

**RIVER DISTRICT (REZONING PET. 2016-056): DEVELOPERS' RESPONSE TO QUESTIONS
POSED DURING CITY COUNCIL HEARING AND FOLLOW UP MEETING**

NOVEMBER 15, 2016

The following is the Developers' response to questions raised by the Mayor and City Council members during the public hearing for the rezoning and the follow-up Staff led meeting. Developers are delighted to discuss these items more fully with the Mayor and City Council at your convenience.

A. ROADS/INFRASTRUCTURE/TRANSIT

1. What will NCDOT's involvement in the project be?

NCDOT will be involved in the review of all transportation planning documents, the issuance of driveway permits to any NCDOT roadways, and the coordination and approval process (along with the Federal Highway Administration) of any improvements to interstate 485.

2. Who will be responsible for building the connector roads or the Catawba Crossing Bridge and what is the timing for the bridge?

The existing Airport West/Berryhill CIP contemplate the extension of Garrison Road, the widening of Dixie River Road and the extension of West Boulevard from I-485 to Dixie River Road. The CIP has allocated \$43 Million for these roadway improvements with \$16.2 Million allocated initially for the extension of West Boulevard to Dixie River. It is contemplated that the primary roads could be funded with a combined effort of the Developers, CIP funding, tax increment grant funding with City and County taking advantage of the tremendous new River District tax base, and possible State of North Carolina funding.

Discussions have taken place regionally regarding the long term prospect of a bridge across the Catawba River, but given the many years out timeline for such bridge specific funding discussions have not occurred. The River District transportation network does not rely on a Catawba River crossing to properly function. Additionally, Gaston County stakeholders are supportive of River District with a recognition that the network of roads from River District will support the ultimate goal of connectivity to Gaston County. River District will accelerate the primary connector roads and bring tax base and new jobs that will support civic needs in River District but also throughout the community. It will also increase the likelihood of State participation which is likely to be needed to fund the bridge across the river when that time comes in the future.

3. How many miles of protected bike lanes are there and does the Catawba Crossing Bridge contain facilities for bikes and people?

There will an estimated 7 miles of protected bike lanes within River District on Dixie River Road, Garrison Road, West Boulevard Extension and as part of the Beaver Dam Creek Greenway. The bridge over the Catawba River is not funded or designed, but certainly the regional stakeholders, including the City and River District owners, will be adamant that the bridge provide for strong pedestrian and bike lanes/features.

4. How will the realignment of West Blvd and the airport expansion impact connectivity?

CDOT, the Airport and the Developers have reviewed various transportation aspects related to the extension of West Boulevard and its realignment to the east. The overall street/roadway network contemplates generally both the expansion of the Airport and development of River District. Based on transportation study work and/or regional modeling transportation work

undertaken by the Airport transportation consultant, KimleyHorn, (paid for by the Developers) have resulted in Rezoning provisions related to phasing of development levels tied to roadway improvements that will require certain improvements to West Boulevard and other roadways to take place prior to continued development beyond certain permitted levels..

5. What infrastructure is in place now to start or will need to be in place to start?

As reflected in the Airport West CIP, in the Airport HNTB report and the current Airport Planning efforts, roadway improvements are needed to widen Dixie River Road and extend Garrison Road. In addition, in order to promote annexation leading to increased tax base in close proximity to the Airport, the City Council allocated \$43 Million of CIP funds with \$16.2 Million allocated to extend West Boulevard from I-485 to Dixie River Road. Other streets will be installed by the Developers at their expense. Utilities study work has taken place and extensions of water and sewer can be made as development occurs in accordance with two major Charlotte Water capital improvement projects.

6. Will the permitting process provide the overarching review for infrastructure phasing?

*As indicated a significant degree of infrastructure planning has taken place but more will occur as the development moves into the design development phase. And yes the permitting process will include an extensive additional layer of review and approval. **Please see attached a list of various regulatory authorities having permitting jurisdiction over the River District development as well as a schematic of various permitting approvals and parties involved.***

7. How will transit be integrated into the River District as part of the overall planning efforts? Both bus and mass transit service?

