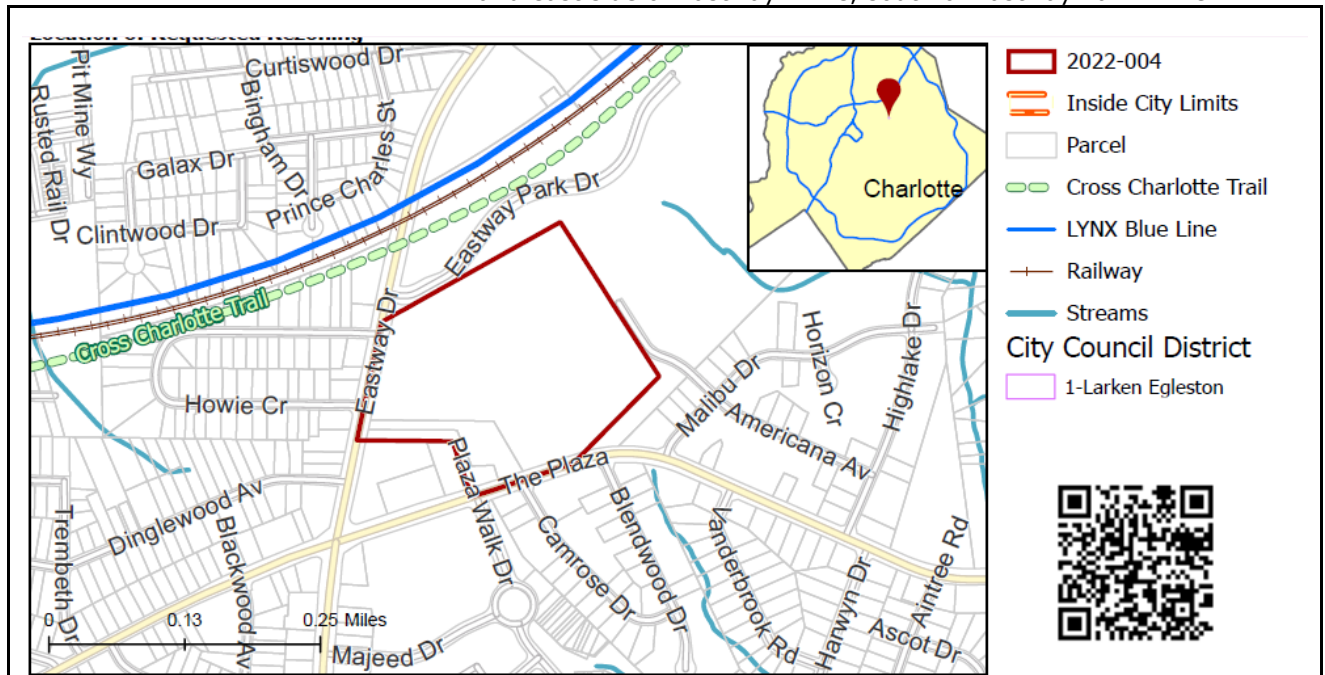


**REQUEST**

Current Zoning: B-1SCD (shopping center), B-1 (neighborhood business)  
Proposed Zoning: TOD-TR(CD) (transit oriented development-transit transition, conditional)

**LOCATION**

Approximately 25.25 acres located on the north side of The Plaza and east side of Eastway Drive, south of Eastway Park Drive.



**SUMMARY OF PETITION**

The petition proposes to allow all uses in the TOD-TR (transit oriented development, transition) zoning district with specified prohibited uses; connection to existing trail; and coordination with CATS on provision of bus amenities.

**PROPERTY OWNER**

10290 LTD, SPCP Group III LOPD 31 LLC, c/o First Southwest Mgmt Co, 4525, LLC

**PETITIONER**

White Point Partners

**AGENT/REPRESENTATIVE**  
**COMMUNITY MEETING**

Keith MacVean – Moore & Van Allen, PLLC

Meeting is required and has been held. Report will be available online when received.

