

<b>REQUEST</b>	Current Zoning: BP(CD) (business park, conditional) and MUDD-O (mixed use development, optional) Proposed Zoning: MUDD-O (mixed use development, optional) and MUDD-O SPA (mixed use development, optional, site plan amendment)
<b>LOCATION</b>	Approximately 15.16 acres located off West Arrowood Road at I-485, west of South Tryon Street. (Council District 3 - Mayfield)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow an eating/drinking/entertainment establishment (Type 2) with golf-related outdoor entertainment uses in the area shown as Tract A on the site plan. A Type 2 eating/drinking/entertainment establishment is a business where alcohol is consumed, food and other beverages are optional, and entertainment may be provided, including outdoor entertainment.  Note: The petitioner has removed approximately four acres, shown as Tract B on the site plan, from the rezoning petition. However, a revised site plan has not been submitted as the zoning ordinance prohibits new site plans from being accepted by staff less than four weeks prior to the public hearing.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Whitehall Corporate Center Development Limited Partnership Whitehall Corporate Center Development Limited Partnership John Carmichael, Robinson Bradshaw & Hinson, P.A.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3

<b>STAFF RECOMMENDATION</b>	<p>Staff does not recommend approval of this petition in its current form.</p> <p><u>Plan Consistency</u> The proposed development is consistent with <i>The Steele Creek Area Plan</i> recommendation for a mix of uses, including office, retail and residential, for this and surrounding properties.</p> <p><u>Rationale for Recommendation</u> Although the use is consistent with the area plan, staff does not recommend the petition in its current form because:</p> <ul style="list-style-type: none"> <li>• The proposed signage on the building walls far exceeds the signage allowed by the MUDD (mixed use development) district, which would allow approximately 400 square feet for the subject property. The petition requests 2,140 square feet of wall signage. In comparison, the maximum size of a billboard is 380 square feet and the rezoning for the Tanger Outlet (which contains 525,000 square feet of retail space and a hotel with up to 120 rooms) required an optional provision to allow two 300-square foot signs along I-485, in addition to the signage already authorized by ordinance.</li> </ul> <p>However, staff would recommend approval of this petition if the outstanding issues related to the amount of signage, building height, streetscaping and lighting were addressed. The petition is consistent with the <i>Steele Creek Area Plan</i>. In addition:</p> <ul style="list-style-type: none"> <li>• The proposal adds a unique golf-oriented entertainment use to the Charlotte market.</li> <li>• The large entertainment use will have a regional draw and is appropriate at an interstate interchange location, which will provide good vehicular access.</li> </ul>
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## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Building and Parking Envelope A:
  - Allows an eating/drinking/entertainment establishment (Type 2) with an outdoor entertainment component to include a golfing activity where individuals hit golf balls from the building onto an outdoor field.
  - Allows additional uses in conjunction with the eating/drinking/entertainment establishment which could include additional recreational facilities, retail uses, lounges, meeting and banquet facilities, and covered bays for tee boxes.
  - Restricts the maximum gross floor area of the building devoted to the eating/drinking/entertainment establishment to 75,000 square feet. The area of the outdoor field will not be considered and counted towards the maximum 75,000 square feet of gross floor area.
- General Commitments:
  - Depicts a future internal road to be designed as a local office/commercial wide street and provides access for the eating/drinking/entertainment establishment off the new local street.
  - Commits to the construction of a left-turn lane on westbound West Arrowood Road at the vehicular entrance into the site, with a minimum storage of 150 feet.
  - Installs a 20-foot wide landscaped area along the site's frontage on Interstate 485.
- The following optional provisions are being requested:
  - Allow wall signs on the front elevation of the building with a total maximum sign surface area of 1,000 square feet, and wall signs on each side elevation of the building with a maximum sign surface area of 380 square feet for each side.
  - Allow signs, bulletin boards, kiosks, and similar structures that provide information for commercial activities on the site.
  - Allow the construction of one monument style building identification sign for each of the buildings to be developed on the site. These signs must be located along interior streets and may be up to seven-feet in height and have up to 60 square feet in signage area per side.
  - Allow parking and maneuvering areas to be located between the buildings and structures located on the site and the required setbacks from all adjacent public and private streets.
  - Allow the lighting and netting height associated with the entertainment use to exceed the maximum 120-foot height allowed in the MUDD.
- **Existing Zoning and Land Use**
  - The subject site, which is currently vacant, is part of the 730-acre Whitehall multi-use development originally approved in 1994 (1994-011c). This approval allowed a mix of commercial, office, business park, and light industrial uses, and residential units of varying types.
  - The subject property was included in an area of approximately 166 acres of the 730-acre project that was zoned BP(CD) (business park, conditional). The site plan allowed a corporate business park consisting of up to 1,330,000 square feet.
  - Properties on the north and south side of West Arrowood Road are zoned R-3 (single family residential), O-1(CD) (office, conditional), BP(CD) (business park, conditional), MUDD-O (mixed use development, optional), and I-1(CD) (light industrial, conditional). The majority of parcels are vacant except for a multi-family residential development to the southwest of the subject property.
  - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - Petition 2013-02 rezoned 114 acres located on the east side of Interstate 485 at the intersection with Sandy Porter Road to O-1(CD) (office, conditional) and I-1(CD) (light industrial, conditional) to allow a business park with office uses, limited industrial uses and certain other permitted uses.
- **Public Plans and Policies**
  - The *Steele Creek Area Plan* (2013) recognizes the approval of the 1994 rezoning for the 730-acre Whitehall mixed use development, and recommends a mix of uses, including office, retail and residential uses.