The River District rezoning plan includes commitments to work with CATS as part of the 2030 transit planning efforts and other planning initiatives to plan for transit service, both bus and possible rapid transit. The transit planning will include coordination with the Airport as well as CATS.

These commitments more specifically include agreement to install bus stops and facilities as development occurs and to locate a CATS Transit Center within River District upon further input and coordination with CATS. This includes commitment to reserve land for such a facility and identify the location within 3 years and reserve the land for 10 years with a conveyance at 80% of value. In addition, the West Blvd linear park which has a 50 foot wide right of way could serve as additional right of way for transit long term.

8. Address access to the airport and to uptown?

The River District's proximity to the Airport (2 miles) and Uptown (8 miles) are strong assets to the success of this master planned community. Transportation improvements required in the Rezoning Plan as a result of transportation studies are intended to support accessibility to the Airport and Uptown. In addition, transit planning is contemplated by the Rezoning and the proposed MOU. Specifically the River District rezoning plan includes commitments to work with CATS as part of the 2030 transit planning efforts and other planning initiatives to plan for transit service, both bus and possible rapid transit. The transit planning will include coordination with the Airport as well as CATS. These commitments more specifically include agreement to install bus stops and facilities as development occurs and to locate a CATS Transit Center within River District upon further input and coordination with CATS. This includes commitment to reserve

land for such a facility and identify the location within 3 years and reserve the land for 10 years with a conveyance at 80% of value. In addition, the West Blvd linear park which has a 50 foot wide right of way could serve as additional right of way for transit long term.

9. **As a point of comparison, how much transit service currently being provided to Southpark and Ballantyne?**

Unsure how to respond without detailed study.

B. ENVIRONMENT

1. **Describe the Environmental Vision:** *River District will honor the unique resources and character of this master planned community by preserving significant natural areas, land features and environmentally sensitive lands. River District will cultivate accessibility, stewardship and environmental education opportunities. River District will incorporate an extensive trail system that will traverse along streams and through wooded areas connecting destinations within the master planned community. There will be opportunities to appreciate the natural environment within minutes of every destination or neighborhood of the River District. As evidenced by support of the River-keeper among others, the River District will maintain very high standards for water quality practices and required tree save measures. The River District development plan responds to the unique features of the site including streams, wetlands and steep topography and these features are used as the organizing principle. Refer to the Environmental Commitment on Sheet RZ-4C for specific commitments.*

2. **How will we minimize impact to Catawba River? How have we worked with the River-keeper in this regard?**

*River District was designed with the goal of minimizing the impact on the Catawba River by keeping natural resources, open space preservation and water quality measures foremost in mind. The land plan places higher density development far from the river along closer to I-485 with lower density residential uses closer to the river. River District calls for 550 acres of open space, 15% tree save areas and wide buffers along creeks such as Beaver Dam Creek. Enhanced water quality measures successfully implemented with the Charlotte Premium Outlet Mall will be used. These include Best Management Processes such as buffer protections and continuous water quality monitoring that establishes baseline conditions for 4 coves that must be adhered to with real time assurance. The River-keeper and Rusty Rozzelle head of Land Use Environmental Services have contributed to the water quality, monitoring provisions and erosion control standards established in the development standards and weighed in positively on the vision and commitments. **Please refer to letter of recommendation from Rusty Rozellee included in this packet.***

3. **What is the process for environmental inspection, review and/or approvals? Which agency is responsible for approving? Is there a requirement for 3rd party review of environmental impact or a blanket requirement for environmental testing?**

There are numerous regulatory authorities who have been involved in the review of the River District as part of the rezoning and there are others that will be involved in the review permitting aspects of actual development. A sample list of these regulatory authorities and the immensely complicated regulatory permitting process is attached. From an environmental standpoint,

LUESA is a leading environmental review authority that has already reviewed the proposed environmental commitments positively. Rusty Rozzelle has led the LUESA review efforts has been impressed by the commitments. Others authorities such as NCDENR, US Corps of Engineers Wetlands, & US Fish & Wildlife among others are involved in various permitting reviews. LUESA and others will be involved in ensuring that the enhanced water quality commitments such as the on-going monitoring are implemented.

