

REQUEST	Current Zoning: R-4 (single family residential) and B-1(CD) (neighborhood business, conditional) Proposed Zoning: B-1(CD) (neighborhood business, conditional) and B-1(CD) SPA (neighborhood business, conditional, site plan amendment)
LOCATION	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)
SUMMARY OF PETITION	The petition proposes the redevelopment of a former retail site with a convenience store with fuel sales.
PROPERTY OWNER	Gemstone, Inc., Jan Hilton Caldwell, Howard A. Hilton, Jr., Larry L. Hilton, and Plaza Road Baptist Church
PETITIONER	QuikTrip Corporation
AGENT/REPRESENTATIVE	John Carmichael, Robinson Bradshaw & Hinson
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 7

STAFF RECOMMENDATION	<p>Staff recommends approval of the petition upon resolution of outstanding issues related to clarification of uses, building orientation, environmental features, and transportation improvements.</p> <p><u>Plan Consistency</u> The proposed use is consistent with the <i>Northeast District Plan's</i> recommendation for retail uses for the portion of the site that is currently zoned B-1(CD) (neighborhood business, conditional). For the remainder of the site, the proposed use is inconsistent with the adopted plan's recommendation for single family residential uses.</p> <p><u>Rationale for Recommendation</u></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>. • A significant portion of the site was previously developed with a retail use, which has since been demolished. • The proposed development will re-establish retail on the portion of the site, which is currently vacant. • 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.
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PLANNING STAFF REVIEW

- **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 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 submitted.
- **Existing Zoning and Land Use**
 - 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. The site was developed in accordance with the approved site plan and has since been razed.
 - The remainder of the subject property is currently zoned R-4 (single family residential) and developed with three single family detached dwellings and a religious institution.
 - The intersection of East W.T. Harris and The Plaza, which is identified as a neighborhood center in the *Northeast District Plan*, is developed with a range of commercial uses located in the B-1 (neighborhood business) zoning district.
 - Surrounding properties located between The Plaza and St. Johns Church Road are primarily zoned R-4 (single family residential) and developed with single family dwellings, with the exception of a multi-family apartment use located in B-1 (neighborhood business) zoning.
 - Remaining adjacent properties are developed with automotive gas station uses, an eating/drinking/entertainment establishment, various types of retail, a self-storage facility, a post office and residential uses in R-4 (single family residential), R-12MF(CD) (multi-family residential, conditional), B-1(CD) (neighborhood business, conditional), and BD(CD) (distributive business, conditional) zoning districts.
 - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - There have been no rezonings in the immediate area in recent years.
- **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 1996-64.
 - 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**
 - The proposed use will generate a very high volume of traffic in and out of the site, but since it is a convenience use, most of the trips will be pass-by traffic, meaning that the use will not add a significant amount of new traffic on the adjacent streets. Therefore, the primary transportation consideration for this site is for safe and efficient access. CDOT has required that the proposed full movement location be spaced properly from the intersection of The Plaza and W.T. Harris Boulevard. The site plan proposal will also extend the left-turn storage from The Plaza onto W.T. Harris Boulevard. Pedestrians and bicyclists can access the site using the crosswalks and bike lanes at the intersection of The Plaza and W.T. Harris Boulevard.
 - See Outstanding Issues, note 5.
 - **Vehicle Trip Generation:**
 - Current Zoning: 650 trips per day (mix of single family and retail)
 - Proposed Zoning: 10,900 trips per day

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **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:** See Outstanding Issues, note 6.
- **Charlotte Water:** No comments received.
- **Engineering and Property Management:** See Outstanding Issues, note 7.

- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
 - **Urban Forestry:** No issues.
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OUTSTANDING ISSUESLand Use

1. Define incidental/accessory uses and eliminate eating/drinking/entertainment establishments as an accessory use.
2. Add a note that a car wash is not permitted.

Site and Building Design

3. Orient the building so that the outdoor dining and an entrance are accessible from The Plaza, with no parking between the building and the sidewalk.
4. Locate gas pumps at East W. T. Harris Boulevard.

Transportation

5. Incorporate into the conditional plan the changes that the petitioner has agreed to make to The Plaza to provide for a left-turn lane into the site and to extend the storage of the eastbound left-turn lanes.

Environment

6. Show and label the 30-foot Post Construction Water Quality buffer on Sheet RZ-1.
 7. Subtract the area of the sanitary sewer easement from the tree save area.
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Attachments Online at www.rezoning.org

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

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