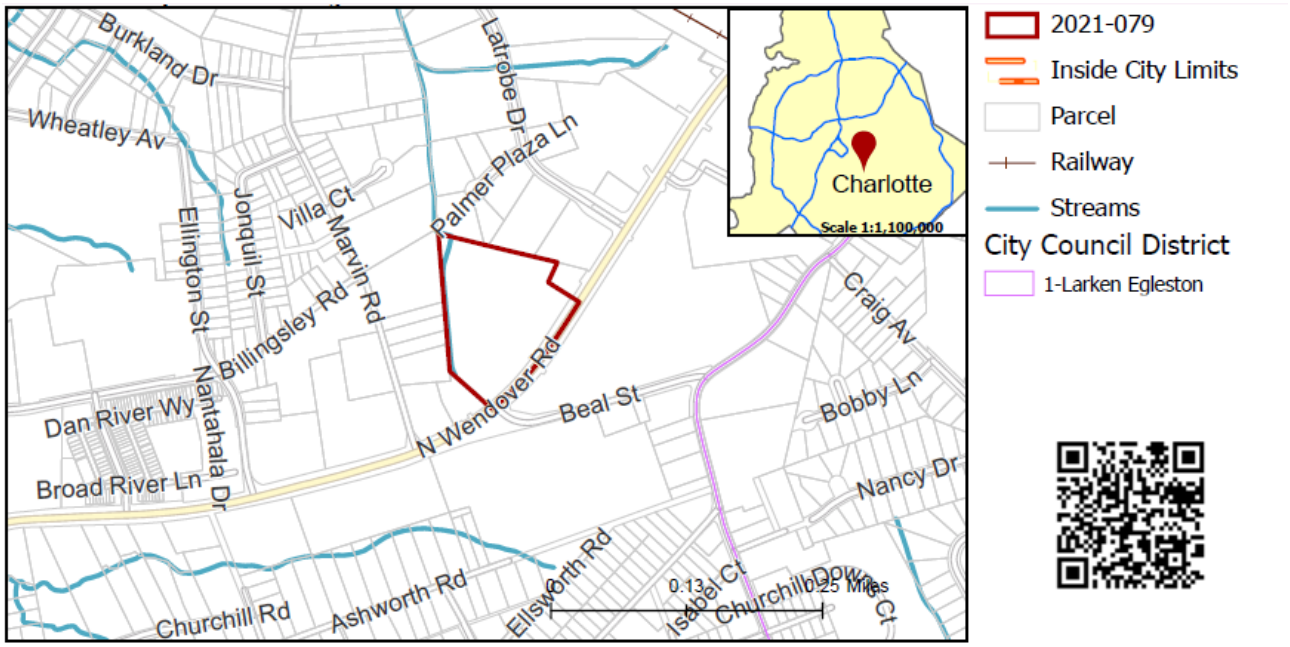
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2021-079
Pre-Hearing Staff Analysis
April 18, 2022

REQUEST	Current Zoning: B-1(CD) (neighborhood business, conditional) Proposed Zoning: NS (neighborhood services), B-2(CD) (general business, conditional)
LOCATION	Approximately 7.88 acres located on the north side of North Wendover Road, west of Monroe Road, and east of Randolph Road.



SUMMARY OF PETITION	The petition proposes to allow all uses in the NS district, and an EDEE with drive thru with outdoor seating area within an existing shopping center generally located at the intersection of N. Wendover Road and Beal Street.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	Wendover Plaza LLC Piedmont Capital, LLC Wendover Plaza LLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: Please delete if not needed.

