



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2021-079

May 3, 2022

REQUEST

Current Zoning: B-1(CD) (neighborhood business, conditional)
Proposed Zoning: NS (neighborhood services)

LOCATION

Approximately 7.88 acres located on the north side of N.
Wendover Road, west of Monroe Road, and east of Randolph
Road.
(Council District 1 - Egleston)

PETITIONER

Piedmont Capital, LLC

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 4-1 to recommend DENIAL of this petition and adopt the consistency statement as follows:

To Deny:

This petition is found to be **consistent** with the *Independence Boulevard Area Plan* from staff analysis based on the information from the staff analysis and the public hearing, and because:

- The adopted plan recommends retail uses for the site.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- An additional EDEE drive thru at this location do not support environmental and sustainability policies contained in the Charlotte 2040 Plan.

Motion/Second: Welton / Rhodes (motion to approve failed)

Yeas: Welton

Nays: Blumenthal, Chirinos, Rhodes and Samuels

Absent: Ham and Spencer

Recused: None

**ZONING COMMITTEE
DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the adopted area plan.

Commissioner Welton inquired about the proposed traffic light at Beal Street, which would result in 4 traffic lights in a short span. CDOT staff responded that neither NCDOT nor CDOT Implementation had concerns with a traffic light at this proposed

location. Commissioner Welton responded that the traffic at this location becomes similar to a parking lot. Commissioner Blumenthal inquired about the number of existing drive-thrus on the site. It was noted that the credit union drive thru facility on the site, relocated to a site on Monroe Road.

Commissioner Blumenthal noted previous rezonings reviewed and concerns regarding "bank deserts" and the ability for residents to have access to these uses. Commissioner Chirinos inquired about the demographics of the area. Staff responded that information was unknown but the existing uses in the center include retail and office businesses. Commissioner Welton noted the large number of financial institutions in the Cotswald area, although the walking distance was unknown. Commissioner Blumenthal expressed concern about adding a second drive thru in the area, noting the high pedestrian traffic.

Commissioner Blumenthal mentioned commitments to sustainability and environmental policies as per the Charlotte 2040 Plan. Commissioner Blumenthal mentioned a rezoning at Albemarle and I-485 that was denied due to the request to add a third drive thru. Commissioner Blumenthal noted the rezoning on Woodlawn Road, and Commissioner Chirinos responded that rezoning to allow a bank with drive thru was approved due to the demographics, and to accommodate users who did not want to exit the vehicle due to health concerns. Commissioner Welton noted he could support this request because it is located on a major thoroughfare, the proposed light will assist with traffic management, and proposed jobs and economic opportunities not requiring a college degree.

Commissioner Chirinos asked about trip generation and if it triggered a traffic study. CDOT staff responded that a traffic study was triggered and completed with several mitigations found to be necessary including the traffic signal, restriping, left turn lane, thru lane, and installation of a raised median, and the multi-use path, and ensuring functionality of the internal movement and effectiveness of the light.

Commissioner Samuel noted this project will involve new construction and that this area in general needs fresh development. However, there are environmental and sustainable policies that must be supported. Commissioner Samuel noted pending expiration of a lease that may be more likely renewed with economic investment. Also, it is known the community desires a grocery store in the immediate area.

Commissioner Welton made a motion to approve and second by Commissioner Rhodes; however, the motion to approve failed. Following the vote, Commissioner Blumenthal reiterated non support for an additional drive-thru in light of support for environmental and sustainability policies.

Commissioner Chirinos agreed, noting that perhaps allowing the petitioner to speak would have provided further insight regarding the request.

There was no further discussion of this petition.

MINORITY OPINION

Commissioner Welton expressed support for this petition due to traffic mitigation measures, job creation and economic opportunities for the residents in Grier Heights and Oakhurst communities.

PLANNER

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