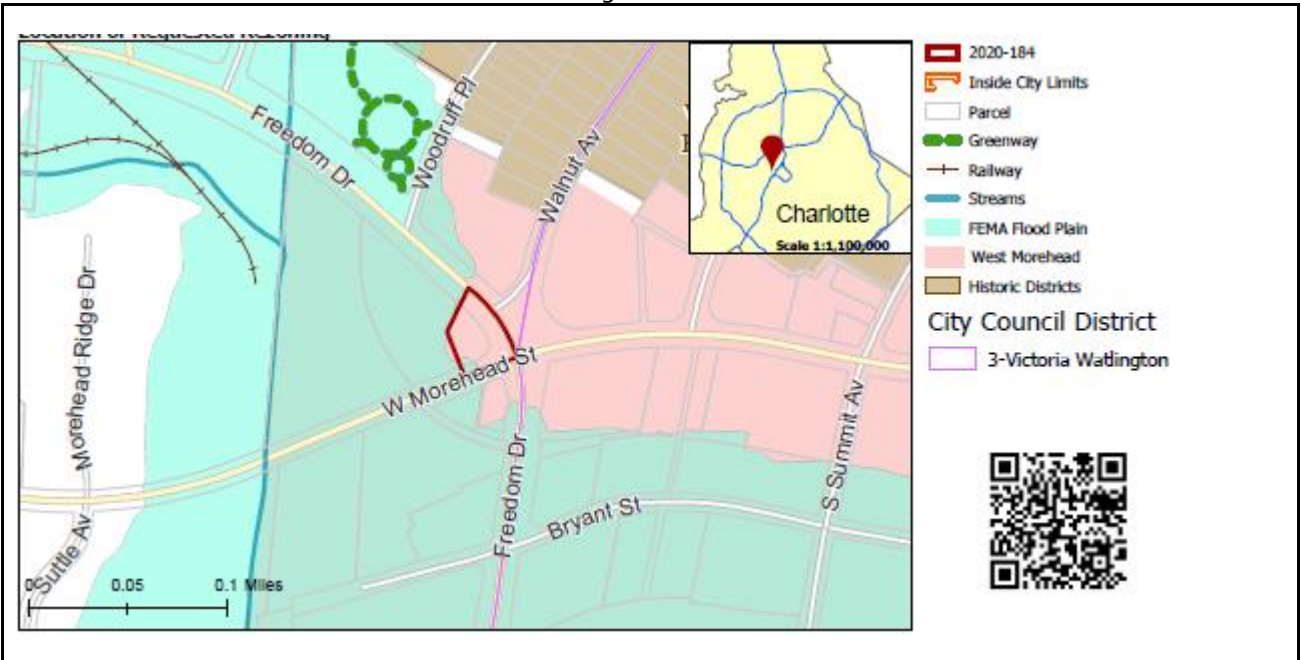


REQUEST

Current Zoning: B-1 PED-O (neighborhood business, pedestrian overlay, optional)
Proposed Zoning: B-1 PED-O (SPA) (neighborhood business, pedestrian overlay, optional, site plan amendment)

LOCATION

Approximately 0.225 acres located along the west side of Freedom Drive and along the north side of West Morehead Street



SUMMARY OF PETITION

The petition proposes to amend the approved optional site plan to lower the number of required parking spaces to six (6) space as currently provided onsite.

PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE

Pinkys, LLC
Pinkys, LLC
Walter G. Fields

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 23

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and site and building design and technical revisions related to site and building design.

Plan Consistency

The petition is **consistent** with the retail land use recommended for this site as per the *West Morehead Pedscape Plan* (2004).

Rationale for Recommendation

- The proposed rezoning petition is consistent with the adopted retail land use for this site.
- The parking space reduction is consistent with the objectives of the Pedestrian Overlay Zoning district for the area, which encourages a pedestrian friendly form of development.

- The site is located near existing bus stops and located within 0.25 mile of the proposed silver line transit station.
- The existing streetscape appears to be in compliance with the ordinance and optional request allows the streetscape to remain as is.

