be provided prior to public hearing.

Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
Existing Use	Office Retail	64,710 sf 18,690 sf	3,160	Tax Record
Entitlement with Current Zoning	Office (3.92 acres of O-2) Retail	58,800 sf 25,000 sf	3,640	General Guidance from Planning and RZ 2002-066
Proposed Zoning	Office Retail Hotel	512,500 sf 16,800 sf 240 rooms	8,570	Traffic Study: 12-12-16 And Site Plan: 11-20-17

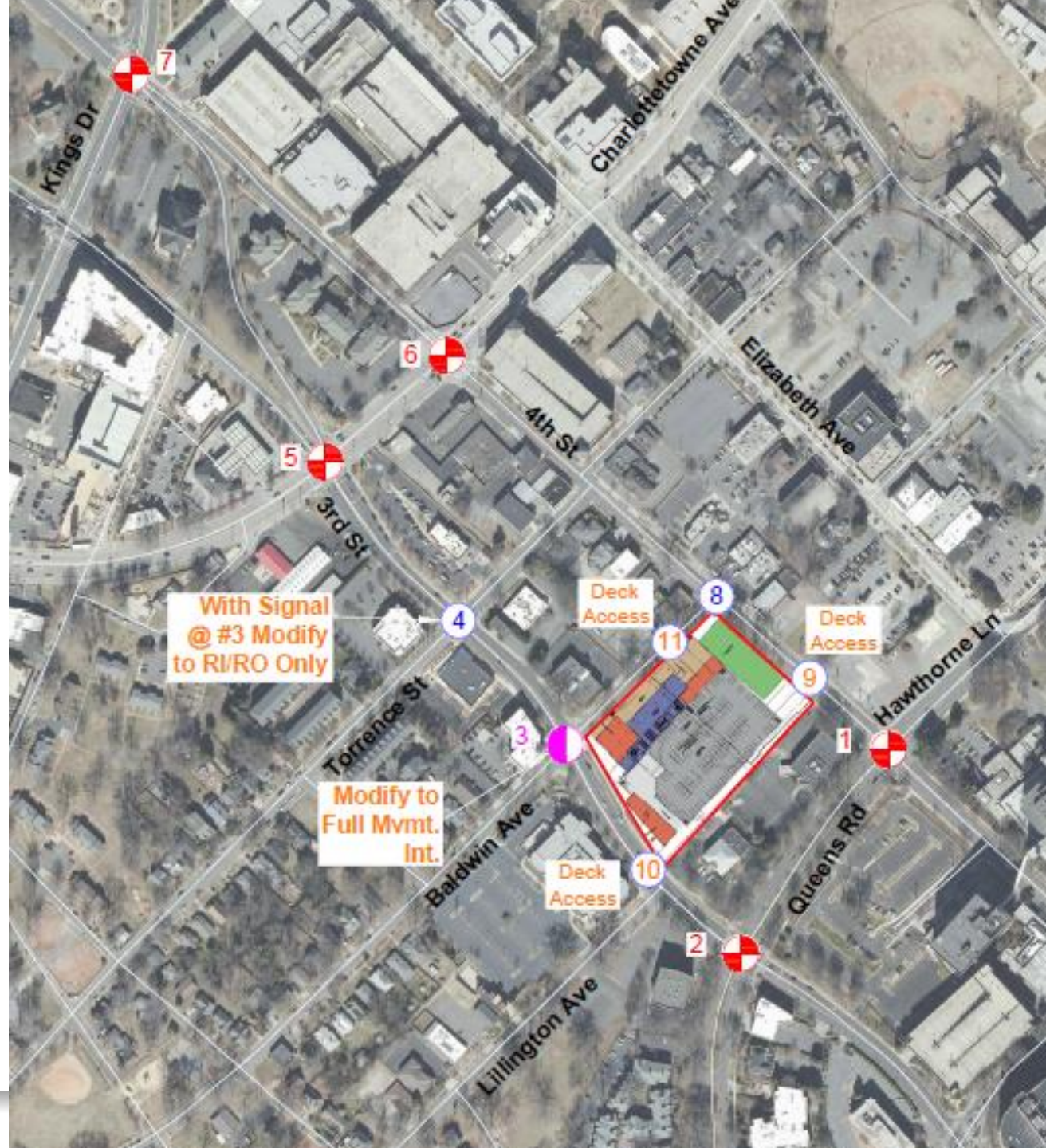
Outstanding Issues

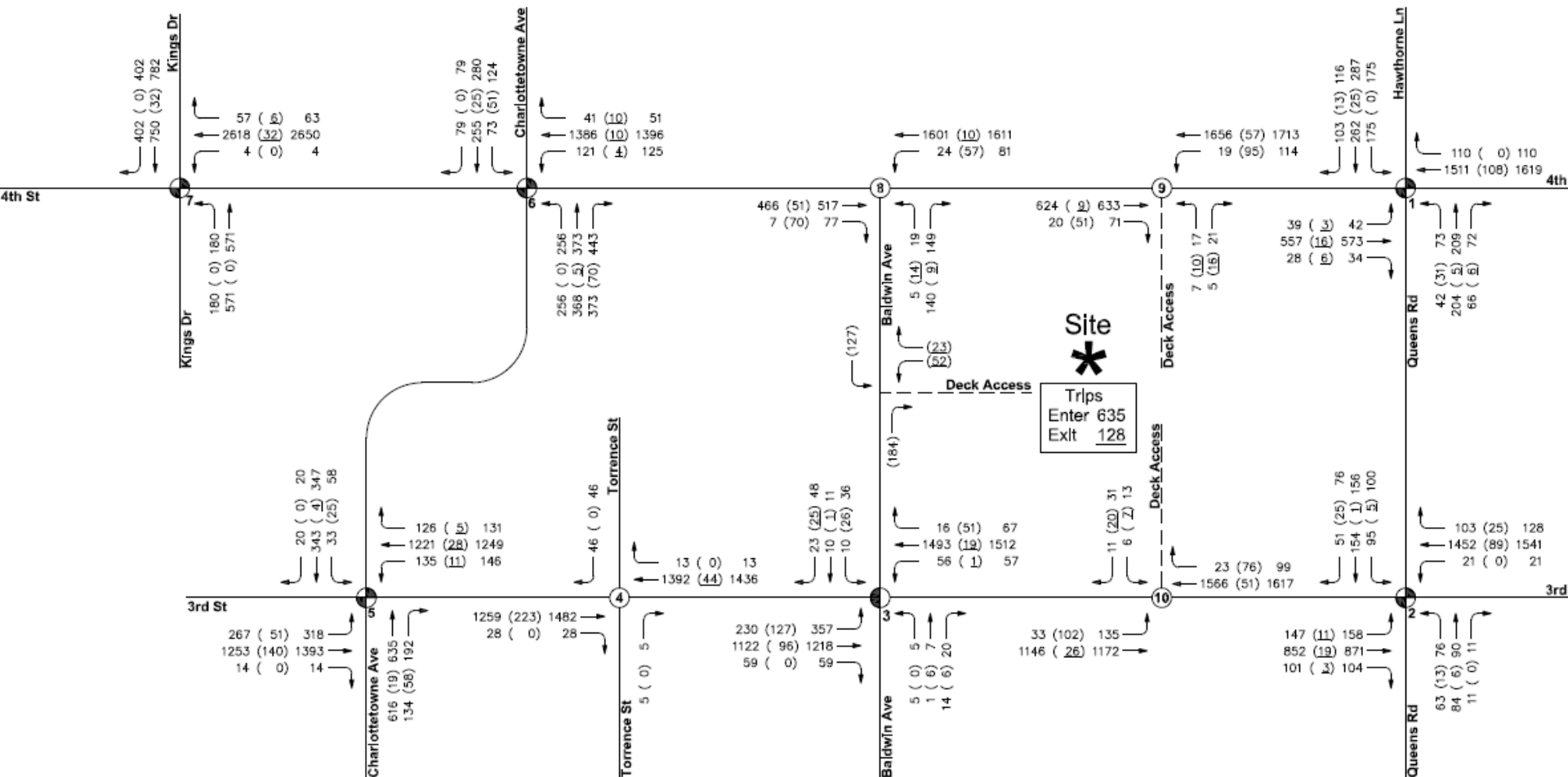
Strikeout = Not an outstanding issue

1. **Curblin** The proposed zoning district has a setback measured from back of the existing or proposed future curblin. The location of the future back of curb on 3rd and 4th is 8 feet behind existing curb for a future bike facility. The existing curblin on Baldwin is in the future location. These curblin definitions do not include mitigations to be identified by the traffic impact study.

