



Charlotte-Mecklenburg Planning Department

DATE: Dec 21, 2016

TO: Donald Moore
Zoning Supervisor

FROM: Ed McKinney
Interim, Planning
Director

SUBJECT: Administrative Approval for Petition No. 2005-043, 2011-003, and 2014-022 Fiber Mills, LLC

Attached is the revised site plan for the petition above. This request allows the modification of the proposed site plan as listed below. Since these changes do not alter the intent of the development and meets the requirements of the Charlotte Zoning Ordinance Section 6.207 Alterations to Approval, minor changes, I am administratively approving this plan. Please use these plans when evaluating requests for building permits and certificates of occupancy.

- Modification of development entitlements since the approval of petition 2015-062.

Reasons for Staff's support of the request:

- The site plan complies with the conditional notes and still meets the intent of the approved site plan approved by the City Council.

Note: All other Zoning, Subdivision, Tree Ordinances, Building Codes, and conditional requirements still apply.

Signage was not reviewed as part of this request.

RICHARD ALDRIDGE
DB 08587 - 366
PARCEL ID# 078-341-02

HAMILTON STREET PROPERTIES, LLC
DB 14123 - 938
PARCEL ID# 078-341-09

HAMILTON STREET PROPERTIES, LLC
DB 12525 - 801
DB 09073 - 442
PARCEL ID# 078-341-01

Attached to Administrative

Approval

Solomon A. Fortune
Solomon A. Fortune

DEVELOPMENT STANDARDS

General Provisions

Development of the Site will be governed by the Technical Data Sheet, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Mixed Use Development District (MUDD) Zoning Classification shall govern the development of the Site subject, however, to the "Optional" provisions provided below.

1. Summary of Request

The Site is currently zoned I-2. This Petition seeks the ability to reuse, redevelop and expand the old Fiber Mill for purposes of authorizing and accommodating new restaurant, entertainment, commercial, retail, office, bank or other financial institution, civic, institutional and other similar principal uses together with any accessory uses associated therewith as are permitted by the MUDD Zoning District and subject to the Optional provisions outlined below. The redevelopment may occur in phases over an extended time frame.

2. Permissible Development

The Site may be devoted to one or more restaurant, entertainment, commercial, retail, office, bank or other financial institution, civic, institutional and other similar principal uses together with any accessory uses as are permitted in the MUDD-Zoning Classification subject to the following limitations and provisions:

- No more than 198,000 square feet of non-residential floor area shall be permitted on the Site;
- Of this total amount of non-residential floor area, up to 65,000 square feet of office floor area is permitted, up to 5,000 square feet of retail floor area is permitted and up to 128,000 square feet of entertainment floor area is permitted;
- No residential units may be developed on the Site;
- Any single retail tenant shall not exceed 5,000 square feet of floor area;
- Structured and/or surface level parking areas shall not be included within the maximum floor areas noted above;
- Buildings located on the Site shall not exceed 120 feet in height;
- Entertainment floor area includes establishments, such as restaurants, nightclubs, theaters and similar uses and shall not be considered to be retail uses within the context of this provision; and
- Areas devoted to outdoor dining or seating, courtyards, plazas and/or musical performance areas are allowed and will not be included within the maximum floor areas noted above.

3. Existing Development

A. Portions of the Site are presently developed and occupied by the Fiber Mill buildings. Those buildings may either be preserved and reused; renovated and reused; and/or removed or replaced as determined by the Petitioner.

B. Ancillary parking and maneuvering areas may be renovated, reused, removed or replaced.

4. Setbacks, Side Yards and Rear Yards

- A. All new building and parking areas on the Site shall be located a minimum of 14 feet from the back of the curb line along the abutting public streets.
- B. Side and/or rear yards are not required to be provided within the interior of the development or along the project edges/property lines.

5. MUDD-Optional Provisions

This Petition proposes utilization of the MUDD-0 provision to accommodate the following variations:

- A. Due to the Site's frontage on four public streets and the plans for potential preservation of some or all of the existing buildings, the MUDD-Optional plan allows parking and maneuvering in front of buildings. However, newly created parking areas will not be located between buildings and abutting public streets and any new buildings would be placed such that parking is not located between the buildings and the public streets. In the event existing parking is located between new buildings and public streets, it shall be removed. Parking areas located between public streets and buildings shall be converted to outdoor plazas, outdoor dining areas courtyards and/or similar treatments with some parking areas located between public streets and buildings being allowed to remain so long as they are enhanced through the addition of outdoor dining areas, courtyards and/or similar treatments within two years of the reuse of a nearby building or within two years of new construction activity in nearby areas.
- B. Up to two detached, ground-mounted project/tenant identification signs of up to 25 feet in height and 100 square feet in size may be placed on the Site. One monument style building/tenant identification sign for each of the buildings located on the Site may be installed. These signs must be located along interior private streets or driveways and may be up to 6 feet in height and 18 square feet in size. Detached project identification signage shall not be located within the required Zoning Ordinance setback. Wall and projecting signage shall conform to the UMDD district standards of the Ordinance. A portion of the allowable detached sign square footage may be transferred to bring a larger than allowable wall sign into compliance.
- C. The approved optional signage provisions set out on the approved conditional rezoning plan relating to Rezoning Petition No. 2014-022 shall continue to apply to the Site, such that the signs allowed under that conditional rezoning plan may be installed and maintained on the Site.
- D. Seaboard Street is currently being studied for potential widening to four lanes. As such, the Technical Data Sheet is based upon a future back of curb along Seaboard Street that would accommodate such widening. In the event a decision is made not to widen Seaboard Street, the back of curb shall be deemed to be the existing back of curb rather than the future back of curb and the sidewalk and planting strip along Seaboard Street may then be measured from the existing back of curb. The installation of new sidewalks and planting strips along Seaboard Street and the portion of Hamilton Street that intersects with Seaboard Street may be delayed until a final decision is made about the road widening project.
- E. Due to the plans for potential preservation of one or more existing buildings located near the existing curb line associated with Seaboard Street, the planting strip along those portions of Seaboard Street may be eliminated or reduced in width in accordance with the available space if such building(s) are preserved. However, the required six foot sidewalk will be installed in any event. In the event existing buildings are not preserved, the required eight foot planting strip and six foot sidewalk will be installed.

6. Design and Performance Standards

- A. All new buildings will have windows and/or doors oriented to adjoining streets.
- B. Internal sidewalks of at least five feet in width shall be provided on the Site so as to provide pedestrian connections between the parking areas and buildings on the Site and to the abutting public sidewalk system.
- C. Outdoor dining and courtyard areas may be located within the "established" (but outside of the "required") setbacks.
- D. All new parking lot lighting shall be designed such that direct illumination does not extend past any exterior project edge. All new parking lot lighting shall be copped and not exceed 30 feet in height.
- E. Any new lighting attached to a building shall be copped and downwardly directed. New wall pak type lighting shall not be permitted.
- F. Wall-mounted decorative light fixtures such as sconces are permitted.
- G. The attached cross sections depict the existing and proposed streetscape treatment. The streetscape treatment will include an eight foot planting strip, a six foot sidewalk and a five foot planting strip for the purpose of screening of parking areas. The portion of the streetscape treatment (including the eight foot planting strip, the six foot sidewalk and the five foot planting / screening strip) that is determined to not be impacted by the future road project would be commenced within 30 days of the approval of the rezoning. The remaining portion of the streetscape treatment would be installed within three months of the completion of the Seaboard Street roadway project.
- H. The existing fencing located along the perimeter of the Site will be removed within 30 days of the approval of the rezoning.
- I. The Site Plan includes the attached rendering of the front courtyard. The front courtyard will be constructed generally as depicted on the attached rendering. However, the Petitioner reserves the right to revise or redevelop the courtyard over the long term future of the development.
- J. Any parking structures will either be 1) located within the interior of the site and not visible from the adjoining streets or 2) the street edge of any parking structure shall be lined with other uses.

