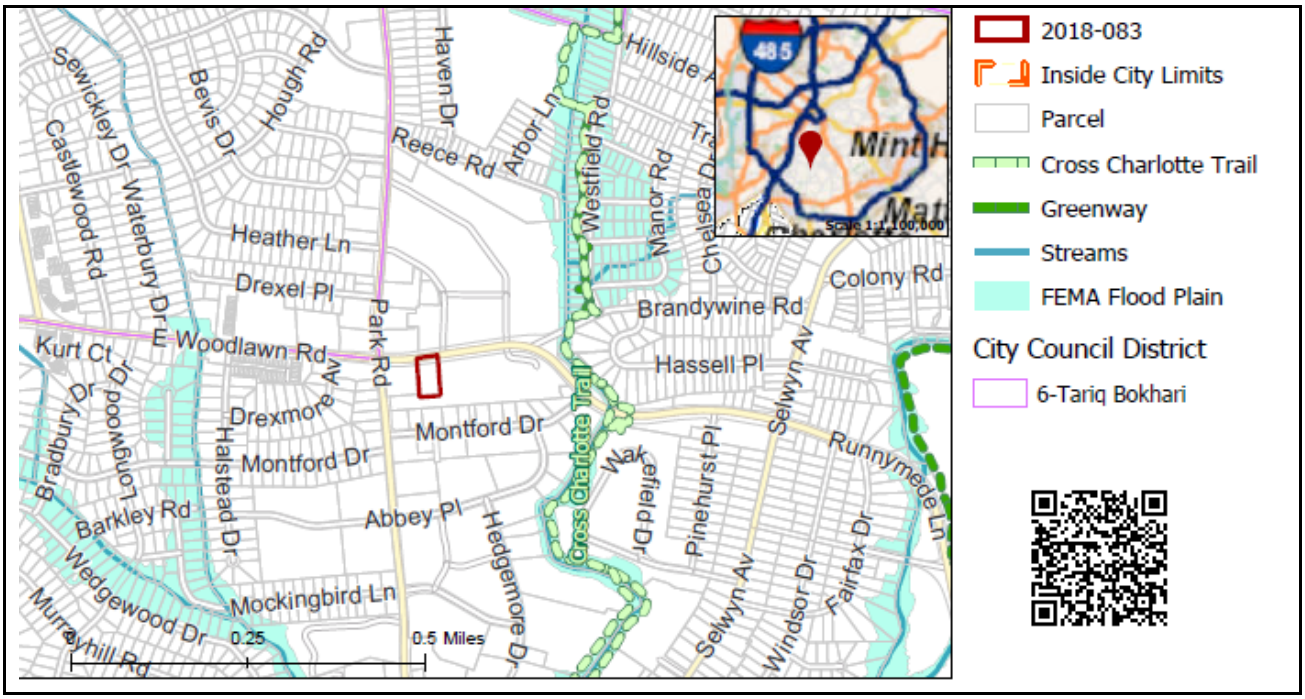
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2018-083
Post-Hearing Staff Analysis
January 3, 2019

REQUEST	Current Zoning: B-1 (neighborhood business) Proposed Zoning: B-2(CD) (general business, conditional)
LOCATION	Approximately 0.88 acres located on the south side of Woodlawn Road, east of Park Road (Council District 6 - Bokhari)



SUMMARY OF PETITION	The petition proposes to demolish the existing EDEE (eating/drinking/entertainment establishment) and construct a new EDEE drive-in. (Note: The Zoning Ordinance defines an "EDEE drive-in" as an EDEE with a drive-in service window having indoor seating accommodations for fewer than 50 patrons.)
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Charter Venture, LLC Chick-fil-A Corporation John Carmichael, Robinson Bradshaw & Hinson, P.A.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 4.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency

The petition is consistent with the *Park Woodlawn Area Plan* recommendation for a mix of retail/office uses for the area in which the site is located, and consistent with the plan's emphasis on improving the pedestrian experience.

