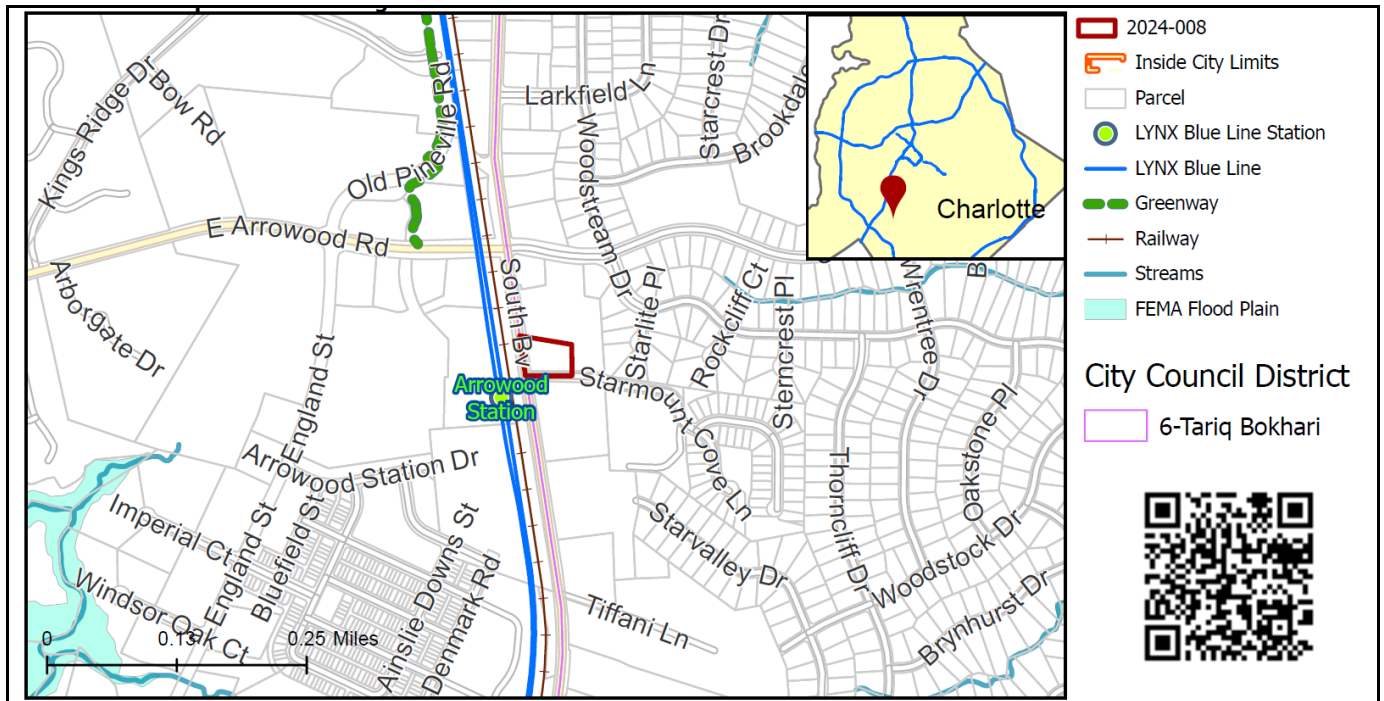


REQUEST

Current Zoning: TOD-TR (transit-oriented development – transition)
Proposed Zoning: CG(CD) (general commercial, conditional)

LOCATION

Approximately 0.776 acres located at the northeast intersection of South Boulevard and Starmount Cove Lane, east of England Street.



SUMMARY OF PETITION

The petition proposes the development of a financial institution with accessory drive-through lane. The site is currently developed with a retail building.

PROPERTY OWNER

6300 South, LLC

PETITIONER

Bank OZK

AGENT/REPRESENTATIVE

Anthony Fox, Parker Poe Adams & Bernstein, LLP

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 0

STAFF RECOMMENDATION

Staff does not recommend approval of this petition.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for the Community Activity Center Place Type.