Trip Generation

Scenario	Land Use	Intensity	Trip Generation (vehicle trips/day)	Source
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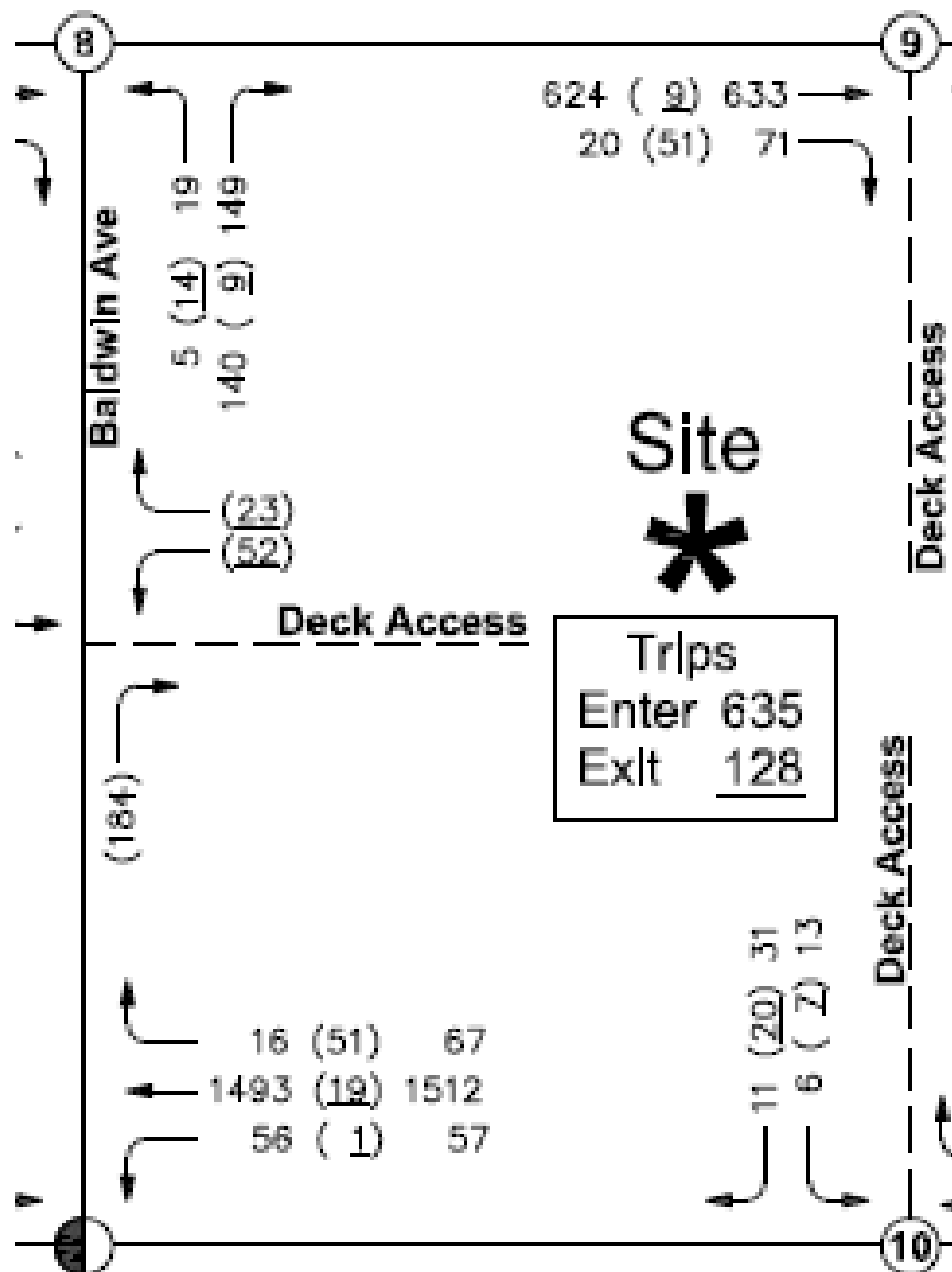




LEGEND

- Traffic Signal
- Proposed Signal
- Stop Sign Control
- Directional Movement

VOLUMES: Bkgd. (Site) Total



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Lack of Affordable Housing



The background of the slide is a deep blue with a bokeh effect, featuring numerous out-of-focus light spots in shades of white and light blue. A solid orange horizontal band runs across the middle of the image, serving as a backdrop for the text.

Opportunities for Residents Types of Employment



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Building Height/Appearance



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Charlotte Magazine / December 2015 / Fighting Back Against Ugly Buildings in Charlotte

Fighting Back Against Ugly Buildings in Charlotte

As the city prepares to rewrite its zoning code, architects push for better design

BY EMILY HARRIS

Published: 2015.12.01 11:15 PM



Many new apartment buildings lining South Boulevard fail to create inviting public spaces.

PHOTOGRAPHS BY RIKANSRUD PHOTOGRAPHY

"LET'S JUST ADMIT Charlotte's architecture is not that good," architect and planner Tom Low says. He's standing in front of a roomful of people at the Levine Museum of the New South one October evening, clicking through a slide show of examples that support his point.

Members of the audience sit around tables, jotting down notes or listening silently as he delivers this diagnosis.



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'Ugly' Development In Charlotte

By CHARLOTTE TALKS STAFF · JAN 12, 2016

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Charlotte Talks on WFAE



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CIVIC BY DESIGN



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51:30

As the second fastest growing city in the country, Charlotte's population is exploding and developers are trying to keep up. Hence, all those apartments cropping up around town. But some architects feel those building are too similar, too bland and because there are so many of them, they are beginning to negatively impact the look of the city. Those architects are suggesting stronger design standards need to be adopted and we'll hear their ideas.

Event

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1100 South Boulevard apartments under construction last year. Bert Fox - bfox@charlotteobserver.com



Development

What's new in commercial and residential real estate in the Charlotte region.

DEVELOPMENT

Watch out for 'tyranny of the normal,' planner warns

BY ELY PORTILLO
elyportillo@charlotteobserver.com

DECEMBER 04, 2015 12:46 AM

An urban planner and architect had a warning for South End and plans to revitalize North Tryon Street: Beware the "tyranny of the normal."

Terry Shook, speaking at Center City Partners' quarterly board meeting Thursday, was voicing a concern many have shared in the wake of increasing development pressure in South End and other close-in, eclectic neighborhoods. Some have voiced a desire for higher design standards – think ground-floor retail, no blank walls and parking garages facing pedestrians, no fences between sidewalks and buildings – in the fast-growing areas.

"Our biggest problem is something I classify as a tyranny of the normal," said Shook. He said "the normal" plays into the way projects are financed and how they're approved according to Charlotte's zoning code. "We've got to find a way to get some strategic intervention in this code now."

[READ MORE: Vision for North Tryon: Smaller blocks, mix of uses, pedestrian corridors]

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VIDEO



Druid Hills community works to adapt to changes



Druid Hills community works to adapt to changes



What's behind Charlotte's 'teardown' boom?



What people in Enderly Park think about gentrification

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VIEWPOINT

Designers to blame for uninspiring developments

 BY DAVID FURMAN
Special to the Observer

DECEMBER 11, 2015 6:08 PM

There seems to be an elevated awareness of design in Charlotte these days, which is creating healthy dialogue beyond the design professional, by concerned citizens. This is encouraging. The problem is this dialogue has been generated by less than inspiring design.

As the clouds of the great recession have cleared, and with the demographic explosion of millennials and the societal shift to a more urban society, new development projects are sprouting at a grand scale. And they are very visible, not hidden in the suburbs anymore. Especially apartments, which are assembled with a redundancy of similar parts, create an ongoing challenge to distinctive design.

These projects are driven by formulaic solutions and financial performance and are often looked upon by their creators as an institutional asset, for stabilization and resale.

It's easy and convenient for architects and landscape architects to dismiss this negative perception of these projects as not their fault. They don't have the budget or the time to generate good work and pass on the blame to the development community. But I think it boils down to effort.