4. **Which government agency is responsible for approval of the water quality protection? What is the impact of the project down the river in SC? Should SCDHEC be apprised of the project water quality study?**

Please refer to attached flow chart of governmental approvals for River District permits. We are in the process of determining the applicable South Carolina parties, if any.

5. **How much of the 40% open space is undevelopable?**

+/- 252 acres are undevelopable within the 40% (551 acre) open space area. This undevelopable acreage includes the existing buffers = +/- 114 acres and the MUDD-O/ MX-2 Tree Save (outside of existing buffers) = +/- 138 acres. The developable acreage within the open space area is considered developable as long as the watershed pervious requirements are met.

6. **Will Crescent commit to seeking a conservation easement for a Carolina Thread Trail section along the waterfront?**

Yes. Crescent is working towards an agreement with Catawba Land Conservancy and the Carolina Thread Trail regarding permanent easements to incorporate a Thread Trail along the 3500 linear feet of Catawba River shoreline that Crescent owns. The majority of shoreline around the River District has been privatized over the years and includes private residences.

7. **What is the distance of linear waterfront will Crescent provide for public use?**

2000-3500 linear feet

8. **In the future, will the public be able to enjoy the Catawba River from the River District or will the shoreline all be privatized with the exception of one boat landing, as per the site plan?**

The only boat landing contemplated in the site plan and committed to in the general development standards is the public access to a Mecklenburg County Park and Rec canoe and kayak launch as part of the larger "Blue-way" system along the Catawba River. There is no plan for the shoreline to be privatized. The Developer is committed to making the majority of the waterfront it owns as a public space where residents of Charlotte and the County will be welcomed to experience the Catawba River.

C. SCHOOLS/PARK & REC/POLICE/FIRE

1. **What are the commitments to deal with Park & Rec needs for land and facilities? How will land for facilities be reserved? Are there land value discounts involved? What is the timing for implementing these services?**

Developers have made Park & Rec based commitments to: (i) dedicate nearly 2 miles of land for Beaver Dam Creek greenway; (ii) reserve two (2) areas for park sites/parcels aggregating 10 acres each for later conveyance at 80% of market value; (iii) install County sought after "Overland Trail" within ±2.5 mile portion of the to be widened Dixie River Road; (iv) install a

linear park area within the planned new West Boulevard extension (subject to NCDOT/CDOT approval); (v) provide public access to the Catawba River and connect the access with a greenway; and (vi) install pedestrian trails within development to promote connections to Parks & Rec greenway trails. The Developers will work with Park & Rec to identify the 2 areas for the park lands within 3 years of approval of rezoning and once identified the areas will be reserved for 7 years from identification. Per & Rec will not only gain the benefits of long range planning but also a 20% reduction from fair market value in the price of the land.

2. **What are the commitments to deal with CMS Schools for land and facilities? How will land for facilities be reserved? Are there land value discounts involved? What is the timing for implementing these services?**

There were numerous meetings and discussions with CMS and they have applauded the Developers' commitments. Developers have made and CMS has agreed to CMS based commitments to reserve land for two (2) 15-25 acre school sites for later conveyance at 80% of market value. The Developers will work with CMS to identify more specifically the school sites within 3 years of mutual agreement of the parties and Developers will reserve the land for 10 years thereafter.

*Per conversations with CMS Superintendent Ann Clark and CMS Director of Operations Carol Stamper and other discussions with CMS facilities leadership, the two proposed school sites are what is needed for future impact of River District and the ten-year commitment provides CMS enough time to put the (2) school sites in their next capital budget process. Additionally, the Developers have had preliminary discussions with the County regarding a possible capital reserve account that would leverage River District tax base creation to assist with funding CMS options to purchase the school sites. CMS leadership has referenced additional High School capacity coming on line in the next few years, and the master planning benefits to CMS have been applauded by CMS leadership. In addition, the proposed mixed use development would be expected to generate fewer school age children than by right residential zoning while generating huge commercial tax base supporting school needs. **Please refer to communication from CMS which is included in this packet.***

3. **What are the commitments to deal with Fire & Police for land and facilities? How will land for facilities be reserved? Are there land value discounts involved? What is the timing for implementing these services?**

Developers have committed to reserve two 3.5 acre sites for a CMPD station and CMFD station for later conveyance at 80% of market value. The location of such sites for a police station and fire station shall be based upon customary locational criteria including response times and shall be determined within 3 years of approval of the rezoning. Developers shall reserve the land for a period of 10 years from the rezoning approval.

