

<b>REQUEST</b>	Current Zoning: B-1 (neighborhood business) Proposed Zoning: TOD-MO (transit oriented development – mixed-use, optional)
<b>LOCATION</b>	Approximately 0.9 acres located on the northeast corner at the intersection of South Tryon Street and West Kingston Avenue (Council District 3 - Mayfield)
<b>SUMMARY OF PETITION</b>	The petition proposes the redevelopment of two single story residential structures and vacant property for a hotel with up to 130 rooms with office and ground floor commercial/retail designed to be transit supportive in the South End area.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Various W. Holt Parham Collin Brown and Bailey Patrick/ K&L Gates, LLP
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 10

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to ground floor activation and streetscape requirements.</p> <p><u>Plan Consistency</u> The petition is consistent with the <i>South End Transit Station Area Plan</i> recommendation for a transit supportive mix of uses for the area in which the site is located.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• The subject site is within a 1/4 mile walk of the East/West Boulevard Transit Station on the LYNX Blue Line.</li> <li>• The proposed development will provide a mix of transit supportive non-residential uses, including hotel and commercial uses, which are appropriate for a transit station area.</li> <li>• The petition provides a corner open space that encourages pedestrian activity and complements the pedestrian environment.</li> <li>• The proposed site plan includes active ground floor uses along South Tryon Street and Kingston Street. These uses will support a walkable environment.</li> <li>• The 75-foot building height optional request is only 15 feet greater in height than what is allowed by the ordinance standards. The additional height will not have a negative impact on the Wilmore neighborhood, which is separated from this site by commercial development.</li> </ul>
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**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Hotel use with up to 130 rooms and associated ground floor commercial uses along South Tryon Street and West Kingston Avenue.
  - 16-foot setback from the future back of curb along South Tryon Street and West Kingston Avenue with sidewalk and trees in grates.
  - New streetscape improvements on all adjacent streets, including on-street parking on South Tryon Street and West Kingston Avenue.
  - Minimum 1,500 square feet for outdoor seating and plazas areas.
  - Building elevations with proposed building materials, such as brick, stucco, black aluminum, and faux wood accents.
  - Optional Provisions for the following allowances:
    - Additional building height in excess of the TOD (transit oriented development) height plane. The primary building will be approximately 75 feet tall and the allowable TOD height for this

property is 60 feet due to the proximity of single family zoning across South Tryon Street in the nearby Wilmore neighborhood. This represents a height option request of 15 feet.

- Deviation from the required 50 percent street frontage activation along the ground floor. The plan proposes about 35 percent of active uses along the ground floor along all public rights-of-way but does not completely meet the 50 percent requirement.
- **Existing Zoning and Land Use**
  - The subject property is partially developed with single family residential structures and the remainder is vacant.
  - Most of the surrounding properties fronting South Tryon Street are zoned B-1 (neighborhood business), B-2 (general business), and I-1 (light industrial). The properties are developed with residential, retail, and office uses.
  - Across South Tryon Street and behind the commercial uses fronting that street is the Wilmore neighborhood. This part of the neighborhood is developed with primarily single family homes located in the Wilmore Historic District and is zoned R-5 and R-8 (single family residential) and R-22MF (multi-family residential).
  - Between the site and Camden Road are properties primarily zoned TOD-M (transit oriented development – mixed-use) and MUDD (mixed use development). These properties are developed with residential and commercial uses.
  - See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
  - Since the construction of the LYNX Blue Line and the light rail station at the East/West Station, there have been a number of rezonings to conventional TOD-M (transit oriented development – mixed-use) and TOD-MO (transit oriented development - mixed-use, optional) in the area where this site is located. These rezonings have supported the transition of the area to a more walkable transit supportive district.
- **Public Plans and Policies**
  - The *South End Transit Station Area Plan* (2005) recommends transit supportive mixed uses for the subject site and surrounding properties.
  - The petition supports the *General Development Policies-Environment* by redeveloping an infill site near a rapid transit station, thereby minimizing further environmental impacts while accommodating growth.
- **TRANSPORTATION CONSIDERATIONS**
  - The proposed project is located in South End along a major thoroughfare. On this type of facility, CDOT’s primary goal is to protect the future right-of-way and setback needs to help achieve the goals of the area plan and multi-modal transportation needs, including activating parallel on-street parking now, reserving space for future bike lane, and implementing walkable streetscapes.
  - See Outstanding Issues, Notes 3 through 6.
  - **Vehicle Trip Generation:**  
Current Zoning: 1420 trips per day (based on 9,000 square feet of retail uses)  
Proposed Zoning: 800 trips per day

#### 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 comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** See Advisory Comments, Note 1.
- **Engineering and Property Management:** See Advisory Comments, Note 2.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

#### OUTSTANDING ISSUES

##### Site and Building Design

1. Provide details of and quantitative standards for the proposed deviation for the optional request

for active street frontages.

2. Label and show required streetscape along South Tryon Street.
3. CDOT requests that the 8' planting strip be replaced with an 8' hardscape amenity zone. It is unclear to CDOT if these have been addressed. Please label the site plan in a way that makes this clear.
4. CDOT requests that right-of-way be dedicated 2-feet behind the new back of sidewalk. The right of way is not labeled, please label.
5. CDOT requests that the petitioner provide a dimension from centerline of existing roadway to back of future curb (to be constructed now). This dimension should match adjacent rezoning petition 2015-128 and the small area plan.
6. CDOT request that the petitioner install new curb and gutter in the proposed future location to match the approved adjacent petition 2015-128.

**ADVISORY COMMENTS**

7. The site has water and sewer system availability for the rezoning boundary via an existing six and two-inch water main along South Tryon Street and West Kingston Avenue and eight-inch sewer main located along South Tryon Street and West Kingston Avenue.
  8. Site shall comply with the City of Charlotte Tree Ordinance.
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**Attachments Online at [www.rezoning.org](http://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-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:** Solomon Fortune (704) 336-8326