

REQUEST

Current Zoning: B-2(CD) (general business, conditional)
Proposed Zoning: TOD-NC (transit oriented development-neighborhood center)

LOCATION

Approximately 1.89 acres located on the east side of Lambeth Drive, north of North Tryon Street, and west of West Eastway Drive



SUMMARY OF PETITION

The petition proposes to allow all uses permitted in the TOD-NC district for a parcel located in northeast Charlotte.

PROPERTY OWNER

Kennedy Properties LLC

PETITIONER

Kennedy Properties LLC

AGENT/REPRESENTATIVE

Erik Winer / INTEC Group

COMMUNITY MEETING

Meeting is not required.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for Neighborhood 1 place type.

Rationale for Recommendation

- The site is adjacent to multifamily residential, mobile home park, a daycare, a pre-K and commercial uses.
- The parcel's current B-2(CD) zoning would allow a range of commercial uses including some auto oriented uses that would not provide appropriate transition to adjacent educational and residential uses.
- The site is adjacent to areas recommended for Neighborhood Center.
- The site is within 100 ft of the proposed alignment of the Cross Charlotte Trail (Segment 8, North Tryon St to Orr Rd)

- The TOD-NC district may be applied to parcels within 1 mile of a rapid transit station.
- The site is within a ½ mile walk of the Old Concord Rd. station on the Lynx Blue Line.
- The site is located a block off N. Tryon St. in an area with recent rezonings to TOD designations.
- The proposed zoning would allow the site to be developed with transit supportive uses compatible with existing development and recent redevelopment occurring in the area.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods
 - 4: Trail & Transit Oriented Development
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 1 Place Type to Neighborhood Center Place Type for the site.

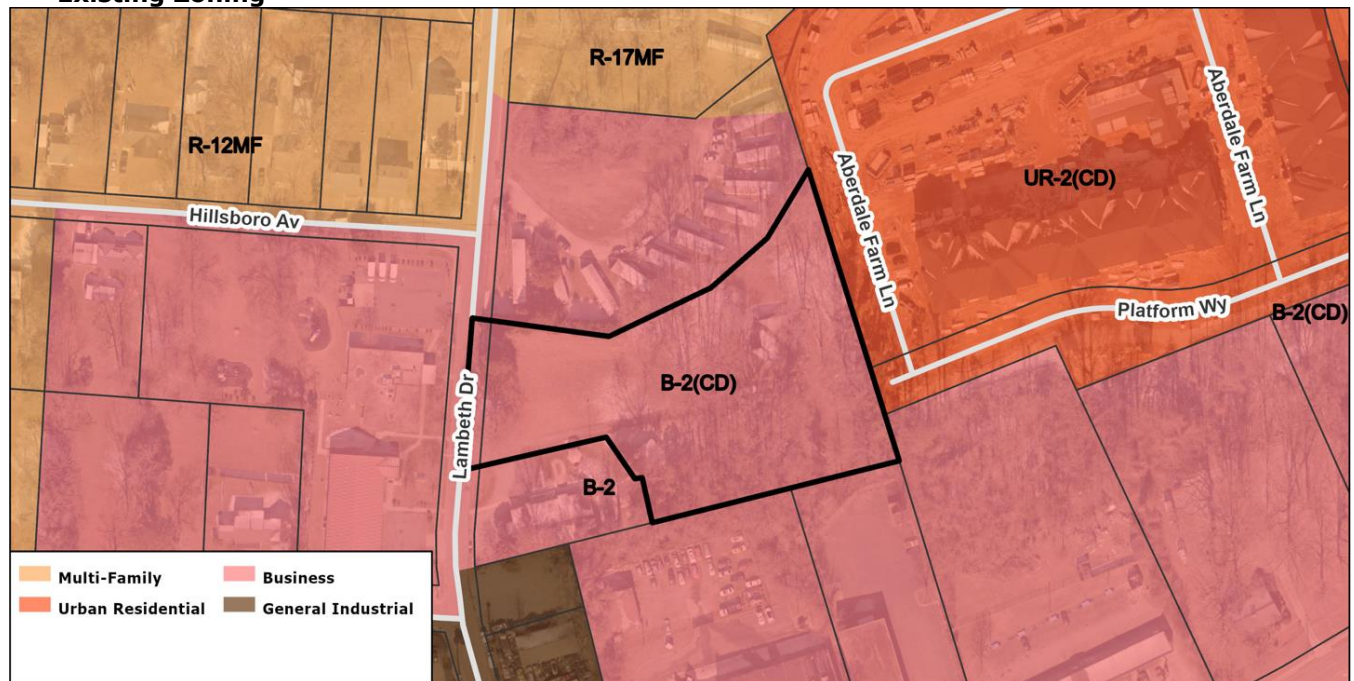
PLANNING STAFF REVIEW

Proposed Request Details

This is a conventional rezoning petition with no associated site plan.

