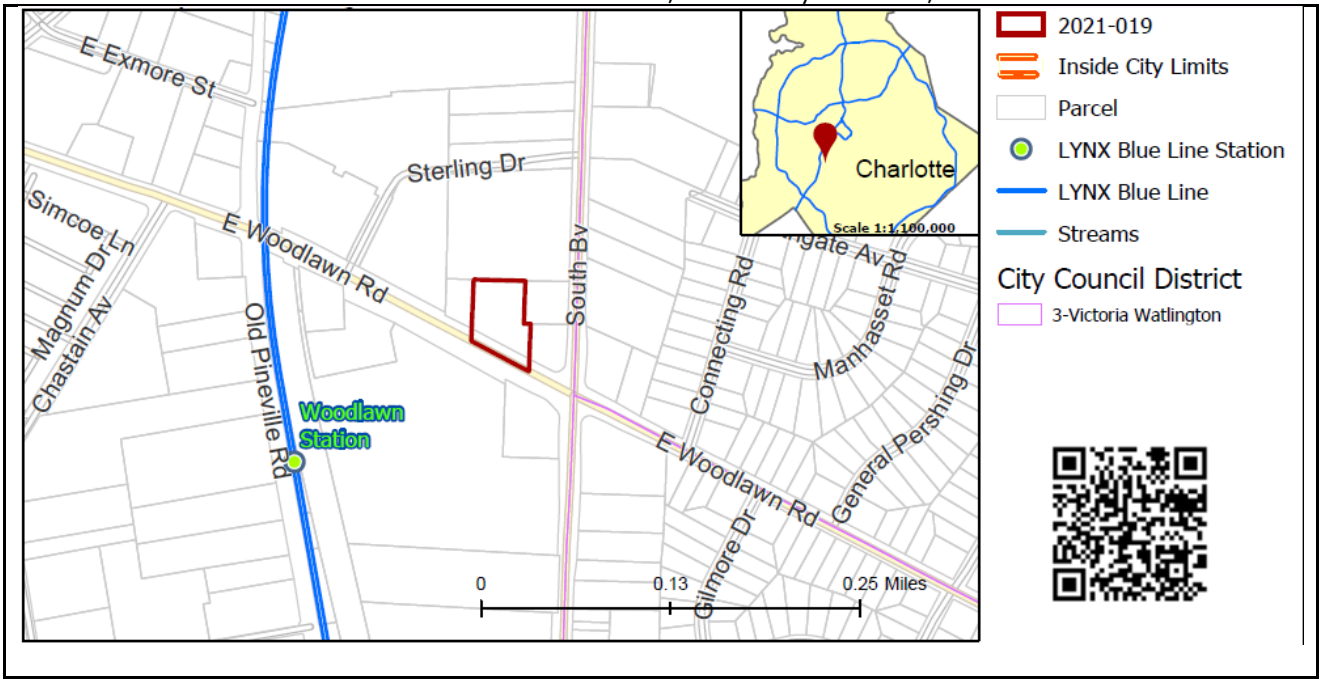
CHARLOTTE.
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2021-019
Post Hearing Staff Analysis
January 4, 2022

REQUEST	Current Zoning: TOD-CC (transit-oriented development-community center) Proposed Zoning: TOD-TR(CD) (transit-oriented development-transitional, conditional)
LOCATION	Approximately 0.976 acres located on the north side of East Woodlawn Road, east of Tryon Street, and west of South Boulevard.



