
REQUEST	Current Zoning: B-1, neighborhood business Proposed Zoning: NS, neighborhood services
LOCATION	Approximately 0.26 acres located on the west side of Margaret Wallace Road near the intersection of Margaret Wallace Road and Idlewild Road.
SUMMARY OF PETITION	The petition proposes to allow the construction of a convenience store.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with the <i>Eastside Strategy Plan</i> (2001).
PROPERTY OWNER	Zula Express Inc. (formerly Kidane Haile)
PETITIONER	Kidane Haile
AGENT/REPRESENTATIVE	Paul Lorenz/Lorenz Architecture
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**

At its meeting on December 14, 2010, the Zoning Board of Adjustment (ZBA) granted the following variances regarding the subject site:

- a 10-foot variance from the required 10-foot rear yard to allow a building to be constructed on the rear property line: and,
- a five-foot variance from the five-foot distance required from an exterior lot line for vehicle parking on a lot.

The variances were granted contingent upon City Council approval of the petition to rezone the parcel from B-1 to NS.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposed 1,875-square foot, one-story building to accommodate a convenience store.
- Parking area consisting of six parking spaces.
- Proposed six-foot sidewalk to meander and tie into existing sidewalks.
- Proposed eight-foot planting strip.
- All uses in the B-1 are permitted.
- Dedication of 70-feet of right-of-way from the centerline of Margaret Wallace Road.
- Building will complement the adjacent shopping center using a combination of brick and synthetic stucco.

- **Existing Zoning and Land Use**

The site is currently vacant (previously developed with a single family home) and is surrounded by a mix of residential and retail uses and undeveloped parcels to the north, northwest, west, and southwest on properties zoned R-17MF, R-8(CD) and NS. To the north, northeast, east and southeast are scattered residential, retail, office, warehouse uses and undeveloped acreage in the Towns of Matthews and Mint Hill.

- **Rezoning History in Area**

- There have been no recent rezonings in the immediate area.

- **Public Plans and Policies**

- The *Eastside Strategy Plan* (2001) recommends retail uses on the subject property.
 - The request is consistent with the *Eastside Strategy Plan*.
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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:** No issues.
 - **Vehicle Trip Generation:**

Current Zoning: With the array of uses allowed in B-1 zoning category, a wide range of trip generation is possible for the existing zoning scenarios.

Proposed Zoning: 510 trips per day.

- **Connectivity:** No issues.
 - **Charlotte Fire Department:** No comments received.
 - **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate three students, while the development allowed under the proposed zoning will produce three students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is zero.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No comments received.
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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-Environment*.
 - This site meets minimum ordinance standards.
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OUTSTANDING ISSUES

- The petitioner should:
 1. The proposed loading area appears to directly abut the Margaret Wallace Road right-of-way. A permanent structure, such as a wall to screen the loading area, is not permitted in the right-of-way. Landscaping to screen the loading area is permitted within the right-of-way.
 2. Use a different hatch on the driveway to better distinguish it from the surrounding sidewalks.
 3. Remove the following notes as they are general ordinance requirements:
 - a. Screening related to dumpsters and loading spaces.
 - b. Compliance with the PCCO.
 - c. Compliance with the sign ordinance.
 - d. Compliance with the section on outdoor lighting.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte-Mecklenburg Schools Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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