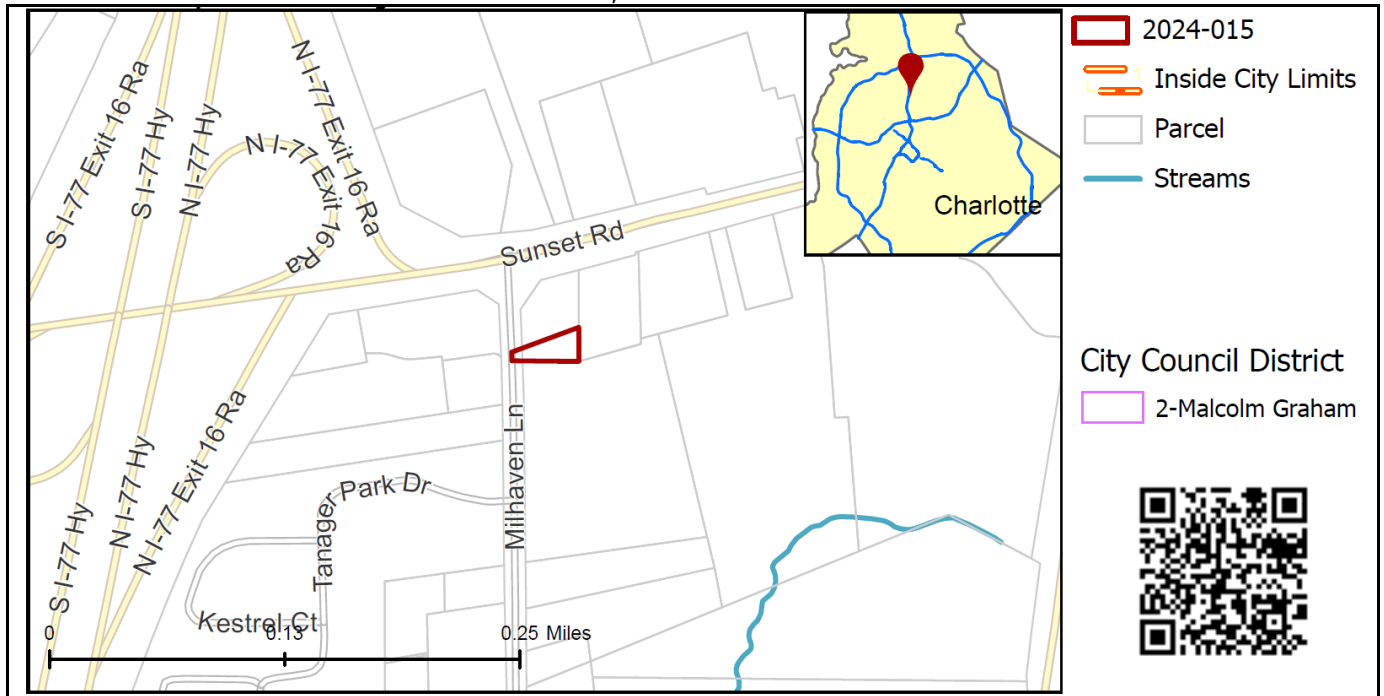


**REQUEST**

Current Zoning: I-1(CD) (light industrial, conditional)  
Proposed Zoning: CG (general commercial)

**LOCATION**

Approximately 0.38 acres on the east side of Milhaven Lane, south of Sunset Road, and west of Statesville Road.



**SUMMARY OF PETITION**

The petition proposes to allow all uses permitted in the CG district on a portion of a property that is currently undeveloped.

**PROPERTY OWNER**

Bascom V Belk, Jr. & Harriet C. Belk

**PETITIONER**

BV Belk Properties

**AGENT/REPRESENTATIVE**

Bridget Grant, Moore and Van Allen, PLLC

**COMMUNITY MEETING**

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

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map* recommendation for the Manufacturing & Logistics Place Type.

