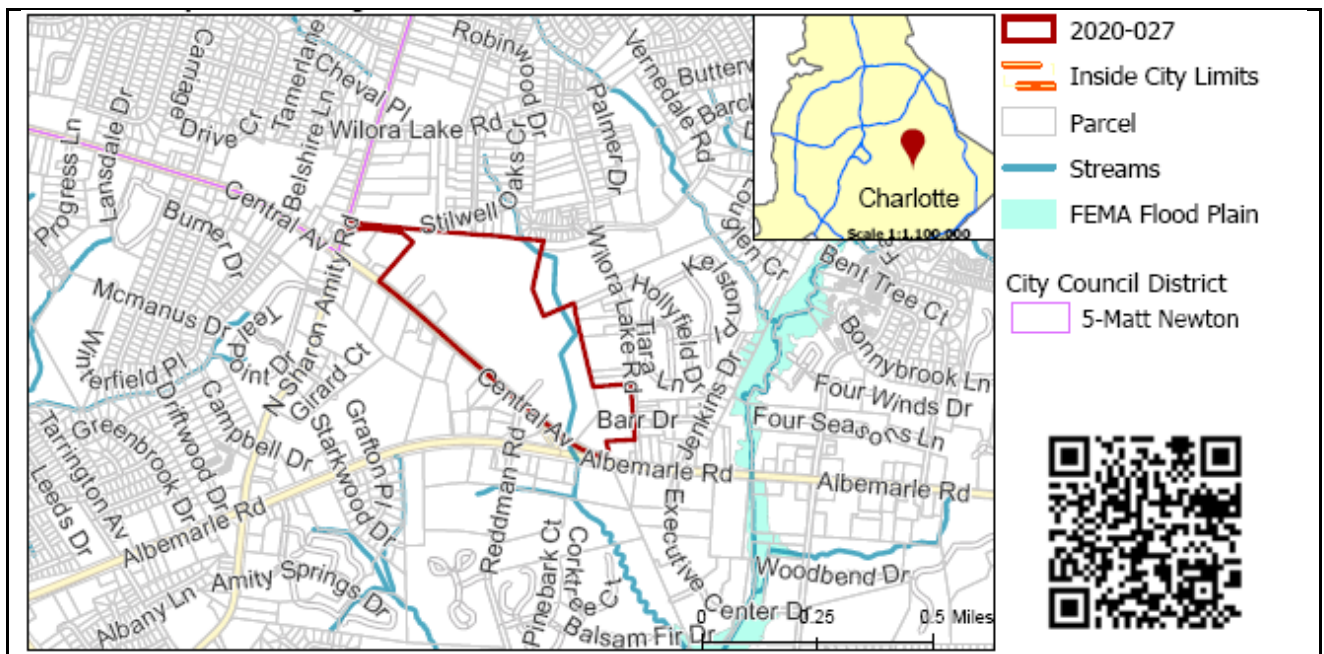


REQUEST

Current Zoning: B-1 SCD, CC, MUDD-O, and B-1(CD)
Proposed Zoning: MUDD-O (mixed use development, optional) and MX-2(innov) (mixed residential, innovative) with five-year vested rights.

LOCATION

Approximately 78 acres of the former Eastland Mall site, located near the eastern intersection of N. Sharon Amity Road and Central Avenue.



SUMMARY OF PETITION

The petition proposes to redevelop the former Eastland Mall site into a mixed-use center containing up to 1,050 residential units with other proposed uses including uses permitted by-right and under prescribed conditions for the MUDD zoning district. Those uses may include commercial, office, hotel, athletic fields/buildings and operations buildings, transit facilities and/or public parks.

PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

City of Charlotte, Wilora Lake Partners LP
City of Charlotte, Crosland Southeast
Colin Brown & Brittany Lins

COMMUNITY MEETING

Meeting is required and has been held. Presentation available online at www.rezoning.org.
Number of people attending the virtual community Q&A: Meeting was held virtually.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Eastland Area Plan's* (2003) recommendation for mixed single family, multi-family, office, and retail uses for the site.