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Breaking News

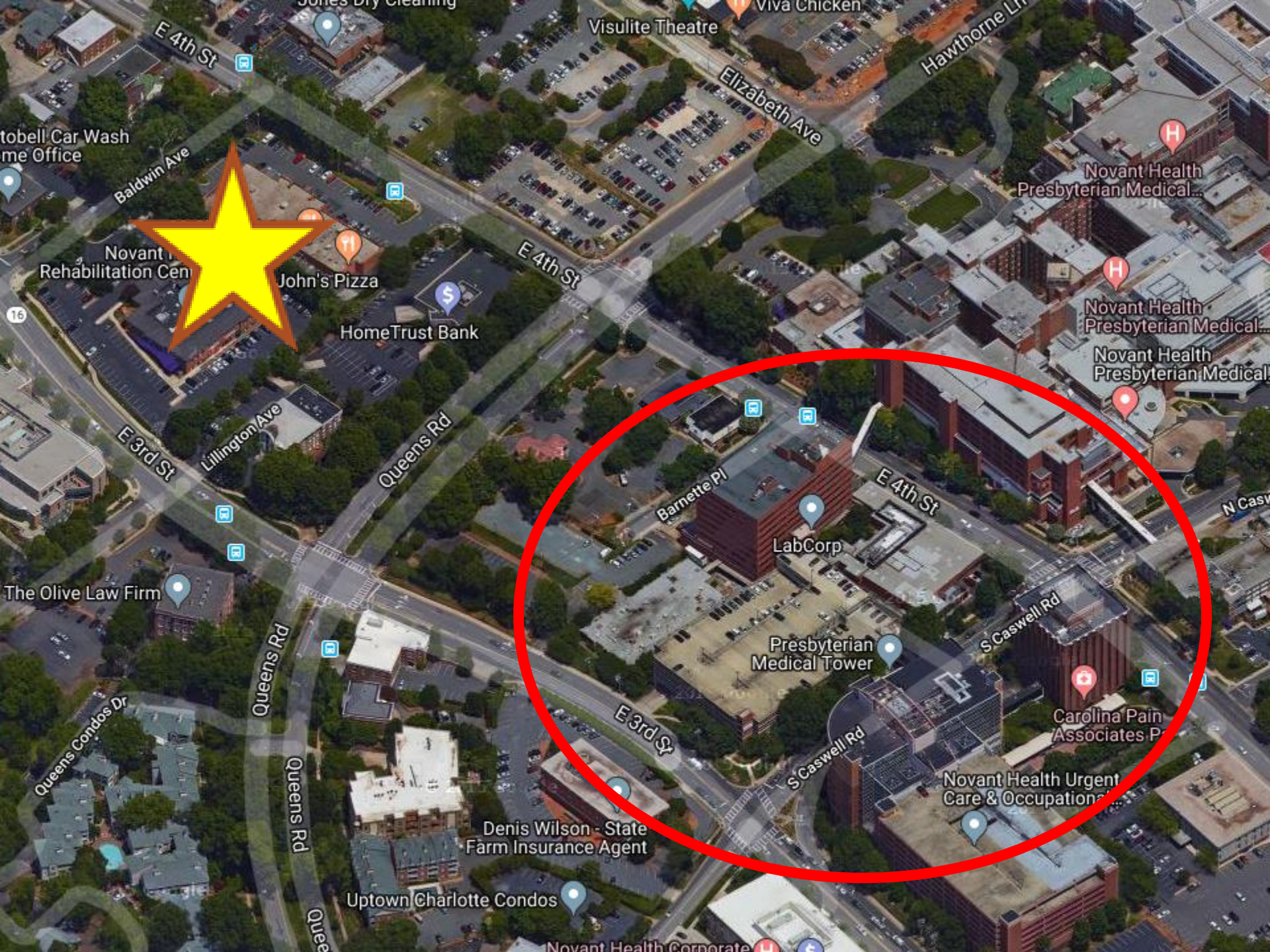
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VIDEOS