Rationale for Recommendation

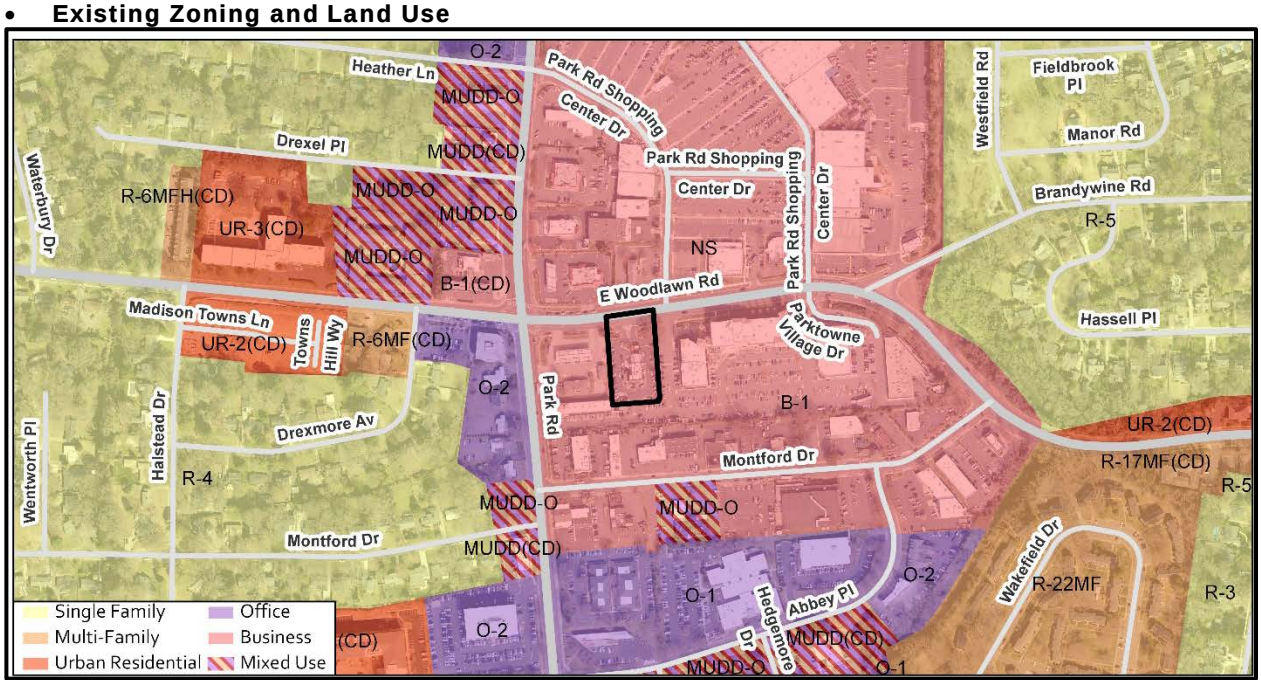
- The proposal allows a replacement building for a long-term EDEE tenant on the perimeter of the Park Towne Village shopping center.

- The proposal will help reduce serious traffic congestion problems in the immediate area as the drive-through queue to the popular existing establishment frequently extends out into the public street.
- The proposal will provide a measure of improved pedestrian experience by managing drive-through customers in a more organized way with greater on-site capacity.
- The proposal eliminates indoor dining and provides an outdoor dining patio with an architectural presence at the front of the building supporting pedestrian activity.
- The site plan provides pedestrian improvements through the installation of a wide planting strip and sidewalk along Woodlawn Road. Additionally, the proposal provides a hardscape plan and commits to pedestrian amenities and access between the public sidewalk and the outdoor dining patio.