4. **Is the River District meeting Park & Rec's request for 40 acres for park land? If not why? What is the response to the question of insufficiency?**

Through the master planning process with Park & Rec, additional acreage for parks could be identified. The 550 acres of open space at the River District will serve as one large park for all residents and workers. Developers have committed to a waterfront park/blue way point for Park and Rec.

As indicated the Developers are committing to provide 20 acres of park land but Park & Rec is seeking 40 acres. It is noted that there is one regional park and one nature preserve, approximately 160 acres in total, in close proximity to the River District. In addition, we emphasize that of the 1,377 acres of River District only around 650 acres are available for development when considering open space, roads to be built, greenways, CMS land, park/rec, police, fire, transit center etc. Furthermore, in addition to the proposed 20 acres of active park space, Developers have committed the following acreage which, respectfully, is not being adequately considered by Park & Rec in the overall development plan:

- i. West Blvd Extension 50 foot linear park ±3.3 acres*
- ii. Overland Trail along Dixie River Road ±8.8 acres*
- iii. Protected bike lanes ±7 miles*
- iv. Greenway area dedications ±[7 acres]*

Additionally, through the master planning process with Park & Rec, additional acreage for parks could be identified. The 550 acres of open space at the River District will serve as one large park for all residents and workers. Finally, Developers have committed to a waterfront park/blue way point for Park and Rec.

Respectfully, the extent of Park & Rec related commitments is unprecedented especially when considering the degree of land commitments for other community facilities and services. Additionally, the Developers have had preliminary discussions with the County regarding a possible capital reserve account that would leverage River District's tax base creation to assist with funding Park & Rec options to purchase the park areas and greenway trail improvements.

5. Compare the proposed river public access to those projects of comparable size, including those outside of Charlotte, if available?

There have been no true mixed-use master planned communities in Charlotte that have provided public water access. The majority of public water access along the Catawba River chain has been provided by Crescent through land swaps, donations and sales to the State, County and Parks and Rec.

6. Can the sites to be reserved for land for schools, parks, fire and police be identified in advance? Describe how the purchase price for these sites will be determined and why was the 80% value level determined?

One of the park sites will be located in the Residential District and the other within the MUDD Districts, and Park & Rec and the Developers will identify the areas within 3 years. Similarly, the school sites will be located within the Residential District, which makes sense, and will have proximate access to roads and facilities. School sites will also be identified within 3 years. It is anticipated that the school sites will be walkable to the majority of the residential communities and result in fewer vehicle trips. The same approach applies for the land for the fire and police stations. This also allows close coordination between the Developers and the governmental departments to site the facilities in a preferable location. The 80% price for land will be based on fair market value appraisals at the time of execution of the option. This results in a 20% donation to each governmental department in addition to the benefits that come with reliable planning, which is likely to total more than \$1MM of a developer contribution to public facilities. Typically,

developers do not provide a reduction in fair market value. The County is considering the use of a portion of the tax base created to purchase the reserved land.

D. HOUSING

1. Describe the overall nature of the housing and vision for the residential aspects of River District?

River District residential neighborhoods will provide for an inclusive community with a range of diverse housing options and pricepoints, including flats, townhomes, workforce/affordable rental, alley lots, rowhouses, market-rate apartments, tiny houses, active adult and empty nester homes, assisted living/memory care facility and larger lot opportunities which will appeal to all income levels and demographics. The interconnected greenways and natural areas/creeks will be the organizing principle (not golf course neighborhoods) that will link residents by trails and bike paths to the Town Center and employment opportunities.

2. What is the overall commitment for workforce/affordable housing in River District?

In brief, Developers have made workforce/affordable housing commitments to work with City & stakeholders on an overall strategy, but also have provided specific commitments to: (i) provide 85 workforce/affordable rental units before first 850 residential dwellings within Phase I are completed, and (ii) provide 8% of workforce/affordable rental units in future phases; upon receipt of Tax Credit financing or other appropriate grant support. The workforce/affordable housing units will maintain monthly rents that are income restricted for households earning 80% or less of the area median income for a period of not less than 30 years after occupancy or some other metric acceptable to the City and Developers.

