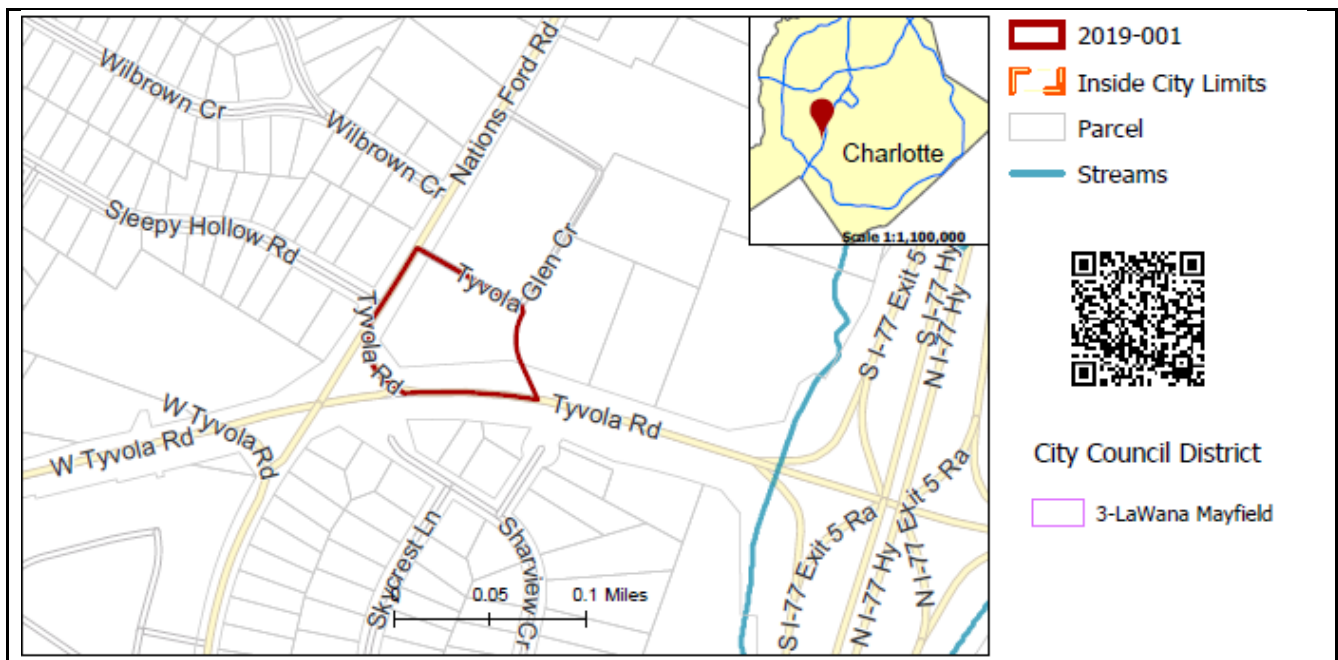


REQUEST

Current Zoning: MUDD-O (mixed use development, optional) with five-year vested rights
Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment)

LOCATION

Approximately 1.79 acres located on the northeast corner at the intersection of Nations Ford Road and Tyvola Road.
(Council District 3 - Mayfield)



SUMMARY OF PETITION

The petition proposes to allow a hotel on a vacant parcel in the Yorkmont, generally located north of Tyvola Road between Nations Ford Road and Interstate 77.

**PROPERTY OWNER
PETITIONER
AGENT/REPRESENTATIVE**

The 6125 Company, LLC
The 6125 Company, LLC
John Carmichael

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 5

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design (Fire).

Plan Consistency

The hotel use is consistent with the retail and office land uses recommended for this site in the *Southwest District Plan*, as amended by rezoning petition 2016-081.

Rationale for Recommendation

- The subject property is part of a larger multi-use development located at the Interchange of I-77 and Tyvola Road and developed with a range of commercial uses, including three hotels, an office, and a financial institution.

