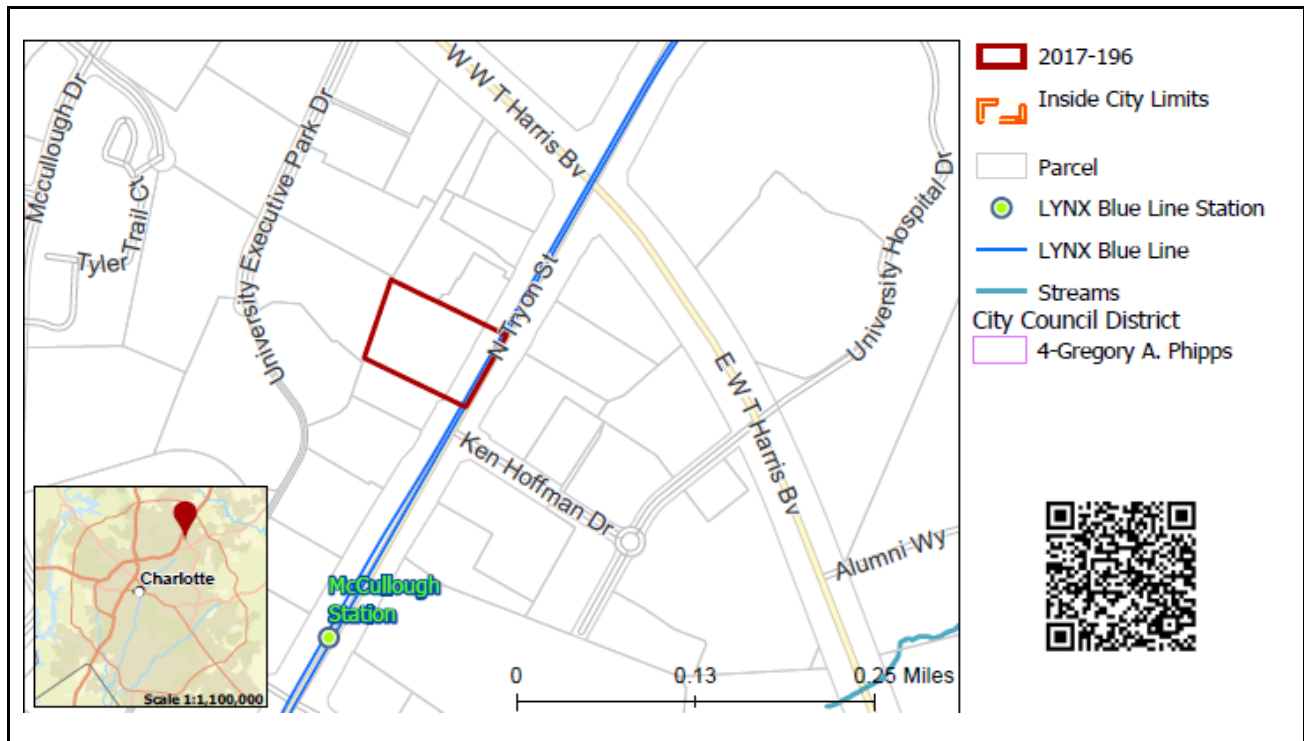


## REQUEST

Current Zoning: O-6(CD) (office, conditional)  
 Proposed Zoning: MUDD-O (mixed used development, optional)

## LOCATION

Approximately 2.5 acres located on the west side of North Tryon Street, south of East W.T. Harris Boulevard.  
 (Council District 4 - Phipps)



## SUMMARY OF PETITION

The petition proposes to retain the existing 56,693 square foot hotel use, and eliminate nonconformities resulting from the expansion of North Tryon Street and construction of the Blue Line extension.

## PROPERTY OWNER

RI Charlotte Property, LP

## PETITIONER

RI Charlotte Property, LP

## AGENT/REPRESENTATIVE

Gavel & Dorn Engineering

## 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 consistent with the *University City Area Plan*, which recommends office, civic/institutional, retail and hotel uses.

### Rationale for Recommendation

- The requested hotel use is consistent with the adopted area plan.
- The existing hotel use complements the existing office and retail development, and is an appropriate element in the mix of uses on and around the site along the North Tryon corridor.
- Existing drive aisle fronting North Tryon Street will be replaced with landscaping, and some parking spaces will be relocated farther away from the front of building(s) and North Tryon Street.
- Zoning change will eliminate the current nonconformities that resulted from the expansion of North Tryon Street and construction of the CATS/Lynx Blue Line extension.

