

Note: The petitioner is requesting withdrawal of this petition.

REQUEST	Current Zoning: R-22MF (multi-family) and B-2 (general business) Proposed Zoning: B-2(CD) (general business, conditional) and MUDD-O (mixed used development, optional)
LOCATION	Approximately 20.32 acres located on the south side of East Independence Boulevard and generally surrounded by Briar Creek Road, Television Place, Chipley Avenue, and Arena Boulevard. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to rezone approximately 20.32 acres to allow a coliseum, indoor recreation, hotel, retail, eating/drinking/entertainment establishments, and surface parking.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Independence Boulevard Area Plan</i> .
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	City of Charlotte City of Charlotte (Neighborhood and Business Services) N/A
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 32.

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 300,000 square feet gross floor area for the existing coliseum and auditorium, plus 260,000 square feet gross floor area for MUDD (mixed use development) uses including but not limited to eating/drinking/entertainment establishments, retail, indoor recreation, hotel, office and personal service uses for a total of 560,000 of gross floor area on the site. The site plan defines personal service as uses that primarily provide or sell a service to customers, where the sale of products and merchandise is ancillary.
- Excludes loading docks and parking decks from the gross floor area limitations.
- Allows a surface parking lot on the B-2(CD) (general business, conditional) portion of the site. Parking will also be provided on and off site.
- Allows a maximum building height of 120 feet including roof top mechanical equipment and architectural features.
- Limits the total number of buildings on the site to eight, not including the existing coliseum and auditorium and accessory buildings.
- Improves, to public street standards, the right-of-way on Washburn Avenue from Chipley Avenue to the edge of the property.
- Proposes the abandonment of an unopened right-of-way located between Arena Boulevard and the proposed private street from the south side of Arena Boulevard to the southern edge of the property.
- Allows the coliseum and auditorium to utilize parking even if other improvements/buildings associated with the site are not substantially complete.
- Provides access to the site via Television Place, Chipley Avenue, Arena Boulevard, and Independence Boulevard.
- Proposes a private street running from north to south through the site from Television Place to Arena Boulevard and a pedestrian plaza running east to west through the site from the coliseum to Arena Boulevard.
- Specifies architectural design and provides architectural character images to demonstrate the intended design of plaza entry facades facing the pedestrian plaza and urban edge facades facing the streets.
- Describes screening for parking decks and service areas.
- Specifies allowable building materials to include brick, stone, finished precast concrete,

- decorative concrete masonry units, metal panels, glazing, stucco, and tile cladding and prohibits vinyl siding and unfinished concrete masonry units.
- Provides planting strips and sidewalks along Independence Boulevard (as deemed by CDOT and NCDOT), Area Boulevard, the proposed private street and the east side of the improved Washburn Avenue right-of-way and the south side of Chipley Avenue.
 - Provides a 50.75-foot wide Class "B" buffer, with a fence or berm abutting R-4 (single family residential) zoning.
 - Requests the following optional provisions:
 1. Allow up to two detached digital marquee signs for the site with 36 square feet of sign area and up to ten feet in height.
 2. Allow wall signs to have up to 500 square feet of sign area per wall or 10% of the wall area to which they are attached, whichever is less.
 3. Allow existing signage square footages to be maintained, but not exceeded. Additional signage for new development allowed per the Ordinance and optional provisions.
 4. Allow vehicular maneuvering, parking entrances and service areas adjacent to a proposed building and along the private street as depicted on the site plan.
 5. Allow parking between the building and the street at limited and strategic locations as depicted on the site plan.
 6. Allow first floor street walls on an indoor recreation building facing a street to have blank walls exceeding 20 feet in length but not to exceed 60 feet. These walls are to be architecturally articulated to break up the building mass with texture, color, patterns, banners, or signage.
 7. Allow banners to be located on buildings and light poles.
 - **Existing Zoning and Land Use**
 - The site is currently used for institutional uses including a coliseum and auditorium, with surface parking.
 - Properties north of the site are zoned B-2 (general business) and B-1 (neighborhood business) and developed with an exposition center, television station and undeveloped land. East of the site, properties are zoned B-2 (general business) and developed with a mixture of vacant buildings, office, personal service and retail uses. Parcels south of the site are zoned B-2 (general business) with a hotel and restaurant and R-4 (single family residential) with single family homes. Property west of the site is zoned R-22MF (multi-family residential) with a mixture of undeveloped land, single family homes and multi-family residential.
 - **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
 - **Public Plans and Policies**
 - The *Independence Boulevard Area Plan* (2011) supports the *2030 Transit System Plan* by identifying this area as a future rapid transit station named the Briar Creek Transit Station Area. The area plan recommends institutional uses at The Park and Bojangles Coliseum but also supports incorporation of a mixture of residential, office and/or retail or transit-oriented mixed use over time.
 - The petition is consistent with the Briar Creek Transit Station Area section of the *Independence Boulevard Area Plan*.
 - This petition also meets recommendations of the plan by providing pedestrian connections throughout the site, active ground floor uses, parking that is broken down into smaller blocks and parking shared with other uses.
 - The petition supports the *Strategic Focus Area Plan for the Economic Development and Global Competitiveness Committee* by implementing the Bojangles/Ovens Area Redevelopment Plan and provides a location for amateur sports.
-