Number of people attending the Community Meeting: 14

**STAFF**  
**RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the 2040 Policy Map (2022) recommendation for Neighborhood Center.

Rationale for Recommendation

- The petition is consistent with the Charlotte Future 2040 Comprehensive Plan Goals #1: 10-Minute Neighborhood, #4 Trail & Transit Oriented Development (2-TOD), #5: Safe & Equitable Mobility, and #6: Healthy, Safe & Active Communities.
- As written, TOD-TR is applicable to parcels within a 1-mile walking distance of an existing rapid transit station, or within ½ mile

walking distance of an existing streetcar stop. The site is within a mile walk of the Old Concord Road Station.

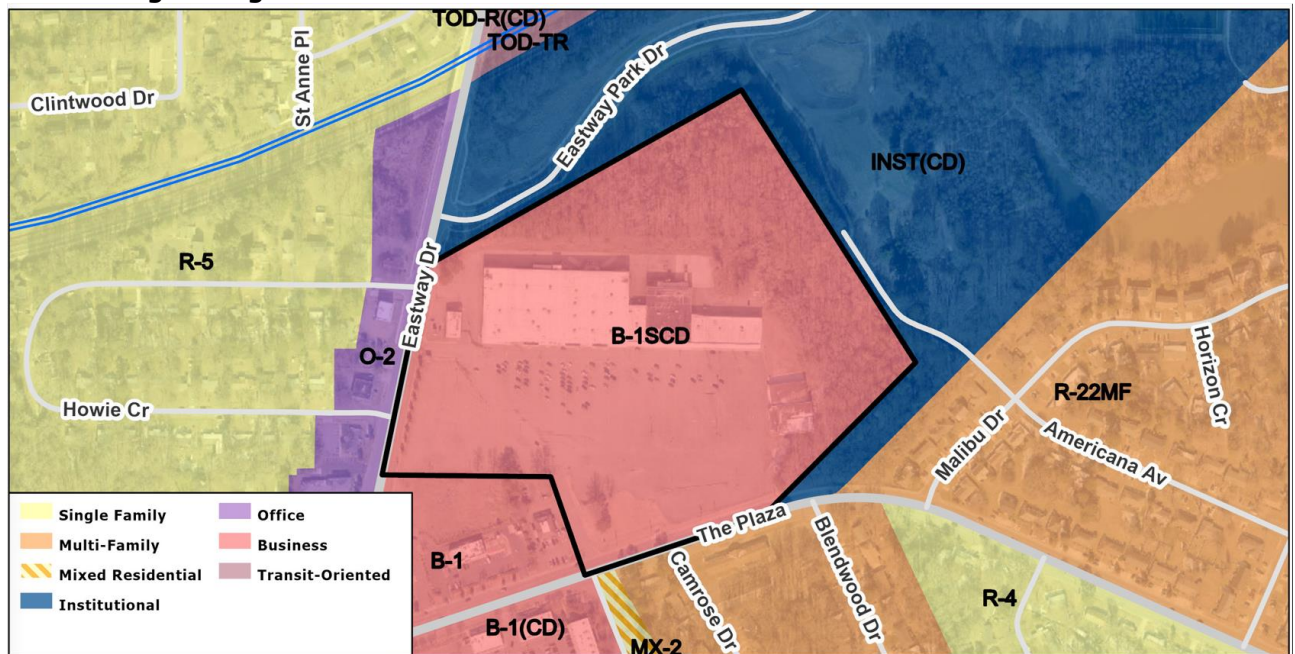
- The petition fulfills goals to support walkable, mixed use environments with access to a variety of amenities and services.

