

REQUEST	Current Zoning: B-2 (general business) Proposed Zoning: TOD-R(CD) (transit oriented development, residential conditional, with five year vested rights)
LOCATION	Approximately 4.64 acres located on the east side of Eastway Drive, south of North Tryon Street and north of the Blue Line Extension. (Council District 1 - Kinsey)
SUMMARY OF PETITION	The petition proposes to develop vacant property located in the Hampshire Hills neighborhood to allow up to 132 age-restricted multi-family dwelling units, at a minimum density of 20 dwelling units per acre.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Da Mai Mai CapRock, LLC CapRock, LLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 9

STAFF RECOMMENDATION	<p>Staff recommends approval of the petition.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>Blue Line Extension Transit Station Area Plan</i> recommendation for transit supportive uses, and the plan's height policy recommendation.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The site is between ¼ and ½ mile walk distance from the Old Concord Transit Station. • The proposal provides up to 132 senior multi-family housing units within a transit station area. • The petition proposes to redevelop a vacant infill site, thereby minimizing environmental impacts while accommodating growth. • The proposed development will support future area connectivity by providing a public street connection to abutting property located to the west of the site. • Development on this site will provide a transition between the commercial uses along North Tryon Street and the lower density residential development adjacent to the site across Eastway Drive. • Given the proximity to the adjacent neighborhood across Eastway Drive, the building should adhere to the adopted policy and limit building height to 50-feet.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Maximum of 132 age restricted multi-family units and accessory uses limited to one building up to four stories in height.
 - Commits to providing a minimum of 20 dwelling units per acre.
 - Site access is provided from Eastway Drive via a driveway, and a new public street that will be constructed and stubbed to the abutting property to the north.
 - An 11-foot wide planting strip, eight-foot wide sidewalk, and three feet for a buffered bike lane will be provided along the site's frontage on Eastway Drive.
 - An eight-foot wide planting strip and eight-foot wide sidewalk will be provided along both sides of the proposed public street.
 - Employs a minimum of three of the architectural standards noted on the site plan for all building entrances visible from a street.
 - Ground floor of the building will be taller than and architecturally different from upper floors, with more transparency than upper floors.

- Buildings over 150 feet in length will provide façade variations that visually separate the individual units.
- Architectural style treatment will change every 40 feet, with no repeat in style as an option to larger breaks in the building.
- Building renderings along Eastway Drive.
- **Setback of 24 feet along Eastway Drive, in front of the detention pond, and 40 feet along the building.**
- **Existing Zoning and Land Use**
 - The subject property is currently undeveloped.
 - Properties along the east side of Eastway Drive include a strip mall, office, and retail uses in B-2 (general business) and B-1 (neighborhood business), Eastway Community Park in R-17MF (multi-family residential) and I-1 (light industrial), retail uses in B-1SCD (business shopping center) and duplex/triplex/attached residential dwellings in R-22MF (multi-family residential) zoning districts.
 - Surrounding properties located southwest of the intersection of North Tryon Street and Eastway Drive contain a mix of industrial, warehouse, commercial and residential uses on properties zoned R-22MF (multi-family residential), R-5 (single family residential), UR-2(CD) (urban residential, conditional), O-2 (office) and I-2 (general industrial).
 - Parcels on the north side of and fronting North Tryon Street are zoned B-2 (general business) and I-2 (general industrial), and developed with retail, warehouse, car wash, automotive garage, and child care center uses.
 - See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2017-024 approved an UR-2(CD) (urban residential, conditional) site plan amendment, with five-year vested rights for approximately 3.68 acres located on the west side of Bingham Drive between North Tryon Street and Curtiswood Drive to amend the existing site plan for an undeveloped residential development in the Hampshire Hills neighborhood to allow up to 60 age-restricted multi-family dwelling units in a single building, and five townhome units, at a density of 17.66 units per acre.
 - Petition 2013-025 rezoned approximately 20.69 acres located on the south side of Old Concord Road at the intersection of North Tryon Street and Old Concord to TOD-M (transit oriented development, mixed-use) to allow all uses allowed within the TOD-M zoning district.
- **Public Plans and Policies**
 - The *Blue Line Extension Transit Station Area Plan* (2013) recommends a mix of transit supportive uses for the subject property.
 - The plan also recommends a 50-foot maximum height for the area in which the site is located.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is on a major thoroughfare at an unsignalized intersection with a minor collector. The current site plan accommodates the envisioned future cross section and streetscape along Eastway Drive to support the Old Concord Station and creates a public street that will help develop a valuable crossing location and local street connection the future Cross Charlotte Trail alignment.
 - See Technical Issue, Note 6.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant site).
 - Entitlement: 5,340 trips per day (based on 69,000 square feet of retail uses).
 - Proposed Zoning: 450 trips per day (based on 132 age restricted apartment units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** Developer seeking public funding for multi-family housing developments and must comply with the City’s Housing Policies.
- **Charlotte Fire Department:** No on-street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing eight-inch water distribution main and an existing two-inch water distribution main located along Eastway Drive. Sewer system is available for the rezoning boundary via an existing eight-inch gravity sewer main located along Eastway Drive.

- **Engineering and Property Management:**
 - **Arborist:** Trees cannot be removed from or planted in the right-of-way of Eastway Drive without permission of NCDOT and the City Arborist's office. A tree survey for all trees two inches or larger located in the right-of-way and all trees eight inches or larger in the setback must be submitted.
 - **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 comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. ~~Specify minimum size of private open space and amenities to be provided.~~ Addressed
2. ~~Specify maximum building height of four stories not to exceed 50 feet, and use the height plane per the zoning ordinance to transition appropriately from adjacent single family residential dwellings.~~ Addressed
3. ~~Show and label 35-foot rear yard abutting the railroad right-of-way.~~ Addressed
4. ~~Add a note under "Architectural Standards" prohibiting vinyl siding except for soffits and trim including window and door trim. Specify proposed building materials.~~ Addressed

TECHNICAL ISSUES

5. ~~The petitioner should 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.~~ Addressed
6. CDOT requests right of way set at two feet behind back of sidewalk where feasible. Not addressed.
7. ~~The petitioner should be aware and potentially revise the site plan and conditional note(s) to add a left turn lane from into the site from Eastway Drive. NCDOT has indicated this will be required during permitting review.~~ Addressed

Attachments Online at 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 Parks and Recreation Review
 - Transportation Review

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