7. Vehicular Access

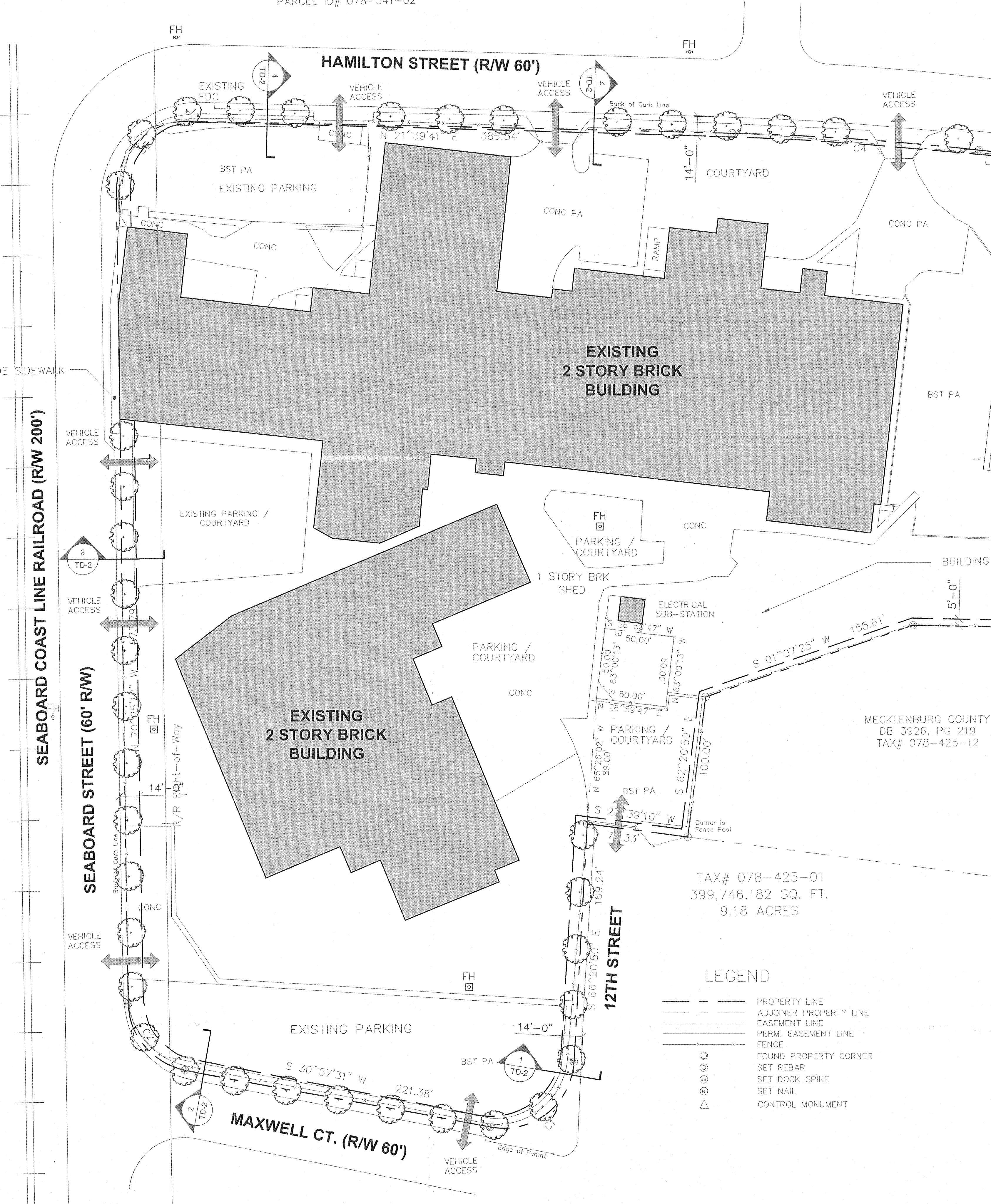
The number of vehicular access points shall be limited to that depicted on the Technical Data Sheet. The placement and configuration of these access points are subject to any modifications required to accommodate final site and architectural construction plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation.

8. Transportation/Phasing

A. Phase One of the redevelopment may include up to 250,000 square feet of occupied space (within the existing buildings or within new buildings) prior to the planned improvement of Seaboard Street. Of the 250,000 square feet of development permitted within Phase One, no more than 30,000 square feet may be devoted to office uses.

B. Phase Two of the redevelopment may include up to 75 percent of the total allowable development square footage and may occur once the following improvements have been completed:

- construction of Seaboard Street Extension between existing Seaboard Street and North Graham Street to a minimum of 4 lanes in accordance with the alignment designed by Gannett Fleming, Inc. Should Seaboard Street Extension be constructed by other parties as part of the NCDOT's Intermodal/9th Street Rail Crossing Closure Project, the Petitioner is responsible for all design/construction costs for those items that are in addition to the conceptual plan prepared by Gannett Fleming, Inc. and described below.



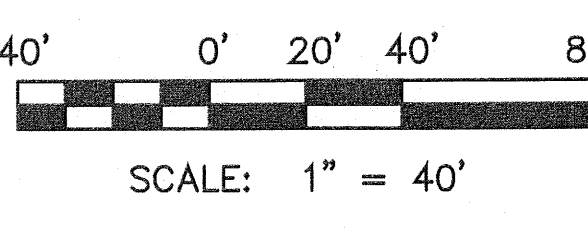
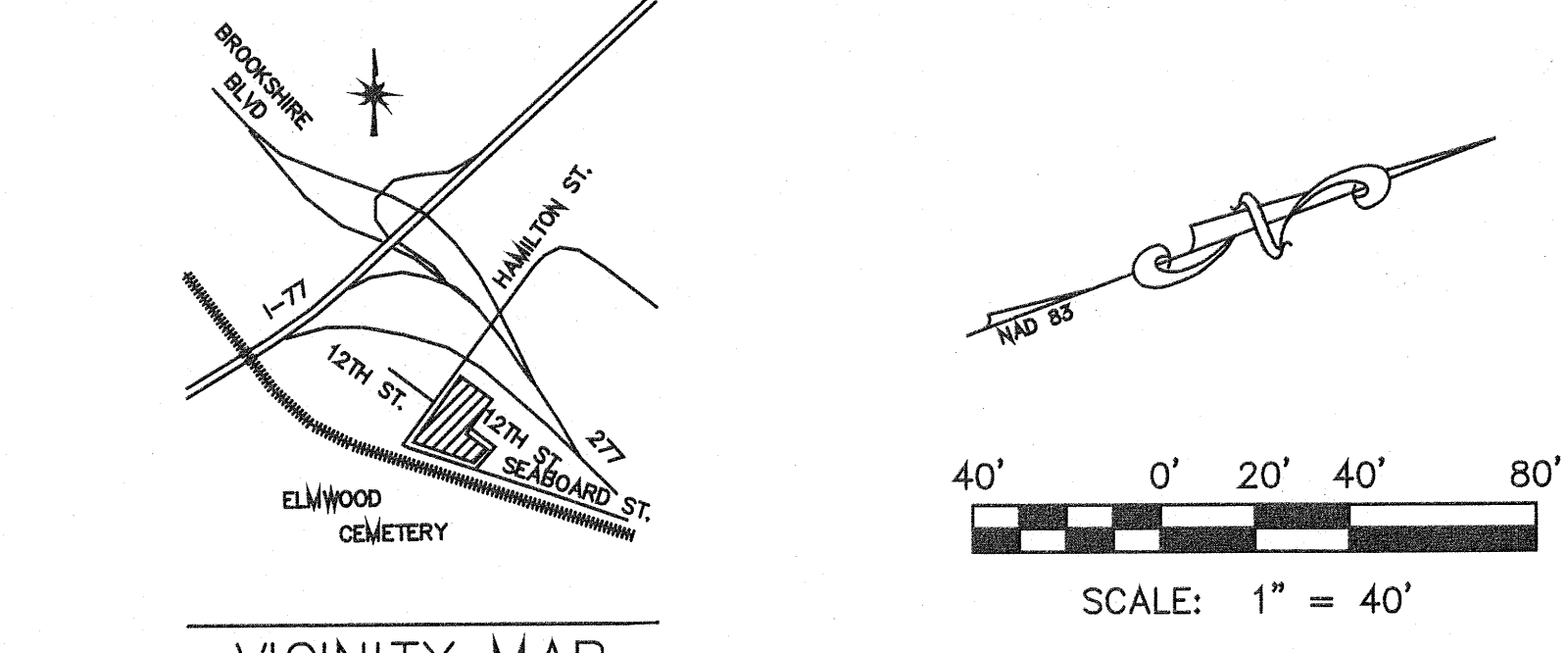
SITE DATA TABLE	
Site acreage:	Approximately 9.18 acres
Existing Zoning:	I-2
Proposed Zoning:	MUDD-0

- provision of permitted-protected phasing and 220 feet of storage for the northbound left turn lane on North Graham Street with 90 feet of taper. Reduction of the southbound left-turn storage serving 12th Street from Graham to 220 feet (requires approval of NCDOT).
- construction of an additional westbound right turn lane and a minimum 150 sq. ft. right turn channelization island on 12th Street at North Graham Street with 150 feet of storage for each lane and a 20:1 bay taper.
- Installation of traffic signal control at the future intersection of Seaboard Street Extension and North Graham Street,
- construction of an exclusive southbound right turn lane on Graham Street with 150 feet of storage and a 20:1 bay taper,
- construction of an additional eastbound right turn lane on Seaboard Street Extension (at a length which shall be no less than the combination left/right turn queue) with 150 feet of storage for each lane and a 20:1 bay taper, and
- provision of 220 feet of storage for the northbound left turn lane at Seaboard Street and for the southbound left turn lane at 12th Street on Graham Street. Reduction of the southbound left-turn storage serving 12th Street from Graham to 220 feet (requires approval of NCDOT).

