

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007-082

Property Owner: P & L Coliseum LP and City of Charlotte

Petitioner: Pope and Land Enterprises, Inc.

Location: Approximately 170.27 acres located between W. Tyvola Road and Billy Graham parkway at the site of the old Charlotte Coliseum

Center, Corridor or Wedge: Center

Request: **FROM:** R-4, single family residential, O-15 (CD), office conditional district, O-1 (CD), office conditional district, MUDD-O mixed use development district, optional and I-2 (CD), general industrial conditional district

TO: MUDD-O, mixed use development district optional and MUDD-O SPA, mixed use development district, optional, site plan amendment and vesting of five years.

Summary

This petition proposes to modify the previously approved zoning and site plan for the former Charlotte Coliseum property and several adjacent properties along Price Lane. The request includes up to 200,000 square feet of retail, two hotels with no more than 350 rooms, up to 400,000 square feet of commercial (office) development and up to 2,500 attached, multi-family or detached single-family residential units. The petitioner is requesting vesting for a period of five (5) years.

Consistency and Conclusion

The proposed request is consistent with the *Southwest District Plan* and upon resolution of the outstanding site plan issues, is considered appropriate for approval.

Background

Petition 2003-41 rezoned approximately 154 acres to allow the development of up to 2 million square feet of office, 85,000 square feet of retail, 120 hotel rooms and 1,200 multi-family units. The approved site plan allowed some of the office to be converted to meet the multi-family maximums. In addition, retail uses allowed by the zoning ordinance in conjunction with office uses were not counted toward the maximum retail square footage.

Existing Zoning and Land Use

The properties surrounding the coliseum complex are zoned a mix of office, industrial, business park and single family residential. Existing land uses include office, hotel, restaurant, and vacant land.

Rezoning History in Area

Prior to the 2003 rezoning of the coliseum property, the most recent rezoning in the area immediately around the petitioned site was for the property located on the northeast corner of Tyvola Road and Billy Graham Parkway. The property was rezoned to allow the development of an office complex and the future home of Billy Graham Evangelical Association.

Public Plans and Policies

The *Southwest District Plan* (1991) shows various portions of the subject property as mixed office/retail, mixed multi-family residential/office, and office by virtue of the prior rezoning petition 2003-041. The small element south of Tyvola Road is shown as open space. Prior to the rezoning it was recommended for Institutional and Office uses.

Proposed Request Details

The site plan accompanying this petition includes the following:

- A three-mile hard surface trail system will encircle the site.
- Surface level parking will not be located between building fronts and public streets. However, parking may be located to the side and or rear of buildings located along the public streets.
- Lighting facing a residential component will be capped and downwardly directed.
- Roof mounted mechanical equipment will be screened from view from adjoining public rights-of-way and abutting properties as viewed from grade.

The optional requests are as follows:

- Deviations that would allow surface level off-street parking and maneuvering space within areas located to the front of any building fronting any public street which was in existence as of the date on which this rezoning petition is approved.
- Deviations that would allow temporary surface level parking and maneuvering within areas between public or private streets and buildings fronting these streets in instances where the areas are earmarked for future buildings.
- A port-cochere for a hotel.
- Enclosed, sheltered, and unenclosed urban spaces and plazas.
- Drop-off areas in front of office buildings.
- Service areas for uses such as mail delivery, trash disposal, above-ground utilities, loading and delivery.

- Deviations from the requirements for urban open space, trees, street trees and other plantings (including types, placement, and maintenance systems set fourth in the Ordinance).
- A deviation from that would allow the sidewalks currently located on the site which runs along Tyvola road to remain.
- Deviations to accommodate optional paving systems used on private plazas and walkways.
- Deviations from the sign ordinance that are specified in the Signage package which accompanies the petitioner's rezoning application.
- The establishment of limited drive-through facilities as accessory uses for each of the following principal uses that may be located on the site in accordance with (and subject to) the provisions of Section 3: a coffee shop; a bank; a drug store; and a dry cleaners.

The following table compares the proposed development rights with the current development rights.

USE	THIS PLAN	PRIOR PLAN
Land Area	170 acres	154 acres
Office	400,000 sq. ft.	1,600,000 sq. ft., up to 2,000,000 sq. ft.
Retail	200,000 sq. ft.	85,000 sq. ft.
Residential	2,500 d.u. (14.7 du/ac)	500 d.u., up to 1,200 d.u. (3.2 to 7.8 du/ac)
Hotel	2, max. 350 rooms	1, max. 120 rooms

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT comments are attached.

CATS. CATS had no comments on this petition.

Storm Water. All Storm Water comments have been addressed.

Parks and Recreation. Parks and Recreation has several comments on the trail system and its design. These comments are attached.

School Information. This development will add approximately 169 students to the schools in this area. See attached memo for additional information.

Outstanding Issues

Land Use. The proposed request integrates retail and residential uses in a predominately office area. The site plan integrates residential, retail and office buildings on a series of public and private streets creating a pedestrian scale urban mixed-use village. This introduces a new form of development to this part of the city, which up until now has been dominated by single use development. The petition is appropriate for approval, subject to resolution of site plan issues.

Site plan. The following site plan issues are outstanding:

- Text that summarizes specific pedestrian enhancements (crosswalks, lighting, landscape, ped-refuge islands) across Tyvola Road should be provided.
- Conceptual elevations of 5-10 story buildings should be provided. Specify the height should be a maximum of 120 feet on all buildings.
- The following note should be modified as indicated: "...surface level off street parking and maneuvering space within areas that abut a public street and are located to the side or rear of any building fronting the existing public street, not new internal public streets."
- 10% of the site should be provided in tree save. This should be noted in the site development table and the location shown.
- Spandrel glass on the first floor should be prohibited throughout the site.
- The petitioner should submit the signage package noted in the optional requests.
- The private streets indicated on the site plan are a critical component of the street network for the site. As a result, the private streets indicated on the plan may not be removed or closed as part of the development or redevelopment of the site.