

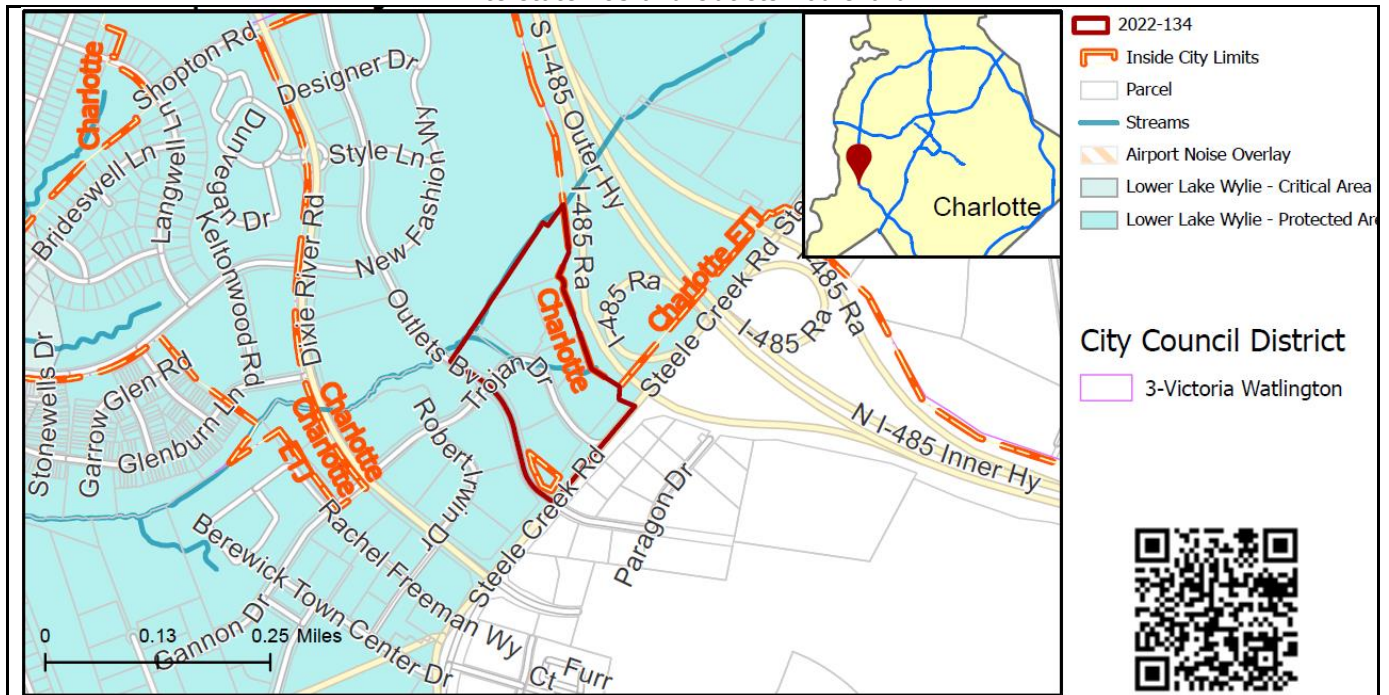
## REQUEST

Current Zoning: O-2(CD) LLWPA (office, conditional, Lower Lake Wylie Protected Area), NS LLWPA (neighborhood services, Lower Lake Wylie Protected Area)

Proposed Zoning: O-2(CD) LLWPA SPA (office, conditional, Lower Lake Wylie Protected Area, site plan amendment), NS LLWPA SPA (neighborhood services, Lower Lake Wylie Protected Area, site plan amendment)

## LOCATION

Approximately 15.48 acres located along Steele Creek Road between Interstate 485 and Outlets Boulevard.



## SUMMARY OF PETITION

The petition proposes to amend a previously approved plan to allow an additional drive-thru lane, alter the O-2(CD) building envelopes, and change the zoning of a small parcel on the southern corner of the site from O-2(CD) to NS.

## PROPERTY OWNER

Steele Trojan Properties, LLC

## PETITIONER

Muhsin Muhammad II

## AGENT/REPRESENTATIVE

Muhsin Muhammad II

## COMMUNITY MEETING

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 3.

## STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and the environment.

### Plan Consistency

The petition is **consistent** with the 2040 Policy Map recommendation for commercial place type.

### Rationale for Recommendation

- The commercial uses proposed are consistent with the recommended commercial place type.