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Existing Building Context











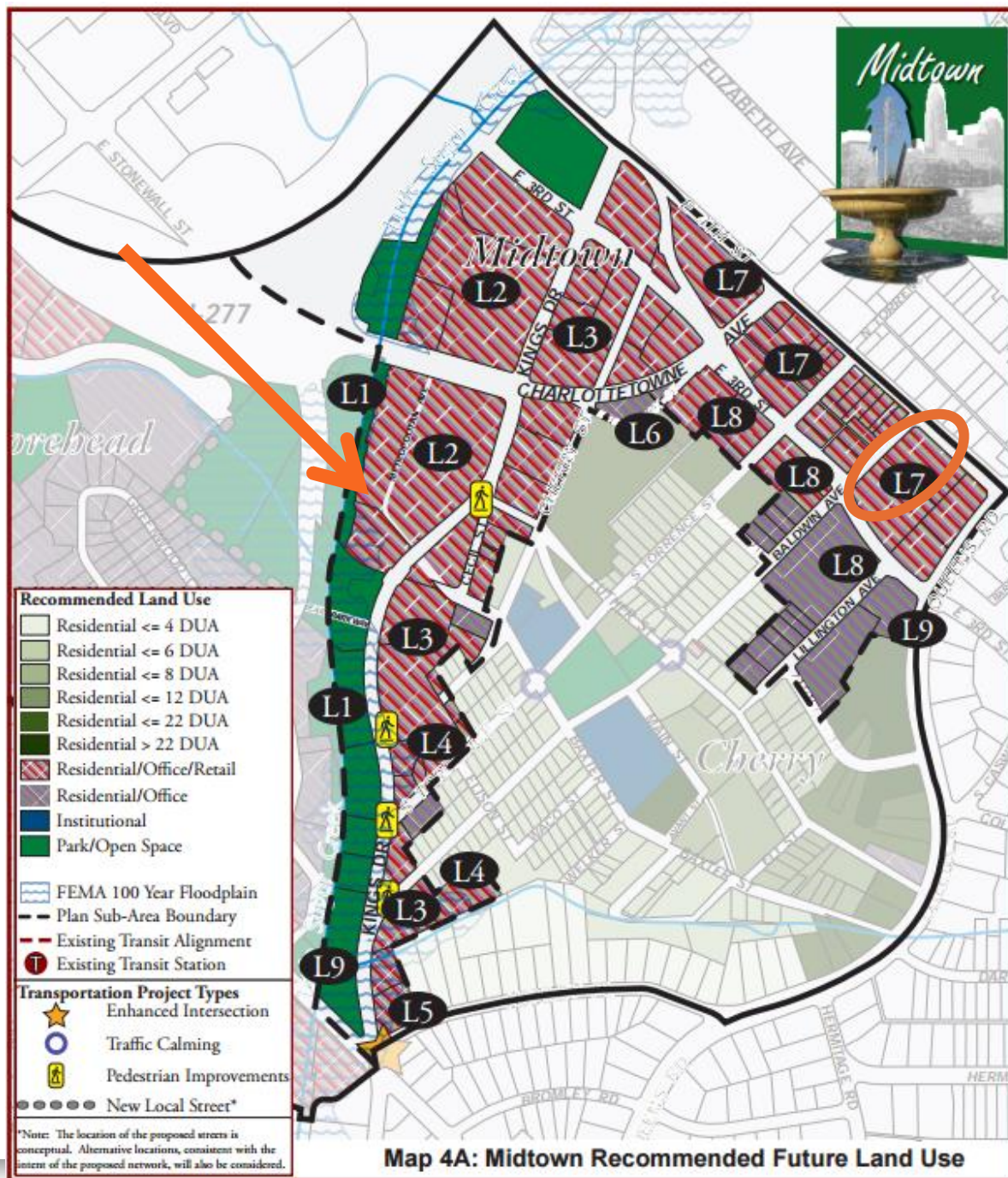


NEW DOMINION

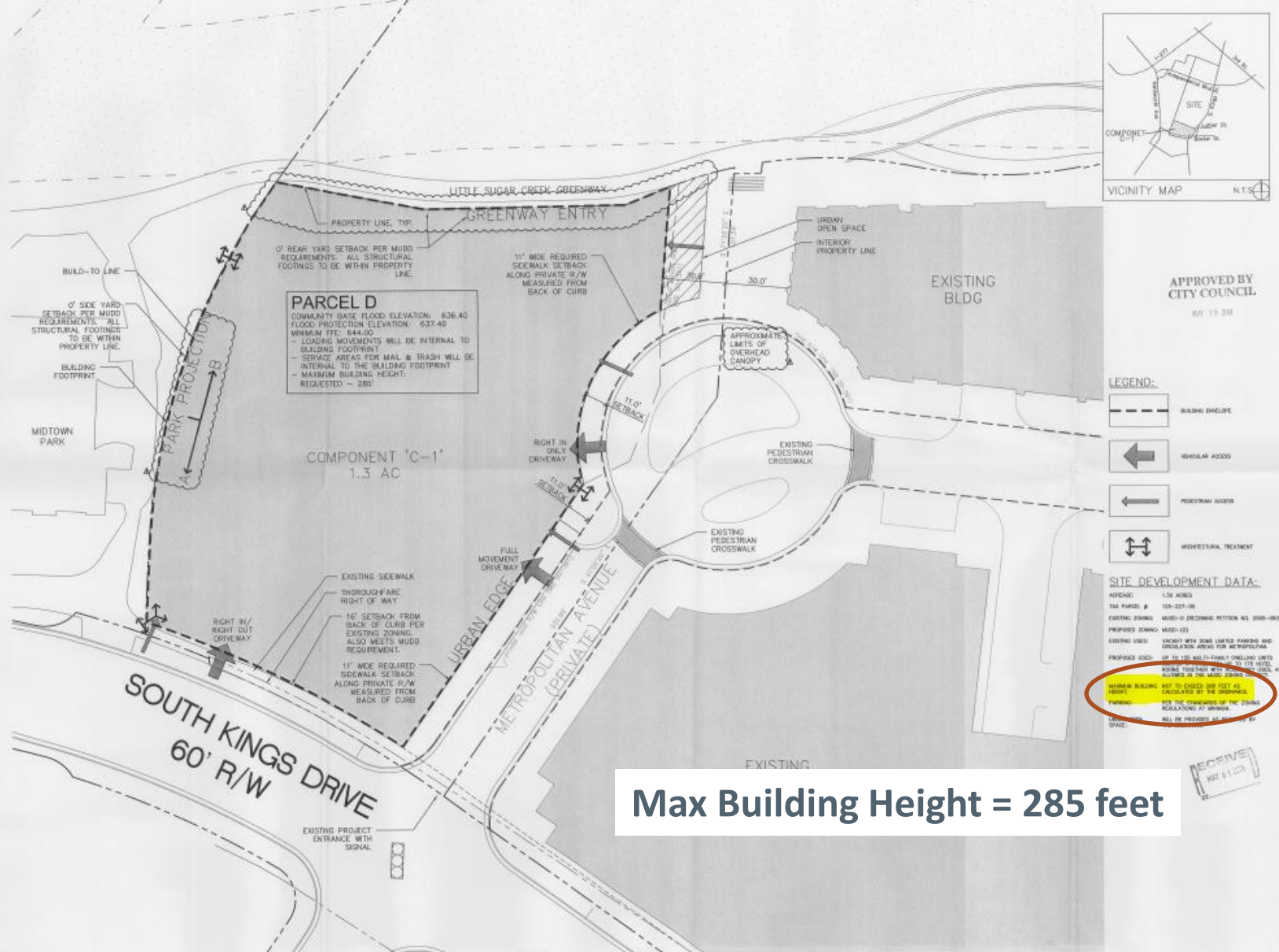
HICKORY TAVERN

The background of the slide is a deep blue with numerous out-of-focus light spots, creating a bokeh effect. These spots vary in size and brightness, with some appearing as sharp, bright white or yellowish points and others as softer, larger blue or white blurs. The overall texture is grainy and organic, resembling light reflecting off water or particles in a dark space.

Height Precedent Exists in the Area



Petition No. 2014-030



Max Building Height = 285 feet



Coleenest & Stone
 Lead Planning
 Landscape Architect
 Civil Engineering
 Urban Design
 200 South Tryon Street
 Suite 1400
 Charlotte, North Carolina 28202
 Tel: 704.376.1700
 Fax: 704.376.7851
 www.coleeneststone.com

PETITIONERS:
 LEVINE PROPERTIES
 8514 MCALPINE PARK DRIVE,
 SUITE 100
 CHARLOTTE, NC 28211

**MIDTOWN
 MIXED-USE
 VILLAGE**

**TECHNICAL
 DATA SHEET**
 COMPONENT C-1
 FOR PUBLIC HEARING -
 PETITION NUMBER
 2014-030

Project No.
 4296
 Issued
 01/20/14 RECORDING SUBMITTAL

Revised
 03/04/14 RECORDING SUBMITTAL

SCALE: 1"=30'

RZ1.1 1 of 2

The drawings, the project contract and the design team have been prepared by Coleenest & Stone, P.A., a registered professional engineering and architectural firm. The drawings are prepared by Coleenest & Stone, P.A., a registered professional engineering and architectural firm.

Coleenest & Stone, P.A. 01/20/14

2014 - 030



CHARLOTTE

CHARLOTTE-MECKLENBURG
PLANNING

**7Rezoning Petition 2014-030
Pre-Hearing Staff Analysis**

April 28, 2014

Note: a protest petition has been filed for this petition. Sufficiency is to be determined.

REQUEST

Current Zoning: MUDD-O, mixed use development, optional
Proposed Zoning: MUDD-O SPA, mixed use development, optional,
site plan amendment

LOCATION

Approximately 1.3 acres located on the southeast corner at the
intersection of Metropolitan Avenue, South Kings Drive, and Baxter
Street.
(Council District 1 - Kinsey)

SUMMARY OF PETITION

The petition proposes a site plan amendment to a portion of the
Metropolitan planned development to allow a 285-foot high building
containing a maximum of 155 multi-family dwelling units and a
175-room hotel.

**STAFF
RECOMMENDATION**

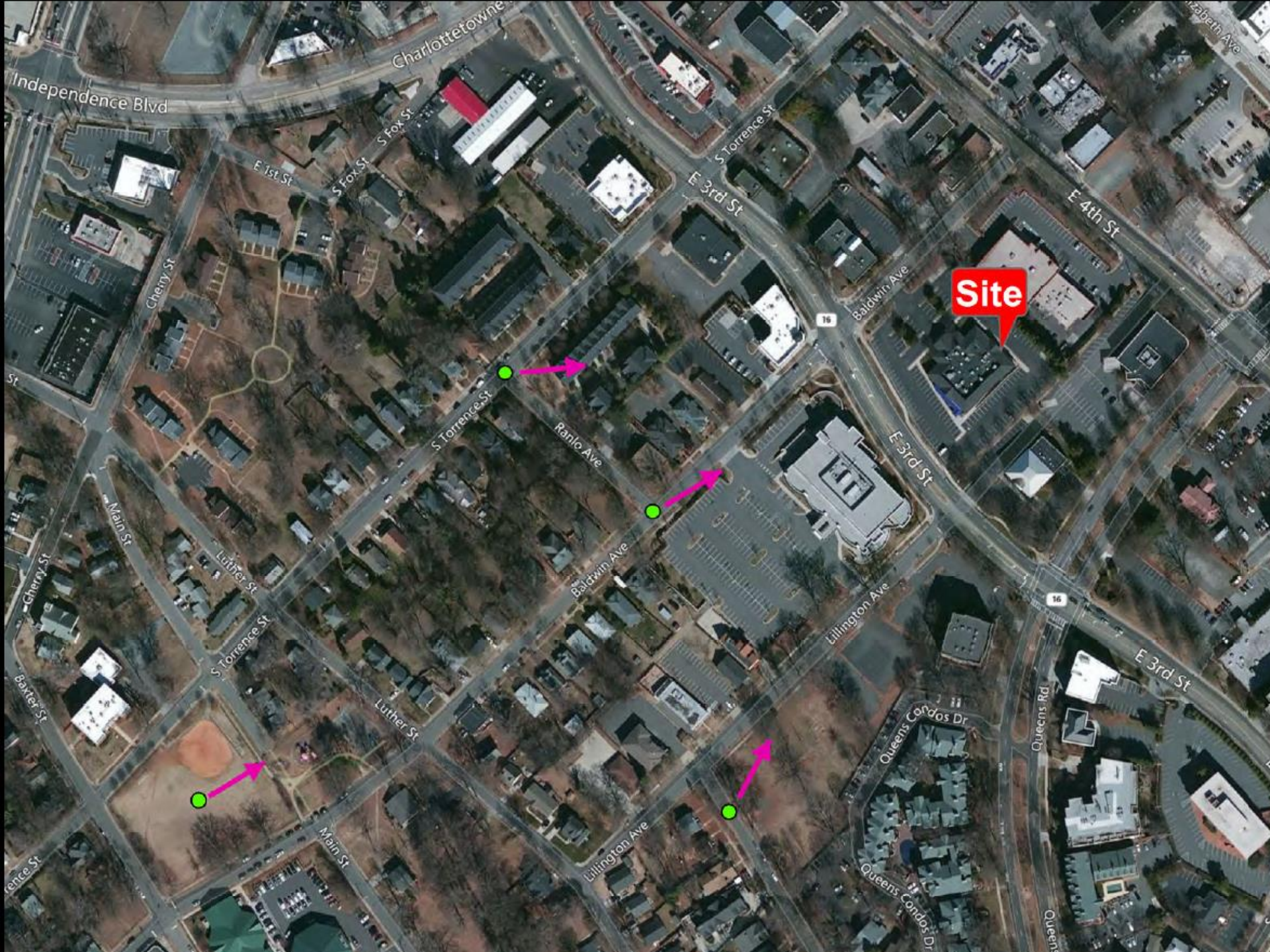
Staff recommends approval of this petition upon resolution of
outstanding issues. The petition is consistent with the *Midtown
Morehead Cherry Area Plan*, which recommends continued build-out
of the Metropolitan planned development for residential, office and/or
retail uses.

