

<b>REQUEST</b>	Proposed Zoning: B-1(CD) SPA LLW-PA, neighborhood business, conditional, site plan amendment within the Lower Lake Wylie Protected Area.
<b>LOCATION</b>	Approximately 1.21 acres located on the northeast corner of the intersection at Tuckaseegee Road and Little Rock Road.
<b>SUMMARY OF PETITION</b>	The petition proposes a site plan amendment to allow the expansion of an existing convenience store/gas station.
<b>STAFF RECOMMENDATION</b>	Staff does not support this petition in its current form. Staff can support this petition upon resolution of outstanding issues, which include provision of the required development notes on the site plan. The request is consistent with the <i>Northwest District Plan</i> .
<b>PROPERTY OWNER</b>	Sam's Real Estate Holdings – Georgia LLC
<b>PETITIONER</b>	Sami Nafisi
<b>AGENT/REPRESENTATIVE</b>	J. Dean Prevette, PE
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online.

#### **PLANNING STAFF REVIEW**

- **Background**
  - Rezoning petition 1999-40 was approved by City Council on May 17, 1999 in order to allow the construction of a convenience store/gasoline sales facility. The approved site plan limits building square footage to 1,495 square feet and prohibits other B-1 uses or car wash operations. Staff did not support this petition because it was inconsistent with the single family residential land use recommendations contained in the *Northwest District Plan* (1990), *Southwest District Plan* (1991) and the *Westside Strategic Plan* (adopted in 2000; in draft form at time of rezoning).
- **Proposed Request Details**

The site plan amendment contains the following changes:

  - Increases the maximum building square footage from 1,495 to 2,682 to allow a 1,209 square foot expansion.
  - Reduces portions of the existing 30-foot Class 'B' buffer to 22.50 feet (with fence), in order to accommodate the proposed building expansion.
  - New sidewalks connecting the building to the existing sidewalks along Little Rock Road and Tuckaseegee Road.
  - Proposed landscaping area adjacent to the dumpster area.
  - Proposed rain garden within the 30-foot landscape setback along Little Rock and Tuckaseegee Roads (if required).
- **Existing Zoning and Land Use**
  - A convenience store/gas station, constructed in 2000, is currently located on the site. The property is surrounded by a mix of single family residential, retail/commercial, self storage/warehouse, and institutional uses and undeveloped acreage on properties zoned R-3, B-1(CD), B-1SCD, B-2, B-D(CD), B-D and O-1(CD).
- **Rezoning History in Area**
  - Rezoning petition 2006-041 rezoned approximately 4.53 acres generally located south of Tuckaseegee Road and east of Little Rock Road, from B-1(CD) LLWPA and R-3 LLWPA to BD(CD) LLWPA and O-1(CD) LLWPA. The rezoning approval allowed the construction of a 75,000 square-foot self-storage facility and 3,000 square-foot office.

- **Public Plans and Policies**

- The *Northwest District Plan* (1990) was amended by the approval of rezoning petition 1999-40, and recognizes the existing retail use on the subject property.
  - The petition is consistent with the *Northwest District 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.
  - **Transportation:** CDOT requests the following:
    1. The site plan needs to show and label the existing and future right-of-way from the center line for Tuckaseegee Road and Little Rock Road as previously shown on the original site plan. Tuckaseegee Road is a major thoroughfare requiring a minimum of 70 feet of right-of-way. CDOT requests that the petitioner convey right-of-way in fee simple to meet this requirement. Little Rock Road is a major thoroughfare requiring a minimum of 100 feet of right-of-way. CDOT requests that the petitioner convey right-of-way in fee simple to meet this requirement.
    2. CDOT requests the note that states "Install Median per CDOT" be changed to "Install Median per NCDOT."
    3. Adequate sight triangles must be reserved at the existing/proposed street entrance(s). Two 35' x 35' and two 10' x 70' sight triangles are required for the entrance(s) to meet requirements. All proposed trees, berms, walls, fences, and/or identification signs must not interfere with sight distance at the entrance(s). Such items should be identified on the site plan.
    4. Driveway permits will need to be submitted to CDOT and/or NCDOT for review and approval.
    - **Vehicle Trip Generation:**  
Current Zoning: 1,302 trips per day.  
Proposed Zoning: 1,465 trips per day.
    - **Connectivity:** Access is proposed via driveways onto Little Rock Road and Tuckaseegee Road.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** Not applicable.
  - **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.

**OUTSTANDING ISSUES**

- The petitioner should:
  1. Label site plan as "2011-079".
  2. Provide conditional notes in standard form, i.e., notes should be provided under headings *Lighting, Transportation, Signage, Landscaping and Streetscape, Architectural Standards and Environmental*.
  3. Specify a maximum height of detached freestanding lighting and state that no wall pak lighting will be allowed.
  4. Specify proposed building materials.

5. Include pertinent development notes from previous site plan..
6. Correctly reflect the current zoning as B-1(CD) LLW-PA and the proposed zoning as B-1(CD) SPA LLW-PA under the heading of Site Summary.
7. Identify maximum height of building..
8. Provide a building elevation that incorporates the proposed expansion.
9. Label zoning of adjacent properties and those across the streets.
10. Address all CDOT comments.

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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 Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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