3. Have you made changes to some of the wording of the workforce housing commitment in the rezoning to address Staff and Council comments?

The wording has been clarified regarding the future phase commitments and deletion of "good faith efforts" to provide the housing subject to tax credit type support and to state that in future phases the housing commitment will be based on overall housing deliveries of 1,000 residential dwellings such that 80 workforce/affordable rental housing units shall be under development prior to the second installment of 1,000 dwelling units and similarly as later phases are developed.

4. Would you consider increasing retirement housing given that there seems to be a growing demographic demand for senior housing?

Yes, the Developers are amenable to considering additional retirement housing opportunities as the River District is developed and the Developers feel that adjustments like this over time may be warranted.

5. What is the economic rationale for the 10% and 8% workforce housing goal? What are the plans for the remaining phases?

Discussions regarding workforce/affordable housing occurred numerous times over the past 18 months. These have included Pam Wideman, Laurel Street Properties, CMHP and others. In brief, Developers have made workforce/affordable housing commitments to work with City & stakeholders on an overall strategy, but also have provided specific commitments to: (i) provide 85 workforce/affordable rental units before first 850 residential dwellings within Phase I are completed, and (ii) provide 8% of workforce/affordable rental units in future phases; upon receipt

of Tax Credit financing or other appropriate grant support. The workforce/affordable housing units will maintain monthly rents that are income restricted for households earning 80% or less of the area median income for a period of not less than 30 years after occupancy or some other metric acceptable to the City and Developers

In addition, the wording of the Rezoning Plan has been clarified regarding the future phase commitments and deletion of "good faith efforts" to provide the housing subject to tax credit type support and to state that in future phases the housing commitment will be based on overall housing deliveries of 1,000 residential dwellings such that 80 workforce/affordable rental housing units shall be under development prior to the second installment of 1,000 dwelling units and similarly as later phases are developed.

E. ECONOMIC DEVELOPMENT IMPACT, FINANCING ASPECTS, PHASING & IMPLICATIONS FROM A DOWNTURN

1. What are the economic development benefits from tax base and job creation from River District and will these revenues support services beyond River District?

An economic development/market study was conducted for River District by Noelle Consulting Group. In addition, the Developers estimate that approximately \$2.5 Billion of new tax base will be created over a 20 to 25 years and this will be new to the City since the land is currently located outside and will be annexed. This relates to approximately \$125 Million of incremental property taxes to the City as well as an estimated 20,000 jobs.

Discussions to date relate to a tax increment grant at 45% level thereby ensuring that 55% of the revenues will go immediately into the general fund. On even a conservative basis adjusting for a cost of governmental services, tens of millions of dollars of new tax revenues to serve other parts of the community will be created by the River District. Furthermore after the TIG period ends, 100% of the new tax revenues will go to the general fund. The economic development benefits over the full build-out will be even greater.

2. Set out in simple language to define clearly "this is what happens" in terms of transportation and development levels?

The Rezoning documents make clear that only a portion of the development in phases can be developed until phased transportation improvements are built or further detailed transportation analysis is provided demonstrating positive transportation results. Please refer to the phased development levels and transportation improvements on the rezoning plan.

3. What is the time frame and process for decision-making related to the roadway improvements and financing aspects?

As reflected in the recent City Staff presentation, Developers have discussed with City and County staff a framework for combined funding of the roadway improvements in the area which shows that Developers are anticipated to provide for greater than 35% of the funding in addition to taking the risks associated with possible tax increment grant funding. Developers are anxious to move ahead with review of proposals by appropriate City Committees and County Committees in the next few months so the framework for the roadway improvements can be further refined and agreed to in a Memorandum of Understanding among the parties. Discussions with the State on funding would take place in the coming months.

Developers would like to have the first meetings of the City and County Committees take place as soon as possible but by early January with the desire for completion of the Memorandum of Agreement on roadway improvements and civic services in the first quarter of 2017 if possible.