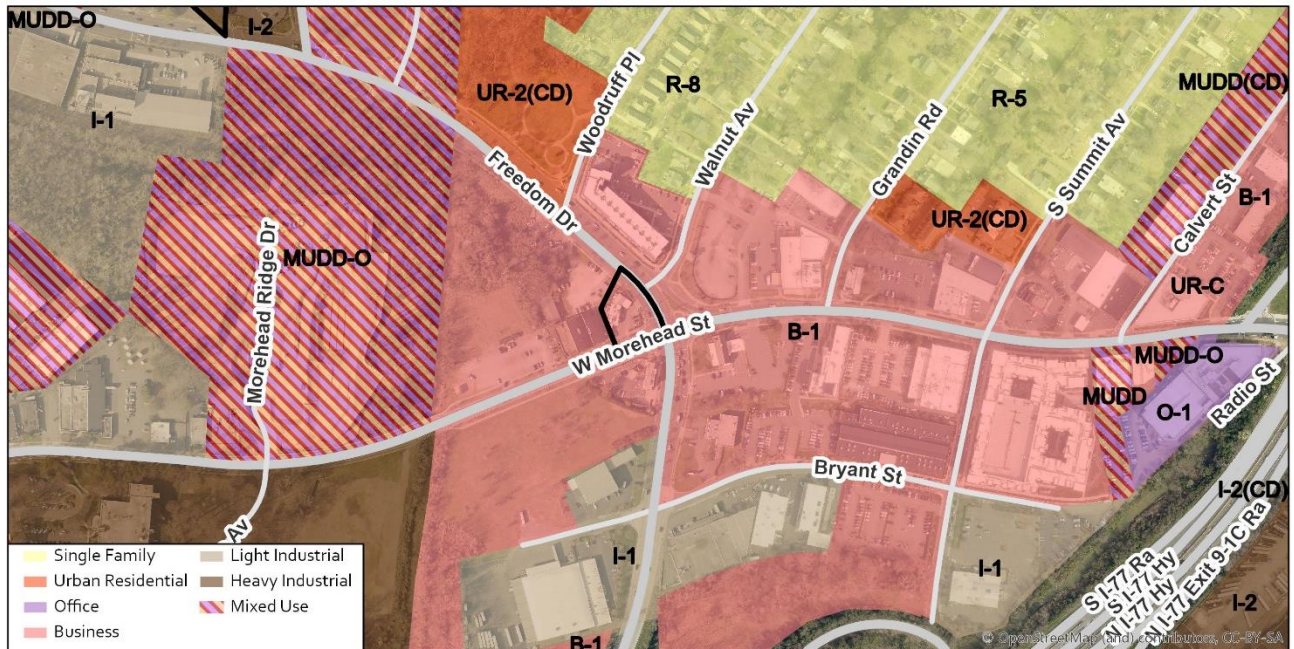
PLANNING STAFF REVIEW

• Proposed Request Details

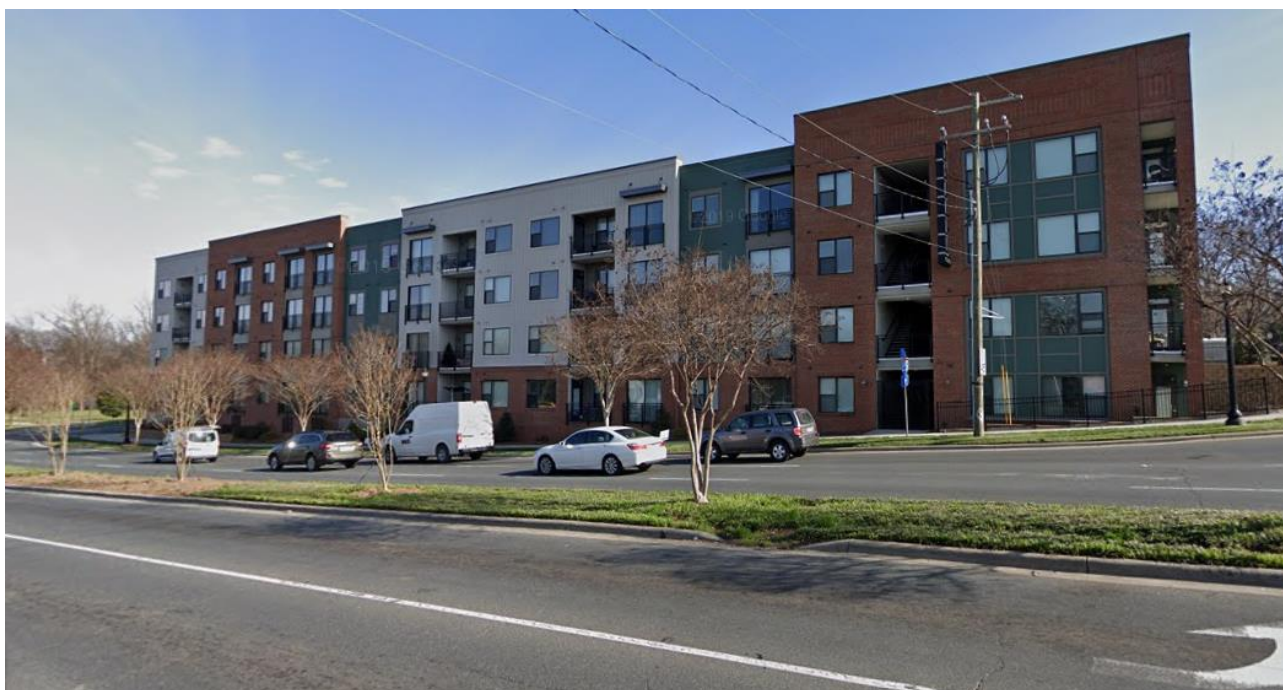
The site plan amendment contains the following changes:

- Adds the following optional requests:
 - The amount of parking required to be provided for use on this site will be established as the number of parking spaces (6 spaces) provided on the site as currently developed.
 - The streetscape that is in place along Freedom Drive and West Morehead Street frontages will remain in place and no additional streetscape improvements will be required.
- The existing streetscape appears to be in compliance with the ordinance.

• Existing Zoning and Land Use



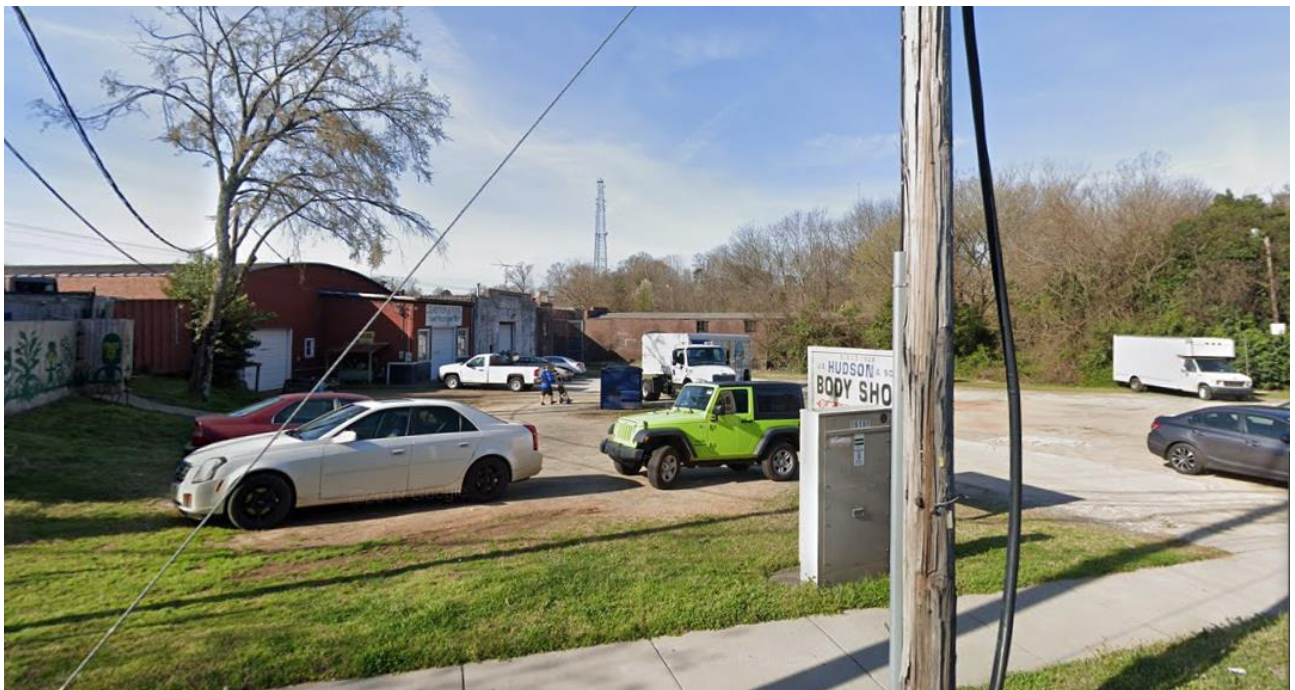
The site was rezoned in 2010 to B-1 PED-O to provide optional provisions for the onsite signage. Surrounding land uses include business uses, automotive uses, and multifamily residential.



