

REQUEST	Current Zoning: B-2 (general business) Proposed Zoning: TOD-RO (transit oriented development - residential, optional)
LOCATION	Approximately 6.97 acres located north of the intersection of North Tryon Street and Old Concord Road, between Northchase Drive and Austin Drive. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes to redevelop a site in the Hidden Valley neighborhood located within ½ mile walk distance of the Old Concord transit station to allow up to 90 multi-family dwelling units, 50% of which will have a monthly rent of 60% or less of the Area Median Income (AMI).
PROPERTY OWNER	TDK, Inc.
PETITIONER	NRP Properties, LLC
AGENT/REPRESENTATIVE	John Carmichael, Robinson Bradshaw & Hinson
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4

STAFF RECOMMENDATION	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to the street extension, traffic signal, right-of-way dedication, building entrances, treatment for the BMP, and roof details.</p> <p><u>Plan Consistency</u></p> <ul style="list-style-type: none"> The petition is consistent with the <i>Blue Line Extension Transit Station Area Plan's</i> recommendation for transit supportive uses for sites located within ½ mile walk distance of the Old Concord transit station. In addition, the height complies with the 50-foot limit recommended in the adopted area plan. <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> The site is within ½ mile walk distance from the Old Concord Station on the LYNX Blue Line Extension. The proposal will provide walkable residential development within the transit station area. The petition proposes to redevelop an infill site, which will minimize environmental impacts while accommodating growth. The petition provides public street connections to abutting properties located to the north and west of the site, supporting enhanced connectivity in the area. In addition, the development will include a ten-foot multi-use path through the site, and the path will promote alternative modes of transportation.
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PLANNING STAFF REVIEW

- Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Maximum of 90 multi-family residential dwelling units. Petition will ensure that a minimum 50% of the total number of units will have a monthly rent of 60% or less of the Area Median Income (AMI) for a minimum of 15 years.
 - A new public street to the north and west property lines, which will function as the fourth leg of the intersection of North Tryon Street and Old Concord Road. Petitioner is responsible for construction of the public street, and all other improvements and costs relating to the intersection will be installed and borne by others.
 - Petitioner will provide a sidewalk and planting strip along the southern side of the proposed public street located along the northern boundary line. The sidewalk and planting strip on the north side of this public street will be constructed by others when the northern portion is

redeveloped.

- Building 1 and Building 2 located to the west of the proposed public street and Building 3 located to the east of the proposed street.
- Building height limited to 46 feet and three stories.
- Building elevations for the multi-family and clubhouse buildings that reflect primary building materials as vinyl lap siding, brick and brick veneer.
- Minimum eight-foot wide planting strips and sidewalks along portions of the internal streets as reflected on the site plan.
- Minimum eight-foot wide planting strips and a minimum 10-foot wide multi-use path along portions of the internal streets as reflected on the site plan.

Optional Provisions:

- Allow surface parking lots located to the sides of any buildings on the site to cover more than 35% of the total lot width subject to the required setbacks and yards.
 - Development shall not be required to meet the TOD-R (transit oriented development – residential) minimum residential density requirement of 15 dwelling units per acre, and instead provide a minimum density of 12.9 units per acre.
 - If the site is phased and Building 2 is constructed prior to Building 1, the parking area located to the east of Building 2 may be located between Building 2 and the new public street extension of Old Concord Road.
- **Existing Zoning and Land Use**
 - The subject property is developed with an eating/drinking/entertainment establishment and a manufactured housing development and is zoned B-2 (general business).
 - Adjacent properties to the north fronting North Tryon Street are zoned B-2 (general business) and B-2(CD) (general business, conditional) and are developed with retail, automotive sales, automotive repair, eating/drinking/entertainment establishments, office/warehouse uses and a manufactured housing development.
 - Properties at the end of West Eastway Drive and Northchase Drive are zoned R-5(CD) (single family, conditional), and INST(CD) (institutional, conditional), and contain a single family dwelling and Martin Luther King, Jr. Middle School. Parcels along Dawn Circle and Austin Drive are zoned R-4 (single family, residential) and developed with single family detached dwellings interspersed with vacant lots.
 - Properties in the southwest quadrant of North Tryon Street and Old Concord Road are developed with office, retail, and warehouse uses; a strip retail shopping center; eating/drinking/entertainment establishments; automotive sales lot; and a private high school in B-2 (general business), TOD-M (transit oriented development - mixed-use) and I-2 (general industrial) zoning.
 - Properties in the southeast quadrant of North Tryon Street and Old Concord Road are zoned I-2 (general industrial) and INST (institutional) and contain retail, office, warehousing, religious institution, group home, and indoor recreation/bowling alley uses.
 - See “Rezoning Map” for existing zoning in the area.
 - **Rezoning History in Area**
 - Pending petition 2017-008 proposes to rezone 5.48 acres located on the east side of Northchase Drive north of North Tryon Street, abutting the subject property to the west. The petition is scheduled for a January 17, 2017 public hearing.
 - Petition 2013-025 rezoned 20.9 acres located on the south side of Old Concord Road at the intersection of North Tryon Street and Old Concord Road to TOD-M (transit oriented development - mixed-use) to allow all uses permitted in the district.
 - **Public Plans and Policies**
 - The *Blue Line Extension Transit Station Area Plan* (2013) recommends transit supportive uses for this site, located within ½ mile walk distance of the Old Concord transit station.
 - The *Blue Line Extension Transit Station Area Plan* recommends a height limit of 50 feet for the subject parcel.
 - **TRANSPORTATION CONSIDERATIONS**
 - The petitioner has provided a local residential wide street connection to North Tryon Street, which will stub to the site’s northern property line for a possible future connection to Dawn Circle (a possible NECI project). This new street connection to North Tryon Street will be the extension of Old Concord Road through the site. The petitioner has been working closely with CDOT and Planning to incorporate a 10-foot multi-use path through the site, which could be a possible re-alignment of the Cross Charlotte Trail continuing to the east. This 10-foot wide path will also provide a direct connection to CAT’s BLE Old Concord Station. The City and the petitioner are currently negotiating the necessary traffic signal and intersection geometric

