

REQUEST	Current Zoning: R-5 (single family residential) and B-2(CD) (general business, conditional) Proposed Zoning: B-1(CD) (neighborhood business, conditional)
LOCATION	Approximately 1.85 acres located on the northeast corner at the intersection of Brookshire Boulevard and North Hoskins Road. (Council District 2 - Austin)
SUMMARY OF PETITION	The petition proposes to allow a site located on Brookshire Boulevard, north of Interstate 85, currently built with a convenience store with gas sales, accessory car wash, and single family residential uses, to be redeveloped with a QuikTrip convenience store with gasoline sales.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Pert Investment, LLC et al QuikTrip Corporation John Carmichael
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 5

STAFF RECOMMENDATION	<p>Staff does not recommend approval of this petition because the proposal expands commercial use and zoning into an established neighborhood and because of significant transportation issues.</p> <p><u>Plan Consistency</u> The portion of the subject property that includes an existing gas station is consistent with the recommendation for retail land uses as per the <i>Thomasboro/Hoskins Area Plan</i>; however, the remaining portion of the property is inconsistent with the adopted land use recommendation for single family residential at up to six dwelling units per acre, as per the <i>Northwest District Plan</i>.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • The proposed rezoning incorporates a commercial property fronting Brookshire Boulevard but also includes parcels within an established neighborhood. • The parcels located within the neighborhood are recommended by the <i>Northwest District Plan</i> for continued single family use. • The proposed rezoning will eliminate the existing homes and will result in commercial encroachment into the established neighborhood. • The rezoning will also allow the proposed convenience store and gas station to be located across Cloudman Street and North Hoskins Road from single family homes. • In addition, the driveway location on Brookshire Boulevard and short driveway length create concerns about potential vehicle stacking within the public right-of-way.
---------------------------------	---

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - Allows a maximum 6,000-square foot convenience store with gasoline sales at 16 fueling positions.
 - Allows incidental and accessory uses including an eating/drinking/entertainment establishment.
 - Prohibits accessory drive-through service windows.
 - Proposes a maximum building height of 25 feet.
 - Provides a 20-foot setback from the right-of-way on North Hoskins Road and Cloudman Street and provides a 15-foot setback from the right-of-way along Brookshire Boulevard.
 - Provides a 33-foot "Class B" buffer along the east property line that abuts parcels zoned R-5 (single family residential). Prohibits the buffer from being reduced with the installation of a wall, fence, or berm.

- Proposes the abandonment of a portion of the abutting alley which will then be incorporated into the rezoning site. The abandonment will be completed prior to issuance of a building permit for the new building.
- Proposes driveway connections to Brookshire Boulevard, North Hoskins Road, and North Cloudman Street.
- Installs new six-foot sidewalks along Brookshire Boulevard, North Hoskins Road and a five-foot sidewalk on North Cloudman Street.
- Dedicates and conveys street right-of-way to the City of Charlotte for those portions of the site immediately adjacent to North Hoskins Road as depicted on the site plan.
- Widens North Cloudman Street and extends the existing curb and gutter as more particularly depicted on the site plan.
- Constructs a new waiting pad for the existing bus stop located on Brookshire Boulevard to CATS standards.
- Provides architectural renderings of the proposed building, including identification of building materials.
- Provides a detailed landscaping plan with schedule of trees and shrubs to be installed internal to the site and around the perimeter.
- Notes that any freestanding lighting fixtures will have a maximum height of 24 feet.
- **Existing Zoning and Land Use**
 - The site is currently developed with a convenience store with gas sales and car wash currently in operation, and two single family homes. A portion of an abutting alleyway is to be abandoned for incorporation into the rezoning site.
 - Rezoning petition 1996-025 rezoned approximately 0.943 acres located at the southeast corner of Brookshire Boulevard and North Cloudman Street from O-6(CD) (office, conditional) and R-22MF (multi-family residential) to B-2(CD) (general business, conditional) to allow a convenience store/restaurant (no drive-through windows permitted) with a maximum building size of 3,500 square feet. In addition, approximately 0.52 acres located on the northeast corner of Brookshire Boulevard and North Cloudman Street was rezoned from R-22MF (multi-family residential) to O-1(CD) (office, conditional) to allow office uses in a building having a maximum size of 4,000 square feet.
 - North of the site is a religious institution, single family homes, industrial uses, undeveloped acreage, and vacant land zoned R-5 (single family residential), R-22MF (multi-family residential), O-1(CD) (office, conditional), I-1 (light industrial), I-1(CD) (light industrial, conditional), and I-2(CD) (general industrial, conditional).
 - East of the subject property is a single family residential neighborhood zoned R-5 (single family residential) and R-8MF(CD) (multi-family residential, conditional).
 - West is vacant land, single family homes, office/warehouse uses, and a funeral home zoned O-2(CD) (office, conditional), B-1 (neighborhood business), B-2 (general business), B-2(CD) (general business, conditional), I-2 (general industrial), and R-5 (single family residential).
 - South of the rezoning site are eating/drinking/entertainment establishments, retail uses, vacant land, single family residential homes, and multi-family units zoned B-1 (neighborhood business), B-1(CD) (neighborhood business, conditional), B-2 (general business), B-2(CD) (general business, conditional), R-5 (single family residential), R-6MF(CD) (multi-family residential, conditional), and R-22MF (multi-family residential).
 - 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 *Thomasboro/Hoskins Area Plan* (2002) recommends retail land uses for the portion of the subject property that includes the existing gas station.
 - The remaining parcels of the subject rezoning are recommended for single family residential up to six dwelling units per acre, as per the *Northwest District Plan* (1990).
- **TRANSPORTATION CONSIDERATIONS**
 - This site is on a major thoroughfare between a signalized intersection with a minor thoroughfare and an unsignalized intersection with a local street. CDOT's primary concern with the current site plan is the proposed access drive on Brookshire Boulevard. The short driveway length to the fuel pumps coupled with high traffic volumes on Brookshire Boulevard and projected site traffic may cause vehicle stacking within the public right-of-way. Driveway accesses proposed on the minor streets bordering this site provide sufficient access without this driveway on Brookshire. Additionally, the site does not provide direct pedestrian access to the convenience store use from any of the public street frontages and the current site plan does not meet the desired streetscape (sidewalk and planting strip) along the site's Cloudman Street frontage.

