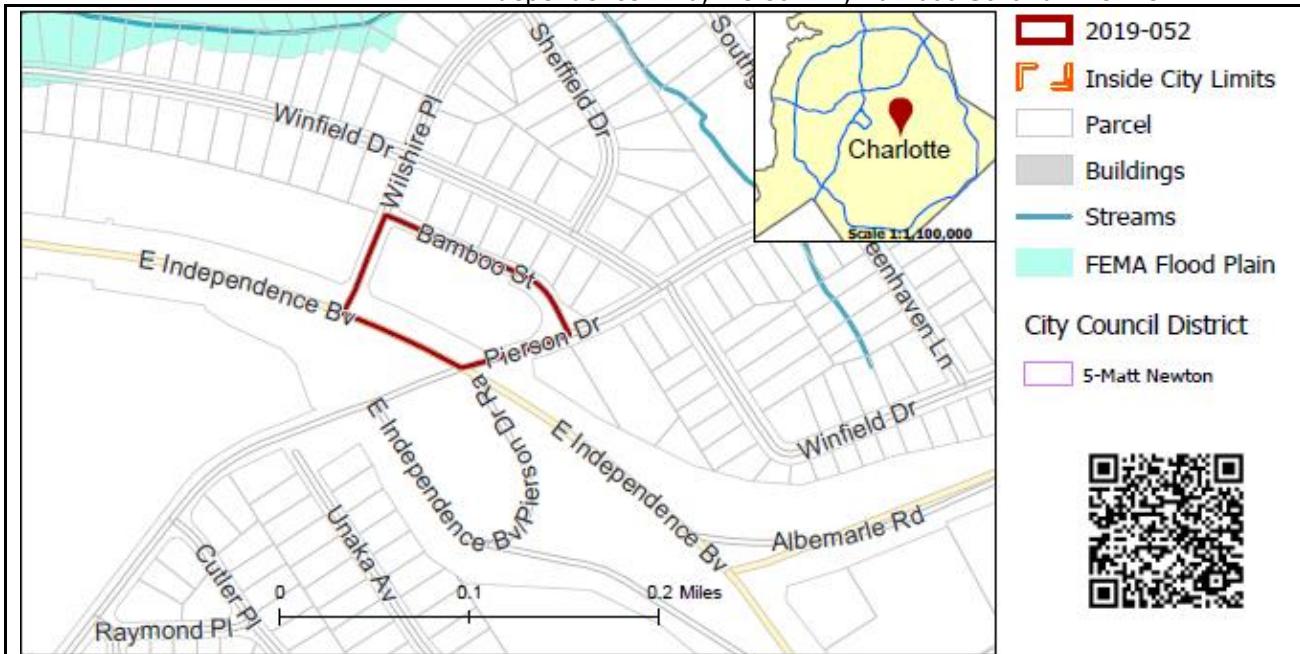


**REQUEST**

Current Zoning: MUDD-O (mixed use development, optional)  
Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment)

**LOCATION**

Approximately 2.11 acres located on the north side E. Independence Blvd, Pierson Dr, Bamboo St. and Wilshire Pl.



**SUMMARY OF PETITION**

The petition proposes an amendment to the previously approved rezoning petition to allow the reuse of an existing building and additional redevelopment on the site. The proposal would modify the conditions related to signage and additions to the existing building that remains.

**PROPERTY OWNER**

The Ervin Building LLC

**PETITIONER**

Beaver Creek CRE LLC

**AGENT/REPRESENTATIVE**

Jeff Brown & Keith MacVean, Moore & Van Allen

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 45.

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Independence Boulevard Area Plan* as amended by the previous rezoning.

Rationale for Recommendation

- The plan recommends mixed non-residential (office, retail uses) per the recently approved rezoning petition 2017-167.
- The proposed site plan amendment does not change the proposed uses for the site.
- The proposal changes the location of proposed signage and removes the previously approved proposal for a building addition to the existing building within Development Area A and transfers the square footage to Development Area B.

- The proposal maintains restrictions from the previously approved petition related to the specialty signage.
- Removing the proposed addition allows the opportunity for the existing building in Area A to be designated as historic for tax credit purposes.
- The change creates a better pedestrian realm in front of the existing building in Area A.

