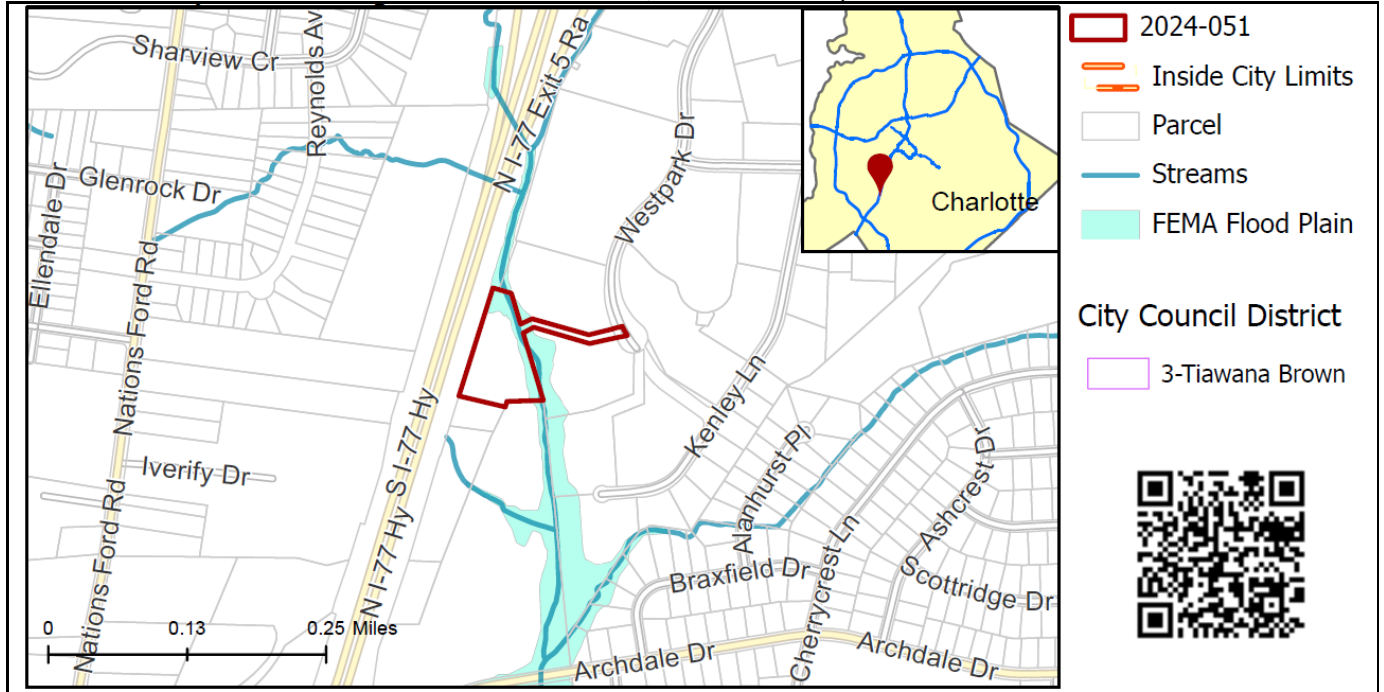


**REQUEST**

Current Zoning: ML-2 (Manufacturing & Logistics 2)  
Proposed Zoning: IMU (CD) (Innovation Mixed-Use, Conditional)

**LOCATION**

Approximately 3.44 acres located on the west side of Westpark Drive, east of Interstate 77, and south of Tyvola Road.



**SUMMARY OF PETITION**

The petition proposes to allow either 144 multifamily residential dwelling units or 144 hotel rooms within the existing buildings on the site.

**PROPERTY OWNER**

EPKON LLC

**PETITIONER**

EPKON LLC

**AGENT/REPRESENTATIVE**

Sam Nye

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 0.

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for Manufacturing & Logistics place type.

Rationale for Recommendation

- The petition would upfit an aging hotel structure to provide an additional housing option in an area that is on the fringe of a housing gap.
- The adjacent property to the north was rezoned in 2021 to allow upfit of a hotel with multi-family residential units.
- The petition is contributing to the advancement of the Mecklenburg County greenway system by dedicating an easement for future Kings Branch Greenway.
- The petition site is adjacent to Innovation Mixed-Use place type to the east.

- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 3: Housing Access for All

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Manufacturing & Logistics place type to Innovation Mixed-Use place type for the site.

