

February 14, 2008

Mayor Pat McCrory &
Charlotte City Council
600 East Fourth Street
Charlotte, NC 28202



RE: Re-zoning Petition 2008-004
Petitioner: North Davidson Acquisitions

Dear Mayor McCrory:

This petition was presented at the November monthly Historic North Charlotte Neighborhood Association (HNCNA) meeting by the petitioner and was well received. On behalf of the HNCNA, we wish to offer our support for the project and the required re-zoning as depicted in the site plan dated January 25, 2008.

We believe that higher density projects are the best reuse of dormant parcels or unfit buildings in the “downtown” section of North Davidson and 36th streets. Our area needs to obtain a “critical mass” for the upcoming mass transit corridor, and much of this parcel is a proper locale to meet this end. This parcel does border some of our historic single-family residential land and actually includes some residential parcels along Mercury Street. While the upward zoning of such land is a major concern, we feel that other aspects of this well-rounded proposal outweigh this downside.

First, this project provides a good amount of necessary parking to its tenants and the neighborhood at-large. The neighborhood now pushes developers for a parking ratio higher than MUDD requirements within the downtown area. Instead of one space per unit, we require one space per bedroom plus the required handicapped space. In addition, we do not include existing on-street parking in these calculations, as that is taking away from existing parking for the rest of the neighborhood. In response to the specific needs of the petitioner’s tenants, this project goes well beyond that parking ratio.

Parking is a major problem for our entire downtown area that cannot be adequately addressed now or in the future by many of the parcels along North Davidson Street. The neighborhood has asked the City to explore parking solutions for the well-being of our small businesses. The petitioner is amenable to a public partnership to add an additional level to the parking structure in this development. **We request that the City aggressively pursue negotiations to add this third level of parking for the surrounding community.** It is the perfect location for the

neighborhood to begin to address this issue. At the same time, it is financially advantageous to the City as costs for land acquisition and even the structural foundation can be avoided.

The second major benefit of this proposal is that it preserves the historic retail buildings along 36th street. The Neighborhood Theater building is possibly the oldest intact theater space in Charlotte. All of these buildings are essential contributors to the historic fabric of our mill town. The preservation of these buildings requires the petitioners to encroach upon the residential area of our neighborhood in order to find the square footage to make this project profitable.

Third, this project adds many architectural elements to mitigate the impact on the contiguous residential area. Both new buildings address the commercial thoroughfares and are set back from Mercury Street. Building A is massed towards the center of the project, minimizing its outward impact to the parcel's borders. The petitioner has pledged buffers and herbaceous barriers to shield Mercury Street from the development, where applicable. These barriers include decorative trellises and imported mature trees.

The preliminary elevations depict a quality design with extensive fenestration and a varied facade. In particular, we are excited about the varied use of quality masonry materials, rooftop seating, strung lighting, tiled sections of the façade, streetscape murals, mosaic tile and three-dimensional art. We encourage the City to work with the developer to allow three-dimensional signage for commercial tenants. Collectively this will create a funky, friendly ped-scape akin to a street bazaar. At the same time, some design elements pay homage to the historic elements of the surrounding mill town. The neighborhood fully supports this concept and if anything, we encourage the developer to push the envelope with even more creativity.

The only concern with this proposal is the commercial vehicle impact on Mercury Street. The notes in the site plan now state:

Due to the nature of the Site and proposed development, service access must be provided from Mercury Street. The Petitioner agrees to limit delivery time from 7:00 AM to 8:00 PM and limit the truck size to SU-30 to minimize conflicts with the surrounding area. Deliveries between 8:00 PM and 7:00 AM and tractor trailers are prohibited.

We feel that this restriction is key and important. Mercury Street has specific barriers to commercial vehicles that may not be readily apparent from a map or aerial photograph. First, it is a narrow street with historic homes located well within the normal street right-of way. This would prevent any widening and possibly even adding sidewalks. Second, a huge railroad hump and mature trees within the street right-of way limit commercial vehicle access. Finally, the tiny lots necessitate on-street parking, which will further limit commercial vehicle access. We want to

make sure that the City is well aware of these hindrances and that the commercial access necessary to this design is well planned.

Beyond this issue, it is an attractive project that will benefit the neighborhood. We wish to thank the petitioner for involving the Association and the neighborhood in this project through the preliminary design process. The overwhelming support for this huge project with so many variables is a testament to petitioner Tyler Foster's communication, openness and willingness to compromise. The HNCNA Board has agreed that petition 2008-004 should be approved as presented with intent. Please contact me with any questions or comments.

Sincerely,

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