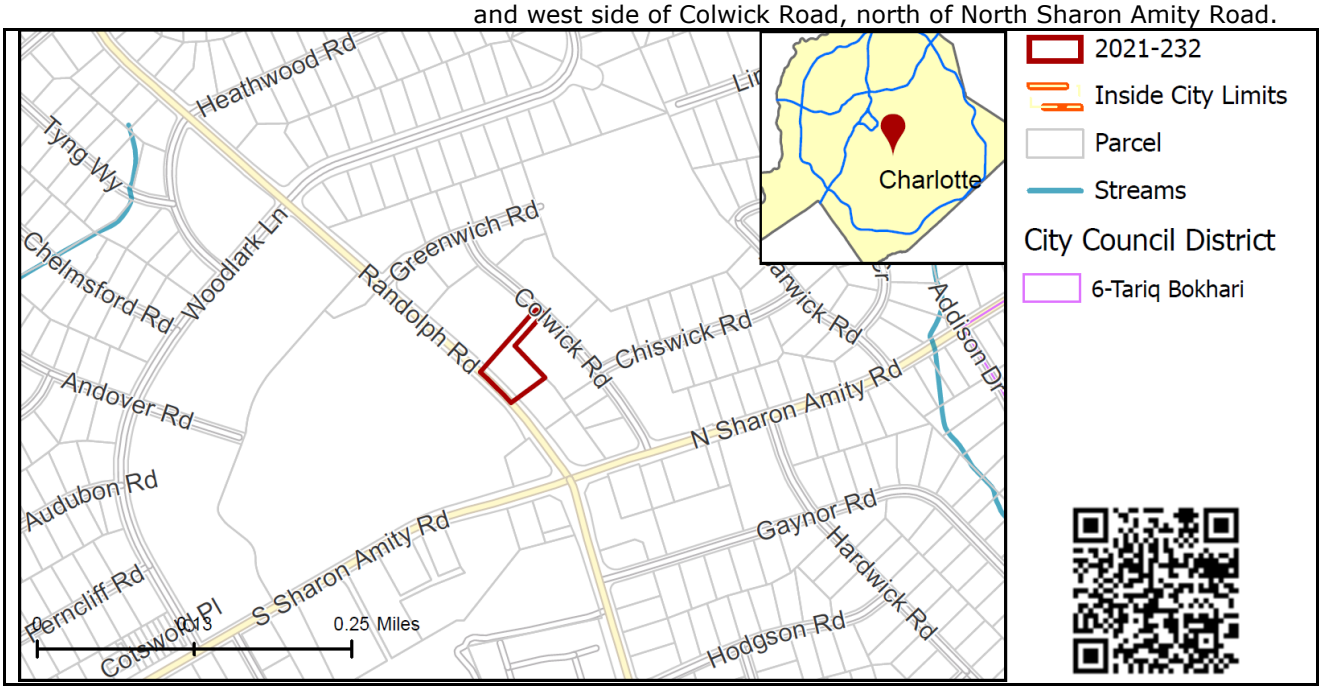
CHARLOTTE
PLANNING, DESIGN & DEVELOPMENT

Rezoning Petition 2021-232
Final Staff Analysis
January 17, 2023

REQUEST	Current Zoning: B-1 (neighborhood business) Proposed Zoning: B-2(CD) (general business, conditional)
LOCATION	Approximately 0.88 acres bound by the east side of Randolph Road and west side of Colwick Road, north of North Sharon Amity Road.



SUMMARY OF PETITION	The petition proposes to demolish the existing eating, drinking, entertainment establishment (EDEE) and accessory drive through and replace it with an EDEE with drive through only service in the Cotswold area.
PROPERTY OWNER **PETITIONER** **AGENT/REPRESENTATIVE**	BIB, LLC Chick-Fil-A, Inc John Carmichael/ Robinson, Bradshaw & Hinson
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 0.

STAFF RECOMMENDATION

Staff recommends approval of this petition.

Plan Consistency
The petition is **inconsistent** with the *2040 Policy Map* recommendation for Neighborhood Center.

Rationale for Recommendation

- Although the petition is inconsistent staff feels the request is reasonable based on it being an existing use. The site design is intended to improve functionality of the use and the pedestrian and access improvements could provide benefits to the transportation infrastructure in the immediate area.
- The proposal replaces the existing building with an EDEE with no indoor seating and with accessory drive through facilities with multiple lanes that wrap the building and separate the building from the street.

