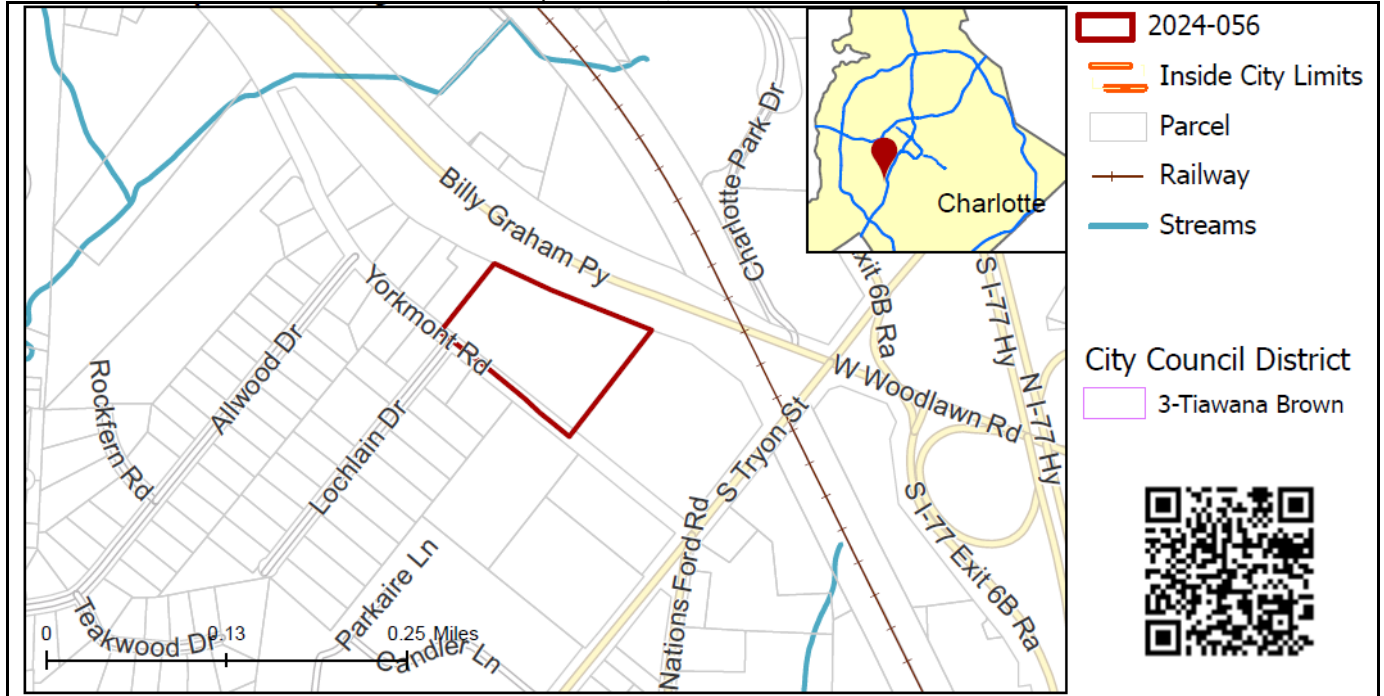


**REQUEST**

Current Zoning: O-15(CD) (Office, Conditional)  
Proposed Zoning: N2-B(CD) (Neighborhood 2-B, Conditional)

**LOCATION**

Approximately 5.2 acres located on the north side of Yorkmont Road, west of S Tryon Street, and east of Lochlain Drive.



**SUMMARY OF PETITION**

The petition proposes to allow the conversion of a hotel to multifamily residential units with an affordable component.

**PROPERTY OWNER**

IRI II ESA LLC

**PETITIONER**

Vivo Investments LLC

**AGENT/REPRESENTATIVE**

Collin Brown & Brittany Lins, Alexander Ricks PLLC

**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 upon resolution of outstanding issues related to transportation and land use.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map* recommendation for Commercial place type.

Rationale for Recommendation

- The petition would provide an additional housing option in an area identified by the *2040 Comprehensive Plan* as having insufficient housing.
- The proposed Neighborhood 2 zoning and place type would provide an appropriate transition from the Commercial place type to the east along S Tryon Street and the Neighborhood 1 place type to the south and west along Yorkmont Road.
- The petition would reserve 10% of the multi-family units for households earning 80% or less of the Area Median Income for a period of 20 years.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:

- 1: 10 Minute Neighborhoods
- 2: Neighborhood Diversity & Inclusion
- 3: Housing Access for All

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Commercial place type to Neighborhood 2 place type for the site.