LEGEND

---	PROPERTY LINE
-.-.-	ADJACENT PROPERTY LINE
- - - - -	EASEMENT LINE
---	PERM. EASEMENT LINE
---	FENCE
○	FOUND PROPERTY CORNER
○	SET REBAR
○	SET DOCK SPIKE
○	SET NAIL
△	CONTROL MONUMENT

- 10. Storm Water Management**
 - A. Storm water runoff will be managed through proven techniques which satisfy the standards imposed by the City of Charlotte and the Charlotte-Mecklenburg Storm Water Design Manual. Surface level storm water detention, if required to be provided, shall not be located in the setback.
 - B. The following agencies must be contacted prior to construction regarding wetland and water quality permits if determined to be applicable during the design development phase of the project:
 - Section 401 Permit NCDENR-Raleigh Office
 - Section 404 Permit US Army Corps of Engineers
- 11. Fire Protection**
Adequate fire protection in the form of fire hydrants and other fire protection devices and measures as required by code will be provided to the Charlotte Fire Marshal's specifications
- 12. Amendments to Zoning Plan**
Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of the tract or tracts within the Site involved in accordance with the provisions of the Ordinance.
- 13. Binding Effect of the Rezoning Documents and Definitions**
 - A. If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
 - B. Throughout these Development Standards, the terms, "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.



bloc
Bloc Design
1310 S. Tryon Street, Suite 111
Charlotte, NC 28203
phone: 704-458-1646
www.bloc-nc.com

FIBER MILLS LLC

REVISIONS		
NO.	DATE	DESCRIPTION
1	06/30/15	Administrative Site Plan Amendment Request

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FIBER MILLS
1000 Seaboard Street
Charlotte, North Carolina

Rezoning Petition#:
ADMINISTRATIVE AMENDMENT
REQUEST TO PETITION # 2005-043

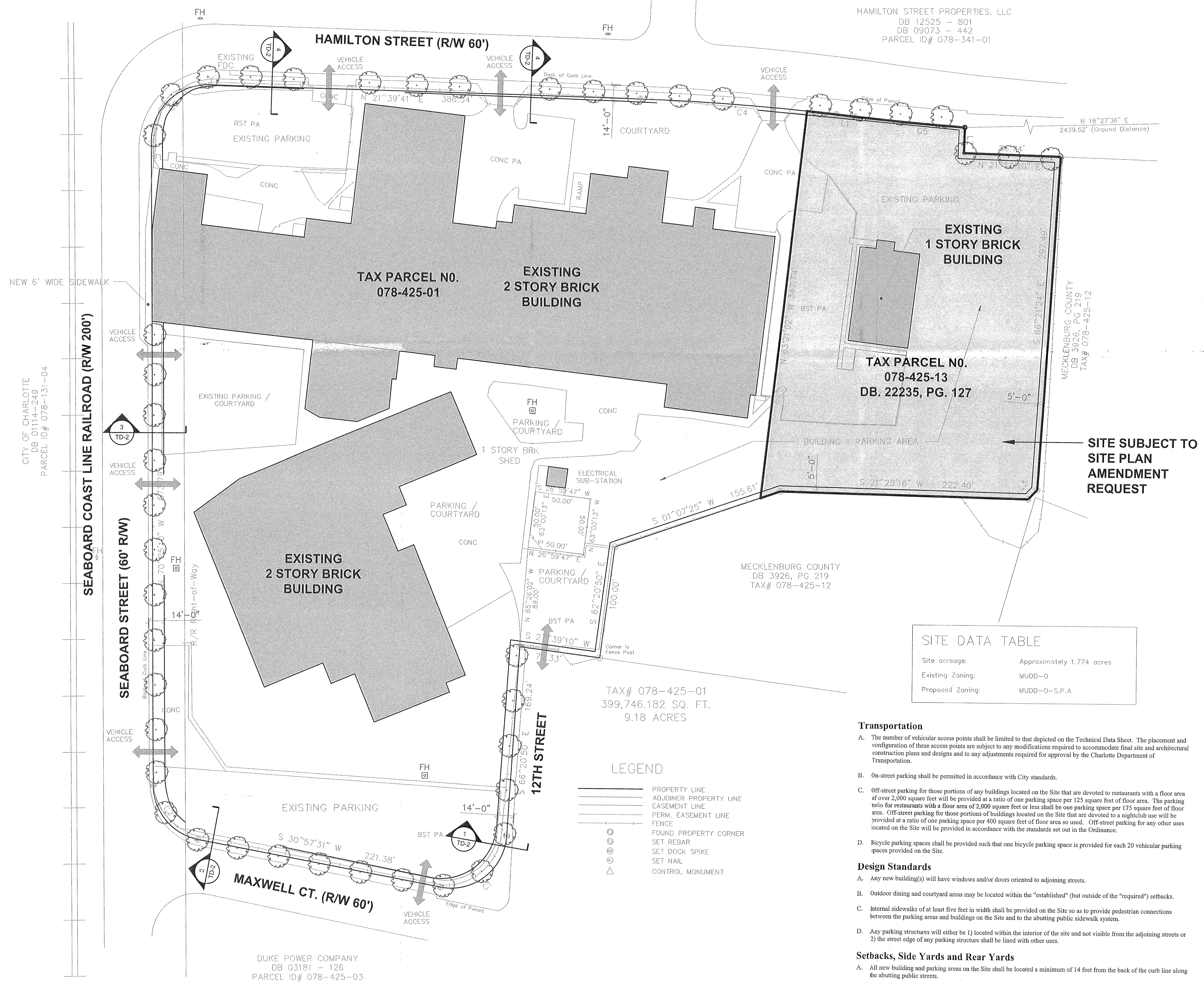
DATE: 06/30/15 MPIC: WLL
DRAWN BY: NHA / ESB CHECKED BY: WLL
PROJECT NUMBER: 00150.01
SCALE: 1"=40'
TITLE: TECHNICAL DATA SHEET

SHEET NO.: **TD-1**

RICHARD ALDRIDGE
DB 08587 - 366
PARCEL ID# 078-341-02

HAMILTON STREET PROPERTIES, LLC
DB 14123 - 938
PARCEL ID# 078-341-09

HAMILTON STREET PROPERTIES, LLC
DB 12525 - 801
DB 09073 - 442
PARCEL ID# 078-341-01



CITY OF CHARLOTTE
DB 01114-249
PARCEL ID# 078-131-04

TAX PARCEL NO.
078-425-01

EXISTING
2 STORY BRICK
BUILDING

TAX PARCEL NO.
078-425-13
DB. 22235, PG. 127

EXISTING
1 STORY BRICK
BUILDING

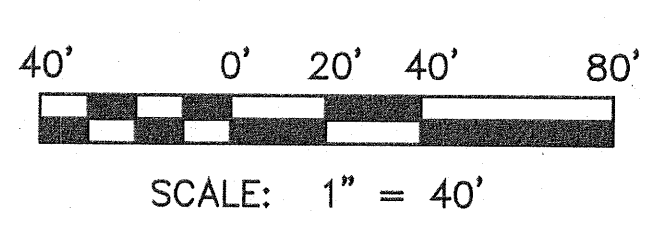
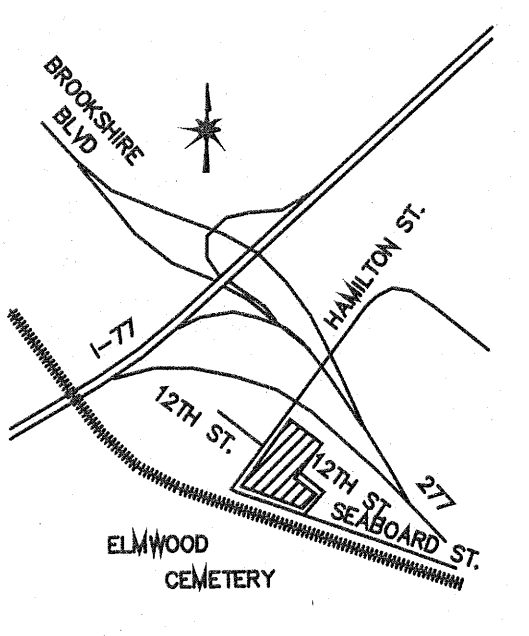
**SITE SUBJECT TO
SITE PLAN
AMENDMENT
REQUEST**

SITE DATA TABLE	
Site acreage:	Approximately 1.774 acres
Existing Zoning:	MUDD-O
Proposed Zoning:	MUDD-O-S.P.A

