



**SITE 10-07**  
**Walgreens**  
**Conditional Use Permit Minor Amendment**  
**Staff Analysis**  
**April 30, 2007**

**Owner/Developer:** SBBH Development 3 LLC  
 200 Providence Road Suite 106  
 Charlotte, NC 28207

**Agent:** Michael D. Newman, P.E.  
 4601 Charlotte Park Drive #106  
 Charlotte, NC 28217

**Acreage:** 2.61 Acres (including ROW previously dedicated)

**Tax Parcel Reference:** 001-101-03, 04

**Project:** Walgreens CUP Minor Amendment

**Existing Use:** Vacant (approved retail/pharmacy/drive through window facility)

**Proposed Use:** Retail/pharmacy/drive through window facility

**Zoning:** *Village Center, Lake Norman Critical Watershed*

**Location:** Corner of Bethel Church Road and West Catawba Avenue

**Existing Conditions**

<i>Adjacent Zoning:</i>	Property to the north across Bethel Church Road is zoned <i>General Residential</i> and has a Civic Use (Bethel Presbyterian Church). Property to the south is zoned <i>Village Center</i> and has a commercial/medical office use. Property to the east is zoned <i>Village Center</i> and has a commercial use and a daycare use. Property to the west is zone <i>Village Center</i> and has a commercial/retail use.
<i>Topography:</i>	Previously developed lot.
<i>Vegetation:</i>	Trees and landscaping associated with current use.
<i>Existing Utilities:</i>	Public water and sewer exist.
<i>Vesting Status:</i>	Not Vested

## Conditional Use Permit

### **General Proposal**

The applicant currently has a *Conditional Use Permit* to allow for a drive through window facility and expansion to an existing building within the *Village Center* zoning district. The applicant is approved to re-development of a 7,307 square foot vacant office building with a 7,509 square foot addition to the north of the existing structure. The entire building will total 14,816 square feet. The applicant is requesting a *Conditional Use Permit Minor Amendment* to reconfigure the parking area and reduce the impervious area.

### **Streets, Parking, and Lighting**

The applicant has proposed principle ingress/egress from West Catawba Avenue and Bethel Church Road. The applicant has incorporated right only movement ingress/egress off West Catawba Avenue via an existing 30 foot drives. The applicant has also incorporated full movement ingress/egress off Bethel Church Road via a 40 foot drive. There is secondary access to private drive that connects to Bethel Church Road and Lakeshore Market via a 24 foot drive.

The applicant has proposed parking areas to the rear of the building and adjacent to Bethel Church Road. The applicant has 65 proposed parking spaces. The applicant has proposed exterior lighting to comply with the requirements of the *Land Development Code*.

**Staff Analysis:** The applicant has not included cross-sections to the standards of the *Land Development Code*. However, Staff recommends that this be coordinated with Staff/NCDOT during the Construction Document process. The parking as proposed meets the requirement of the *Land Development Code*. The applicant is required 38 total spaces. All the additional standards of Chapter 7 of the *Land Development Code* have been adequately addressed. Additionally, the applicant should provide additional right of way dedicated to the Town for future connectivity along the private drive.

### **Environmental Protection**

The applicant has complied with the required landscape buffer requirements found in Chapter 9.4 of the *Land Development Code* on the previous approved plan. The applicant provided a Type B Buffer adjacent to all parking areas. The applicant indicated a Type C buffer within all parking areas which includes the requirement of no parking space more than 60' from any canopy tree. A Type D buffer was proposed along Bethel Church Road. The applicant did not indicated the buffer areas, however it was denoted that all buffers are per the *Land Development Code*.

The applicant is proposing 57,063 square feet (50%) of impervious area.

**Staff Analysis:** The applicant has met the minimum standards of Chapter 9 of the *Land Development Code* as it relates to Environmental Protection. The applicant has provided all the required landscape buffers and meet or exceeds the standards. Further evaluation of these buffer areas will be reviewed in detail during the Construction Document phase.

This site is located within a designated watershed district. The applicant has proposed approximately 30% of the site as impervious area. This site is permitted 24% impervious by right to a maximum of 50% impervious with Town Board approval. Once the site was being engineered it was discovered that the plan had not accurately depicted the necessary impervious area. Therefore, the site had to be reconfigured to accommodate the necessary parking while ensuring water quality. The details of

the all the requirements of Chapter 9 require extensive review during the Construction Document phase to further ensure compliance.

**Additional Information**

The applicant has incorporated an enlarged dumpster enclosure within the interior of the site adjacent to the private drive.

**Staff Recommendation**

*APPROVE*       *APPROVE W/CONDITIONS*       *DENIAL*

Staff recommends approval of the *Conditional Use Permit MinorAmendment* with the following conditions:

1. Town approval is contingent on review and approval by other applicable local, state, and federal agencies.
2. Applicant shall provide a low screen wall adjacent to Bethel Church Road to screen parking.
3. Applicant shall provide detailed elevations denoting specific building materials for Staff approval during Construction Document process.
4. Applicant shall provide right-of-way and/or easements consistent with the revised NCDOT plans dated March 15, 2006.
5. Provide pedestrian crossings within the parking lot to encourage safe pedestrian movement within the site.
6. Applicant shall comply with the traffic recommendation of Mecklenburg County LUESA North office.
7. Applicant shall provide a wall of at least 6' along West Catawba Avenue to screen loading area/parking.
8. Applicant shall coordinate the design of walls in front and rear of building to adequately screen parking with Staff.
9. Applicant shall extend sidewalk from West Catawba Avenue down Bethel Church Road to property boundary.
10. Applicant shall coordinate with staff in good faith to resolve and coordinate signage details and location.
11. Applicant shall dedicate eleven feet of right-of-way to the Town of Cornelius along the private drive to allow for a future public street