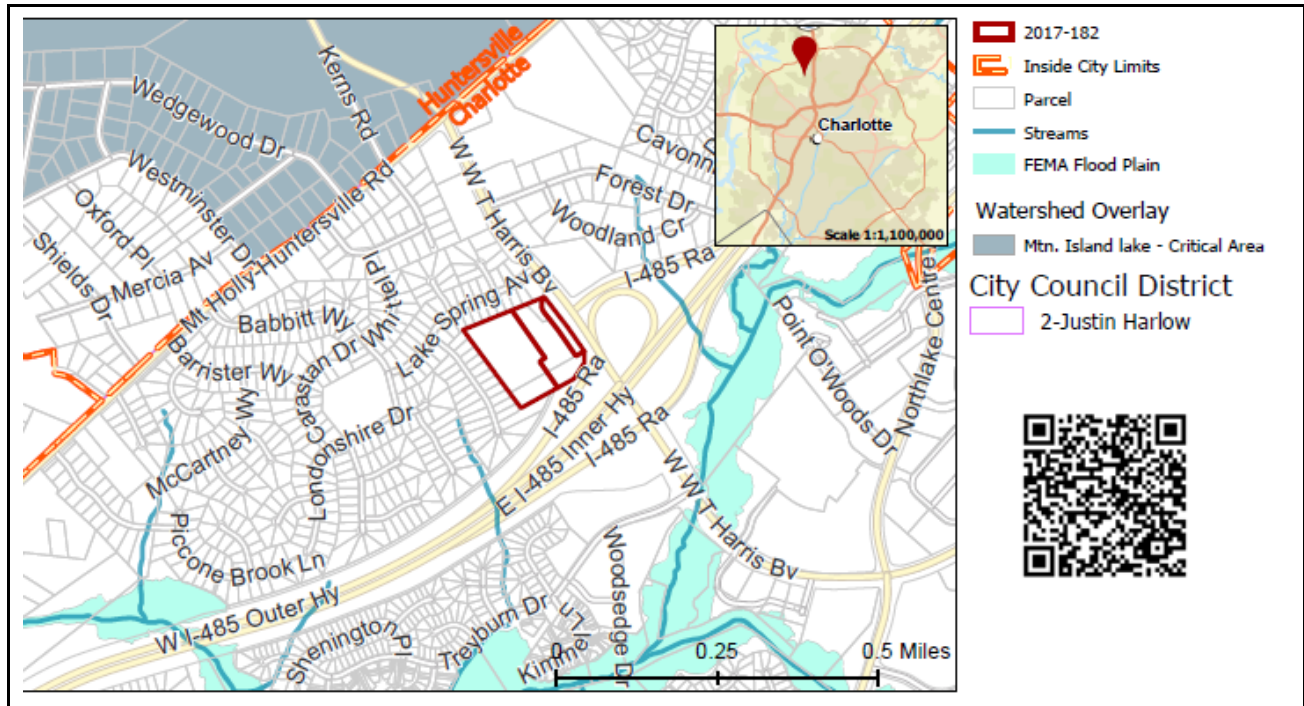


REQUEST Current Zoning: R-3 (single family) and no zoning (current NC State right-of-way)
Proposed Zoning: B-2(CD) (general business, conditional), B-D(CD) (distributive business, conditional) both with five-year vested rights.

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)



SUMMARY OF PETITION The petition proposes development of a QuikTrip gas station and other commercial uses including eating/drinking/entertainment establishments (EDEEs), retail, offices, medical offices, indoor pet services, personal services, financial institutions and climate controlled self-storage.

PROPERTY OWNER Dorothy B. Florentine, et al
PETITIONER QuikTrip Corporation
AGENT/REPRESENTATIVE John Carmichael, Robinson Bradshaw & Hinson, P.A.

COMMUNITY MEETING Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 1st community meeting 36, 2nd community meeting 36.

STAFF RECOMMENDATION Staff does not recommend approval of this petition.

Plan Consistency
The petition is inconsistent with *Northlake Area Plan* recommendation for residential use up to eight dwelling units per acre.

Rationale for Recommendation

- The petition is inconsistent with the adopted area plan.
- The site is located in the "Wedge Area" as identified in the area plan and the *Centers, Corridor, Wedges* framework. The wedge area 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.