PROPERTY OWNER

Golden Triangle #2, LLC

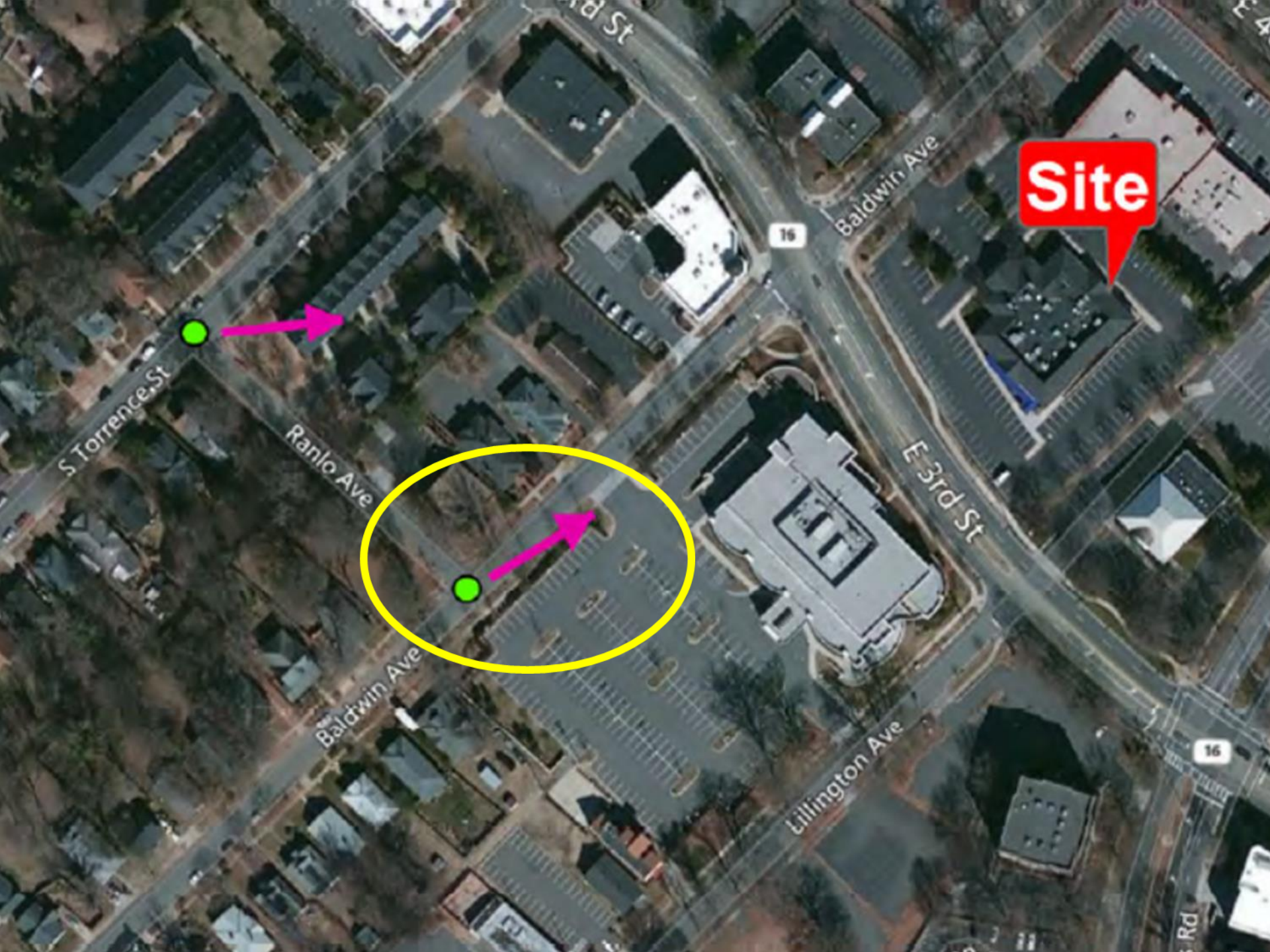
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3rd Street Sightline Studies



The image features a bokeh background with out-of-focus light spots in shades of blue and white. A solid orange horizontal band is positioned in the center, containing the text "Baldwin & Ranlo" in white.

Baldwin & Ranlo



Site

S Torrence St

Ranlo Ave

Baldwin Ave

Baldwin Ave

E 3rd St

Lillington Ave

16

16









The background of the slide is a deep blue with a bokeh effect, featuring numerous out-of-focus light spots in shades of white and light blue. A solid orange horizontal band is positioned in the center, serving as a background for the text.