- A prior rezoning prohibited automobile oriented uses such as convenience stores with gasoline sales and restaurants with drive-through service windows.
- The proposed hotel and associated uses are consistent with the adopted retail and office land uses for this site, and will complement the surrounding hotel, office and residential uses.
- In addition, the site design supports pedestrian activity along Nations Ford Road and Tyvola Glen Circle, by placing the building at the back of sidewalk with parking to the ~~side and~~ rear for good pedestrian access to the neighborhood and other commercial establishments on the larger site.
- The proposal also provides for a number of improvements at the intersection of Tyvola Road and Nations Ford Road that will enhance pedestrian safety.

PLANNING STAFF REVIEW

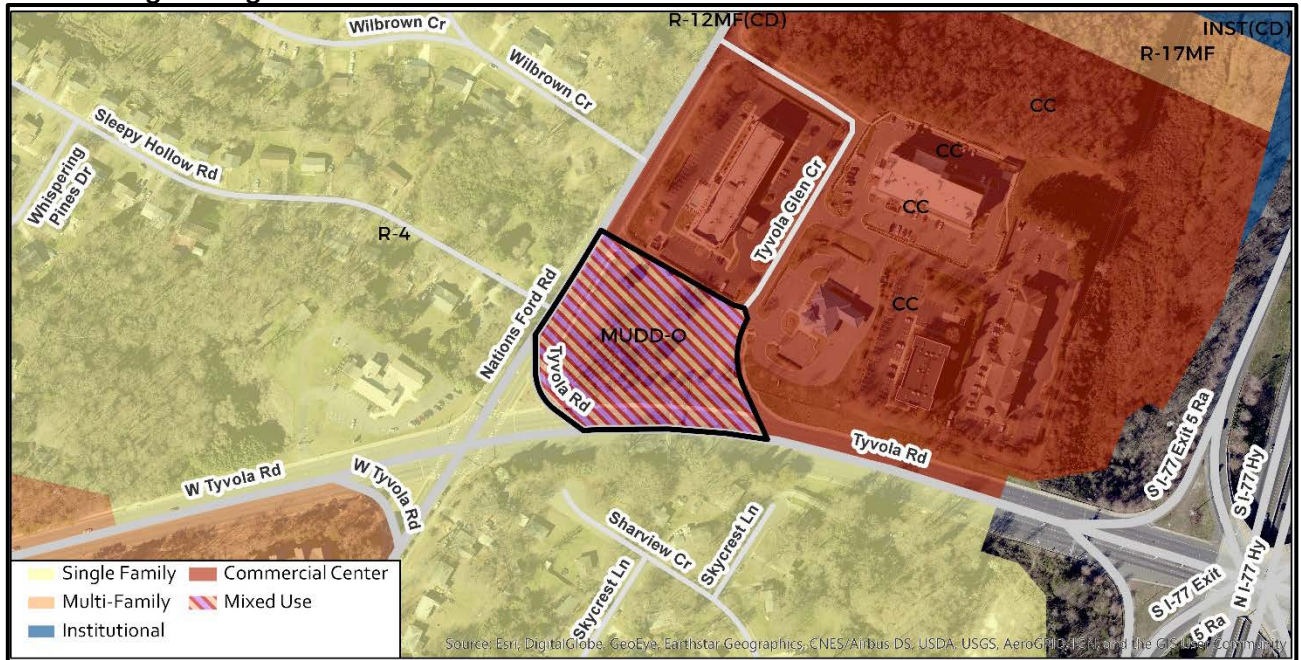
• Proposed Request Details

The site plan amendment contains the following changes:

- Allow a hotel with up to 95 guest rooms, and any incidental or accessory uses associated therewith. (This will replace the current approval via petition 2016-081 for retail and/or eating/drinking/entertainment establishments, office, and climate controlled storage.)
- Limits maximum building height to 4 stories.
- Notes the minimum setback from Tyvola Road and Nations Ford Road will be 14 feet from the back of the existing curb as depicted on the rezoning plan. Indicates the minimum setback from Tyvola Glen Circle and adjacent private drive will be 14 feet from the back of the proposed curb as depicted on the rezoning plan.
- Requests the following optional provisions:
 - Allow parking, vehicular circulation and vehicular maneuvering space to be located between the building to be constructed and the required 14-foot setbacks from Tyvola Road, Tyvola Glen Circle, and the adjacent private drive as depicted on the rezoning plan.
 - Allow wall signs to have up to 200 square feet of sign surface area per wall or 10% of the wall area to which they are attached, whichever is greater.
 - Allow ground mounted monument sign with a maximum height of 6 feet and a maximum sign area of 36 square feet on the site's frontage on Tyvola Road, and a ground mounted monument sign with a maximum height of 6 feet and a maximum sign area of 36 square feet on the site's frontage on Nations Ford Road.
- Commits to the following improvements:
 - Access the site via Tyvola Glen Circle, a private street which connects to Nations Ford Road. ~~and a private drive off Tyvola Road.~~
 - Provide accessible ramp at the southwestern corner of the site.
 - Add 10-foot piano style crosswalk with Yield triangle pavement markings.
 - Add accessible ramps on the pedestrian refuge island.
 - Pedestrian sign noted on the site plan. Final location/details of the pedestrian sign will be established during permit review with coordination with petitioner.
 - Upgrade existing pedestrian refuge island to improve existing ramps, sidewalk and curb.
 - Provide two new accessible ramps at the intersection of the private drive and Tyvola Road.
 - Notes that to the extent that such right-of-way does not already exist, petitioner will, prior to the issuance of the first certificate of occupancy for a building constructed on the site, dedicate and convey to the City of Charlotte or to NCDOT portions of the site located immediately adjacent to Tyvola Road and Nations Ford Road necessary to extend the existing right-of-way for those public streets to that point that is located 2 feet behind the 6 foot wide sidewalk located or to be located along the site's frontages on these public streets where feasible.
- Commits to the following architectural and design standards:
 - Place buildings to present a front or side façade to all streets.
 - Facades fronting streets to include windows and/or operable doors or a combination for a minimum of 60% of each frontage elevation with transparent glass between 2 feet and 10 feet on the first floor.
 - Facades of first/ground floor of the building along streets to incorporate a minimum of 30% masonry materials such as brick or stone.
 - Provide a minimum of two active entrances into the building, with one of the entrances to be located on the building elevation facing Tyvola Glen Drive. Nations Ford Road.
 - Prohibit expanses of blank walls greater than 20 feet.

- Design building elevations with vertical bays or articulated architectural features to include a combination of at least three of the following: a combination of exterior wall offsets (projections and recesses), columns, pilasters, change in materials or colors, awnings, arcades, or other architectural elements.
- Multi-story building to have a minimum of 20% transparency on all upper stories.
- Notes that in the event urban open space is required to be provided on the site, it may be located, at the option of the petitioner, within the inner half of the 35-foot landscape area located along the site's frontage on Nations Ford Road.