Rationale for Recommendation

- This proposal is consistent with the area plan's recommendation for the transformation of Eastland Mall and surrounding properties into a mixed-use, pedestrian-oriented town center.
- The petition will greater enhance the area's pedestrian experience. The site plan seeks to emphasize pedestrian connections between uses within the development, while creating a strong link between the commercial core and adjacent uses.
- The site plan's commitment to a Public Park echoes the above, adding that the Public Park shall be designed as a significant pedestrian focal point and amenity for that portion of the development.
- Per the area plan, this site is envisioned as the heart of the Eastland Community. New development should be based on a long-term comprehensive strategy that meets the needs of both the existing consumer and the new consumer. The petition meets the above goal via its consideration of existing adjacent single-family development and multi-use path connection to the existing Charlotte-Mecklenburg Schools facility.
- A primary objective of the area plan is to embrace and build a range and balance of shopping choices, housing types, and places of entertainment and recreation in the Eastland Mall area. The petition fulfills this objective through its commitment to a variety of uses permitted in MUDD-O and MX-2 districts. The petition intends to provide a mix of uses in a manner that creates a unified development pattern with generally coordinated streetscape elements, landscaping, and open spaces.
- The area plan recommends that future development in this area should be flexible enough to allow inevitable changes in market conditions. Financial considerations and an implementation strategy are recommended. The petition's conditional notes provide this flexibility.

PLANNING STAFF REVIEW

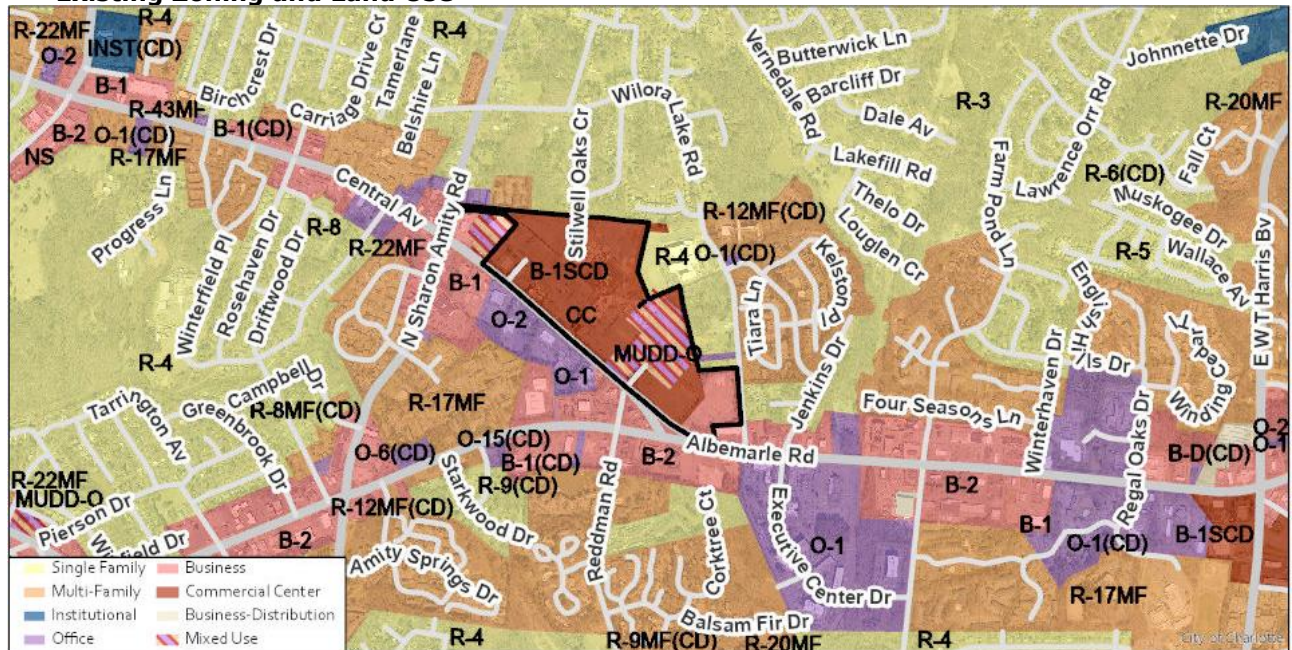
• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposes to rezone (with five-year vesting) approximately 78 acres (former Eastland Mall site) to allow residential units with other proposed uses including uses permitted by-right and under prescribed conditions for the MUDD zoning district to include commercial, office, hotel, athletic fields/buildings and operations buildings, transit facilities and/or public parks.
- Prohibited uses for the site include car washes, automobile service stations, and EDEEs with accessory drive-through windows beyond what is permissible in the optional provisions.
- Depicts the site in three development areas: two separate areas for the requested MUDD-O zoning district and one development area to serve the portion of the property requesting MX-2 (innov.) zoning.
- Lists potential phased transportation improvements around the site.
- Optional provisions for the development areas requesting MUDD-O which would:
 - Allow vehicular maneuvering, service, and valet drop-off for a maximum of 50 percent of each block face. If this provision occurs adjacent to a "main street", the area shall be screened with enhanced landscaping or other decorative measures.
 - Permit structured parking activation standards to be calculated in the aggregate.
 - Permit deviations from the streetscape standards.
 - Allow surface parking as a primary use.
 - Allow surface parking to occur between the buildings and the streets if screened with enhanced landscaping.