Lillington & Amherst



Site

Ranlo Ave

Baldwin Ave

E 3rd St

Baldwin Ave

Lillington Ave

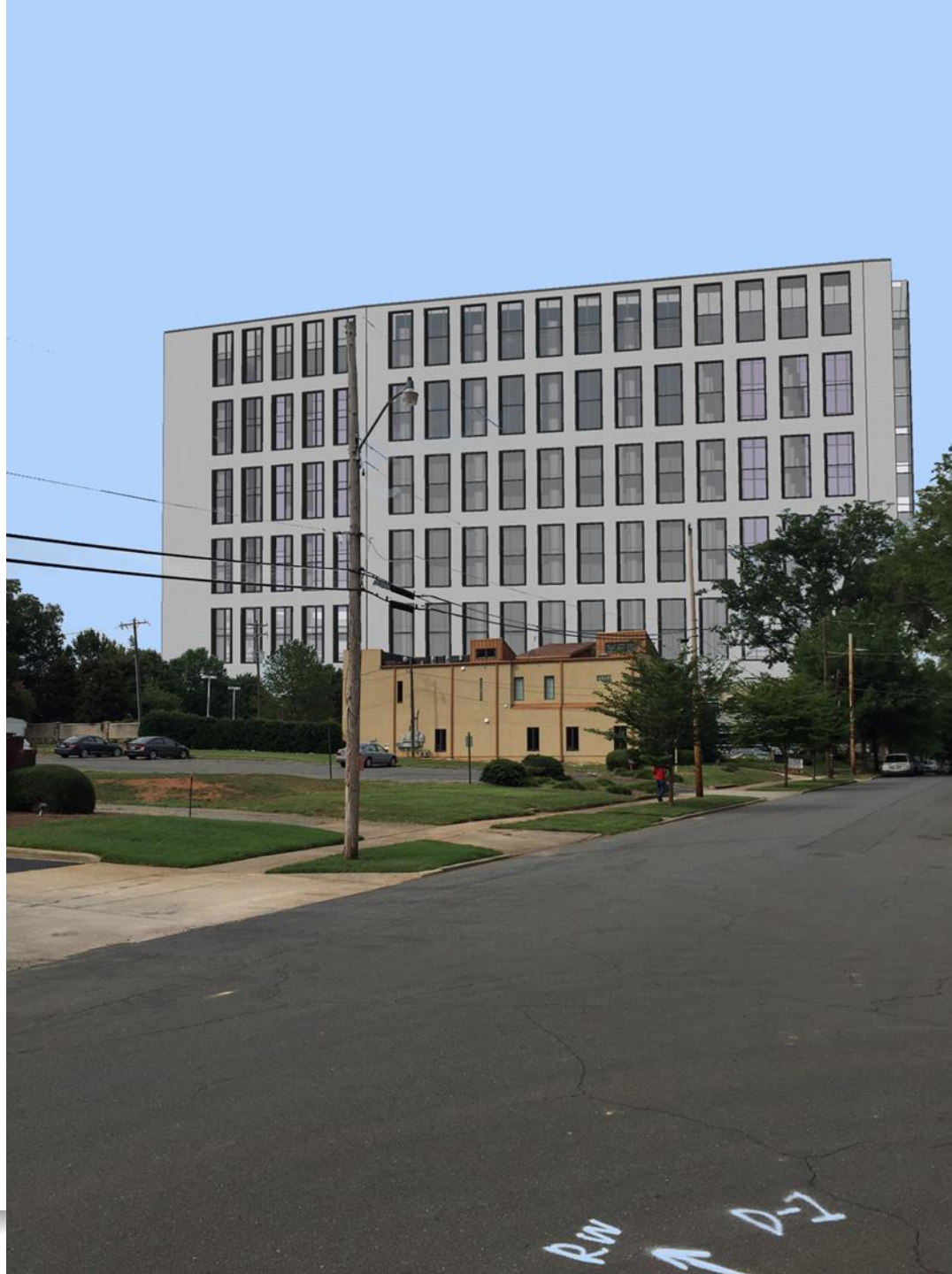
E 3rd St

Queens Condos Dr

Queens Rd

Lillington Ave

E 3rd St

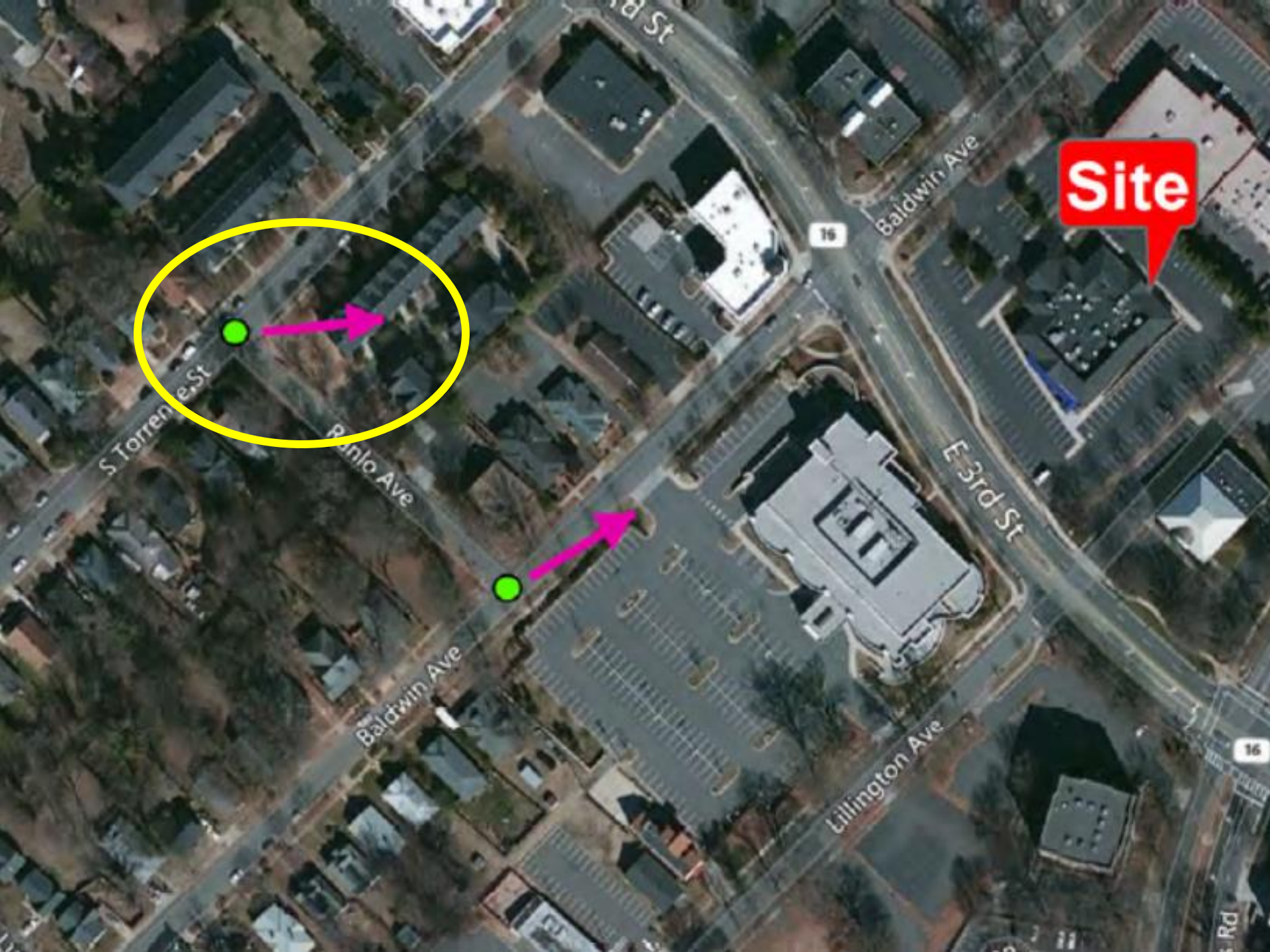






The image features a background of blue bokeh light effects, with a solid orange horizontal band across the middle. The text "Torrence & Ranlo" is centered within this band.

Torrence & Ranlo



Site

16

16



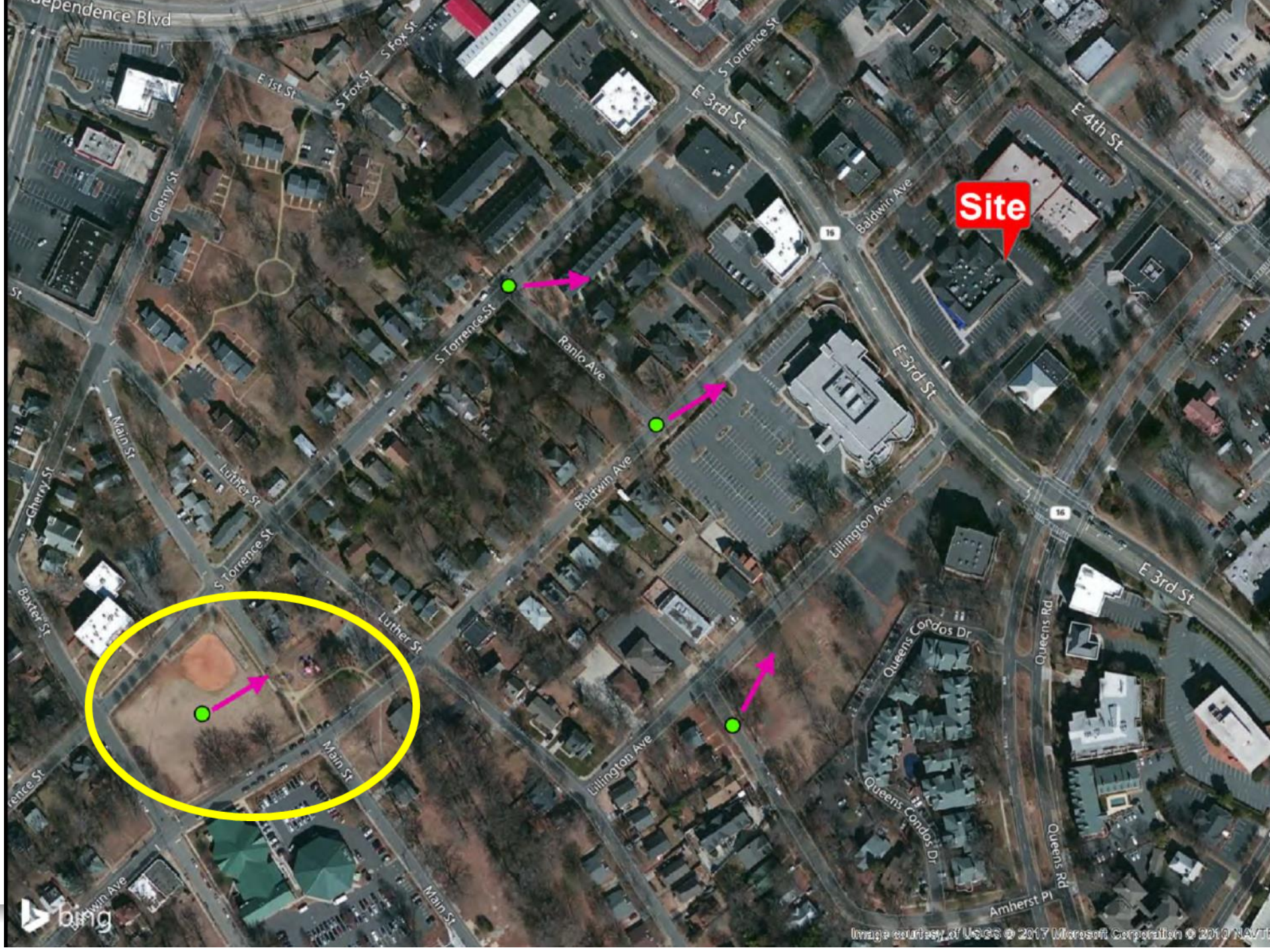


S Torrence Street and Ranlo Ave



The image features a background of out-of-focus light spots (bokeh) in various shades of blue and teal. A solid orange horizontal band runs across the middle of the image, serving as a backdrop for the text.

Baseball Field









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Benefits of Proposed Building


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VIEWPOINT

Designers to blame for uninspiring developments

BY DAVID FURMAN

Special to the Observer

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NEW DOMINION

TAVERN











- 512,000 s.f.
- 290 ft. height
- 20 stories



- 472,150 s.f.
- 150 ft. height
- 11 Stories

Odell Building
330 ft. (w/point)
19 stories



The image features a background of blue bokeh light effects, with a solid orange horizontal band across the middle. The text "Current Rezoning Plan" is centered within this orange band.

