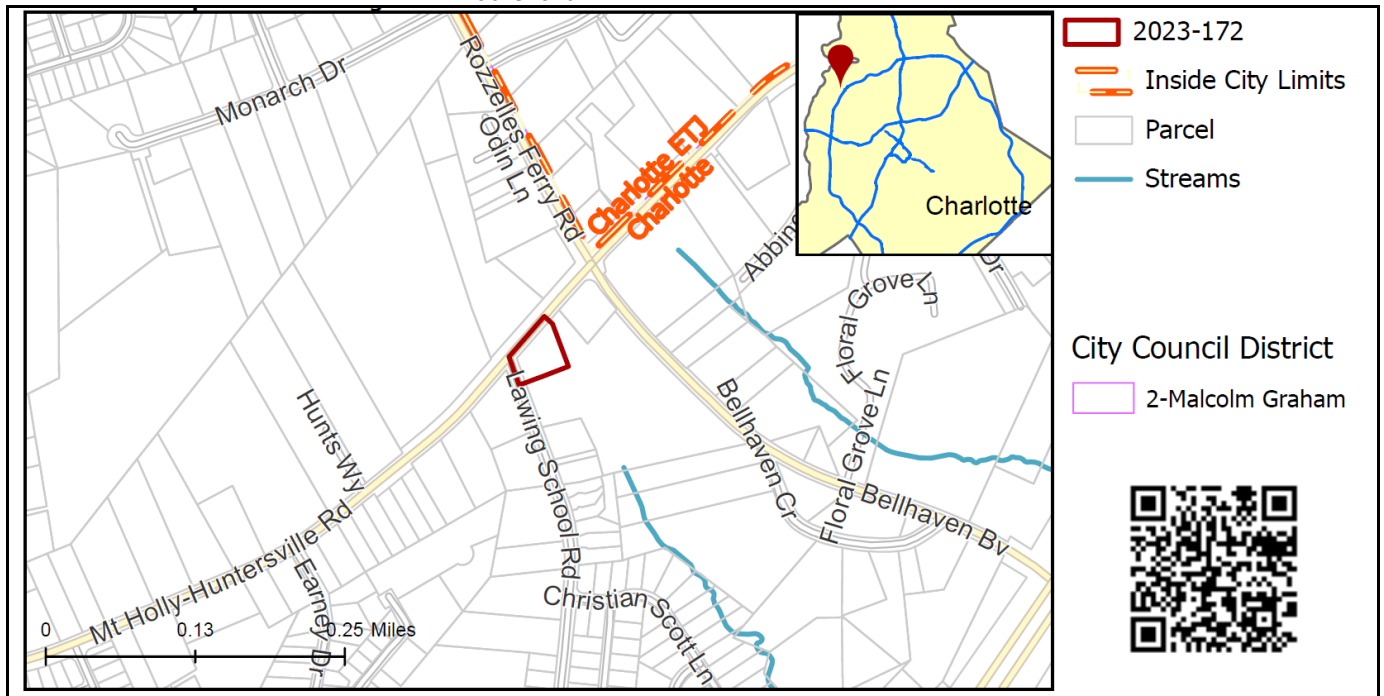


REQUEST

Current Zoning: B-1(CD) (neighborhood business, conditional)
Proposed Zoning: CG(CD) (general commercial, conditional)

LOCATION

Approximately 0.78 acres located at the southeast intersection of Mt. Holly-Huntersville Road and Lawing School Road, west of Bellhaven Boulevard.



SUMMARY OF PETITION

The petition proposes to allow up to 7,250 square feet of nonresidential development or a 2,700 square foot drive-through establishment. The site is currently undeveloped.

PROPERTY OWNER

Bascoms Corner, LLC and Argus Holdings, LLC

PETITIONER

BVB Properties

AGENT/REPRESENTATIVE

Bridget Grant, Moore and Van Allen, PLLC

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.

Plan Consistency

The petition is **consistent** with the *2040 Policy Map* recommendation for the Commercial Place Type.

Rationale for Recommendation

- The proposed rezoning is reasonable and in the public interest as the site is within an area designated by the *2040 Policy Map* for the Commercial Place Type.
- The site is currently zoned B-1(CD) (neighborhood commercial, conditional) and is entitled to develop with neighborhood retail uses and is directly abutting parcel zoned CG (general commercial).
- Drive-through establishment uses are permitted conditionally, under prescribed conditions, in the CG district. The proposed site plan and conditional notes meet the prescribed conditions and further limit the

allowed uses while providing design standards above and beyond those laid out in the Unified Development Ordinance to better mitigate the impacts of the proposed uses on adjacent properties.