The site to the north is developed with multifamily residential.



The site to the south is developed with an EDEE.

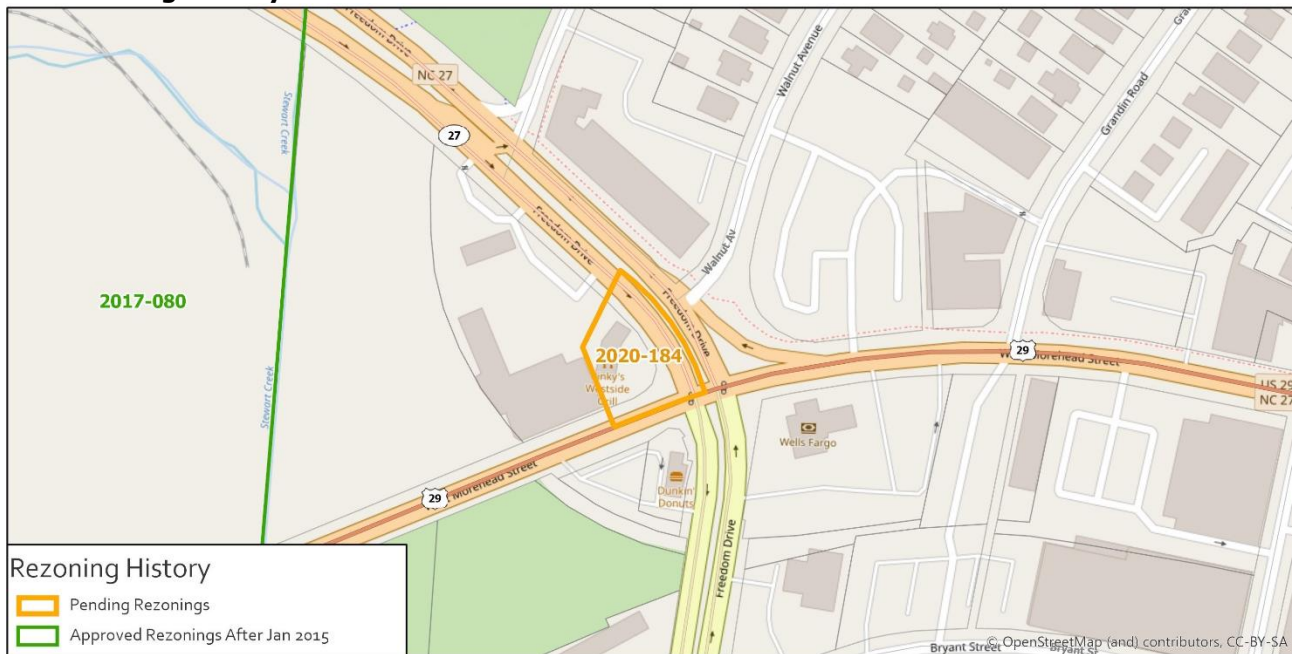


The site to the west is developed with automotive uses.