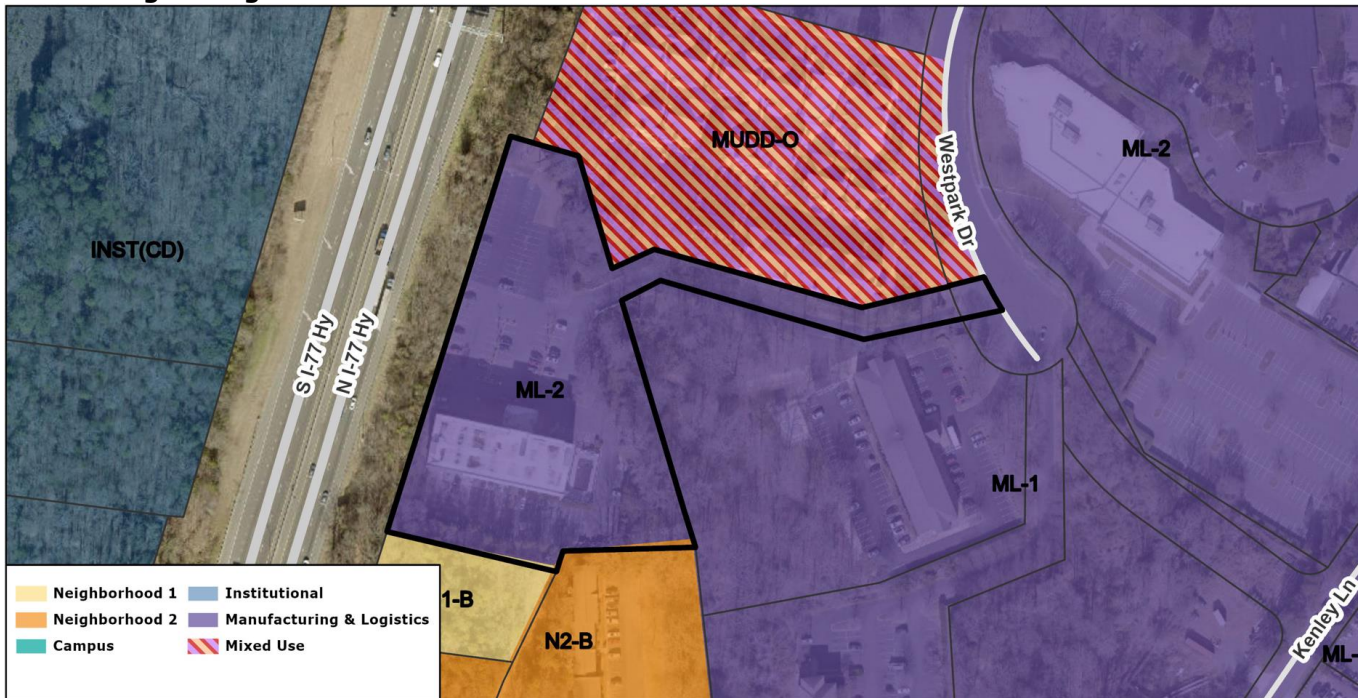
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows for either 144 multi-family residential dwelling units or 144 hotel rooms within the existing buildings on site.
- Prohibits a combination of multi-family residential dwelling units and hotel rooms from occurring on site.
- States intention to reuse the existing buildings and to maintain existing parking, service, and other site infrastructure.
- Provides a 20’ landscape yard along the southern property boundary where adjacent to Neighborhood 1 and Neighborhood 2 place types.
- Identifies the pool area as an open space amenity to remain with the multi-family residential upfit.
- Limits new lighting to 21’ in height and requires that they be full cut-off type with the exception of low landscape, decorative, and accent lighting.

• **Existing Zoning**



- The site is zoned ML-2 and is surrounded by a mix of zoning districts including MUDD-O, ML-1, N2-1, and N2-B.



The site, marked by a red star, is adjacent to Interstate 77 to the west and is surrounded by a mix multi-family residential, hotel, and commercial uses.



Street view of existing hotel on the site.



Street view of multi-family use, converted from hotel use, north of the site as seen from Westpark Drive.



Street view of hotel use to the east of the site along Westpark Drive.