- Allow a maximum of two drive through service windows as accessory uses to full service EDEEs and allow one additional accessory drive-through service window as an accessory use to a financial institution, drug store, or other similar use.
- Allow for unlimited height for exterior lighting of athletic fields in Development Area 2.
- Allow flexibility from ground-floor activation requirements for indoor recreational facilities.
- Optional provisions for signage for Development Areas 1 and 2.
 - Specific optional provisions for Development Area 1 to permit:
 - One wall sign up to 1,000 square feet
 - Up to four ground signs up to 200 square feet and up to 30 feet in height, exclusive of bases or decorative elements.
 - Other sign-specific provisions.
 - Specific optional provisions for Development Area 2 which include:
 - Additional sign provisions for an area envisioned to have a sports/events nature along with other development aspects, including one wall sign of up to 1,000 square feet and up to three ground signs of up to 200 square feet and up to 30 feet in height.
 - Other sign specific provisions.
 - Innovative provisions for Development Area 1 which include:
 - Flexibility in street cross-sections.
 - Commits to design guidelines and planned elements including:
 - A Main Street focal zone in Development Area 1 meant to be reminiscent of an urban Main Street.
 - Pedestrian connections to plazas, parks, or other focal points.
 - Dedication of two acres for a public park **regardless of available** Parks and Rec. funding.

- **Existing Zoning and Land Use**



There have been numerous rezonings of parcels within the subject property over the decades. Most recently, the parcel owned by Wilora Lake Partners LP (located in the southeast corner of the subject property) was rezoned in 1995 (1995-056) to its current zoning district (B-1(CD)). A portion located at the center of the subject property was rezoned to CC in 1993 (1993-003) to accommodate a Dillard's expansion. Petition 1972-040 originally rezoned most of the site to accommodate the Eastland Mall development. 1985-035 (SPA) amended the originally approved site plan.

The subject property's overall context largely depends on which portion of the site is being analyzed. As this is a former regional mall site, the area immediately surrounding the site contains additional strip/convenience-type retail, a mixture of housing type (single family detached, multi-family), office uses, and institutional uses (schools, places of worship, etc.).

Existing zoning around the site mimics the site's diverse land uses, with surrounding existing zoning allowing most types of land use except industrial uses.



Aerial overview of the petition's general rezoning boundary.



Looking north towards the site from Central Avenue. The transit center is located just off screen to the right.



Bus loading zone along Central Avenue in front of the transit center.