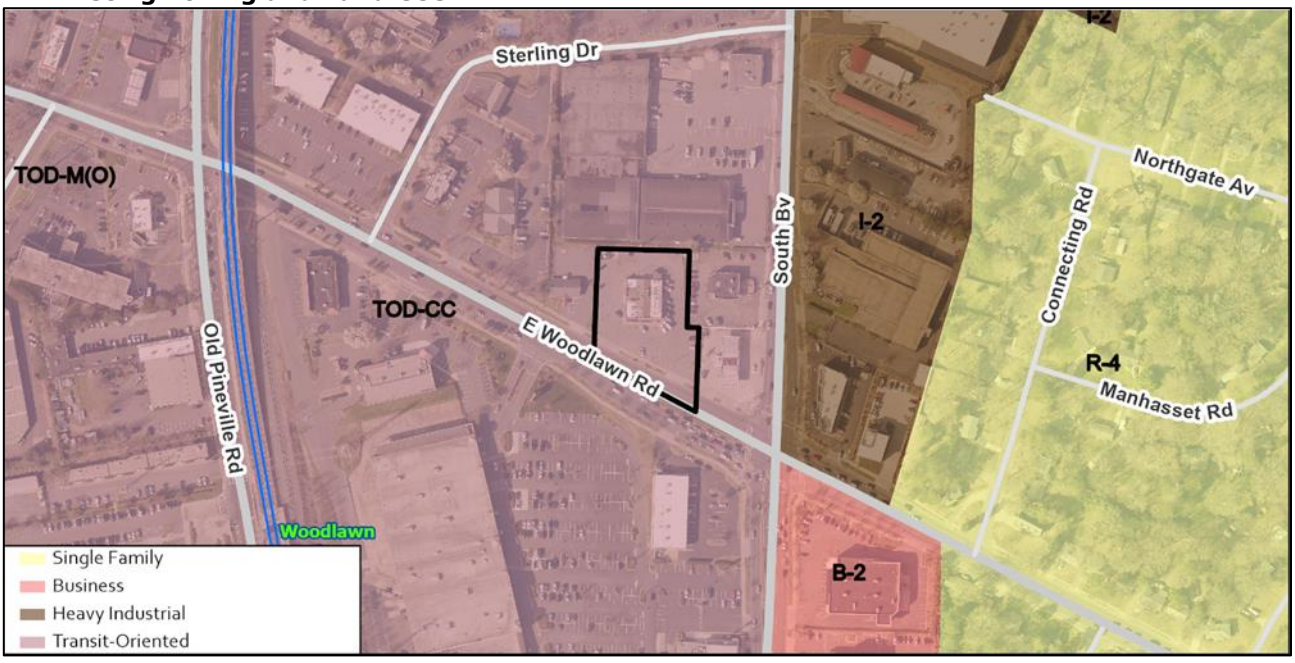
SUMMARY OF PETITION	The petition proposes to allow all uses in the TOD-TR district including a financial institution with drive-through facility, for a site developed with an EDEE located near the northwest intersection of East Woodlawn Road and South Boulevard.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	R &M Properties Charlotte Fifth Third Bank Jill Bryan
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of persons in attendance: 1

STAFF RECOMMENDATION	Staff does not recommend approval of this petition. Plan Consistency The petition is **consistent** with the *Woodlawn Transit Station Area Plan* recommendation for transit-oriented development. Rationale for Recommendation • This site is within a 1/2-mile walk of Woodlawn Station on the LYNX Blue Line and generally consistent with the long-term vision of the plan to provide a mix of transit supportive, non-auto oriented uses within walking distance of the transit station. • The current TOD-CC zoning applies commitments to create the desired form and intensity of non-auto-oriented, transit

supportive development including architectural building design standards, pedestrian infrastructure, and open space amenities.
- Application of TOD-TR is not appropriate at the location proposed. TOD-TR zoning is intended to provide a transition from higher intensity TOD districts to adjacent existing neighborhoods or allow for rehabilitation of buildings to preserve existing character.
- The rezoning site is surrounded by retail uses. Use of TOD-TR does not meet the intent and goals of the transit station area plan and new TOD standards.
- TOD-TR is intended in transitional areas where TOD development is not as intense or the market isn't fully developed for TOD yet. This rezoning is in a prime TOD-CC area in close proximity to the Woodlawn Station.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Illustrates a proposed 2,530 square foot financial institution with 2 drive-through facilities.
  - Allow all uses by right and under prescribed conditions in the TOD-TR district.
  - Note stating accessory drive through use shall only be permitted in association with a financial institution.
  - Provides a public art component using local artist(s) in the area as generally depicted on the rezoning plan.
  - Proposes bus stop enhancements at location(s) along Bus Route #12, to be coordinated with CATS and the Madison Park community to serve as potential community benefits in the area.
  - Adds the following note: "Petitioner shall coordinate the installation of bus stop improvements or realignment of future bus stops along the south boulevard corridor of bus route #12 within a two (2) mile radius of the site, in coordination with the charlotte area transit system (cats). Such coordination shall involve either petitioner's construction/installation or a monetary contribution to cats in an amount not to exceed $75,000. The contribution or installation shall be provided prior to the issuance of a certificate of occupancy for the site."
  - Illustrates cross-section from *Woodlawn Transit Station Area Plan* as it pertains to improvements along Woodlawn Road.
- **Existing Zoning and Land Use**



The rezoning site is immediately surrounded by retail and office/warehouse uses on parcels zoned TOD-CC, TOD-M(O), B-2, and I-2. Single family neighborhoods are located further east across South Boulevard.



