

REQUEST	Current Zoning: O-2(CD) (office, conditional) and B-2(CD) (general business, conditional) Proposed Zoning: B-2(CD) (general business, conditional) and B-2(CD) SPA (general business, conditional, site plan amendment) with five year vested rights
LOCATION	Approximately 8.64 acres located on the west side of Collins Aikman Drive between McCullough Drive and West W. T. Harris Boulevard. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes a zoning change and a site plan amendment to a vacant site located within an office/business development in University City to increase the number of hotels allowed from two to three, allow residential dwellings, relocate a street connection, and amend development standards from the current zoning.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	City Center Hotel, Inc. City Center Hotel, Inc. Brian Upton and H. K. Patel
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3

STAFF RECOMMENDATION	<p>Staff does not recommend approval of this petition in its current form due to the lack of design commitments for new uses added to the site and desired pedestrian facilities.</p> <p><u>Plan Consistency</u> The proposed hotel, office, and residential uses are consistent with the <i>University City Area Plan</i>, which recommends residential, office, institutional, and hotel uses. The proposed retail uses are inconsistent with the adopted land use plan.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • With the exception of the proposed retail, the uses requested by the proposed rezoning are consistent with the plan. • However, the proposed layout lacks sufficient details related to the location, site, and building design of the proposed uses. • The currently approved zoning for the site, under petition 2008-105, does not include residential uses, limits the amount of freestanding retail uses, extends Pike Road to Collins Aikman Drive, and provides a detailed site plan showing how development would occur on the site. • Staff would consider recommending approval of this petition if the proposal is revised to address the land use, infrastructure, site and building design and other outstanding issues for the following reasons: <ul style="list-style-type: none"> • The proposed uses, except for the retail, are consistent with the <i>University City Area Plan</i>. • The proposed retail is allowed by the current conditional zoning petition that governs the site.
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PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan amendment amends the development rights to allow the following changes:
 - Allows 175 residential units. Residential units are not currently permitted on the subject site.
 - Increases the number of hotels. Two hotels are currently allowed in the larger area which includes the subject parcel. The proposed request would allow three hotels with up to 400 rooms in the area currently proposed for rezoning. In addition, land is available in the area abutting the subject property for additional hotel development.
 - Increases the number of hotel rooms allowed from 375 to 400.

- Removes the requirement for any of the hotels to be a full service hotel.
- Eliminates the stipulation that the total amount of retail and/or restaurant uses on the site will not exceed 40,000 square feet and any such retail or restaurant space shall be located in mixed use residential/retail/restaurant buildings or office/retail/restaurant buildings.
- Eliminates the note limiting the number of independent free standing buildings (or cluster of interconnected buildings that is independent) devoted solely to retail and/or restaurant uses that may be developed on the site to one.
- Eliminates the note limiting retail and/or restaurants to 45,000 square feet unless such uses are located within mixed use residential/retail/restaurant buildings or retail/restaurant/office buildings.
- Increases the width of the sidewalk along Collins Aikman Drive to eight feet with an eight-foot planting strip, which is an increase from a five-foot sidewalk and eight-foot planting strip.
- Existing trees within the 30-foot setback along Collins Aikman Drive may be removed to accommodate the proposed building construction and installation of an eight-foot sidewalk and eight-foot planting strip.
- Proposed new public street extending from Collins Aikman Drive in a westerly direction to connect with Brentmoor Drive. This public street will be designed to standards for a local office/commercial wide street designation and will be constructed with the development of either Building #2 or #3.
- Pike Road shall be terminated with a hammerhead in connection with any development that is to occur as opposed to extending Pike Road to Collins Aikman Drive as shown on the approved plan.
- Deleted note under Design and Architectural Treatment requiring the main entrance points into the residential areas to include a tiered landscape treatment including large maturing trees, small ornamental trees, low-lying shrubs, and ground covers.
- **Existing Zoning and Land Use**
 - The subject property, which is vacant, was initially rezoned to O-2(CD) and B-2(CD) via Petition 2006-96. The subject property was a part of an area for which the following uses were allowed: 75,000 square feet of retail and/or restaurant space in mixed use buildings, up to 200,000 square feet of office space, two hotels of which one was required to be full service. The hotels were limited to a total of 525 rooms. Hotel rooms could be converted to additional office space at the rate of 500 square feet for each undeveloped hotel room up to a maximum of 100,000 square feet of additional office space. The total amount of retail and restaurant space shall not exceed 40,000 square feet and any such use shall be located in mixed use retail/restaurant/office buildings. No single tenant or single fee ownership user may occupy more than 25,000 square feet on the ground floor for retail and/or restaurant uses. Fast food restaurants with drive-through window facilities and gas stations/convenience stores with gasoline sales are prohibited.
 - Properties north of the site fronting West W.T. Harris Boulevard contain retail and eating/drinking/entertainment establishment uses and are zoned business, conditional. Properties to the east fronting McCullough Drive include eating/drinking/entertainment establishment, office hotel, and multi-family uses and are zoned a variety of office, conditional districts. Lots south of the site contain multi-family dwelling units and are zoned NS (neighborhood services) and O-3(CD) (office, conditional).
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Pending Petition 2015-109 seeks a change in zoning from O-2(CD) (office, conditional) to MUDD-O (mixed use development, optional) to develop a vacant site located within a half mile of the proposed McCullough Transit Station for up to 150 hotel rooms and residential dwelling units in a single building designed to serve as corporate housing units. The petition was approved in January 2016.
- **Public Plans and Policies**
 - The *University City Area Plan (2015)* recommends residential, office, institutional, and hotel uses for this site.
 - The *University City Area Plan* recommends the extension of Pike Road to Collins Aikman Drive.

