

Petition 2023-172 by BVB Properties, LLC

To Approve:

This petition is found to be **consistent** with the *2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map (2022)* recommends the Commercial Place Type.

Therefore, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- 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

To Deny:

This petition is found to be **consistent** with the *2040 Policy Map (2022)* based on the information from the staff analysis and the public hearing, and because:

- The *2040 Policy Map (2022)* recommends the Commercial Place Type.

However, we find this petition to not be reasonable and in the public interest based on the information from the staff analysis and the public hearing, and because:

- (To be explained by the Zoning Committee)