

## **\*PRE-HEARING STAFF ANALYSIS\***

### **Rezoning Petition No. 2006-098**

**Property Owner:** Cambridge Properties, Inc, Cambridge-Catawba, LLC

**Petitioner:** KenKayla Real Estate LLC

**Location:** Approximately 1.4 acres located on the north side of Mt. Holly-Huntersville Road just east of Mt. Holly Road

**Request:** B-1 (CD) LWPA, neighborhood business conditional district to B-2 (CD) LWPA, general business conditional district within the Lake Wylie Protected Area.

### **Summary**

This petition proposes to allow the development of a Sonic Drive-in-service restaurant in an existing shopping center.

### **Background**

The subject property was part of rezoning petition 2000-139 for Cambridge Properties. The petition allowed a mixed use development with 32 single family houses, 95,000 square feet of retail uses; and 160 multi-family residential units.

### **Consistency and Conclusion**

This petition is consistent with the Northwest District Plan and is appropriate for approval upon resolution of the outstanding site plan issues.

### **Existing Zoning and Land Use**

A mix of zoning classifications and uses surround the petitioned site. Vacant land, residential, commercial, and industrial uses are located in R-3, R-17MF, B-1(CD), B-2, MX-1, MX-2, CC and I-1 zoning.

### **Rezoning History in Area**

The most recent rezoning in the immediate area was petition 2005-076 for the property located to the west of the petitioned site. The property was rezoned CC for the development of a mixed-use community with no more than 325,000 square feet of retail, restaurant, and/or office uses, a hotel/motel with up to 150 rooms and 800 dwelling units.

## **Public Plans and Policies**

The *Northwest District Plan* (1990). Rezoning petition 2000-139 amended the *Northwest District Plan* and allows up to 95,000 square feet of retail land uses.

The *General Development Policies* (2003) are applicable for site design.

## **Proposed Request Details**

The site plan accompanying this petition indicates a maximum of 64,692 square feet of retail uses with drive in restaurants allowed only of the parcel “B.” All conditions applying to the commercial development from the 2000-139 rezoning have been transferred to the new site plan.

## **Public Infrastructure**

**Traffic Impact / CDOT Comments.** This site could generate approximately 1,400 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 1,400 trips per day. This will not have a further impact on the surrounding thoroughfare system. All transportation impacts were previously identified and mitigated with the rezoning of the existing shopping center. CDOT has the following specific comments that are critical to their support of the rezoning petition:

- A sidewalk should be provided in the raised island to the west of the 13 parking spaces shown to provide a pedestrian connection from the main shopping center to Mount Holly-Huntersville Road. If the sidewalk is constructed adjacent to the parking spaces, then it needs to be at least 7 feet wide in order to provide 5 feet of sidewalk that is not obstructed by vehicle bumper “overhang”.
- All internal sidewalks that cross internal driveways, parking aisles, and vehicle circulation areas should cross perpendicularly and diagonally as shown on the site plan.
- Accessible ramps need to be indicated where crosswalks connect with vertical curb.

**CATS.** CATS did not comment on this petition.

**Connectivity.** Access to the outparcel will be through the existing shopping center.

**Storm Water.** The petitioner included the notes requested by Storm Water Services.

**School Information.** This petition will not affect the school system.

## **Outstanding Issues**

**Land Use.** The request for a drive-in restaurant is consistent with the existing multi-tenant commercial center.

**Site plan.** The following site plan issues are outstanding:

- Proposed elevations should be provided.
- Note that no storm water detention is allowed in the setback.
- Elevations facing public streets should have clear windows.
- Screen HVAC and mechanical systems from public view by using walls and/or landscaping for the ground level. Extend roof line to screen roof mounted systems