Rationale for Recommendation

- The petition is incompatible with the 2040 Policy Map recommendation for the Community Activity Center Place Type as the proposed development consists of single-use commercial structures with drive-through lanes.
- In 2019, the City undertook a proactive rezoning of more than 1,700 acres of land to transit-oriented development zoning districts along the Lynx Blue Line light rail corridor to help facilitate new development that contributes to the City's major investment in rail transit. The proposed project would not further that transit investment as it prioritizes vehicular trips with a dual lane drive-through facility.

- The site is located directly across South Blvd from the Arrowood Lynx Blue Line station and is within a ¼-mile walk of the station. The site is also on the route of the CATS number 12 local bus.
- Financial institutions are permitted in the TOD-TR zoning district by-right. However, new accessory drive through facilities are not permitted.
- The site continues the predominate pattern of the low-rise, auto orientated, commercial development that makes up the area and does not align with or forward the goals of the *2040 Comprehensive Plan*.
- However, the proposed development meets the general intent of the prescribed conditions for this use in an Activity Center, except for having had a drive-through located on the site prior to the effective date of the Unified Development Ordinance (UDO), by placing vehicular circulation and maneuvering to the side and rear of the building and drive-through uses to the rear of the building. The site meets all applicable zoning requirements of the CG commercial district.
- With the latest site plan iteration, the petitioner has taken steps to improve the pedestrian experience and enhance the landscaping throughout the site.
- The petition could facilitate the following *2040 Comprehensive Plan Goals*:
 - 1: 10-Minute Neighborhoods