## PLANNING STAFF REVIEW

### • Proposed Request Details

- Allows all uses in the TOD-TR (transit oriented development, transit transition) zoning district.
- Allows no more than one (1) use with an accessory drive-through window.
- Prohibits the following uses: enclosed vehicular dealerships; vehicular repair; parking lots as a principal use; enclosed self-storage facilities; and, gas station.
- Constructs a paved accessible pedestrian/bike connection from the site to existing trail located at the end of Americana Avenue right-of-way. The location is to be determined during the land development approval process for the portion of the site that abuts Americana Avenue. The pedestrian/bike connection is not required to be installed until the area of the site that abuts Americana Avenue is submitted for redevelopment and land development approval.
- Works with CATS to provide ADA compliant bus amenities along The Plaza and Eastway Drive. The final location and type of amenities will be coordinated with CATS during the land development approval process for the site. The proposed bus amenities will be limited to one or more of the following: a concrete waiting pad, a concrete pad for bench, or a concrete pad for a shelter.

### • Existing Zoning and Land Use



- The site is currently with a shopping plaza and retail buildings zoned B-1 and B-1SCD and is surrounded by a mix of residential, retail, and institutional uses on properties in various zoning districts.





The subject site is developed with a shopping plaza and retail buildings.



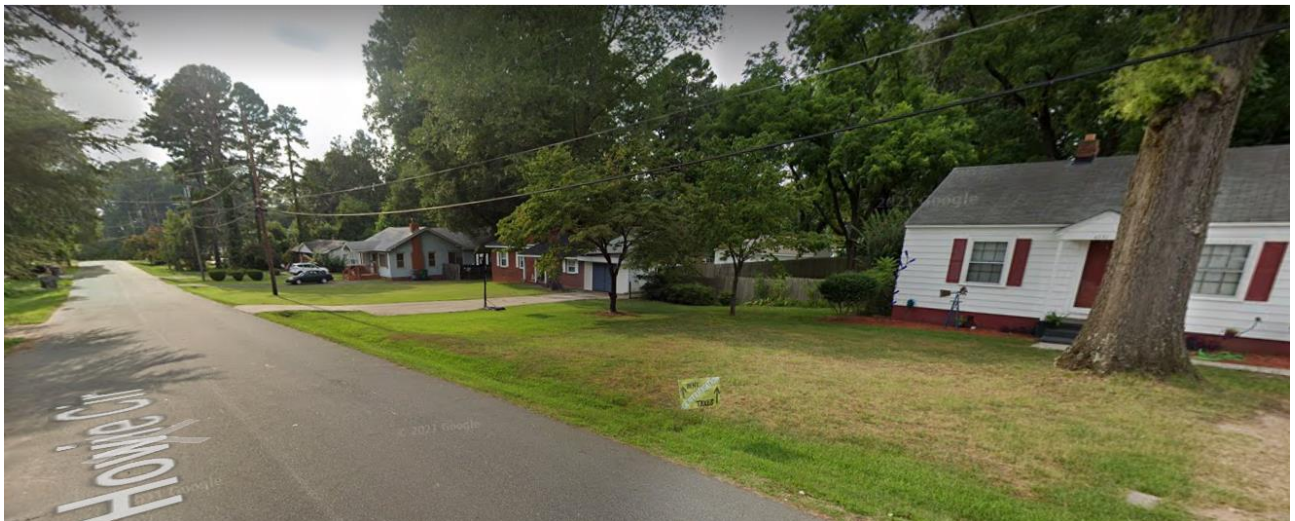
North of the site is Eastway Community Park



East are single family residential homes.



