

<b>REQUEST</b>	Current Zoning: B-1(CD) (neighborhood business, conditional) Proposed Zoning: B-2(CD) (general business, conditional)
<b>LOCATION</b>	Approximately 5.52 acres located south of Interstate 485, near the intersection of WT Harris Boulevard, Treyburn Drive and Interstate 485. (Council District 2 - Austin)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow the development of a six-story 141 room hotel and a 7,000-square foot EDEE (eating/drinking/entertainment establishment) on a vacant lot near the Wedgewood and Braemar neighborhoods.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Innkeeper Motor Lodge, Inc. Innkeeper Motor Lodge, Inc. Walter Fields, Walter Fields Group, Inc.
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 61
<b>STATEMENT OF CONSISTENCY</b>	<ul style="list-style-type: none"> <li>• The Zoning Committee found this petition to be inconsistent with the <i>Northlake Area Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• The plan recognizes the adopted neighborhood serving retail land uses approved by the prior rezoning 1993-024(C).</li> </ul> </li> <li>• However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> <li>• Changes in the area with I-485 being built adjacent to the property; and</li> <li>• The neighborhood has provided written support for the petition; and</li> <li>• The proposed hotel use will generate less traffic that what is allowed under the existing zoning; and</li> <li>• The petition will provide significant buffers adjacent to the existing single and multi-family residential uses; and</li> <li>• The traffic improvements committed;</li> </ul> </li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Fryday seconded by Majeed).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. A line of screening shrubs along the property line adjacent to I-485 has been shown on the site plan.</li> <li>2. Building elevations of the proposed hotel with conditional notes for the building materials and architectural elements have been provided.</li> <li>3. The petitioner revised the site plan's "Transportation" Note 3 to remove the reference to "stamped asphalt" and added ", upon CDOT approval."</li> <li>4. The petitioner revised 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.</li> <li>5. Petitioner revised "Transportation" Note 4 to add ", upon NCDOT approval." and added a commitment that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued.</li> <li>6. Petitioner has provided wetlands letter.</li> <li>7. Amended application has been submitted.</li> </ol>
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|  | 8. Hours of operation have been limited for waste removal for the dumpster from the hours of 7:00 A.M. to 7:00 P.M. |
|  | 9. Height of proposed structure has been limited to four stories.   |

**VOTE**

Motion/Second: Spencer / Watkins  
 Yeas: Fryday, Lathrop, Majeed, McClung, Spencer, and Watkins  
 Nays: None  
 Absent: Wiggins  
 Recused: None

**ZONING COMMITTEE DISCUSSION**

Staff reviewed the petition and noted that several issues had been addressed but several outstanding issues still remain. Staff explained the changes and noted that the request is inconsistent with the adopted plan. Staff noted that this petition is inconsistent with the *Northlake Area Plan*. The plan calls for neighborhood serving uses and the hotel is more of a regional serving use.

Several commissioners asked about what would be allowed under the current zoning and number of trips. Staff explained that the previous petition allowed for 50,000 square feet of B-1 uses. B-1 uses would allow retail, restaurant, gas station and office uses. The hotel use would generate about half the number of trips of the existing B-1 uses. Staff noted that the height of the proposed structure had been reduced to four stories and 55 feet.

Another commissioner asked about the request to remove the four-foot existing sidewalk and four-foot planting strip. CDOT responded that as part of the Transportation Action Plan for new development they will request an eight-foot planting strip and six-foot sidewalk. The four-foot planting strip and four-foot planting strip is the minimum staff will accept but not preferred to provide a safer walking experience.

**STAFF OPINION**

Staff disagrees with the recommendation of the Zoning Committee as the adopted plan recognizes the neighborhood serving retail land uses approved by the prior rezoning 1993-024(C). If this petition is considered for approval, the "Outstanding Issues" related to building height.

**FINAL STAFF ANALYSIS**

(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- A 141 room hotel and a 7,000 square-foot EDEE (eating/drinking/ entertainment establishment) with allowed accessory uses.
- Prohibits an accessory drive-through for an EDEE.
- Hotel to be four stories.
- Site access will be via two driveways from Treyburn Drive.
- Building materials composed of brick, stone, precast concrete, synthetic stone, cementitious fiber board, stucco EIFS decorative block and or wood.
- Blank walls will not be more than 20 feet on all floors and must include both vertical and horizontal articulation.
- Prohibition on the use of vinyl or aluminum except for window trim, soffits and window trim.
- 75-foot "Class B" buffer with six-foot tall ornamental fence along the northwest property adjacent to the existing single family homes.
- Internal pedestrian connection between the proposed uses.
- Existing sidewalks to remain along Treyburn Drive and West WT Harris Boulevard.
- Pedestrian refuge island at the intersection of Treyburn Drive and WT Harris Boulevard.
- Proposed raised intersection with stamped concrete/asphalt at the intersection of Woodsedge Drive and Treyburn Drive.
- Extension of the existing thru/right-turn lane from the existing intersection of WT Harris Boulevard and McDonald's driveway to Treyburn Drive.

- A note that dumpster service will be limited to the hours between 7:00 A.M. and 7:00 P.M.
- Detached lighting limited to 26 feet in height.
- Additional street lighting along site front on Treyburn Drive.
- Screening shrubs adjacent to Interstate 485 to screen parking.
- **Public Plans and Policies**
  - The site is located at the unsignalized intersection of a major thoroughfare and a minor collector. CDOT continues to request construction of the standard eight-foot wide planting strip and six-foot wide sidewalk along the site's Treyburn Drive frontage. Traffic improvements included in the current site plan appear feasible but will require further evaluation during permitting to determine if they are appropriate within agency guidelines.
  - See Outstanding Issues, Notes 7 through 10.
- **TRANSPORTATION CONSIDERATIONS**
  - The site is located at the unsignalized intersection of a major thoroughfare and a minor collector. The current site plan fills a sidewalk gap along the site frontage near WT Harris. However, existing narrow sidewalk close to the street will not be replaced with a more desirable pedestrian facility.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant land).
      - Entitlement: 4600 trips per day (based on 55,000 square feet of retail).
    - Proposed Zoning: 2040 trips per day (based on 141 room hotel and 7,000 square feet of restaurant).

#### **DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
  - **Charlotte Department of Neighborhood & Business Services:** No comments received.
  - **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:** No issues.
  - **Charlotte Water:** The site has water availability for the rezoning boundary via an existing eight-inch water main located along Treyburn Drive. The site currently does not have sewer system availability.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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#### **OUTSTANDING ISSUES**

##### Land Use

1. Proposed hotel use is inconsistent with the surrounding residential context of the area and not appropriate in this location.
2. The proposed hotel is a regional/highway use and does not provide neighborhood retail services to the existing developed neighborhood as previously approved under petition 1993-024(C).

##### Site and Building Design

3. Petitioner should reduce the height of the proposed hotel to three stories and 40 feet.

#### **Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
  - Charlotte Area Transit System 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