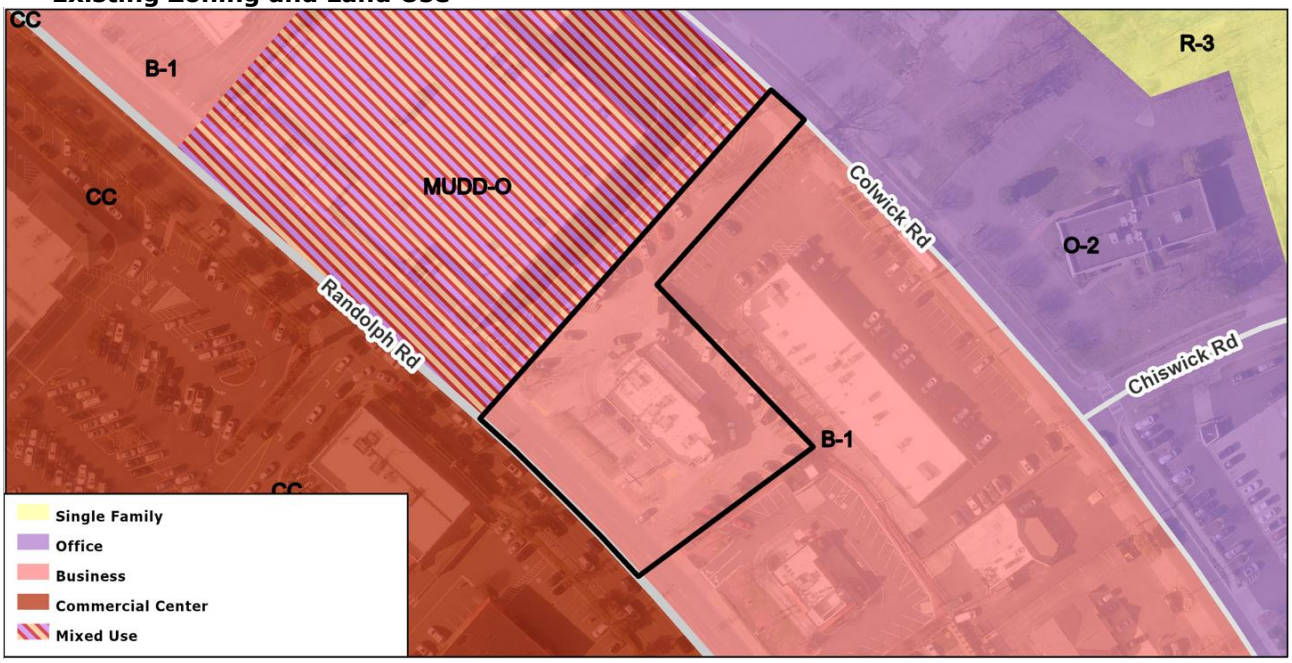
- The proposal improves pedestrian access to the site with clearly marked pedestrian walkways from the public sidewalk to the building and parking areas.
- Replaces the existing back of curb sidewalk with an 8 ft planting strip and 8 ft sidewalk improving pedestrian safety and experience along Randolph Road frontage.
- The proposed site design increases drive through capacity and functionality to improve issues with traffic blocking the sidewalk and backing up onto Randolph Road.
- The site is located in an area with other business uses including auto oriented uses with drive through service lanes.
- The site is currently developed with an EDEE with accessory drive through service lane.
- Although the plan proposes no indoor seating it provides a patio with outdoor seating.
- The petition could facilitate the following *2040 Comprehensive Plan* goals:
  - 1: 10-Mintue Neighborhoods
  - 5: Safe & Equitable Mobility
  - 8: Diverse & Resilient Economic Opportunity

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood Center Place Type to Commercial Place Type for the site.

PLANNING STAFF REVIEW

- **Proposed Request Details**
  The site plan accompanying this petition contains the following provisions:
  - Demolishes the existing EDEE with accessory drive through service facilities.
  - Allows the following uses: an EDEE with drive through only service (no indoor seating), a financial institution, and other uses permitted in the B-2 district that are also permitted in the B-1 district.
  - Prohibits a number of uses that are not compatible with the site including car washes and automotive service stations.
  - Indicates the proposed building, two drive through service lanes and a by-pass lane.
  - Proposes a walkup area and patio dining on the right side of the building.
  - Access via a right in and right out only at the southern end of the site. A right out only at the northern end of the site on Randolph Road and restricts the rear driveway at Colwick to an entrance only. ~~a full movement access at the rear of the site onto Colwick Rd~~.
  - Constructs an 8 ft planting strip and 8 ft sidewalk along Randolph Road and provides a sidewalk utility easement to accommodate future construction of a 12 ft multi-use path.
  - Contributes $70,000 to the City of Charlotte to be applied to the cost of installing a signal at the intersection of Randolph Rd. and the Publix access point or to the cost of other improvements at this intersection.
  - Provides annotated building elevations illustrating the architecture of the building.