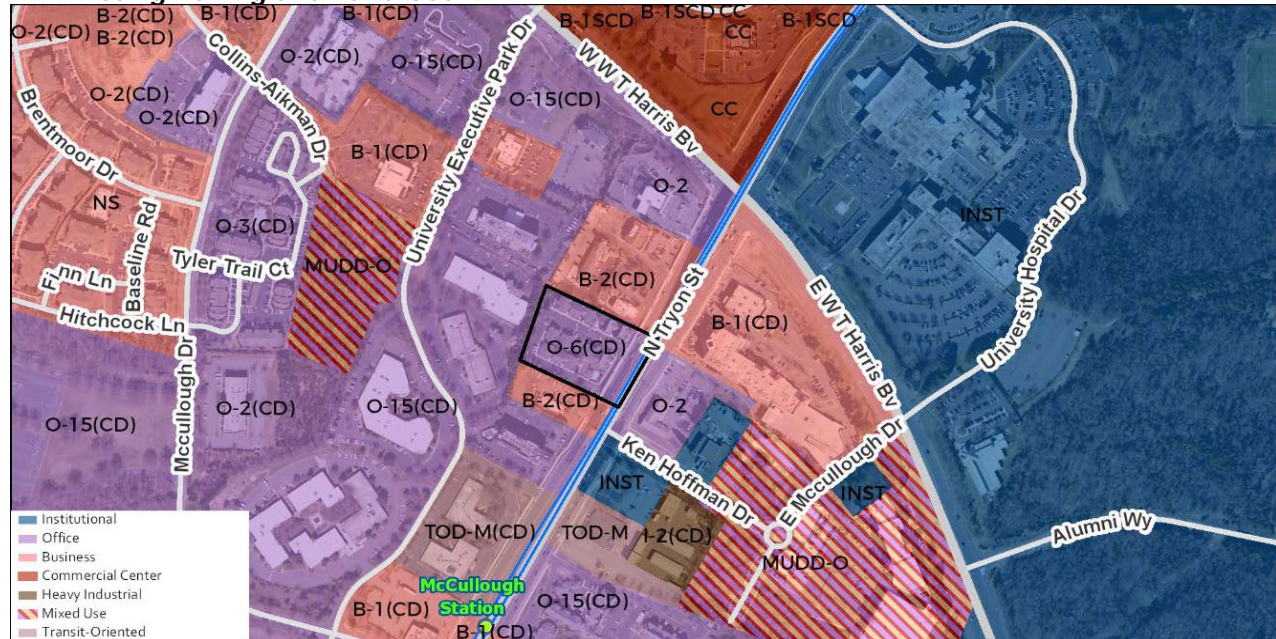
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Site seeks to allow the existing hotel use to remain, and is correcting nonconformities caused by road widening due to rail line extension.
- Optional provisions requested:
  - Delay compliance with access requirements until completion of the new driveway and sidewalk tie-ins by CATS.
  - Waiver of the required loading/delivery zone and recycling container.
  - Allow the existing maneuvering between the building and North Tryon Street to remain until the City of Charlotte completes the work on the second new driveway and the space if replaced with landscaping.
  - Exemption from providing required long-term bicycle parking spaces.
  - Request to not provide pedestrian circulation until completion of new sidewalks by City of Charlotte, which will tie to existing sidewalks along North Tryon Street.
  - Allow current landscaping to remain until new landscaping is installed by the city in existing maneuvering area along North Tryon Street.
  - Allow the existing approximately 37-foot tall, 52.5 square foot pole sign to remain, which exceeds the MUDD requirements of five feet in height, 20 square feet in area and must be located a minimum of five feet behind the right-of-way, out of the sight distance triangle.

### • Existing Zoning and Land Use



- Petition 1984-08C rezoned the subject property to O-9(CD) (office, conditional) to allow 57,000 square feet of building area for uses permitted in the office district.
- Petition 1991-49 rezoned the subject property to O-6(CD) (office, conditional) to establish city zoning authority on the property upon annexation into the city. The permitted uses and site plan under the previous petition remained unchanged.
- The subject property is developed with 91 hotel/motel units.
- Surrounding uses include a variety of office, retail, Eating/drinking/entertainment uses, and hotels.





The subject site is developed with a hotel and located along North Tryon Street and the Blue Line Extension between two eating/drinking/entertainment establishments.



The McCullough Drive station is located approximately 1,020 feet south of the subject site.



There are office and hotel uses to the rear of the site, accessed from University Executive Park Drive.