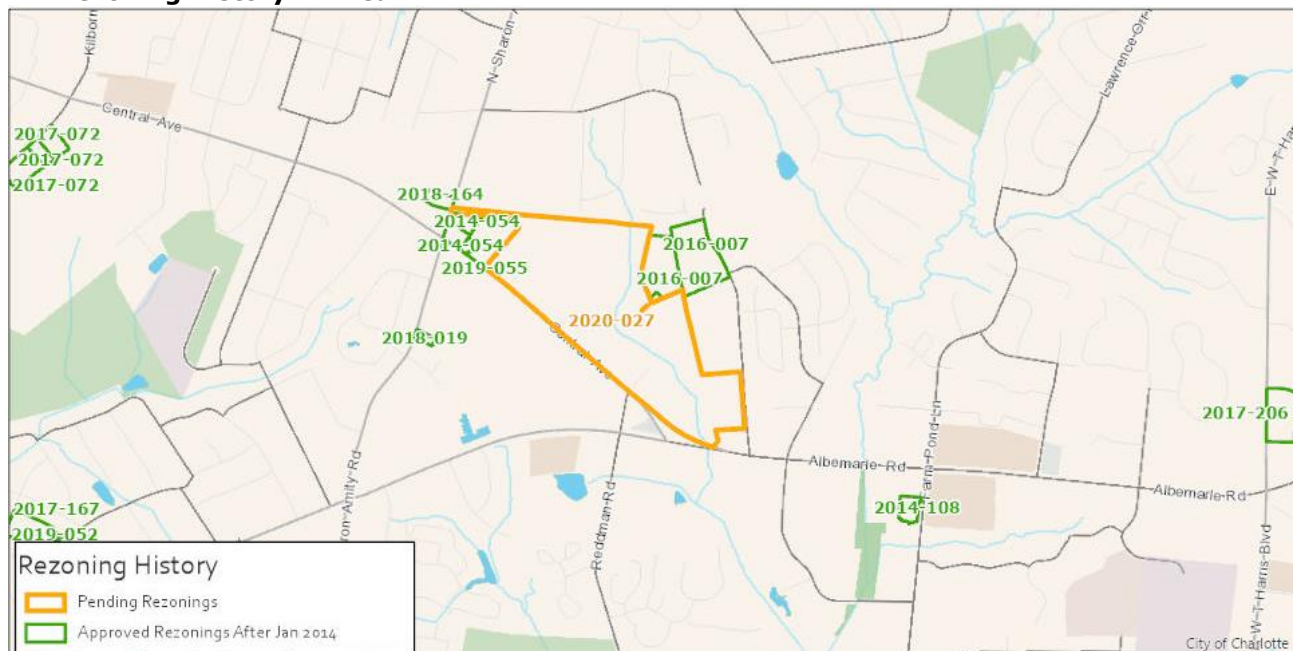


View from Wilora Lake Road looking west toward Charlotte East Language Academy. The school is an adjacent property owner to the rezoning and the road (left) will likely be used as secondary access to northern portion of the site.



View from Stilwell Oaks Circle looking south into the site. This road will likely connect to the residential portion of the site. This area of the Eastland/Wilora Lake neighborhood is primary composed of single family detached housing.