- The petition seeks to make minor modifications to a previously approved rezoning petition.
- The site is adjacent to other commercial place types with drive through uses.
- The petition seeks to simplify zoning on the southern corner of the site by rezoning a small remnant parcel from O-2(CD) to NS to match the larger adjacent parcel.
- The petition could facilitate the following *2040 Comprehensive Plan* Goal:
  - 1: 10 Minute Neighborhood
  - 8: Diverse & Resilient Economic Opportunity

## PLANNING STAFF REVIEW

### • Background

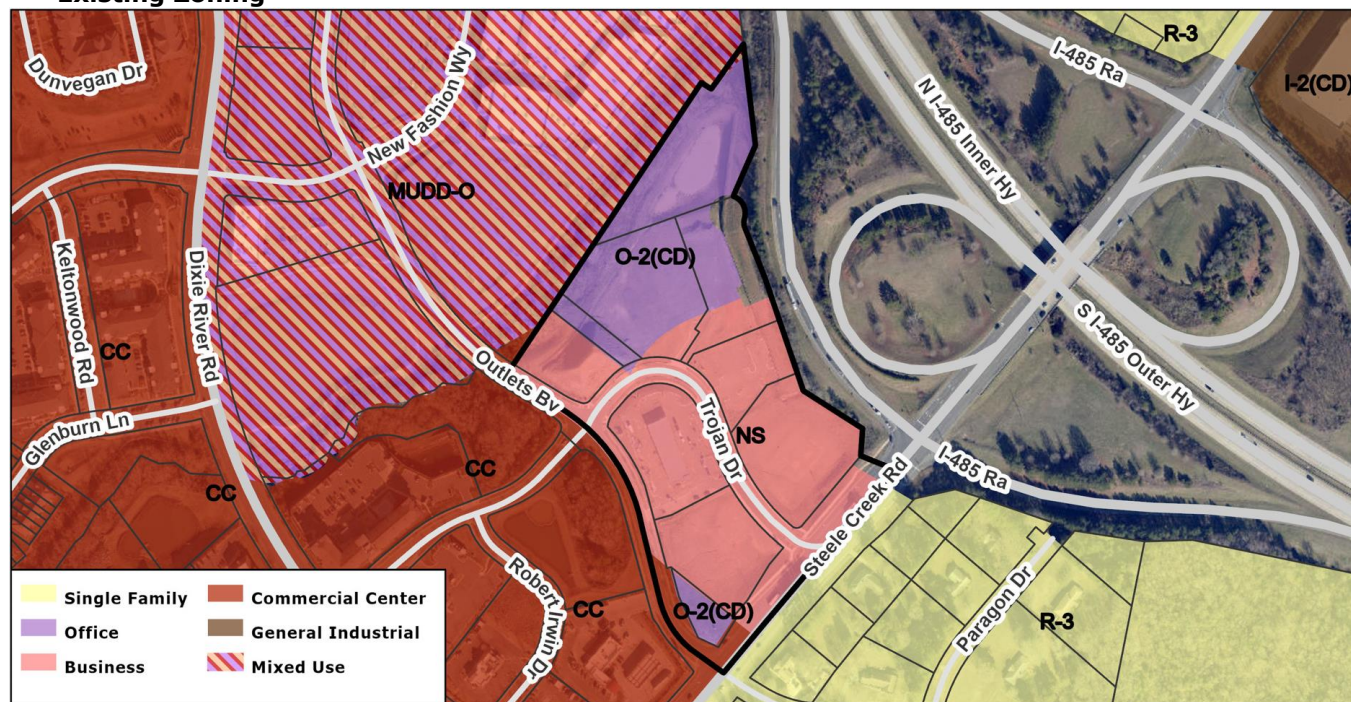
- The site was rezoned via petition 2017-019 to allow 35,000 square feet of commercial uses and a hotel with up to 180 rooms or 50,000 square feet of general or medical office uses. One accessory drive through lane for a limited service EDEE (eating, drinking, and entertainment establishment) was approved.