PLANNING STAFF REVIEW

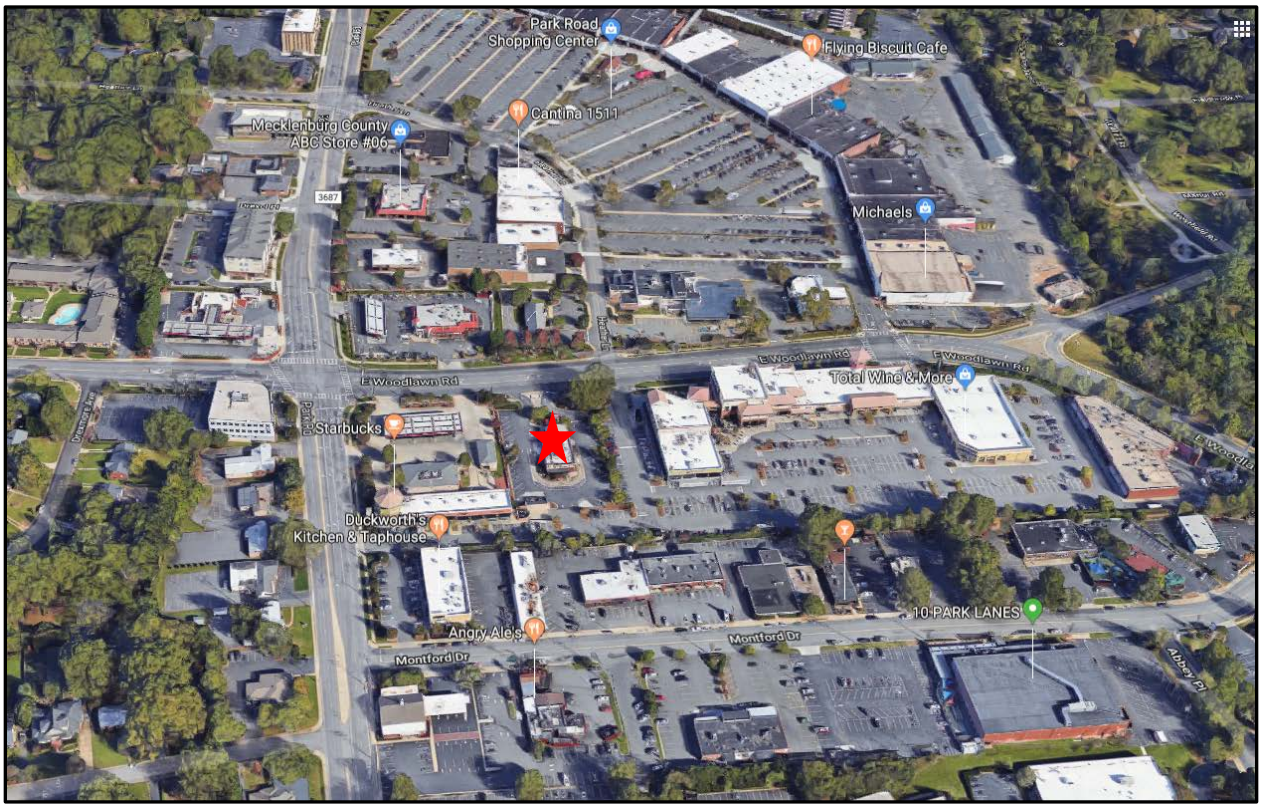
- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allows for the demolition of the existing 3,176-square foot building and the construction of a ~~2,400~~3,000-square foot building in approximately the same location on the site. The site plan shows the expansion of the single drive-through lane to a dual lane at the point of order, tapering to a single lane at pick-up. The layout around the perimeter of the site will remain largely unchanged.
  - Allows outdoor dining patio not to exceed 1,100 square feet.
  - Allows only a Type 1 or 2 EDEE use with drive-in windows, outdoor dining and carry-out, pick-up windows with no indoor seating.
  - Provides a 13-foot wide planting strip and eight-foot sidewalk along Woodlawn Road.
  - Commits to hardscaping to include seat walls and benches behind the sidewalk with pedestrian access from the sidewalk to the outdoor dining area.
  - Specifies the outdoor dining area will be constructed as generally depicted in the conceptual rendering.
  - Specifies that vehicular access from Woodlawn Road will be limited to a right-in, right-out movement.