The site is currently developed with an EDEE (eating drinking entertainment establishment).

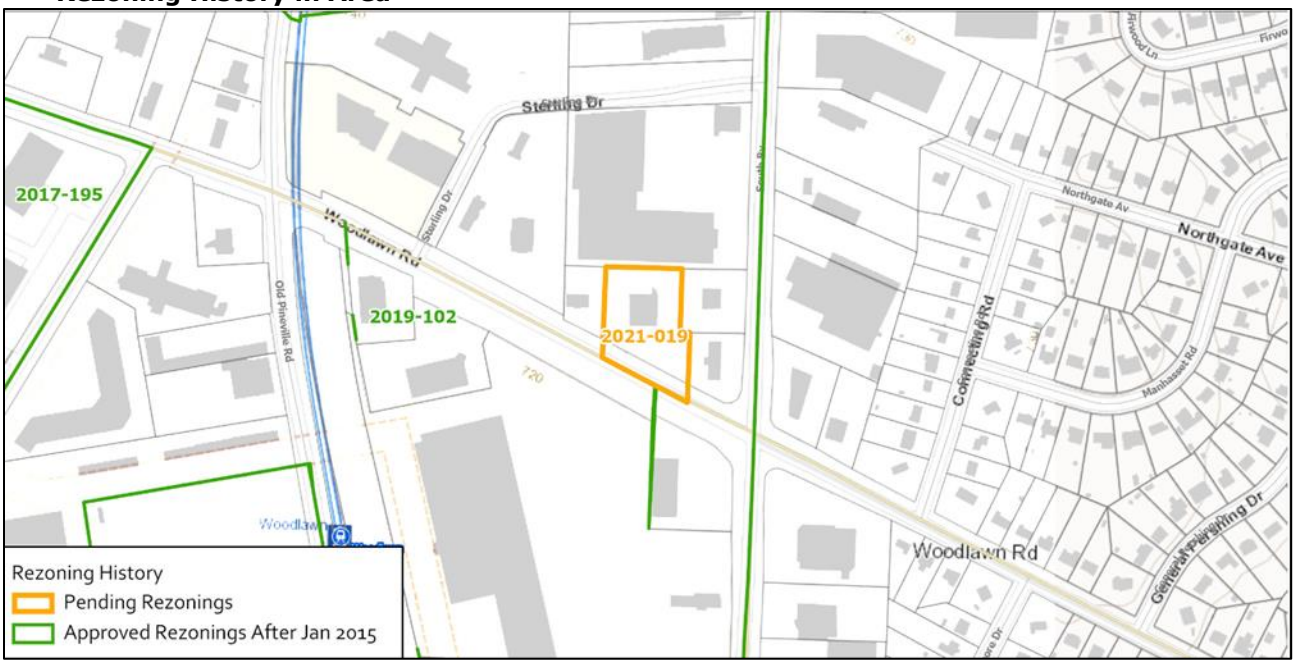


The site is immediately surrounded by retail uses.



