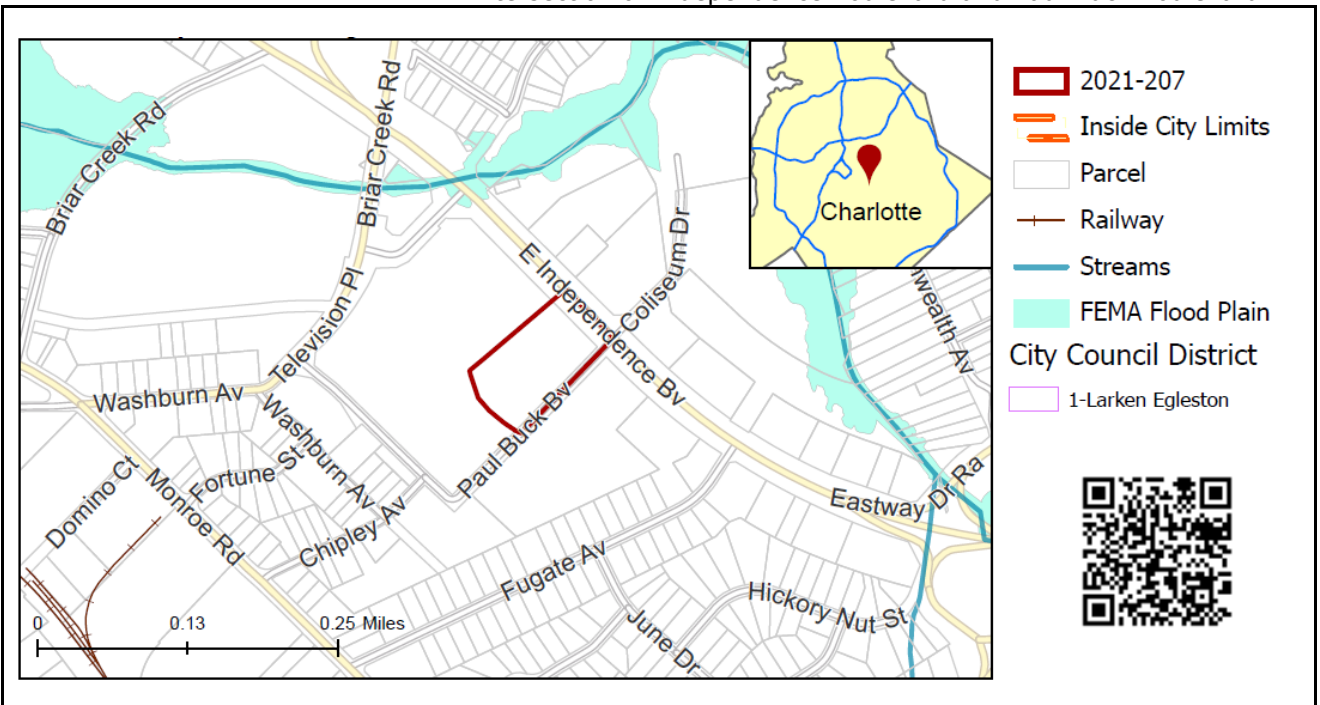


REQUEST

Current Zoning: B-2 (general business)
Proposed Zoning: MUDD-O (mixed-use development district – optional)

LOCATION

Approximately 3.7 acres located on the southeastern corner of the intersection of Independence Boulevard and Paul Buck Boulevard.



SUMMARY OF PETITION

The petition proposes to add electronic signage for the entertainment complex onsite that includes Ovens Auditorium.

PROPERTY OWNER

City of Charlotte

PETITIONER

Charlotte Regional Visitors Authority c/o City of Charlotte

AGENT/REPRESENTATIVE

Gau Gupte

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 2.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the Institutional land use recommended for this site, as per the *Independence Boulevard Area Plan*.

Rationale for Recommendation

- The petition supports the continued use of Ovens Auditorium and neighboring facilities through improved signage for events and community related information.
- The petition seeks only to allow upgraded and expanded signage to the site. No other changes to the buildings or grounds are proposed.

