



Zoning Committee

Zoning Committee Recommendation

Rezoning Petition 2023-172

April 2, 2024

REQUEST

Current Zoning: B-1(CD) (neighborhood business, conditional)

Proposed Zoning: CG(CD) (general commercial, conditional)

LOCATION

Approximately 0.78 acres located at the southeast intersection of Mt. Holly-Huntersville Road and Lawing School Road, west of Bellhaven Boulevard.
(Council District 2 - Graham)

PETITIONER

BVB Properties

**ZONING COMMITTEE
ACTION/ STATEMENT
OF CONSISTENCY**

The Zoning Committee voted 5-1 to recommend DENIAL of this petition and adopt the consistency statement as follows:

To Deny:

This petition is found to be **consistent** 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 or in the public interest based on the information from the staff analysis and the public hearing, and because:

- The current zoning allows for drive-through uses.
- The current zoning would accommodate the uses proposed under the rezoning site plan.
- The proposed zoning may lead to negative outcomes regarding transportation.

Motion/Second: Lansdell / Sealey

Yeas: Lansdell, Sealey, Whilden, Neeley, and Winiker.

Nays: Welton.

Absent: Russell

Recused: None

**ZONING COMMITTEE
DISCUSSION**

Staff provided a summary of the petition and noted that it is consistent with the *2040 Policy Map*.

Commissioner Lansdell stated that that the Committee voted to recommend approval of a carwash near this site, just this

evening. He stated that he is hesitant to support this petition because it would permit drive-throughs.

After the vote there was discussion regarding the current B-1(CD) zoning and the ability to construct a drive-through without a rezoning. Chairman Welton stated that the proposed CG zoning may provide a better outcome than the current B-1 zoning.

There was no further discussion of this petition.

MINORITY OPINION

Chairman Welton stated that while he agrees that the inclusion of a drive-through is not ideal, he does not see a solution through the rezoning process to prevent this as the site is currently zoned business which would permit the proposed uses and the site is designated for the Commercial Place Type and therefore consistent with the *2040 Policy Map*.

PLANNER

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