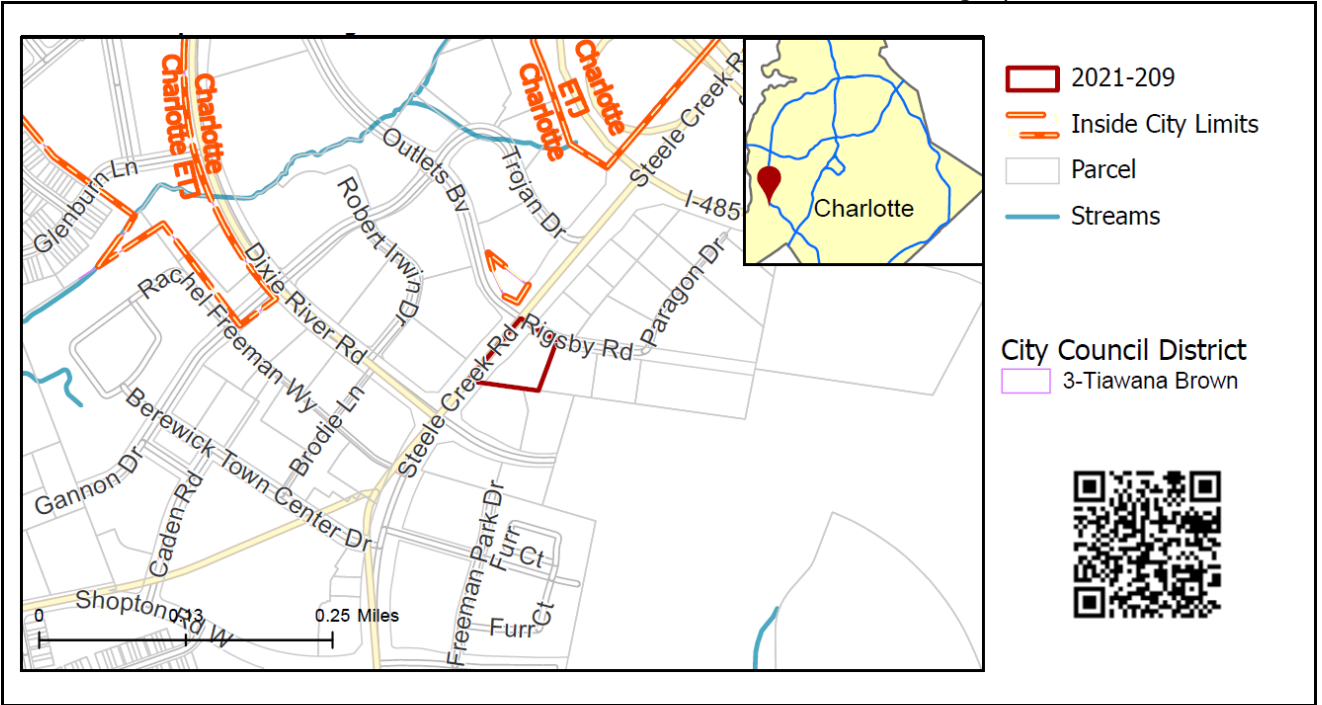


**REQUEST**

Current Zoning: N1-A (Neighborhood 1-A)  
Proposed Zoning: NS (neighborhood services)

**LOCATION**

Approximately 0.99 acres located at the southeastern corner of the intersection of Steele Creek Road and Rigsby Road.



**SUMMARY OF PETITION**

The petition proposes to allow the development of a 4,000 square foot commercial building with accessory drive-through for all uses permitted in the NS zoning district.

**PROPERTY OWNER  
PETITIONER  
AGENT/REPRESENTATIVE**

Sushil K. Kashyap  
Coastal Acquisition Entity, LLC  
David Murray

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 6.

**STAFF  
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map* recommendation for Community Activity Center place type for the site.

Rationale for Recommendation

- The site is adjacent to Commercial place type to the north and east as well as to the west across Steele Creek Road.
- There are several existing and entitled drive-through establishments along this segment of Steele Creek Road.
- The petition commits to improving pedestrian infrastructure on the site's public street frontage with a 12' multi-use path along Steele Creek Road and an 8' planting strip and 8' sidewalk along Rigsby Road.

- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 8: Diverse & Resilient Economic Opportunity

The approval of this petition will revise the adopted future land use as specified by the *2040 Policy Map*, from Community Activity Center place type to Commercial place type for the site.

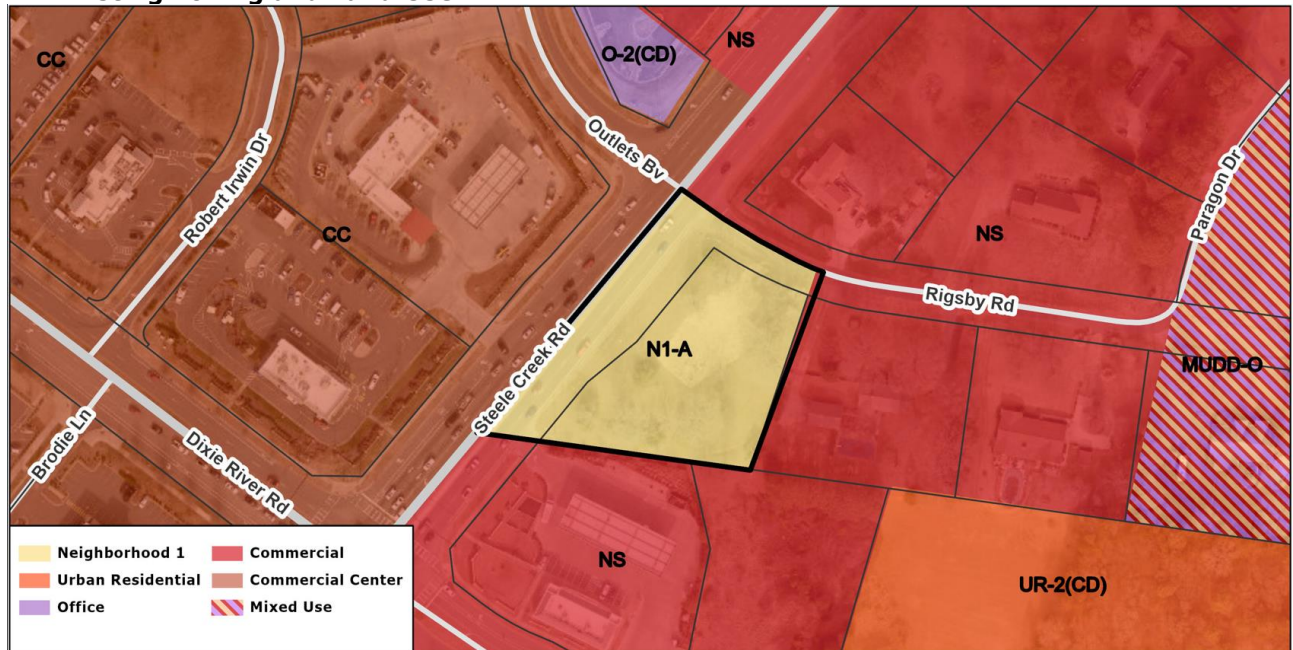
**PLANNING STAFF REVIEW**

**Proposed Request Details**

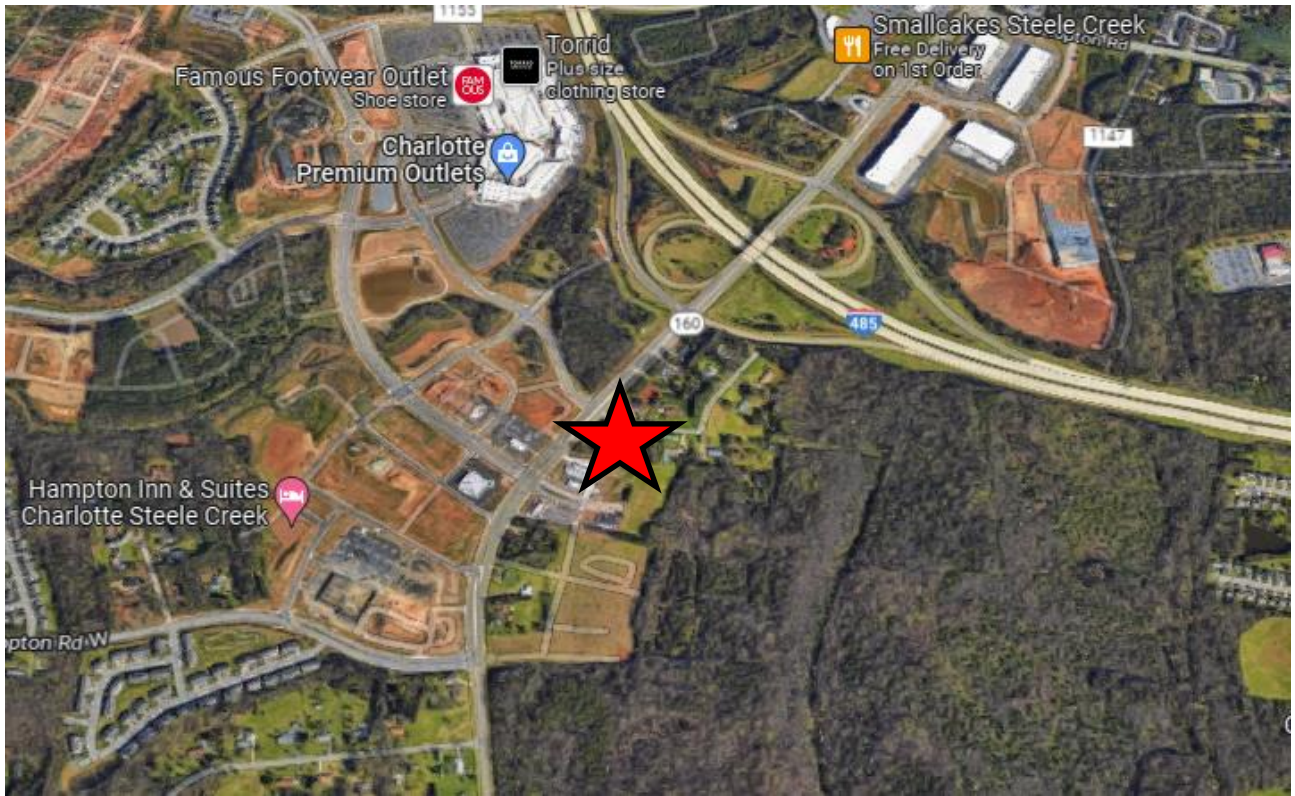
The site plan accompanying this petition contains the following provisions:

- Allows for all uses permitted in the NS zoning district.
- Illustrates a 4,000 square foot commercial building with accessory drive-through lane.
- Indicates site access from Rigsby Road and Steele Creek Road to be coordinated with CDOT and NCDOT during permitting.
- Commits to construction of a right turn lane on Steele Creek Road at Rigsby Road.
- Requires a drive-through queueing analysis for the AM and PM peak hours to be submitted to CDOT during the permitting phase.
- Commits to construction of a 12’ multi-use path along Steele Creek Road and 8’ planting strip and 8’ sidewalk along Rigsby Road.
- Commits to screening of the drive-through lane along Steele Creek Road to include a 3’ wall.
- States adherence to preferred architectural standards including minimum transparency percentages, blank wall limitations, and minimum building height of 20’.
- Indicates that all lighting will be full cut-off type excluding low landscape and decorative lighting.

**Existing Zoning and Land Use**



The site is surrounded primarily by existing commercial uses to the north, west, and south, and entitled commercial, multifamily residential, and office to the east.



The site, marked by a red star, is situated on Steele Creek Road between the Charlotte Premium Outlets Mall to the northwest and a large wooded tract to the east that is entitled for a large mixed-use development.



View of the site from Steele Creek Road. The site is currently occupied by one single family residence.



The properties to the north and east of the site along Rigsby Road are developed with single family homes.