Current Rezoning Plan

TECHNICAL DATA SHEET



VICINITY MAP

SITE DEVELOPMENT DATA:

TAX PARCEL NUMBERS: 12511801 / 12511804
 ACRES: 1.94 / 1.46 (3.4 TOTAL)
 EXISTING ZONING: O-2 / MUDD-O
 PROPOSED ZONING: MUDD-O
 EXISTING USE: OFFICE / COMMERCIAL, RETAIL & SURFACE PARKING
 PROPOSED USE: ALL USES PERMITTED IN MUDD DISTRICT

OF RESIDENTIAL UNITS: N/A
 RESIDENTIAL DENSITY: N/A
 SF OF NON-RESIDENTIAL USES: 549,628 SF OFFICE - 20 STORY TOWER
 514,864 SF PARKING DECK
 (1,064,492 SF TOTAL)
 *16,800 FUTURE BUILDING SITE

FLOOR AREA RATIO: 7.187
 MAX BUILDING HEIGHT: 299 FEET
 MAX # OF BUILDINGS: 2
 PARKING RATIO: 3 PER 1,000 GFA
 (APPROX 220/LEVEL FOR 7 LEVELS)
 AMOUNT OF OPEN SPACE: 10,000 SF

LEGEND:

1ST FLOOR LEVEL FOOTPRINT
 1ST FLOOR LEVEL WITH NO UPPER LEVEL
 UPPER LEVEL FOOTPRINT
 STREET LEVEL

Date: 11.20.2017



THIRD STREET PROJECT - REZONING PETITION -

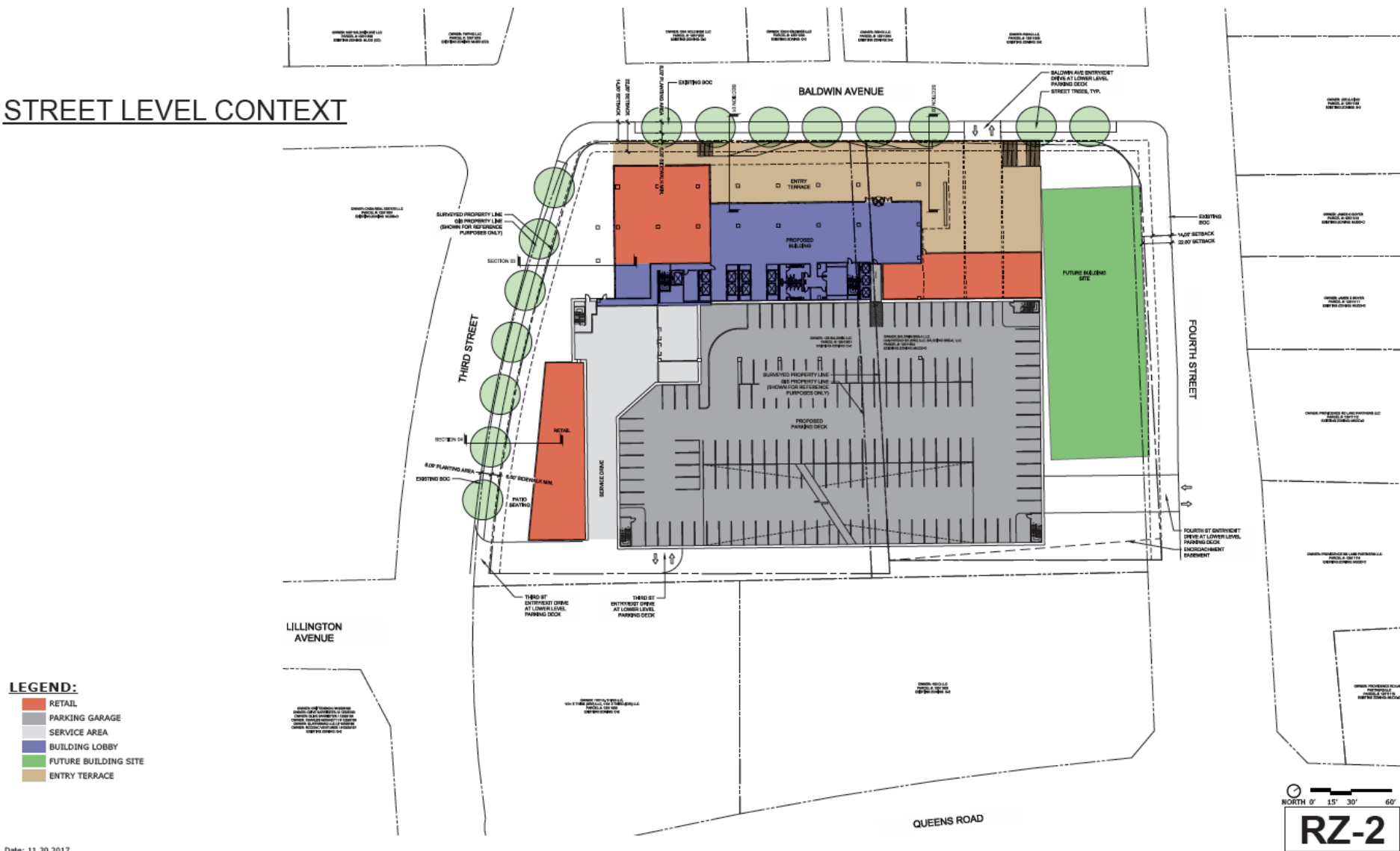
K&L GATES
 214 N. TRYON ST., 4TH FLOOR
 CHARLOTTE, NC 28202

Gensler
 214 N. TRYON ST., SUITE 2320
 CHARLOTTE, NC 28202

dg DESIGN RESOURCE GROUP
 2459 WILKINSON BLVD.
 CHARLOTTE, NC 28208

STEWART
 101 N. TRYON ST., SUITE 1400
 CHARLOTTE, NC 28202

STREET LEVEL CONTEXT



Date: 11.20.2017



THIRD STREET PROJECT

- REZONING PETITION -



STREET SECTIONS



SECTION 1



SECTION 3



SECTION 2



SECTION 4

Date: 11.20.2017



THIRD STREET PROJECT
- REZONING PETITION -



RZ-3

DEVELOPMENT STANDARDS

Site Development Data:

--Acreage: ± 3.4 acres

--Tax Parcels: 12511804 and 12511801

--Existing Zoning: MUDD-O and O-2

--Proposed Zoning: MUDD-O with five (5) year vested rights.

--Existing Uses: Commercial/Office

--Proposed Uses: Uses permitted by right and under prescribed conditions together with accessory uses, as allowed in the MUDD zoning district.

--Maximum Development (subject to conversion rights as defined herein):

Office:	512,000 square feet
Retail:	16,800 square feet
Hotel:	240 rooms

--Maximum Building Height: Up to 260 feet as requested in the Optional Provisions to the MUDD zoning district, below

--Parking: As required by the Ordinance for the MUDD zoning district.

I. General Provisions:

a. **Site Description.** These Development Standards and the Technical Data Sheet from the rezoning plan (hereafter collectively referred to as the "Rezoning Plan") associated with the Rezoning Petition filed by NAI Southern Real Estate ("Petitioner") to accommodate development of a mixed use commercial development on an approximately 3.4 acre site bounded by Third Street, Fourth Street, and Eastlake Avenue (the "Site").

b. **Intent.** This Rezoning is intended to accommodate development on the Site in a manner consistent with the objectives set forth in the Midtown Morehead Cheery Area Plan. Development of the Site would include a horizontally-integrated mixture of uses, including office, retail, and hotel uses with walking distance of transit. The Petitioner seeks to create a street level public realm with the pedestrian experience in mind. The overall development plan is intended to allow the Site to evolve in a manner that is consistent with the future vision for the area, resulting in a well designed, quality experience for nearby residents, employees, and visitors, as well as the larger community.

c. **Zoning Districts/Ordinances.** Development of the Site will be governed by the Rezoning Plan as well as the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance").

Unless the Rezoning Plan establishes more stringent standards,

1. The regulations established under the Ordinance for the MUDD zoning classification for the portion of the Site so designated on the Rezoning Plan shall govern all development taking place on such portion of the Site, subject to the Optional Provisions provided below.

d. **Planned/Unified Development.** 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. As such, setbacks, 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 site elements located on the Site. Furthermore, the Petitioner and/or owner of the Site reserve the right to subdivide portions or all of the Site and create lots within the interior of the Site without regard to any such internal separation standards, public/private street frontage requirements and FAR requirements, provided, however, that all such separation standards along the exterior boundary of the Site shall be adhered to and all FAR requirements will be regulated by any development limitations set forth in Section IV below as to the Site as a whole and not individual portions or lots located therein.

e. **Five Year-Vested Rights.** Pursuant to the provisions of Section 1.110 of the Ordinance and N.C.G.S. Section 160A-385.1, due to the master planned large scale nature of the development and/or redevelopment, the level of investment, the timing of development and/or redevelopment and certain infrastructure improvements, economic cycles and market conditions, this Petition includes vesting of the approved Rezoning Plan and conditional zoning districts associated with the Petition for a five (5) year period.

