
REQUEST	Proposed Zoning: B-1(CD) SPA, neighborhood business, conditional, site plan amendment
LOCATION	Approximately .474 acres located on the east side of Carmel Road near the intersection of Carmel Road and Pineville-Matthews Road.
SUMMARY OF PETITION	The petition proposes to allow an office use or an ABC store in the existing building on the site or the construction of a new building for an automotive service station without gasoline sales.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of the outstanding issues. This petition is inconsistent with the <i>South District Plan</i> , but is currently used as an ABC store and is compatible with the retail and office uses in the surrounding area.
PROPERTY OWNER	The Mecklenburg County Alcoholic Beverage Control Board
PETITIONER	Woodie Enterprises, Inc. c/o Bradley E. Woodie
AGENT/REPRESENTATIVE	John Carmichael/K&L Gates, LLP
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Retain existing building (4,644 total and 3,500 heated square feet) and improvements on site for use as an ABC store or office uses until such time property is redeveloped as per site plan.
- Construction of a new building for an automotive service station without gasoline sales but including minor adjustments, repairs and lubrication.
- Permitted uses include an automotive service station, an ABC store, office and any incidental or accessory uses.
- Maximum gross building area of any building on site devoted to office uses shall be 3,300 square feet.
- Maximum gross building area of any building on site devoted to an automotive service station without gasoline sales shall be 5,350 square feet.
- Depiction of existing building outline and proposed building footprint in the event of redevelopment.
- Identification of existing trees along Carmel Road and within existing planters adjacent to the eastern property line.
- Installation of new shrubs and trees within the existing planter for additional screening adjacent to the southern property line and driveway.
- Dedication and conveyance of those portions of the site immediately adjacent to Carmel Road as required to provide right-of-way measuring 50 feet from the existing centerline of Carmel Road if such right-of-way does not currently exist.

- **Rezoning History of Subject Site**

The approval of Petition #82-65 in 1982 rezoned the subject site from O-15 to B-1(CD) in order to accommodate the construction of a 3,500 square-foot building and allow the operation of an ABC store.

- **Existing Zoning and Land Use**

The site is currently developed with an ABC store constructed in 1983 and is surrounded primarily by office and retail development on properties zoned O-1, MUDD-O, and B-1SCD.

- **Rezoning History in Area**

There have been no rezoning in the immediate area in recent years.

- **Public Plans and Policies**

- The *South District Plan* (1993) recommends office uses for this location.
- This petition is inconsistent with the *South District Plan*.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Transportation:** Replace the back of curb sidewalk with a six-foot sidewalk located a minimum of eight feet from the back of curb. This new sidewalk can be allowed to meander to save existing trees with the redevelopment of the site.
 - **Vehicle Trip Generation:**

With the array of uses allowed in the existing and proposed conditional district, a wide range of trip generation is possible for either the existing or proposed zoning scenarios. Given the size of the site and its proximity to the good street network in the area, there should only be minor impacts to the transportation system resulting from this rezoning.
 - **Connectivity:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies*.
 - Minimizes impacts to the natural environment by potential reuse of the existing building.
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OUTSTANDING ISSUES

- The petitioner should:
 1. Provide two development scenarios, including site plans – one for existing development and one for redevelopment. For the existing development scenario indicate that the only principal uses allowed are office and an ABC store. For the redevelopment scenario indicate that the only principal use allowed is an automotive service station without gasoline sales. Both development scenarios must provide parking requirements and calculations and proposed building square footages for all proposed uses.
 2. Provide elevations of the proposed building (redevelopment scenario).
 3. Add language that states in the event a new building is constructed, the new required sidewalk will need to accommodate, and may meander in order to preserve, existing trees.
 4. Eliminate the bays on the north side of the building as adequate maneuvering area is not provided between the building and the property line.
 5. Address CDOT issue concerning new planting strip and sidewalk.
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Attachments Online at www.rezoning.org

- Application
- Community Meeting Report
- Site Plan
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- **Planner:** Claire Lyte-Graham (704) 336-3782