- Allows all uses in the TOD-NC zoning district.

Existing Zoning

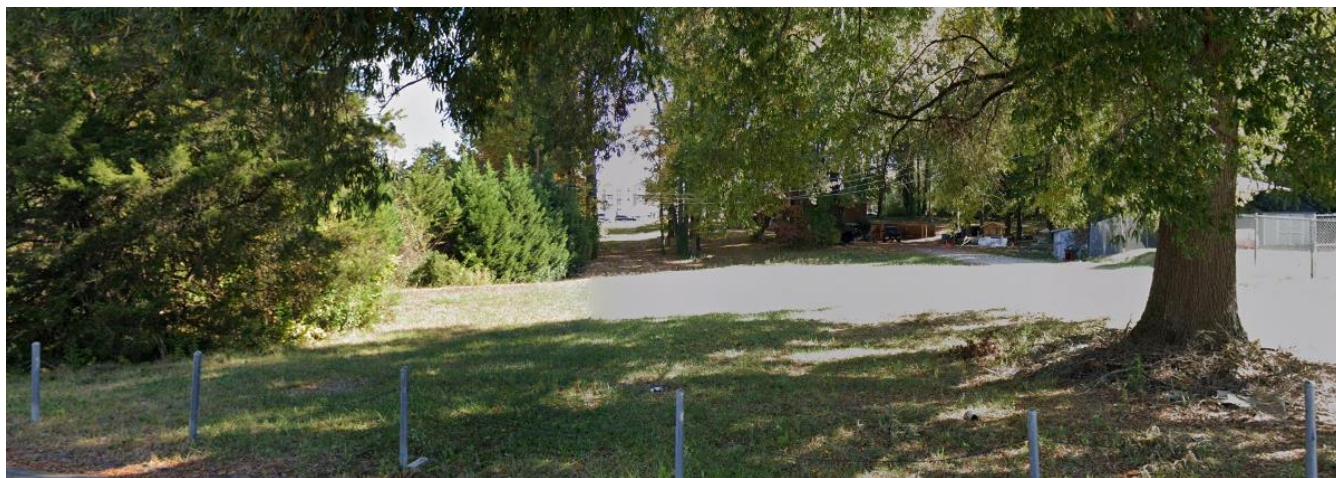


- The site is currently zoned B-2(CD) by petition 1998-117, as part of a larger proposal including adjacent parcels. The current zoning allows all B-2 uses excluding adult bookstores, contractor offices and storage yards, funeral homes, pawn shops, tire recapping and entertainment establishments such as lounges, bars, taverns etc. that employ topless waitresses.
- There is a mix of residential, commercial and industrial zoning in the area with a mix of residential and non-residential uses.

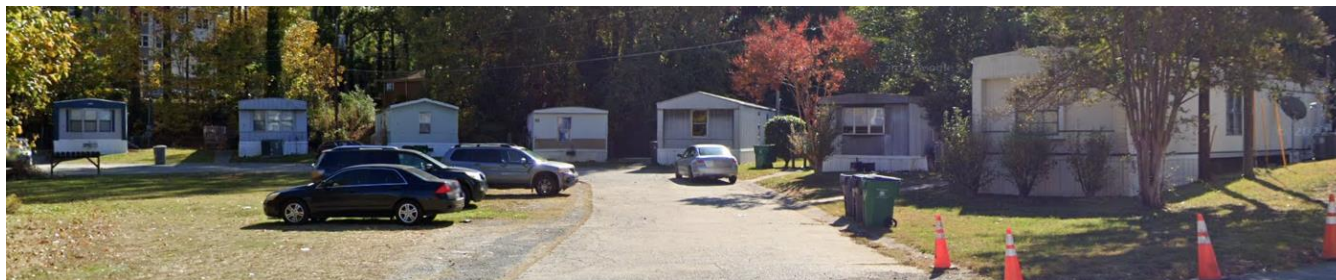
Existing Zoning	Translated Zoning	Recommended Place Type
B-2(CD)	NA	Neighborhood 1



The site (indicated by the red star above) is in an area with a mix of uses including commercial along North Tryon south of the site and residential uses to the west, east and north.



The site is developed with a single family home.



