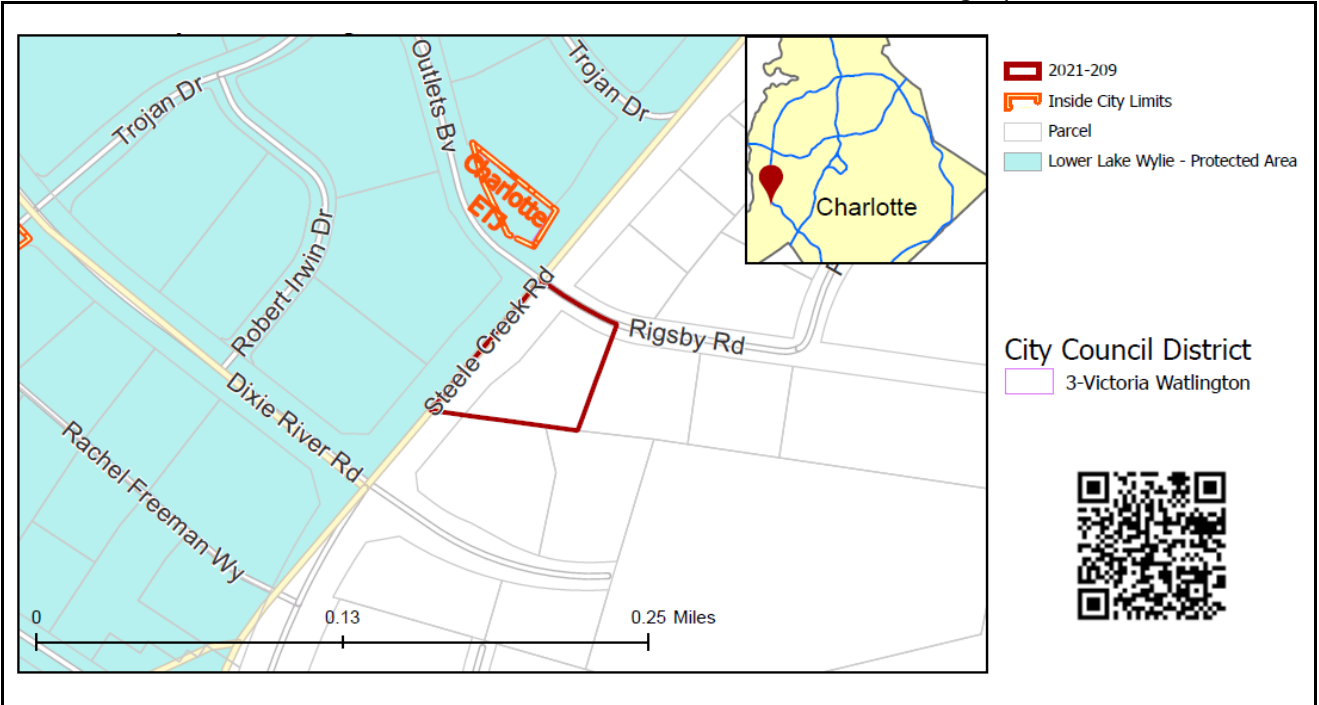


REQUEST

Current Zoning: R-3 (single family residential)
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 upon resolution of outstanding issues related to transportation.

Plan Consistency

The petition is **inconsistent** with the *Steele Creek Area Plan* land use recommendation for residential up to 6 DUA for the site.

Rationale for Recommendation

- The *Steele Creek Development Response Study* was conducted due to unanticipated development activity in the vicinity of this site, including the development of the Charlotte Premium Outlets Mall. The study was conducted with the input of property owners, residents, City departments, and Council representatives for the area. The study acknowledged that pressure for land use changes warranted an alternative development scenario from that of the *Steele Creek Area Plan*.

- The *Steele Creek Development Response Study* recommends a mix of residential, office, and/or retail uses for this site.
- Recent rezoning petitions in the area (2016-120, 2017-123, 2018-155 and 2021-093) have already implemented recommendations from the development response study.
- 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 approval of this petition will revise the adopted future land use as specified by the *Steele Creek Area Plan*, from current recommended use of residential up to 6 DUA to new recommended retail land use for the site.

