

REQUEST	Current Zoning: CC, commercial center Proposed Zoning: B-2(CD), general business, conditional
LOCATION	Approximately 39.06 acres located on the southeast corner at the intersection of Interstate 85 and University City Boulevard across from IKEA Boulevard. (Council District 4 - Barnes)
SUMMARY OF PETITION	The petition proposes development of a 275,000-square foot automotive mall consisting of up to four separate dealerships and accompanying retail services as identified on the site plan.
STAFF RECOMMENDATION	Staff does not recommend approval of this petition as currently proposed. However, staff will to continue to work with the petitioner to address outstanding issues and render a revised site plan for the upcoming Zoning Committee meeting. The petition is consistent with the <i>University City Area Plan</i> , as amended by the previous rezoning. This is an important future development area in the Northeast Growth Corridor and is located in close proximity to the Lynx Blue Line Extension, as well as the University City Boulevard/I-85 interchange. The site is located outside the defined station area for the University City Boulevard Station and is within the I-85 Frontage Edge Area, which is appropriate for interchange-oriented retail uses and/or office and residential uses. However, the form and pattern of development of this parcel will influence adjacent valuable transit oriented development opportunities on nearby properties closer to the proposed University City Boulevard transit station. As currently designed, the petition does not include the level of design detail and commitment needed to maximize the area's multi-modal connectivity and support adjacent transit oriented development.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	DDR Belgate LP Arden Group Cambridge Properties, Inc.
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**
The subject property was rezoned via Petition 2008-059 to CC as part of the larger 198-acre Belgate development which allows up to 450,000-square feet of retail, office, restaurants, two 200-room hotels, and up to 720 attached residential units. The subject property was identified as Parcel B6, which was limited to one drive-through facility, and Parcel C, which allowed 360 attached residential units, with the potential for up to 400 units via the transfer of undeveloped residential units from Parcel A.
- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
Proposed Uses
 - Automobile sales and related uses allowed within the B-2 District, specifically including:
 - Automotive sales and repair,
 - Automotive service stations, including minor adjustments, repairs and lubrication,
 - Automotive repair garages including engine overhaul, body and paint shops and similar operations, and
 - Automobiles, truck and utility trailer rental.
 - Permitted accessory uses include car washes and body shops.
 - Free-standing service stations, strip clubs, accessory drive-throughs, sweepstakes parlors,

billboards and sale of tractor trailer trucks are prohibited.

- An administrative amendment will be filed for Petition 2008-059 that will reduce the development rights by 350 multi-family dwelling units and reduce retail development on a pro rata basis for the retail portion included in Petition 2013-052.

Architectural Standards and Building Square Footage

- Square footage will not exceed 275,000, with no single building to exceed 75,000-square feet.
- Building materials consisting of brick, stone, simulated stone, precast or synthetic stone, precast concrete, stucco, EIFS and metal. Vinyl siding, cementitious fiberboard, pre-engineered metal buildings and aluminum siding are prohibited as building materials.
- An architectural palette provided to demonstrate an example of a building façade that meets the criteria set forth in the development standards.
- The general appearance of individual dealerships will be coordinated in terms of building architecture, landscaping, signage, and streetscape elements by utilizing similar building materials, colors, architectural details, streetscapes, landscape materials and designs.
- Buildings in Development Areas A and B will have external vertical surfaces constructed with 70 percent masonry materials. In addition, a minimum of three elevations of each building in Development Areas A, B,C and D will be articulated and a wainscot of masonry materials will be incorporated into each elevation.
- Overhead entry doors on the main service building will not address the private street network and common plaza area. The overhead entry doors on ancillary and associated buildings will not address the private street network.
- Maximum building height of 40 feet.
- Roof top HVAC and related mechanical equipment will be screened from public view at grade.
- Buildings located along University City Boulevard, IKEA Boulevard Extension and MacFarlane Boulevard will provide a minimum 20-foot setback.

Transportation

- Access to the site will be provided from City Boulevard, IKEA Boulevard extension and MacFarlane Boulevard.
- The existing private street located between Development Area A and B will remain.
- The IKEA Boulevard extension will connect to MacFarlane Boulevard.
- Site will provide public street right-of-way to facilitate connection by CATS to the Lynx Blue Line Connector Road and connection to an adjacent parcel across IKEA Boulevard.
- Public street right-of-way will be dedicated to the edge of the site for connection by CATS to the Lynx Blue Line Connector Road.
- Public street right-of-way dedication for two access points to the edge of the site for connection to tax parcel 047-231-06.
- The bicycle network will be maintained from City Boulevard to the public street that connects to the CATS BLE Station.