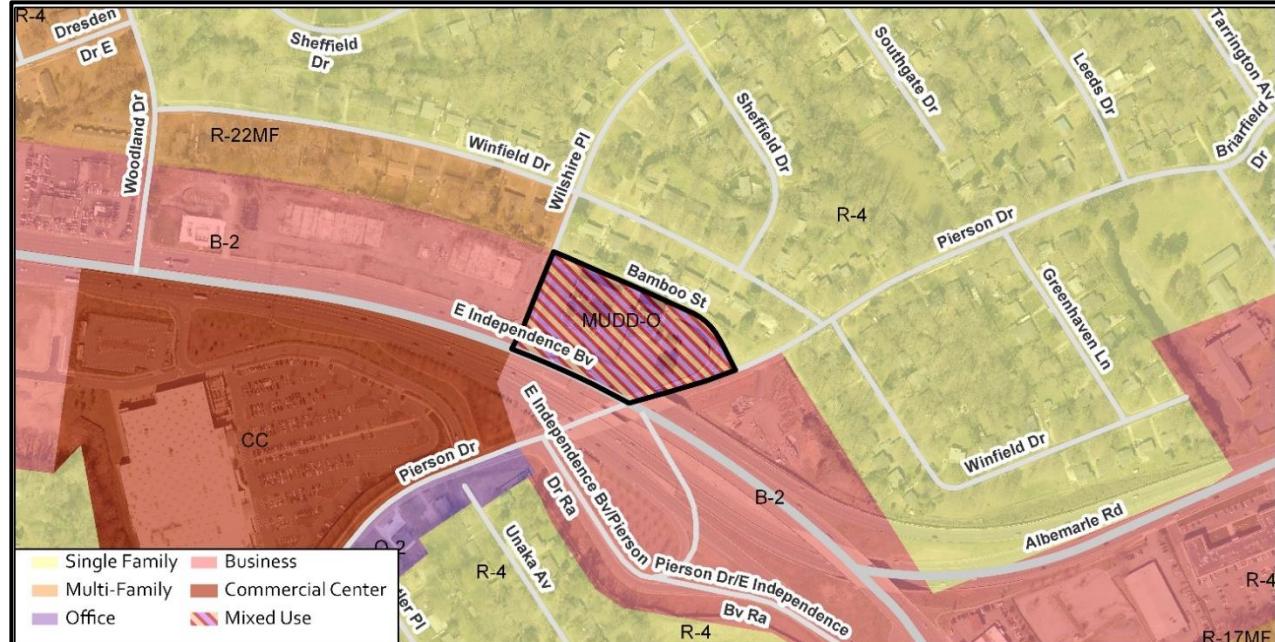
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan amendment contains the following changes:

- Removes ability to construct an addition to the existing building located in development area A.
- Reduces the area that may be devoted to retail, EDEE or personal service uses in development area A from 12,000 to 6,000 square feet.
- Increased the area that may be devoted to retail, EDEE or personal service uses in development area B from 6,000 to 12,000 square feet.
- Transfers the previously approved 725 square feet of specialty signage from development area A to development area B.
- Modifies the phasing for development area B to say it is expected to be completed in 3 phases rather than 2.
  - Phase 1 – demolition of existing building, construction of new building at corner of Wilshire Pl. and Independence Bv. (intent is that this building will include the specialty signage)
  - Phase 2 – construction of 2<sup>nd</sup> portion of building at corner of Wilshire Pl. and Bamboo St.
  - Phase 3 – construction of structured parking and connecting bridge
- Modifies a note related to the number of principal buildings to clarify that the building in area B will be constructed in phases and shall be considered as one with enclosed heated ground floor connecting space.
- Modifies several of the design standard notes to clarify which phases of development of area B the standards will apply.

### • Existing Zoning and Land Use





The site was rezoned to MUDD-O by petition 2017-167 approved in May 2018. The petition allowed reuse of an existing building and redevelopment of the site for a mixed use development. The petition also included provisions for unique signage to be located on the building.

The surrounding area is development primarily with single family uses north and east of the site. Commercial uses are located west, east, and south of the site along the Independence Boulevard corridor.



Properties to the north, across Bamboo Street are developed with single family detached homes that front on Winfield Drive.



West of the site, across Wilshire Pl. is vacant land, last developed with commercial uses.