- The site is abutting a 4+ lane avenue and is a short drive from a 6+ lane boulevard with access to I-485.
- The Commercial Place Type calls for standalone retail and restaurant uses located on high-volume arterial streets and near interstate interchanges and is intended, generally, for auto-oriented developments while also accommodating other travel modes.
- The site plan proposes streetscape and pedestrian access improvements such as a 12-foot multi-use path along Mt. Holly-Huntersville Road and installing an ADA compliant bus stop along the site's frontage.
- The site is located along the route of the CATS number 18 local bus providing transit access between the Rosa Parks Community Transit Center and the Callabridge Commons Walmart. As well as being a short walk from a stop on the 88x express bus providing commuter access to Uptown.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 8: Diverse & Resilient Economic Opportunity

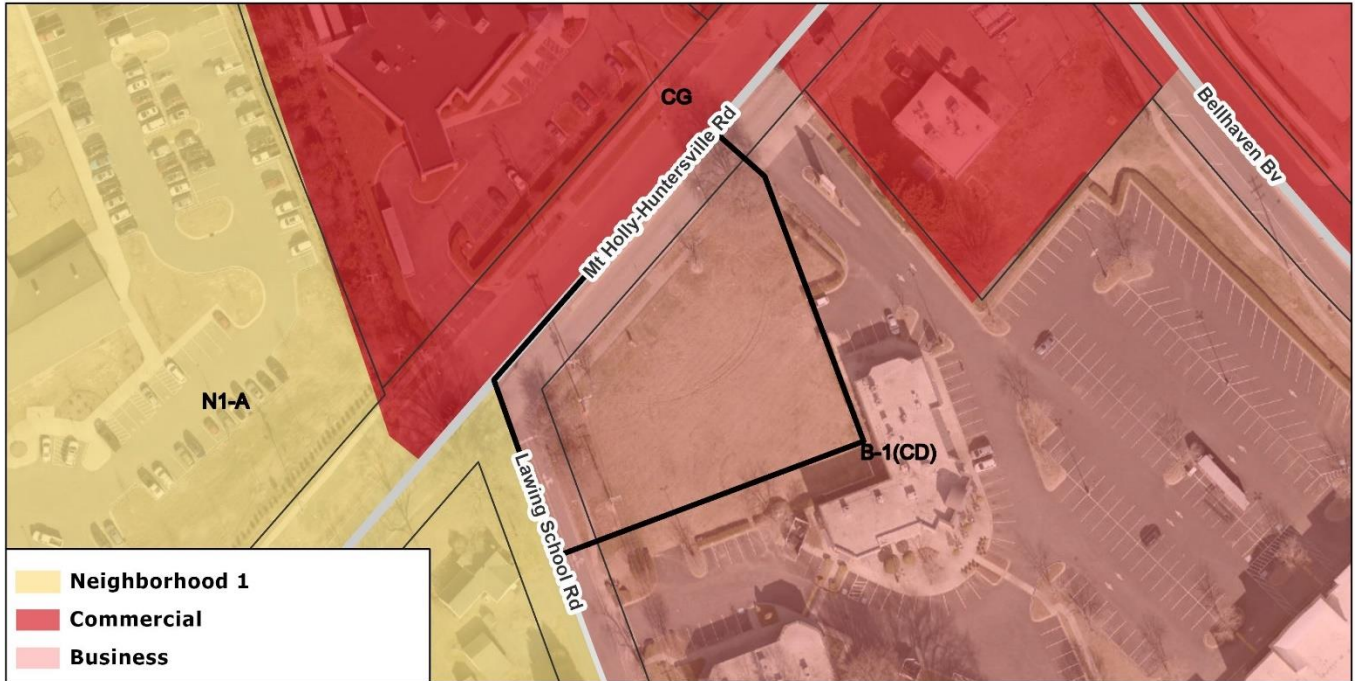
PLANNING STAFF REVIEW

• Proposed Request Details

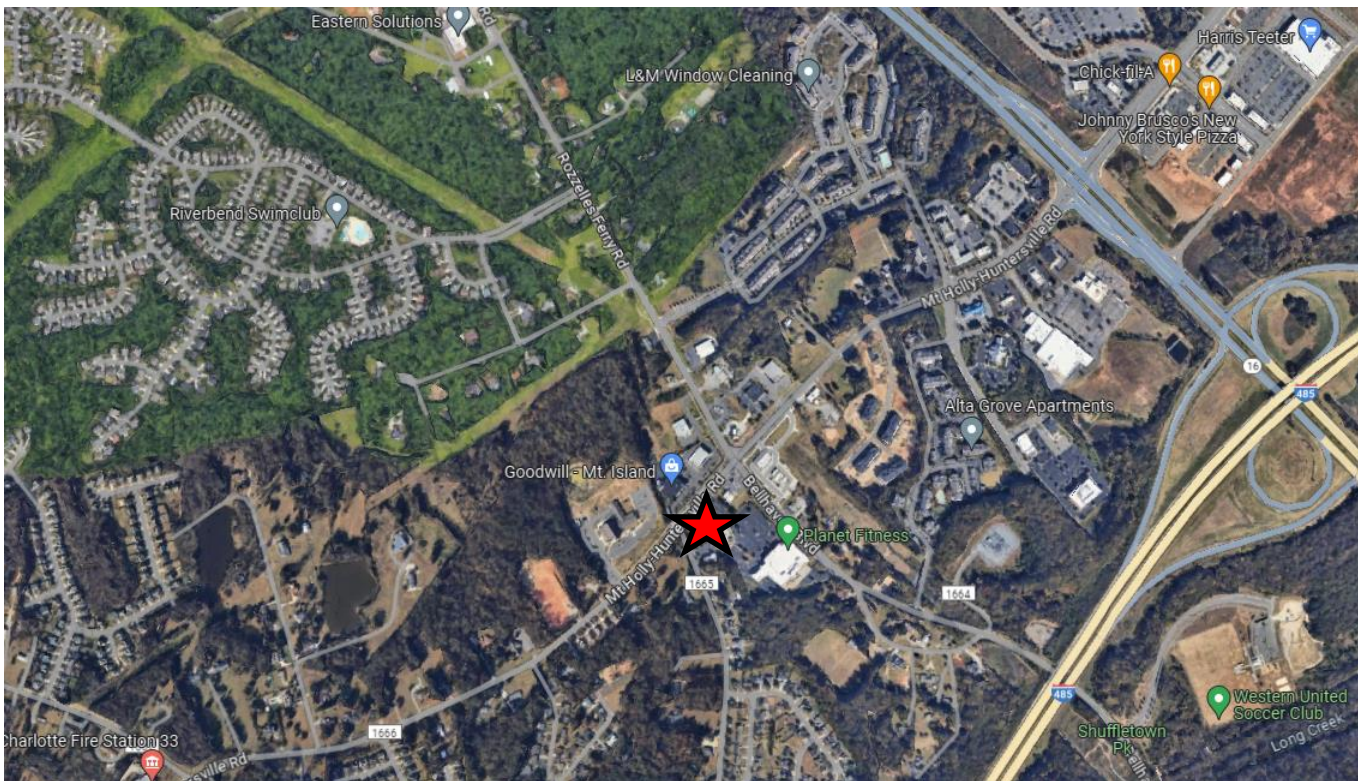
The site plan accompanying this petition contains the following provisions:

- Allows the development of up to 7,250 square feet of nonresidential uses. Or the development of up to a 2,300 square foot drive-through establishment and more specifically no more than 1,100 square feet for a coffee shop.
- The plan limits the total number of principal buildings to no more than 2.
