



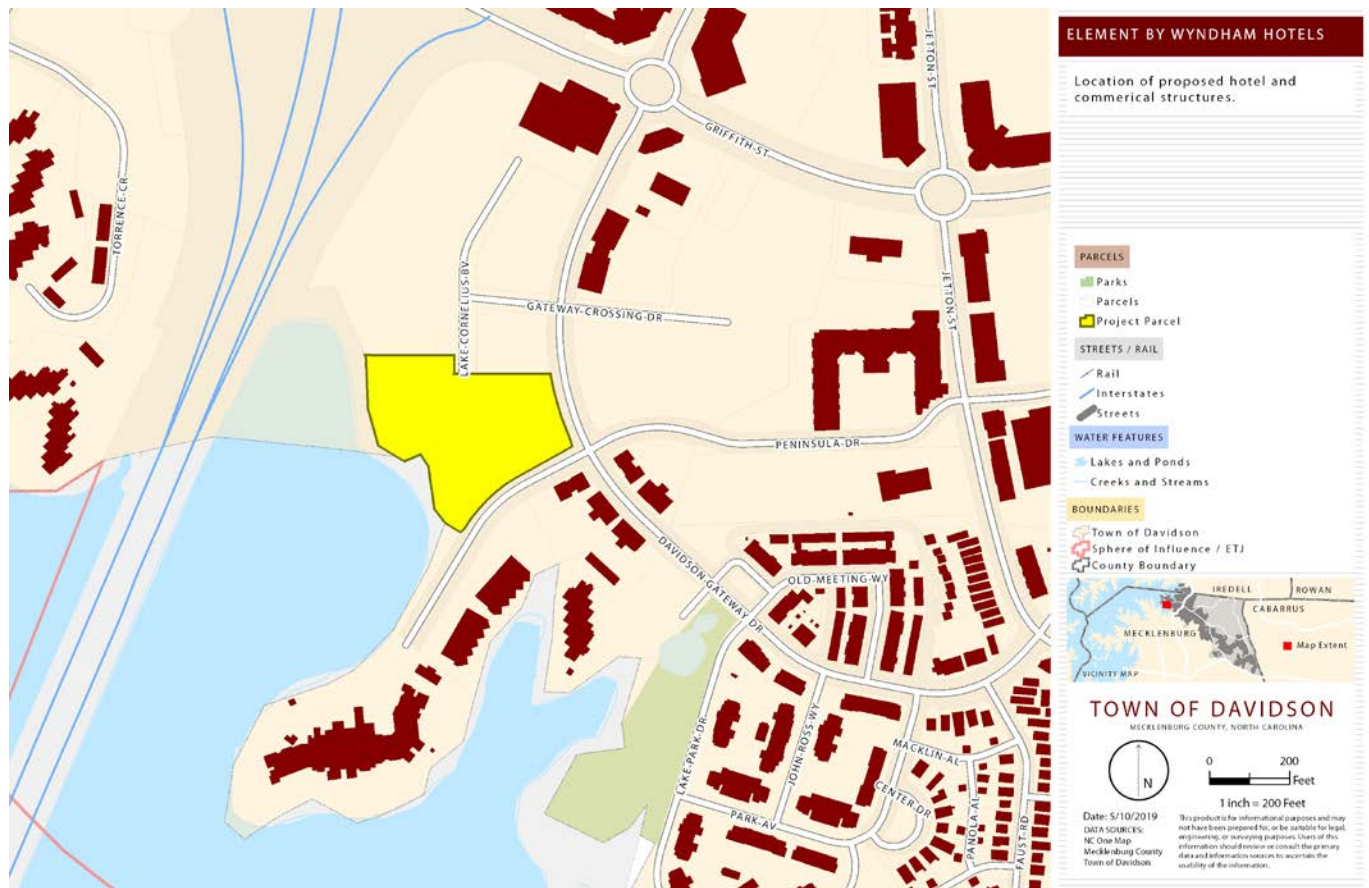
STAFF MEMO

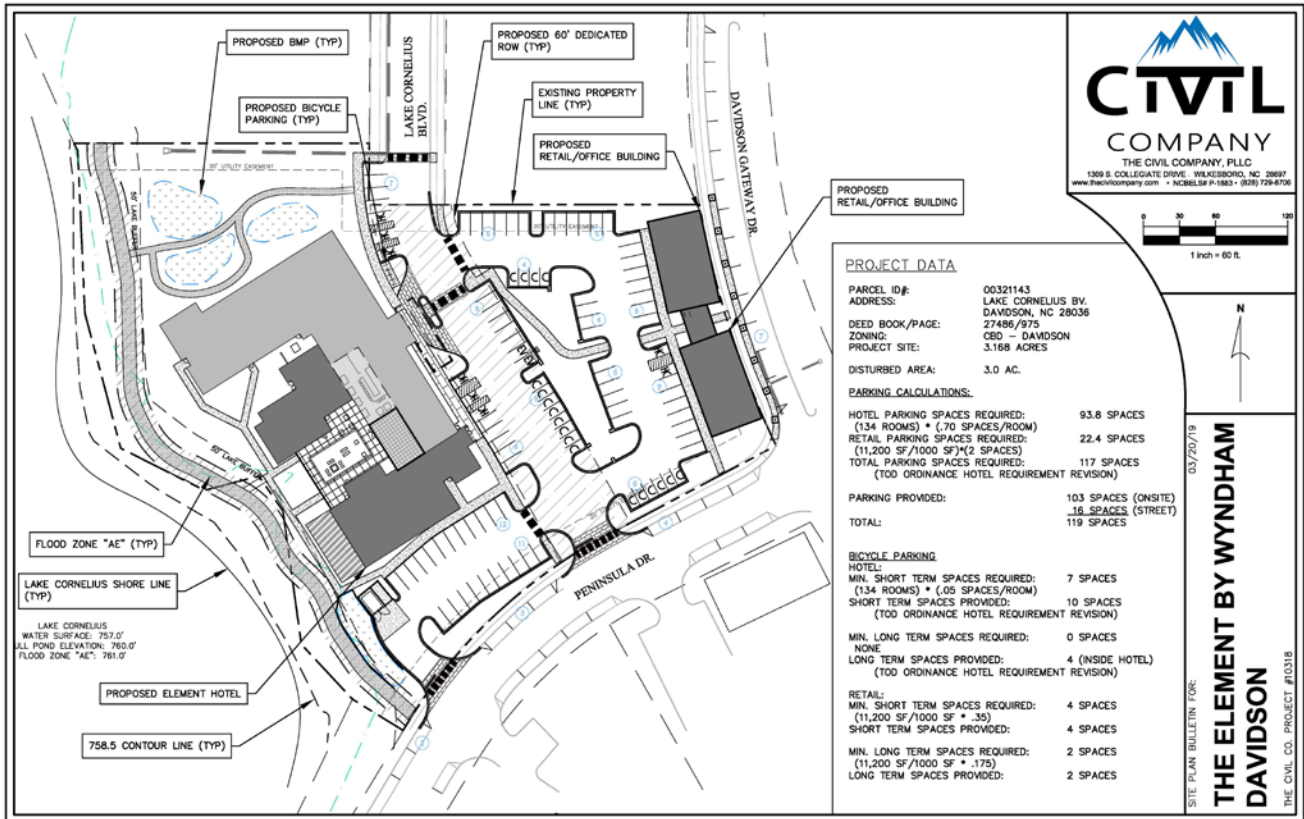
Date: April 30th, 2019
To: Board of Adjustment
From: J. Travis Johnson, Senior Planner
Re: 219 Lake Cornelius Bv (Wyndham Hotel) – Variance Request

1. INTRODUCTION

APPLICANT INFO

- **Owner:** Dale Isom (Spectrum Hospitality IV LLC)
- **Location:** 219 Lake Cornelius Bv (Wyndham Hotel), Davidson, NC (Parcel ID #00321143)
- **Area:** 3.176 acres
- **Planning Area:** Central Business District (CBD)





2. DESCRIPTION OF REQUEST

The applicant requests relief from **Section 8.3 Type and Amount of Parking** (see text below) commercial parking requirements including vehicular, short-term bicycle, and long-term bicycle.

Section 8.3.1 of the Davidson Planning Ordinance (DPO) requires the following parking standards for commercial uses (excluding retail):

- Auto Parking Minimum: 2 space per 1000 square feet
- Auto Parking Maximum: 3.5 spaces per 1000 square feet
- Short Term Bicycle Parking Minimum: 0.35 spaces per 1000 square feet
- Long Term Bicycle Parking Minimum: .175 spaces per 1000 square feet

As the DPO does not include parking standards specific to hotel uses, the applicant proposes the following parking standards for the proposed hotel use on this site.

