



**Application: 2012-586 Spring Creek Restaurants**

**Pre Public Hearing Rezoning Staff Analysis**

**May 3, 2012**

**Project Summary**

**Location:** 9727 East Independence Boulevard

**Owner:** Carroll Family Investments

**Agent:** Robert Hubbard

**Current Zoning:** Condition (C)

**Proposed Zoning:** B-1 (CD)

**Existing Use:** Former restaurant

**Proposed Use:** Restaurant/Retail

**Community Meeting:** Occurred 5/1/12

**Summary of Request**

In conjunction with the Town's policy of converting old conditional zonings into current zoning classifications, the owner of the property requests a rezoning to B-1 (CD). Among the key changes to the building are a completely new façade and some subtractions and additions to the building footprint. The building would be subdivided into two storefronts housing a restaurant on one side and future restaurant or retail on the other.

**Staff Recommendation**

Staff recommends approval of this rezoning request subject to the required variance being approved by Board of Adjustment prior to the decision date.

## Pre Public Hearing Staff Analysis

March 16, 2012

### Planning Staff Review

#### **Background And History**

The property is part of a sub development within Windsor Square that also encompasses the buildings housing Woodcraft, the recently opened Sears, Leslie Pools, Captain D's, Azteca Restaurant and the Comfort Suites. Prior to this request, your Board most recently approved rezonings for all parcels except the Azteca restaurant and the hotel. This particular building was built in 1991 as the new home of the Meadowview Steakhouse. It most recently housed Elliott's BBQ. Collectively, stormwater detention is already provided for the entire development and cross parking and cross access easements are in place for the different users. The building is sited in accordance with the 50' "greenbelt" setback along Independence Blvd that is required for the entirety of Windsor Square's frontage. Transitional setback requirements significantly affect the building.

#### **Details of the Site Plan**

The primary changes to the building include a complete removal of the existing synthetic stucco façade to be replaced with a glass and masonry exterior with two storefronts. A portion of the building facing the parking lot and including the canopy will be removed. A 558 square foot walk in cooler addition and a 1,335 square foot dining area/retail showroom addition will be added to the Windsor Square Drive elevation. Both additions require the owner to obtain a variance to transitional setback requirements

#### **Summary of Proposed Conditions**

2. Proposed uses are restaurant and retail
5. Access is to be limited to the existing curb cuts on Windsor Square Dr and Windsor Crossing Dr.
6. The only future modifications allowed to the site are those building additions depicted on the plan 11, Exterior materials are to be 73% face brick, 5% stone, 22% glass and glazing.



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#### Outstanding Issues/Staff Comments

1. A variance to transitional ROW requirements would be required for the property to be rezoned as currently designed.



## Pre Public Hearing Staff Analysis

March 16, 2012

### Consistency with Adopted Plans and Policies and Town Vision Statements

In accordance with the Land Use Plan, retail and restaurant uses are appropriate in this location.