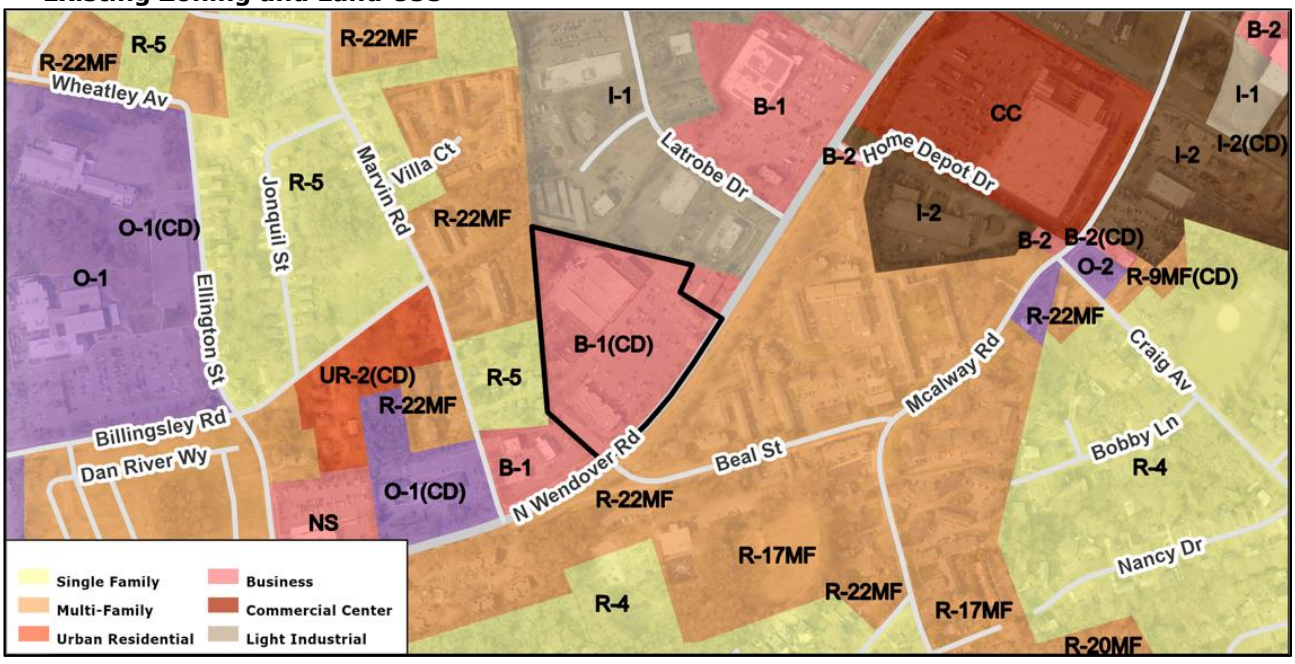
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues related to environment and site and building design. <u>Plan Consistency</u> The petition is **consistent** with the *Independence Boulevard Area Plan* which recommends retail uses for the subject property. <u>Rationale for Recommendation</u> • The request provides for new and redevelopment opportunities for an existing community serving retail center. • The proposal will further enhance the pedestrian environment in the area through the construction of a 12' wide multi-use path

along Wendover Rd. along with internal pedestrian connections within the site.
- The proposal helps achieve the adopted area plan's goal of providing a range of retail opportunities in the study area.
- The proposal will help contribute to the adopted area plan's vision of "…a place with strong neighborhoods, where residents and visitors enjoy a high quality of life with ample employment, shopping and recreational opportunities."

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Allow all uses in the NS for an existing shopping center.
  - Allow 3,500 square foot limited service EDEE with drive-thru and 500 square foot outdoor seating area for a portion of an existing retail building.
  - Allow a new outparcel with a proposed 4,000 square foot EDEE with drive-thru and 750 square foot outdoor area.
  - Construct new internal pedestrian sidewalks from proposed EDEE uses to N. Wendover Road.
  - Proposes new parking areas in the rear of the main building.
  - Proposes installation of a traffic signal at Beal Street and Wendover Road.
  - Construct proposed 12-foot wide multi-use path per Charlotte Bikes Policy (planting strip width varies based on variable site conditions).
  - Proposes a combination of the following building materials: masonry brick, concrete, pre-cast concrete, stone, precast stone, pre-finished metal, aluminum, street, stucco, wood, ceramic tile, cementitious fiber board, and glass fiber reinforced concrete.
  - Allows vinyl only on windows, soffits, and trim features.
  - Places new buildings to present a front or side façade to public streets.
  - Notes facades of first/ground floor of the buildings along public streets will incorporate a minimum of 30% masonry materials such as brick, stone or precast.
  - Limits expanses of blank walls to 20 feet, with utilization of architectural features such as banding, medallions, or design features.
  - Notes floors above the ground floor non-residential will have a minimum of 20% transparency on all upper stories.
  - Illustrates 5-foot wide planting areas with Evergreen shrubs along portion of the property lines.

- **Existing Zoning and Land Use**



- The site is currently zoned B-1(CD), developed with retail uses and surrounded by a mix of single family detached neighborhoods, apartments, townhomes, retail, institutional, office, industrial/warehouse/distribution, and park/recreational uses on parcels locate in residential, commercial, office, and industrial districts.