- **Existing Zoning and Land Use**

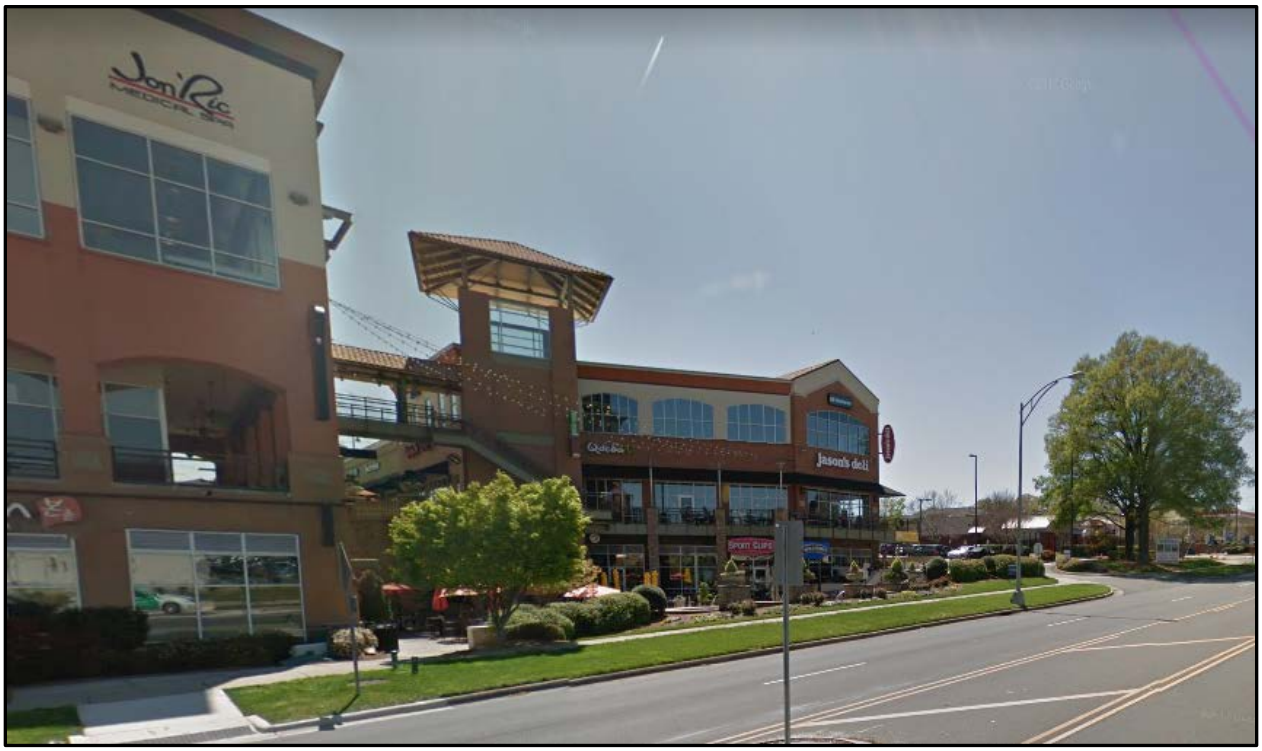


  - The subject property is developed with a Type 1 EDEE with an accessory drive through facility.

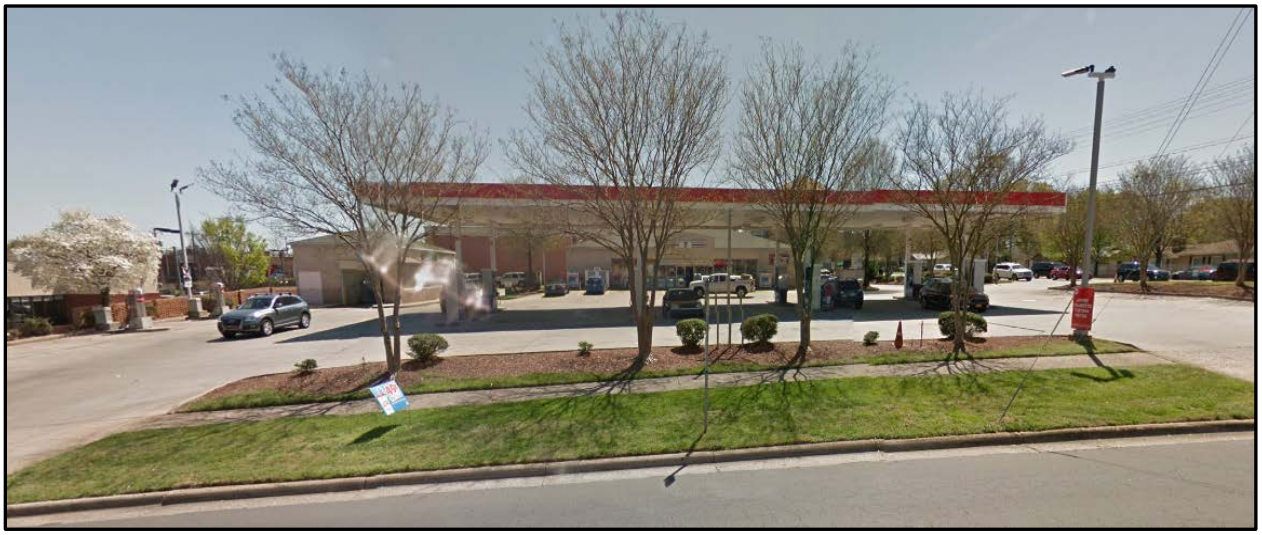
The subject property is developed with a Chick-fil-A restaurant.



Park Road Shopping Center is located to the north at the corner of East Woodlawn Road and Park Road. Park Towne Village Shopping Center and Montford Avenue are to the east and south. The star indicates the subject property.



