



City Council Follow-Up Report

From the January 16, March 19, and April 16, 2018 Zoning Meetings

2017-167 Beaver Creek CRE, LLC – located on the north side of Independence Boulevard, bounded by Pierson Drive, Bamboo Street and Wilshire Place. (Council District 5 – Newton)

How many jobs will be created?

Staff Response: The reuse/redevelopment of the existing Ervin/Varnadore Building and the second phase new building next door will result in substantial construction and service based jobs as well as permanent jobs associated with the businesses to be located on the site. It is anticipated that around 400 construction/service based jobs will be needed for both phases and approximately 200 to 250 employees will be located within the first phase Ervin Building reuse. Given complicated redevelopment aspects, it is too early to know for sure which companies will be locating in the building, but in addition to the office users, there will be employees for the rooftop active uses and the ground floor retail uses.

What are the vested rights for development on the site? How long will this plan stay in place?

Staff Response: Vested rights allow the completion of a project and/or continuation of a use despite subsequent changes to the Zoning Ordinance including subsequent rezonings. Vested rights are granted for up to five years and are based on a site-specific development plan that is approved through the conditional rezoning process. All zoning notes and information in the ordinance at the time the rezoning is approved and information contained in the site plan that is approved, are vested.

Explain the phases of the development and what will occur in each.

Staff Response: The project will be developed in two phases. Phase I is the demolition of the existing building on Development Area B, and its replacement with surface parking that may serve uses on the site.

Phase II development will consist of permitted uses and an associated structured parking facility on Development Area B. Certain screening improvements and landscaping will be installed on Development Area B prior to completion of the surface parking allowed on Development Area B as part of the Phase I development.

Provide the address and location of existing outdoor advertising (billboards) and video outdoor advertising signage that is the same size and type of LED and video outdoor advertising (billboard) signage that is proposed to be attached to the building.

Staff Response: There are hundreds of billboards throughout the city, but none are larger than 672 square feet. The location of some billboards that are 672 square feet are in close proximity to the rezoning site are listed below:

Location of Billboard	Tax Parcel
4125 E. Independence Boulevard	13113330
Abuts 3500 E. Independence Boulevard, just east of the Eastway Drive overpass	16101206
2801 E. Independence Boulevard	12910101
1415 E. Independence Boulevard	08117607
1111 Pecan Avenue	08117723
1318 Central Avenue	08117722
4912 Albemarle Road	13301404
5101 Albemarle Road	13123114
6915 Old Lawyers Road	10918206
5020 E. Independence Boulevard	16303127
5226 E. Independence Boulevard	16303229
5721 E. Independence Boulevard	16501105
7129 Wallace Road	19102201
6432 E. Independence Boulevard	19105211

Provide a light study of the outdoor advertising signs and video signage, and the impact on nearby residential areas.

Staff Response: The petitioner asked Daktronics to conduct a lighting analysis for the LED signage. The key findings are as follows:

- 1) Based on “worst case” illumination levels, any light related impact on residential properties along Bamboo Street and Westfield Drive will be minimal, and existing lighting along those streets will absorb illumination from the sign. Furthermore, houses nearby are shielded by large maturing trees.
- 2) The petitioner has reviewed the alternative for the LED signage to be located 50 feet in height from grade by way of the possible small scale building addition to the existing building. Use of this alternative would not materially alter the information/conclusions.

Is the petitioner willing to split the rezoning petition into two parts with Part A being the reuse of the existing building, and Part B being the removal of the Varnador building and construction of a new building? If the answer is yes, is the petitioner willing for Council to review and vote on Part A first? If subsequently, the Varnador building is determined not to be structurally sound, then Part B would be placed back on the Council’s agenda for consideration and a vote?

Staff Response: In light of some questions at the public hearing, the petitioner completed its diligence of the exiting Ervin/Varnadore building and is able to commit to reuse the existing building; as a result the ability to build a replacement building if structural/environmental issues arise has been deleted from the rezoning plan. Thus, there is no need for the two parts referenced in the question.

2017-097 Charlotte-Douglas International Airport – located along the north side of Shopton Road, southeast of Pinecrest Drive and west of Beam. (Council District 3 – Mayfield)

Is the petitioner willing to designate the “no build zone” in perpetuity?

Staff Response: The petitioner has removed the northern 50 acres abutting the Eagle Lake Community from the rezoning petition and reduced the proposed building square footage from 2,000,000 square feet to 1,000,000 square feet.

What transportation mitigation measures are being considered to handle increased congestion at nearby intersections and at peak hours?