- The plan specifically prohibits the following uses and activities:
 - Adult electronic gaming establishments, adult use, outdoor amusement facility, outdoor entertainment, live performance venue, beneficial fill site, car wash, gas station, night club, vehicle dealership (enclosed or outdoor), or minor vehicle repair facility.
- The site is an outparcel abutting Rozzelles Crossing Shopping Center and will be considered to a planned/unified development with the existing shopping center.
- The following transportation improvements are proposed:
 - Access to the site will be from the existing internal driveway network of the Rozzelles Crossing Shopping Center.
 - No new driveway connections are permitted to access Mt. Holly-Huntersville Road or Lawing School Road.
 - All applicable transportation and roadway improvements will be completed, and all required dedication of right-of-way will be conveyed prior to the issuance of the first Certificate of Occupancy (CO).
 - An ADA compliant bus stop will be constructed along the frontage of Mt. Holly-Huntersville Road.
- The following streetscape and architecture standards are proposed:
 - Construct a 12-foot multi-use path and 8-foot planting stipe along Mt. Holly-Huntersville Road and a 6-foot sidewalk and 8-foot planting stripe along the site's frontage on Lawing School Road.
 - Buildings will be constructed predominately of brick and will be compatible in design with the existing architecture of Rozzelles Crossing Shopping Center.

