

REQUEST	Current Zoning: CC, commercial center Proposed Zoning: CC SPA, commercial center site plan amendment, and UR-C(CD), urban residential commercial, conditional; with five (5) year vested rights
LOCATION	Approximately 68.90 acres located on the south side of US Highway 29 across from the intersection of Caprington Avenue and US Highway 29.
SUMMARY OF PETITION	This petition proposes to maintain the 110,000 square feet of retail allowed by the existing CC zoning while increasing the allowable office from 30,000 to 80,000 square feet, and the number of hotel rooms from 90 to 170. The plan also proposes to add a 25,000 square foot wellness center, a 14,000 square foot adult care center, 275 multi-family units (independent and dependent living units), a minimum of 79 multi-family (elderly) units, 100 skilled nursing beds, while eliminating the previously approved 480 "for sale" residential units. The petition also proposes to extend vested rights for five years.
Property Owner Petitioner Agent/Representative	Trevi Partners, LLC Trevi Partners, LLC ColeJenest & Stone, PA
Community Meeting	Meeting is required and has been held. Report available online.

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted unanimously to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. Applicable flood boundaries and water quality buffers (SWIM and PCCO) have been added to the site plan. 2. A minimum 60-foot wide public greenway access has been added from the edge of the SWIM buffer along the creek on the southwest side of the site from Access Road "E" to the property line of the Charlotte Mecklenburg Utilities wastewater treatment plant. 3. Access Road "E" has been identified on sheets RZ-2.0 and RZ-4.0. 4. The fourth paragraph of Note 3.A. has changed "Tract A" to "Tract 2". 5. Note 1.D. has been amended to specify that 5-year vesting is being requested. 6. The internal connection to Tract 4 has been added to sheet RZ-2.0. The hotel may be located on either tract 2 or 3B, with the wellness center/adult day care to be located on the other tract. 7. The building on tract 2 labeled as "commercial/retail" has been relabeled "medical office". 8. The proposed skywalk will connect the wellness center/adult day care to the assisted living facility in tract 1A. 9. A development summary table has been added to sheet RZ3. 10. Elevations and renderings have been submitted as a part of the conditional rezoning. 11. The parking counts on RZ-3 and RZ-4 have been modified and are consistent. 12. A note has been added to the architectural standards on RZ-4 indicating that areas that will not be brick, stone, cultured stone, or other equal masonry products will be stucco. This note has been added to RZ-4 and is attached.
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VOTE	Motion/Second: Lipton /Fallon Yeas: Dodson, Fallon, Firestone, Lipton and Rosenburgh Nays: None Absent: Phipps and Walker Recused: None
ZONING COMMITTEE DISCUSSION	Staff reviewed the modifications made since the public hearing and noted that with those changes, staff was now recommending approval of this petition. A Zoning Committee member asked how the staff was able to support this use in the UR-C district. The Zoning Administrator responded that she had made an interpretation that the assisted living facility was similar to residential uses allowed in the district and that it was therefore a permitted use. Another Committee member inquired about the estimated traffic increase due to the development. A CDOT representative responded that the increase in traffic was acceptable given the capacity of North Tryon Street (US 29) in this area. The Committee also asked to see the elevations/renderings that had been provided and the staff presented those in a slideshow.
STATEMENT OF CONSISTENCY	This petition is found to be inconsistent with the <i>North East Area Plan</i> , but reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Fallon seconded by Commissioner Dodson).
STAFF OPINION	Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS

(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maintain the 110,000 square feet of allowable commercial/retail.
- Increase the allowable office from 30,000 to 70,000 square feet.
- Increase the number of hotel rooms from 90 to 170.
- Add a 25,000 square foot wellness center.
- Add a 14,000 square foot adult care center.
- Add 275 multifamily units (independent and dependent living units), a minimum of 79 multi-family (elderly) units, and 100 skilled nursing beds.
- Delete 480 previously approved "for sale" residential units.
- Relocation of the access to the Charlotte-Mecklenburg Utilities wastewater treatment plant.
- Potential future access to the property to the west and relocation of the access to the property to the southeast committed to in the previous rezoning.
- Maximum building height of 67 feet.
- Potential overhead pedestrian bridge between the nursing home and the wellness center/adult day care area.

- **Public Plans and Policies**

- The *Northeast Area Plan* (2000), as amended by rezoning petition 2006-045, recommends 480 for-sale attached residential units, 110,000 square feet of commercial, 30,000 square feet of office, and a 90-room hotel.
- This petition is inconsistent with the *Northeast Area Plan*.

- **STAFF RECOMMENDATION (Updated)**

- Staff agrees with the recommendation of the Zoning Committee.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No comments received.
 - **Charlotte Department of Transportation:** No issues.
 - **Charlotte Department of Solid Waste Services:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** No issues.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Charlotte Department of Transportation Review
- Charlotte Department of Solid Waste Services Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Application
- Community Meeting Report
- Pre-Hearing Staff Analysis
- Site Plan

Planner: Tom Drake (704) 336-8312