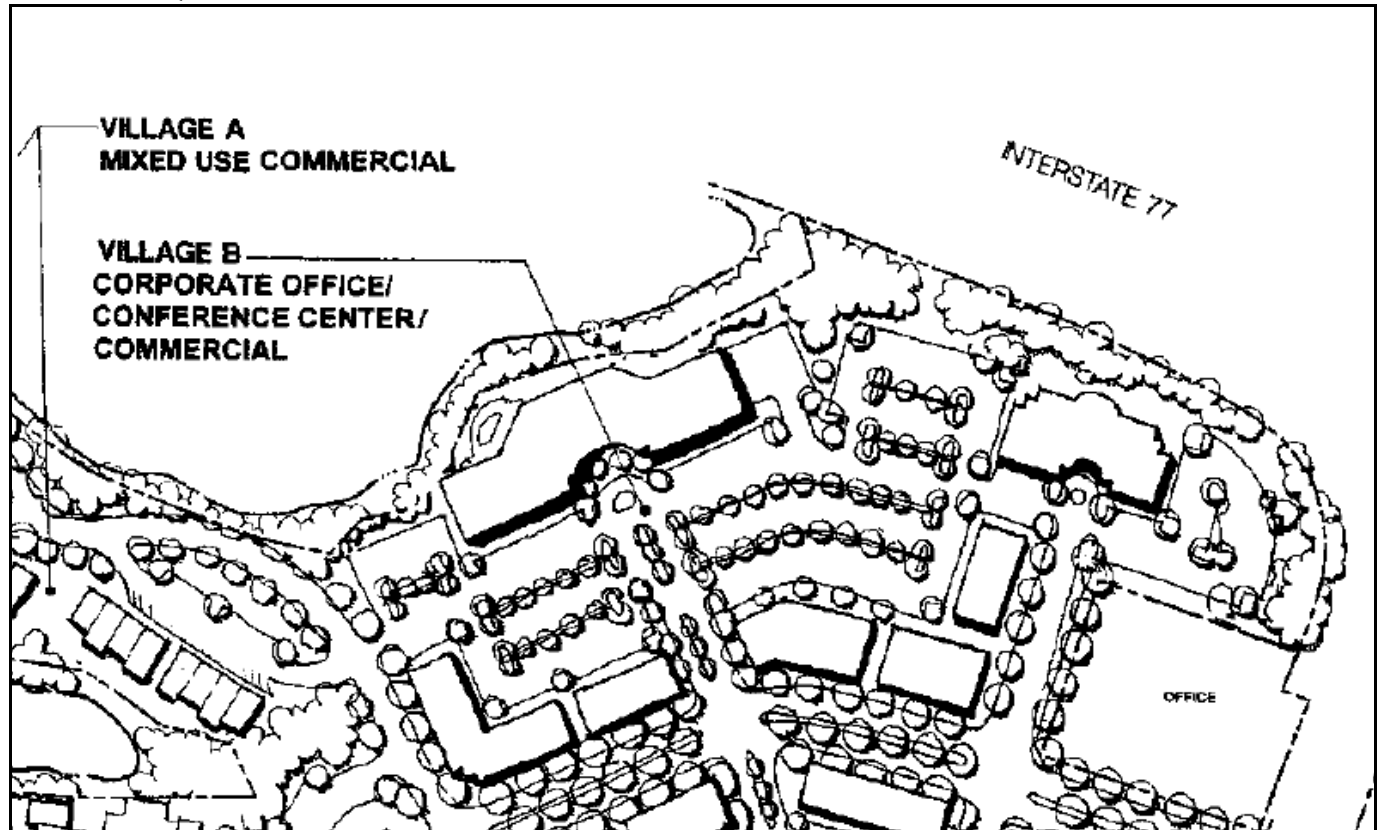
- Auto Parking Minimum: .70 space per hotel guestroom
- Short Term Bicycle Parking Minimum: 0.05 per hotel guestroom
- Long Term Bicycle Parking Minimum: .025 per hotel guestroom

3. BACKGROUND

1. The +/-3.176 acre subject property is located at 219 Lake Cornelius Boulevard. The subject property is zoned Central Business District (CBD) and is in the Lake Norman Critical Watershed Overlay District.
2. The subject property is currently vacant.

3. The subject property is included in the Southeast Quadrant Master Plan (SEQ MP). The SEQ MP was approved in 1998 and envisioned a pedestrian-friendly interconnected mixed-use community that featured a mixture of residential uses, light mixed-use commercial, and a hotel/conference center. The subject property was identified for hotel use. See image below.
4. The SEQ MP requires a 50' vegetated buffer along the lakefront of the subject property. The subject property is limited to 59.87 percent impervious coverage per the SEQ MP.
5. In 2018, the property owner approached the town to discuss constructing a six-story hotel (135 rooms, 98,282 sf) and two-story retail/office building (11,200 sf) to fulfil the vision of the SEQ MP.
6. DPO "Commercial" parking standards require a minimum of 219 vehicular parking spaces (maximum: 383), 20 short term bicycle spaces for the hotel and 4 short term bicycle spaces for the commercial structures (38 short-term bicycle spaces would be required per the .35 spaces per 1000 square feet requirement of commercial use however note 1 on table 8-1 sets a maximum number of 20 spaces for any single development) and 17 long-term bicycle spaces for the hotel and 2 long-term bicycle spaces for the commercial structures.
7. The DPO does not have parking requirements specific to "hotel" use. Per the DPO definition, hotel use would fall under "Commercial."
8. The applicant believes the SEQ MP vision for a hotel at this site could not be met using the DPO's current commercial parking requirements.
9. On April 2, 2019, the applicant applied for a variance (per DPO Section 14.18) requesting relief from commercial parking standards.
10. As part of the variance request, the applicant proposed revised parking standards for hotel use that they believe to be more aligned with industry practices. These include: Auto parking minimum: .70 space per hotel guestroom; Short term bicycle parking minimum: 0.05 per hotel guestroom; Long-term bicycle parking minimum: .025 per hotel guestroom. The proposed parking requirements would require provide 117 parking spaces, five short term bicycle parking spaces, and three long term bicycle parking spaces.