LEGEND	
---	PROPERTY LINE
---	ADJOINER PROPERTY LINE
---	EASEMENT LINE
---	PERM. EASEMENT LINE
○	FOUND PROPERTY CORNER
○	SET REBAR
○	SET DOCK SPIKE
○	SET NAIL
△	CONTROL MONUMENT

TAX# 078-425-01
399,746.182 SQ. FT.
9.18 ACRES

DUKE POWER COMPANY
DB 03181 - 126
PARCEL ID# 078-425-03



**Attached to Administrative
Approval**

John A. Fortune
Solomon A. Fortune

Transportation

- The number of vehicular access points shall be limited to that depicted on the Technical Data Sheet. The placement and configuration of these access points are subject to any modifications required to accommodate final site and architectural transportation plans and designs and to any adjustments required for approval by the Charlotte Department of Transportation.
- On-street parking shall be permitted in accordance with City standards.
- Off-street parking for those portions of any buildings located on the Site that are devoted to restaurants with a floor area of over 2,000 square feet will be provided at a ratio of one parking space per 125 square feet of floor area. The parking ratio for restaurants with a floor area of 2,000 square feet or less shall be one parking space per 175 square feet of floor area. Off-street parking for those portions of buildings located on the Site that are devoted to a nightclub use will be provided at a ratio of one parking space per 400 square feet of floor area as used. Off-street parking for any other uses located on the Site will be provided in accordance with the standards set out in the Ordinance.
- Bicycle parking spaces shall be provided such that one bicycle parking space is provided for each 20 vehicular parking spaces provided on the Site.

Design Standards

- Any new building(s) will have windows and/or doors oriented to adjoining streets.
- Outdoor dining and courtyard areas may be located within the "established" (but outside of the "required") setbacks.
- Internal sidewalks of at least five feet in width shall be provided on the Site so as to provide pedestrian connections between the parking areas and buildings on the Site and to the abutting public sidewalk system.
- Any parking structures will either be 1) located within the interior of the site and not visible from the adjoining streets or 2) the street edge of any parking structure shall be lined with other uses.

Setbacks, Side Yards and Rear Yards

- All new building and parking areas on the Site shall be located a minimum of 14 feet from the back of the curb line along the abutting public streets.
- Side and/or rear yards are not required to be provided within the interior of the development or along the project edges/property lines.

Fire Protection

Adequate fire protection in the form of fire hydrants and other fire protection devices and measures as required by code will be provided to the Charlotte Fire Marshal's specifications.

Signs

See paragraphs B, C, and D under "Optional Provisions".

Lighting

- All new parking lot lighting shall be designed such that direct illumination does not extend past any exterior project edge. All new parking lot lighting shall be capped and not exceed 30 feet in height.
- Any new lighting attached to a building shall be capped and downwardly directed. New wall pack type lighting shall not be permitted.
- Wall-mounted decorative light fixtures such as sconces are permitted.

Binding Effect of the Rezoning Documents and Definitions

- If this Rezoning Petition is approved, all conditions applicable to development of the Site imposed under this Technical Data Sheet will, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and the current and subsequent owners of the Site and their respective successors in interest and assigns.
- Throughout these Development Standards, the terms "Petitioner" and "Owner" or "Owners" shall be deemed to include the heirs, devisees, personal representatives, successors in interest and assigns of the Petitioner or the owner or owners of the Site from time to time who may be involved in any future development thereof.

DEVELOPMENT STANDARDS

General Provisions

- These Development Standards form a part of the Technical Data Sheet associated with the Rezoning Petition filed by Music Factory Condominiums, LLC to accommodate the installation of additional signs on that approximately 1.774 acre site located on the eastern side of Hamilton Street north of Seaboard Street and which is more particularly depicted on the Technical Data Sheet (the "Site").
- Development of the Site will be governed by the Technical Data Sheet, these Development Standards and the applicable provisions of the City of Charlotte Zoning Ordinance (the "Ordinance"). Unless the Technical Data Sheet or these Development Standards establish more stringent standards, the regulations established under the Ordinance for the Mixed Use Development District (MUDD) zoning district shall govern the development of the Site subject, however, to the "Optional" provisions provided below.
- The Site is a portion of an approximately 9.18 acre site (the "Original Rezoning Site") that was rezoned from the L-2 zoning district to the MUDD-O zoning district by the Charlotte City Council on May 16, 2005 pursuant to Rezoning Petition No. 2005-043 to accommodate the re-use, redevelopment and expansion of the old Fiber Mill with residential, restaurant, entertainment, commercial, retail, office, bank or other financial institution, civic and institutional uses and similar uses permitted in the MUDD zoning district.

The sole purpose of this Rezoning Petition is to amend the approved conditional rezoning plan for the Site to permit the installation of additional signs thereon, which signs are more particularly described below. The 7.403 acre portion of the Original Rezoning Site designated as Tax Parcel No. 078-425-01 on the Mecklenburg County Tax Maps (hereinafter referred to as the "Related Parcel") is not a part of or subject to this Rezoning Petition.

- The Site is currently improved with an approximately 4,450 square foot building and parking and maneuvering areas. The building may be preserved and reused; renovated and reused; and/or removed or replaced as determined by the Petitioner. The parking and maneuvering areas may be renovated, reused, removed or replaced.
- Future amendments to the Technical Data Sheet and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the provisions of Chapter 6 of the Ordinance.

Optional Provisions

The approval of this Rezoning Petition requires the utilization of the MUDD-O provisions to accommodate the following variations from the Ordinance requirements:

- Due to the plans for the preservation and use of the existing building on the Site until such time as the Site is redeveloped, this MUDD-Optional plan allows parking and maneuvering in front of the building. However, newly created parking areas will not be located between the building and abutting public streets and any new building(s) will be placed such that parking is not located between the new building(s) and abutting public streets. In the event that existing parking is located between new building(s) and public streets, it shall be removed. Parking areas located between public streets and building(s) shall be converted to outdoor plazas, outdoor dining areas, courtyards and/or similar treatments with some parking areas located between public streets and buildings being allowed to remain so long as they are enhanced through the addition of outdoor plazas, outdoor dining areas, courtyards and/or similar treatments within two years of the reuse of a nearby building or within two years of new construction activity in nearby areas.
- One monument style building/tenant identification sign for each of the buildings located on the Site may be installed. These signs must be located along interior private streets or driveways and may be up to 6 feet in height and 18 square feet in size. Detached project identification signage shall not be located within the required Zoning Ordinance setback. Wall and projecting signage shall conform to the UMUD District standards of the Ordinance.
- The approved optional signage provisions set out on the approved conditional rezoning plan relating to Rezoning Petition No. 2014-022 shall continue to apply to the Site, such that the signs allowed under that conditional rezoning plan may be installed and maintained on the Site.
- In addition to the signage described in paragraphs B and C above, the following signs may be installed on the existing building located on the Site:
 - The JFG Sign**
 - The "JFG Sign" depicted on Exhibits A and B on Sheet TD-2 may be installed on the roof of the existing building located on the Site as an off-premises, roof mounted sign.
 - If installed, the JFG Sign shall be installed as generally depicted on Exhibits B and C on Sheet TD-2, and the sign face area shall generally face West Brookshire Freeway.
 - The maximum sign face area of the JFG Sign shall be 820 square feet.
 - The JFG Sign may be illuminated provided, however, that any illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway. Illumination intensity or brilliance shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle.
 - The Rear Support Sign**
 - An on-premises, roof mounted sign may be installed on the rear of the support structure of the sign referenced above in subparagraph 1 (the "Rear Support Sign") as generally depicted on Exhibits C and D on Sheet TD-2. The Rear Support Sign must direct attention to the businesses or uses located in the building located on the Site. The sign depicted on Exhibits C and D is an illustrative example of the Rear Support Sign.
 - The maximum sign face area of the Rear Support Sign shall be 100 square feet.
 - The Rear Support Sign may be illuminated provided, however, that any illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway. Illumination intensity or brilliance shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle.
 - The Rear Support Sign shall be in lieu of a wall sign on the wall of the building that the sign face area of the Rear Support Sign directly addresses or faces. Therefore, in the event that the Rear Support Sign is installed, a wall sign on the wall of the building that the sign face area of the Rear Support Sign directly addresses or faces shall not be permitted. However, wall signs may be installed on the other walls of the building located on the Site in accordance with the requirements of the UMUD zoning district.
 - Replacement Sign for the JFG Sign**
 - The JFG Sign, if installed, will be installed on the roof of the existing building located on the Site pursuant to a written lease agreement between the owner of the JFG Sign and the owner of the Site (the "Sign Lease"). The Sign Lease shall have a minimum term of 5 years.
 - The JFG Sign may be replaced with another sign (the "Replacement Sign") that meets the standards and requirements set out below upon the earlier to occur of the following:
 - the expiration of the 5 year period commencing on the date that Rezoning Petition No. 2011-003 is approved by the Charlotte City Council and expiring 5 years thereafter if no Sign Lease is established for the JFG Sign; and
 - the termination of the Sign Lease prior to the expiration of its lease term.
 - If installed, the Replacement Sign must be installed in the location of the JFG Sign.
 - The Replacement Sign shall be an on-premises, roof mounted sign. The Site and the Related Parcel shall be deemed to be the premises for the purposes of this paragraph.
 - A portion of the Replacement Sign will be an electronic changeable face sign, and the remaining areas of the Replacement Sign will be static.
 - The static portions of the Replacement Sign shall identify the North Carolina Music Factory, which is located on the Site and the Related Parcel. The electronic changeable face area of the Replacement Sign shall provide information on the various venues located at the North Carolina Music Factory and shall announce and provide information regarding the events and entertainment opportunities offered and to be offered at the North Carolina Music Factory. Up to 20 percent of the electronic changeable face area of the Replacement Sign may advertise sponsors of the events and entertainment opportunities offered and to be offered at the North Carolina Music Factory.
 - No moving, rotating, fluttering, blinking or flashing elements are permitted, and no animation, video, audio, pyrotechnic or bluecasting components are permitted.
 - Messages or information on the electronic changeable face area of the Replacement Sign used to provide information on the various venues located at the North Carolina Music Factory and the events and entertainment opportunities offered and to be offered at the North Carolina Music Factory shall remain in a fixed, static position for a minimum of 6 hours. The Planning Director may authorize more frequent intervals of changes to the copy or information on the electronic changeable face area of the Replacement Sign based upon the following:
 - the owner of the Site provides contextual graphics that provide a compelling reason for allowing more frequent changes;
 - the contextual graphics indicate that the sign copy displaying multiple events and entertainment opportunities are not legible from West Brookshire Freeway; and
 - the frequency of the changes to the copy or information shall not change the intent of the Replacement Sign being an identification sign and not a billboard sign.
 - The electronic changeable face area of the Replacement Sign shall have an automatic dimmer (factory set to the illumination intensities set out below) and a photo cell sensor to adjust the illumination intensity or brilliance of the electronic changeable face so that it shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle. The electronic changeable face area shall not exceed a maximum illumination of 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the electronic changeable face at maximum brightness. Any external illumination devices shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of a street or highway, or any residential use.
 - The design and appearance of the Replacement Sign must be approved by the Planning Department prior to the issuance of a sign permit for the Replacement Sign. Set out as Exhibit E on Sheet TD-2 is a rendering of a sign that is representative of the design intent for the Replacement Sign. The actual design of the Replacement Sign may vary from the sign depicted on Exhibit E.