PLANNING STAFF REVIEW

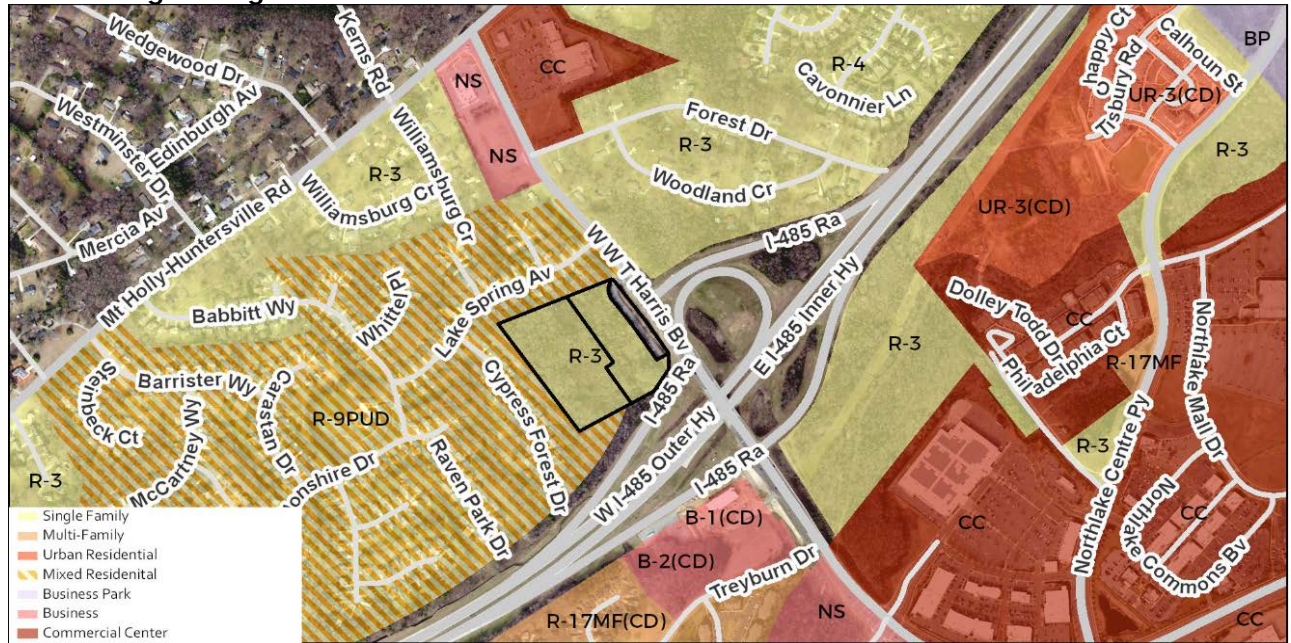
• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Splits the site into five development areas (A, B, C, D, and E). **Development areas C and D may be combined.**
- Area A:
 - Allows one principal building.
 - Maximum building height of 25 feet.
 - Uses: up to 5,000 square feet for a convenience store with gasoline sales, up to eight pumps with 16 fueling stations. Car washes and drive-through service windows prohibited.
- Areas B and E:
 - Specifies only one principal building in area B.
 - Maximum building height of 25 feet for both Area B and E.
 - Maximum of 11,000 square feet of gross floor area may be developed on Area B and Area E combined.
 - Uses: Type 1 and 2 EDEE in area B only. Car wash and automotive service station (without gasoline sales and convenience store) including repairs in Area E only. Allows, in both areas, retail, professional business, general offices, medical/optical/dental offices, medical/optical/dental laboratories, personal services, financial institutions, showrooms, government buildings and indoor pet services indoor uses.
 - Only one accessory drive through window is allowed in either Area B or E.
- Areas C and D:
 - Maximum building height of 40 feet.
 - **Maximum of 100,000 square feet of gross floor area may be developed on Areas C and D combined.**
 - Uses: Climate controlled, self-storage facility subject to standards below and such facility's rental and management office, government buildings, financial institutions, dental/medical/optical laboratories, indoor pet services, offices, showrooms containing up to 25,000 square feet of gross floor area and climate controlled, self-storage facility with rental/management office.
 - Climate controlled, self-storage would be subject to the following standards: all storage shall be located within the climate controlled, self-storage building, and outside storage of any type shall not be permitted, no direct access to the individual self-storage units from the exterior of the building as access to the individual self-storage units will be provided by internal hallways, and storage of hazardous materials is prohibited.
- Transportation:
 - Commits to the following transportation improvements:
 - Extension of the existing eastbound right turn lane on Mt. Holly-Huntersville Road to Williamsburg Circle.
 - Construction of the proposed site access with one ingress lane and a separate left and right egress lanes. The eastbound right turn egress lane on the Proposed Access will be channelized and under "Yield" control with the inclusion of a median island (not under traffic signal control).
 - Construction of a southbound right turn lane on West W.T. Harris Boulevard (to Lake Spring Avenue).
 - Construction of a northbound left turn lane on West W.T. Harris Boulevard (within the existing median).
 - Modification of the westbound right turn lane on the I-485 Outer Exit Ramp to a thru lane.
 - Construction of a westbound right turn lane on the I-485 Outer Exit.
 - Modification of the existing traffic signal and crosswalks as necessary to add the 4th leg to the intersection.
 - Extension of the existing eastbound left turn lane on the I-485 Inner Loop Exit Ramp from 200 feet to 300 feet and construct a 2nd left turn.
 - Widening of the roadway (12-foot wide lane with two-foot shoulder) to continue a second northbound travel lane between Lake Spring Avenue and the existing right turn lane at Mt. Holly-Huntersville Road (approximately 1,175 feet in length).