- Petition 1990-056 approved a B-1(CD) site plan amendment to allow a 2,200 square foot addition and a 400 square foot vestibule addition, for a total of 77,550 square feet.



The rezoning site is developed with retail/office uses (above and below pics)





North are office, office/distribution, self-storage, and apartments.

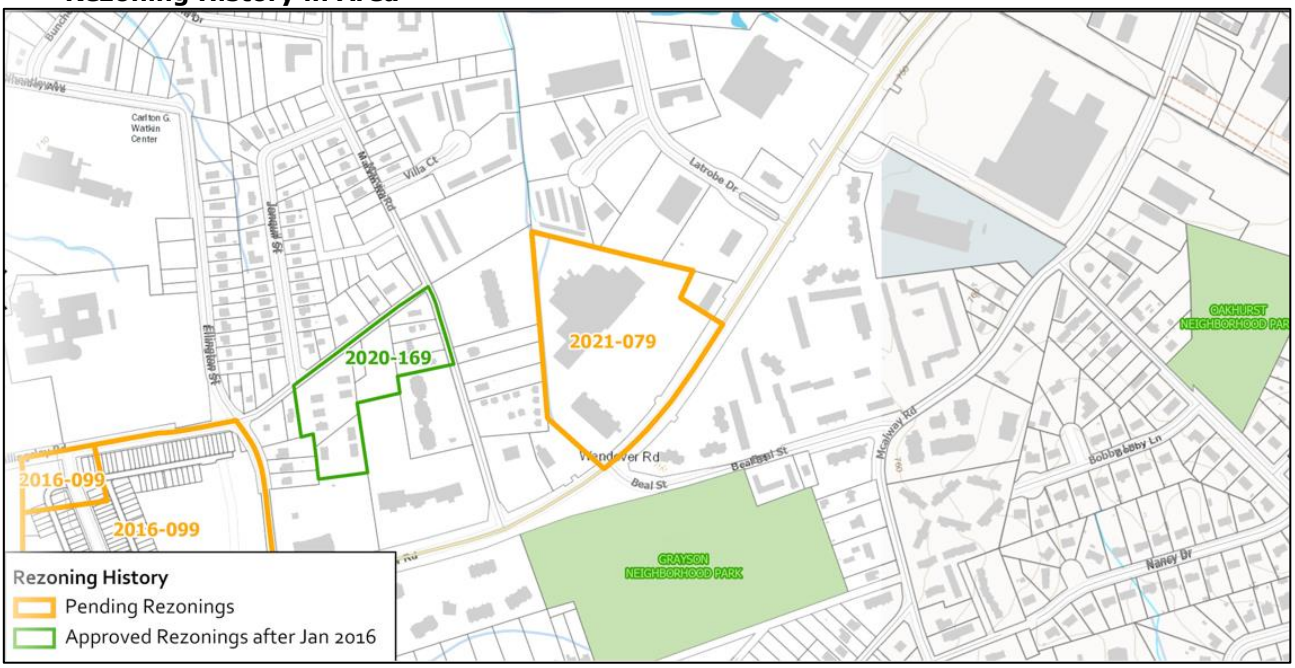


East are apartments and townhomes.