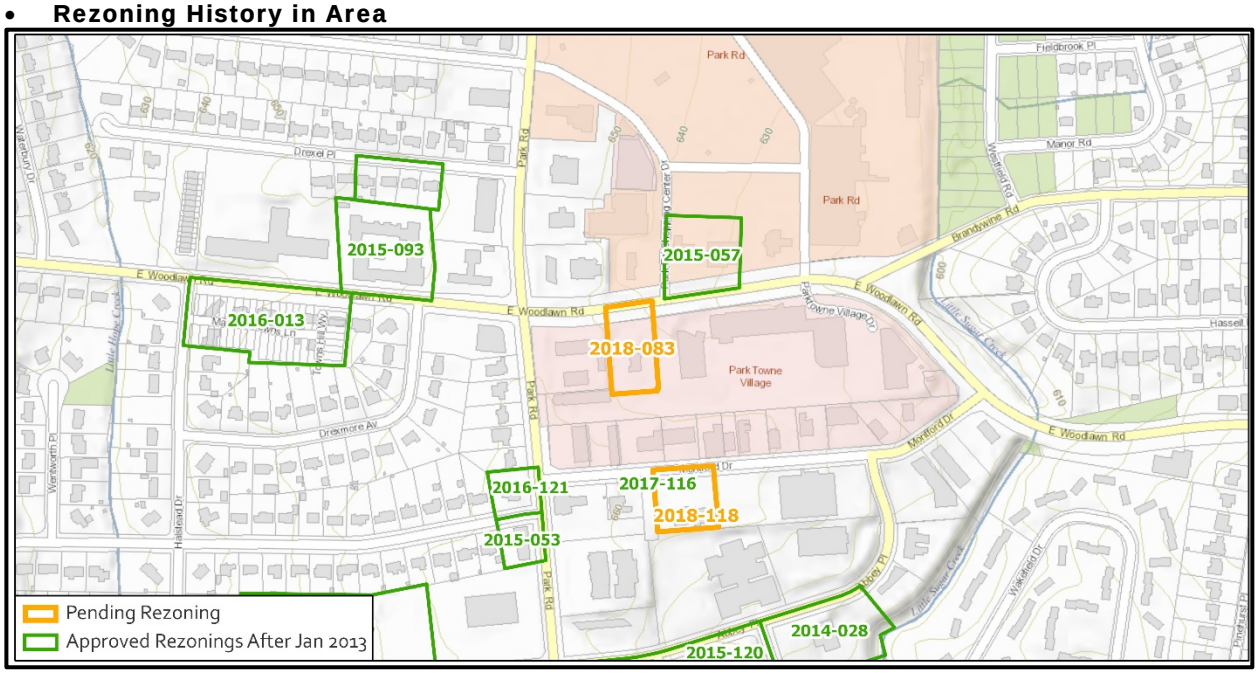
Park Towne Shopping Center is located to the east of the site along East Woodlawn Road.



A 7-Eleven is located to the west of the site along East Woodlawn Road and Park Road.

