

<b>REQUEST</b>	Current Zoning: R-3, single family residential Proposed Zoning: MUDD(CD), mixed use development district, conditional
<b>LOCATION</b>	Approximately 0.65 acres located on the west side of Park South Drive between Fairview Road and Royal Crest Drive.
<b>SUMMARY OF PETITION</b>	The petition proposes to allow a hotel consisting of 108 rooms.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is inconsistent with the <i>South District Plan</i> . However, the proposed use is consistent with the adjacent nonresidential land uses, which have amended the plan. In addition, the larger than required rear yard and provision of an undisturbed buffer along the rear of the site serve to provide increased separation and obstruction from the abutting residential dwellings.
<b>PROPERTY OWNER</b>	K & P Development, LLC
<b>PETITIONER</b>	K & P Development, LLC
<b>AGENT/REPRESENTATIVE</b>	H.K. Patel
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.

**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum 108 hotel rooms and up to 55,100 square feet.
- Maximum height of 60 feet and five stories.
- Open space consisting of 400 square feet in area.
- Ingress and egress via one driveway.
- Up to 12 surface parking spaces and underground structured parking.
- Exterior building materials consisting of brick, stucco/EIFS, glass and metal panels.
- A 40-foot rear yard.
- A 27-foot Class B undisturbed buffer along the rear.
- An 8-foot planting strip and 6-foot sidewalk along the site's frontage on Park South Drive.
- Detached lighting not to exceed 25 feet in height.

• **Existing Zoning and Land Use**

- The subject property is currently vacant. Properties on the west side of Park South Drive are zoned MUDD-O, R-22MF(CD), INST(CD), R-8MF(CD), with R-3 zoning on parcels located behind. The properties are developed with multi-family apartments, an assisted living facility, an adult care center, townhomes and single family dwellings. Properties on the east side of Park South Drive are zoned MUDD(CD), O-3(CD), and O-1, and developed with retail, office, hotel, and a duplex/triplex/townhome site.

• **Rezoning History in Area**

There have been several rezonings in the immediate area.

- Petition 2010-070 and Petition 2009-035 rezoned properties on the south side of Fairview Road to MUDD(CD) and MUDD-O to allow up to 17,000 square feet of bank, retail, office or restaurant uses, and 213 elderly housing units and 10,000 square feet of ground floor commercial uses respectively.

- Petition 2005-146 rezoned 1.35 acres abutting the subject property to the south from R-3 to INST(CD) to allow a 16,000 square foot adult day care facility serving up to 100 seniors.
  - Petition 95-70 rezoned 3 acres abutting the subject property to the north from R-3 and R-9MF(CD) to R-22MF(CD) to allow either an assisted living facility containing no more than 37 units or up to 37 multi-family dwelling units. The site also allows any residential use permitted in the R-3 district.
  - **Public Plans and Policies**
    - The *South District Plan* (1993) recommends single family residential up to three units per acre on the subject property.
    - The proposed rezoning is inconsistent with the adopted land use plan.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
    - **Transportation:** The petitioner should:
      - Change Note V(a) under the heading of Transportation as follows:
        - Dedication of street right-of-way to city: Street right-of-way will be dedicated as shown on sheet A1.0.
        - A 70-foot right-of-way on Park South Drive is required. 40 feet from the existing centerline will be dedicated. The 40-foot dedicated right-of-way along the site's frontage includes space for a future 5-foot wide bike lane.
      - Revise the call out note on Sheet A1.0 to denote right-of-way, not "setback".
    - **Vehicle Trip Generation:**
      - Current Zoning: 10 trips per day.
      - Proposed Zoning: 882 trips per day.
    - **Connectivity:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
  - **Charlotte-Mecklenburg Storm Water Services:** Add the following note to the site plan: The location, size and type of storm water management systems 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.
  - **Engineering and Property Management:** Any storm water discharge from the potential water retention area shown on Sheet A1.0 must be conveyed to the natural site discharge point in the southeastern corner of the parcel, near Park South Drive.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
  - **Mecklenburg County Parks and Recreation Department:** No comments received.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
  - The site meets minimum ordinance standards.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Amend scale on Sheet A1.0 to reflect 1"=40'.
    2. Provide the correct scale on each sheet.
    3. Label open space.
    4. Correctly label rear yard as "40-foot rear yard" instead of "40-foot rear yard buffer".
    5. Delete reference to landscape buffer to screen surface parking on Sheet A1.0 and label as screening for surface parking.
    6. Continue screening for surface parking to the building front along Park South Drive.
    7. Show and label improved urban open space.
    8. Correctly reflect street name as Park South Drive on Note V(b) and Sheet A1.0.
    9. Address Transportation comments.
    10. Address Storm Water comments.
    11. Address Engineering and Property Management comments.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Engineering and Property Management Review

**Planner:** Sonja Sanders (704) 336-8327