4. **Describe the current capital projects for the \$43 Million in the CIP for this area. Is anything change recommended as a result of the rezoning request?**

The CIP \$43 Million relates to the extension of West Blvd from I-485 to Dixie River Road (\$16.2 Million, which the City of Charlotte voters approved on November 8) and the balance for widening of Dixie River Road and certain extensions of Garrison Road. River District will promote installation of these roads and other secondary roads sooner by way of Developers' installation of roads and leveraging of the new tax base created by way of the tax increment grant aspects. A change was recommended by City leadership that allocated \$16.2 Million toward the West Blvd extension concluding that it was a better investment to expedite annexation and tax base creation.

5. **30 years is a long time with rough seas--know downturn will happen, how to weather?**

River District is a long term master plan community that includes a wide range of commercial and residential uses. The proximity to the Airport, I-485, Uptown Charlotte and the River along with the quality of this proposed inclusive community will make River District attractive over the long term. In addition, the Rezoning ties development levels to transportation improvements that will be needed in a way that supports public sector investments through the CIP and otherwise. Importantly, the River District is being planned by two of the region's most respected developers, Crescent Communities and Lincoln Harris, both of which are based in Charlotte with deep ties to our community.

6. **Will phases proceed 1 by 1? What triggers are in place to ensure development is not stuck with partially developed community?**

River District Rezoning restricts development levels with necessary transportation improvements to dovetail development with infrastructure. Phases and individual projects will proceed as market demand allows. River District is being planned by two of the region's most respected developers, Crescent Communities and Lincoln Harris, both of which have strong track records and strong funding relationships.

7. **How does the River District fit in with City/County planning efforts to date to ensure consistency with current blueprint for the area?**

The City has focused planning efforts for this undeveloped part of west Mecklenburg County for nearly 20 years. River District's master planned is consistent with the planning principles of the Dixie Berryhill Plan (adopted in 2003) and the more recent City HNTB study (2015), which identified this portion of the broader Berryhill area as the most amendable to mixed used development opportunities. The Rezoning has been coordinated with the City's Airport planning initiative, even to the extent of several delays in the filing of the Rezoning and extensions in the dates of the public hearing.

8. **Visually, at the completion of phase one, what is size and heights allowed in phase one for the commercial and residential?**

Residential heights are limited per Ordinance in the Residential District. The remaining Districts are mixed use and therefore there will be a range of uses and heights throughout out each District. Standards are included in each District to address height transitions and buffer dimensions between adjacent single family residential and heights above 4 stories.

9. **What is the breakdown of Phasing in Years and what is the end date for the last phase?**

- a. Phase 1 = 7 – 10 years
- b. Phase 2 = 7 – 10 years
- c. Phase 3 = 10 years
- a. 30 years - 2046

F. **OTHER/MISCELLANEOUS**

1. **Please address the concerns of "edge city" concept with the River district as planned (Sierra Club letter as a reference) – Please refer to developer response to the Sierra Club letter attached to this response.**

2. **What is the driving force for approval of the vested rights for the entire project with this decision?**

The Developers are seeking 5 year vested rights, which for a project of this size which has tens of millions of roadway and infrastructure investment prior to develop of vertical revenue producing improvements is very customary – in fact the classic example of why 5 year vested rights are allowed. There are little to no downside to the City for approving 5 year vested rights in this instance. The vested rights will protect against potential downzoning by Council of the development districts within River District. The conditional rezoning plan also gives Developers confidence in the standards set forth for development which have been laboriously set out. The master planned approach to the River District is a fundamental factor in ensuring for the success of River District and benefits to the City and County. The master planning allows the Developers to take the substantial investment risk associated with an entirely new area of the City and the substantial investments in roads, utilities and other infrastructure, reservations at discounted prices land for schools, parks, fire and police as well as commitments to workforce/affordable housing. Dividing this project into small phases is against all customary planning principles, would be financially unfeasible and would not provide all the civic commitments

3. **On the public projects, why the reservation for 7 or 10 years?**

Could it be until the project completion? The timelines were discussed during conversations with CMS and Park/Rec leadership, including Ann Clark, Carol Stamper, Jim Garges and Lees Jones. The timeframes are within in the next round of capital budgeting for both departments. The developers need to plan for future land use across the 1,377 acres and identifying the school, police, fire and park/rec sites within these timeframes provides enough flexibility for future land use planning.