- **Existing Zoning and Land Use**



The site is located in the Cotswold neighborhood center an area with a mixture of zoning including B-1, MUDD-O (mixed use development, optional), O-2 (office), CC (commercial center), and R-3 (single family residential).

Existing Zoning	Translated Zoning	Recommended Place Type
B-1 (neighborhood business)	CG (general commercial)	Neighborhood Center

The Cotswold shopping center is west of the site (indicated by the red star above). There are business uses along Randolph Road and South Sharon Amity Roads with other commercial and office uses along Colwick Rd. Auto oriented uses such as automobile service stations and uses with accessory drive through service lanes are primarily located along the frontages of Randolph and S. Sharon Amity Roads.

The site is developed with an EDEE with accessory drive through service lanes.

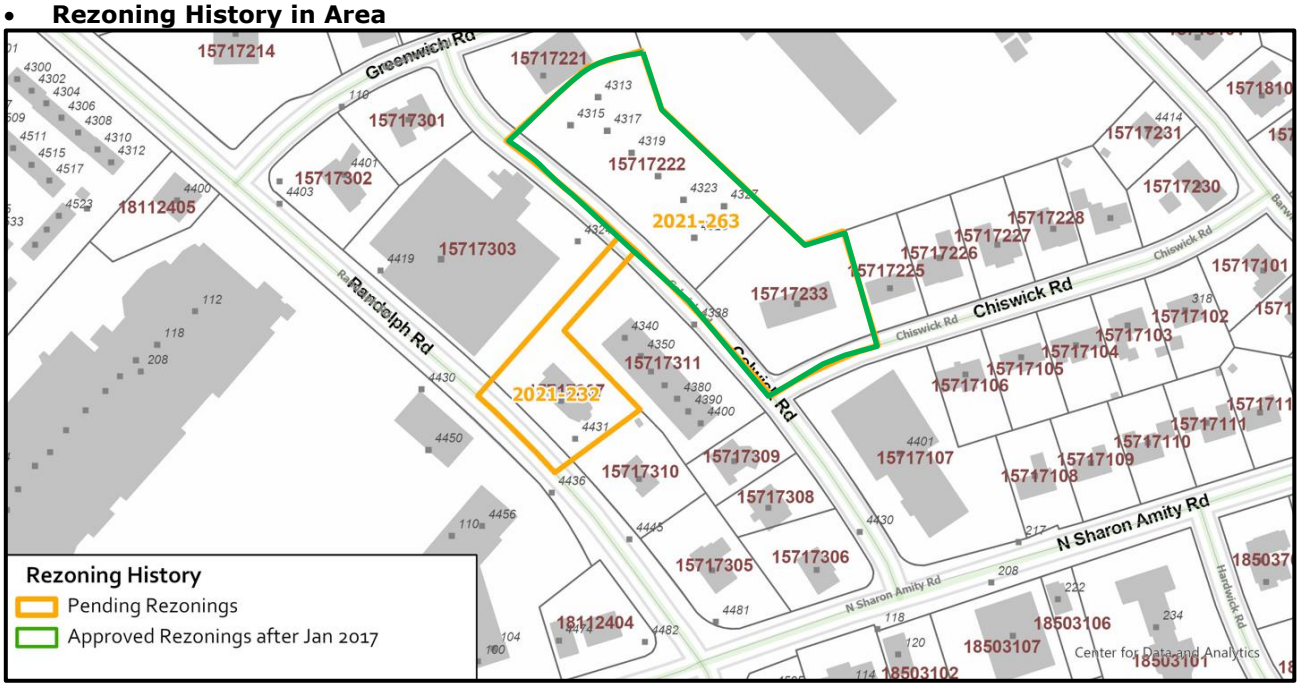
North of the site is a grocery store.

East of the site along Colwick Rod are business uses. Pending rezoning RZP-2021-263 is across Colwick Road from the site.

South of the site is an EDEE with accessory drive through service lane.