### • Proposed Request Details

The site plan amendment contains the following changes:

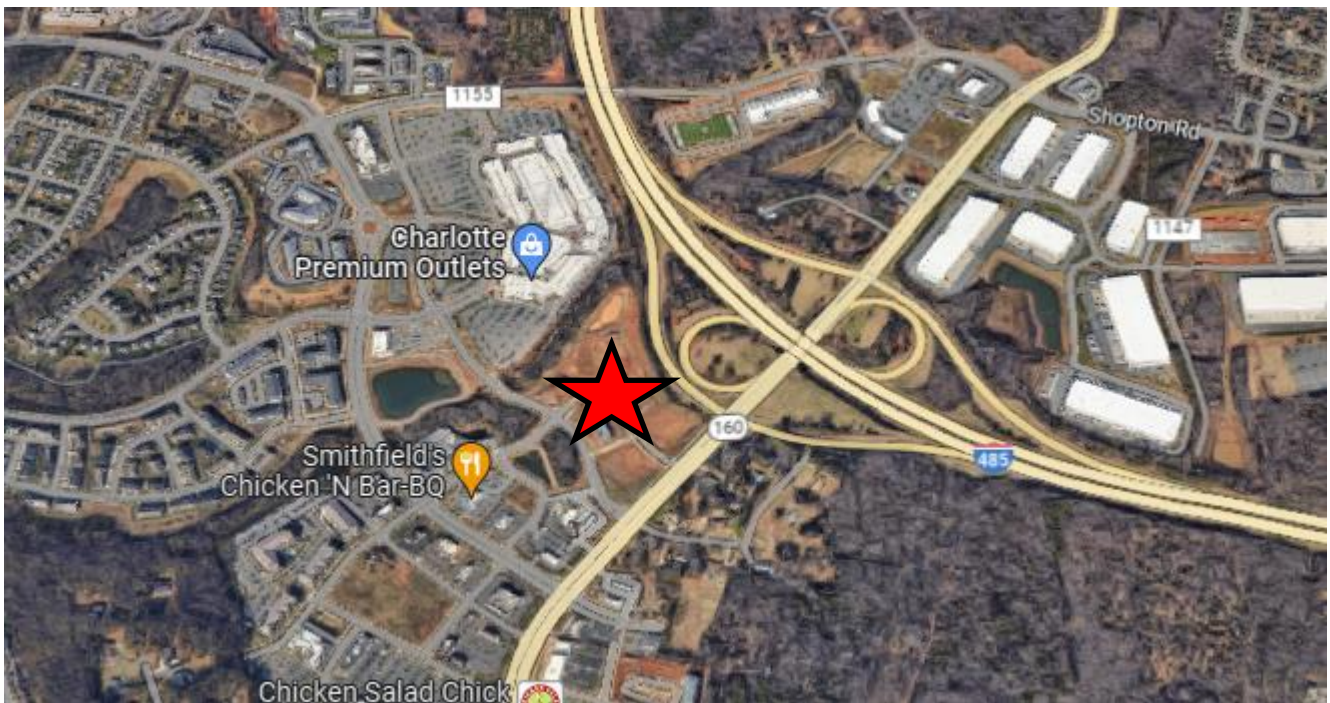
- Creates a new development area (7) and shifts building envelopes within that area.
- Seeks to rezone a small area in the southern corner from O-2(CD) to NS.
- Corrects an encroachment issue with the public right-of-way in the southern corner of the property.
- Allows an additional accessory drive through use for a financial or business service.

### • Existing Zoning



- The site is currently zoned NS LLWPA and O-2(CD) LLWPA. The surrounding properties are zoned MUDD-O, CC, and R-3. All properties in the map above that are west of Steele Creek Road are located within the Lower Lake Wylie Protected Area.

Existing Zoning	Translated Zoning	Recommended Place Type
<ul style="list-style-type: none"> <li>- O-2(CD) LLWPA (office, conditional, Lower Lake Wylie Protected Area)</li> <li>- NS LLWPA (neighborhood services, Lower Lake Wylie Protected Area)</li> </ul>	<ul style="list-style-type: none"> <li>- N/A (conditional zoning does not translate)</li> <li>- NS LLWPA (neighborhood services, Lower Lake Wylie Protected Area)</li> </ul>	Commercial



The site, marked by a red star, is surrounded primarily by commercial uses.



Street view of the Interstate 485 ramp to the north of the site. Provide caption for Street view (use north of site).



Street view of single family residential to the east of the site across Steele Creek Road. This site is part of pending rezoning petition 2022-008, which proposes commercial and multifamily residential uses.