- Proposes the abandonment and demolition as necessary to remove the existing short section of the frontage road within the area of the Site.
- Architectural standards:
 - Provides elevations for area A.
 - Commits to architectural standards for areas B, C, D and E related to the provision of windows and doors, percentage of clear glass, percentage of stone or brick, limitations of blank walls and provision of building articulation.
- Streetscape and Buffers:
 - Commits to an undisturbed, 75-foot Class B buffer with a minimum eight-foot tall wall along the western boundary and a portion of the northern boundary. An undisturbed 56-foot, Class B buffer with an eight-foot tall wall will be provided along the remainder of the northern property line and along the southern property line.
 - Provides a minimum 20-foot wide landscaped building and parking setback and a 14-foot wide multi-use path along West W.T. Harris Boulevard.

• **Existing Zoning and Land Use**



- The subject property is vacant and zoned R-3 (single family residential).
- Property to the north, across West W.T. Harris is developed with single family homes. Property to the east, across I-485 is developed with an office and maintenance facility for NCDOT and further east is vacant property recently rezoned to allow a hotel and EDEE. South and west of the subject property is single family residential development.



The subject property is vacant.

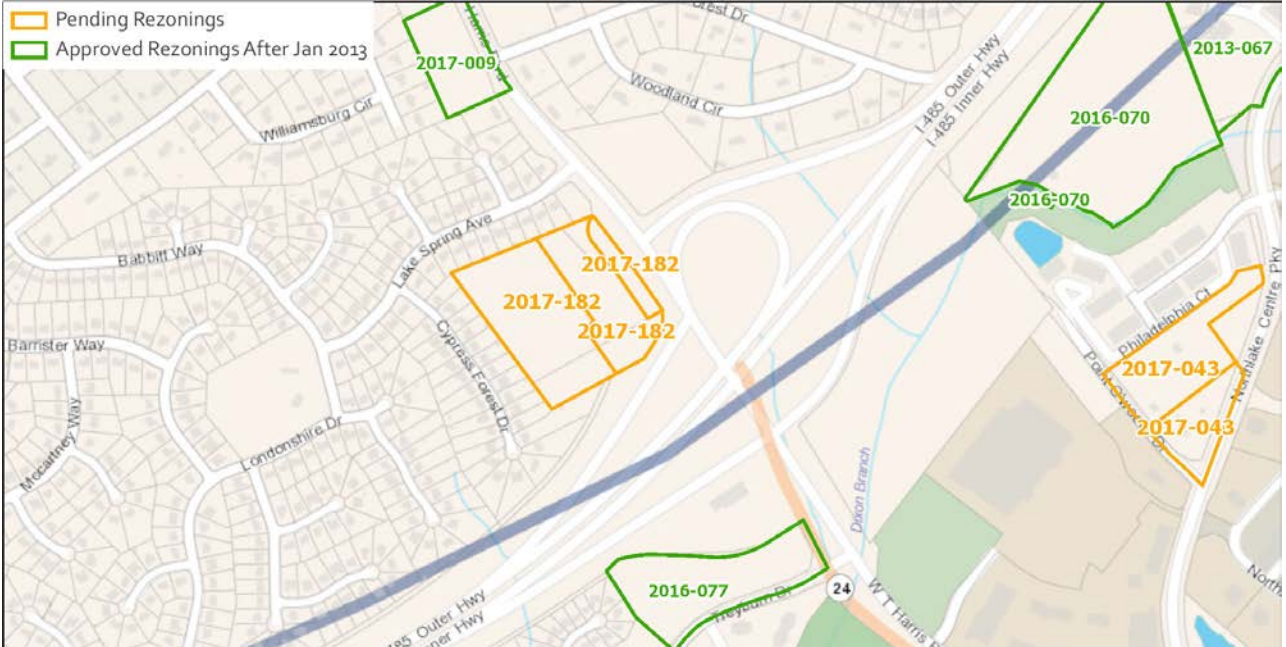


Properties to the north and west are single family residences.