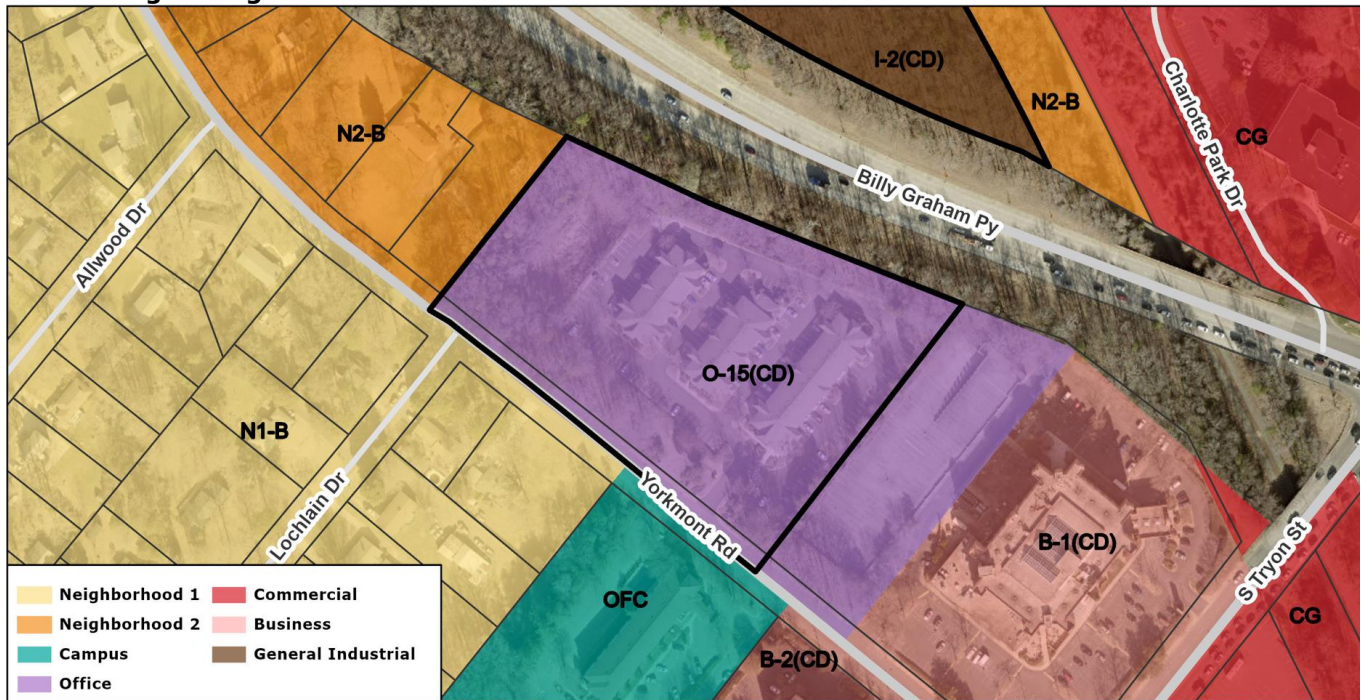
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