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

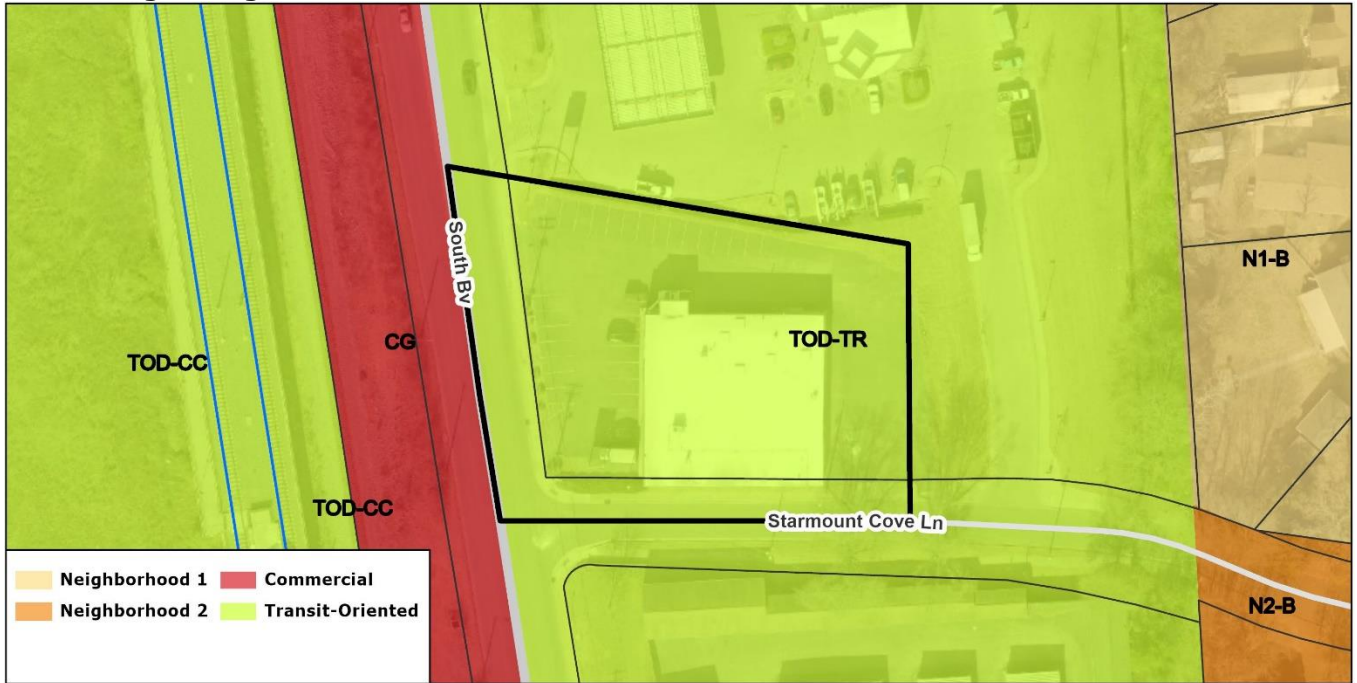
PLANNING STAFF REVIEW

• Proposed Request Details

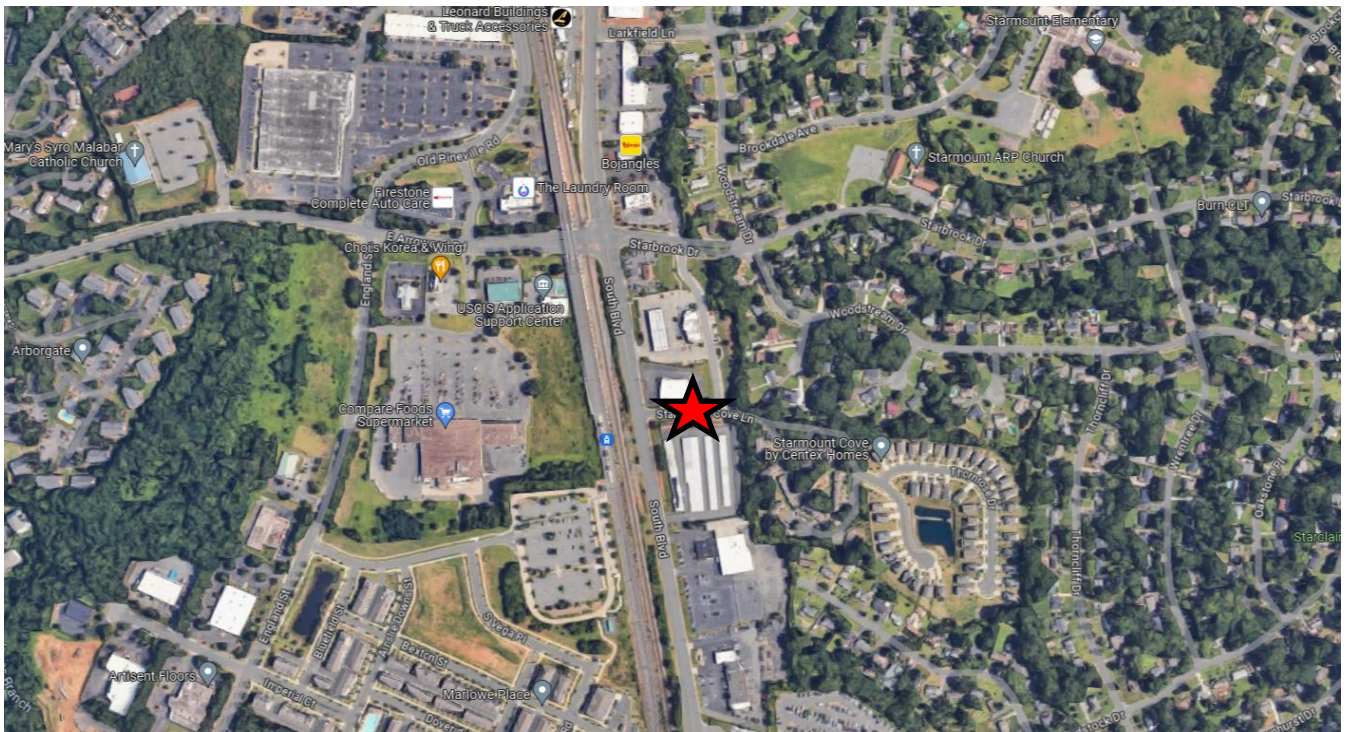
The site plan accompanying this petition contains the following provisions:

- Allows for the development of a financial institution with an accessory drive-through.
 - The plan imposes a condition that the accessory drive-through will be terminated if the use of a financial institution ceases.
- The following transportation improvements are proposed:
 - Access to the site is proposed via a right-in/right-out driveway on South Blvd and a full movement intersection on Starmount Cove Ln.
 - The petitioner will dedicate any required right-of-way and complete all required transportation improvements prior to the issuance for the first Certificate of Occupancy (CO).
- The following site and streetscape improvements are proposed:
 - The petitioner will construct an 8-foot sidewalk and 8-foot planting strip along the site's frontages with South Blvd and Starmount Cove Ln.
 - The petitioner has revised the plans to remove parking and maneuvering area from between the building and the street frontages.
 - This creates an uninterrupted pedestrian environment from South Blvd to the entrance of the building.
 - Usable open space is proposed along the street frontage closet the corner of South Blvd and Starmount Cove Lane.
 - Lighting will be full cut-off type with a maximum height of 26 feet.

• Existing Zoning



- The property is currently zoned TOD-TR (transit-oriented development) and is abutting TOD-TR to the north and south. The site is adjacent to TOD-CC to the west across South Blvd. The site is abutting freight rail right-of-way zoned CG (commercial) to the west.



The site (indicated by red star above) is located at the northeast intersection of South Boulevard and Starmount Cove Lane, east of England Street. The site abuts commercial uses such as a gas station to the north and a self-storage facility to the south. Single-family and multi-family residential developments are located to the east. The site is located directly across South Blvd from the Arrowood Lynx Blue Line light rail station.



View of the site looking northeast from the intersection of South Blvd and Starmount Cove Ln. The site is currently developed with a multi-tenant retail building.



View of the site looking west from Starmount Cove Ln.



View of the Arrowood Lynx Blue Line light rail station located directly across South Blvd from the site, within 1/4-mile walking distance.



View of a car dealership and gas station located to the north of the site at the intersection of South Blvd and Starbrook Dr.