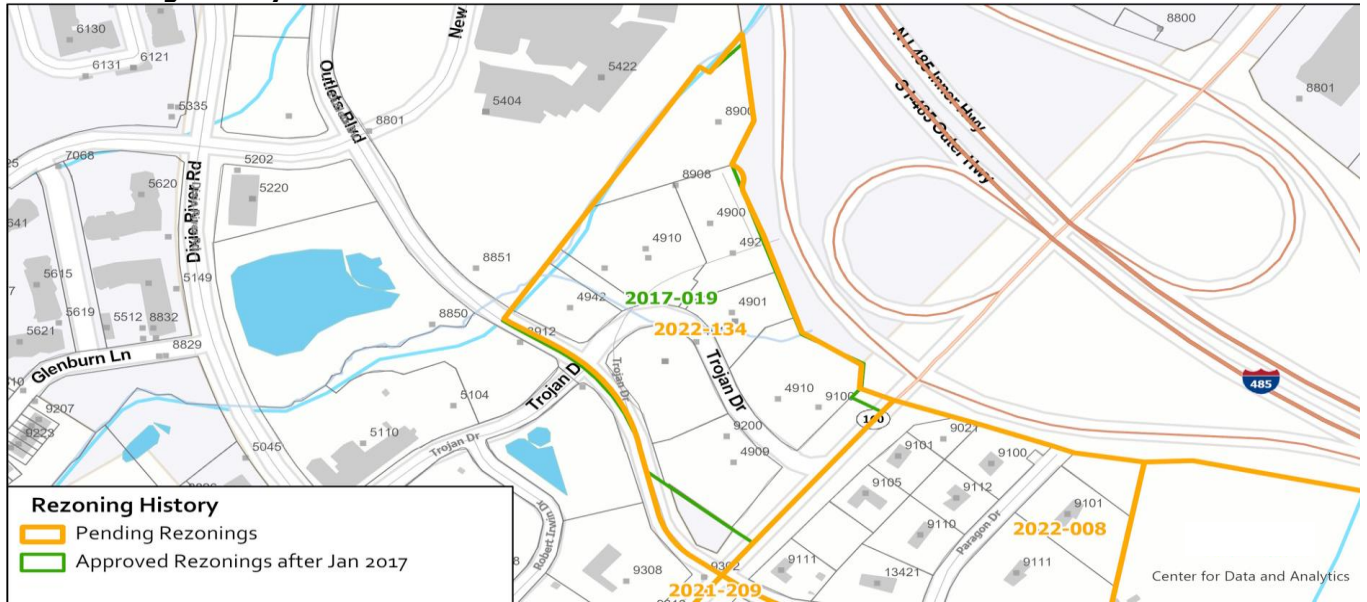


Street view of commercial uses to the south of the site along Steele Creek Road.



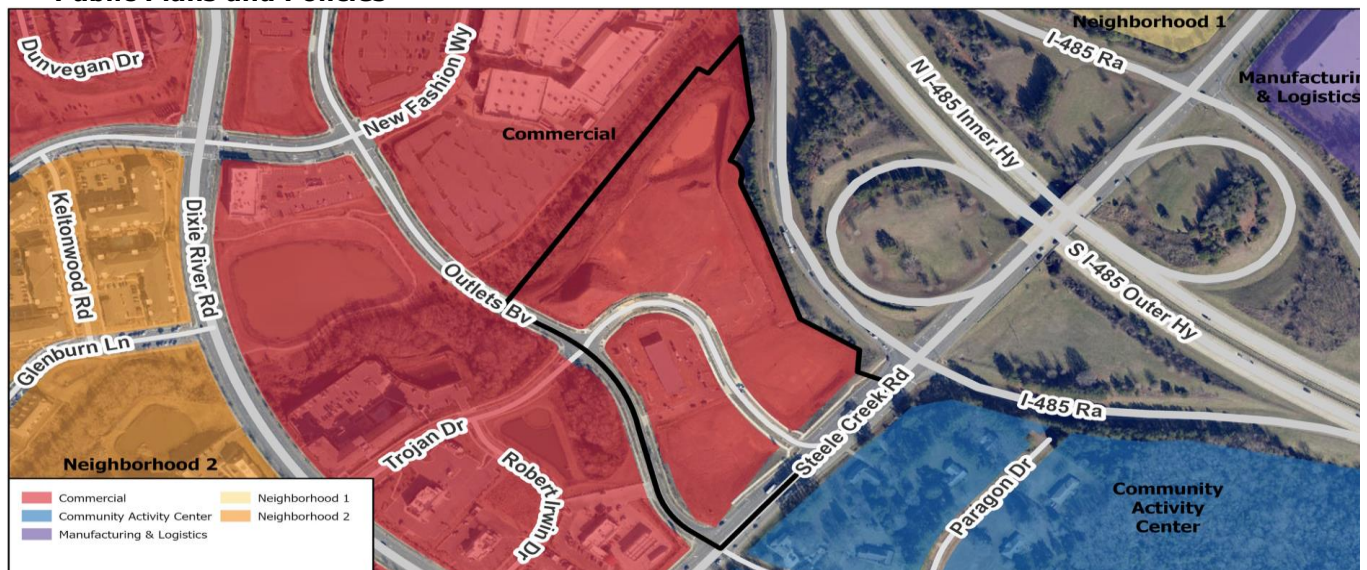
Street view of Charlotte Premium Outlets Mall to the west of the site.

