



**REZ 06-17
Catawba at Knox**

Conditional Zoning Request

**Planning Board Meeting
October 29, 2018**

OWNER/APPLICANT: Paul Brandes
Charter Cornelius LP
75 Holly Hill Lane, Suite 305
Greenwich, CT 06830

AGENT: Jacob Bachman, PE
ColeJenest & Stone, PA
200 S. Tryon Street, Suite 1400
Charlotte, NC 28202

PROPERTY LOCATION: 20101 West Catawba Avenue (PID#: 00114522 & 00114509)

PROPERTY SIZE: 11.067 acres total

CURRENT LAND USE: Vacant

PROPOSED LAND USE: Grocery store and commercial retail

EXISTING ZONING: HC (Highway Commercial)

PROPOSED ZONING: CZ (Conditional Zoning)

EXISTING CONDITIONS:

1. Description of Adjoining Zoning and Land Uses – This property has road frontage along West Catawba Avenue and Knox Road. To the north, these parcels directly touches existing Knox Road right-of-way and are across from a GR (General Residential) zoned residential neighborhood. To the east and south, the property abuts HC (Highway Commercial) properties that currently support commercial uses. To the west, the property is adjacent from VC (Village Center) zoned property that is currently occupied by a bank.
2. Topography – The property is relatively flat toward West Catawba Avenue but has a few areas of topographic relief towards the north and eastern boundaries.
3. Vegetation – The majority of this property is covered with tree canopy. The more significant trees are located toward the northeast boundary. The applicant has surveyed all significant trees and has made a good effort to save them. Most of the significant trees in the northeast portion of the property will remain.

4. Infrastructure – The applicant has been asked to provide a Charlotte Water Capacity Assurance form to ensure water and sewer capacity is available for the site. This development will include two internal private streets that will give access the variety of commercial retail and restaurant uses. Access to the site will be available from three driveways; one right in right out driveway off of West Catawba Avenue and two driveways will be located on Knox Road. There is an NCDOT road project adjacent to this development. U-5906 Torrence Chapel/West Catawba Avenue intersection improvements are currently in design and is estimated to start construction in FY 2020. This road project does impact the proposed development at Knox and One Norman and the applicant has incorporated the design into their site with the most recent NCDOT project plans. Connectivity to adjacent parcels is shown on the plan which will open up new ways to navigate the site as other properties develop.

STAFF COMMENTS:

1. Project Overview – Charter Cornelius, LP is requesting to rezone the property located at 20101 West Catawba Avenue to develop a 5 commercial buildings totaling over 40,000 square feet of commercial space. The commercial uses include restaurants with drive-through, a grocery store, and potentially a bank.
2. Land Use Plan Consistency – The Land Use Plan adopted by the Town Board on January 6th, 2014 designates this property as “Village Center,” which allows for a mix of community serving commercial uses. The proposed uses are consistent with the 2014 Land Use Plan.
3. Pre-Development Review Committee – The sketch plan was presented to the PDRC on July 13, 2017. The PDRC was supportive of the proposed development.
4. Community Meeting – The applicant held the required community meeting on Wednesday, October 4, 2017. 29 people attended the meeting and most of the concerns were centered on traffic and congestion issues created by the site. There were other concerns about the driveway location proximity to one another and questions on what buffers the developer would install.
5. Town Board Public Hearing #1 – The meeting was held on May 16, 2017. No significant issues were raised, but walkability and pedestrian access was noted as a priority for internal design.
6. Architectural Review – This project was presented to the ARB on August 25, 2017. The Board wanted to see more detail on how the drive-through areas would be screened from West Catawba Avenue. The Board was also concerned about the location of Building D. They made a general comment to make sure you don’t see the back of parapets from other street fronts. The project was taken back to the ARB on September 28, 2018 and received approval.
7. Traffic Impact Analysis – The TIA for this project was started in the summer of 2017. Due to the unique arrangement of future funded NCDOT road projects in the study area and the high volume of traffic on West Catawba Avenue, this TIA was required to be prepared using TransModeler. This is the first project in the state to use TransModeler for a TIA. Town staff received the draft report in June of 2018 and was quickly submitted to NCDOT for

approval. NCDOT congestion management issued a conditional approval in August of 2018. Modifications have been made to the TIA at the request of the applicant and the Town. Traffic mitigation requirements will be included as conditions of this rezoning.

8. *Parking* – Currently parking is shown at 7.76 spaces per 1000 square feet. This ratio is considered extremely high and staff has asked for the ratio to be reduced in order to reduce pavement and impervious area.

STAFF RECOMMENDATIONS:

Staff anticipates recommending approval. At this time, staff has not received the final site plan for Planning Board review. We anticipate receiving this plan prior to Monday evening. Please note the following conditions for potential approval. Once the final plan is received, staff will update the recommendation.

1. Town approval is contingent on review and approval by other applicable local, state and federal agencies.
2. The development shall comply with all other applicable requirements of the Town of Cornelius Land Development Code.
3. Town approval incorporates and shall comply with any and all submittals in the case file and correspondence presented to the board in support of this application, including, but not limited to the following: The site/sketch plan, architectural elevations, and any other information related to this case or improvements recommended by the Town and/or other agencies.
4. The US Postal Service has notified the Town that all future subdivision approvals must utilize a community mail delivery system. Locations and details of the proposed community mailboxes must be included in the Construction Documents, and must be reviewed and approved by the Post Master for this area. The applicant(s) must provide the Town with written confirmation that the local Post Master is in agreement with the proposed box locations.
5. Commercial, retail, office, grocery store and restaurant with drive-through uses shall be permitted.
6. Applicant shall coordinate with NCDOT on additional right-of-way and all other required improvements on Knox Road for widening project U-5906.
7. TIA Mitigation Items:

W Catawba Avenue at One Norman Boulevard

- Construction of an additional southbound left-turn lane along One Norman Boulevard with 175 feet of storage, creating a three-lane approach that includes dual left-turn lanes and a shared through/right lane.
- Reconfiguration of the northbound approach of One Norman Boulevard to provide an exclusive left-turn lane and a shared through-right lane (same as existing).
- Removal of the split phasing planned for the side-street northbound and southbound approaches.
- Extension of the westbound right-turn lane to provide 150' of storage.

W Catawba Avenue at Private Street A (D/W #1)

- Allow for left-over access (right-out only)
- Westbound right-turn lane along W Catawba Avenue with 100' of storage
- Single southbound egress and single ingress lane along Private Street A
- Provide an internal protected stem of 100' along Private Street A

Knox Road at Private Street A (D/W #2)

- Single northbound egress and single ingress lane along Private Street A
- Provide an internal protected stem of 100' along Private Street A

Knox Road at Harken Drive/Private Street C (D/W #3)

- Single northbound egress and single ingress lane along Private Street C
- Provide an internal protected stem of 150' along Private Street C
- Eastbound right-turn lane along Knox Road with 100' of storage