Rationale for Recommendation

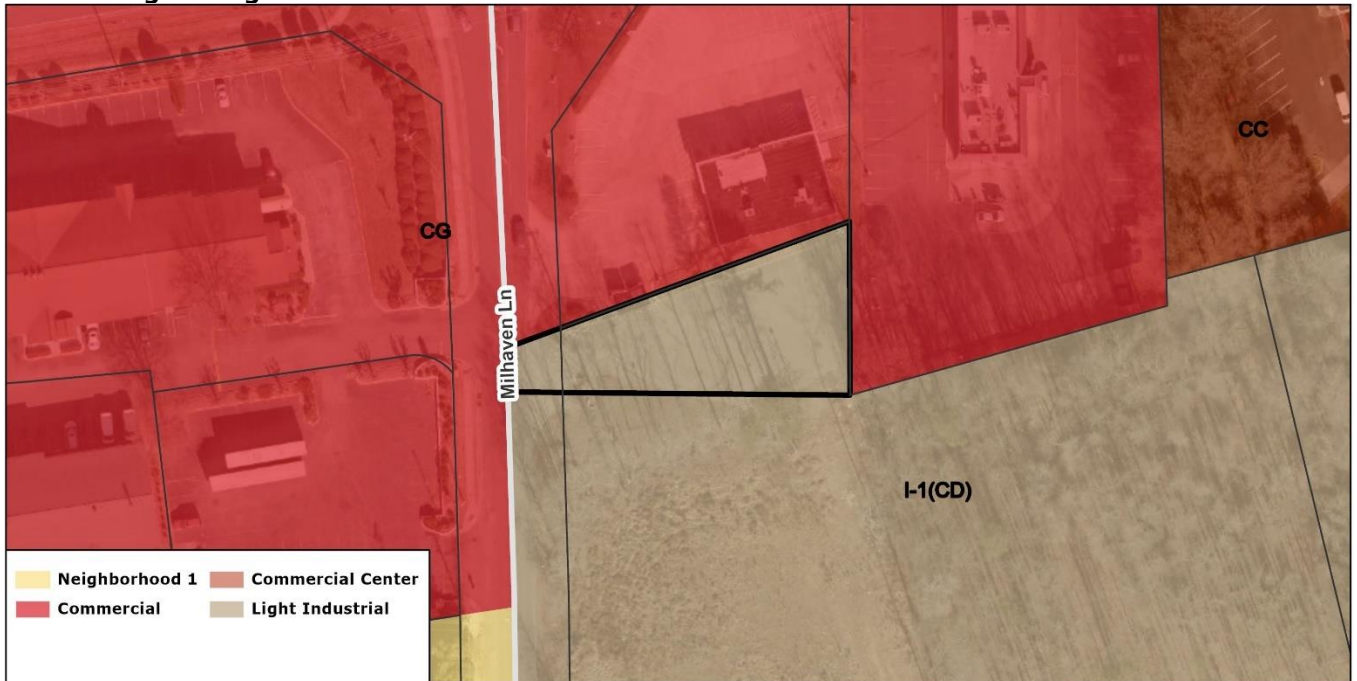
- While the proposed zoning is inconsistent with the *2040 Policy Map* recommendation for the Manufacturing & Logistics Place Type, the proposed rezoning is reasonable as the site is bound by properties designated as the Commercial Place Type on three sides.
- The site is a portion of an undeveloped parcel currently zoned I-1(CD) (light industrial, conditional), entitled to develop with a warehouse use.
- The Manufacturing & Logistics Place Type calls for service and retail developments to support workers in the area and the CG zoning district would permit these types of supportive uses.

- The *2040 Comprehensive Plan* has identified this area as an Access to Amenities Gap and the proposed CG district is better suited to fill this need than the current I-1(CD) zoning district.
- The site is located on a road designated by the *Charlotte Streets Map* as a Collector Street, is abutting a corner parcel fronting a 4+ Lane Avenue, and is one block from the Sunset Road interchange with I-77.
- The Manufacturing & Logistics and Commercial Place Types call for standalone nonresidential uses located on high-volume arterial streets and near interstate interchanges and is intended, generally, for auto-oriented developments while also accommodating other travel modes.
- The site is located along the route of the CATS number 7 and within a 1/2-mile walk of the number 21 local buses providing transit access to Northlake Mall, the Rosa Parks Community Transit Center, and the Charlotte Transportation Center.
- petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 8: Diverse & Resilient Economic Opportunity

