



Zoning Committee Recommendation

Rezoning Petition 2024-061

September 4, 2024

REQUEST

Current Zoning: UC (uptown core)
Proposed Zoning: UC(EX) (uptown core, exception)

LOCATION

Approximately 1.90 acres bound by the north side of East Trade Street, west side of North Davidson Street, south side of East 5th Street, and east side of North Caldwell Street.
(Council District 1 - Anderson)

PETITIONER

Charlotte PEC, LLC

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 6-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

To Approve:

This petition is found to be **consistent** with the *2040 Policy Map* (2022) based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map* calls for Regional Activity Center.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- Developments such as sporting facilities often result in unique zoning scenarios that challenge typical ordinance regulations and prompt innovative solutions to contend with zoning limitations in projects like this petition. Exception (EX) conditional rezonings are a mechanism by which quantitative and some qualitative zoning and streetscape standards may be modified in exchange for the commitment to public benefits in at least two out of three categories: city improvements, public amenities, and sustainability measures. EX petitions should be reserved for situations where extenuating circumstances make meeting ordinance standards an undue burden.
- Sporting facilities and their associated accessory uses have atypical site and building designs to accommodate their uses. This proposal requests EX provisions to

modify standards such as transparency levels and minimum ground floor height. The vast majority of the EX requests in this petition are quantifiable in nature and are found to be reasonable given the context of the site and intended uses.

- The site is currently underutilized as a surface parking area in the densest core of the City where vertical mixed-uses and generally intense development is preferred. This rezoning and its associated uses of a practice facility including sporting events and commercial operations would shift the use of the site to be in alignment with the adopted Regional Activity Center Place Type.
- Two substantive public benefits are committed to as part of this EX request. The building developed on the site will comply with green building standards by being Leadership in Energy and Environmental Design (LEED) certified or by using other equivalent green building standards. The petitioner also commits to providing a public art feature on the site and will seek input from the City's Urban Design Center regarding potential local artists.
- This site will be easily accessible from various public transportation options as it is a tenth of a mile from the Charlotte Transportation Center and will be serviced by the LYNX Blue Line light rail, the LYNX Gold Line streetcar, and various bus routes. Redevelopment of underutilized lots such as these along major transit corridors help to directly support transit infrastructure while also providing a mechanism for the public to easily access a site in the City's core.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 4: Trail & Transit Oriented Development
 - 7: Integrated Natural & Built Environments

Motion/Second: Stuart / Neeley

Yeas: Neeley, Winiker, Blumenthal, McDonald, Shaw, Stuart

Nays: None

Absent: Sealey

Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is consistent with the *2040 Policy Map*.

Chairperson Blumenthal asked about the resolution of the Urban Forestry outstanding issues. Staff confirmed that the petitioner team removed the EX provision related to changing tree save and planting standards.

Chairperson Blumenthal asked about the amount of retail that may occur on the site. Staff responded that commercial and retail will occur as accessory to the practice facility uses; but at this time, we do not have a minimum amount of commercial uses that may be developed. Chairperson Blumenthal added that art features will help to activate that area, and pocket retail spots would also be preferred.

Commissioner Shaw asked why only a portion of the parcel is being rezoned. Staff responded that only a portion of the parcel was needed for this proposal so the EX provisions will be limited strictly to the rezoning boundary; though there may be future development plans on the remainder of the parcel, it was not necessary to bring it into the rezoning boundary. That portion of the parcel will still have UC zoning and can develop to those standards or seek a future rezoning.

There was no further discussion of this petition.

Holly Cramer (704) 353-1902

PLANNER