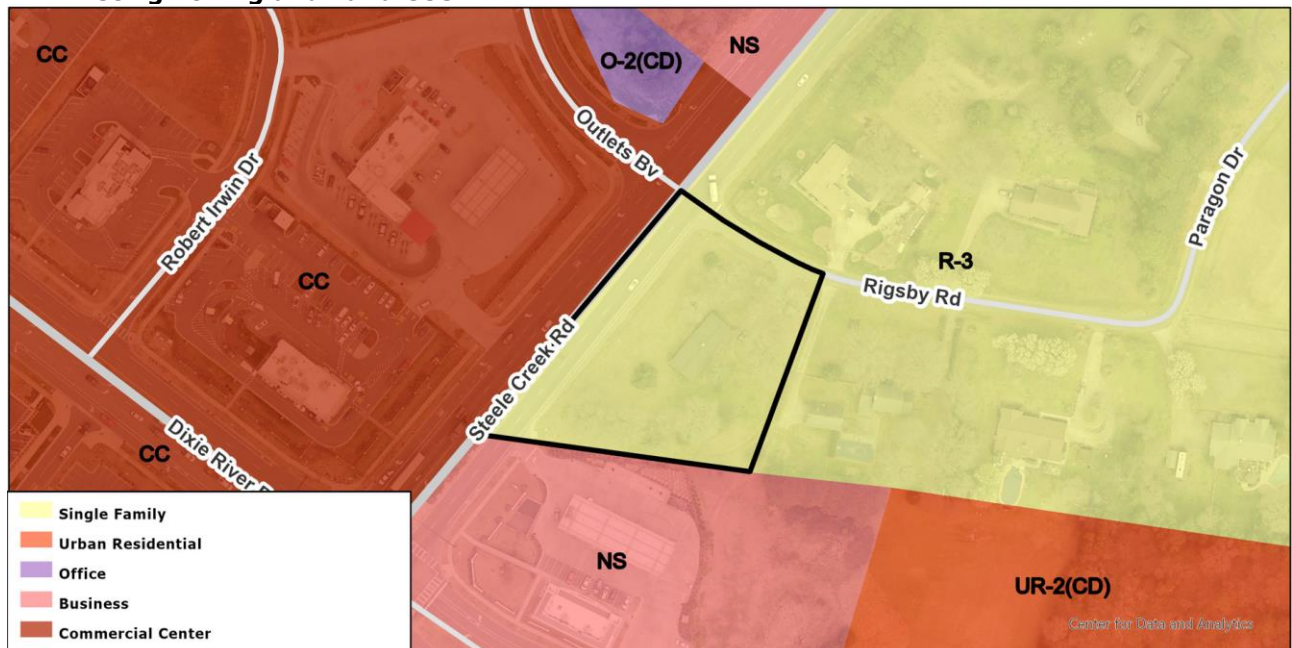
PLANNING STAFF REVIEW

• 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 with cross access provided to the parcels to the east and south.
- 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 commercial uses to the north, south, and west, and by single family residential uses 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.

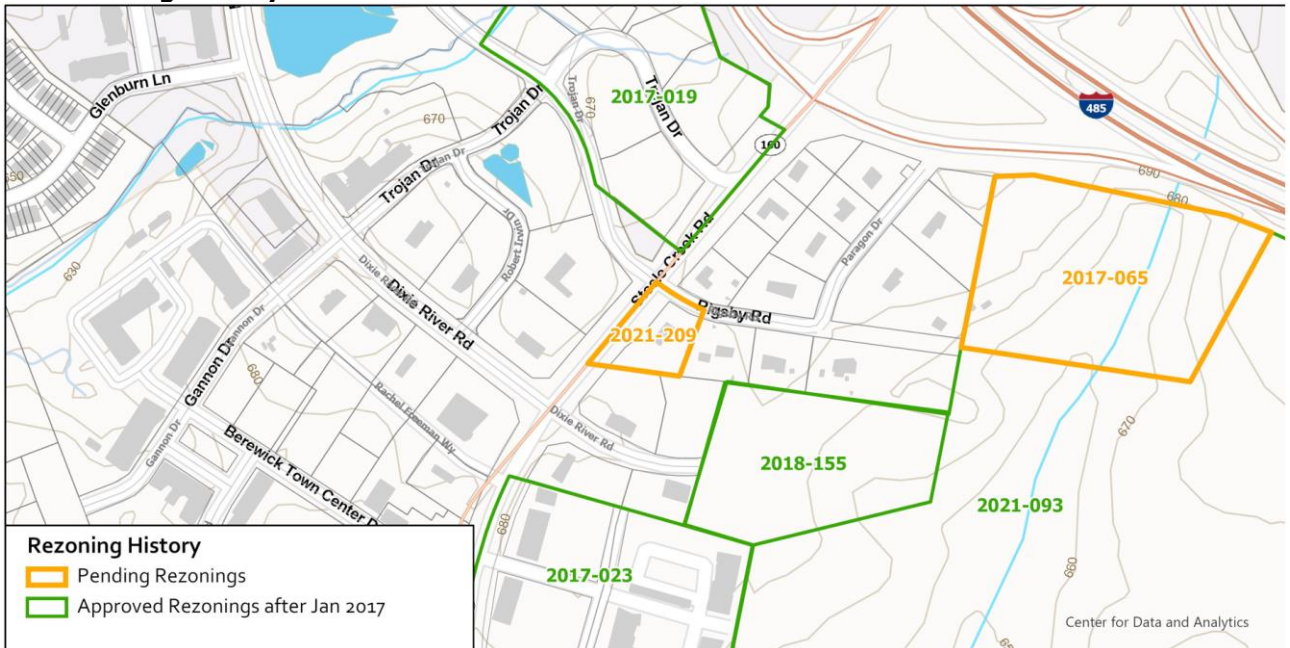


The properties to the south of the site along Steele Creek Road are developed with commercial uses.