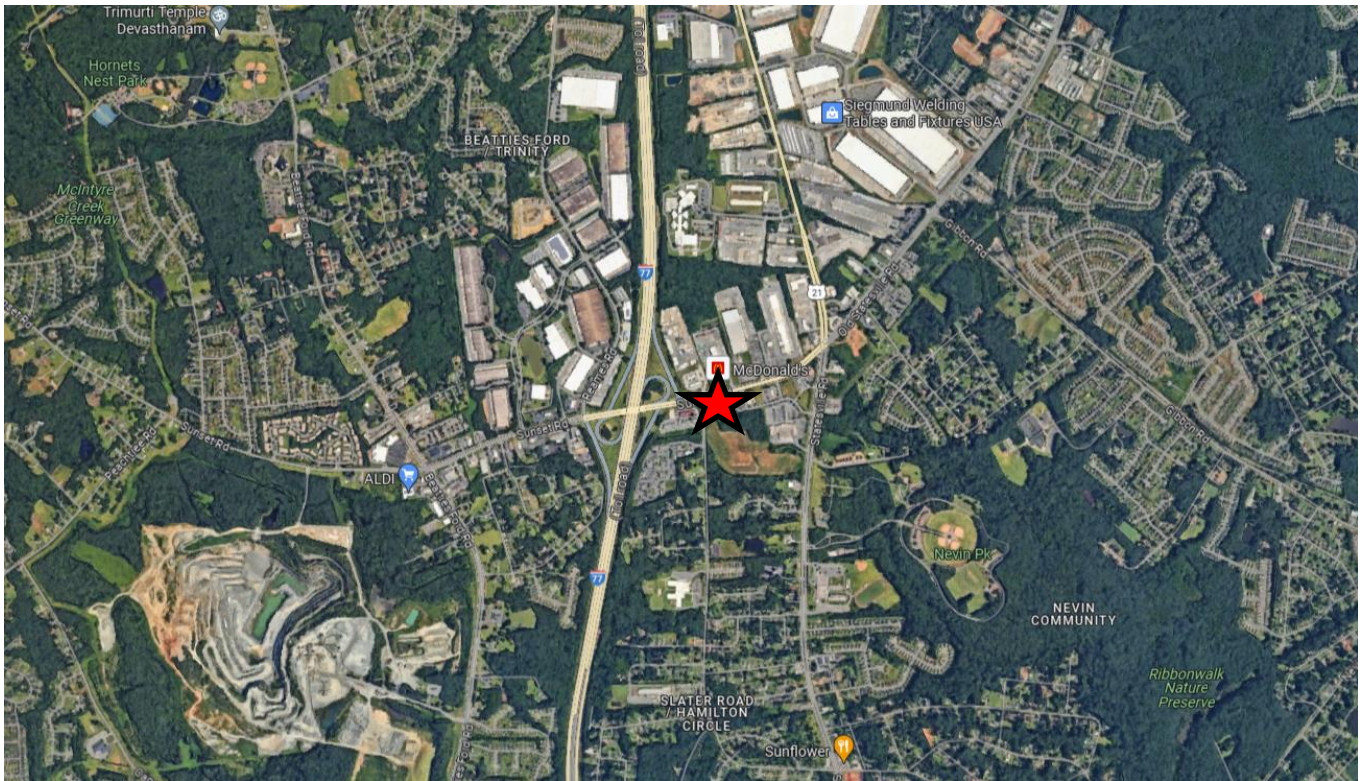
The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from the Manufacturing & Logistics Place Type to the Commercial Place Type for the site

**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
This is a conventional rezoning petition with no associated site plan.
- **Existing Zoning**



- The property is currently zoned I-1(CD) (light industrial, conditional) and is a portion of an undeveloped warehouse property. Adjacent properties to the north, east, and west are zoned CG (general commercial). The property to the south, which this site is a portion of, is zoned I-1(CD).



The site (indicated by red star above) is located on the east side of Milhaven Lane, south of Sunset Road, and west of Statesville Road.



View of the site looking east from Milhaven Lane. The subject site is a portion of the I-1(CD) (light industrial, conditional) to the south, petition 2020-025.