• **Existing Zoning and Land Use**



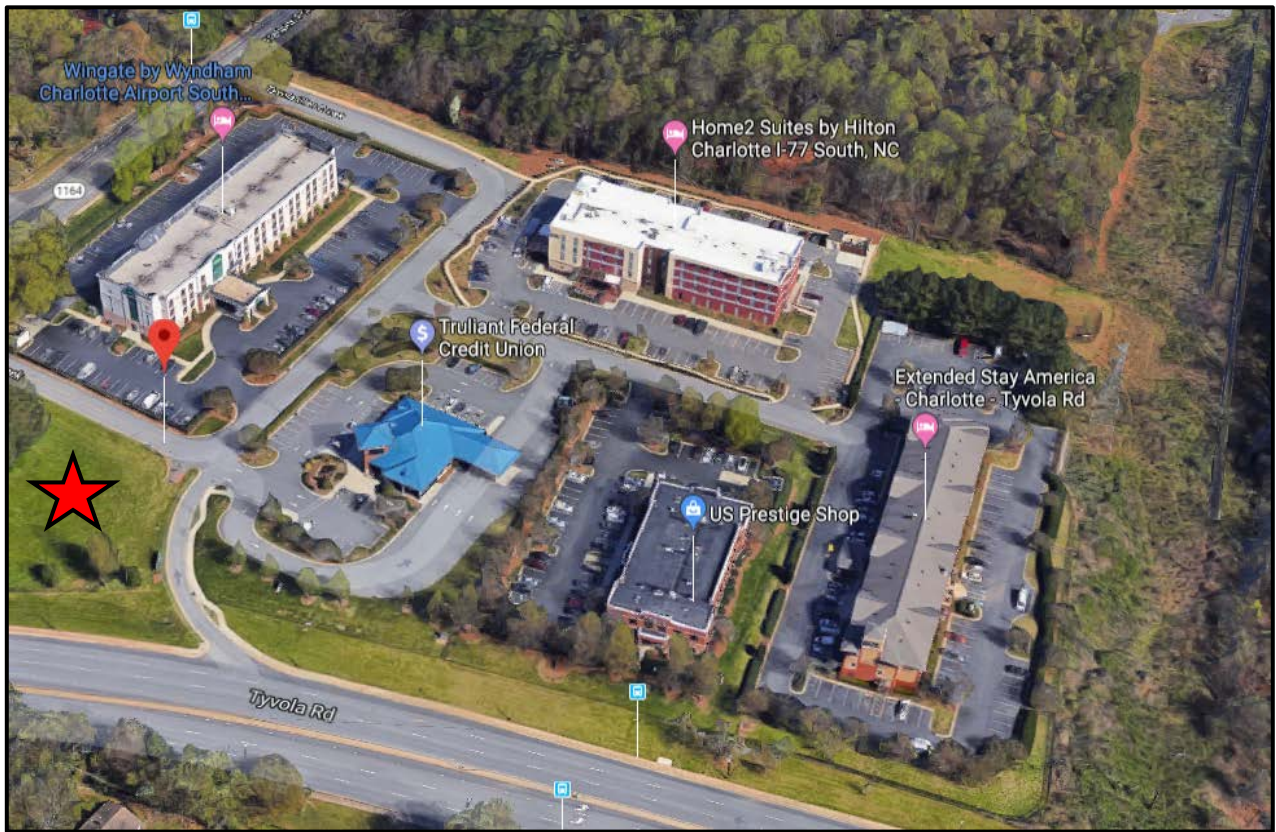
- The subject parcel is currently vacant and surrounded by a mix of hotel, bank, religious facility and residential uses in various zoning districts.
- The rezoning site is part of a larger 22-acre site approved to allow development of 121,000 square feet of office uses and 550 hotel rooms via petition 1988-001 B1SCD (shopping center) site plan amendment. Petition 1997-015 rezoned the same 22 acres to CC (commercial center) to allow for office, retail, institutional, eating/drinking/entertainment establishments and hotel uses.
- Rezoning petition 2017-109 proposed a MUDD-O site plan amendment to allow up to 25,000 square feet of professional business and general office uses on the rezoning site. That petition was withdrawn.
- Approval of petition 2016-081 allowed 10,000 square feet of retail and/or eating/drinking/entertainment establishments, 1,000 square feet of office, and 80,000 square feet of climate controlled storage, for a total 91,000 square feet in a single building.
- A prior rezoning petition 2015-118 proposed to allow an automobile service station, associated convenience store, and another proposed commercial building. The request was denied by City Council on January 19, 2016.
- Rezoning petition 2014-092 proposed an automobile service station and a commercial building. This request was withdrawn in March 2015 prior to the City Council decision.



The subject property is vacant.



The property to the north along Tyvola Glen Creek is developed with a hotel.



The properties to the north and east along Tyvola Road are developed with hotels and retail uses.