The subject property is bordered by Interstate 485.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-043	Proposed rezoning east of the site to MUDD(CD) (mixed use development, conditional) to allow all uses in the district.	Pending
2017-009	Rezoned property northwest of the site to NS (neighborhood	Approved

	services) to allow an age restricted multi-family development with up to 75 units.	
2016-077	Rezoned property southeast of the site to B-2(CD) (general business, conditional) to allow a hotel and restaurant.	Approved
2016-070	Rezoned property northeast of the site to UR-3(CD) (urban residential, conditional) to allow up to 300 multi-family dwelling units.	Approved
2013-067	Rezoned property northeast of the site to UR-3(CD) (urban residential, conditional) to allow up to 416 multi-family dwelling units.	Approved

• **Public Plans and Policies**



- The *Northlake Area Plan* (2008) recommends residential use up to eight dwelling units to the acre.
- **TRANSPORTATION CONSIDERATIONS**
 - The site’s only access is the fourth leg of the existing West W.T. Harris Boulevard and I-485 Outer exit ramp traffic signal. This singular site access point, proposed land uses and associated project trips will create significant traffic challenges associated with the proposed development. With that said, the petitioner has agreed to implement several traffic mitigation improvements in the area, including an additional north bound West W.T. Harris thru lane to Mt. Holly-Huntersville Road and a 14-foot wide multi-use path located on the site’s West W.T. Harris frontage.
 - See Outstanding Issues, 4-8.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: 410 trips per day (based on 36 single family dwellings).
 - Proposed Zoning: 12,100 trips per day (based on 18,000 square feet of office, 100,000 square feet of climate controlled self-storage, convenience market with up to 20 fueling stations and 5,000 square feet of EDEE use).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Fire Department:** No outstanding issues.
- **Charlotte-Mecklenburg Schools:** No outstanding issues.

- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch transmission main located along West W. T. Harris Boulevard. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along West W. T. Harris Boulevard.

Development will need to submit application to CAP, will need to contact Charlotte Water's New Services at (704) 432-5801 for water/sewer for Areas A and B, will require water/sewer extension through a donated project to serve Areas C and D, will need to make the internal streets public in order to provide water/sewer to Areas C and D, and will need to verify at least 36-inch minimum cover over Charlotte Water's existing water main at the proposed connection point at West W.T. Harris Boulevard.

- **Engineering and Property Management:**
 - **Arborist:** Trees cannot be removed from or planted in the right-of-way of any state maintained streets without permission of NCDOT and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact the City Arborist's office for a tree planting permit before planting trees in the NCDOT right-of-way once plans have been approved by the City and before planting trees in the NCDOT right-of-way. The petitioner shall submit a tree survey for all trees two inches in diameter at breast height (DBH) or larger located in the public right-of-way. In addition, the survey shall include all trees eight inches (DBH) or larger in the setback. Tree survey may be completed by landscape architect, surveyor, or other land development professional.
 - **Erosion Control:** No outstanding issues.
 - **Land Development:** No outstanding issues.
 - **Storm Water Services:** No outstanding issues.
 - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.

OUTSTANDING ISSUES

The proposed request is inconsistent with the adopted area plan recommendations for residential use up to eight dwelling units to the acres. However, if this petition is considered for approval by the City Council, the following issues should be considered:

Land Use

1. Delete notes 2B(1)(k) and (l) and notes 2B(8) and (9) allowing car washes and automotive service stations without gasoline sales including minor service and repair. **Outstanding.**

Site and Building Design

2. Amend note 2B(6) related to the drive-through locations to specify that for Area B the drive through service window and lanes will not be located between and West W.T. Harris Boulevard and the internal drive. The window and lane circulation should be on the southern side of the building and for Area E the drive through window and service lanes shall not be located between the building and the interstate ramp and West W.T. Harris Boulevard. **Outstanding.**
3. ~~Delete note 2D(1) and provide development square footage maximums for all development areas based the proposed development intensity used in the traffic study.~~ **Addressed.** The petitioner added a new note 2C(3) that provides the maximum gross floor area that may be developed on Development Areas C and D. Maximum gross floor areas for Development Areas A, B and E were already included.

