



<b>WHAT'S INSIDE:</b>	<u>Page</u>
Calendar Details .....	2
<b><u>Agenda Notes:</u></b>	
Agenda Item #34 – Petition No. 2103-090 Proposed Eating, Drinking and Entertainment Establishments Text Amendment .....	2-3
<b><u>Information:</u></b>	
Transportation and Planning Committee Referral – Proposed Noise Walls Along I-77 and I-277 .....	3-4
Amateur Sports Development RFP for Bojangles Arena/Ovens Auditorium Site .....	4

**WEEK IN REVIEW:**

Mon (Oct 21)	Tues (Oct 22)	Wed (Oct 23)	Thurs (Oct 24)	Fri (Oct 25)
1:30 PM Transportation and Planning Committee, Room 280  3:00 PM Environment Committee, Room 280  5:00 PM Council Zoning Meeting, Room CH-14			6:00 PM First Annual City of Charlotte Neighborhood Leadership Awards, CMGC Lobby	

## CALENDAR DETAILS:

### Monday, October 21

- 1:30 pm      Transportation and Planning Committee, Room 280  
**AGENDA:** Parking and housing surrounding colleges and universities
- 3:00 pm      Environment Committee, Room 280  
**AGENDA:** Clean construction/clean diesel standards; Progress report on Mecklenburg livable communities plan
- 5:00 pm      Council Zoning Meeting, Room CH-14

### Thursday, October 24

- 6:00 pm      First Annual City of Charlotte Neighborhood Leadership Awards Ceremony, CMGC Lobby

ATTACHED: [October and November calendars](#)

## AGENDA NOTES:

### **Agenda Item #34 – Petition No. 2013-090 Proposed Eating, Drinking and Entertainment Establishment Text Amendment**

*Staff Resource: Katrina J. Young, Planning, 704-336-3571, [kjyoung@charlottenc.gov](mailto:kjyoung@charlottenc.gov)*

Planning staff is requesting a deferral of the public hearing of the proposed Eating, Drinking, and Entertainment Establishment text amendment (2013-090) to the December 16, 2013 meeting to allow citizens additional time to review and comment on the amendment.

As Council may recall, staff initiated this process with the goal of clarifying the definitions of nightclub restaurants and bars. Specifically staff needed to address the issue of the current zoning ordinance prohibiting entertainment in restaurants. Another major goal was to minimize the impact of these uses on adjacent residential areas. To respond to these issues, staff formed a citizen's advisory group to provide input on the proposed changes, which include the creation of new definitions and regulations for what staff are now proposing to be called Eating, Drinking and Entertainment Establishments.

The Nightclubs, Bars, Lounges and Restaurants Citizen's Advisory Group met six times since January, with the final meeting being September 10, 2013. Staff also held eleven public outreach meetings to present the text amendment to neighborhood and business associations.

Staff is also requesting the deferral due to an inquiry received from a neighborhood resident as to whether the City met the advertising deadlines for this petition. The text amendment was advertised, per state law, twice in the *Charlotte Observer* on September 30 and October 7.

Deferring the proposed text amendment will allow additional time for interested parties and staff to further discuss specific issues they have and allow staff time to respond to those concerns prior to the December 16, 2013 City Council Hearing.

Staff will inform the Citizen's Advisory Group and other interested parties of its request to delay the text amendment until December.

## **INFORMATION:**

### **Transportation and Planning Committee Referral – Proposed Noise Walls Along I-77 and I-277**

*Staff Resources: Danny Pleasant, CDOT, 704-336-3879, [dpleasant@charlottenc.gov](mailto:dpleasant@charlottenc.gov)*

*Debra Campbell, Planning, 704-336-2671, [dcampbell@charlottenc.gov](mailto:dcampbell@charlottenc.gov)*

The North Carolina Department of Transportation (NCDOT) is continuing to advance the reconstruction of I-77 between NC 150 (exit 36) in Iredell County and I-277. The addition of noise walls as part of the project is an ongoing discussion. Therefore, the City Manager is referring this topic to the Transportation and Planning Committee for additional review and possible recommendation.

NCDOT expects to build the project through a public-private-partnership arrangement, with funding partly generated by high occupancy/toll (HOT) lanes. At its June 3, 2013 workshop, City Council received a presentation from NCDOT Division 10 Engineer Louis Mitchell. He reviewed several NCDOT projects including I-77 reconstruction. NCDOT completed an environmental assessment of the project, which included an evaluation of increased noise expected to radiate from the highway. The evaluation resulted in a proposal to build noise barriers between the highway and residential and commercial buildings adjacent to the project. Mr. Mitchell presented graphics showing the proposed locations of the noise walls both along I-77 between I-85 and I-277 and along I-277/Brookshire Freeway. Council expressed concern about the aesthetic qualities of the new walls and the trade-off of possibly losing the existing brick aesthetic walls.

NCDOT held community meetings with stakeholders along I-77 on August 1 and others from the Fourth Ward neighborhood on August 20. Property owners and tenants alongside the project were provided an opportunity to agree or disagree with construction of noise walls through a balloting process. Since the June 3 meeting, NCDOT sent ballots through the US Mail to property owners and tenants identified as potentially benefitting from noise reduction provided by the walls. According to NCDOT policy, both affirmative votes and unreturned ballots count in favor of the walls. Ballots returned with a "no" vote count as opposition to the walls. NCDOT received the results from the balloting and have determined that the walls should be built as part of the project. Of the ballots sent, a majority were not returned by the deadline, causing them to be counted as yes votes along with those affirmative votes NCDOT received.

NCDOT is offering decorative treatments to the noise walls including color and texture choices. They sent a second set of ballots to solicit input. Those ballots are due December 6.

Although this project is being sponsored by NCDOT, stakeholders along I-77 and within the Fourth Ward neighborhood are asking City staff to become more involved. They want the City to facilitate more community dialogue about the noise walls. This interest is prompting the City Manager's committee referral. The committee can consider the effects of the noise walls and seek to understand community concerns. The result could be a recommendation to City Council to express a City position on the noise walls. Staff will schedule this topic as an agenda item for the October 31 committee meeting to correspond with NCDOT staff's availability.

**Amateur Sports Development RFP for Bojangles Coliseum/Ovens Auditorium Site**

*Staff Resource: Brad Richardson, N&BS, 704-336-3857, [brichardson@charlottenc.gov](mailto:brichardson@charlottenc.gov)*

On Friday, October 18, the City will issue a Request for Proposals (RFP) to invite private sector interest in developing additional amateur sports-related facilities at the site of Bojangles' Coliseum and Ovens Auditorium. The objective is to develop additional indoor facilities to meet growing market demand and to position Charlotte as a top-tier destination for amateur sports-related travel. The RFP was developed in partnership with the Charlotte Regional Visitors Authority (CRVA) and Mecklenburg County, and it specifically requests interested parties to consider a development plan that includes a 100,000 square foot indoor sports and recreation facility, along with a 150-room hotel and ancillary retail uses. The development area includes 20 acres of City-owned land, as well as an additional 6 acres of adjoining land, on which the City holds an option to purchase.

The RFP is being sent to developers of similar facilities around the country, and advertised broadly through the Urban Land Institute and several amateur sports related publications. Staff has established a deadline for receipt of proposals of November 22. Staff from the City, County and CRVA will evaluate the proposals, and will provide an update to Council in December.

This project is part of the \$816 million Capital Improvement Plan approved by City Council in June 2013.

**ATTACHED: [Bojangles/Ovens RFP](#)**