Site Design, Open Space and Pedestrian Connectivity

- Retaining walls located on the site will be treated with landscaping.
- Both an interior common plaza area containing a vehicular display area and a linear park containing a vehicular display area for up to 14 automobiles in the utility right-of-way along the IKEA Boulevard extension will be provided. Pedestrian amenities consisting of seating, walkways, specialty hardscape, land forms and enhanced landscape areas will be provided in either the common plaza area or the linear park.
- The site will incorporate the same lighting fixtures as those currently along IKEA Boulevard, will provide specialty hardscape on the portion of IKEA Boulevard that crosses the common plaza, and will provide pedestrian connectivity between all buildings and through customer parking lots.
- A 50-foot natural buffer located adjacent to Interstate 85 will be preserved, in addition to a 50-foot landscape buffer. This will provide a minimum 100-foot buffered area along the Interstate 85 frontage per the original rezoning in 2008.
- The southeast and southwest corners of the intersection of City Boulevard and IKEA Boulevard will be designed to create a sense of entry that complements the monumentation for the Belgate development.
- Existing ponds to remain.
- A common plaza area with seating, specialty hardscape surfaces and enhanced landscape features.
- Detached lighting will be limited to 25 feet in height.

- A maximum 25 percent of the land area within each building envelope may be used for customer parking and vehicle display areas and up to 10 percent of the land area may be used for inventory parking areas.
 - Buildings located in development Areas C and D will address the common plaza area or front the private street network.
 - An easement will be granted to allow a sidewalk connection at the end of Stetson Drive that will connect to the corner of IKEA Boulevard and City Boulevard.
 - Sidewalk and planting strip will be provided along the frontage on MacFarlane Boulevard.
 - **Existing Zoning and Land Use**
Properties surrounding the petitioned site are zoned I-1, CC and MUDD-O and are developed with industrial/warehouse and retail uses. Various uses and vacant properties in INST and RE-2 zoning are located across Interstate 85. Properties south of North Tryon Street are developed with a few business uses and residential uses in B-2, R-12MF, R-17MF, R-6(CD) and R-3 zoning.
 - **Rezoning History in Area**
There have been no rezonings in the immediate area in recent years other than the 2008 rezoning of the Belgate development on the subject property.
 - **Public Plans and Policies**
 - The *University City Area Plan (2007)*, as amended by the 2008 rezoning, recommends retail, and/or office and residential uses.
 - This petition is consistent with the *University City Area Plan*.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Vehicle Trip Generation:**
Current Zoning: 7,200 trips per day.
Proposed Zoning: 3,670 trips per day.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Engineering and Property Management:** No issues.
 - **Charlotte-Mecklenburg Utility Department:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:**
 - Amend Note 5(a)(2) to state "if the 50-foot natural buffer will be used to meet the 15 percent tree save requirement for the City of Charlotte's Tree Ordinance, then removal of any living trees will require a separate permit from Urban Forestry".
-

ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - This site protects/restores environmentally sensitive areas by retaining existing ponds on site and provides a 100-foot buffer along Interstate 85.

OUTSTANDING ISSUES

- The petitioner should address the following issues:

Ikea Boulevard & Site Connectivity

1. Eliminate all vehicle display areas between Ikea Boulevard and the property line (within Duke Power easement).
2. Add a new note under Note 5 that key intersections along Ikea Boulevard as depicted on the technical data sheet will be designed with entry treatments to include: (i) masonry knee walls along street at corners to define edges and screen parking areas; (ii) monumentation as described above consistent/complementary with that of Belgate, (iii) additional landscape and street trees.
3. Amend Note 5(k) to state "An easement will be granted and a sidewalk connection will be constructed at the end of Stetson Drive, which will connect to the corner of Ikea Boulevard and City Boulevard through Common Open Space Area C.

Pedestrian/Multi-modal Connectivity

4. Provide an open space easement along the existing stream and storm water management areas to connect from City Boulevard through the site and to the Duke Power easement.

Building Placement and Architectural Design

5. Provide sample elevations that reflect the intended architectural style and building materials specified. Specify the standard finishes referenced under the heading of Architectural Standards or specify that they are listed in Petition 2008-059.
6. Specify percentage of cementitious fiberboard to be used and delete reference to EIFS.
7. Amend Note 2(d) to state that customer parking and inventory area accessory to the building may be located in the building envelope provided that a principal structure is within the building envelope.
8. Amend Note 2(b) to state that "building frontages have been defined below and are generally depicted within Development Areas A, B, C & D on the Technical Data Sheet. The buildings constructed within these development areas must adhere to the following building frontage standards: (i) building frontages will include the main public entrance to the building; (ii) building frontages will be located to front along public and private streets with no vehicle parking between the building frontage and the street; (iii) building frontages will have a minimum of 60 percent fenestration (an opening in the exterior building wall with windows allowing light and views between the interior and exterior and not screened from view) on the ground floor façade of individual buildings."
9. Add a note on the Architectural Palette Sheet that clarifies what is being committed to and what is not.
10. Amend Note 4(b) to delete EIFS and Prefinished Aluminum Composite Metal Panels.
11. Delete "signage" from Note 4(c).
12. Amend Note 4(c)(1)(i) as follows: "The external vertical elevations (exclusive of windows and doors) of all buildings shall be constructed with a minimum of 70 percent masonry materials (brick, stone, simulated/synthetic stone). No aluminum or vinyl siding or spandrel glass may be used on the elevations of any buildings. In addition, a minimum of three elevations of each such building will be articulated and a minimum three-foot high wainscot of masonry materials listed above incorporated within each elevation. Metal entry elements may be incorporated within building facades to accommodate tenant brand images."
13. Delete Note 4(c)(1)(ii)
14. Amend Note 4(c)(1)(2) to reference public/private street network.
15. Define "service area" referenced in Note 4(d).