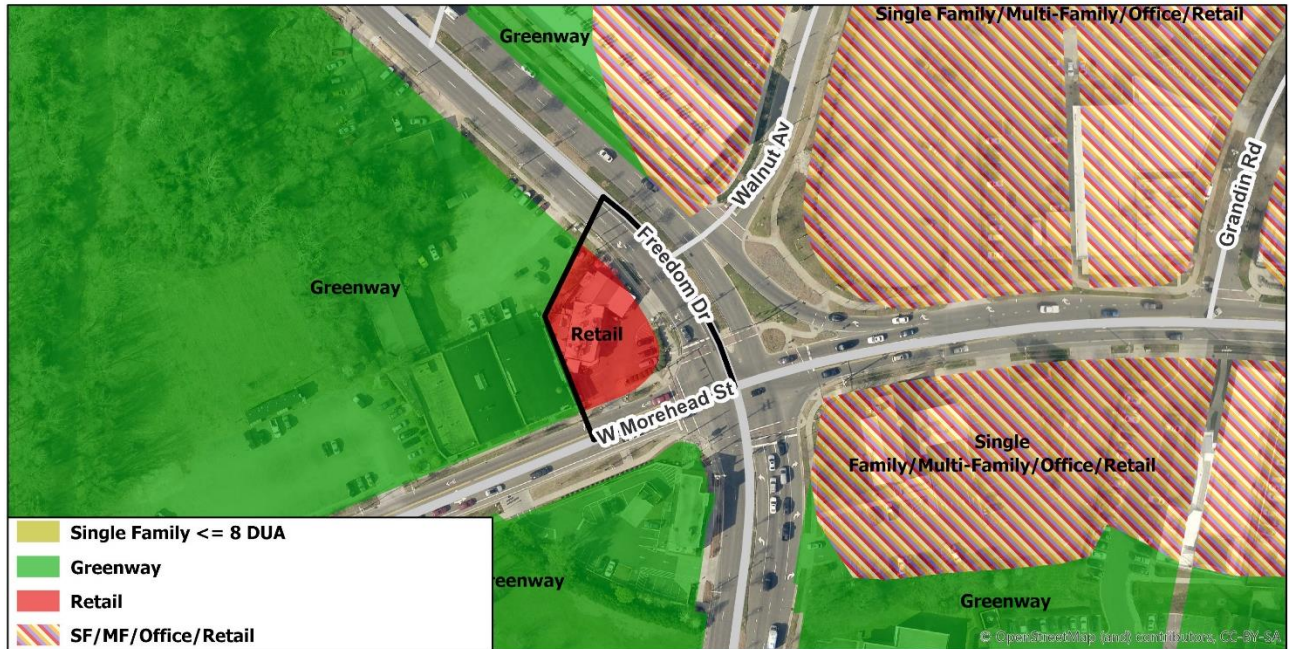
The property to the east is developed with retail and EDEE uses.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-080	The petition rezoned property to MUDD-O (mixed use development, optional) to allow up to 280 dwelling units.	Approved

- **Public Plans and Policies**



- The *West Morehead Pedscape Plan* (adopted 2004) recommends retail land uses for this site, which is also under a pedestrian overlay zoning district.
- **TRANSPORTATION SUMMARY**
 - The site is located at the intersection of Freedom Drive and Morehead Street, two State-maintained major thoroughfares, inside the limits of Route 4. Additionally, this site is located within the West Corridor and inside the limits of the West Morehead Land Use and the Pedscape Plan.
 - **Active Projects:**
 - There are no active projects near the site.
 - **Transportation Considerations**
 - See Outstanding Issues, Notes 1 and 2.
 - **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 320 trips per day (based on 2,819 SF restaurant).
Entitlement: 320 trips per day (based on 2,819 SF restaurant).
Proposed Zoning: 320 trips per day (based on 2,819 SF restaurant).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **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:** No comments submitted.
- **Engineering and Property Management:**
 - **Arborist:** No comments submitted.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** See advisory comments at www.rezoning.org
 - **Urban Forestry:** See Outstanding Issues, Note 3, technical revisions, Notes 4-5
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org

- **Mecklenburg County Parks and Recreation Department:** No comments submitted.

OUTSTANDING ISSUESTransportation

1. Revise the site plan by adding a sidewalk utility easement 2-feet behind the sidewalk along the site's Morehead Street and Freedom Drive frontage. Please change the language on Transportation Note 2 to " The petitioner will provide an easement to CDOT and NCDOT, as generally depicted on the site plan, for a 2-foot wide area behind and coterminous with the existing sidewalk along both West Morehead Street and Freedom Drive for sidewalk maintenance and underground utilities.". Additionally, please clearly show and label the SUE on the site plan.
2. Revise the site plan by correcting the West Morehead Street pavement markings. Please include all pavement markings.

Site and Building Design

3. Patio or extra building will need to be moved/removed, or an optional provision need to be requested. There is a required tree in this area on the old approved landscape plans. And we will need room for an internal tree.

REQUESTED TECHNICAL REVISIONSSite and Building Design

4. Show all existing trees. They will be required to be protected and saved.
5. The site plan only shows 5 parking spaces but the plan notes state there are 6 existing spaces. All parking spaces to be within 40' of a tree (typ.).

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

Planner: Lisa Arnold (704) 336-5967