

<b>REQUEST</b>	Current Zoning: I-1(light industrial) and B-2(CD)(general business conditional) Proposed Zoning: MUDD-O (mixed use development, optional) with five year vested rights
<b>LOCATION</b>	Approximately 14.2 acres located along McFarlane Boulevard and south of University City Boulevard. (Council District 4 - Phipps)
<b>SUMMARY OF PETITION</b>	The petition proposes to develop a vacant site with an 80,000 square foot eating/drinking/entertainment establishment (Type 1 and/or Type 2) with golf-related outdoor entertainment or other uses.
<b>PROPERTY OWNER</b>	UCAM-1, LLC, Reeves Floral Products, Inc.
<b>PETITIONER</b>	Arden Group, LLC
<b>AGENT/REPRESENTATIVE</b>	Cambridge Properties, Inc., John J. Priester, Jr.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 2

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition.</p> <p><u>Plan Consistency</u> The request for the portion of the property that is zoned I-1 (light industrial) is inconsistent with the adopted plan, which recommends office, and warehouse/industrial uses. The request for the portion of the property zoned B-2(CD) (general business, conditional) is inconsistent with the area plan, which recommends automobile sales and services, as amended by Petition 2013-52.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The site is located in the Northeast Growth Corridor which by policy encourages increased intensity, redevelopment of underutilized properties, and development of regional-serving uses requiring high levels of vehicular access.</li> <li>• The proposed entertainment use is an appropriate intensification and redevelopment of the existing Industrial and B-2 (CD) zoning which contemplated low intensity industrial and automotive sale/service development.</li> <li>• The site is adjacent to I-85, providing a location that minimizes the visibility of fencing and lighting associated with an outdoor driving range on surrounding land uses.</li> <li>• The site is accessible to I-85 via Ikea Boulevard and University City Boulevard, providing appropriate vehicular access to the proposed regional-serving entertainment uses.</li> <li>• The proposed development will provide a network of streets consistent with the University City Area Plan that will enhance pedestrian and vehicular connectivity to the University City Boulevard Transit Station.</li> </ul>
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#### **PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Proposes 80,000 heated square feet for an eating/drinking/entertainment establishment (Type 1 and/or Type 2), with outdoor entertainment uses consisting of golf related activities.
  - Maximum building height of 80 feet.
  - Public streets 1, 2, and 3 will be **built to CDOT standards and constructed as approximately shown on Sheet RZ-2** prior to the first certificate of occupancy for the first building **on the rezoned property.**
  - **Public Street 1 may be constructed in one of the two locations depicted on Sheet RZ-2 as Option 1 and Option 2. In the event Public Street 1 is constructed in the Option 2 location then Public**

- Street 2 shall stop at the newly created intersection of Public Street 1 and Public Street 2.
- In the event CDOT elects not to accept and maintain Public Streets 1, 2 and 3, they shall be maintained as private streets.
  - The front exterior elevation of the building shall have a minimum of four different materials intended to articulate the building and visually break up expansive walls.
  - Exterior lighting fixtures may be attached to any portion of the building to be constructed on the site to illuminate the outdoor field associated with the golfing activity or golfing game of skill that is a portion of the eating/drinking/entertainment establishment (Type 1 and/or Type 2) with outdoor entertainment uses.
  - Provided a conceptual architectural rendering of the front elevation of the building to be constructed, which is intended to depict the general conceptual architectural style and character of the front elevation of the building. The front elevation of the building to be constructed shall be designed and constructed so that such elevation is substantially similar in appearance to the architectural rendering. Notwithstanding the foregoing, changes and alterations which do not materially change the overall conceptual architectural style and character shall be permitted.
  - On the side of the building facing Public Street 2 any building wall exceeding 40 feet in length or 36 feet in height shall be treated by landscaping, garden areas, works of art, and/or architecturally articulated facades.
  - Optional Provisions include:
    - Allowing parking and maneuvering between the building and street.
    - Allowing a ~~110 square foot sign above the canopy on the front of the structure~~ sign to be installed at the top third of the main building elevation attached to the wall above the front door entrance with a maximum sign face area of 250 square feet.
    - Allowing ~~1,275~~ 1,270 square feet of signs and logos to be integrated into the building architecture.
    - Allowing netting and support poles associated with the golf related use up to 180 feet in height.
    - Allowing a 50-foot undisturbed landscape buffer along the frontage of I-85 and I-85 Service Road, which may be used to satisfy tree save and/or open space requirements. In addition, a 50-foot replanted buffer containing five large and five small maturing trees per 100 linear feet will be planted parallel to the undisturbed buffer ~~along the entire site frontage along I-85~~, and may be used to satisfy tree save and/or open space requirements. Netting, netting support poles and supporting wires may be located in the replanted buffer.
    - Eliminating setbacks and buffers adjacent to surrounding parcels.
    - Exemption from compliance with streetscape design standards pertaining to street walls, reflective surfaces, and building entrances.
  - **Existing Zoning and Land Use**
    - The subject property is currently vacant, and zoned I-1 (light industrial) and B-2(CD) (general business, conditional).
    - The portion of the subject property zoned B-2(CD) (general business, conditional) was rezoned as part of an overall 39.06 acres via Petition 2013-052 to allow a 275,000-square foot automotive mall consisting of up to four separate dealerships and accompanying retail services
    - Properties surrounding the petitioned site are zoned I-1, (light industrial), B-2(CD) (general business, conditional), TOD-M (transit oriented development, mixed use), and TOD-M(CD) (transit oriented development, mixed use, conditional) and are developed with industrial/warehouse and retail uses. The Belgate development zoned CC (commercial center) and MUDD-O (mixed use development, optional) is located across University City Boulevard. Vacant properties zoned RE-2(CD) (research, conditional), RE-2 (research), and R-3 (single family residential) zoning are located across Interstate 85. Properties south of North Tryon Street are developed with a few business and residential uses in B-2 (general business), B-2(CD) (general business, conditional), TOD-RO (transit oriented development, residential optional), R-12MF and R-17MF (multi-family residential) zoning.
    - See "Rezoning Map" for existing zoning in the area.
  - **Rezoning History in Area**
    - Petition 2015-47 rezoned approximately 22 acres located on the east side of Macfarlane Boulevard near the intersection of North US 29 By-Pass Highway and North Tryon Street from I-1 (light industrial) to TOD-M(CD) (transit oriented development – mixed-use, conditional) to allow all uses permitted in the TOD-M (transit oriented development - mixed-use) district. Petition 2015-20 rezoned approximately 15.43 acres located on the southwest corner at the intersection of US 29 and North Tryon Street from B-2 (general business) to TOD-RO (transit oriented development - residential, optional) to allow all uses in the TOD-R (transit oriented development - residential) district and limits multi-family to 375 units. Petition 2013-89 rezoned approximately 11.44 acres located on the north side of North Tryon