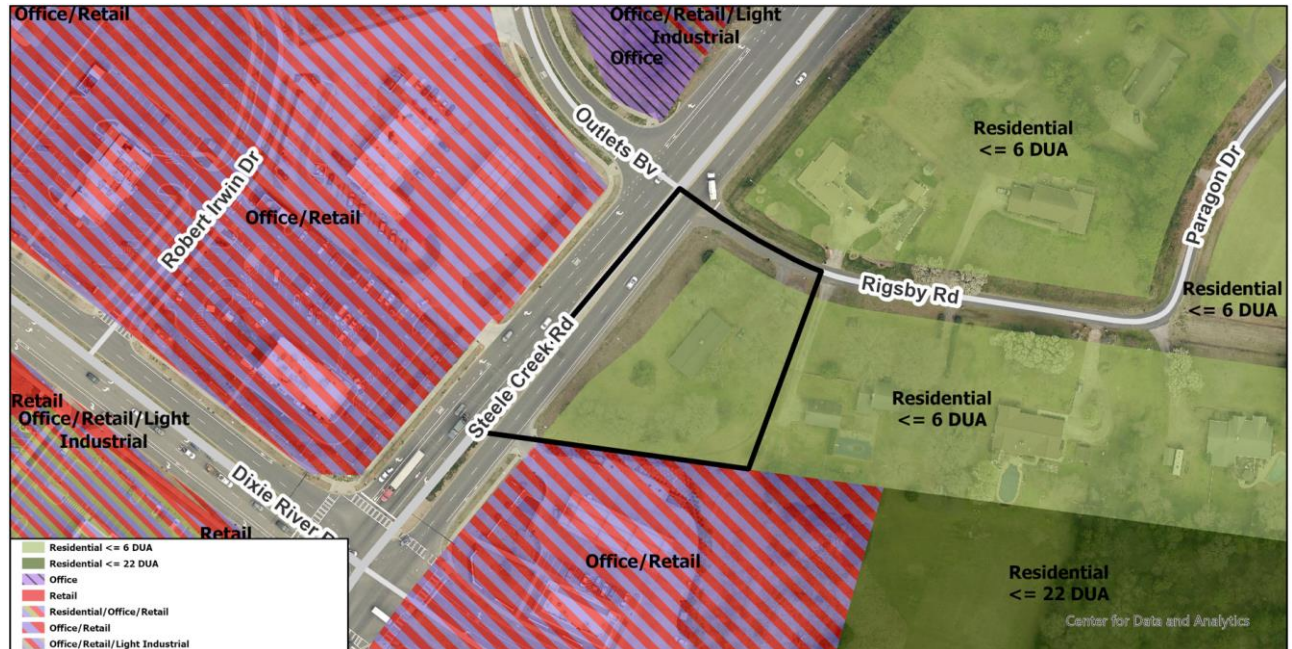
The properties to the west of the site across Steele Creek Road are developed with commercial uses.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
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
2017-065	Request to rezone to R-22MF(CD) to allow for the development of multifamily residential uses.	Pending
2017-023	Request to rezone to MUDD-O and NS to permit a mixed-use development.	Approved
2017-019	Request to rezone to O-2(CD) LLWPA and NS LLWPA to allow for the development of hotel, retail, and office uses.	Approved

- **Public Plans and Policies**



- The *Steele Creek Area Plan* (adopted 2012) recommends residential up to 6 dwelling units per acre for this site and surrounding area. The plan also has a recommendation that consideration would be given to a mixture of residential, office and retail land uses along Steele Creek Road would be given.
- The Steele Creek Development Response Study was conducted in October 2017 to evaluate the changing development patterns in the area, and recommended moderate to low intensity mixed use development for this site and surrounding area. The development study while not adopted by City Council, did include the participation of area property owners, residents and the City Council District representative for the area.

- **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**

- See Outstanding Issues, Notes 1-4.

- **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
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **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
- **Urban Forestry / City Arborist:** No outstanding issues.

OUTSTANDING ISSUESTransportation

1. Label and dimension the rights-of-way from centerline of Steele Creek Road and Rigsby Road.
2. Place a sidewalk utility easement 2' behind the sidewalk along Rigsby Road.
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.
4. Revise the site plan by clarifying the 6-foot dimension on the site's frontage of Steele Creek Road.





See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org






Planner: Joe Mangum (704) 353-1908

Goals Relevant to Rezoning Determinations Petition 2021-209

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (February 2022) and when the **Policy Map** is effective (adopted March 28, 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	<p>N/A</p>
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>✗</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>✓</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>✗</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>