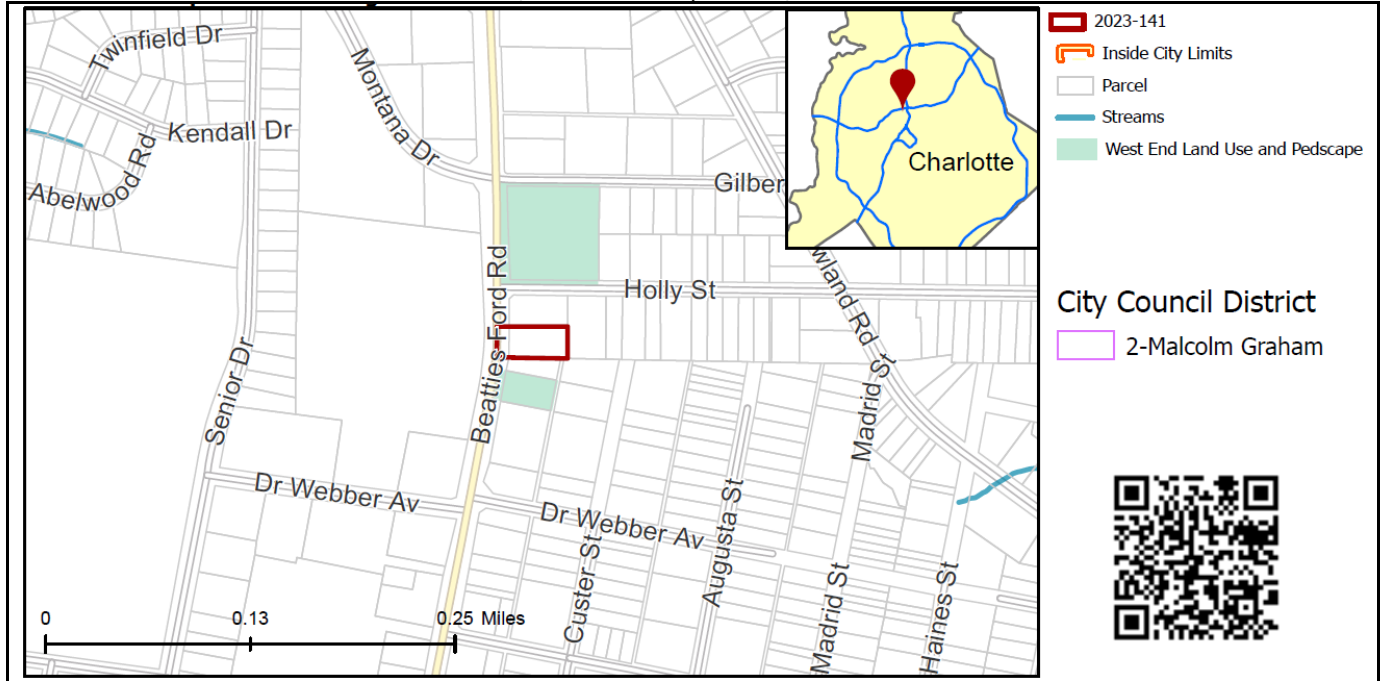


REQUEST

Current Zoning: NC (neighborhood center)
 Proposed Zoning: CG(CD) (general commercial, conditional)

LOCATION

Approximately 0.434 acres located along the east side of Beatties Ford Road, south of Holly Street, and north of Dr Webber Avenue.



SUMMARY OF PETITION

The petition proposes to allow all uses permitted by-right and under prescribed conditions in the general commercial zoning district on a parcel that previously hosted commercial uses.

PROPERTY OWNER

Sotirios Tsilmos and Emerson Real Estate Advisors, LLC

PETITIONER

Fifth Third Bank

AGENT/REPRESENTATIVE

Brittany Lins and Collin Brown, Alexander Ricks, PLLC

COMMUNITY MEETING

Meeting is required and has been held. Report available online.

Number of people attending the Community Meeting: 19

STAFF RECOMMENDATION

Staff recommends approval of this petition upon resolution of outstanding issues related to site design.