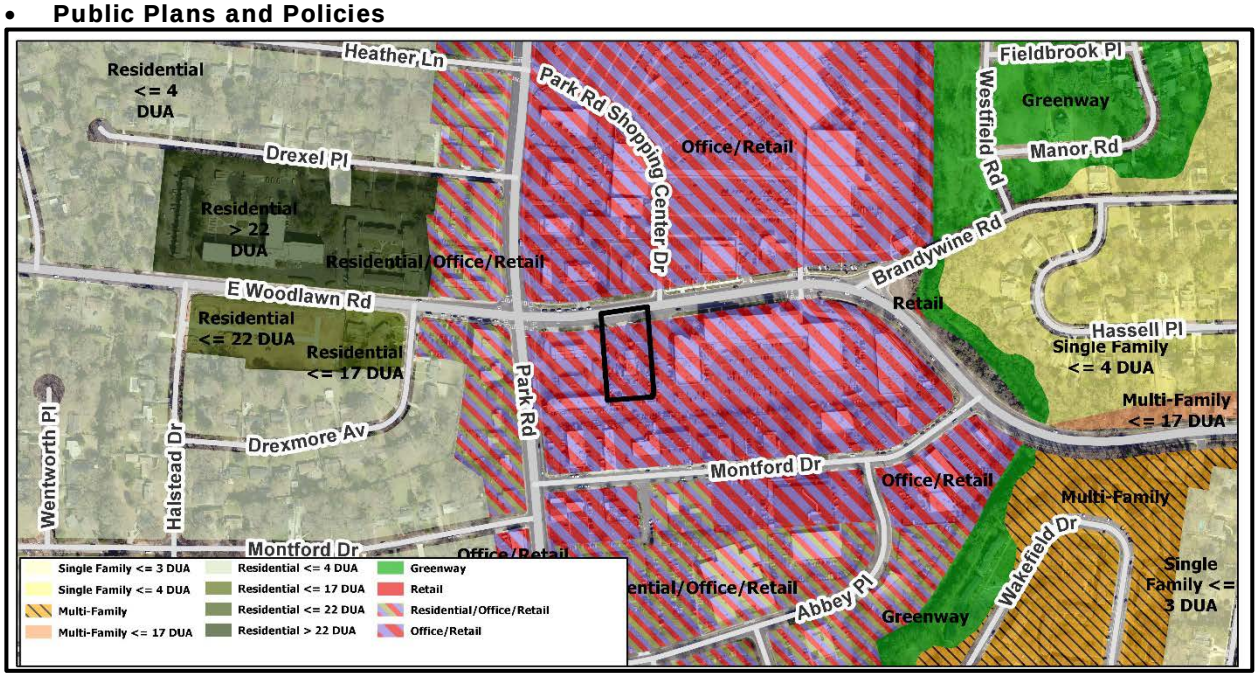
A mixture of restaurants, retail, and office are located to the south along Montford Drive.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2014-028	Rezoned 1.68 acres to MUDD(CD) (mixed use development, conditional) to allow mixed use building containing multi-family residential with ground floor retail.	Approved
2015-053	Rezoned .37 acres to MUDD(CD) (mixed use development, conditional) to allow 4,700 square feet for all uses permitted in MUDD.	Approved
2015-057	Rezoned 1.14 acres to NS (neighborhood services) to allow 14,000 square feet for all uses in NS except automotive service stations and EDEEs with accessory drive through service windows.	Approved
2015-093	Rezoned 2.9 acres to MUDD-O (mixed use development, optional) to allow 250 multi-family dwellings including eight townhome style units along Drexel Place.	Approved
2015-120	Rezoned 10.7 acres to MUDD-O (mixed use development, optional) to allow a mixed use development.	Approved
2016-013	Rezoned 2.47 acres to UR-2(CD) (urban residential, conditional) to allow 48 single family attached dwellings.	Approved
2016-121	Rezoned .39 acres to MUDD-O to allow the existing building to be reused for uses permitted in MUDD and prohibited accessory drive through service windows.	Approved
2017-116	Rezoned .82 acres to MUDD-O to allow 27,500 square feet of uses permitted in MUDD.	Approved
2018-118	Proposes to rezone .82 acres to MUDD-O SPA to allow MUDD uses and structured parking.	Pending

- **Public Plans and Policies**



  - The *Park Woodlawn Area Plan* (2013) recommends a mix of retail/office uses for the area in which the site is located, with an emphasis on improving the pedestrian experience.

- **TRANSPORTATION CONSIDERATIONS**
  - The site is located along a major thoroughfare. The petitioner commits to creating a minimum 13-foot planting strip and eight-foot sidewalk.
  - No outstanding issues.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 1,580 trips per day (based on 3,176-square foot fast food restaurant with a drive through window).
    Entitlement: 1,580 trips per day (based on 3,176-square foot fast food restaurant with a drive through window).
    Proposed Zoning: 1,490 trips per day (based on 3,100-square foot fast food restaurant with a drive through window and no indoor seating).

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:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** Non-residential development does not impact school utilization.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water transmission main located along East Woodlawn Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing eight-inch gravity sewer main located along East Woodlawn Road.
- **Engineering and Property Management:**
  - **Arborist:** No outstanding issues.
  - **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 ISSUES

Site and Building Design

1. ~~Amend the site plan to provide customer parking on the east side of the site to access the outdoor dining patio without walking along the drive-thru drive aisle.~~ Addressed.
2. ~~Remove the sign from the site plan and renderings.~~ Addressed
3. ~~Annotate the rendering with key design elements to be provided such as the awning, landscape planters, etc.~~ Addressed

REQUESTED TECHNICAL REVISIONS

Site and Building Design

4. ~~Remove the as-built plan, sheet C-1.0, from the rezoning packet.~~ Addressed

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Pre-hearing staff analysis
- 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
    - City Arborist
    - Erosion Control
    - Land Development
    - Storm Water
    - Urban Forestry
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review

Planner: John Kinley (704) 336-8311