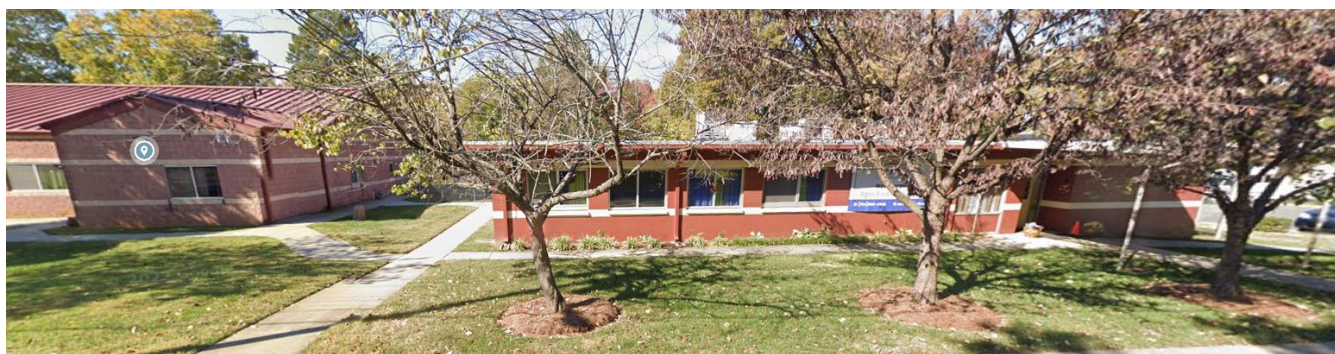
North of the site is a mobile home park.



East of the site, along Platform Way, is recently constructed multi-family residential.

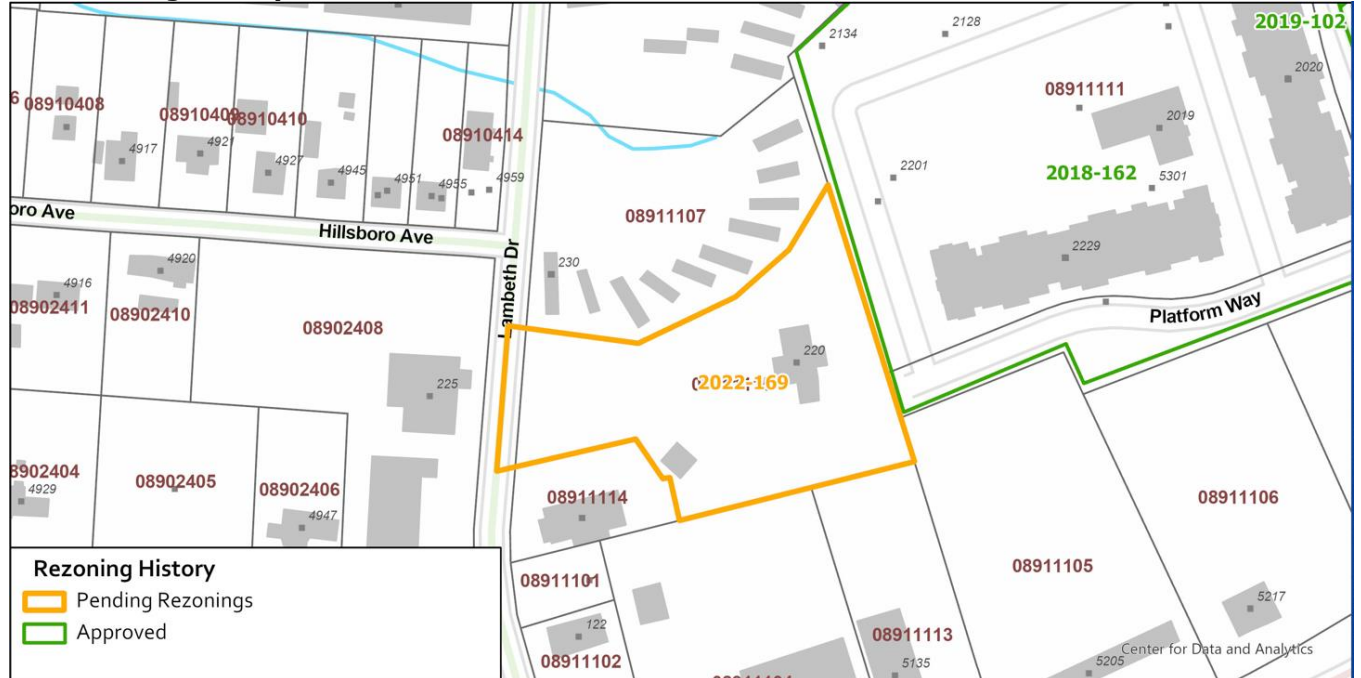


South of the site, on Lambeth Dr. is a daycare (above) and commercial uses along N. Tryon St (below).