Plan Consistency

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

Rationale for Recommendation

- This rezoning site is located along the Beatties Ford Road/Rozzelles Ferry Road Corridor of Opportunity and is in an area that is dominated by various commercial uses that service nearby residents. The Corridors of Opportunity (COO) program aims to revitalize areas with a mix of uses that provide critical resources and businesses to its neighbors, creating more prosperous and safe communities.
- The *Corridors of Opportunity Workforce Analysis* (2021) found that the number of residents in the Beatties Ford Road corridor that work in the business and finance industry exceeds the number of jobs that the corridor offers for this sector. This indicates a lack of business and

financial institutions in the area that could employ and service local residents. The 2021 study also found that the vast majority of residents within the corridor and broader 28216 zip code work outside of their community, with only 4% of the corridor residents finding employment within the 28216 zip code. Nearly every occupation identified in the study had more resident workers than jobs available in the 28216 zip code. This rezoning could provide job opportunities to residents of the corridor, facilitating a small mitigation to the imbalanced flow of labor in the area.

- The *Urban Main Transformation Strategy Report, Beatties Ford/LaSalle Corridor, 2020*, was created in collaboration with the corridor's business district community to take inventory of areas for improvement and the strategies that may be employed to address them. The report recommended targeting the corridor with the Neighborhood Goods and Services strategy to bolster healthy entrepreneurship that provides robust commercial enterprises that benefit the community. More specifically, the report outlined a number of commercial uses that encompass the Neighborhood Goods and Services strategy including but not limited to banks, auto repair facilities, restaurants, grocery stores, and gas stations. The range of uses listed in the report for this strategy fit better with the general commercial zoning district than the neighborhood center district.
- The proposed general commercial zoning district aligns with the adjacent uses as well as the historical uses on the site. Unlike previous legacy districts however, the UDO's general commercial district builds in stricter standards for facilities such as drive-throughs and automotive-oriented businesses.
- The development standards of this rezoning build in preferred drive-through facility design standards by prohibiting drive-through lanes and circulation between the street and building façade.
- The required landscape yard for this parcel if developing under the general commercial district would be a Class B Landscape Yard along any property boundaries adjacent to the Neighborhood 1 or Neighborhood 2 Place Types. This 25' landscape yard, which cannot be reduced in width, will help to screen any development along the site's eastern boundary as well as a portion of the parcel's southern boundary.
- This site was previously zoned B-1, neighborhood business, under the legacy ordinance. It was translated on June 1, 2023, to NC due to the pedestrian overlay. This rezoning to allow commercial uses would not be out of alignment with the site's previous entitlements. Redevelopment at this site would trigger pedestrian improvements along the Beatties Ford Road frontage, which would help further the goals of the recommended Neighborhood Center Place Type.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 1: 10 Minute Neighborhoods
 - 5: Safe & Equitable Mobility
 - 6: Healthy, Safe & Active Communities
 - 8: Diverse & Resilient Economic Opportunity
 - 10: Fiscally Responsible