- The proposed petition is necessary in order to provide updated signage for the existing venues to allow them to continue as viable entertainment centers.
- Ovens Auditorium and the surrounding facilities are important cultural centers and historic venues that host a variety of events including concerts, sporting events, performing arts, speakers, and graduation ceremonies.
- The site is located at a future transit station area along the proposed CATS Light Rail Silver Line.

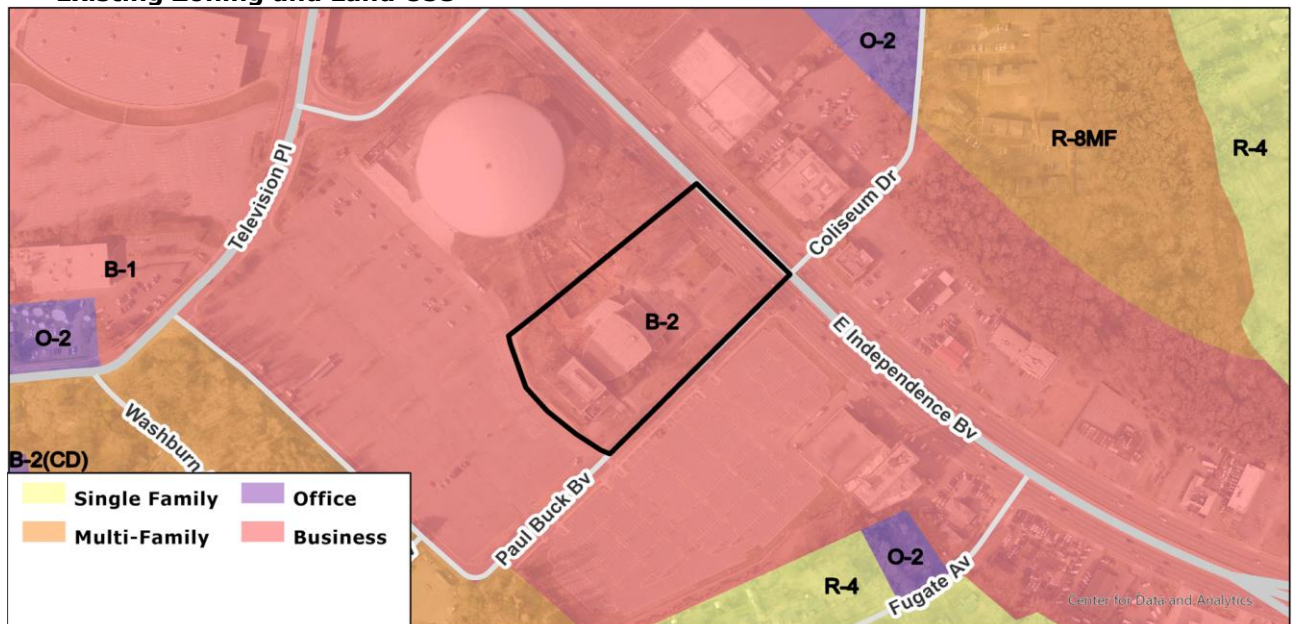
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Requests to add onsite signage that exceeds ordinance standards. The existing building and site conditions are to remain unchanged.
- Illustrates one proposed monument sign in front of Ovens Auditorium along Independence Boulevard and two pole signs: one at the front entrance to Ovens Auditorium and another at the private drive to the rear of Ovens Auditorium.
- The monument sign is to have a total area of 450 square feet per side and be up to 20' in height. The sign will have a 2-sided electronic sign integrated into it measuring 275 square feet per side.
- The two pole signs will have a total area of 30 square feet per side and may be up to 10' in height. Each pole sign will have a 2-sided electronic sign integrated into it measuring 29 square feet per side.
- Requests an optional provision for exemption from building and site requirements that conflict with the as-built conditions as they relate to MUDD urban design and development standards (Section 9.8506), MUDD parking and loading standards (Section 9.8507), screening (Section 12.303), and Chapter 21 Trees.
- Commits to obtaining a permit from NCDOT outdoor advertising unit prior to construction.