View of the I-1(CD) zoned property looking southeast from Milhaven Lane, of which the subject site is a portion of.



View of an abandoned gas station at the corner of Sunset Road and Milhaven Lane, abutting the subject site to the north.



View of a motel located across Milhaven Lane, west of the site.

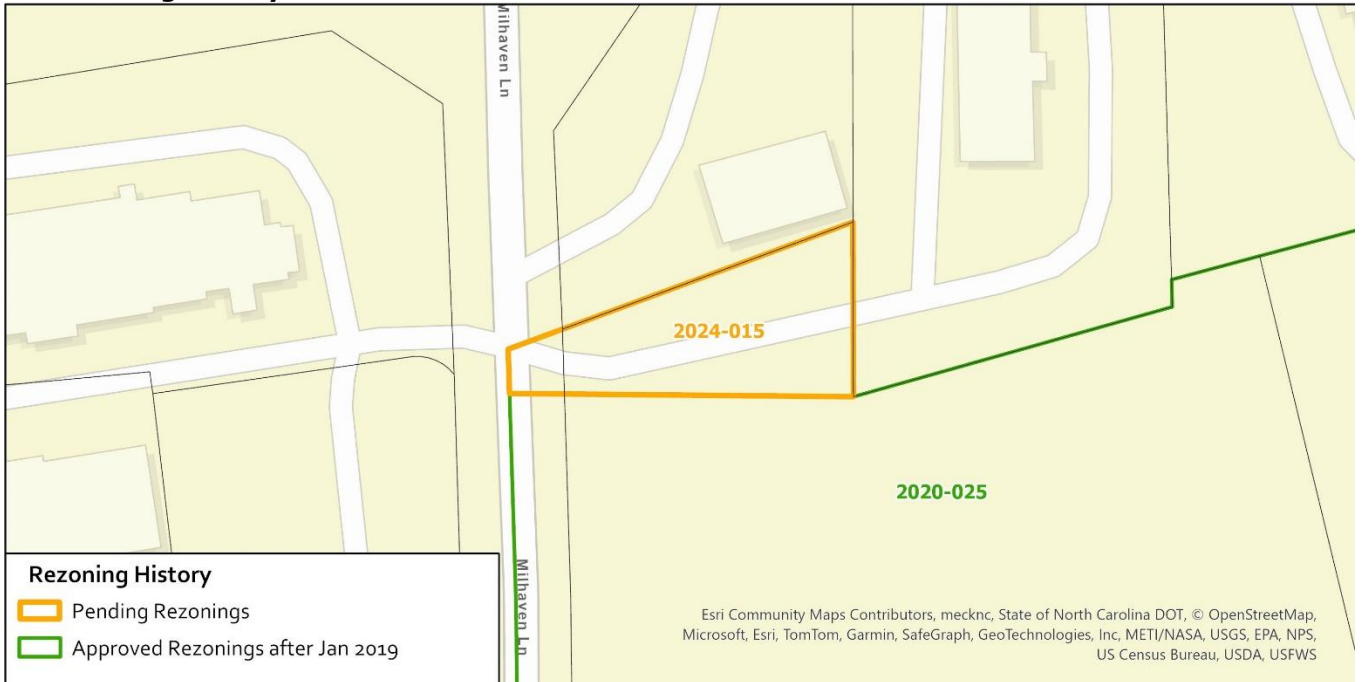


View of an apartment development located across Milhaven Lane, southwest of the site.