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

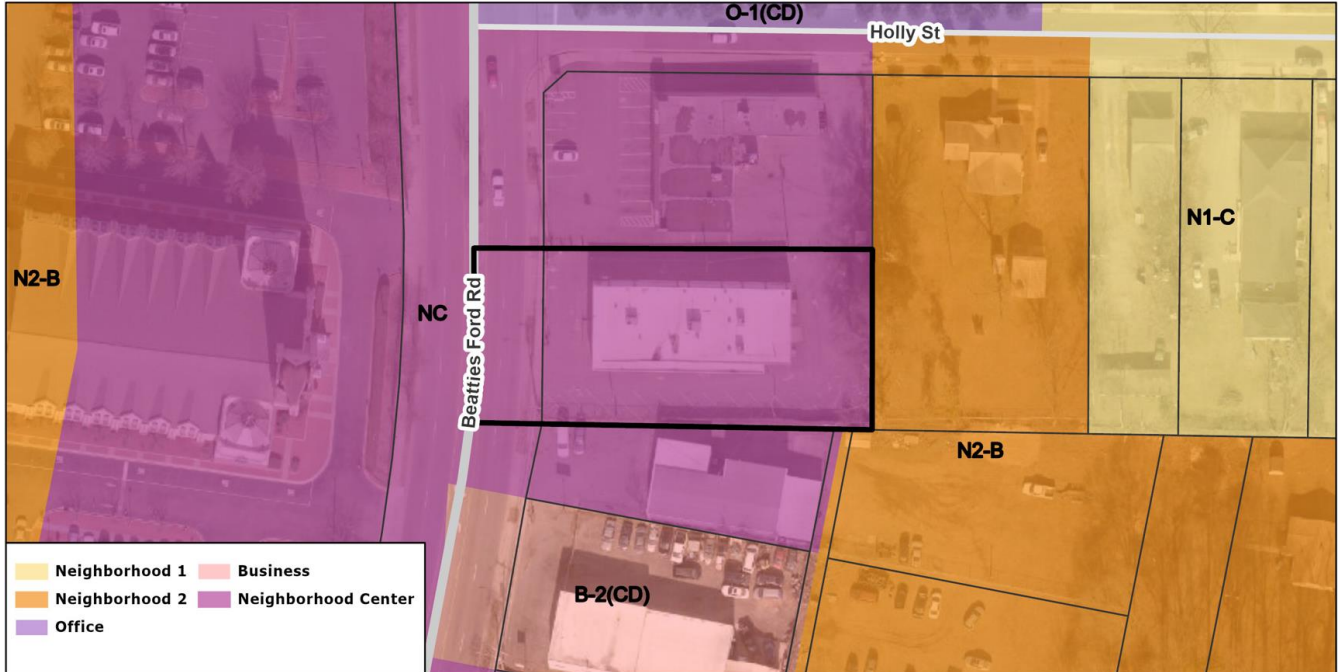
PLANNING STAFF REVIEW

- **Proposed Request Details**

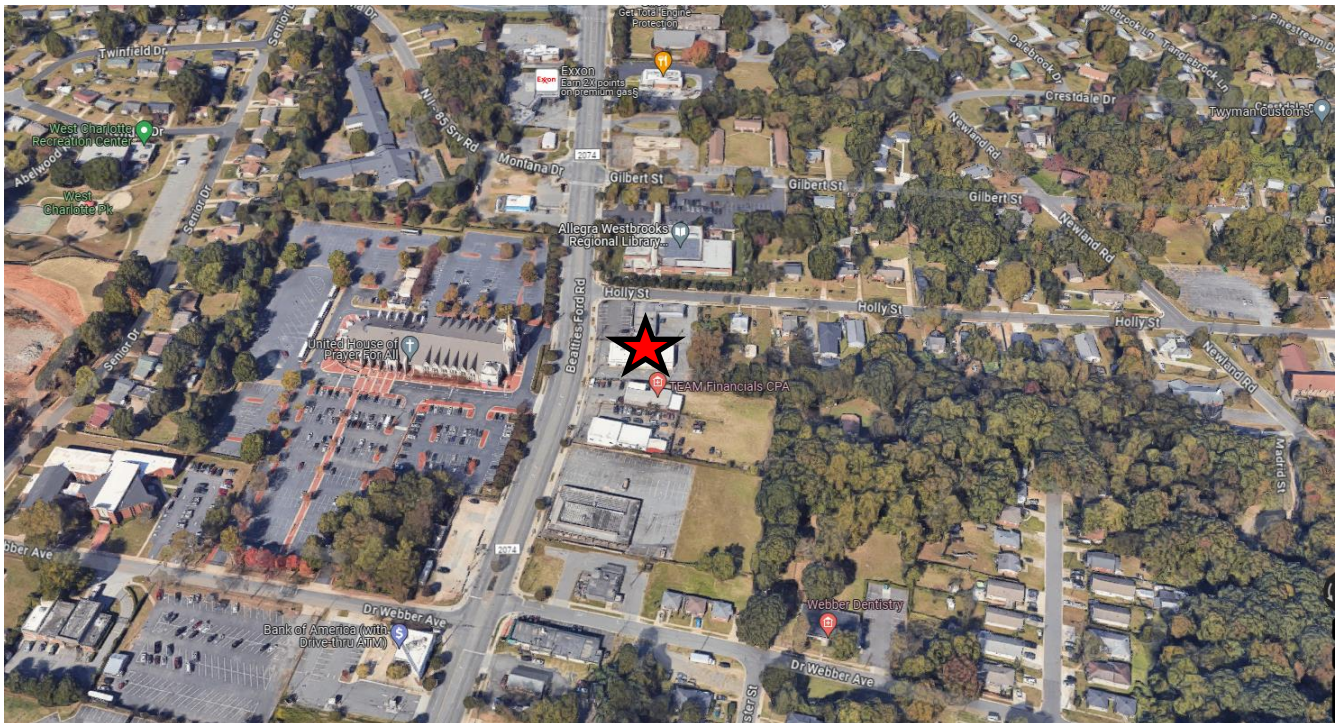
The development standards accompanying this petition contains the following provisions:

- Allow all uses permitted by-right and under prescribed conditions together with accessory uses as allowed in the general commercial district.
- Drive-through lanes and circulation shall not be placed between Beatties Ford Road and the front façade of the building.