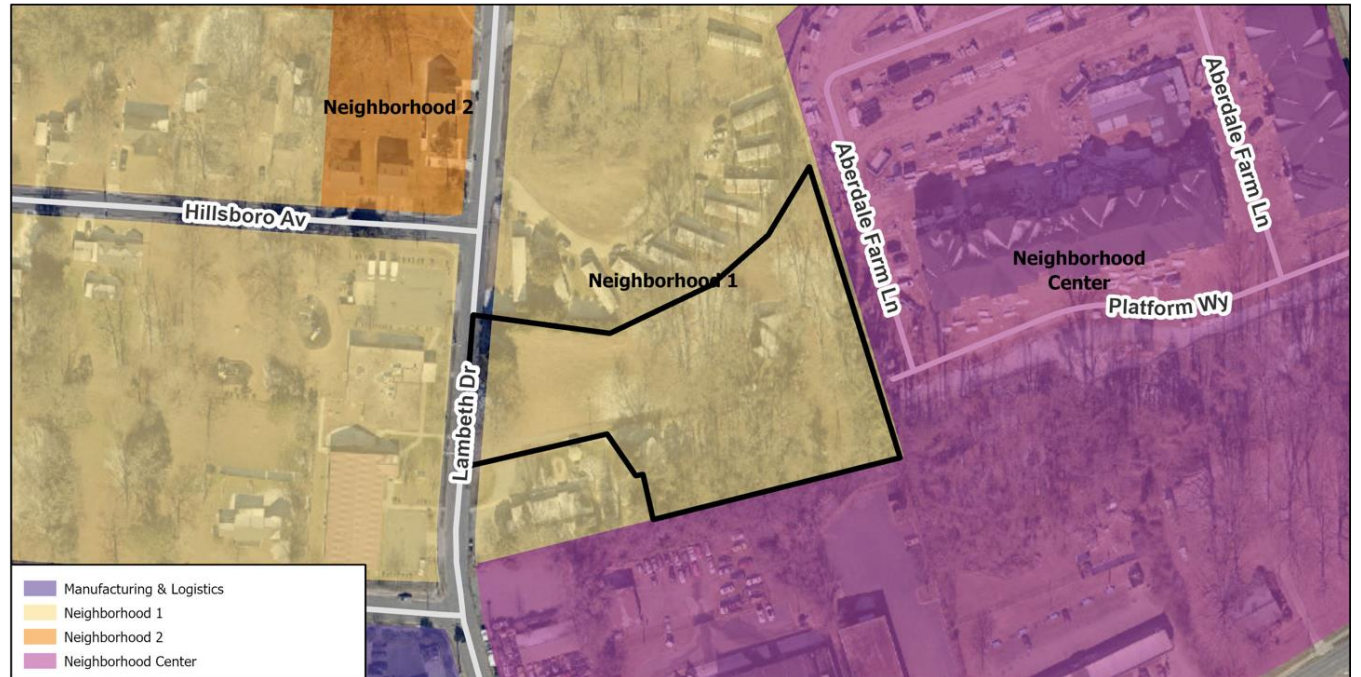
West of the site, across Lambeth Dr. is an educational facility (Pre-K).

• Rezoning History in Area



Petition Number	Summary of Petition	Status
2018-162	6.63 acres east of the site along Platform Way to UR-2(CD) for up to 200 residential dwelling units.	Approved
2019-102	Parcel east of the site, on the east side of W Eastway Dr., to TOD-TR along with other parcels along the Light Rail as part of the TOD alignment rezoning process.	Approved

• Public Plans and Policies



- The 2040 Policy Map (2022) recommends Neighborhood 1 place type.

- **TRANSPORTATION SUMMARY**

- The site is on the east side of Lambeth Drive, a City-maintained local street north of Fitzgerald Avenue, a City-maintained local street. A Traffic Impact Study (TIS) is not necessary for the complete review of this petition due to the site generating less than 2,500 daily trips. If during the permitting process the site generates more than 2,500 daily trips, then a traffic study will be required. The site will be subject to transportation improvements in accordance with the TOD Ordinance and the adopted CDOT Streets Map. CDOT will work with the petitioner during the permitting process to pursue all options to provide additional forms of connectivity that reflect the types of development associated with the TOD-zoned areas.
- **Active Projects:**
 - Cross Charlotte Trail
 - New segment of XCLT through the Hidden Valley neighborhood
 - Scheduled to complete in 2026
 - Fitzgerald Avenue Townhomes
 - Construction of 20 townhouse units at 4935 Fitzgerald Avenue.
 - Approved in May 2022; schedule to be determined
- **Transportation Considerations**
 - No outstanding issues.
- **Vehicle Trip Generation:**

Current Zoning:
Existing Use: 10 trips per day (based on 1 dwelling unit).
Entitlement: 1,430 trips per day (based on 28,350 sqft of retail).
Proposed Zoning: Too many uses to determine (based on TOD-NC zoning).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** See advisory comments at www.rezoning.org
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** The conventional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 6-inch water distribution main located along Lambeth Drive. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along the North of parcel 089-11-115. 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 outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
Planner: John Kinley (704) 336-8311