4. **Provide a timeline for Council decisions on the project from this point to the conclusion of city participation, including agreements for funding of transportation projects?**

As reflected in the recent City Staff presentation, Developers have discussed with City and County staff a framework for combined funding of the roadway improvements in the area which shows that Developers are anticipated to provide for greater 35% of the funding in addition to taking the

risks associated with possible tax increment grant funding. Developers are anxious to move ahead with review of proposals by appropriate City Committees and County Committees so that the framework for the roadway improvements can be further refined and agreed to in a Memorandum of Understanding among the parties. Discussions with the State on funding would also take place in the coming months. Developers would like to have the first meetings of the City and County Committees take place as soon as possible but by early January with the desire for completion of the Memorandum of Agreement on roadway improvements and civic services in the first quarter of 2017 if possible.

5. **Is it possible to correlate the current plan with the population/density/building height for transportation on roads? For transit buses?**

This is a difficult task at best. There has been extensive transportation study and modeling but it does not address all items cited.

6. **Address the necessary requirements if Council wanted to create an overlay district to ensure completion of the infrastructure; provide land for public service projects?**

Respectfully, the Rezoning documents in fact provide for substantial protections for ensuring that infrastructure, roadways and land for public services are satisfied. Development is limited by the installation of roads, commitments to parks, schools, fire and police, workforce housing, transit are all addressed in the rezoning and the funding of elements will be addressed in continued discussions on the MOU. In fact the master planning benefiting community planning associated with the River District is unprecedented. In addition, the tax base benefits will ensure funding to support these services with millions of dollars in tax revenues that will be well over and above serving River District, providing revenues to support community wide services.

7. **Will the Council review the TIF And TIG policies prior to the request from the River District?**

As reflected in the Staff presentations, the Developers have discussed with City and County staff a framework for combined funding of the roadway improvements in the area which shows that Developers are anticipated to provide for greater 35% of the funding in addition to taking the risks associated with possible tax increment grant funding. Developers are anxious to move ahead with review of proposals by appropriate City Committees and County Committees so that the framework for the roadway improvements can be further refined and agreed to in a Memorandum of Understanding among the parties.

But the rezoning approval does need to move ahead. The Rezoning provides protections to the City by addressing civic uses and needs and tying roadway improvements to development levels. Developers have been working on the project for over 2 years with the City and over 20 land owners and never contemplated having the rezoning extended into 2017. Initially the rezoning plan was to be filed in November or December of 2015 but was delayed in deference to the Airport Planning process that has taken many months longer. The rezoning was delayed to a March 2016 filing and a planned hearing in July. This was then delayed to September and then to October. Lincoln Harris cannot by any means assure that the many landowner contracts/venture agreements for its assemblage will remain in place given the contract extensions that have occurred along the way.

Developers appreciate the support of Council with the follow up session to answer questions. The Rezoning protections in place and the leverage that the City has in the transportation area make

this a mutual reliance partnership that actually places significant risk on the Developers in its goals of a public private partnership.

8. What are the consequences of a delayed vote for approval? What are the consequences of no action on the rezoning?

As indicate the rezoning approval does need to move ahead to vote in November. The Rezoning provides protections to the City by addressing civic uses and needs and tying roadway improvements to development levels. Developers have been working on the project for over 2 years with the City and over 20 land owners and never contemplated having the rezoning extended into 2017. Initially the rezoning plan was to be filed in November or December of 2015 but was delayed in deference to the Airport Planning process that has taken many months longer. The rezoning was delayed to a March 2016 filing and a planned hearing in July. This was then delayed to September and then to October. Lincoln Harris cannot by any means assure that the many landowner contracts/venture agreements for its assemblage will remain in place given the contract extensions that have occurred along the way.

Developers appreciate the support of Council with the follow up session to answer questions. The Rezoning protections in place and the leverage that the City has in the transportation area make this a mutual reliance partnership that actually places significant risk on the Developers in its goals of a public private partnership.