SOUTHEAST QUADRANT MASTER PLAN



DPO SECTION 8.3: TYPE AND AMOUNT OF PARKING

Use Type	TABLE 8-1: PARKING REQUIREMENT			
	AUTO PARKING MINIMUM	AUTO PARKING MAXIMUM ¹	SHORT TERM BICYCLE PARKING MINIMUM ⁷	LONG TERM BICYCLE PARKING MINIMUM ^{1,3}
Residential (Detached house, attached house, townhouse)	1 space per unit ²	2 spaces per unit ²	-	-
Residential (excluding detached house, attached house, townhouse)	1 space per unit	2 spaces per unit ²	0.2 spaces per unit	0.1 space per unit
Commercial (excluding retail) ⁶	2 spaces per 1000 square feet of commercial use	3.5 spaces per 1000 square feet of commercial use	0.35 spaces per 1000 square feet of commercial use	0.175 spaces per 1000 square feet of commercial use
Retail ⁶	2 spaces per 1000 square feet of commercial retail use	5 spaces per 1000 square feet of retail use	0.35 spaces per 1000 square feet	0.175 spaces per 1000 square feet
Civic / Institutional ⁶	1 space for every 8 seats in the main assembly area	1 space for every 8 seats in the main assembly area	.05 spaces for every 8 seats in the main assembly area	.02 spaces for every 8 seats in the main assembly area
Schools (exclusive of universities and colleges) ⁶	2 spaces per classroom ^{4,5}	2.25 spaces per classroom ^{4,5}	0.1 spaces per classroom	0.04 spaces per classroom
Industry / Wholesale / Storage ⁶	.25 spaces per 1000 square feet	2 spaces per 1000 square feet	0.1 spaces per 1000 square feet	0.04 spaces per 1000 square feet

1 For bicycle parking, the minimum number of required short term spaces is 2 unless no bicycle parking is required. The maximum required short term bicycle spaces shall be 20 (or 10 racks) for any single development. Additional long term bicycle parking spaces may be used to satisfy the minimum requirement for short term bicycle parking. (See Section 8.6 for descriptions of acceptable short and long term bicycle parking areas.)

2 Minimum: Driveways of 12 feet or less, which provide access to a parking lot/pad or an enclosed garage are not counted toward the parking requirements. Maximum: Spaces applied to area outside of garage excluding the driveway.

3 If the number of required long-term bicycle parking spaces for residential uses is less than 1 for a development, then it is not required.

4 Parking requirements are in addition to area for queuing, bus circulation, and bus parking.

5 Up to 50% of the on-site parking requirement may be fulfilled by off-site parking areas. The school must have a permanent and legally binding agreement with the property owner to use the off-site property for school parking. To the extent that this parking requirement is fulfilled by off-site parking, the traffic impact analysis must address the safe movement of people from the off-site location to the school.

6 One EV charging station is required in all parking lots greater than 50 spaces. In parking lots greater than 100 spaces, two EV charging stations would be required. In a parking deck, one EV charging station per 100 spaces would be required.

4. ANALYSIS

Per NCGS 160A-388(d), variances may be granted when unnecessary hardships would result from carrying out the strict letter of the zoning ordinance. The Board of Adjustment shall vary any of the provisions of the ordinance upon a showing of all of the following which must be addressed with a *findings of fact*:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

No change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Any other ordinance that regulates land use or development may provide for variances consistent with the provisions of this subsection.

5. ATTACHMENTS/RESOURCES

- **Attachment A:** 219 Lake Cornelius Bv – BOA Application
- **Attachment B:** 219 Lake Cornelius Bv – Vicinity Map
- **Attachment C:** 219 Lake Cornelius Bv – Site Survey
- **Attachment D:** Town of Davidson Fee Schedule FY 2019
- **Attachment E:** 219 Lake Cornelius Bv – Site Plan