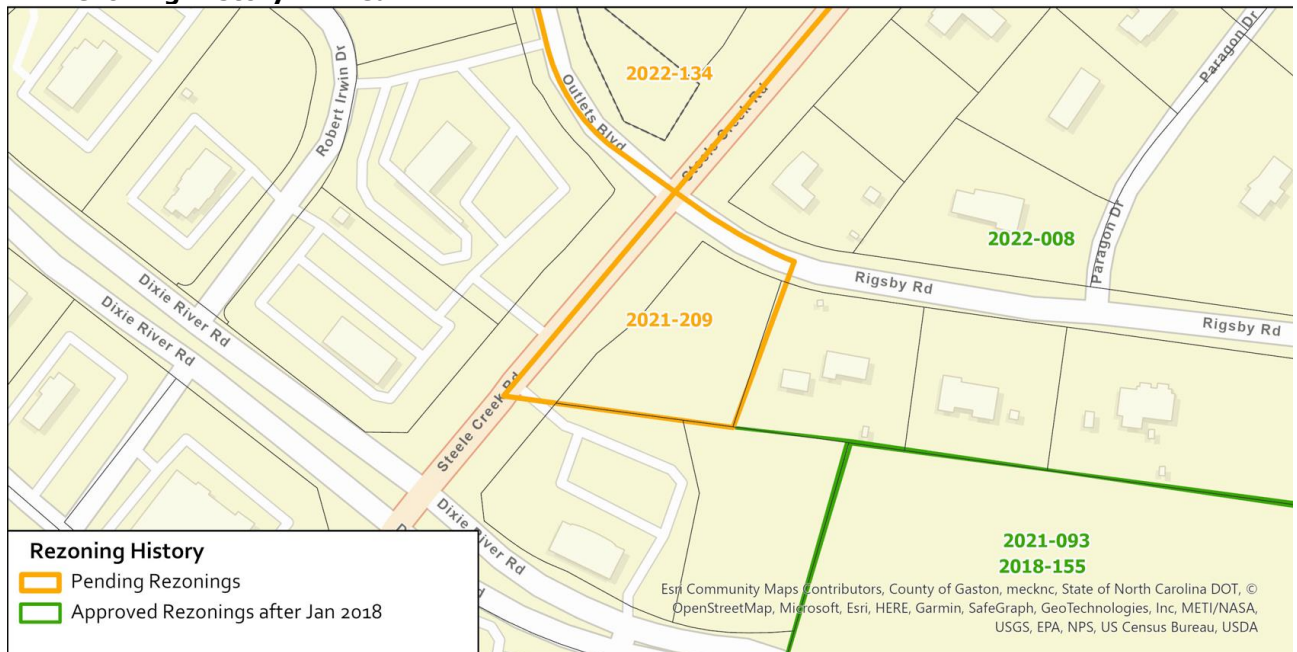


The properties to the south of the site along Steele Creek Road are developed with commercial uses.