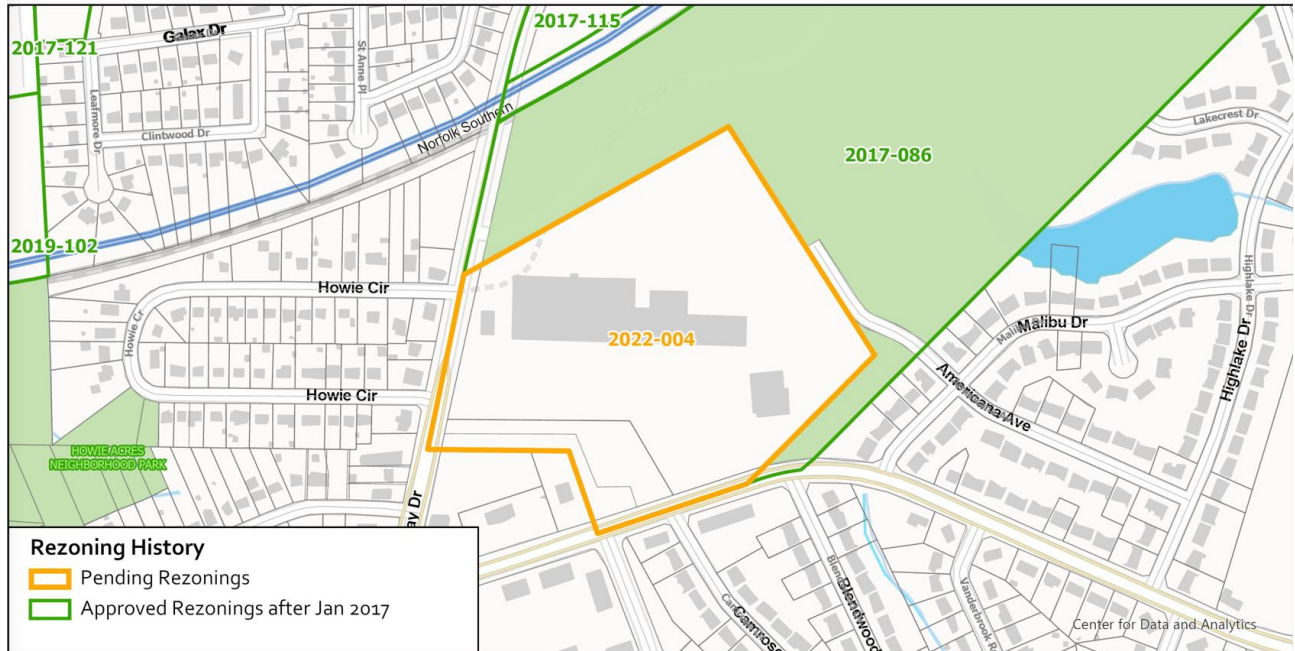
South of the site, at the intersection of Eastway Drive and The Plaza, are retail uses.



West of the rezoning site, across Eastway Drive, is a single family residential neighborhood.