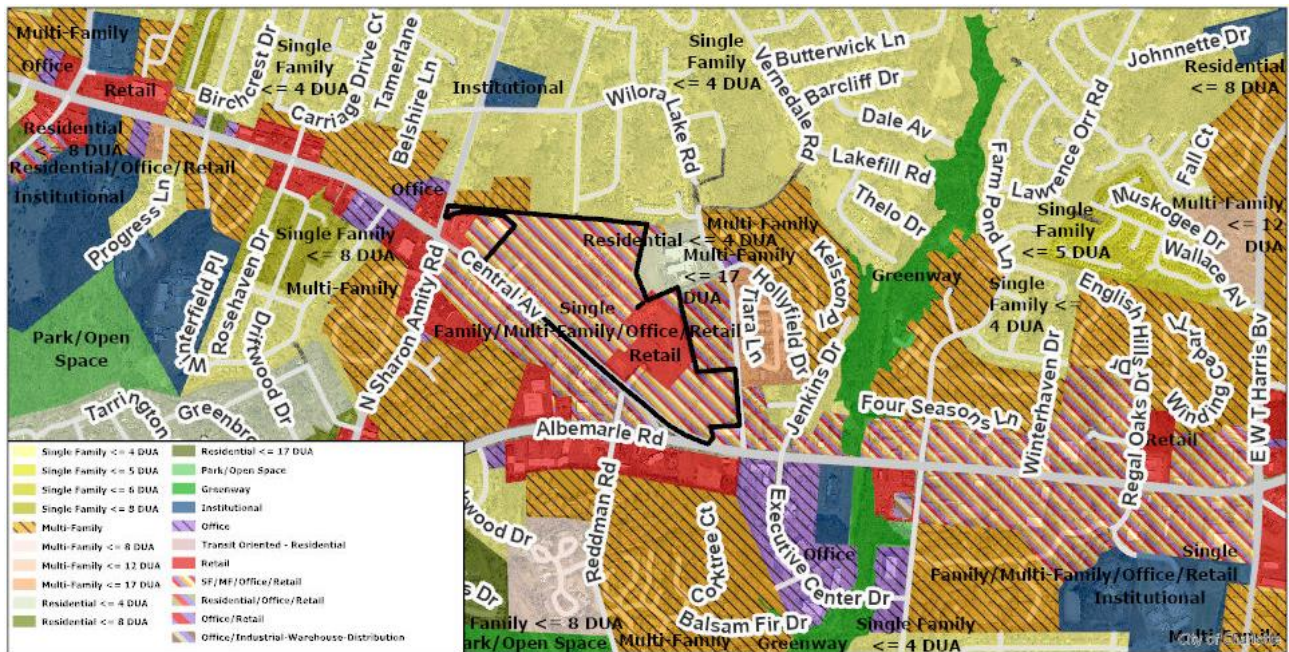
- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-055	Rezoning to allow redevelopment of site to include a school, religious institution, and EDEE Type 1.	Approved
2019-052	Petition to amend a previously approved site plan to allow reuse of existing building and allow additional redevelopment on site.	Approved

2018-164	Petition to conditionally rezone from office to neighborhood business.	Approved
2018-019	Petition to amend a previously approved site plan to increase allowable square footage of an office building.	Approved
2017-206	Petition to allow two development areas containing strip commercial-type uses.	Approved
2017-167	Petition to redevelop the Varnadore building located along Independence Boulevard.	Approved
2017-072	Petition to allow an EDEE in the Eastway/Sheffield Park neighborhood.	Approved
2014-054	Petition to allow convenience store with gas pumps, retail and restaurant uses.	Approved

• Public Plans and Policies



The *Eastland Area Plan* (2003) recommends mixed single family, multi-family, office, and retail uses for most of the site. One parcel is recommended solely for retail use reflecting an approved 2003 petition specific to a J.C. Penney redevelopment proposal (2003-038).

• TRANSPORTATION SUMMARY

- The 78-acre site is located at the corner of Central Avenue and Sharon Amity Road, two major thoroughfares. The currently vacant site is adjacent to an existing CATS Eastland Community Transit Center. The proposed project will include a mixed-use development project, with residential, office, retail, civic, sports entertainment and cultural uses. The site will provide a street network that will increase network connectivity in the area and transportation mitigations at surrounding intersections.

• Active Projects:

- City Lynx Gold Line – Future Phases

• Transportation Considerations

- See Outstanding Issues, Notes 1-6. **ADDRESSED**

• Vehicle Trip Generation:

Current Zoning:

Existing Use: 0 trips per day (based on vacant land use).

Entitlement: 35,420 trips per day (based on 1.3 million SF of retail uses).

Proposed Zoning: TIS submittal to determine daily trips.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** See advisory comments at www.rezoning.org

- **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 development allowed under the existing zoning could generate 47 students based on existing zoning's allowed residential density at the site (parcel identification number 10304108 zoned B-1(CD)), while the development allowed under the proposed zoning may produce 286 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 239 students
 - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
 - Charlotte East Language Academy from 85% to 112%
 - Independence High from 121% to 126%
- **Charlotte Water:** Water service is accessible for this rezoning boundary. The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. Due to limited project details provided, it is recommended that the applicant contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity. See advisory comments at www.rezoning.org
- **Engineering and Property Management:**
 - **Arborist:** See advisory comments at www.rezoning.org
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** See advisory comments at www.rezoning.org
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Transportation