Staff Response: Suggested traffic mitigations for entitlements of 1,000,000 square feet of industrial park and 1,000,000 square feet of warehouse include combinations of additional turn lanes and extending turn lane storage at the following intersections:

- I-485 Inner Ramp at Steele Creek Road
- Shopton Road at Steele Creek Road
- Sandy Porter Road at Shopton Road
- Shopton Road at South Tryon Street

Based on lesser entitlements of 1,000,000, the final site plan that Council is asked to approve states a traffic analysis of new maximum entitlements will be provided prior to the issuance of any driveway permits.

Provide additional analysis on the option to develop in the middle of the project, rather than in the northern top, near Eagle Lake and its residents. What challenges are there to preserve that area for open space and environmental reasons?

Staff Response: The petitioner has removed the northern 50 acres abutting the Eagle Lake Community from the rezoning petition and reduced the proposed building square footage from 2,000,000 square feet to 1,000,000 square feet.

2017-138 AGS Hotels NC, LLC – located south of Cascade Point Boulevard, north of Billy Graham Parkway and east of West Tyvola Road. (Council District 3 – Mayfield)

Provide additional development information about the previous approved rezoning for the site, 2002-074. Did that petition consider the Charlotte Veterans Health Care Center and the hotel?

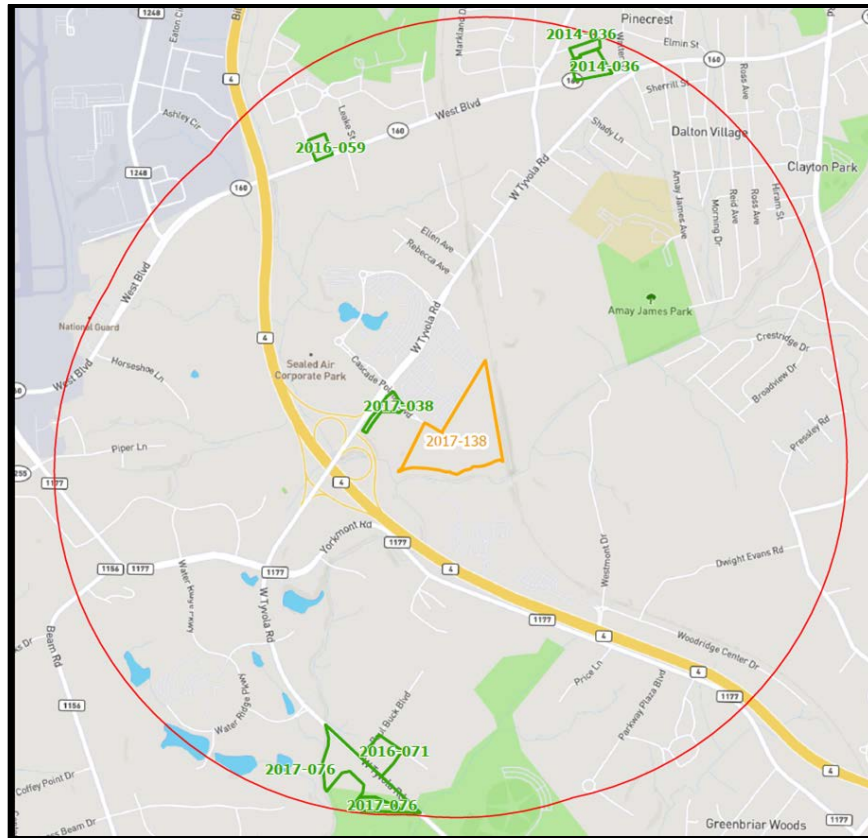
Staff Response: The subject site was rezoned by petition 2002-074 to I-1(CD) light industrial, conditional to allow the development of 1,365,000 square feet of office, 70,000 square feet of retail and 475 hotel rooms. The 2002 allowed for various office, retail and industrial uses in the area. The Veteran's Health Center is allowed office/ industrial use on the conditional site plan.

Did the previous rezoning, 2002-074 include any triggers for when the retail and office space should be developed in relation to the two hotels containing 475 rooms?

Staff Response: The 2002 conditional site plan did not have any triggers for development. It included a maximum of 1,365,000 square feet of office and 70,000 square feet of retail and the 475 hotel rooms.

Are there any nearby approved rezonings in the area?

Staff Response: Below is a map and write up showing the recent rezonings in the past five years within one mile of the site for petition 2017-138.