### Reports from Town Departments and County Agencies

#### **Matthews Police**

None received

#### **Matthews Fire**

None received

#### **Public Works**

None received

#### **Matthews Parks and Recreation**

None received

#### **Charlotte Mecklenburg Schools**

N/A

#### **PCO Concept Plan Approval Required?**

No

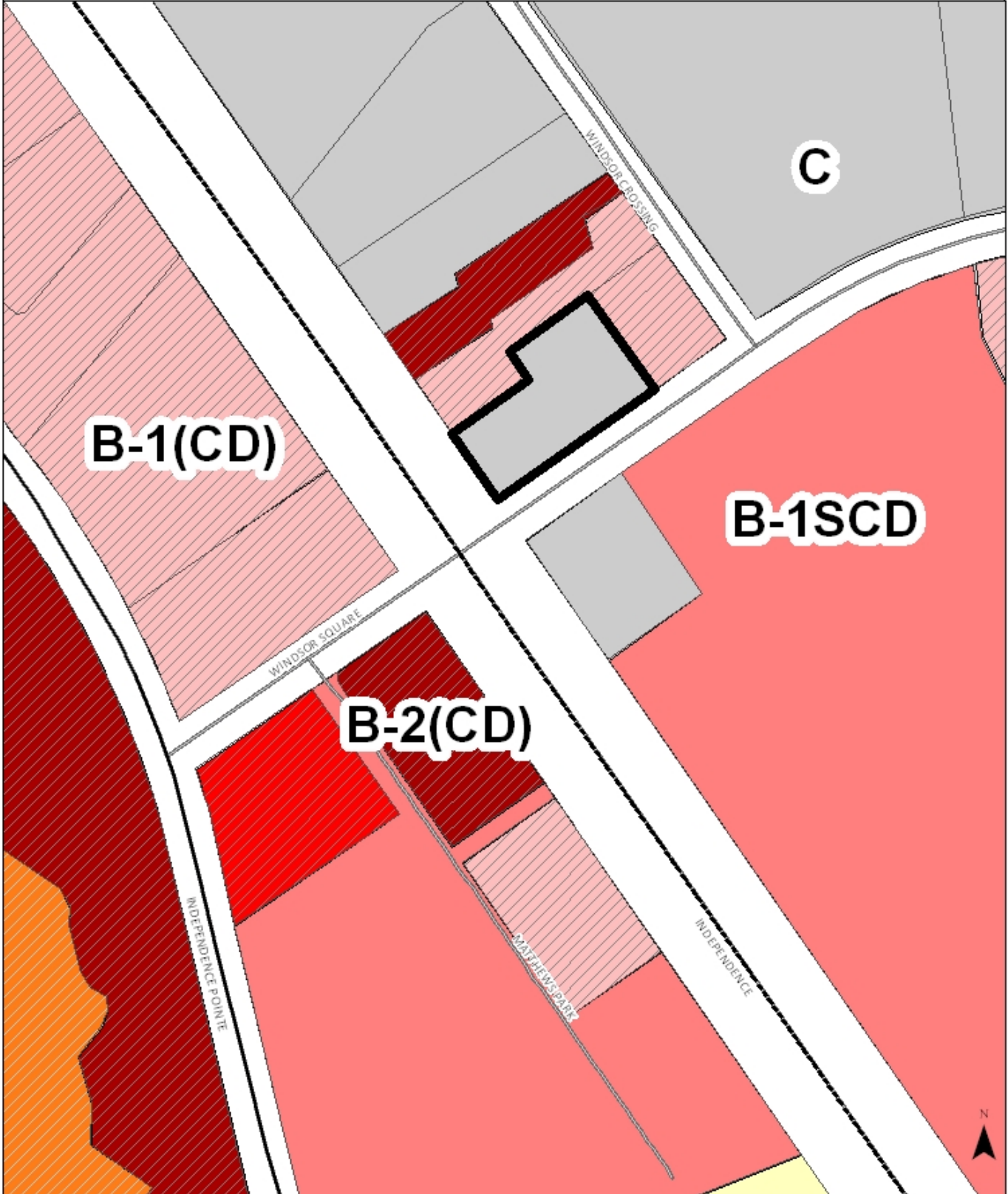
# Area Zoning Map

Application # 2012-586

Current zoning: Conditional

PID 193-303-11; 9727 East Independence Boulevard

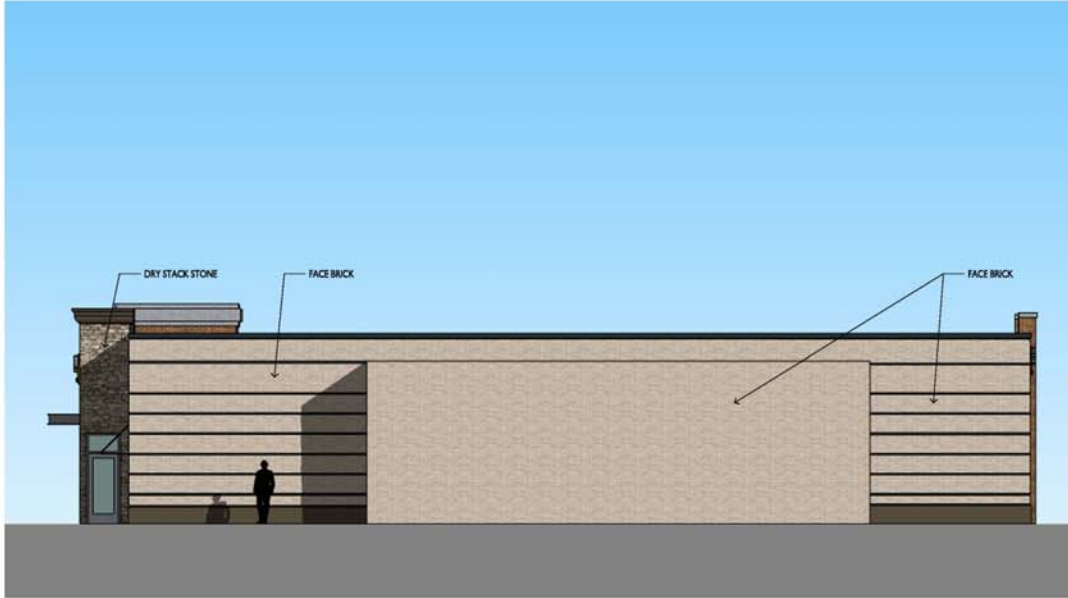
Proposed zoning: B-1(CD): this zoning request seeks to convert this property from the old "conditional" zoning classification to a classification found in the current Zoning Ordinance.





**Site Photos**





**NORTHWEST ELEVATION**  
 FACING ADJACENT BUILDING

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**NORTHEAST ELEVATION**  
 FACING PARKING LOT

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**MATERIAL TABULATION:**

FACE BRICK	= 73%
DRY STACK STONE	= 5%
GLASS & GLAZING	= 22%



**SOUTHWEST ELEVATION**  
FACING E. INDEPENDENCE PARKWAY

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**SOUTHEAST ELEVATION**  
FACING WINDSOR SQUARE DR.

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