• **Existing Zoning**



- The property is currently zoned B-1(CD) (neighborhood business, conditional) and is an outparcel for an existing shopping center also zoned B-1(CD). Adjacent properties to the north and east are zoned CG (general commercial). Properties to the west are zoned N1-A (neighborhood 1).



The site (indicated by red star above) is located at the southeast intersection of Mt. Holly-Huntersville Road and Lawing School Road, west of Bellhaven Boulevard.



View of the site looking southeast from the intersection of Mt. Holly-Huntersville Rd. and Lawing School Rd.



View of the site looking west from the existing Rozzelles Crossing Shopping Center of which this site is an outparcel.



View of the existing Rozzelles Crossing Shopping Center of which the site is an outparcel.



View of commercial development along Mt. Holly-Huntersville Rd looking west from the intersection of Bellhaven Blvd. and Mt. Holly-Huntersville Rd.

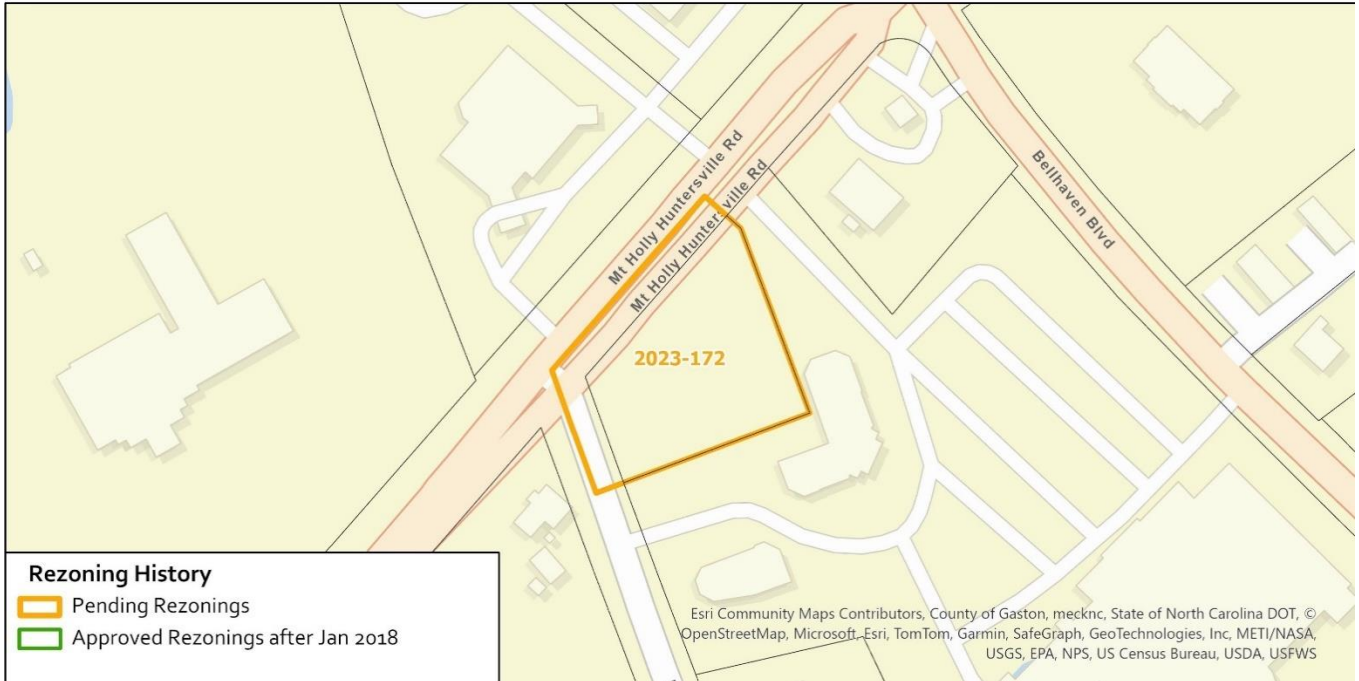


View of residential development along Lawing School Road south of the site.