Permitted Uses and Density

The Site may be devoted only to one or more restaurant, entertainment, and other similar principal uses together with any accessory uses as permitted in the MUDD zoning district subject to the following limitations and provisions:

- No more than 10,000 square feet of floor area shall be permitted on the Site;
- The floor area permitted on the Site may be devoted only to entertainment uses as defined below;
- No residential units may be developed on the Site;
- Structured and/or surface-level parking areas shall not be included within the maximum floor area noted above;
- Entertainment uses include establishments such as restaurants, nightclubs, theaters and similar uses and shall not be considered to be retail uses within the context of this provision; and
- Areas devoted to outdoor dining or seating, courtyards, plazas and/or musical performance areas are allowed and will not be included within the maximum floor area noted above.

bloc
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Charlotte, NC 28203
phone: 704-458-1646
www.bloc-nc.com

landscape architecture | planning | civil engineering

FIBER MILLS LLC

REVISIONS		
NO.	DATE	DESCRIPTION
1	06/30/15	Administrative Site Plan Amendment Request

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Stamp / seal:

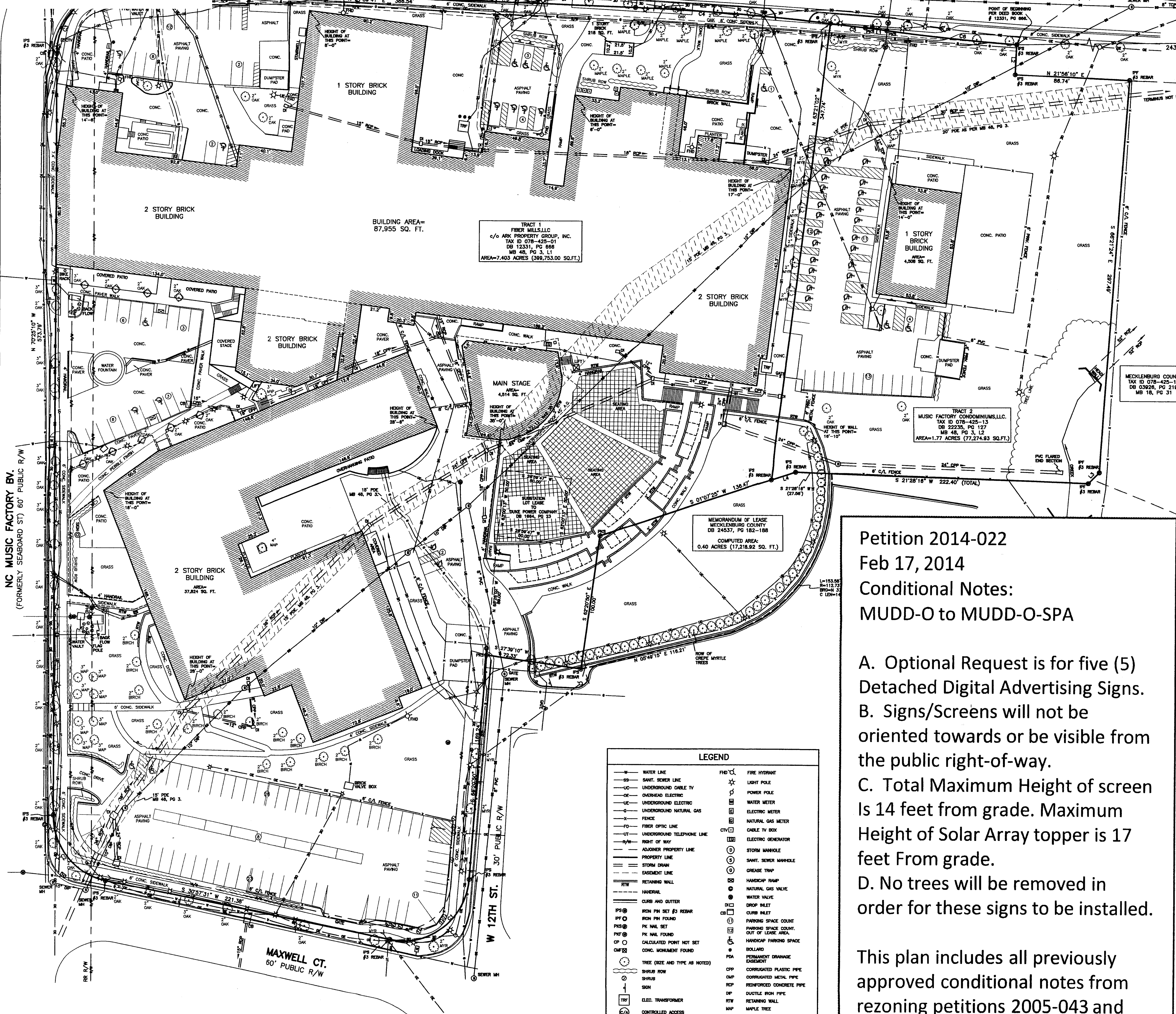
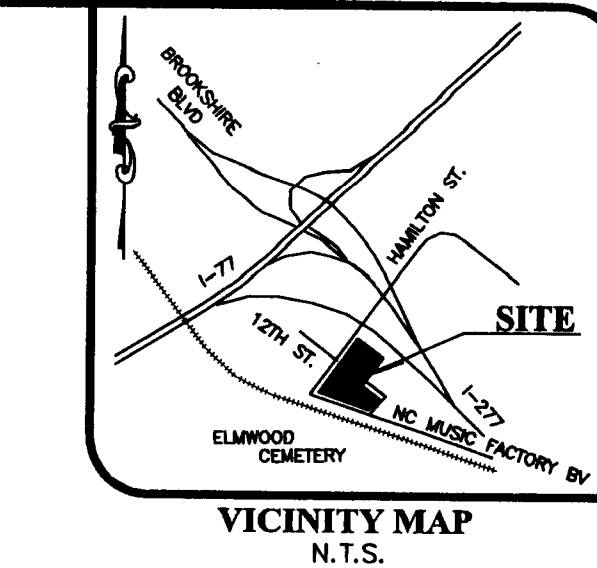
FIBER MILLS
1000 Seaboard Street
Charlotte, North Carolina