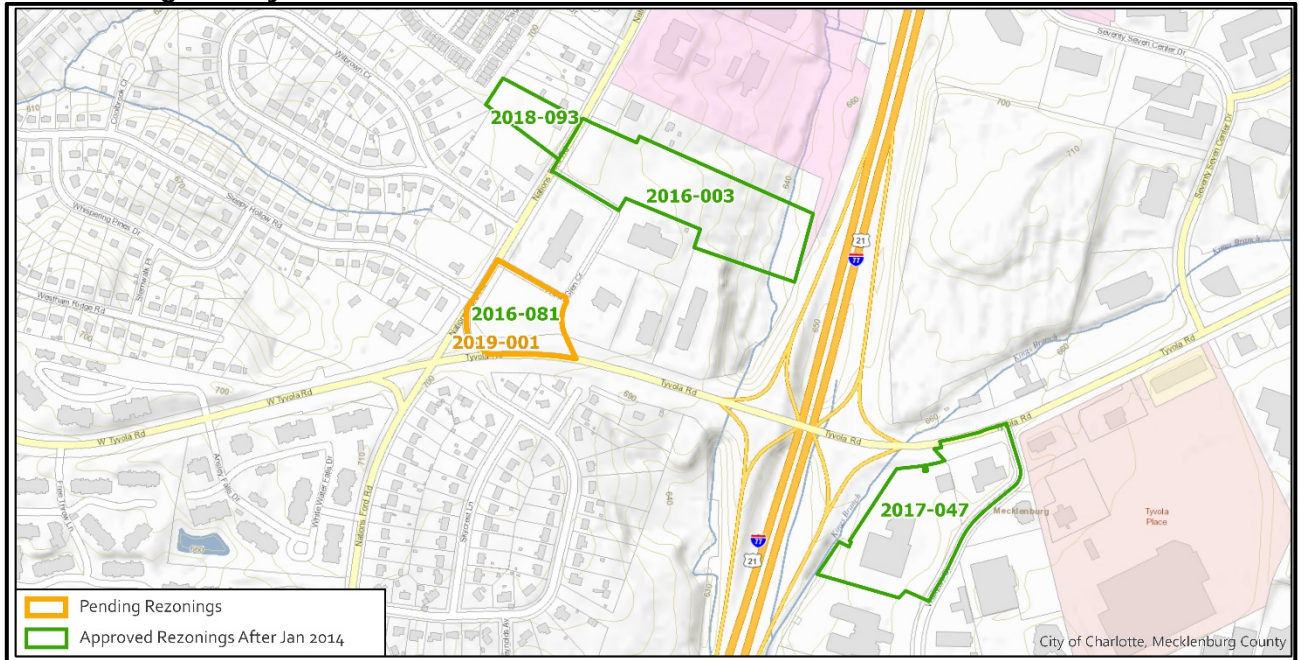


The properties to the south along Sharview Circle are developed with single family homes.