## TRANSPORTATION CONSIDERATIONS

- This site was previously entitled for a mix of uses that included retail and office, which could generate 5,700 trips per day. By committing to the uses proposed on this site plan, the trip generation potential of the site is reduced to 4,300 trips per day. This site was part of a larger rezoning that includes commitment for future signalization of Arrowood Road at the site's

driveway, along with various other offsite turn lane improvements. None of the prior commitments are affected by this rezoning even though the trip generation potential has gone down.

- **Vehicle Trip Generation:**  
Current Zoning: 5,700 trips per day.  
Proposed Zoning: 4,300 trips per day.

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** 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.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Urban Forestry:** No issues.

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**OUTSTANDING ISSUES**

Site and Architectural Design

1. Reduce the square footage of the signs proposed by the optional request, as the sign are significantly larger than the signage allowed for other commercial developments.
2. Provide a maximum building height of 60 feet.
3. Commit to 30-foot setbacks with eight-foot planting strips, eight-foot sidewalks, and 14-foot planting areas behind the sidewalk to screen parking along Arrowood Road and the internal street.
4. Provide standards for the landscaping to be provided behind the sidewalk along Arrowood Road and the internal street.
5. Provide more details on the lighting as it cannot obstruct the vision of motorist on nearby roads or residential properties in the area. At a minimum, the maximum height, number, size, time of use, direction of lighting, and extra buffers should be provided.
6. Change the use on RZ-2, Tract A from "proposed commercial outdoor amusement" to "eating/drinking/entertainment establishment (Type 2) with outdoor entertainment."

**REQUESTED TECHNICAL REVISIONS**

1. Eliminate the notes on the rezoning site plan, which are related to Tract B as this area has been removed from the petition.
  2. Add a note to the "General Provisions" that if there is a conflict between the site plan and the ordinance, the more restrictive will apply.
  3. Remove Note B under "Optional Provisions" as the City cannot regulate the content of signs per the recent Supreme Court of the United States ruling.
  4. Eliminate the portion of "Optional Provisions" Note C, which indicates that way finding and directional signs will be in accordance with the ordinance.
  5. Delete B.4 under "Permitted Uses/Development Limitations," which prohibits accessory drive-through windows as they are not allowed unless requested through an optional provision.
  6. Delete the definition of "Gross Floor Area" under "Permitted Uses/Development Limitations", as the ordinance standards will apply in calculation of square footage.
  7. Show all setbacks measured from the future back of curb.
  8. Identify the "front of the building", as related to the 1,000-square foot sign, on the site plan.
  9. Indicate from where the landscape area along the exit ramp and the interstation is being measured.
  10. Delete notes B, C, and D under "Signs" as they are already listed in the optional request section notes.
  11. Remove the last sentence of Lighting Note E requesting additional height for the lighting and nets associated with the outdoor entertainment.
  12. Remove the street cross sections shown on RZ-3 as they are already included in the Land Development Standards Manual.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

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

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