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues. This site does not trigger a traditional traffic impact study; however, the reconfiguration of the property will have an impact on the operation of the existing facilities during large events. The City is engaged with a traffic consultant to develop a traffic management plan for these events. The traffic management plan has been received by CDOT and is under review with NCDOT.

- **Vehicle Trip Generation:**
Current Zoning: 3,300 trips per day.
Proposed Zoning: 4,000 trips per day.
- **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** Submit a tree survey showing all trees 2 inches in diameter or greater located in City right-of-way and all trees 8 inches in diameter or greater located in setbacks abutting all public roads adjacent to the entire site.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

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*.
 - Minimizes impacts to the natural environment by developing on an infill site.

OUTSTANDING ISSUES

- The petitioner should:
 1. Address Engineering and Property Management issue.
 2. Update all zoning boundary lines to reflect not only the existing zoning but the proposed zoning. (Example: R-22MF to B-2(CD), B-2 to MUDD-O) on sheet RZ1.0.
 3. Show zoning boundary lines down the streets and right-of-ways where not currently shown and label either side of the lines appropriately, as under outstanding issue 2, on sheet RZ1.0.
 4. Remove the pattern shading from the entire right-of-way of Washburn Avenue as this right-of-way is proposed to be improved and should be shown like the other streets on sheet RZ1.0.
 5. Label the urban edges in the northern portion of Tract 1 on sheet RZ1.0.
 6. Breakdown the proposed uses in the Development Data on sheet RZ2.0 to reflect that MUDD-O uses will be allowed on Tract 1 and 2 and a surface level parking lot will be allowed on Tract 3.
 7. Amend the proposed maximum gross square feet of development in the development data to say "Addition of up to..."
 8. Correct typographical errors with the word "features" in the last sentence of Maximum building height in the Development Data and the underlined period after "CDOT/NCDOT Standards" of Note 5.a.
 9. Indent the second paragraph of Note 2.b. on sheet RZ2.0.
 10. Amend Note 2.h. on sheet RZ2.0 to specify that "light poles" does not include utility poles and public street light poles.
 11. Provide Note 3.b. under Permitted uses and development limitations to indicate the use for Tract 3.
 12. Amend Note 5.c. under Transportation to clearly explain if use of the parking will be allowed if the other improvements/buildings associated with the site have not begun.
 13. Amend Note 6.d under Access to include Chipley Avenue.
 14. Provide a note under the headings of Transportation Improvements and Access and Streetscape, Buffers, Landscaping and Utility Structure Setbacks related to the widening, planting strip and sidewalk improvements to the Washburn Avenue right-of-way.
 15. Provide a note under Streetscapes, Buffers, Landscaping, and Utility Structure Setbacks related to sidewalk and planting strip improvements to Chipley Avenue.
 16. Provide a note on sheet RZ2.0 stating that all parking will be screened from public and private streets.
 17. Add architectural character images to a new sheet of the site plan and reference the sheet under the heading Architectural Guidelines.
 18. Align the proposed sidewalk crossing in the southeast corner of the parking lot between the

proposed private street and the arena/auditorium to align with the existing east/west sidewalk between the arena and auditorium on sheet RZ3.0.

19. Show the improvement to Washburn Avenue extending to the property line or amend the label on sheets RZ1.0 and 3.0.
 20. Delete Note 9 in its entirety.
-

Attachments Online at www.rezoning.org

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

Planner: John Kinley (704) 336-8311