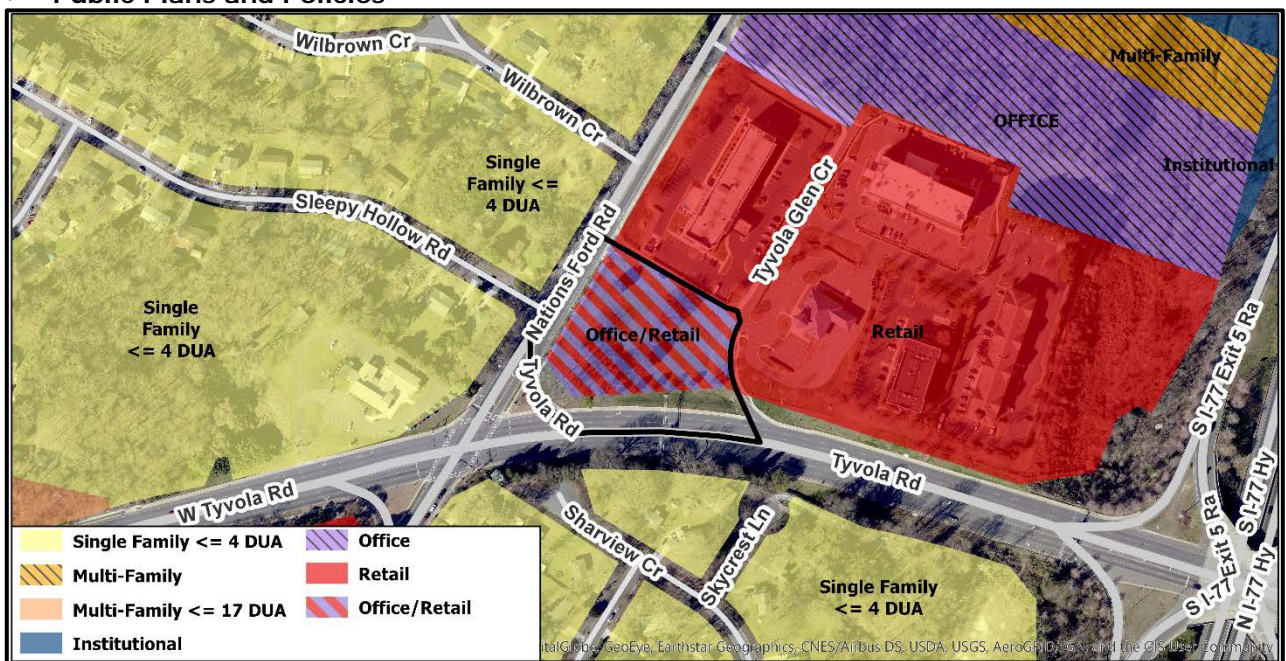
The properties to the west along Nations Ford Road are developed with single-family homes.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-093	Rezoned approximately 1.43 acres to allow a 17-unit townhouse community at a density of 11.89 units per acre.	Approved
2017-047	Rezoned 6.63 acres to allow all uses in the B-2 (general business) district.	Approved
2016-003	CC (commercial center) site plan amendment to allow 120-room hotel or 83,000 square feet of office uses.	Approved

- Public Plans and Policies**



- The *Southwest District Plan* (1991), as amended by rezoning petition 2016-081 recommends a mix of office and retail land uses for this site.

- **TRANSPORTATION CONSIDERATIONS**

- The site is at the signalized intersection of Tyvola Road (major thoroughfare) and Nations Ford Road (minor thoroughfare) and is located in a corridor outside Route 4. CDOT is permitting access from Tyvola Glen Circle to the development. ~~The petitioner will need to remove the driveway access from the one-way Private Drive extension from Tyvola Road.~~
- ~~See Outstanding Issues, Notes 1-2. Addressed~~
- **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: 1,390 trips per day (based on 10,000 square feet retail, 1,000 square feet of retail, 80,000 square feet of mini-storage via petition 2016-081).
 - Proposed Zoning: 790 trips per day (based on 95 rooms).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** Fire hydrant within 750' of most remote point of building as truck travels. See Outstanding Issues, Note 3. **Not addressed.**
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main located along Tyvola Road and an existing 12-inch water distribution main located along Nations Ford Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Nations Ford Road.
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **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 comments submitted.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUESTransportation

- ~~1. The initial site plan did not indicate a driveway connection with a left turn into the development from the one-way Private Drive extension from Tyvola. This access is not permitted. CDOT approves the driveway access from Tyvola Glen Circle. Addressed~~
- ~~2. Revise 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. CDOT requests right of way set at two feet behind back of sidewalk where feasible. Addressed~~

Site and Building Design

3. Install gate per Appendix D section 503.6. **Not addressed.**

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte Water Review

- Engineering and Property Management Review
 - Erosion Control
 - Land Development
 - Storm Water
 - Urban Forestry
- Mecklenburg County Parks and Recreation Review
- Transportation Review

Planner: Claire Lyte-Graham (704) 336-3782