Petition Number	Summary of Petition	Status
2017-076	Rezoned Approximately 14.56 acres located on the south side of West Tyvola Road across from City Park Drive and Speer Boulevard to UR-2(CD) (urban residential, conditional) to allow the development of 120 multi-family units and 80 age-restricted residential units.	Approved
2017-038	Rezoned 2.12 acres located on the east side of West Tyvola Road between Billy Graham Parkway and Cascade Pointe Boulevard to I-1(CD) SPA (light industrial, conditional, site plan amendment) to allow the development of 10,000 square feet for retail, office, and EDEE (eating/drinking/entertainment establishments).	Approved
2016-071	Rezoned 3.28 acres located on the north side of West Tyvola Road and east of City Park Drive to MUDD-O SPA (mixed use development, optional, site plan amendment), with five-year vested rights to allow up to 20,000 square feet of commercial uses on a vacant site located within the City Park development.	Approved
2016-059	Rezoned 1.25 acres located on the north side of West Boulevard between Billy Graham Parkway and Leake Street to MUDD-O SPA (mixed use development, optional, site plan amendment) to modify the development standards for a portion of the previously approved rezoning for the Renaissance West Development to allow an increase in square footage for a proposed child development center from 17,500 to 25,000 square feet.	Approved
2014-036	Rezoned 5.18 acres located on the north side of West Boulevard and generally surrounded by Old Steele Creek Road, Elmin Street, Walter Street, and West Boulevard to NS, neighborhood services to allow for the development of a 16,000-square foot government building to be used for a police facility and other government office space.	Approved

In addition, several hotels have already been built or have entitlements from rezonings approved on or before 2007.

Petition 1998-025 Zoned I-1(CD) - Located across West Tyvola Road, Glen Lake Drive and the New Sealed Air facility allowed for the development of a Hilton Garden Inn Hotel in 2013 on parcel 14307123. The hotel has 157 hotel rooms and meeting space. There is still vacant land left and another hotel could possibly be built depending on the size and number of rooms requested. See the image below.



Petition 2007-082 City Park/ Old Coliseum site zoned MUDD-O - Located southwest along West Tyvola Road from the site of petition 2017-138, the City Park development was approved in 2007 that allowed the development of up to two hotels with 350 total rooms. Plans are currently being developed for a hotel on the site just northwest of City Park Drive. See the image below.



2018-012 Harrison Tucker and John Perovich – located at the intersection of North Davidson Street and East 17th Street. (Council District 1 – Egleston)

Is there a study that would show that where the panels will be located that will result in net zero energy?

Staff Response: The petitioner's energy calculations at this point in the project are estimates. They will not be able to fully determine the energy usage of one of CoHab's units until they move into the design phase, after approval. The petitioner hopes their studies will show Net Zero Energy.

The petitioner provided the following calculations, methodology, and diagram in response to the question:



May 15th, 2018

In response to the City Council's inquiry regarding Net Zero Energy:

"Is there a study that would show that where the panels will be located that will result in net zero energy?"

Calculating # of Solar Panels Needed for a Net Zero Energy Home in Charlotte

North Carolina Average		Quantity	Unit
Average Monthly Electrical Usage Per Home in NC		1098	kwh
Target Daily Electrical Usage	30	37	kwh
CoHab's Net Zero Energy Home Target		Quantity	Unit
CoHab Home's Average Monthly Electrical Usage Per Home	75%	824	kwh
Target Daily Electrical Usage	30	27	kwh
Hourly Electrical Usage	24	1.14	kwh
Average Hourly Power Usage in Watts	1000	1144	Watts
Amount of Energy Panels Need to Produce Every Hour	4.8	238	Watts
Total Watts Needed	24	5719	Watts
Panels (using Sun Power 370W)		370	Watts
Total # of Panels Needed to Produce 75% of the Energy of a Typical House		15	

Methodology

- 1) Determine the average monthly electrical usage per home in North Carolina (1098 in kwh)
- 2) Set a target reduction in electrical energy usage for one of CoHab's homes, achieved through a tight building envelope, efficient lighting and mechanical systems, and low-energy appliances (CoHab homes target a 75% reduction in energy usage)
- 3) Translate monthly electrical usage in kwh into average hourly power usage in watts ($1.144 \text{ kwh} * 1000 = 1144 \text{ watts}$)
- 4) Determine average number of hours of sun production in Charlotte (approximately 4.8 hours of peak sun in Charlotte)
- 5) Divide your average hourly wattage requirement by the number of daily peak sunlight hours, to get the amount of energy your panels need to produce every hour ($1144 \text{ watts} / 4.8 \text{ sun hours} = 238 \text{ watts}$).
- 6) Calculate the amount of energy the panels need to produce in one day ($238 \text{ watts} * 24 \text{ hours} = 5719 \text{ watts per day of production needed}$)
- 7) Specify an efficient solar panel such as Sun Power's 370 watt panel, then divide total number of watts needed by panel output to determine number of panels ($5490 \text{ watts daily} / 370 \text{ watt panel} = 15 \text{ panels}$)
- 9) Ensure 15+ panels can fit on the roof of each CoHab Home
- 10) Optimize panel location on the roof given sun trajectory

