

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007-136

Property Owner: Mecklenburg County

Petitioner: Mecklenburg County

Location: Approximately 3.29 acres located between W 4th Street, W Martin Luther King Jr. Boulevard, S. Graham Street and S. Mint Street

Center, Corridor or Wedge: Center

Request: UMUD, urban mixed-use district to UMUD-O, urban mixed use district, optional.

Summary

The proposed optional request is to allow vehicular maneuvering in the right-of-way of W. Martin Luther King, Jr. Boulevard. This will allow access to the service areas of the new baseball park.

Consistency and Conclusion

This petition is considered consistent with the recommendations of the *Center City 2010 Vision Plan* and is recommended for approval. The approval of this petition will have the effect of amending the Center City 2010 Vision Plan by recognizing this location as the appropriate site for the uptown baseball stadium.

Existing Zoning and Land Use

The properties surrounding the petitioned site are zoned UMUD and are developed for a variety of uses including office and warehousing.

Rezoning History in Area

The most recent rezoning in the area was petition 06-55 for The VUE Charlotte, LLC. The property was rezoned from UMUD to UMUD-O in order to develop a high-rise residential tower together with other possible uses permitted on a 1.2-acre site located at the northeast intersection of North Pine Street and West Fifth Street. The petition rezoned approximately 0.35 acres of the site from UMUD to UMUD-O to allow variations from the minimum UMUD standards primarily for setback encroachments and streetscape standards.

In 2000, petition 2000-136 for Cornerstone Real Estate Advisers, Inc. rezoned approximately 2.5 acres located on the west side of Church Street, between West Third Street and West Second

Street from UMUD to UMUD-O. The optional allowed for a reduction of the required 50% first floor retail square footage, which is 31,001 square feet to 20,075 square feet.

Public Plans and Policies

Center City 2010 Vision Plan (2000). The subject property is located in the South Tryon Entertainment District. Although the plan recommends the location of the baseball stadium at the intersection of Carson Boulevard and South Tryon Street, it indicates that locating the stadium in the downtown will serve as a catalyst for activity. The plan notes that the baseball stadium will have an “activation time” during the evening and weekends allowing the shared use of parking, transit, and open space. Locating the stadium within the South Tryon Entertainment District will accomplish these goals.

Proposed Request Details

The site plan accompanying this petition indicates that the site will be used for a minor league baseball stadium as well as other uses permitted in the UMUD district. The site plan notes the optional request for vehicular/truck maneuvering and loading areas along new W. Martin Luther King Jr. Boulevard. The site plan notes that the development will comply with all applicable ordinances, land development, storm water and other related regulations in effect as of the date of approval of this petition, provided that an application for a building permit for the first building is filed within two years. If this does not occur, all development of the site will adhere to all ordinances and regulations in existence at the time of the application for the first building permit.

If this request is approved, the petitioner requests that it serves to amend the *2010 Center City Plan* to acknowledge the placement of a baseball stadium in the “Sport and Entertainment District” (a.k.a. the South Tryon Entertainment District) within Third Ward.

Public Infrastructure

Traffic Impact / CDOT Comments. Consistency with Transportation Action Plan (TAP): The two goals of the TAP that most directly affected the staff’s review of this petition define the integration of land use and transportation, and the provision of transportation choices.

- Goal 1 of the TAP relies on the Centers, Corridors and Wedges land use strategy to be implemented. This project site is located in a Center and appears to support the Centers, Corridors and Wedges land use strategy.
- Goal 2 of the TAP describes various connectivity and design features that are important for motorists, pedestrians, and bicyclists. Specific comments are identified below that need to be addressed for CDOT’s support of the petition and to bring the site plan into compliance with the TAP and best practices for multimodal transportation.

CDOT has the following specific comments that are critical to their support of the rezoning petition:

- 22-foot setbacks need to be provided along all four abutting streets (16-foot sidewalks with trees in tree pits), consistent with the *Center City Transportation Plan*.
- Trucks will be restricted from accessing this site during the following times:
 - When the Bank of America Stadium traffic management plan is in effect
 - When the Knights Ballpark traffic management plan is in effect
 - During special events occurring in 3rd Ward Park (Westpark) that require street closure(s), at the discretion of CDOT
 - During special events occurring in Uptown that require street closure(s), at the discretion of CDOT (e.g., Speed Street)
 - Weekdays 6-9 AM
 - Weekdays 3-7 PM
- Trucks shall not dwell in the right-of-way of W. Martin Luther King Boulevard (MLK). They shall stop only as incidental to changing direction from forward to reverse or vice-versa.
- The operation of any driveway to MLK must not conflict with the operation of the driveway to the existing Duke Energy parking deck.

CATS. CATS did not comment on this petition.

Storm Water. Storm Water Services requests that that the site plan include the notes on Storm Water Quantity Control, Storm Water Quality Treatment and Volume and Peak Control

School Information. This petition will not impact the school system.

Outstanding Issues

Land Use. The *Center City 2010 Vision Plan* recommends an entertainment/sports district in the general area of the subject property. Therefore, this petition considered appropriate for approval from a land use perspective.

Site plan. There are no outstanding site plan issues.