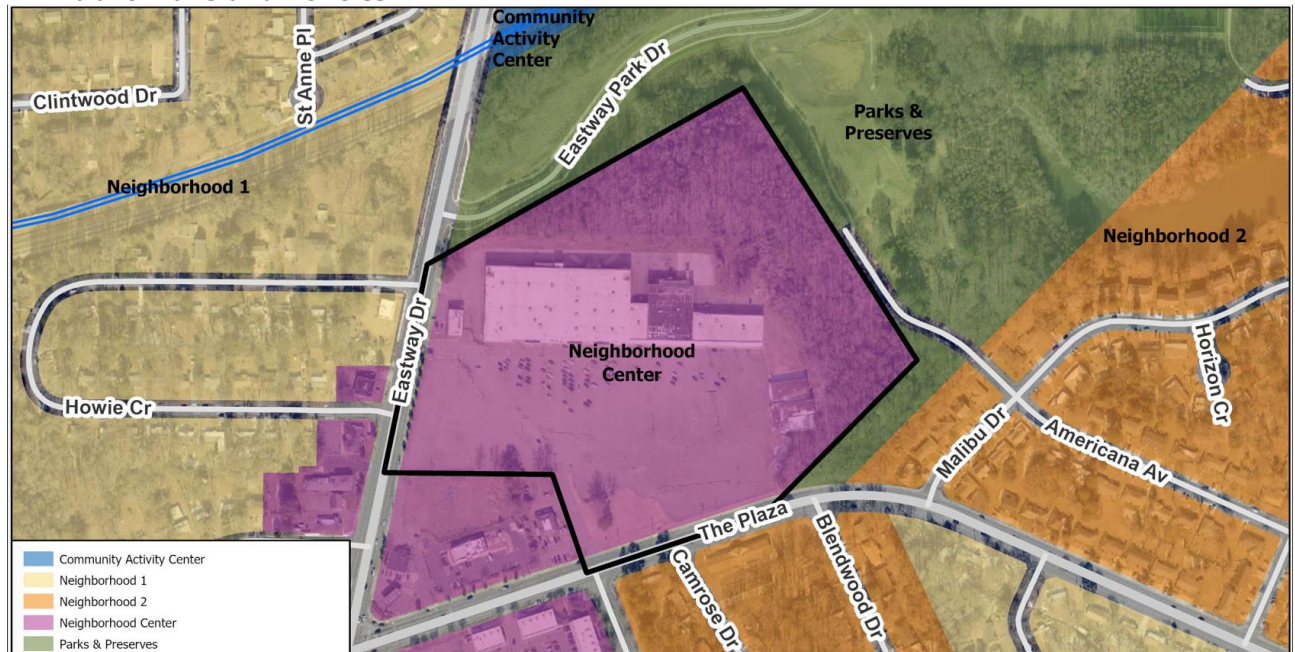


- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC or TOD-TR.	Approved
2017-121	Rezoned 19 acres from I-2 to TOD-M(O) to allow all uses in TOD-M and parking optional provisions.	Approved
2017-115	Rezoned 4.64 acres from B-2 to TOD-R(CD) to allow a senior residential community with up to 132 units.	Approved
2017-086	Rezoned 90.45 acres from B-1, I-1, and R-17MF to INST(CD) to allow Eastway Community Park.	Approved

- Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Neighborhood Center on this site.

**TRANSPORTATION SUMMARY**

- The site is located on Eastway Drive, a State-maintained major thoroughfare, The Plaza, a State-maintained major thoroughfare, and Eastway Park Drive, a City-maintained local street. This site is requesting a TOD-TR zoning and 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 in the TOD-zoned areas.
- **Active Projects:**
  - No active projects near site.
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 12,010 trips per day (shopping plaza).
    - Entitlement: 10,885 trips per day (based on 252,500 sq ft retail).
  - Proposed Zoning: Too many uses to determine trip generation (TOD-TR, 25.25 acres).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Too many possible uses to calculate potential student impact.
  - Briarwood E Elementary at 139%
  - Martin Luther King, Jr. Middle at 101%
  - Garinger High at 115%.
  - See advisory comments at [www.rezoning.org](http://www.rezoning.org).
- **Charlotte Water:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **City Arborist:** No comments submitted.
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry:** No comments submitted.

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





**Planner:** Claire Lyte-Graham (704) 336-3782









## Goals Relevant to Rezoning Determinations

### Rezoning Petition # 2022-004

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 and adopted (anticipated early 2022).

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

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	<b>Goal 1: 10- Minute Neighborhoods</b> 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.	✓
	<b>Goal 2: Neighborhood Diversity &amp; Inclusion</b> 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
	<b>Goal 3: Housing Access for All</b> 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.	X
	<b>Goal 4: Trail &amp; Transit Oriented Development (2-TOD)</b> 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.	✓

	<p><b>Goal 5: Safe &amp; Equitable Mobility</b></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><b>Goal 6: Healthy, Safe &amp; Active Communities</b></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><b>Goal 7: Integrated Natural &amp; Built Environments</b></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><b>Goal 8: Diverse &amp; Resilient Economic Opportunity</b></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><b>Goal 9: Retain Our Identity &amp; Charm</b></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><b>Goal 10: Fiscally Responsible</b></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>N/A</p>