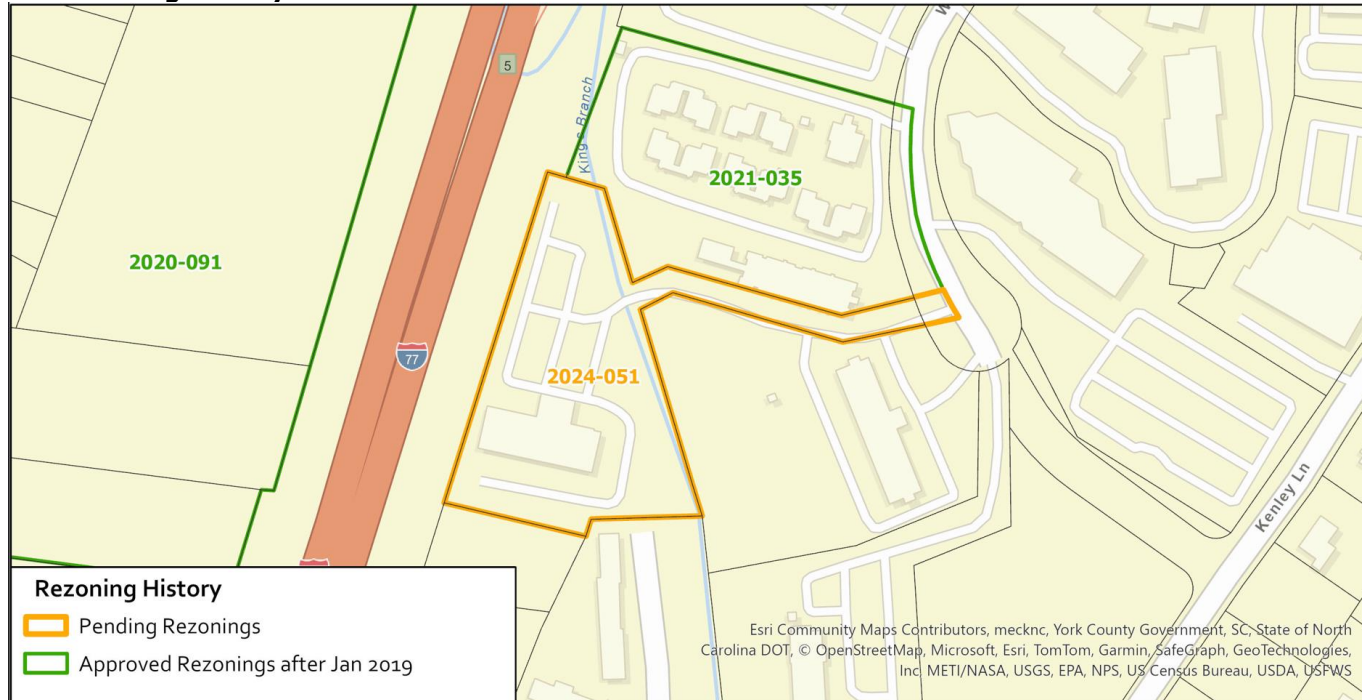


Street view of multi-family residential use to the south of the site as seen from Archdale Drive.



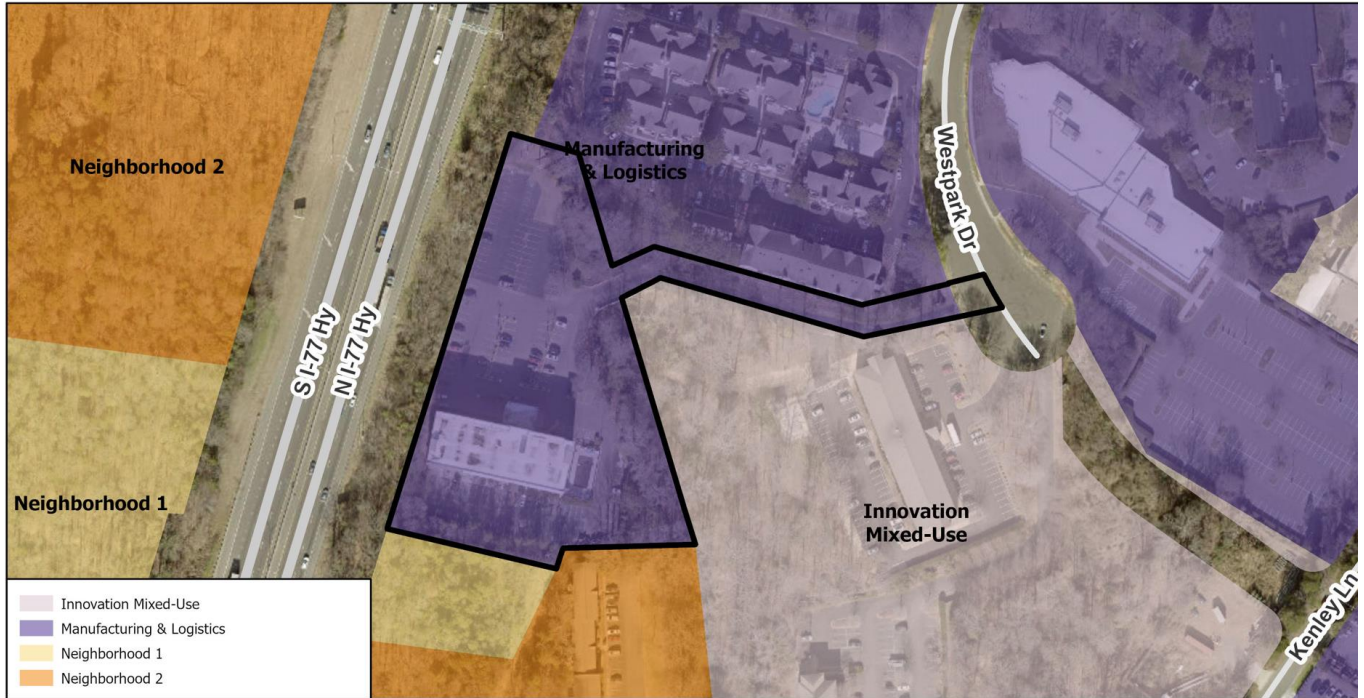
Street view of Interstate 77, west of the site, with the existing hotel visible in the background.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-035	Petition to rezone 3.99 acres to MUDD-O to allow either 116 multi-family residential dwelling units or 116 hotel rooms.	Approved
2020-091	Petition to rezone 40.85 acres to INST(CD) to allow up to 300,000 SF of government offices, clinics, and civic facilities.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Manufacturing & Logistics place type for the site.