• **Existing Zoning and Land Use**



The subject property is located along Independence Boulevard adjacent to Bojangles Coliseum and associated parking lots. Commercial uses are located along Independence Boulevard. Single family and multifamily residential uses can be found to the west and south of the site towards Monroe Road.



The site is marked by a red star.

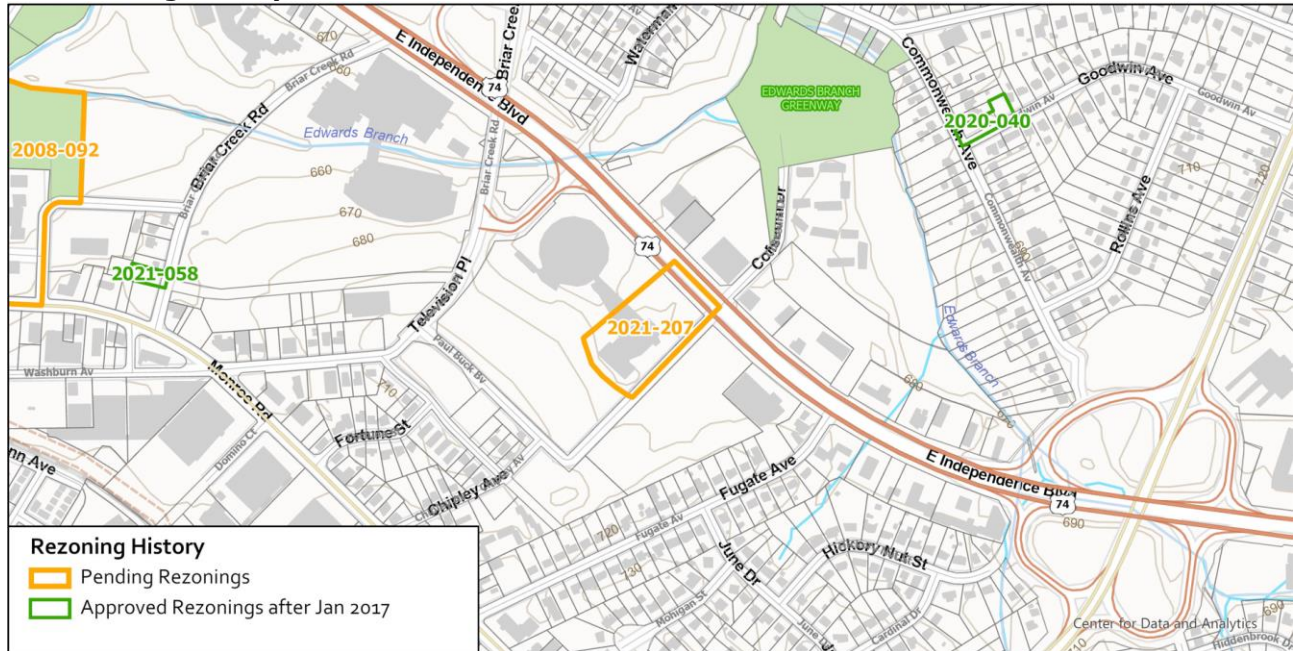


View of the site and existing signage from Independence Boulevard.