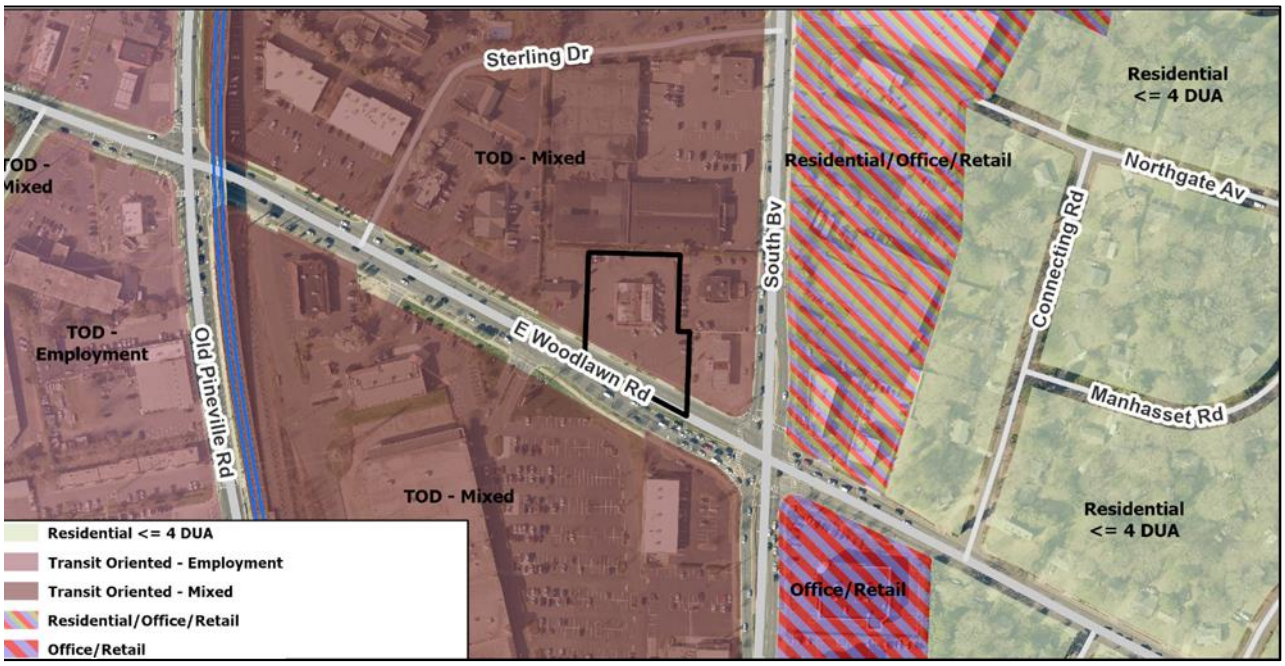
The rezoning site is within ½ mile of the Woodlawn Station.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2019-102	Rezoned 1,771.18 acres under a range of zoning districts to TOD-UC, TOD-NC, TOD-CC or TOD-TR.	Approved
2017-195	Rezoned 19.78 acres from I-2 to TOD-M(O).	Approved
2018-169	Text amendment to modify TOD requirements.	Approved

- **Public Plans and Policies**



  - The *Woodlawn Transit Station Area Plan* (2008) recommends transit oriented – mixed for the subject parcel.

- **TRANSPORTATION SUMMARY**
  - The site is located near the northwest corner of the South Boulevard and Woodlawn Road, City-maintained and State-maintained major thoroughfares. In accordance with City Ordinances and WALKS Policy, the petitioner has committed to pedestrian improvements along the site's frontage of Woodlawn Road. CDOT has no outstanding items.
  - **Active Projects:**
    - None
  - **Transportation Considerations**
    - No outstanding issues. See advisory comments at www.rezoning.org.
  - **Vehicle Trip Generation:**
    Current Zoning:
    Existing Use: 605 trips per day (based on 5,396 square foot restaurant)
    Entitlement: N/A (based on TOD-CC too many uses to determine)
    Proposed Zoning: 330 (based on 2,530 square foot bank; site plan)

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** The site is located along near CATS local bus route #12 along South Blvd. and within .5 mile of the Woodlawn Blue Line Station and Park and Ride lot. The petitioner is requesting improvement of CATS bus amenities near the proposed bank location. CATS will work the petitioner and Planning to determine the location and type of improvements for community benefit as a condition of the rezoning petition. See Outstanding Issue 1.
- **Charlotte Department of Housing and Neighborhood Services:** In an effort to increase the supply of Affordable Housing units in the City of Charlotte, developers are encouraged to assist in providing homes at diverse price points to meet increased housing demand.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** No comments submitted.
- **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:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

OUTSTANDING ISSUES

Site and Building Design

1. ~~CATS will work the petitioner and Planning to determine the location and type of improvements for community benefit as a condition of the rezoning petition~~. - ADDRESSED

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org

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

Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-019

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (anticipated early 2022) and when the **Policy Map** is adopted (anticipated summer 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	**Goal 1: 10- Minute Neighborhoods** All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	**Goal 2: Neighborhood Diversity & Inclusion** Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	**Goal 3: Housing Access for All** Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	**Goal 4: Trail & Transit Oriented Development (2-TOD)** Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	✓

	**Goal 5: Safe & Equitable Mobility** Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.	✓
	**Goal 6: Healthy, Safe & Active Communities** All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.	N/A
	**Goal 7: Integrated Natural & Built Environments** Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.	N/A
	**Goal 8: Diverse & Resilient Economic Opportunity** Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.	✓
	**Goal 9: Retain Our Identity & Charm** Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.	N/A
	**Goal 10: Fiscally Responsible** Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth	N/A