Rezoning Petition#:
ADMINISTRATIVE AMENDMENT
REQUEST TO PETITION # 2011-003

DATE: 06/30/15	MPIC: WILL
DRAWN BY: MHA / ESB	CHECKED BY: WILL
PROJECT NUMBER: 00180.01	
SCALE: 1"=40'	
TITLE: TECHNICAL DATA SHEET	

SHEET NO:
TD-1

Solomon A. Fortune \$
Solomon A. Fortune



APPROVED BY
CITY COUNCIL

LINE	BEARING	DISTANCE
L1	N 26°42'48" E	16.43'
L2	S 68°03'50" E	22.82'
L3	S 28°08'00" E	11.69'
L4	S 01°07'25" W	19.14'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	50.00'	85.30'	75.32'	S 77°28'28" E
C2	50.00'	68.05'	62.92'	S 70°52'22" E
C3	50.00'	80.49'	72.08'	N 24°18'10" W
C4	2053.48'	148.86'	148.82'	N 23°47'44" E
C5	1524.83'	72.56'	72.56'	N 25°48'29" E
C6	1839.11'	98.96'	98.95'	N 29°22'18" E

METES AND BOUNDS DESCRIPTION PER BOOK 12331, PG 666.

BEING ALL OF A CERTAIN LOT OR PARCEL OF LAND CONTAINING APPROXIMATELY 9.18 ACRES LOCATED IN CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT AND PLACE OF BEGINNING COMMENCE AT NOSS MONUMENT "M044" (N550,071.357', E1,449,772.530', C09-09984361) AND PROCEED FROM SAID MONUMENT 5.18-27-38 W, 2439.52 FEET (GROUND DISTANCE) TO A FOUND PROPERTY CORNER LOCATED IN THE EASTERN MARGIN OF THE RIGHT-OF-WAY OF HAMILTON STREET (A 60 FOOT RIGHT-OF-WAY) AND BEING THE POINT AND PLACE OF BEGINNING; THENCE FROM SAID POINT AND PLACE OF BEGINNING WITH THE EASTERN MARGIN OF THE RIGHT-OF-WAY OF HAMILTON STREET THE FOLLOWING TWO (2) COURSES AND DISTANCES: (1) 5.08-03-50 E, 22.82 FEET TO A POINT, AND (2) N, 21-58-10 E, 86.74 FEET TO A SET REBAR LOCATED IN THE WESTERN CORNER OF PROPERTY OWNED BY MECKLENBURG COUNTY (NOW OF FORMERLY AS RECORDED IN DEED BOOK 3928 AT PAGE 219 OF THE MECKLENBURG COUNTY PUBLIC REGISTRY); THENCE WITH THE PROPERTY OF MECKLENBURG COUNTY THE FOLLOWING FIVE (5) COURSES AND DISTANCES: (1) 5.08-21-24 E, 297.49 FEET TO A SET REBAR, (2) S, 28-06-00 E, 11.99 FEET TO A SET REBAR, (3) S, 21-29-18 W, 222.40 FEET TO A SET REBAR, (4) S, 01-07-25 W, 159.81 FEET TO A SET NAIL, AND (5) S, 82-20-50 E, 100.00 FEET TO A SET NAIL IN THE NORTHERN MARGIN OF THE RIGHT-OF-WAY OF TWELFTH STREET; THENCE WITH THE WESTERN MARGIN OF THE RIGHT-OF-WAY OF TWELFTH STREET, THENCE IN A SOUTHWESTLY DIRECTION ACROSS THE TERMINUS POINT OF TWELFTH STREET S, 27-34-10 W, 72.33 FEET TO A SET NAIL LOCATED IN THE SOUTHERN MARGIN OF THE RIGHT-OF-WAY OF TWELFTH STREET; THENCE WITH THE SOUTHERN MARGIN OF THE RIGHT-OF-WAY OF TWELFTH STREET S, 89-20-00 E, 189.24 FEET TO A SET DOCK SPIKE AT THE INTERSECTION OF THE SOUTHERLY MARGIN OF 12TH STREET AND THE WESTERLY MARGIN OF MAXWELL COURT (A 60 FOOT RIGHT-OF-WAY); THENCE WITHIN THE INTERSECTION OF 12TH STREET AND MAXWELL COURT WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 50 FEET, A CHORD BEARING OF S, 17-28-28 E, WITH A CHORD LENGTH OF 70.30 FEET AND AN ARC LENGTH OF 85.30 FEET TO A SET DOCK SPIKE IN THE WESTERN MARGIN OF THE RIGHT-OF-WAY OF MAXWELL COURT; THENCE WITH THE WESTERN MARGIN OF MAXWELL COURT (A 60 FOOT RIGHT-OF-WAY) TO A SET DOCK SPIKE IN THE INTERSECTION OF MAXWELL COURT AND SEABOARD STREET (A 60 FOOT RIGHT-OF-WAY); THENCE WITHIN THE INTERSECTION OF MAXWELL COURT AND SEABOARD STREET WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT, SAID ARC HAVING A RADIUS OF 50 FEET, A CHORD BEARING OF S, 30-35-22 W, WITH A CHORD LENGTH OF 62.92 FEET AND AN ARC LENGTH OF 68.05 FEET TO A DOCK SPIKE IN THE NORTHERN MARGIN OF THE RIGHT-OF-WAY OF SEABOARD STREET; THENCE WITH THE NORTHERN MARGIN OF SEABOARD STREET N, 25-10-10 W, 573.79 FEET TO A POINT IN THE INTERSECTION OF THE NORTHERN MARGIN OF SEABOARD STREET N, SEABOARD STREET AND THE EASTERLY MARGIN OF THE RIGHT-OF-WAY OF HAMILTON STREET; THENCE WITHIN THE INTERSECTION OF SEABOARD STREET AND HAMILTON STREET WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 50 FEET, A CHORD BEARING OF N, 24-18-10 W, WITH A CHORD LENGTH OF 72.08 FEET AND AN ARC LENGTH OF 80.49 FEET TO A POINT IN THE WESTERLY MARGIN OF THE RIGHT-OF-WAY OF HAMILTON STREET; THENCE WITH THE WESTERLY MARGIN OF THE RIGHT-OF-WAY OF HAMILTON STREET THE FOLLOWING FOUR (4) COURSES AND DISTANCES: (1) N, 21-39-41 E, 398.54 FEET TO A SET REBAR, (2) WITH THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 2053.48 FEET, A CHORD BEARING OF N, 24-09-58 E, 15.43 FEET TO A SET REBAR, AND (3) WITH THE ARC OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 175.42 FEET, A CHORD BEARING OF N, 29-18-18 E, WITH A CHORD LENGTH OF 98.95 FEET AND AN ARC LENGTH OF 108.96 FEET TO THE POINT AND PLACE OF BEGINNING.

THE FOREGOING LEGAL DESCRIPTION WAS DERIVED FROM A SURVEY PREPARED BY SURVEY & MAPPING CONTROL, INC. (TONY B. SANDERS, NORTH CAROLINA PROFESSIONAL LAND SURVEYOR # L-3222) ENTITLED "BOUNDARY SURVEY OF THE PROPERTY OF SOUTHERN INDUSTRIAL PRODUCTS, INC." DATED APRIL 20, 2001 AND BEARING PROJECT NO. 50301.

Petition 2014-022
Feb 17, 2014
Conditional Notes:
MUDD-O to MUDD-O-SPA

A. Optional Request is for five (5) Detached Digital Advertising Signs.
B. Signs/Screens will not be oriented towards or be visible from the public right-of-way.
C. Total Maximum Height of screen Is 14 feet from grade. Maximum Height of Solar Array topper is 17 feet From grade.
D. No trees will be removed in order for these signs to be installed.