Street and I-85 Service Road, between Macfarlane Boulevard and Stetson Drive from I-1, light industrial to TOD-M, transit oriented development, mixed use to allow all uses within the TOD-M (transit oriented development, mixed use) district.

- **Public Plans and Policies**

- The *University City Area Plan* (2015) recommends office, warehouse, and light industrial uses for the site currently zoned I-1. Retail uses are appropriate only when accessory to the primary use located within the same building.
- The *University City Area Plan* (2015) as amended by Petition 2013-52 recommends automobile sales and services for the site currently zoned B-2(CD). Over time, sites are encouraged to develop with additional moderate density residential (up to 22 dwelling units per acre) and/or office uses. Residential development in this area is encouraged to include a variety of housing options. Other retail uses are only appropriate on the ground floor of residential and/or office buildings.

- **TRANSPORTATION CONSIDERATIONS**

The site is located along major collectors in a transit station area surrounded by major thoroughfares and I-85. The site plan commits to construction of a local north/south public street that supports the goals of the area plan at the Blue Line Extension University City Boulevard Station and Park and Ride.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 0 trips per day (based on vacant property).

Entitlement: 1,280 trips per day (based on 8,650 square feet of warehouse uses and 38,490 square feet of automotive sales).

Proposed Zoning: 3,000 trips per day (based on 80,000 square feet of golf entertainment complex use)

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

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood 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 Water:** Charlotte Water has water system availability for the rezoning boundary via existing 12-inch water distribution mains located along Macfarlane Boulevard and the North I-85 Service Road. The proposed rezoning is located in an area that Charlotte Water has been determined to have limited sanitary sewer system capacity. Due to the limited project details that were provided, Charlotte Water cannot provide concurrence for this rezoning boundary at this time.
- **Engineering and Property Management:**
  - **Arborist:** No trees can be removed or planted in the right-of-way of any state maintained street without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City. Trees cannot be removed from or planted in the right-of-way of all City of Charlotte maintained streets. Species must be approved before planting. A tree survey must be submitted for all trees two inches or larger located in the rights-of-way. In addition, the survey shall include all trees eight or larger in the setback.
  - **Erosion Control:** No issues.
  - **Land Development:** No issues.
  - **Storm Water Services:** No issues.
  - **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

**OUTSTANDING ISSUES**

Site and Building Design

1. ~~Provide a 100-foot buffer along I-85, which can be supplemented with additional trees to create an enhanced visual barrier.~~ Addressed.
2. ~~Add a note that an administrative amendment will be applied for Petition 2013-52 to reflect changes to the road layout.~~ Staff has rescinded this request and added a new request as follows:

Amend site plan to show and label the proposed realignment of Public Street 1 as "Option 1: possible realignment of Public Street 1," and reflect the portion of Public Street 2 to the west of the current alignment of McFarlane Boulevard as "Possible Public Street 2 alignment."

Addressed

3. ~~Add note indicating that blank walls shall be treated on all floors for anything over 20 feet in length, with both vertical and horizontal treatment.~~ Staff has rescinded this request and added a new request as follows: Provide building elevations that will address treatment of blank walls.

Addressed

4. ~~Screen all parking on all sides with landscaping and/or seat walls.~~ Staff rescinded as this is an ordinance requirement and will be addressed during permitting.

#### **REQUESTED TECHNICAL REVISIONS**

##### Land Use

1. ~~Amend Site Development Data to indicate that portions of the tax parcels 04723105, 04723199, and 04723114 are included in the rezoning request.~~ Addressed
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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 Housing and Neighborhood Services Review
  - Charlotte Fire Department Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

**Planner: Sonja Strayhorn Sanders (704)336-8327**