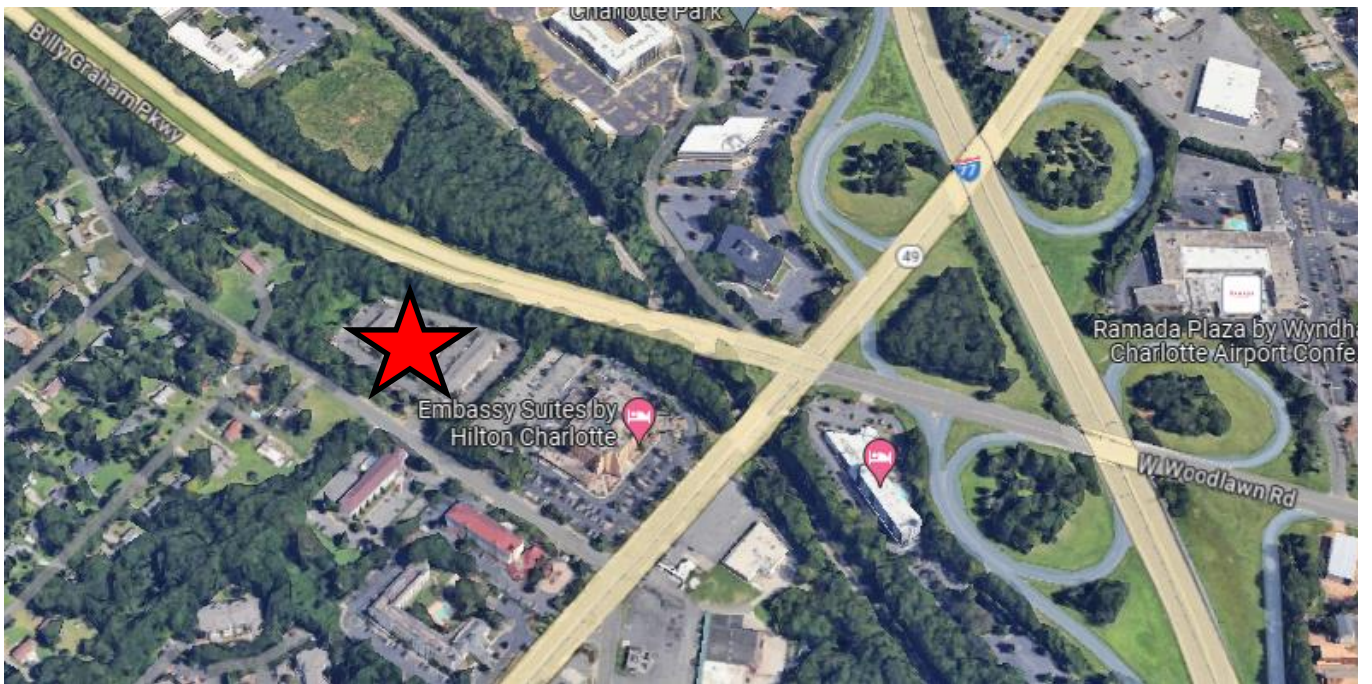
The development standards accompanying this petition contain the following provisions:

- Proposes to utilize the existing buildings and associated parking.
- Proposes to convert the 138 existing hotel rooms to 138 multi-family residential units.
- Requires that all units must function entirely as a hotel or as multi-family units. Overlap of hotel and multi-family use is prohibited.
- Commits to reserving a minimum of 10% of the multi-family units for households earning less than or equal to 80% Area Median Income for a 20-year period.
- States intention to maintain the existing Yorkmont Road streetscape.
- Requires at least 30 days’ notice of intent to hotel occupants of initiation of conversion to multi-family units. States the petitioner’s intent to work with City Housing & Neighborhood Services regarding transition of residents.

• **Existing Zoning**



- The site is zoned O-15(CD), a legacy zoning district, and is surrounded by a mix of different districts including B-1(CD), B-2(CD), OFC, N1-B, N2-B, I-2(CD), and CG.



The site, marked by a red star, is situated between single-family residential to the west and hotel and commercial uses to the east near the intersection of S Tryon Street and Billy Graham Parkway.



Street view of the site as seen from Yorkmont Road.



Billy Graham Parkway is immediately north of the site.



Street view of hotel use to the east of the site at the intersection of Yorkmont Road and S Tryon Street.