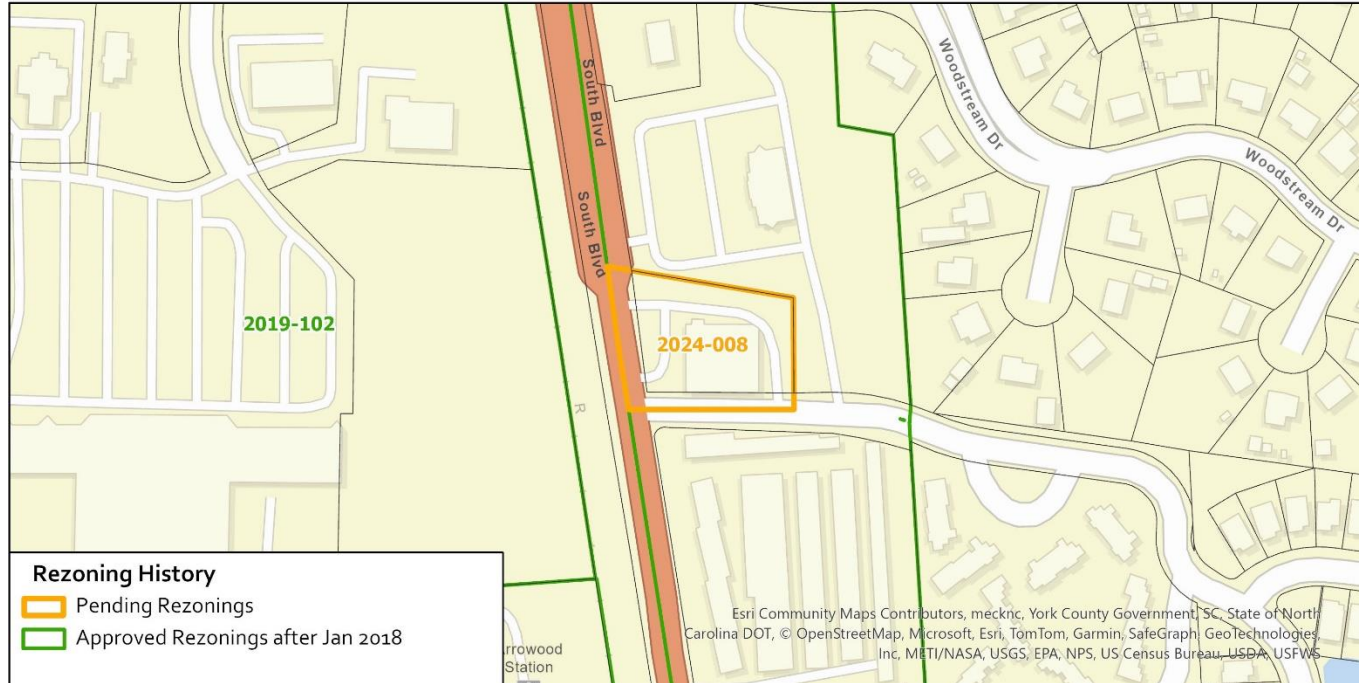


View a multi-family dwelling development located to the east of the site off Starmount Cove Ln.



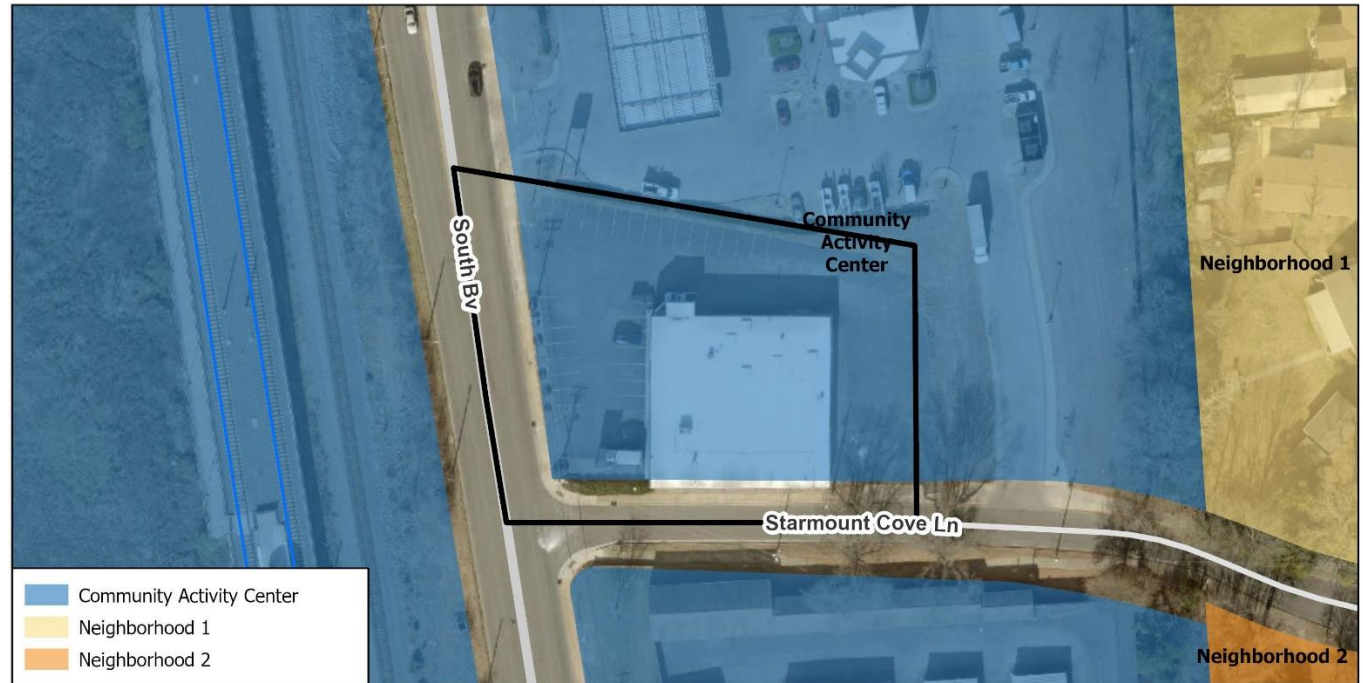
View of single-family dwelling development located east of the site off Starbrook Dr.