• **TRANSPORTATION SUMMARY**

- The petition is located adjacent to Westpark Drive, a City-maintained collector road, south of Griffith Road, a City-maintained collector. A Traffic Impact Study (TIS) is not required for the site due to the development generating site trips under ordinance thresholds and not meeting additional TIS triggers. All CDOT comments have been addressed.
- **Active Projects:**
- I-77 South Corridor Improvements (I-5718A)
  - I-277 to South Carolina state line
  - Project schedule – N/A
- Westpark Drive Extension
  - Extend Westpark Drive Tyvola Road to Archdale Road
  - Project schedule – N/A

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 1,127 trips per day (based on 143 hotel rooms).

Entitlement: 1,127 trips per day (based on 143 hotel rooms).

Proposed Zoning: 640 trips per day (based on 144 multi-family dwelling units).

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.

- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 0 students, while development allowed with the proposed zoning may produce 46 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 46.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Montclair Elementary from 74% to 76%
    - Alexander Graham Middle at 100%
    - Myers Park High at 119%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along Westpark Dr. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 15-inch gravity sewer main located inside the zoning boundary. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **Long Range Planning:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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 outstanding issues.
- **Urban Forestry / City Arborist:** No outstanding issues.

#### OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

##### Land Use

1. ~~Housing and Neighborhood Services is concerned at the potential displacement of any Low to moderate income households that may occupy the property.~~ **ADDRESSED**
2. ~~Housing & Neighborhood Services is also concerned about the potential impact on community services if the responsible party does not manage the displacement of low and moderate income households. Development related displacement is increasingly an issue in the City, and developers need to mitigate its effects as responsible actors. HNS wants to understand the petitioner's plans for addressing displacement and the measures they propose to alleviate it.~~ **ADDRESSED**

##### Environment

3. ~~MCPR requests the petitioner dedicate and convey a greenway and storm water easement to Mecklenburg County which would include whichever is larger of the 100' SWIM Buffer or the FEMA Floodplain of Kings Branch for a future connection to Kings Branch Greenway Trail. The easement can overlap the tree save areas and the existing paved driveway; however, the easement area should exclude the existing paved parking areas. The easement should be conveyed prior to the first CO. Revise site plan to label easement area as "stormwater and greenway easement" and add conditional note referencing the stormwater and greenway easement.~~ **ADDRESSED**
4. ~~Remove last sentence of note 6.II "Staff is available to discuss mitigation options prior to the rezoning plan approval should the project have practical constraints that preclude providing the above referenced stormwater management."~~ **ADDRESSED**
5. ~~Revise note 5.b to state "The petitioner shall comply with the Charlotte City Council approved and adopted Unified Development Ordinance, Stormwater Articles 23 through 28. The location, size, and type of storm water management systems that may be depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points."~~ **ADDRESSED**

##### Site and Building Design

6. ~~Provide a conditional note that lists amenities to be provided in open space.~~ **ADDRESSED**

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Joe Mangum (704) 353-1908