This plan includes all previously approved conditional notes from rezoning petitions 2005-043 and 2011-003

SCHEDULE B - SECTION 2 EXCEPTIONS RELATING TO SURVEY

SCHEDULE B EXCEPTIONS PER FIRST AMERICAN TITLE INSURANCE COMPANY'S ALTA COMMITMENT FILE NO. NCS-534268-OPRS HAVING AN EFFECTIVE DATE OF MARCH 21, 2012; ITEM NUMBERS CORRESPOND TO SCHEDULE B EXCEPTION NUMBERS:

- TERMS, PROVISIONS, COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS AS PROVIDED IN INSTRUMENTS RECORDED IN BOOK 3775, PAGE 72, MECKLENBURG COUNTY REGISTRY, BUT OMITTING ANY COVENANT, CONDITION, EASEMENT, AND/OR RESTRICTION, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILY STATUS, MARITAL STATUS, SOURCE OF INCOME, DISABILITY, HANDICAP, OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT THE COVENANT, CONDITION, EASEMENT OR RESTRICTION (A) IS EXEMPT UNDER TITLE 42 OF THE UNITED STATES CODE OR (B) RELATED TO A HANDICAP, BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS.
- EASEMENTS AND ANY OTHER FACTS SHOWN IN MAP BOOK 48, PAGE 3, MECKLENBURG COUNTY REGISTRY.
- EASEMENT TO SOUTHERN POWER COMPANY RECORDED IN BOOK 406, PAGE 61, MECKLENBURG COUNTY REGISTRY. IS A BLANKET EASEMENT AND IS NOT PLOTTABLE.
- SUBSTATION LOT LEASE TO DUKE POWER COMPANY RECORDED IN BOOK 1664, PAGE 23, MECKLENBURG COUNTY REGISTRY. IS PLOTTED HEREON.
- TITLE TO THAT PORTION OF SUBJECT PROPERTY WITHIN THE BOUNDS OF SEABOARD COASTLINE RAILWAY RIGHT OF WAY, IS PLOTTED HEREON.
- PARKING EASEMENT AGREEMENT BETWEEN HAMILTON STREET PROPERTIES, LLC AND FIBER MILLS, LLC RECORDED IN BOOK 24458, PAGE 704, MECKLENBURG COUNTY REGISTRY.
- EASEMENT TO PREDOMANT NATURAL GAS COMPANY, INC. RECORDED IN BOOK 24791, PAGE 842, MECKLENBURG COUNTY REGISTRY. IS PLOTTED HEREON.
- ORDINANCE DESIGNATING THE PROPERTY AS AN HISTORIC LANDMARK PROPERTY RECORDED IN BOOK 27180, PAGE 108, MECKLENBURG COUNTY REGISTRY.
- NOTICE OF BROWNFIELD'S PROPERTY RECORDED IN BOOK 18989, PAGE 708, MECKLENBURG COUNTY REGISTRY.
- RIGHTS OF PARTIES IN POSSESSION AS TENANTS ONLY, UNDER UNRECORDED LEASE(S) OR RENTAL AGREEMENT(S).
- ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, DEFICIENCY IN AMOUNT OF AREA, RIGHTS, EASEMENTS, DITCHES, CARTWAYS, SETBACKS, RIGHT OF PARTIES IN POSSESSION, INTEREST OR CLAIMS WHICH WOULD BE REVEALED BY A CURRENT AND ACCURATE SURVEY AND INSPECTION OF THE LAND.

SURVEYOR CERTIFICATION

THE UNDERSIGNED, BEING A REGISTERED SURVEYOR OF THE STATE OF NORTH CAROLINA, CERTIFIES TO: FIBER MILLS, LLC, MUSIC FACTORY CONDOMINIUMS, LLC, AND FIRST AMERICAN TITLE INSURANCE COMPANY, INC., ITS SUCCESSORS AND ASSIGNS AS FOLLOWS:

THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-4, 6(b), 7(c), 7(b)(1), 7(c), 8, 9, 11(b), 13, AND 16-20, OF TABLE A, THEREOF, THE FIELD WORK WAS COMPLETE ON MAY 05, 2012.

DATE OF PLAT OR MAP: MAY 08, 2012.

TONY B. SANDERS, PLS L-3222 DATE

Map Prepared By:
SURVEY & MAPPING CONTROL, INC.
Pineville, NC 28134
Phone (704) 542-8995
Fax (704) 542-9233
NCSLS License C-1915

PROPERTY OWNER:
FIBER MILLS, LLC
MUSIC FACTORY CONDOMINIUMS, LLC

PREPARED FOR:
FIRST AMERICAN TITLE INSURANCE COMPANY, INC.
2300 COLLEGE BLVD.
OVERLAND PARK, KS 66210

ALTA / ACSM LAND TITLE SURVEY OF:
NC MUSIC FACTORY

NC MUSIC FACTORY BOULEVARD
CITY OF CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA

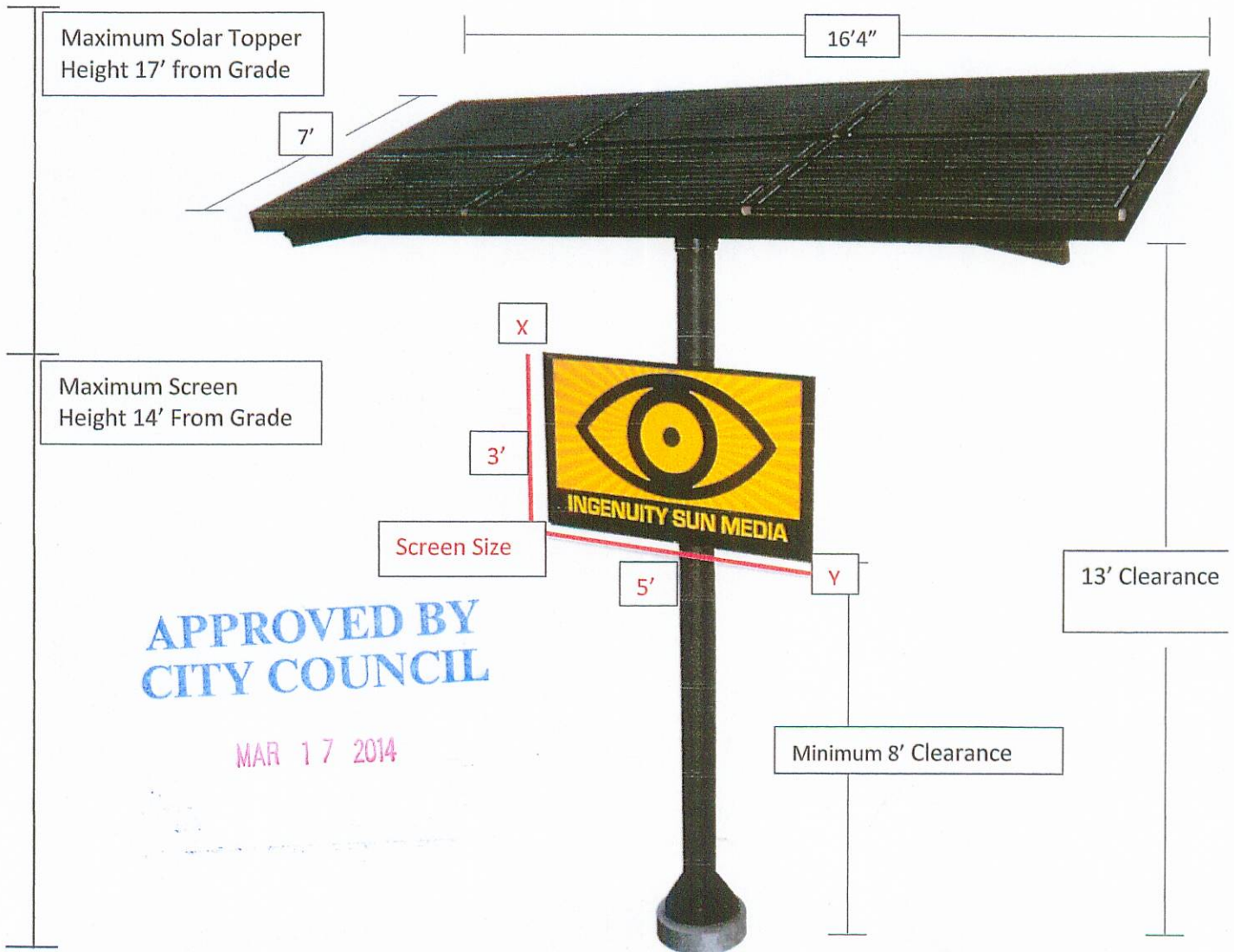
1 OF 2 SHEETS

Attached to Administrative
Approval

Petition no. 2014-022

Solomon A. Fortune \$F
Solomon A. Fortune

Sun Media Tree: 6 panel version with 3'x5' LED Screen

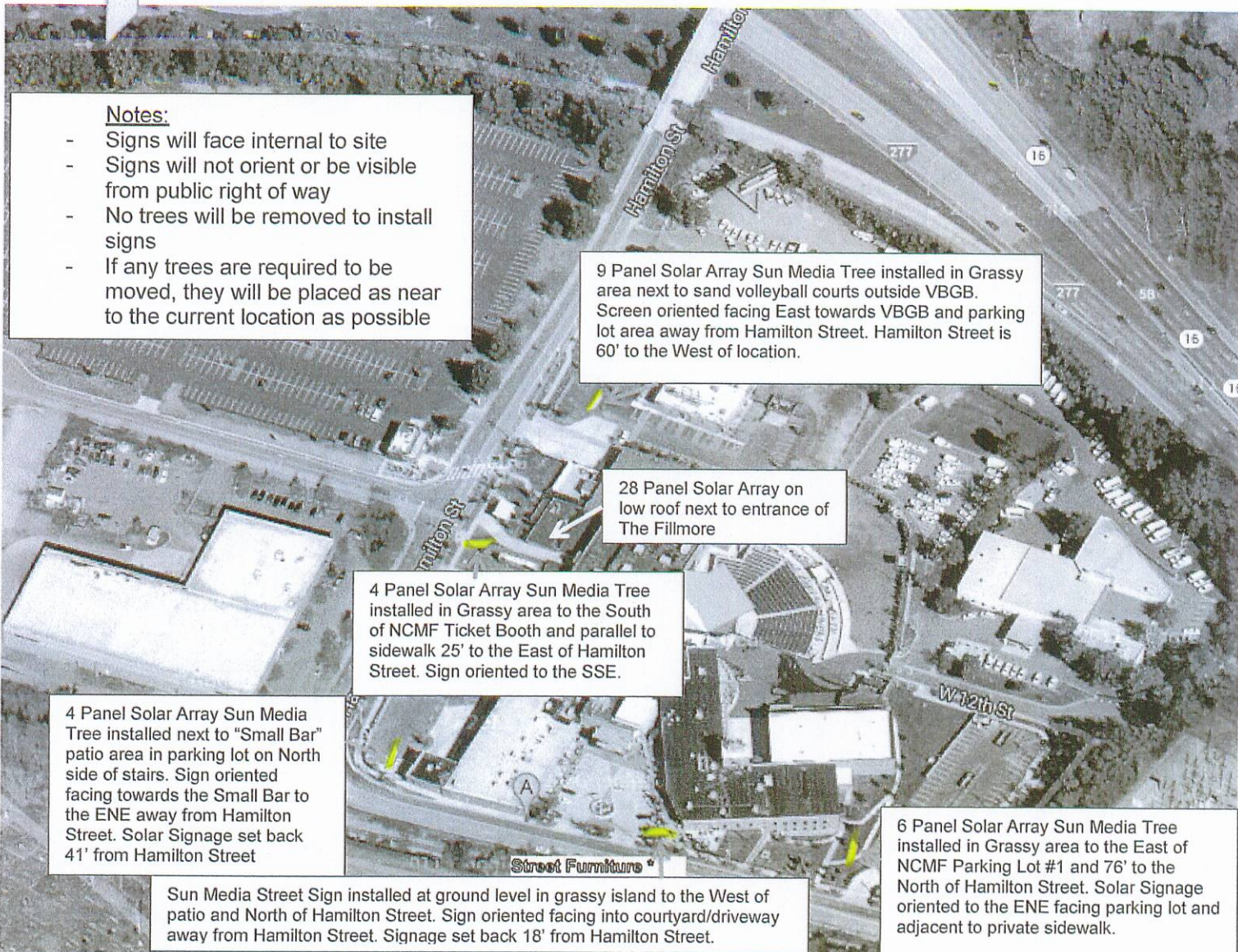


APPROVED BY
CITY COUNCIL

MAR 17 2014

Indicates Screen Direction.
Short side is front facing screen

NC Music Factory SMT Locations



Notes:

- Signs will face internal to site
- Signs will not orient or be visible from public right of way
- No trees will be removed to install signs
- If any trees are required to be moved, they will be placed as near to the current location as possible

9 Panel Solar Array Sun Media Tree installed in Grassy area next to sand volleyball courts outside VBGB. Screen oriented facing East towards VBGB and parking lot area away from Hamilton Street. Hamilton Street is 60' to the West of location.

28 Panel Solar Array on low roof next to entrance of The Fillmore

4 Panel Solar Array Sun Media Tree installed in Grassy area to the South of NCMF Ticket Booth and parallel to sidewalk 25' to the East of Hamilton Street. Sign oriented to the SSE.

4 Panel Solar Array Sun Media Tree installed next to "Small Bar" patio area in parking lot on North side of stairs. Sign oriented facing towards the Small Bar to the ENE away from Hamilton Street. Solar Signage set back 41' from Hamilton Street

Sun Media Street Sign installed at ground level in grassy island to the West of patio and North of Hamilton Street. Sign oriented facing into courtyard/driveway away from Hamilton Street. Signage set back 18' from Hamilton Street.

6 Panel Solar Array Sun Media Tree installed in Grassy area to the East of NCMF Parking Lot #1 and 76' to the North of Hamilton Street. Solar Signage oriented to the ENE facing parking lot and adjacent to private sidewalk.

Attached to Administrative

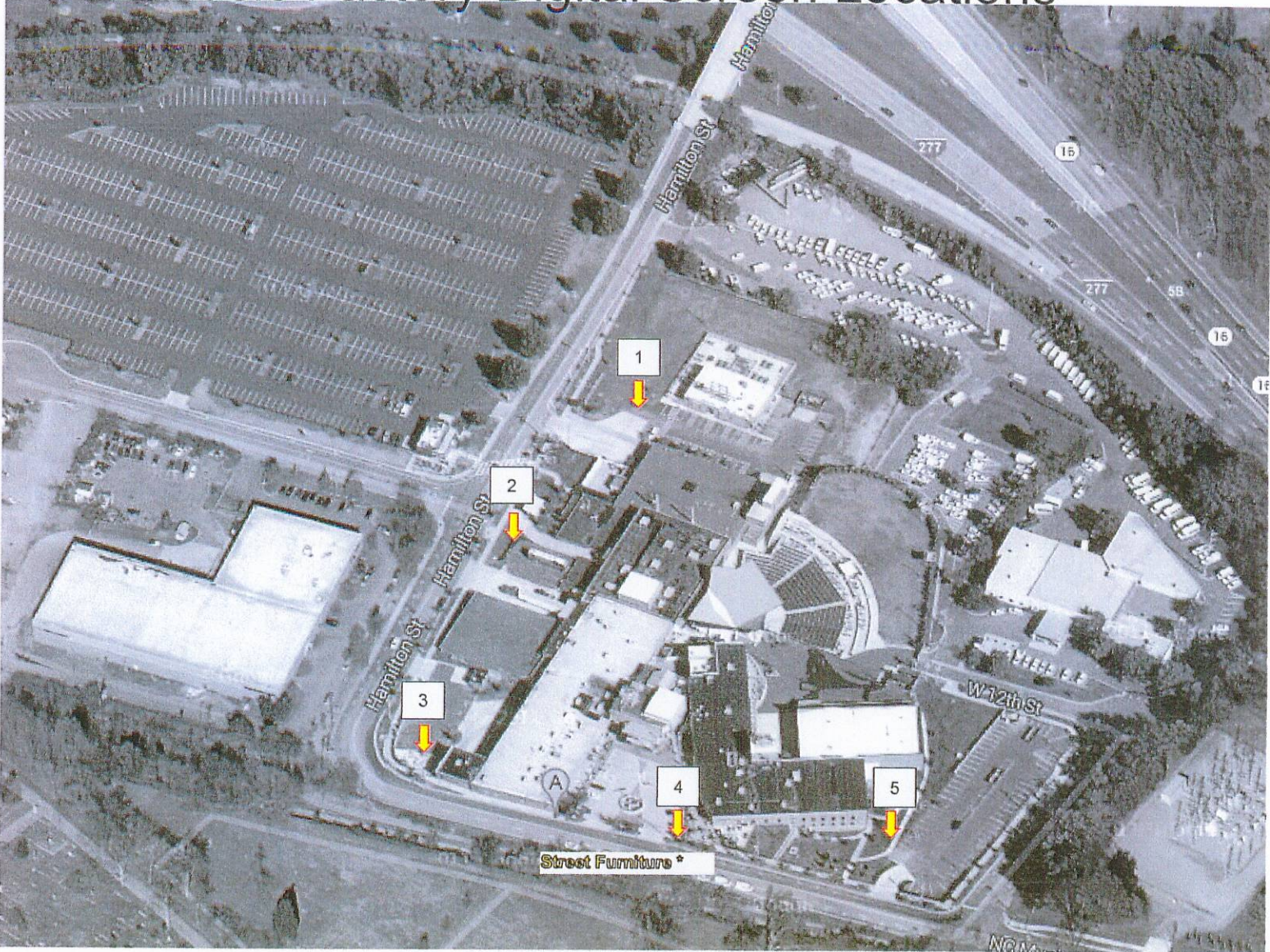
Approval

Solomon A. Fortune \$F
Solomon A. Fortune

APPROVED BY
CITY COUNCIL

MAR 17 2014

NC Music Factory Digital Screen Locations



**APPROVED BY
CITY COUNCIL**

MAR 17 2014

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Approval

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