



Zoning Committee

REQUEST

Current Zoning: R-3 (single family) and no zoning (current NC State right-of-way)

Proposed Zoning: B-2(CD) (general business, conditional), B-D(CD) (distributive business, conditional) both with five-year vested rights.

LOCATION

Approximately 11.964 acres on the southwest corner of the intersection of West W.T. Harris Boulevard and Interstate 485. (Council District 2 - Harlow)

PETITIONER

QuikTrip Corporation

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 5-2 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

This petition is found to be inconsistent with the *Northlake Area Plan*, based on the information from the staff analysis and the public hearing and because:

- The plan recommends residential use up to eight dwelling units per acre.

However, we find this petition to be reasonable and in the public interest based on information from the staff analysis and the public hearing and because:

- This is a service that could serve the community; and
- The petitioner is providing a public service by expand the usability of W.T. Harris Boulevard; and
- The site is located on a cloverleaf off of an interstate interchange.

Motion/Second: McClung / Majeed

Yeas: Majeed, McClung, McMillan, Nelson, and Sullivan

Nays: Fryday, Spencer

Absent: None

Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it is inconsistent with the adopted area plan.

A zoning committee member asked about a comment made at the hearing about the provision of a turn lane along W.T. Harris.

CDOT staff provided a summary of the proposed transportation mitigations and improvements. A commissioner asked about the traffic study trip generation numbers. The committee reviewed the numbers and CDOT staff explained that NCDOT and CDOT had reviewed the traffic study. Commissioners asked about the area plan and *General Development Policies* and if there was anything to indicate possible uses other than residential. Planning staff clarified that the site is within a wedge which consists of areas predominately for residential use that the area plan adopted in 2008 calls for residential use, and that the plan contained a specific density recommendation for up to eight units per acre. W.T. Harris is not considered a corridor according the *Center Corridor Wedges Growth Framework*. There was a question about the senior housing approved north of the site on W.T. Harris. Staff replied that the density was less than 22 units to the acre.

A commissioner asked about the community meeting report and opinion of the neighborhood. Staff replied that there were a couple members of the community who signed up to speak in favor of the petition. A commissioner pointed out that the trip generation reflects trips in and out of the site itself and weren't necessarily new trips along W.T. Harris.

A commissioner stated that they would be voting against because they don't think the land use is appropriate for the area. They should be more intentional when looking at plans that have been adopted in the last ten years and they need to look hard at the plan recommendation especially when staff has a recommendation against the proposal. Also this is the sort of use that impacts and stays with the City for a long time in a place where it is clear that is not recommended.

Another commissioner said they would be voting for the petition but agreed that this may change the character of the area and play a role in future development across W.T. Harris. A committee member said they agreed with the points for not recommending approval and because this could change the character and that the plan suggests residential uses for this part of the W.T. Harris because of the adjacent residential.

There was no further discussion of this petition.

Minority Opinion

The commissioner stated that the petition is inconsistent with the recommendation from staff. It places this use on the other side of the interstate from the existing activity center. It perpetuates the inequity seen where heavy uses are placed to abut moderate to low income residents in the city to the detriment of their communities. The site is located in a wedge area according to *Center Corridor Wedges Growth Framework* which is recommended to remain predominately residential. Commercial uses are only identified for the intersection of Mt. Holly-Huntersville Road and West W.T. Harris and along West W.T. Harris east of I-485 near Northlake Mall. The location is not appropriate for commercial uses based on the surrounding single

family uses, and the site's location outside of the Northlake Activity Center.

Planner

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