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<b>REQUEST</b>	Current Zoning: B-2 PED, general business, pedestrian overlay Proposed Zoning: B-2 PED-O, general business, pedestrian overlay, optional
<b>LOCATION</b>	Approximately 3.2 acres located along Central Avenue and bounded by The Plaza, McClintock Road, and Nandina Street.
<b>SUMMARY OF PETITION</b>	The petition proposes to allow redevelopment of the site of an existing 29,736 square foot grocery store. Proposed changes include construction of a new building not to exceed 51,000 square feet for a grocery store or any use permitted in the B-2 district.
<b>STAFF RECOMMENDATION</b>	Staff recommends approval of this petition upon resolution of the outstanding site plan issues. The petition is consistent with the <i>Plaza-Central Pedscape Plan</i> .
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	HTP Plaza, LLC Harris Teeter, Inc. Keith MacVean and Jeff Brown, King and Spalding, LLP
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report will be available online when received.

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#### **PLANNING STAFF REVIEW**

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Maximum 51,000 square feet of building area.
- Up to two principal buildings.
- Maximum building height of 60 feet.
- Construction of a west bound left-turn lane on Central Avenue into the site.
- Construction of a 60-foot southbound left turn lane on The Plaza to McClintock Road.
- Recessed parallel parking spaces along Central Avenue and The Plaza.
- Access via driveways from Central Avenue, Nandina Street, and McClintock Road.
- Installation of a speed table at or near the entrance to the store from the parking area.
- Building materials consisting of brick, stone, stucco, metal and glass.
- Modular green roof system to enhance a minimum 10,000 square foot portion of the roof.
- Four-sided architecture.
- Conceptual elevations.
- A 16-foot sidewalk constructed of concrete pavers along Central Avenue with street trees in planters.
- A 10-foot sidewalk and planting strip along The Plaza.
- Outdoor seating at the intersection of Central Avenue and The Plaza.
- On-site detached lighting limited to 20 feet in height.
- A CATS passenger waiting pad along Central Avenue.
- Optional provisions to allow:
  - Surface parking and vehicular maneuvering between Nandina Street and the proposed buildings.
  - Surface parking located to the side of the buildings along McClintock Road and Central Avenue to exceed 35 percent of the lot width along these streets.
  - Use of a green screen to meet the screening requirements for surface parking areas along Central Avenue, Nandina Street and McClintock Road.
  - Substitute eight-foot planting strips for curbed planters along Nandina Street and McClintock

Road.

- A 10-foot planting strip to be adjacent to the on-street parking spaces along The Plaza.
- A 10-foot sidewalk to be adjacent to the building along The Plaza.
- Allow certain architectural features, such as metal fins, to project up to five feet into the required setback along The Plaza and Central Avenue.
- The proposed marquee along Central Avenue to project into the setback up to 13 feet from the building face.
- Maximum sign face area equal to ten percent of the building wall along Central Avenue, up to a maximum of 220 square feet.

- **Existing Zoning and Land Use**

- The subject properties are located in the Plaza Central business district and are zoned B-2, with PED overlay zoning. Two of the subject properties are vacant, while the largest parcel is developed with a grocery store. Parcels located on the north side of Central Avenue, some of which are located in the Plaza Central PED overlay area or Plaza Midwood Historic District, are zoned R-5, R-22MF, O-2 or B-1 and developed with residential, institutional, office, and business uses. Parcels on the south side of Central Avenue are also included in the Plaza Central PED overlay area and are zoned R-5, O-1, O-2, MUDD-O, and B-2. Uses include residential, office, and retail/commercial.

- **Rezoning History in Area**

Recent rezonings approved in the area include:

- Petition 2008-154 located at the intersection of Pecan Avenue and Gordon Street was a MUDD-O PED site plan amendment for 0.19 acres, which amended the parking ratio, addressed lighting, and provided a maximum building height.
- Petition 2008-071 located on the south side of McClintock Road between The Plaza and Nandina Street was a B-2 PED-O for 0.64 acres to allow a streetscape option.
- Petition 2006-133 rezoned 0.656 acres located on the north side of Central Avenue across from Westover Street from B-1 to MUDD(CD) to allow for a 12,000 square foot, two-story building consisting of office, retail, restaurant, and personal service uses.

- **Public Plans and Policies**

- The *Plaza-Central Pedscape Plan (2003)* recommends a mixture of retail, office and multi-family uses for this portion of the plan area.
  - The site plan is consistent with the *Plaza-Central Pedscape 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:**
  - Continue to coordinate with the City's Streetscape Project Manager after the rezoning process and during the design and site construction phases. The petitioner has indicated the proposed service truck routes and their turning movements to enter and exit the site's loading dock area in the Technical Transportation Memorandum (TTM). Wider site driveways may be necessary to accommodate these large service trucks. Proposed on-street parking as shown on the city's Commonwealth and The Plaza Streetscape Project on McClintock Road shall not be affected by service vehicle operations and/or these service vehicles shall not maneuver within the proposed building's setback.
  - Extend the westbound left-turn lane on Central Avenue at The Plaza as far as possible to create additional left-turn storage near the site's driveway on Central Avenue, including any necessary right-of-way costs. The petitioner and CDOT shall work together during the construction permitting process to determine the best solution in providing westbound lefts into the site's Central Avenue driveway.
  - Fund and implement all streetscape improvements around the site's entire perimeter (development block bordered by The Plaza and Central Avenue, Nandina Street, an McClintock

Road, including all curb bump-outs, 8-foot recessed parallel parking spaces, sidewalks, accessible ramps, planting strips, street trees, etc. Revise and clarify Note 4a and 4d to address funding responsibilities.

- Fund and implement a 60-foot southbound left-turn lane on The Plaza to McClintock Road.
  - **Vehicle Trip Generation:**  
Current Zoning: 3,165 trips per day.  
Proposed Zoning: 4,330 trips per day.
  - **Connectivity:** See comments above.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
  - **Charlotte-Mecklenburg Storm Water Services:** Amend Note 7 to add the following: Location, size and type of storm water management systems depicted on the rezoning site plan is subject to review and approval with full development plan submittal and is not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
  - **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*.
  - Reduces ground level temperatures by providing a green roof.
  - Minimizes impacts to the natural environment by building on an infill lot.

#### **OUTSTANDING ISSUES**

- The petitioner should:
    1. Specify proposed use as a grocery store/retail sales, in addition to uses allowed by-right and under prescribed conditions.
    2. List automotive sales and automotive service stations as uses not permitted.
    3. Specify maximum number of stories.
    4. Amend Site Summary to label existing zoning as B-2 PED.
    5. Provide a detail of the "green screen" to be used along Central Avenue, Nadina Street and McClintock Road.
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#### **Attachments Online at [www.rezoning.org](http://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 Fire Department Review
- Charlotte-Mecklenburg Schools
- Charlotte-Mecklenburg Storm Water Services Review

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