improvements at Old Concord Road and North Tryon Street to properly access the site from North Tryon Street.

- See Transportation Issues, Notes 1-4.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 2,600 trips per day (based on 7.9 acres of manufactured housing units, 2,000 square feet of warehouse uses, 2,260 square feet of coffee shop use with a drive through, and 3,000 square feet of eating/drinking/entertainment establishment uses).

Entitlement: 7,600 trips per day (based on 118,500 square feet of retail uses).

Proposed Zoning: 630 trips per day (based on 90 multi-family units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** Developer must comply with the City's Housing Policies if seeking public funding.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 64 students, while the development allowed under the proposed zoning will produce 33 students. Therefore, the net increase in the number of students generated from existing zoning to proposed zoning is 0 students.
 - The proposed development is projected to impact the school utilization (without mobile classroom units) as follows:
 - Hidden Valley Elementary to increase from 162% to 164%;
 - Martin Luther King Jr. Middle remains the same at 93%; and
 - Vance High remains the same at 109%.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 12-inch water distribution main located on North Tryon Street, and sanitary sewer availability via an existing eight-inch gravity sewer main located in the western portion of tax parcel 08920101 and North Tryon Street.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Transportation

1. Revise site plan to depict and amend Note 4D to state the following: "The petitioner shall enter into a Developer's Traffic Signal Agreement with CDOT and be responsible for all costs associated with the proposed Old Concord Road eastbound fourth intersection approach, including all necessary geometric and traffic signal modifications at the intersection of North Tryon Street and Old Concord Road. Intersection modifications will include the removal of an existing pedestrian refuge island and implementation of a 150-foot northbound left-turn storage lane on North Tryon Street and an eastbound 150-foot storage lane with appropriate bay tapers on Old Concord Road. The petitioner, CDOT, and NCDOT will work together during the permitting process to determine the proposed eastbound Old Concord Road intersection travel lane configuration, including "stem length" (area where no private driveways will be allowed) so that signal operations can be optimized (i.e.: concurrent left-turn signal phasing) and to prevent vehicles from queuing onto North Tryon Street.
2. Revise site plan to dedicate right-of-way for a local public street along the site's southern property line to create desirable transit station area block lengths between Old Concord Road and Northchase Drive.
3. 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.
4. 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 or phased per the site's development plan.

Environment

5. Amenitize the Best Management Practice (BMP) and include language that BMP will be a

community amenity with fencing that is not chain link and less than five feet in height. This should include walking trails and landscaping.

Site and Building Design

6. Include entrances from the sidewalk to units on the porch.
 7. Provide more details for the roof. Increase roof pitch to at least 6/12.
 8. Eliminate vinyl as a building material.
 9. Amend Note 2A under 'Optional Provisions' to reduce the percentage of area that may be covered by parking lots, and specify the proposed areas.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Sonja Strayhorn Sanders (704) 336-8327