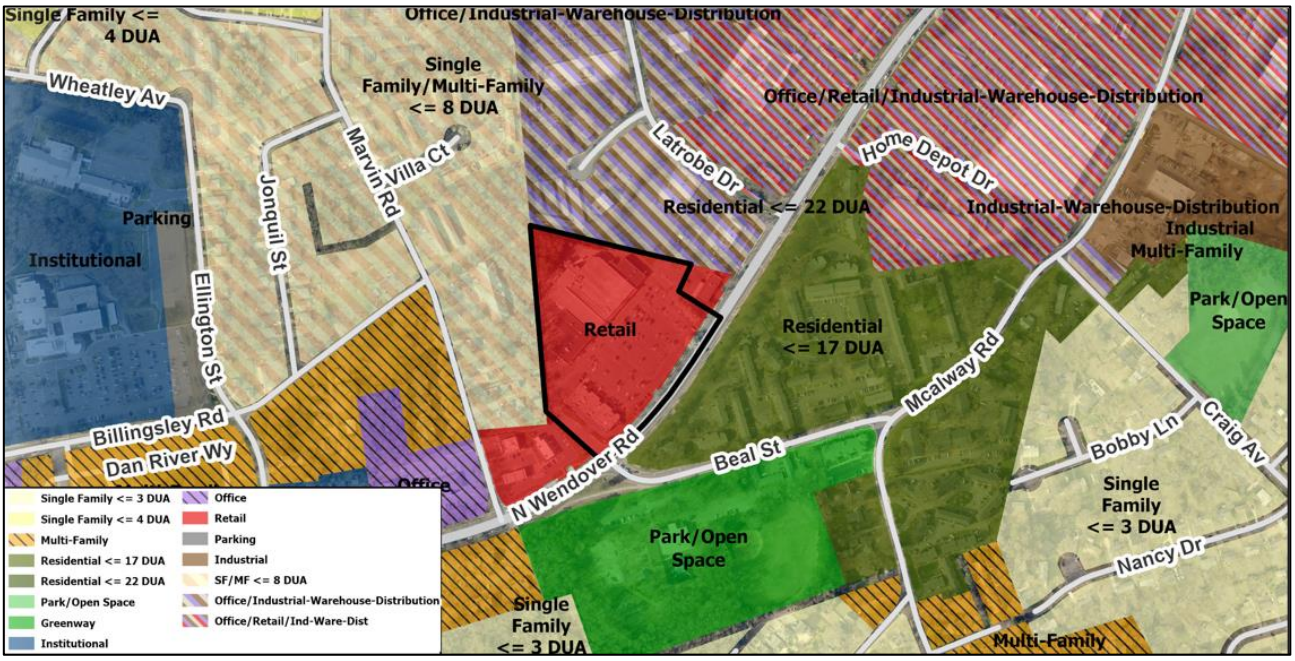
South are institutional, recreational, retail, single family residential neighborhoods and apartments.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-169	Rezoned approximately 3.556 acres from R-22MF to UR-2(CD).	Approved
2016-099	Rezone 10 acres from R-22MF to NS and BD(CD)	Pending

- **Public Plans and Policies**



  - The *Independence Boulevard Area Plan* calls for retail land uses at this site.

- **TRANSPORTATION SUMMARY**
  - The site is located on North Wendover Road (State-maintained major thoroughfare), between Beal Street (City-maintained major collector) and Latrobe Drive (City-maintained minor collector). A Traffic Impact Study (TIS) was approved on March 17th. The site plan commits to installing a traffic signal at the Beal Street and Wendover Road intersection, a 12-foot multi-use path along Wendover Road in accordance with the Charlotte BIKES Plan, and a convenient pedestrian access from the existing pedestrian hybrid beacon (PHB) without crossing the proposed drive through lanes. CDOT has no outstanding comments.
- **Active Projects:**
  - N/A
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**

  Current Zoning:

  Existing Use: 5,350 trips per day (based on existing 80,222 sq ft retail).

  Entitlement: 5,060 trips per day (based on 77,550 sq ft retail (rezoning petition 1990-056).

  ~~Proposed Zoning: 11,190 trips per day (based on 142,667 sq ft of retail, 3,500 sq ft drive thru restaurant, 4,000 sq ft restaurant; site plan 01/14/2022).~~

  Proposed Zoning: 13,456 trips per day (based on 109,697 sq ft retail, 32,970 supermarket, 7,500 sq ft drive-thru restaurant; per approved TIS).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **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 N Wendover Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along the eastern portion of the parcel. See advisory comments at www.rezoning.org.
- **Erosion Control:** No outstanding issues.

- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry / City Arborist:** See Outstanding Issues, Note 1.

OUTSTANDING ISSUES

Environment

1. Street trees are required for this site. There is a definite conflict between the 12' multi use path and the existing street trees as shown. There are minimum standard for tree planting that must be maintained. If developed as shown, tree pits will most likely be needed to achieve compliance. Staff recommends altering the path internal to the site.

Site and Building Design

2. Petitioner needs to delineate area proposed to be B-2(CD) if Type 2 EDEE drive-through restaurants with outdoor seating are proposed to be added to the site. Please add B-2(CD) to proposed zoning districts.
3. FAR contradicts the maximum square footage noted.
4. Remove notes under Signage and replace with "signage will be provided per ordinance."
5. Amend Data Table to clearly show existing square footage, proposed square footage, and total square footage.
6. Permitted uses language on site plan proposes to allow all uses. Amend language to specify only nonresidential uses are permitted. In addition, architectural standards note 4.i. implies residential uses may be allowed above the ground floor. Revise accordingly.

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

Planner: Claire Lyte-Graham (704) 336-3782
Dave Pettine (704) 336-4566

Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-079

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 and adopted (anticipated early 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.	N/A

	**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.	✓
	**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.	X
	**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