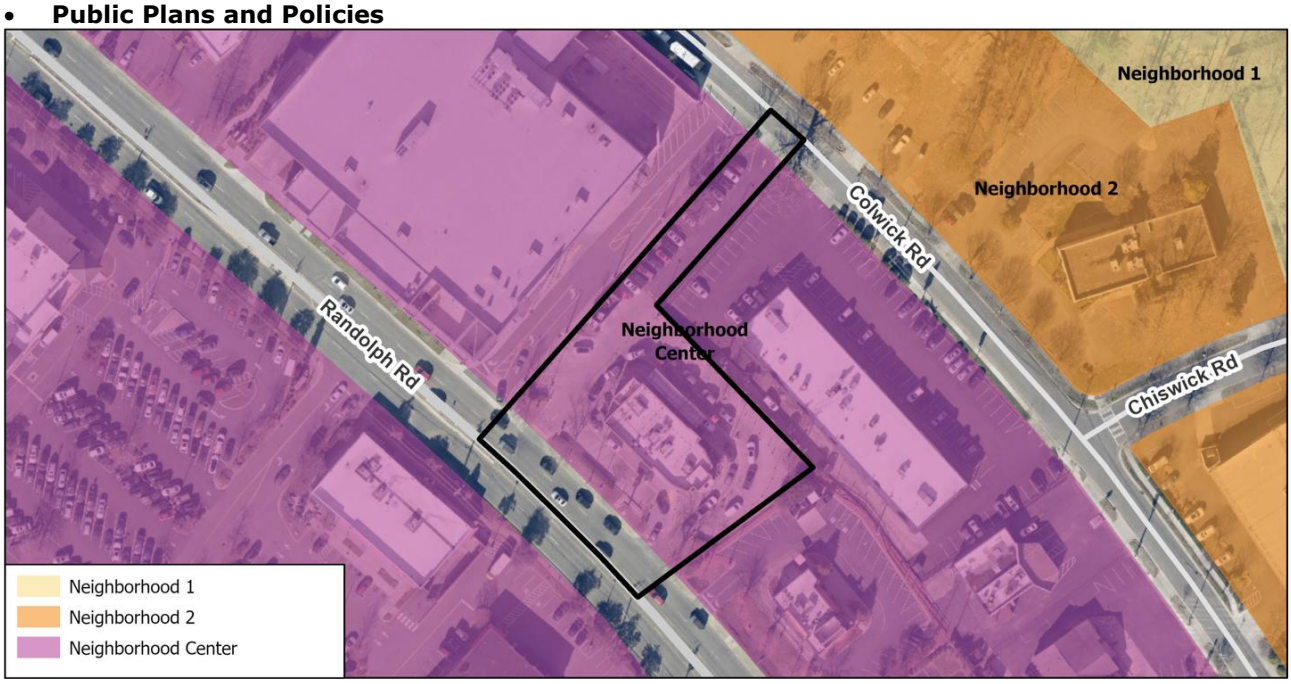
West of the site, across Randolph Rd, are business uses in the Cotswold Shopping Center.

- **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2021-263	2.8 acres, east of the site, on Colwick Road from O-2 to MUDD(CD) to allow up to 260 multi-family units and 30,000 square feet of office use.	Approved

- **Public Plans and Policies**



- The *2040 Policy Map* (2022) recommends Neighborhood Center for the site.

- **TRANSPORTATION SUMMARY**
  - The site is located on Randolph Road, a City-maintained major thoroughfare. A Traffic Technical Memorandum (TTM) is needed for this site. CDOT has coordinated with the petitioner to provide right-of-way and a sidewalk utility easement to accommodate a future 12-foot multi-use path along the site's frontage in accordance with the Charlotte's BIKES Plan. Petitioner has committed to construct pedestrian facilities along the site's frontage in accordance with the Charlotte's WALKS Plan and Chapter 19 of the City's ordinances. CDOT has reviewed and approved the TTM studying proposed on-site queuing accommodations. CDOT has no outstanding issues.
- **Active Projects:**
  - N/A
- **Transportation Considerations**
  - No outstanding issues.
- **Vehicle Trip Generation:**

  Current Zoning:

  Existing Use: 1,980 trips per day (based on fast food with drive through).

  Entitlement: 1,980 trips per day (based on fast food with drive through).

  Proposed Zoning: 1,980 trips per day (based on fast food with drive through).

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:** See advisory comments at www.rezoning.org
- **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 Randolph Road. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Randolph Road. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **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 advisory comments at www.rezoning.org

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

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