Other

16. Amend Note 5(h) to state that the site will carry over the same monumentation at the corner of City Boulevard and IKEA Boulevard as currently exists for Belgate across City Boulevard.
17. Revise Note 6 to reflect Notes 4.d.i and 4.d.ii in the approved site plan for petition 2008-059 relating to the landscape area along Interstate 85.
18. Address Urban Forestry comment.
19. Amend Site Development Data and development notes to list automotive sales allowed within the B-2 District as the principal use. List other uses as accessory uses.

20. Specify proposed use on Development Area B located behind tax parcel 047-461-04.
21. Specify the maximum square footage for Development Area A.
22. Delete the term "gross floor area" from the Site Development Data.
23. Clarify maximum building height to indicate whether height is limited to 40 feet or may be increased as allowed per the zoning ordinance.
24. Clarify maximum number of dealerships. More than one dealership in a building must be counted separately.
25. Reference proposed zoning as B-2(CD) throughout development notes.
26. Amend Note 1(c) to state: The proposed zoning district for the site is B-2 (CD). The proposed uses on the site will be limited to those Automotive sales allowed in the B-2 District. The intent of the petitioner is to develop a complex of up to four (4) automobile sales and accessory uses listed in 1(d).
27. "The proposed zoning district for the site will be limited to automotive sales allowed in the B-2 district. The intent of the petitioner is to develop a complex of up to four (4) automobile sales and accessory uses listed in 1(d).
28. Delete Note 2(a) as it is redundant.
29. Amend Note 2(b) under Permitted Uses & Development Areas as follows: Prior to approval by the City Council of 2013-052, the Petitioner and the owner of the property covered by Petition 2008-059 will file an administrative amendment for Petition 2008-059 that will reduce the development rights pertaining to retail square footage. If Petition 2013-052 is approved by the City Council, the reduction in the retail square footage and number of residential units allowed on Petition 2008-059 will be binding and may not be added back to the Petition through the administrative amendment process. If Petition 2013-052 is not approved by the City Council, the administrative site plan amendment will be null and void. This note needs to reflect the reduction of 350 multi-family units of Parcel C of the Belgate rezoning and xx s.f. of retail use of Parcel B6 of the Belgate rezoning.
30. Amend Note 2(c) to remove "automated freestanding car wash facility(ies) and body shops may be constructed on the site."
31. Delete Note 2(g) the list of prohibited uses.
32. Amend Note 3(b) to state "driveway access to the development areas need to be shown and located on the technical data sheet."
33. Delete Note 3(d).
34. Amend Note 3(e) to add "cross-section acceptable to Planning and CDOT.
35. Amend Note 4(e) to add "walls greater than 10 feet in height will be broken up with landscaped step backs to soften their visual impact. Define and provide a typical cross-section."
36. Amend Note 5(b)(1). Limit encroachment into landscape buffer to no more than 10 feet.
37. Delete Note 5(e).
38. Add the following notes under the heading of Streetscape, Landscaping, Buffers and Common Plaza: Open space corridors will be provided as depicted on the technical data sheet to include: (a) minimum easement of 20 feet; (b) landscaped concept
39. Amend Note 5(g) as follows: A linear park will be provided (mostly within the utility easement along the south side of Ikea Boulevard) from the corner of City Boulevard and Ikea Boulevard to MacFarlane Boulevard as shown on the Technical Data Sheet. The park and the common plaza are will contain a combination of the following pedestrian amenities;
 - (i) Seating areas
 - (ii) Pedestrian walkway/minimum 10' multi-use trail
 - (iii) Land forms (mounds and stabilized slopes)
 - (iv) Enhanced landscape areas (within the parameters of the Duke Energy guidelines for utility easements)
 - (v) Specialty hardscape
40. Amend Note 5(g)(ii) to state "pedestrian walkway/minimum 10-foot multi-use trail.
41. Amend Note 5(j) to add that a bike network will be maintained along all of Ikea Boulevard.
42. Amend Note 5(l) to add the following: "This extension will also be provided along the unimproved portion of MacFarlane Boulevard adjacent to the frontage of development Area C."
43. Amend Note 3(f)(1) to add the following: "Provide dedication of right-of-way up to 77 feet as shown on U-05A of the Charlotte Land Development Standards Manual prior to issuance of a final certificate of occupancy or at the time CATS constructs the connection to Ikea Boulevard, whichever occurs first."
44. Amend Note 3(f)(2) to include following language: "Provide public street dedication of up to 77 feet of right-of-way as shown on U-05A (office commercial wide street classification) of the of the Charlotte Land Development Standards Manual prior to the issuance of the first certificate of occupancy."

45. Add a Note (f)(3) under Transportation as follows: "Preserve the future right-of-way for extension of MacFarlane Boulevard prior to the certificate of occupancy for Development Area C. This right-of-way must be dedicated at the time development occurs on tax parcel 047-231-05. "
-

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utility Department
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

Planner: Sonja Sanders (704) 336-8327