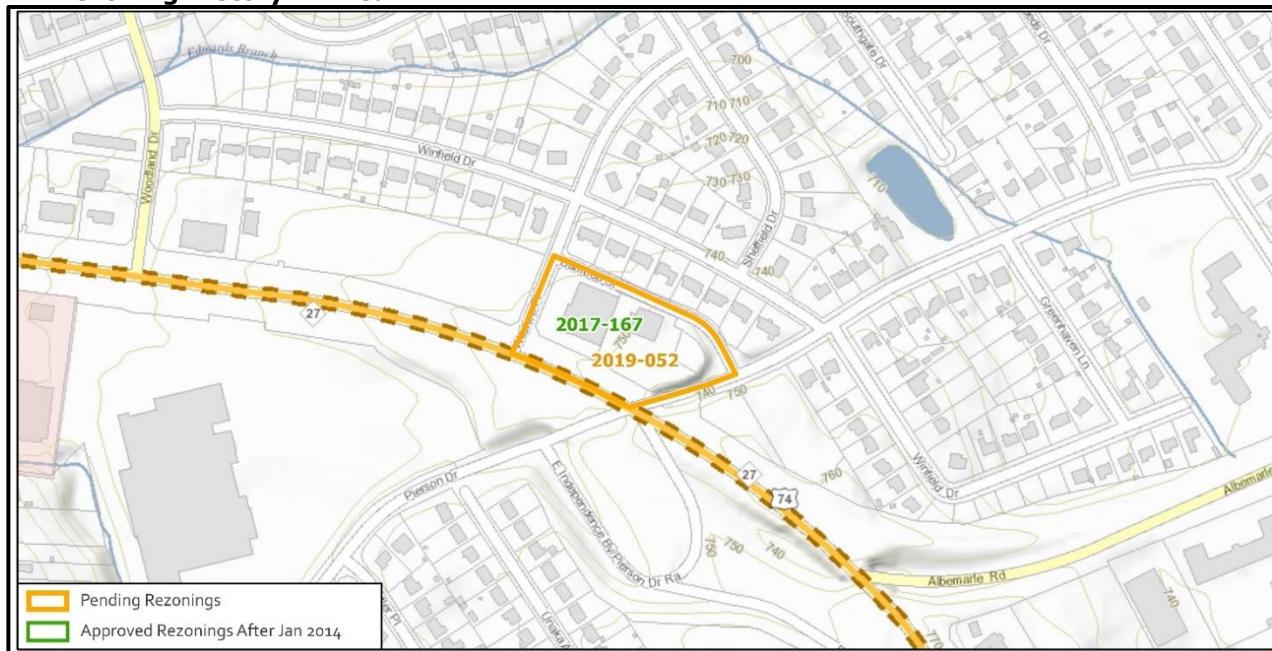


South of the site (red star) is Independence Bv.