1. ~~Curbline: The site Plan should show the curb and gutter labeled and dimensioned from the centerline of each road.~~ **ADDRESSED**
2. ~~The petitioner should revise the site plan and conditional notes for street typical "A" and "B" to provide 10.5-foot travel lanes to meet the minimum subdivision ordinance Urban Street Design Typical.~~ **ADDRESSED**
3. ~~The petitioner should revise the site plan and conditional notes for street typical "A" and "B" to provide an 8-foot wide minimum planting strip and 6-foot minimum sidewalk width to meet the minimum ordinance requirements.~~ **ADDRESSED.**
4. ~~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. CDOT requests right-of-way set at 2' behind back of sidewalk where feasible.~~ **ADDRESSED**
5. ~~The petitioner should revise the site plan to add a note specifying all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ **ADDRESSED**
6. ~~Add note that final location of transit amenities will be coordinated with the petitioner/developer.~~ **ADDRESSED**

Environment

7. ~~Add conditional note committing to compliance with Tree Ordinance.~~ **ADDRESSED**
8. ~~Site will be required to provide a Tree Survey for first plan submittal. All trees in the ROW will be protected per Tree Ordinance.~~ **ADDRESSED**

Site and Building Design

9. ~~Provide for the ability to extend a public street in location denoted in site plan comments between Stillwell Oaks Drive and Sharon Amity Road.~~ **ADDRESSED**
10. ~~Adjust note for Typical Residential Alley "C" to reflect a label of "Total Width" not "Total ROW".~~ **ADDRESSED**
11. ~~Clarify note I.2 if aggregate is for one deck or per development parcel. Recommend per deck.~~ **ADDRESSED**

12. Illustrate general location of surface parking and reconcile the differences between note I.4 and I.6. **COMMENT RESCINDED**
13. For note I.5, clarify if surface parking is to be allowed between all public streets or internal streets. Likewise, clarify how extensive that condition would be on site before it would be deemed acceptable. **COMMENT RESCINDED**
14. Modify note I.7 to allow for accessory drive through windows for up to two EDEEs and one financial use. Additionally, please provide conditions on the location and orientation of the drive through window, lane, and screening that will be provided. It should be located away from public and private network required streets. **ADDRESSED**
15. For note I.8, provide maximum height of lights. Add note that photometric plan will be submitted during the permitting process. **ADDRESSED**
16. Remove optional note II.4 requesting surface parking as a primary use. Optional provisions may be utilized for development and design standards, not uses. **ADDRESSED**
17. Revise note II.1 to limit vehicular maneuvering between buildings and streets to areas where it is specifically needed. Showing and labeling which streets this provision would apply to is requested. **ADDRESSED**
18. Revise note II.11.d.G to allow only when directed away from adjacent residential development. **ADDRESSED**
19. Remove note III.1 — cross sections need to comply with Subdivision Ordinance. **ADDRESSED**
20. Provide square footages for proposed uses and number of proposed residential units. **ADDRESSED**
21. Please provide building design standards (using current TOD ordinance) as a baseline for all development areas. The design standards should include specific standards for the following building types: Townhomes/attached residential, Residential—multifamily, Mixed use (Main Street and non Main Street frontages), Office. Additional conditions regarding the nature of temporary uses due to project phasing should be considered. **COMMENT RESCINDED. Design standards provided for the Main Street portion of the site.**
22. In note VI.1, more details are needed about the proposed treatments for Main Street. Provide additional notes on what screening will be proposed to deter the eye from service areas. **ADDRESSED**

REQUESTED TECHNICAL REVISIONS

Site and Building Design

23. Label existing zoning in surrounding land use chart on sheet 4. **ADDRESSED**
24. General note — clarify optional provisions that apply to development area 1 and 2. Confusing as written. Generally, consider reducing the number of optional provisions for signage at the site. **ADDRESSED**
25. Create table that clearly illustrates the requested optional provisions for signs by development area. Table columns should include location (development area), sign type (electronic changeable face components, wall sign, etc.), and proposed square footage. Total square footages for each development area should be provided. **COMMENT RESCINDED**
26. In note II.10, correct misspelling of the word signage. **ADDRESSED**

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

Planner: William Linville (704) 336-4090