Rezoning History in Area



Petition Number	Summary of Petition	Status
2019-102	1,771 acres of property that is located near the current Blue Line Rail Line. From various zoning districts to Transit-Oriented Development zoning districts (TOD).	Approved

Public Plans and Policies



- The 2040 Policy Map (2022) calls for the Community Activity Center Place Type.

TRANSPORTATION SUMMARY

- The site is located at the intersection of South Boulevard, a State-maintained major arterial, and Starmount Cove Lane. Traffic Impact Study (TIS) is not required for the site due to the development generating site trips under ordinance thresholds and not meeting additional TIS triggers. The petitioner has committed to streetscape improvements on public road frontages as well as access restrictions for the proposed driveway on South Boulevard.

- **Active Projects:**
 - N/A
- **Transportation Considerations**
 - See Outstanding Issues, Note 1-2.
- **Vehicle Trip Generation:**
 - Current Zoning: TOD-TR
 - Existing Use: 632 trips per day (based on vacant parcel).
 - Entitlement: Not enough information to determine trip generation.
 - Proposed Zoning: CG(CD) 201 trips per day (based on bank with drive-through).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See Outstanding Issues, Note 3.
- **Charlotte Department of Housing and Neighborhood 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 6-inch water main along Starmount Cove Ln. Accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Starmount Cove Ln. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.
- **Long Range Planning:** 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:** See advisory comments at www.rezoning.org
- **Storm Water Services:** No comments submitted.
- **Urban Forestry / City Arborist:** No comments submitted.

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Transportation

1. ~~CDOT: Add a conditional note to commit to installing 8' sidewalk and an 8' planting strip along South Blvd and Starmount Cove Lane as shown on plans.~~ **Addressed**
2. ~~CDOT: Please clarify on plans if the existing curb is remaining or if it is being relocated to future back of curb. Curb relocation is not required, but the sidewalk and planting strip should continue to be shown based on future curb location.~~ **Addressed**
3. ~~CATS: A bus stop will be required at site. Adjacent bus stops will be consolidated into new shelter pad 60.03C. The final location will be coordinated in Land Development.~~ **Addressed**

Site and Building Design

4. ~~Reorient the building to front on South Blvd and Starmount Cove Ln and push the parking and drive-through facilities fully to the side and rear of the building.~~ **Addressed**
5. ~~Meet all applicable prescribed conditions for accessory drive-throughs located in Activity Center Place Types rather than Commercial Place Types to better align with the 2040 Policy Map.~~ **Addressed**
6. ~~Remove parking and maneuvering areas from between the building and frontage. This allows the setback requirement to be reduced to CAC-1 standards.~~ **Addressed**
7. ~~Remove the driveway access to South Blvd to enhance pedestrian facilities.~~
8. ~~Add architectural standards to the plan that comply with the TOD-TR zoning district and the Community Activity Center Place Type.~~ **Addressed**

OUTSTANDING ISSUES AFTER PUBLIC HEARING

9. Entitlement Services: A prominent entrance is required on the Starmount Cove facing façade per table 6-6 of the UDO.

REQUESTED TECHNICAL REVISIONS PRIOR TO PUBLIC HEARING

Site and Building Design

10. ~~Calculations of parking provided are incorrect. 8 parking spaces shown on plan, data table states 11 are provided.~~ **Addressed**

REQUESTED TECHNICAL REVISIONS AFTER PUBLIC HEARING

11. Entitlement Services: Eliminate parking spaces that are closer to South Blvd than the front façade of the building.
-

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

Planner: Maxx Oliver 704-336-3818