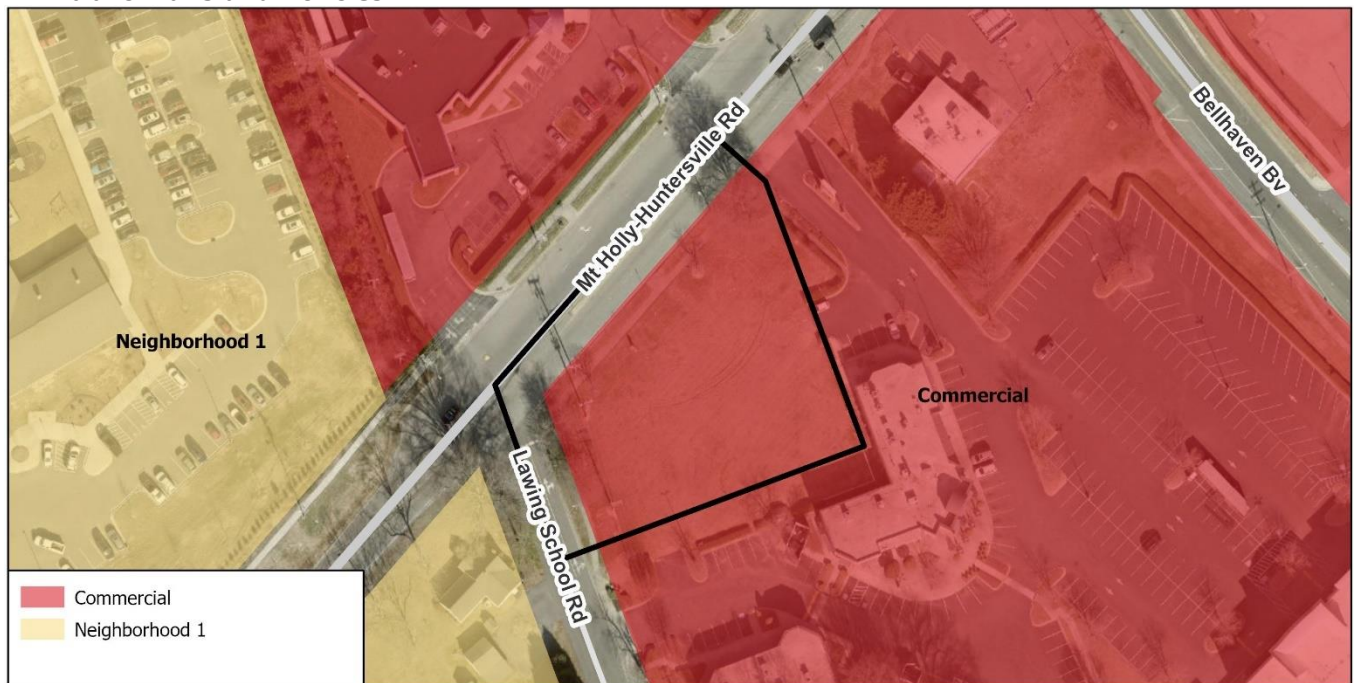
View of a church located northwest of the site across Mt. Holly-Huntersville Rd.

• **Rezoning History in Area**



- There has not been any rezoning activity in the area within the past 7 years.

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Commercial Place Type for this site.

• **TRANSPORTATION SUMMARY**

- The site is located at the intersection of Mount Holly-Huntersville Road, a State-maintained major arterial, and Lawing School Road, a City-maintained minor collector. A Comprehensive Transportation Review (CTR) is required for this site due to the site falling within the low intensity development. Based on the 1,149 daily trips, this will trigger a Tier 1 multimodal assessment. A TIS is not needed for this site due to the reduced site trip generation.

• **Active Projects:**

- N/A

- **Transportation Considerations**
 - No Outstanding Issues.
- **Vehicle Trip Generation:**
 - Current Zoning: B-1(CD).
 - Existing Use: Vacant.
 - Entitlement: 563 trips per day based on 7,900 sq.ft. of retail.
 - Proposed Zoning: CG(CD). 1,441 trips per day based on 7,250 sq.ft. of retail or 2,700 sq.ft. of drive-through coffee shop.

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See advisory comments at www.rezoning.org
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along Lawing School Rd. Accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main along Mt Holly-Huntersville Rd. See advisory comments at www.rezoning.org
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** No comments submitted.
- **Urban Forestry / City Arborist:** No outstanding issues.

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org
Planner: Maxx Oliver 704-336-3818