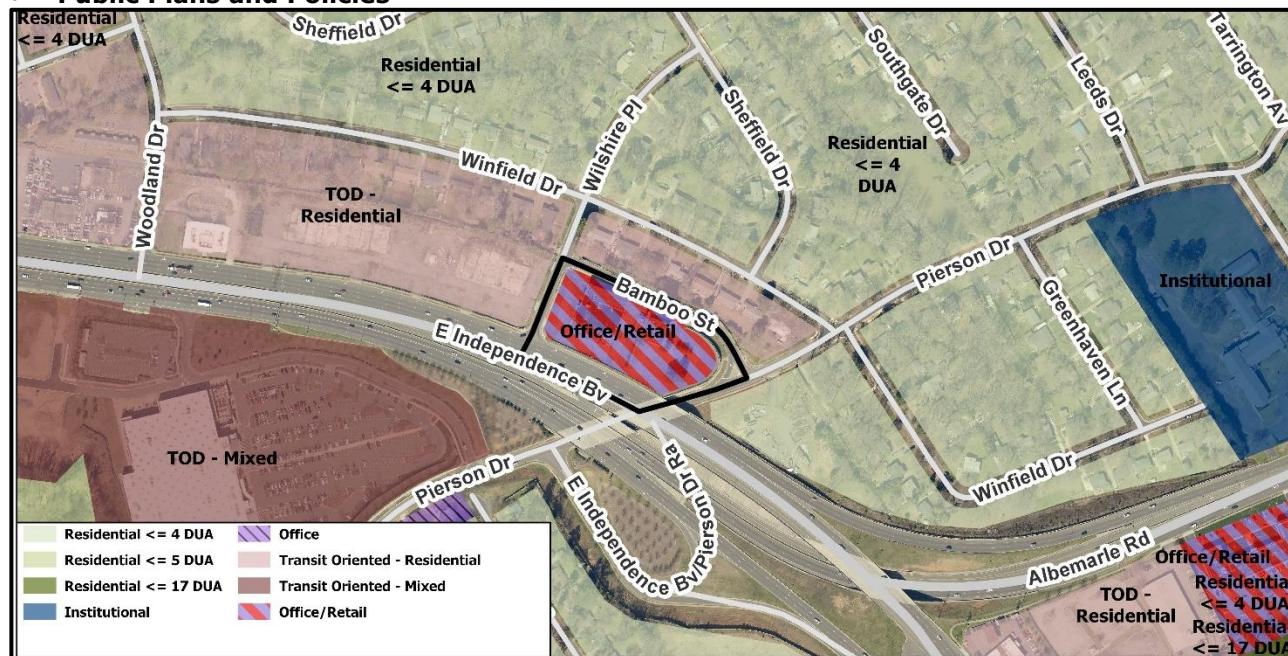
East of the site, across Pierson Dr., is property being used by the state to store materials.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-167	Rezoned subject site from B-2 (general business) to MUD-O to allow a mixed use development utilizing one existing building and redevelopment of the remainder of the site.	Approved

- Public Plans and Policies**



- The *Independence Boulevard Area Plan* (2011) recommends mixed non-residential (office, retail) as amended by rezoning petition 2017-167.

- TRANSPORTATION CONSIDERATIONS**

- The site proposes access from a local road – Bamboo Street. This site plan amendment is for rezoning petition 2017-167. The rezoning petition is providing an 8-foot planting strip and 8-foot sidewalk on Wilshire Place and Bamboo Street, a potential left-turn lane from Pierson Drive onto Bamboo Street, a pedestrian refuge at the monolithic concrete island at the intersection of Bamboo Street and Pierson Drive, and a Technical Transportation Memo submission to NCDOT and CDOT.
- No outstanding issues.
- Vehicle Trip Generation:**

Current Zoning:

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

Entitlement: 1850 trips per day (based on mix of commercial uses including hotel, office, EDEE and retail).

Proposed Zoning: 1850 trips per day (based on mix of commercial uses including hotel, office, EDEE and retail).

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

- Charlotte Area Transit System:** No outstanding issues.
- Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- Charlotte Fire Department:** No outstanding issues.
- Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Pierson Drive, an existing 12-inch water distribution main located along Independence Boulevard, and an existing 6-inch water distribution main located along Wilshire Place. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing 8-inch gravity sewer mains located along Wilshire Place and Independence Boulevard. No outstanding issues.

- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

#### **REQUESTED TECHNICAL REVISIONS**

##### Transportation

1. ~~Revise the site plan to add a note specifying dedication and fee simple conveyance of all rights-of-way to the City before the site's first building certificate of occupancy is issued. CDOT requests right of way set at 2 feet behind back of sidewalk where feasible.~~ **Addressed**
2. ~~Revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ **Addressed**
3. ~~Add a conditional note to specifying replacement of the existing CATS bus stop pad as indicated by the site plan.~~ **Addressed**
4. ~~Revise the site plan (RZ-2) to show the existing stairs that are shown in the sidewalk area along Bamboo Street to be removed from the right of way. In addition, please propose to install a safety rail or a gated system to prevent pedestrians, within in the right of way, from falling into the drop-off.~~ **Addressed**
5. ~~Revise the site plan (Sht. RZ-2) to clarify whether the existing driveways on Bamboo Street will remain or be replaced. Sheet RZ-2 calls for the existing driveways to remain, but the site plan shows the existing Commercial Type II Driveway to be replaced with a Type II Modified Driveway at the access west of the existing Ervin building.~~ **Addressed**
6. ~~Revise the site plan (RZ-2) to include proposed and existing sidewalk labels and dimensions.~~ **Addressed**

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** John Kinley (704) 336-8311