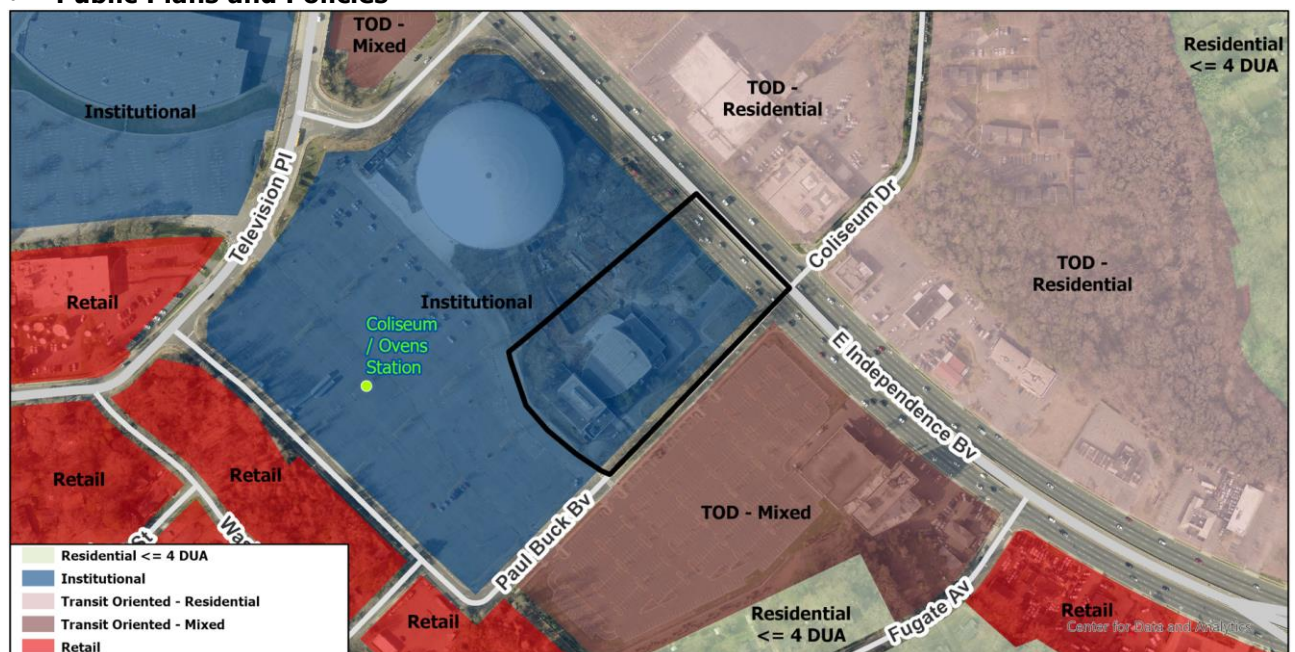
Closer view of the existing signage as seen from Independence Boulevard.

• Rezoning History in Area



Petition Number	Summary of Petition	Status
2021-058	Petition to allow all uses in the B-2 zoning district.	Approved
2020-040	Petition to allow all uses in the R-8 zoning district.	Approved
2008-092	Petition to allow the development of a mixed-use community containing 26,682 square feet of commercial uses, 350 multifamily dwelling units, and 96 single family attached dwelling units.	Pending

• Public Plans and Policies



The *Independence Boulevard Area Plan* (adopted 2011) recommends institutional land uses for the city-owned site that includes the Bojangles Coliseum and Ovens Auditorium.

- **TRANSPORTATION SUMMARY**

- The petition is located adjacent to Independence Boulevard, a State-maintained freeway, northwest of Coliseum Drive, a City-maintained local street. A Traffic Impact Study (TIS) is not necessary for the complete review of this petition. CDOT has no outstanding comments.
- **Active Projects:**
 - No active projects in the vicinity of this site.
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: Not enough data to provide trip estimate (based on 260,822 square feet arena, 54,932 square feet theater, and 29,012 retail).
 - Entitlement: Not enough data to provide trip estimate (based on 260,822 square feet arena, 54,932 square feet theater, and 29,012 retail).
 - Proposed Zoning: Not enough data to provide trip estimate (based on 260,822 square feet arena, 54,932 square feet theater, and 29,012 retail).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **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 6-inch water distribution main located along Independence Blvd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Independence Blvd. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** No comments submitted.
- **Urban Forestry / City Arborist:** See Outstanding Issues, Note 1.

OUTSTANDING ISSUES

Site and Building Design

- ~~1. Remove request for exemption from the Tree Ordinance. Site must remain in the compliance with the ordinance.~~ **ADDRESSED**





See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org







Planner: Joe Mangum (704) 353-1908

Goals Relevant to Rezoning Determinations Petition 2021-207

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (February 2022) and when the **Policy Map** is effective (adopted March 28, 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	N/A
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	<p>N/A</p>
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>✓</p>