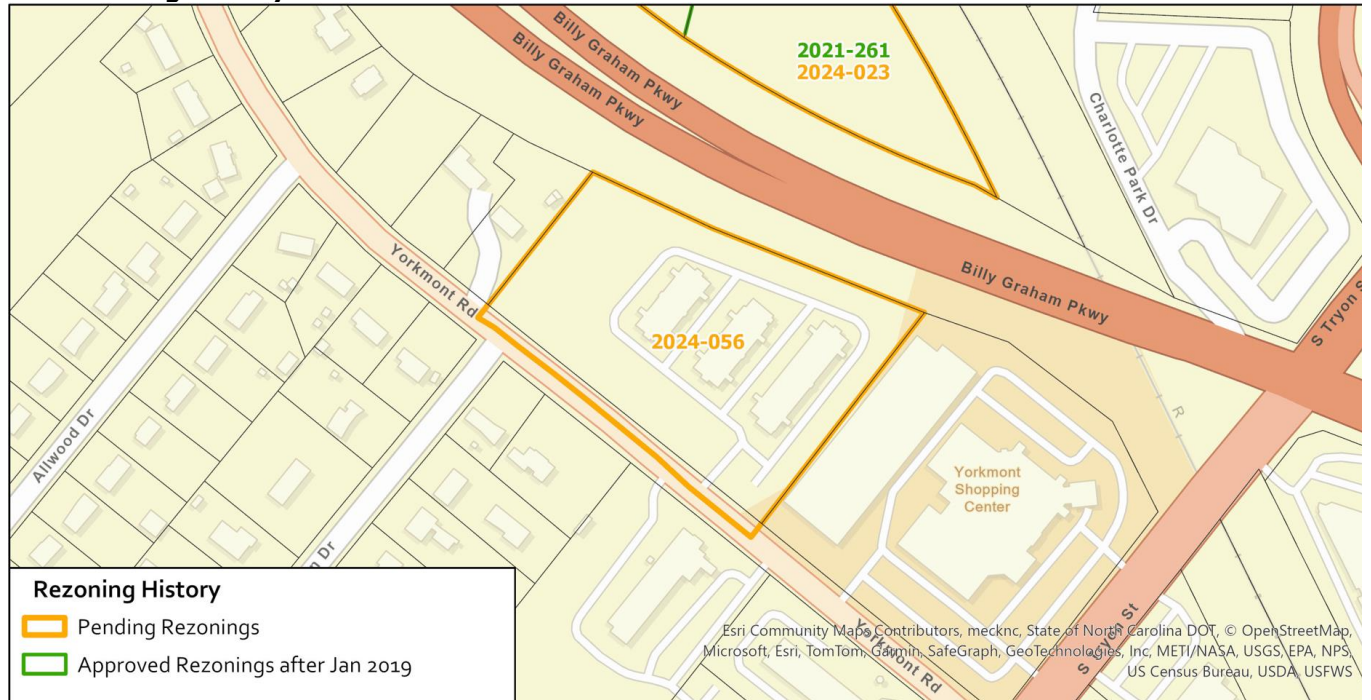


Street view of hotel use to the south of the site across Yorkmont Road.



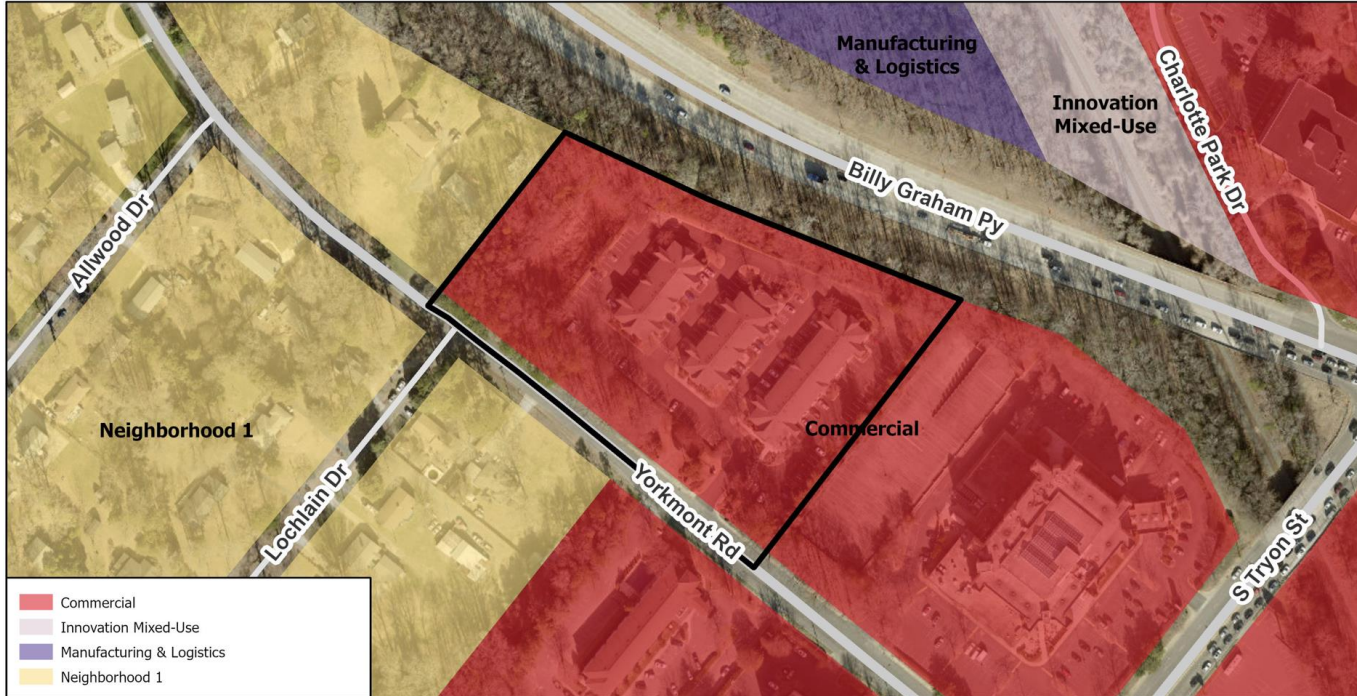
Street view of single-family residential use to the west of the site along Yorkmont Road.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2024-023	Petition to rezone 11.79 acres to allow all uses permitted in ML-2.	Approved
2021-261	Petition to rezone 3.54 acres to allow a limited number of specified uses in I-2(CD).	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Commercial place type for the site.