• Existing Zoning



- The site is currently zoned NC and is in an area with NC, B-2(CD), N2, and N1 zoning.



- The subject site is denoted with a red star and is in an area with commercial, office, institutional, and residential uses.



- North of the site are commercial uses.



- East of the site is a single family neighborhood.

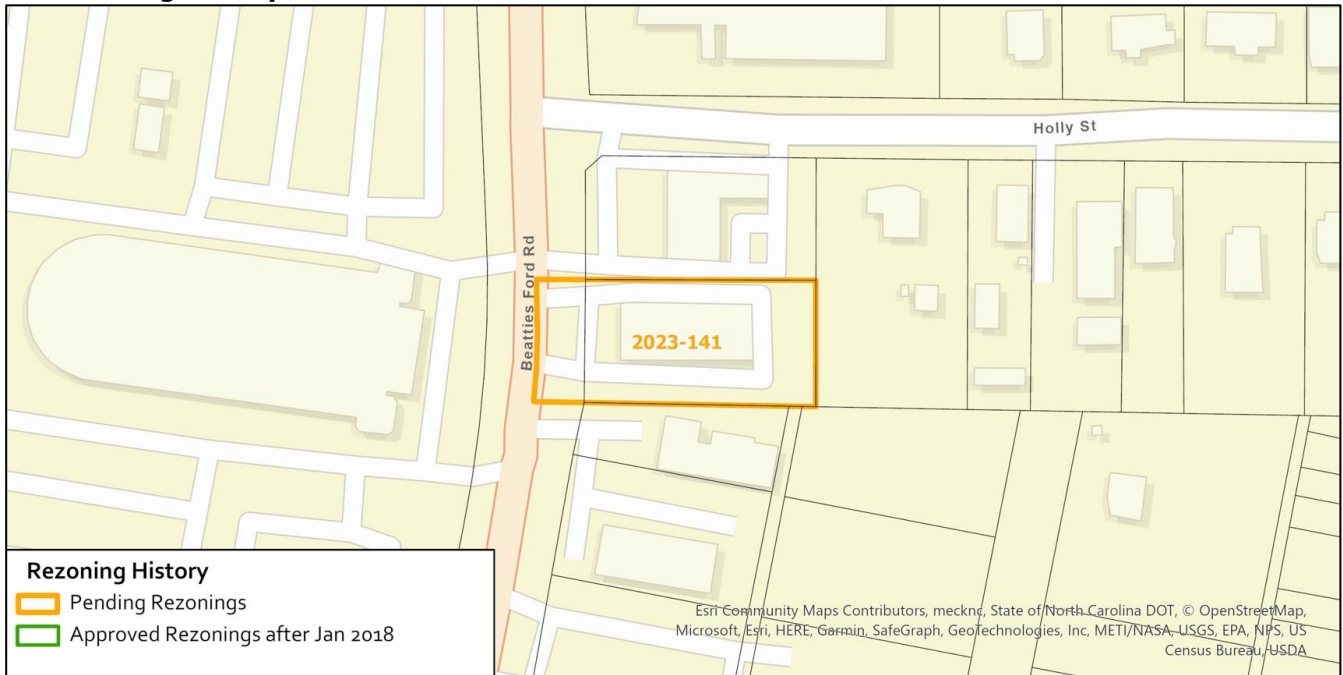


- South of the site are commercial uses.