II. Optional Provisions for the MUDD-O Area.

The following optional provisions are provided to accommodate deviations from the MUDD standards:

a. The Petitioner seeks approval of an optional provision to allow up to 260 feet of building height within the Site.

b. To allow one (1) porte-cochere or valet parking service area between buildings and a street. The Petitioner shall coordinate with COOT during the permitting phase of redevelopment regarding the final location of the proposed porte-cochere/backing spaces.

c. To allow wall signs having up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is less.

d. To allow temporary signs and banners not to exceed 100 square feet in sign area. Any such signs or banners will be professionally fabricated banners made of fabric or plastic of any type. Paper banners will not be allowed; and no more than two (2) banners will be allowed at a time.

e. To allow one (1) detached, ground mounted sign per street front. The detached signs may be up to five (5) feet in height and contain up to 60 square feet of sign area.

f. To allow the "base" of building requirements of Section 9.850(2)(i) to be satisfied by providing taller and architecturally differentiated ground floors that distinguish ground floor levels from upper stories.

g. To allow backflow prevention devices to be located within buildings, after verifying the acceptable location with City and County departments. Exposed backflow prevention devices shall be screened.

III. Permitted Uses

a. Subject to the Maximum Development provisions set forth under Section 4 below, the Site may be devoted to any commercial uses permitted by right and under prescribed conditions in the MUDD Zoning District together with any incidental or accessory use associated therewith, except for the following:

1. Carwashes;
2. Automobile service stations; and
3. EDEEs with drive-through service windows.

IV. Maximum Development

a. The principal buildings may be developed with up to 529,300 square feet of gross floor area of commercial non-residential uses permitted by right and under prescribed conditions, along with any accessory uses allowed in the MUDD zoning district. However, the total square footage devoted to retail and Eating, Drinking, and Entertainment uses may not exceed 16,800 square feet.

b. Up to 240 hotel rooms may be developed on the Site. Hotel uses shall not be counted against the total commercial square footage maximums referenced in Section IV a above.

c. For purposes of the development limitations set forth in these Development Standards (but not to be construed as a limitation on FAR requirements) the following items will not be counted as part of the allowed gross floor area (floor area as defined by the Ordinance) for the Site: surface or structured parking facilities, all loading dock areas (open or enclosed), and outdoor dining areas (parking for outdoor dining areas will be provided as required by the Ordinance or these development standards).

d. Petitioner shall provide at least 5,000 square feet of ground floor space that is designed and constructed to accommodate retail activities (leasing offices, fitness centers, lobbies, and other areas that are accessory to residential or office uses shall not be considered retail space for purposes of this provision).

e. The total square feet of gross floor area devoted to office uses and other commercial uses such as retail, restaurant and personal service uses shall be interchangeable provided that:

1. The total square feet of gross floor area of all such office and other commercial uses does not exceed 529,300 square feet of gross floor area; and
2. The total amount of retail square footage shall not exceed 16,800 square feet.

V. Transportation

a. All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area, by way of a private/public partnership effort or other public sector project support.

b. Access:

1. Access to the Site from external public streets will be as generally depicted on the Rezoning Plan, subject to adjustments as set forth below.
2. The Rezoning Plan identifies potential vehicular access points which could be surface drives or entrances to structured parking facilities. The exact number and location of vehicular access points will be determined during the design process and thereafter with approval from appropriate governmental authorities, subject to applicable statutes, ordinances and regulations such as subdivision and driveway regulations. Petitioner, in its discretion may limit ingress and egress movements or restrict certain vehicular access points to one-way traffic if necessary.
3. The Petitioner reserves the right to request the installation of pavers and/or stamped or colored asphalt within streets abutting the Site in order to designate and define pedestrian crosswalks. The Petitioner will coordinate the design of any decorative pavement elements proposed within the public right-of-way with COOT during the driveway permit process. Furthermore, the Petitioner understands that an encroachment and maintenance agreement must be obtained from COOT before any decorative pavers and/or stamped pavement proposed in the public right-of-way may be installed.
4. The alignment of vehicular circulation and driveways may be modified by the Petitioner, subject to COOT's final approval.

VI. Design Guidelines:

a. General Design Guidelines.

1. Preferred Exterior Building Materials: All principal and accessory buildings abutting a network required public or private street shall comprise a minimum of 20% of that building's entire facade facing such network street using brick, glass, natural stone (or its synthetic equivalent), stucco, fiber cement, corrugated metal, steel accents, architectural shingles or other material approved by the Planning Director.
2. Prohibited Exterior Building Materials: The Petitioner will not utilize (1) vinyl siding (but not vinyl hand rails, windows or door trim) or (2) concrete masonry units not architecturally finished.
3. Meter banks will be screened where visible from public view at grade from public or private streets and shall be located outside of the setback.
4. Rooftop HVAC and related mechanical equipment will be screened from public view at grade from public or private streets.
5. Trees may be provided in grates or raised planters rather than in planting strips.
6. Dumpsters, loading and service areas shall be screened from streets, common open spaces and any adjacent residential uses with materials complementary to the principal structure. Dumpster enclosures will not directly abut the back of a sidewalk.
7. Backflow preventers and transformers shall be screened and located outside the setback, but can be located in a four (4) foot transition zone. Backflow prevention devices may also be located inside buildings, as permitted in the optional provisions above.

VII. Parking Areas, Access and Circulation Design Guidelines.

- a. Structured parking facilities shall be designed to encourage and complement pedestrian-scale interest and activity on the ground floor and be architecturally compatible with primary buildings on all levels.
- b. Petitioner seeks to limit areas where parking structures are visible from public or private streets. Therefore, exposed parking structures (driveway entrances to parking decks are permitted) that are visible from public or private streets shall not be allowed in the areas generally depicted on the Rezoning Plan.
- c. Openings at the street level are limited to vehicular entrances, pedestrian access to the structure, and ventilation openings. All such openings shall be decorative and be an integral part of the overall building design.
- d. On-site loading docks and waste areas shall be separated and/or screened from view at ground level from primary building entrances and from Third Street and Fourth Street.

VIII. Pedestrian Access and Circulation Design Guidelines.

- a. Where walkways occur along building walls, a walkway width of at least six (6) feet must be maintained clear of main door swings, shopping cart storage, and temporary trash or similar impediments. Main door swings are to be distinguished from emergency exits, with emergency exits only requiring a walkway width of at least four (4) feet.

IX. Open Space and Amenity Areas.

- a. Urban Open Spaces: the Site shall meet or exceed the Urban Open Space requirements of the MUDD district.

X. Environmental Features

- a. The Petitioner shall comply with the Post Construction Stormwater Ordinance and Tree Ordinance.

XI. Signage

Signage as allowed by the Ordinance and by the Optional Provisions set forth under Section II above may be provided.

XII. Lighting:

- a. Detached lighting on the Site, except street lights located along public streets, will be limited to 35 feet in height.
- b. Attached and detached lighting shall be downwardly directed. However, upward facing accent lighting shall be permitted.

XIII. Amendments to the Rezoning Plan:

Future amendments to the Rezoning Plan may be applied for by the then Owner or Owners of the applicable Development Area portion of the Site affected by such amendment in accordance with the provisions herein and of Chapter 6 of the Ordinance.

XIV. Binding Effect of the Rezoning Application:

If this Rezoning Petition is approved, all conditions applicable to the development of the Site imposed under the Rezoning Plan will, unless amended in the manner provided herein and under the Ordinance, be binding upon and inure to the benefit of the Petitioner and subsequent owners of the Site or Development Areas, as applicable, and their respective heirs, devisees, personal representatives, successors in interest or assigns.

XV. Vested Rights Provision:

If this Rezoning Petition is approved by the Charlotte City Council then, pursuant to Section 1.110 of the Ordinance, the Petitioner hereby requests a five-year vested right to undertake and complete the development of this Site under the terms and conditions as so approved, commencing upon approval of this Rezoning Petition by the Charlotte City Council. The Petitioner makes this request for a five-year vested right due to the size and phasing of the proposed development, market conditions and the level of investment involved.

Date: 11.20.2017



THIRD STREET PROJECT - REZONING PETITION -

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RZ-4

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Timeline

ROUGH REZONING TIMELINE

- Spring 2017: Initial Community Outreach
- Summer 2017: Community Meetings
- Winter 2017: Rezoning Application Filed
- Jan. 9 2018: Official Community Meeting
- Winter 2018: Staff Review/Public Meetings
- Spring 2018: Public Hearing
- Summer 2018: City Council Decision

K&L GATES