TRANSPORTATION CONSIDERATIONS

- CDOT prefers the original location of the street extension to create a better overall street

network. However, since that location may now be infeasible, the new location appears to be the next best option.

- **Vehicle Trip Generation:**
 - Current Zoning: 9,900 trips per day (based on 250 hotel rooms, 200,000 square feet of office and 75,000 square feet of retail)
 - Proposed Zoning: 12,300 trips per day (based on 175 dwelling units, 400 hotel rooms, 200,000 square feet of office and 75,000 square feet of retail)

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate zero students, while the development allowed under the proposed zoning will produce 60 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 60 students. The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
 - University Meadows Elementary from 120% to 125%
 - James Martin Middle from 87% to 88%
 - Vance High from 116% to 117%
- **Charlotte-Mecklenburg Storm Water Services:** See Outstanding Issues, Note 3.
- **Charlotte Water:** No comments received.
- **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

Infrastructure

1. Reflect sidewalk connectivity from each building to the street and to other hotels.
2. Provide a pedestrian connection between the Pike Road hammerhead and Collins Aikman Drive. Show and label on the site plan.
3. Delete Note 11.3 under Storm Water.

Site and Building Design

4. Add note that primary entrances to hotels will be on Collins Aikman Drive. The primary entrance to each hotel should be labeled and the detailing should continue to other floors.
5. Replace note limiting the number of independent free standing buildings (or cluster of interconnected buildings that is independent) devoted solely to retail and/or restaurant uses that may be developed on the site to one.
6. Add note requiring the public street between Brentmoor and Collins Aikman Drive to be constructed prior to the issuance of a certificate of occupancy on any building within this rezoning.
7. Add a note that disallows parking between buildings and public streets.
8. Add Notes 4.2(a) and 4.2(b) that pertain to residential uses to Section 4.1 under the heading of Design and Architectural Treatment to apply to the commercial section.
9. Amend Note 4.1(c) to add that blank walls will not be more than 20 feet on all floors and must include both vertical and horizontal articulation.

Land Use

10. Eliminate all uses except two hotel and associated retail and show an illustrative of the building locations, similar to the existing schematic site plan approved with the earlier conditional site plan, relative to streets and parking lots including design guidelines as noted by staff. Retail uses may be appropriate within a hotel structure but not as a freestanding use and/or structure.
11. Limit the maximum amount of retail allowed to 40,000 square feet and commit that all retail will be located on the ground floor of two hotels.
12. Correctly label the 10-foot setback as a 10-foot yard on the abutting property that fronts

Brentmoore Drive.

13. Specify what is proposed in the landscape strip along Collins Aikman Drive.

14. Specify that setbacks along public streets will be measured from the right-of-way.

Requested Technical Revisions

15. Replace "restaurant" with "eating/drinking/entertainment establishment."

16. Amend Development Data Table to reflect existing zoning as O-2(CD) and B-2(CD).

17. Submit an administrative amendment to rezoning 2006-096 to remove all uses except one hotel with up to 125 rooms from the part of area B not included in this rezoning and to clarify the remaining development rights.

18. Amend technical site plan to reflect "Parking Envelope" instead of "Building/Parking Envelope."

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

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