#### • Rezoning History in Area



Petition Number	Summary of Petition	Status
2022-008	Petition to allow redevelopment of the site with up to 375 residential dwelling units and 56,000 square feet of non-residential uses.	Pending
2021-209	Petition to allow a 4,000 square feet commercial building with accessory drive-thru.	Pending
2017-019	Petition to allow hotel, retail, and office uses.	Approved

#### • Public Plans and Policies



- The 2040 Policy Map (2022) recommends commercial place type for the site and much of the surrounding properties.

## • TRANSPORTATION SUMMARY

- The petition is located on the west side of Steele Creek Road, a State-maintained major throughfare north of Outlets Boulevard, a City-maintained local street. A Traffic Impact Study (TIS) is not required for this site due to the site not generating more than 2,500 additional trips. The proposed site plan will generate the equivalent estimated trips that is currently entitled under the existing zoning which included a TIS. Site plan and/or conditional note revisions are needed provide ROW dedication behind the existing curb line and to complete the curb line gap along Steele Creek Road. Further details are listed below.
- **Active Projects:**
  - NA
- **Transportation Considerations**
  - See Outstanding Issues, Notes 3-4.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 0 trips per day (based on vacant land).
    - Entitlement: 6,595 trips per day (based on 50,000 SF office, 6,000 SF retail, 27,500 SF high turnover sit down restaurant, 1,500 SF coffee/donut shop with drive thru).
  - Proposed Zoning: 6,595 trips per day (based on 50,000 SF office, 6,000 SF retail, 27,500 SF high turnover sit down restaurant, 1,500 SF coffee/donut shop with drive thru).

## DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **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 16-inch water distribution main and an existing 8-inch water distribution main located 750 feet easterly of the site along Steele Creek Road. Charlotte Water currently does not have sanitary sewer system accessible for the rezoning boundary under review. The closest gravity sewer main is approximately 750 feet South of the rezoning boundary on Steele Creek Rd. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** See Outstanding Issues, Note 5.
- **Storm Water Services:** No outstanding issues.
- **Urban Forestry / City Arborist:** See Outstanding Issues, Note 6.

## OUTSTANDING ISSUES

### Transportation

- ~~1. Add callout and conditional note for proposed intersection control to be approved by CDOT during permitting at new public street and proposed private drive. **ADDRESSED**~~
- ~~2. Add a conditional note specifying "A Right of Way Encroachment Agreement is required for the installation of any non-standard item(s) (irrigation systems, decorative concrete pavement, brick pavers, etc.) within a proposed/existing City-maintained street right-of-way by a private individual, group, business, or homeowner's/business association. An encroachment agreement must be approved by CDOT prior to construction/installation. Contact CDOT for additional information concerning cost, submittal, and liability insurance coverage requirements." **ADDRESSED**~~

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3. ~~Edit conditional note 3.d to add "CDOT requests rights-of-way set at 2' behind back of sidewalk where feasible".~~ Revise site plan to show proposed right-of-way 2ft at back of curb on Steele Creek Road or 2ft behind the required sidewalk. If sidewalk is located outside of right-of-way provide sue. **OUTSTANDING**
  4. Revise site plan and add conditional note to install curb and gutter along the Steele Creek frontage between Outlets Boulevard and Trojan Drive. **OUTSTANDING**

Environment

5. Label the width of all potential stream buffers on rezoning plan, including the Undisturbed Watershed Protection Buffer for the Lower Lake Wylie Protected Area. Depending on project density, the Undisturbed Watershed Buffer can vary from 40' to 100' and should be labeled as such on the rezoning plan. **OUTSTANDING**
6. Verify that tree save area matches approved plans. **OUTSTANDING**

Land Use

7. ~~Clarify the definition of "business service" as referenced in note 2.e.~~ **ADDRESSED**

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**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Joe Mangum (704) 353-1908