

REQUEST	<p>Current Zoning: R-4 (single family residential) and B-1(CD) (neighborhood business, conditional)</p> <p>Proposed Zoning: B-1(CD) (neighborhood business, conditional) and B-1(CD) SPA (neighborhood business, conditional, site plan amendment)</p>
LOCATION	<p>Approximately 5.11 acres located on the northwest corner at the intersection of East W. T. Harris Boulevard and The Plaza. (Council District 5 - Autry)</p>
SUMMARY OF PETITION	<p>The petition proposes the redevelopment of a former retail site with a convenience store with fuel sales.</p>
PROPERTY OWNER	<p>Gemstone, Inc., Jan Hilton Caldwell, Howard A. Hilton, Jr., Larry L. Hilton, and Plaza Road Baptist Church</p>
PETITIONER	<p>QuikTrip Corporation</p>
AGENT/REPRESENTATIVE	<p>John Carmichael, Robinson Bradshaw & Hinson</p>
COMMUNITY MEETING	<p>Meeting is required and has been held. Report available online.</p>
STATEMENT OF CONSISTENCY	<p>The Zoning Committee found a portion of the petition to be consistent with the <i>Northeast District Plan</i> and a portion of the site inconsistent with the <i>Northeast District Plan</i>, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The plan recommends retail uses for the portion of the site that is currently zoned B-1 (CD) and single family residential for the remaining portion of the site. <p>However, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> • The intersection of East W. T. Harris Boulevard and The Plaza is identified as a neighborhood center in the <i>Northeast District Plan</i>; and • A significant portion of the site was previously developed with a retail use, which has since been demolished; and • The proposed development will re-establish retail on the portion of the site, which is currently vacant; and • The remainder of the property, which is currently developed with single family residential and a church fronting The Plaza, will be primarily utilized for site access, tree save, landscaping, and buffering, and has been designed to be compatible with the adjacent residential on Hunters Crossing Lane and across The Plaza; <p>By a 7-0 vote of the Zoning Committee (motion by Commissioner Dodson seconded by Commissioner Labovitz).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications:</p> <ol style="list-style-type: none"> 1. A note has been added that a car wash is not permitted. 2. The building has been oriented so that the outdoor dining and an entrance are accessible from The Plaza. 3. The gas pumps have been located at East W. T. Harris Boulevard. 4. The petitioner committed to changes to The Plaza to provide for a left-turn lane into the site and to extend the storage of the eastbound left-turn lanes. 5. The 30-foot Post Construction Water Quality buffer has been shown and labeled on Sheet RZ-1. 6. Note B (2) has been added as follows: "Accessory drive through
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- service windows shall not be permitted on the site.”
7. Note B (4) has been added as follows: “A maximum of one principal building may be located on the site.”
 8. Note D(4) has been amended as follows: “Prior to the issuance of a certificate of occupancy for the building to be constructed on the site, petitioner shall, at its sole cost and expense, install the transportation improvements on The Plaza that are more particularly depicted on Sheet RZ-4 of the rezoning plan and generally described below:
 - a. Extend the existing inner eastbound left-turn lane storage on The Plaza at East W. T. Harris Boulevard from 365 feet to 650 feet with a 50-foot taper;
 - b. Modify the existing outer eastbound left-turn lane storage on The Plaza at East W. T. Harris Boulevard from 535 feet to now terminate as a left-turn at the intersection of The Plaza and East W. T. Harris Boulevard;
 - c. Perform approximately 300 feet of widening on the south side of The Plaza from the existing eastbound right-turn lane on The Plaza at East W. T. Harris Boulevard to a section of existing shoulder pavement opposite Hunters Crossing Lane for the shift in the eastbound through lane. The existing shoulder pavement shall also be marked with a 300-foot transition taper for the shift in the through lane.
 9. Note G (1) has been added as follows: “Development of the site shall comply with the City of Charlotte Tree Ordinance.”
 10. The number of parking spaces located between the building and The Plaza has been reduced.

VOTE

Motion/Second: Sullivan/Dodson
 Yeas: Dodson, Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins
 Nays: None
 Absent: None
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided an overview of the petition and noted that there are no outstanding issues.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
 (Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

• **Background**

The majority of the site was rezoned by petition 1996-064 to B-1(CD) (neighborhood business, conditional) to allow up to 13,5000 square feet of retail and any other use permitted in the B-1 (neighborhood business) district.

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Permitted uses include a convenience store with fuel sales and associated incidental or accessory uses allowed in the B-1 (neighborhood business) district, which may include an eating/drinking/entertainment use (EDEE).
- Accessory drive-through service windows and car washes are prohibited.
- Maximum gross floor area of any building is 8,000 square feet.
- Maximum building height of 25 feet.
- A “Class B” buffer ranging in width from 36.75 feet to 64 feet will be provided along exterior property boundaries abutting residential zoning and/or uses. Buffer widths may be reduced by 25% with a fence, wall, or berm.
- Building materials on principal buildings include brick, porcelain tile, metal, glass and “polypro 95 mesh” as specified on attached elevations.
- Site access via driveways on East W. T. Harris Boulevard and The Plaza.

- Four-sided building elevations.
- **Public Plans and Policies**
 - The *Northeast District Plan* (1996) recommends single family residential uses for the portion of the site zoned R-4 (single family residential) and retail uses for the remainder of the site as amended by Petition 1996-064.
 - The plan identifies the intersection of East W. T. Harris Boulevard and The Plaza as an existing neighborhood center. Neighborhood size centers are defined in the *General Development Policies* as retail shopping centers that may include up to 100,000 square feet of retail uses. Office and residential uses may also be included.
 - The petition supports the *General Development Policies-Environment* by redeveloping an infill site, thereby minimizing further environmental impacts while accommodating growth.
- **TRANSPORTATION CONSIDERATIONS**
 - No issues.

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Charlotte-Mecklenburg Schools:** No issues.
- **Engineering and Property Management:** No issues.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** No comments received.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.
- **Charlotte Fire Department:** No issues.

OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Engineering and Property Management Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Charlotte Fire Department Review
 - Transportation Review

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