- See Outstanding Issues, Notes 6 through 9.
- **Vehicle Trip Generation:**
Current Zoning:
Existing Use: 1,870 trips per day (based on gas station with 12 fueling positions, convenience mart and carwash, and two single family dwellings).
Entitlement: 1,900 trips per day (based on gas station with 12 fueling positions, convenience mart and carwash, and five single family dwellings).
Proposed Zoning: 8,700 trips per day (based on convenience mart with gasoline pumps with 16 fueling positions).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No comments received.
- **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 10.
- **Charlotte Water:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** Development of this site may require submission of an asbestos Notification of Demolition and Renovation to MCAQ due to possible demolition or relocation of an existing structure. A letter of notification and the required forms have been mailed directly to the petitioner by MCAQ. The proposed project may be subject to certain air quality permit requirements in accordance with Mecklenburg County Air Pollution Control Ordinance Section 1.5200 - "Air Quality Permits." A letter of notification and copy of the regulations will be mailed directly to the petitioner by MCAQ.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Land Use

1. Remove the parcels recommended for residential use from the proposed rezoning.
2. Complete the alley abandonment prior to the decision on this rezoning petition.

Site and Building Design

3. Increase the setback on Brookshire Boulevard to 20 feet to be consistent with the required setback for nearby properties fronting Brookshire Boulevard.
4. Increase the setback to 27 feet on Hoskins Road and Cloudman Street for the portions of the site across these streets from existing single family homes.
5. Provide a "Class C" buffer along the street frontage on Hoskins Road and Cloudman Street for the portions of the site across these streets from existing single family homes to minimize the impact of the encroachment into the established neighborhood.

Transportation

6. Eliminate proposed driveway on Brookshire Boulevard. CDOT has concerns with traffic stacking onto Brookshire Boulevard sidewalk and travel lanes due to the short driveway throat length and distance to the site's fueling pumps as shown on the site plan. CDOT may not approve this driveway during the permitting process even if it remains shown on the conditional zoning plan.
7. Revise the site plan to include an eight-foot planting strip and six-foot sidewalk along each of the site's three public street frontages, including right-of-way dedication and/ or a sidewalk utility easement (two feet behind back of sidewalk) if needed.
8. Revise the site plan to maintain the existing centerline and widen Cloudman Street to accommodate the following half street section along the site's Cloudman frontage: 12-foot travel lane, two-and-a-half-foot curb and gutter, eight-foot planting strip, and six-foot sidewalk.
9. Revise the site plan to provide a diagonal sidewalk connecting the northeast corner of the Brookshire Boulevard/Hoskins Road intersection to the site (in the direction of the convenience store's front door). Additionally, the eastern and western pedestrian access to the site from Hoskins Road should better align to the eastern access to the convenience store.

Infrastructure

10. Include the following notes on the plan sheet under "Environmental Features": "The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly

approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points.”

REQUESTED TECHNICAL REVISIONSSite and Building Design

11. Amend the label on the site plan for the setback along Brookshire Boulevard to reflect the 15-foot setback that is provided.
 12. Amend the maximum height of detached lighting to 21 feet to match industry standards.
-

Attachments Online at www.rezoning.org

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

Planner: John Kinley (704) 336-8311