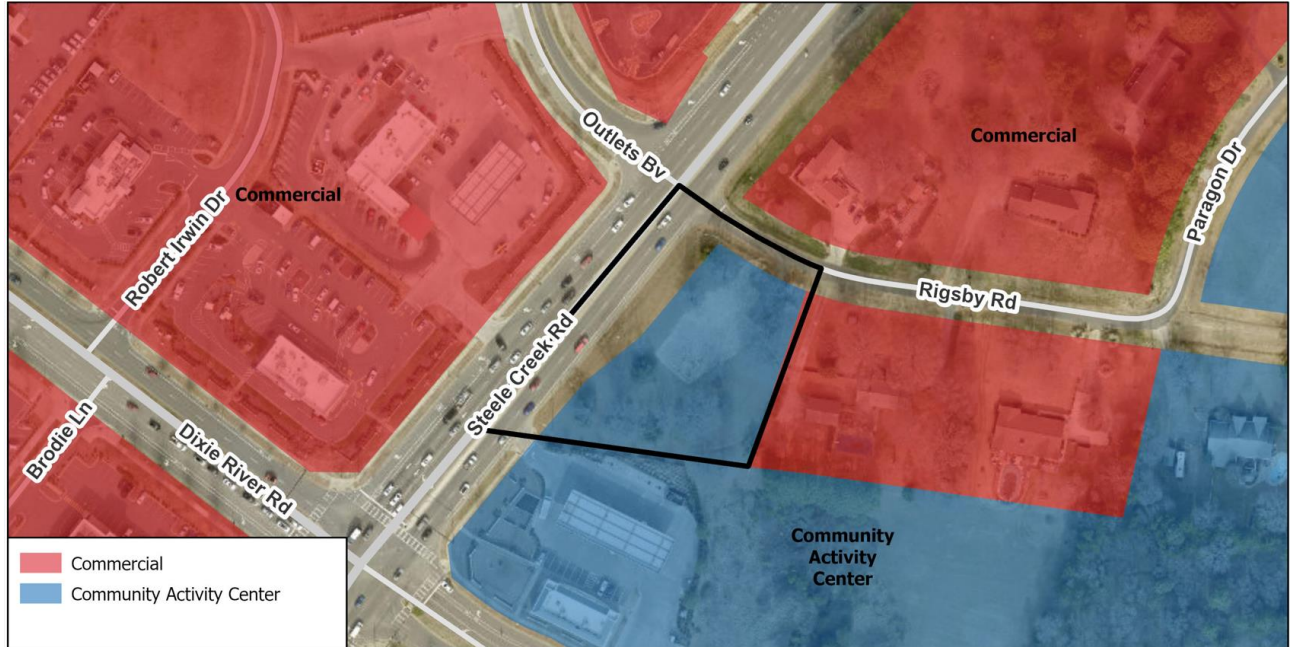
The properties to the west of the site across Steele Creek Road are developed with commercial uses.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2022-134	Petition to amend a previously approved plan to allow an additional drive-through use and adjust building envelopes.	Pending
2022-008	Petition to allow up to 375 multifamily residential dwellings as well as uses permitted in NS.	Approved
2021-093	Request to rezone to O-2(CD), MUDD-O, and UR-2 with five years vested rights to all for a mixed use development containing office, hospital, commercial, hotel, multifamily residential, and single family attached residential uses.	Approved
2018-155	Request to rezone to I-1(CD) and MUDD(CD) to permit a mixed-use development.	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) Community Activity Center place type for the site.

• **TRANSPORTATION SUMMARY**

- This site is located at the corner of Rigsby Road, a City-maintained local street, and Steele Creek Road, a State-maintained major thoroughfare. In accordance with the Charlotte WALKS and BIKES policies, the petitioner has committed to provide an 8-foot sidewalk and 12-foot shared-use path along the site’s frontages of Rigsby Road and Steele Creek Road, respectively. Additionally, the petitioner has committed to provide a north-bound right-turn lane on Steele Creek Road at Rigsby Road.

Site plan and conditional note revisions are needed and the outstanding items including, but not limited to labeling and dimension the right-of-way on Steele Creek Road, clarifying an unlabeled dimension on the site plan, and committing to providing an access easement with the adjacent parcel to provide cross-access. Further details are listed below.

• **Active Projects:**

- NC 160 Widening (NCDOT TIP U-5766B)
  - Widen NC 160 from 2 to 4-lane divided with multi-use paths
  - ROW 2024/Construction 2027 (subject to ongoing NCDOT STIP amendments)
  - <https://www.ncdot.gov/news/public-meetings/Documents/U-5766-map-3.pdf>

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on one single family dwelling).

Entitlement: 20 trips per day (based on two single family dwellings).

Proposed Zoning: 1,885 trips per day (based on 4,000 square foot commercial building with drive-through).

**DEPARTMENT COMMENTS** (see full department reports online)

- **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-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.

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- **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 located along Steel Creek Rd. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Steel Creek Rd.. No outstanding issues.
  - **Erosion Control:** No comments submitted.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
  - **Mecklenburg County Parks and Recreation Department:** No comments submitted.
  - **Stormwater Services Land Development Engineering:** No outstanding issues.
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry / City Arborist:** No outstanding issues.

### OUTSTANDING ISSUES

#### Transportation

- ~~1. Label and dimension the rights-of-way from centerline of Steele Creek Road and Rigsby Road.~~ **ADDRESSED**
- ~~2. Place a sidewalk utility easement 2' behind the sidewalk along Rigsby Road.~~ **ADDRESSED**
- ~~3. Revise the conditional notes by committing to provide an access easement, during permitting, with PID 20109114 to allow cross access as generally shown on the site plan.~~ **ADDRESSED**
- ~~4. Revise the site plan by clarifying the 6-foot dimension on the site's frontage of Steele Creek Road.~~ **ADDRESSED**

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

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