PROPOSAL:	Request to rezone a total of 1.8 acres (RZ-2021-0961: 0.8 acres, RZ-2021-0962: 1 Acre)
PROPERTY LOCATIONS:	RZ-2021-0961: Fort Mill Hwy and Kohut Dr (TM # 0006N-0B-005.01) RZ-2021-0962: 9839 Kohut Drive (TM # 0006N-0B-008.00)
CURRENT ZONING DISTRICT:	RZ-2021-0961: Neighborhood Business (NB) RZ-2021-0962: Medium Density Residential (MDR)
PROPOSED ZONING DISTRICT:	General Business (GB) District
APPLICANT:	Melinda Hoopaugh
COUNCIL DISTRICT:	District 7, Brian Carnes

OVERVIEW:

Proposal
The applicant has requested to rezone two parcels (a total of 1.8 acres) from NB and MDR District to GB District. The intent is to sell the properties to be utilized for its highest and best use.

Site Information
RZ-2021-0961: Subject Parcel is vacant.

RZ-2021-0962: Subject parcel is currently residential and there is a mobile home on the property.

Summary of Adjacent Zoning and Uses
The properties are surrounded predominantly by NB, MDR and GB zoned properties.

Adjacent Property	Jurisdiction	Zoning District	Use
North	Lancaster County	NB, GB	Gas Station and Landscaping Material Supplier
South	Lancaster County	MDR	Single-Family Residential
East	Lancaster County	NB, MDR	Used Car Sales, Manufactured Housing
West	Lancaster County	GB, Proposed Rezoning	Gas Station, Joyce Brooks Rezoning

ANALYSIS & FINDINGS:

Zoning Districts
RZ-2021-0961: The subject property is currently in the NB District. Pursuant to UDO Chapter 2.3, the NB District *is generally located on thoroughfares and provides opportunities for the provision of neighborhood services that serve as an acceptable transition to generally auto-dependent neighborhoods.*

RZ-2021-0962: The subject property is currently in the MDR District. Pursuant to UDO Chapter 2.3, the MDR District *is established to maintain previously developed or approved single-family residential subdivisions and their related recreational, religious, and educational facilities at a density of 2.5 dwelling*

units per acre. Intended to act as a transitional zoning district between rural and urban development, these regulations are further intended to discourage any use which would be detrimental to the predominately residential nature of the areas included within the district.

Requested GB

UDO Chapter 2.3 describes the requested GB District *as is generally located on thoroughfares and provides opportunities for the provision of offices, services, and retail goods in proximity to generally auto-dependent, community neighborhoods. The regulations for this district are intended to accommodate the predominately auto-oriented pattern of existing development while encouraging the transition to pedestrian-friendly, mixed-use areas that avoid strip commercial development.*

Compatibility with Surrounding Area

As noted previously, the subject property is predominately surrounded by the NB, MDR, and GB Districts. The surrounding uses are primarily commercial in nature (used car sales, gas station, and landscaping material sales).

At the time of publishing for this report the Joyce Brooks rezoning (TM# 0006N-0B-010.00) had received unanimous approval through two of the three required readings at County Council to rezone from MDR to GB. For reference, if the Joyce Brooks rezoning and the subject rezonings were to be approved, the zoning map would appear as shown on the right with the shades of red representing commercially zoned districts and yellow representing residential districts.



Looking Forward

Given the recent rezonings to commercial districts (primarily GB) in this area, the Planning Department has started to take a deeper look at what the future of this area may look like. At this time, the Department believes that commercial rezonings should be limited to the west side of Kohut Drive and south of the intersection of Kohut and Woodville Court (see bottom right).



Non-Conformance Status

RZ-2021-0962: The use of the property is currently residential in nature. If the rezoning to GB were to be approved, the home on the property would become legal non-conforming if it remains on the site as a residence. This legal non-conforming status means that no major changes can occur to the residence or parcel which would further expand its non-conformance. Also, any new business moving

on to the property would be required to improve the site and building to meet current UDO and Building Code standards.

RELATIONSHIP TO PUBLIC PLANS

The Future Land Use Category guiding the subject properties is Neighborhood Mixed-Use, which corresponds to the Community Type of Walkable Neighborhood. The adopted Comprehensive Plan states that the Suburban Single-Family Neighborhood Community Type "*is synonymous with the Place Type "Mixed-Use Neighborhood." This is due to its very specific characteristics that set it apart from most other Place Types by virtue of its deliberately structured mix of dwelling types in a development context that often operates through the separation of uses, densities and/or land value. This Place Type and Community Type has its roots in the traditional character of American communities during the early part of the 20th century, and has been revived in recent decades as a relevant option for future development*." The Comprehensive Plan further establishes several possible land use considerations representing typical development in this category which are depicted in the table below.

The Neighborhood Mixed-Use Future Land Use Category extends across the northern half of the panhandle, terminating at Highway 75/Waxhaw Highway. The Neighborhood Mixed-Use Future Land Use Category and Walkable Neighborhood Community Type are, by default, intended to be compatible with the existing suburban character of the area.

The requested GB District is consistent with the Neighborhood Mixed-Use Future Land Use Category.

Walkable Neighborhood: Land Use Considerations		
Church	Condominium/Apartment	Community Park / Pocket Park
Government Building	Natural Area	Neighborhood Commercial
Professional Office	Restaurant	School
Single-Family Attached Home (Townhome/Duplex)	Single-Family Detached Home	

INFRASTRUCTURE CONSIDERATIONS

Transportation
There are no issues with traffic generated from this request at this time. If a commercial use or uses were to move on to these properties which would create more than 50 peak hour trips to or from this location a TIA would be required as part of their site plan submittal.

Public Utilities
Public water is currently serving these sites, currently there is a septic tank on the property for RZ-2021-0962.

Public Schools
There are no capacity concerns for the schools within this area pertaining to this change.

PHOTOS OF PROJECT AREA:



Subject Properties are visible on the right hand side of the photo above.



Aerial view of intersection of Kohut Drive and Fort Mill Hwy: Subject parcel can be seen in the lower left hand corner.



Aerial view from Hwy 160: Subject parcel can be seen in the upper center.

STAFF RECOMMENDATION:

Staff recommends **approval** of the request to rezone both properties for a total of 1.8 acres (TM # 0006N-0B-005.01 and 0006N-0B-008.00) from Neighborhood Business (NB) and Medium Density Residential (MDR) Districts to General Business (GB) District, pursuant to the following findings of fact:

1. That the subject project consists of the following parcels: TM# 0006N-0B-005.01 and 0006N-0B-008.00;
2. That the subject properties are currently zoned NB and MDR District and proposed to be rezoned GB District;
3. That the subject properties have a Future Land Use designation of Neighborhood Mixed Use, and a Community Type of Walkable Neighborhood Community Type;
4. That the requested GB District is consistent with the Neighborhood Mixed-Use Future Land Use Category; and
5. That the proposed GB District is generally consistent with the surrounding area which is comprised of NB, MDR, and GB Districts.

ATTACHMENTS:

1. Rezoning Applications
2. Location Map/ Zoning Map

STAFF CONTACT:

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