• **TRANSPORTATION SUMMARY**

- The petition is located adjacent to Yorkmont Road, a State maintained arterial, between South Tryon Street, a State maintained arterial and Lochlain Drive a City maintained local. A Traffic Impact Study (TIS) is not required for the site due to the development generating site trips under ordinance thresholds and not meeting additional TIS triggers. Site plan and/or conditional note revisions are needed to commit to updating conditional notes. Further details are listed below.

**Active Projects:**

- Tryon Street at Nations Ford Road and Yorkmont Road Pedestrian Safety Improvements
  - Intersection improvements
  - Estimated completion: 2024

• **Transportation Considerations**

- See Outstanding Issues, Note 1.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 1,062 trips per day (based on 138 hotel rooms).

Entitlement: 1,062 trips per day (based on 138 hotel rooms).

Proposed Zoning: 960 trips per day (based on 138 multifamily dwelling units).

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** See Outstanding Issues, Notes 3-4.
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.

- **Charlotte-Mecklenburg Schools:** Development allowed with the existing zoning could generate 0 students, while development allowed with the proposed zoning may produce 44 students. Therefore, the net increase in the possible number of students generated from existing zoning to proposed zoning is 44.
  - The proposed development is projected to increase the school utilization over existing condition (without mobile classroom units) as follows:
    - Pinewood Elementary from 113% to 116%
    - Alexander Graham Middle at 100%
    - Harding University High at 104%
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main along Yorkmont Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Yorkmont Rd. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **Long Range Planning:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** No comments submitted.
- **Urban Forestry / City Arborist:** No comments submitted.

#### **OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING**

##### Transportation

1. Remove conditional Note IV.a. The project as proposed will not be required to upgrade streetscape during permitting as it does not trigger the ordinance. This note could exempt the site from streetscape upgrades in the future if it were to be redeveloped.
2. Remove conditional Note IV.b. CDOT standard notes do not need to appear on Tier 1 conditional rezonings.
3. Replace language under Note III with the following: A minimum of 10% of the total number of multi-family dwelling units within the site shall be designated as affordable housing. The monthly rents of the affordable units will be restricted to households with an area median income of 80% or less (as published and periodically updated by the US Department Housing and Urban Development). Monthly rental rates shall be set no higher than is described in the UDO Zoning Administration Manual section related for affordable housing. Household income will be determined by Household income verification under Federal Code of regulations 24 CFR part 5. Affordable units will remain affordable for a period of no less than 20 years from the date the units are placed in service. Affordable units provided must reflect the unit mix of the development. Once affordable units are placed in service, they will be subject to inspection by the city for the duration of the affordability period. Affordable units on site must be substantially complete before the first certificates of occupation will be issued for the development. Petitioner will execute an administrative agreement with the city of Charlotte to provide a deed restriction on the identified affordable units for the duration of the affordability period”.
4. Replace language under Note VI with the following: “Petitioner shall provide persons occupying the property with no less than 90 days’ notice of intent to convert the existing hotel rooms to residential units. Petitioner will be responsible for preparing a comprehensive relocation plan for each occupied unit which must be approved by the city. Petitioner to ensure that no residents are displaced as a result of this adapted reuse conversion. The relocation plan for each household will be subject to monitoring by Housing and Neighborhood services for the duration of the period of relocation.”

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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Joe Mangum (704) 353-1908