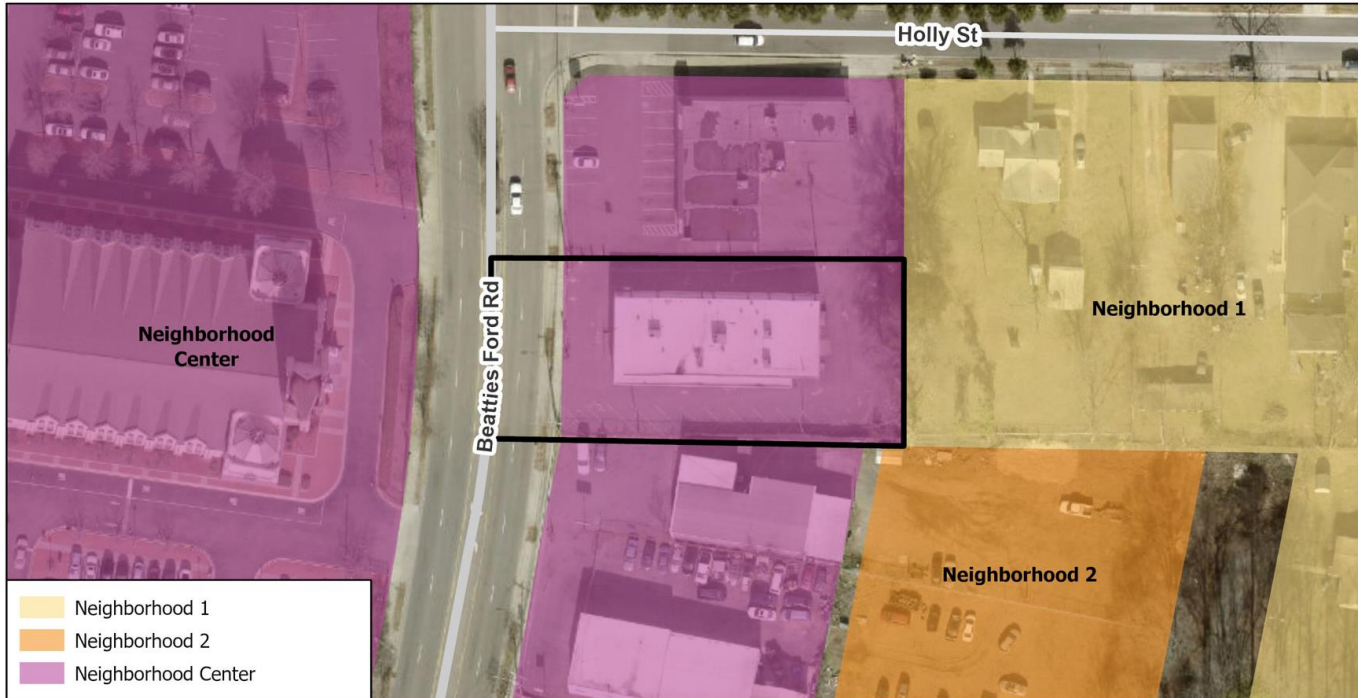
- West of the site is a church.

• **Rezoning History in Area**



- There have been no recent rezonings in the area.

• **Public Plans and Policies**



- The 2040 Policy Map (2022) calls for Neighborhood Center.

• **TRANSPORTATION SUMMARY**

- The site is adjacent to Beatties Ford Road, a city-maintained avenue, and Holly Street a city maintained local street. A Comprehensive Transportation Review (CTR) is not necessary for the complete review of this petition due to the conditional rezoning only establishing developmental standards for the parcel. A CTR will be required during permitting if the site generates site trips over ordinance thresholds. The site will be subject to transportation improvements in accordance with the UDO and the adopted CDOT Streets Map. CDOT will work with the petitioner during the permitting process to pursue all options to provide additional forms of connectivity that reflect the types of development associated with this place type and zoning district.

• **Active Projects:**

- There are no active projects near the site.

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 425 trips per day (based on 4,644 square feet of retail uses).

Entitlement: Too many uses to determine trip generation.

Proposed Zoning: 195 trips per day (based on 0.434 acres of commercial uses).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** No comments submitted.
- **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:** The general commercial district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along Beatties Ford Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Beatties Ford Rd. 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 comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Urban Forestry / City Arborist:** No comments submitted.

OUTSTANDING ISSUESSite and Building Design

1. Specify where the drive-through windows would be placed.
 2. Specify if the elimination of a travel lane in the front of the building could allow for the development of a plaza space or green area.
-

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: Holly Cramer (704) 353-1902