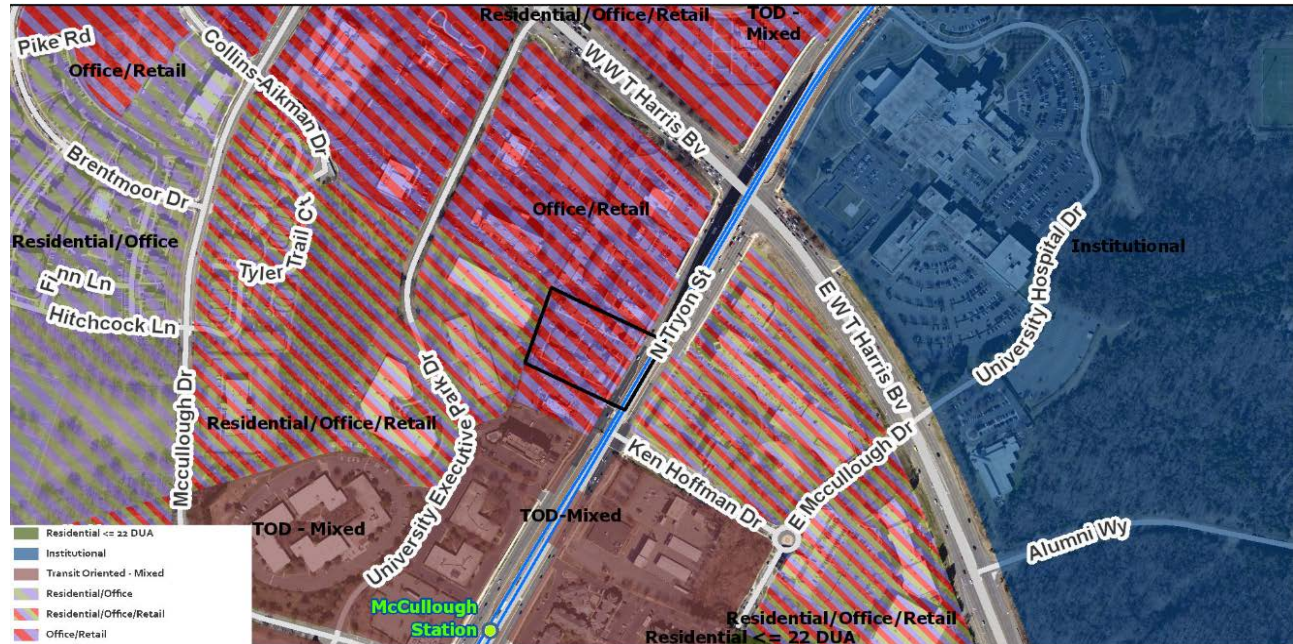
### • Rezoning History in Area



Petition Number	Summary of Petition	Status
2016-117	Approximately 4.51 acres located on the west side of North Tryon Street between East McCullough Drive and Ken Hoffman Drive from O-15(CD) (office) to TOD-M(CD) (transit oriented development – mixed-use, conditional) to allow a maximum of 280 multi-family dwelling units with incidental and accessory uses, and a minimum of 5,000 square feet of nonresidential uses allowed in the TOD-M (transit oriented development – mixed-use) district will be located on the ground floor of the building.	Approved
2015-109	Approximately 5.05 acres located on the west side of University Executive Park Drive near the intersection of West W. T. Harris Boulevard and University Executive Park Drive from O-2(CD) (office, conditional) to MUDD-O (mixed use development, optional) to allow a mix of up to 150 hotel rooms and residential dwellings in one principal building designed to serve as corporate housing.	Approved
2014-86	Approximately 1.83 acres located on the east side of North Tryon Street between McCullough Drive and Ken Hoffman Drive from INST (institutional) and I-2(CD) (general industrial, conditional) to TOD-M (transit oriented development - mixed-use) to allow all uses permitted in the TOD district.	Approved



- **Public Plans and Policies**



- University City Area Plan (2015) recommends office, civic/institutional, retail and hotel uses. plan).
- **TRANSPORTATION CONSIDERATIONS**
  - The site is on a major thoroughfare approximately 1,000 feet north of the McCullough Blue Line station. The current site plan does not propose any changes to the existing development. When the property redevelops in the future, CDOT will work with the petitioner to implement the streetscape outlined in the University City Area Plan/LYNX Blue Line Extension Transit Station Area Plans Update.
  - **Vehicle Trip Generation:**  
Current Zoning:  
Existing Use: 740 trips per day (based on a 91 room hotel).  
Entitlement: 740 trips per day (based on a 91 room hotel).  
Proposed Zoning: 740 trips per day (based on a 91 room hotel).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** No comments submitted.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Tryon Street. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer main located along the west side of the rezoning boundary.
- **Engineering and Property Management:**
  - **Arborist:** Trees cannot be removed from nor planted in the right-of-way of North Tryon Street without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City and before planting trees in the NCDOT right-of-way. The petitioner shall submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right-of-way. In addition, the survey shall include all trees eight inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.

- **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**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 Fire Department Review
  - Charlotte Water Review
  - Engineering and Property Management Review
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

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