Transportation

4. ~~The first driveways into the site (area A and B) are too close to the signalized intersection. Provide a minimum 250-foot internal protected stem with a three-lane section at a traffic signal or two ingress lanes with a minimum 150-foot internal protected stem with a dedicated left lane into the first access drive. Clarify transportation note 2a. Alternative Note: Should west bound ingress site approach traffic back into West W.T. Harris Boulevard, the Petitioner must close the first proposed site driveway into area A and relocate further into the site to eliminate queuing into West W.T. Harris Boulevard at Petitioner expense.~~ **Addressed.** The petitioner added a new note that states: "If CDOT observes that vehicles are consistently queuing or stacking onto West W.T. Harris Boulevard on the internal private access drive due to the number of vehicles making left turns into Development Area A at the easternmost access drive into Development Area A or due to the number of vehicles making left turns out of Development Area B onto the internal private access drive utilizing the easternmost access drive into Development Area B, then, upon the request of CDOT, Petitioner shall install a median in the private access drive into the Site from West W.T. Harris Boulevard to convert the easternmost access drive into Development Area A from a full-movement vehicular access point into a right-in, right-out vehicular access point."

- The median shall be installed within six months of CDOT notifying Petitioner of the need to install the median. The westernmost vehicular access point into Development Area A from the private access drive shall remain a full-movement vehicular access point."
5. ~~Relocate the proposed driveway into Area B to align with the western most drive into Area A. Addressed because the petitioner included a second driveway into Area B that aligns with the western most drive into Area A and the petitioner added the note to address issue number 4 above.~~
 6. ~~The petitioner should revise conditional transportation note C to include cumulative trip table on the cover sheet of any and all permitting submittal(s). Addressed. The petitioner added a new note 3I that states "In connection with the submission of any permitting request for a use to be located on the Site, Petitioner shall include on the cover sheet for such request a cumulative vehicular trip generation table that contains the AM and PM peak hour vehicular trips and the daily vehicular trips for the existing uses located on the site at the time of the submission of the permitting request, and the AM and PM peak hour vehicular trips and the daily vehicular trips for the use subject to the permitting request."~~
 7. ~~The large curb radii shown in the conceptual geometrics do not align with CDOT goals to provide a safe pedestrian crossing relative to the proposed 14-foot wide multi-use path and therefore should be reduced. Revise transportation note 2a that states: The site primary access geometry will be approved during the site's NCDOT/CDOT permitting process. Addressed. The petitioner has redesigned the eastbound right turn egress lane on the rezoning plan and added the following language to note 3E(2)(a) "The design of the eastbound right turn egress lane shall be finalized and agreed upon by Petitioner, CDOT and NCDOT during the construction permitting process."~~
 8. ~~Add the following note, "Transportation improvements as specified in NCDOT's letter dated November 15, 2017 and CDOT's approved TTM must be implemented before the site's first building certificate of occupancy is issued. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes." Addressed. The petitioner added the language, replaced the words "implemented before the site's first building certificate of occupancy" with "substantially complete prior to the issuance of a certificate of occupancy for the first building constructed on the site" to be consistent with other notes on the site plan.~~

REQUESTED TECHNICAL REVISIONS

Site and Building Design

9. ~~Amend the labels for the "planting strip/parking buffer" to read "20-foot landscaped building and parking setback from proposed ROW." Addressed.~~
10. ~~Place the rezoning petition number on all the rezoning plan sheets. Addressed.~~
11. ~~Remove trees shown on sheet RZ-2 within the development areas outside of the buffers since they are subject to removal. Addressed.~~
12. ~~Amend note 1B to specify that only areas C and D may be combined. Addressed.~~
13. ~~Delete the language regarding the drive-through location in note 1E and reference note 2B (6).~~
14. ~~Amend note 1F to clarify that in the event that Areas C and D are combined only one principal building would be allowed and it may extend across both building envelopes. Staff rescinded this request.~~
15. ~~Delete note 3H as it is a repeat of a previous note. Addressed.~~
16. ~~Amend the first sentence note 5F to say, "A minimum 20-foot wide landscape setback, a minimum 14-foot wide multi-use path and a variable width planting strip shall be installed..." Addressed.~~

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Pre-hearing staff analysis
- Post hearing staff analysis
- Zoning Committee recommendation
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist

- Erosion Control
- Land Development
- Storm Water
- Urban Forestry
- Mecklenburg County Land Use and Environmental Services Agency Review
- Transportation Review

Planner: John Kinley (704) 336-8311