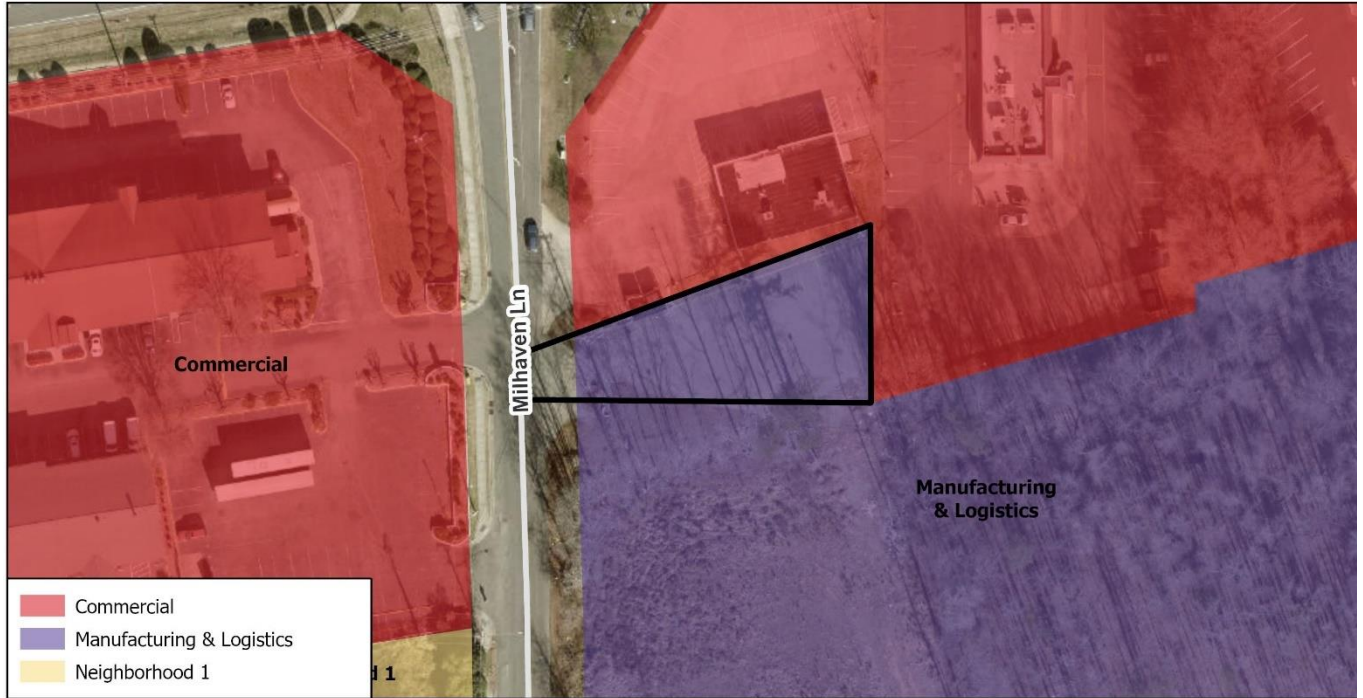
View of several fast-food restaurants along the south side of Sunset Road typical of the development pattern in the area.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-025	26.32 acres located along the eastern side of Milhaven Lane, south of Sunset Road, and west of Statesville Road. From CC & R-4 to I-1(CD)	Approved

• **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends the Manufacturing & Logistics Place Type for this site.

• **TRANSPORTATION SUMMARY**

- The site is located adjacent to Milhaven Lane, a City-maintained collector, south of Sunset Road, a State-maintained arterial. A Comprehensive Transportation Review (CTR) is not necessary for the complete review of this petition due to the conventional rezoning. A CTR will be required during permitting if the site generates site trips over ordinance thresholds. The site will be subject to transportation improvements in accordance with the UDO and the adopted CDOT Streets Map. CDOT will work with the petitioner during the permitting process to pursue all options to provide additional forms of connectivity that reflect the types of development associated with this place type and zoning district.

• **Active Projects:**

- NCDOT STIP I-77 (I-5992)
  - Pavement Rehabilitation currently under construction.

• **Transportation Considerations**

- No Outstanding Issues.

• **Vehicle Trip Generation:**

Current Zoning: I-1(CD).

Existing Use: Vacant.

Entitlement: 45 trips per day based on 3,800 sq.ft. of warehouse.

Proposed Zoning: CG. 470 trips per day based on 5,700 sq.ft.

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **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 12-inch water distribution main along Milhaven Ln. Accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Milhaven Ln. See advisory comments at [www.rezoning.org](http://www.rezoning.org)

- **Long Range Planning:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  
  - **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Mecklenburg County Parks and Recreation Department:** No comments submitted.
  - **Stormwater Services Land Development Engineering:** No comments submitted.
  - **Urban Forestry / City Arborist:** No comments submitted.
- 

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**  
**Planner:** Maxx Oliver 704-336-3818