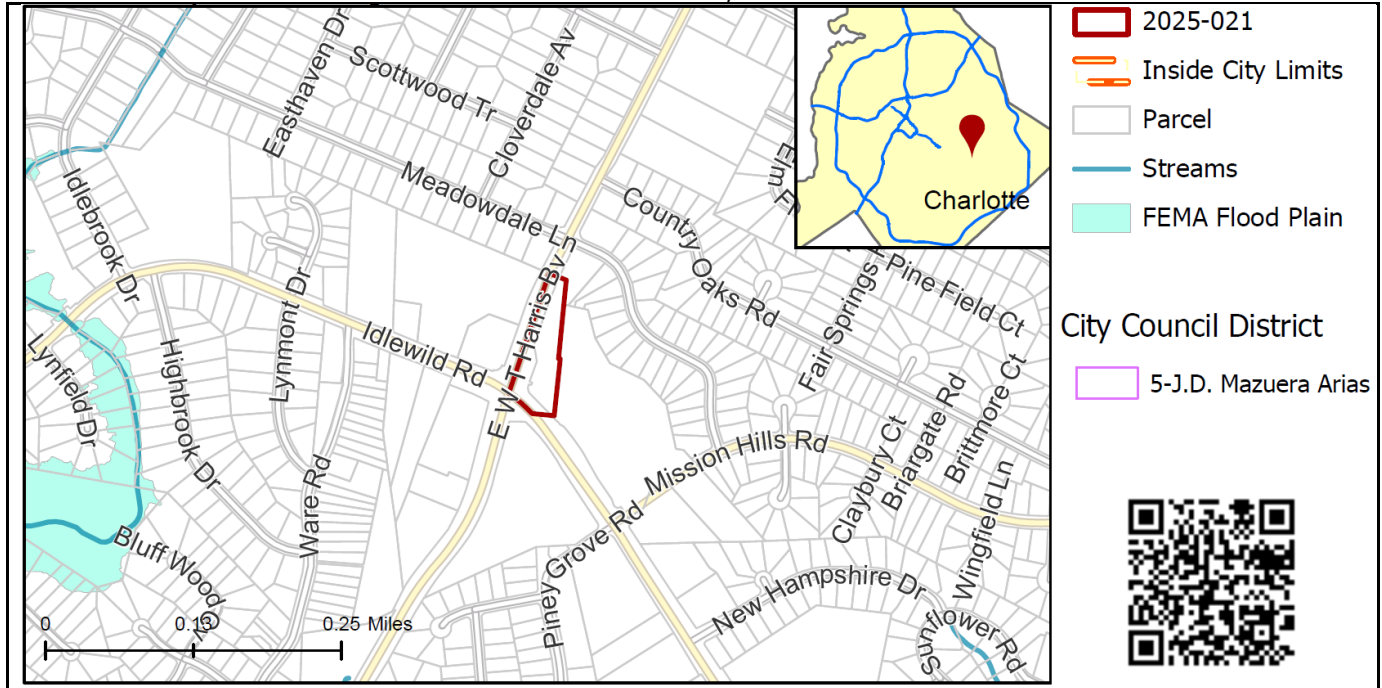


REQUEST

Current Zoning: N1-B (Neighborhood 1-B)
Proposed Zoning: NC(CD) (Neighborhood Center, conditional)

LOCATION

Approximately 1.24 acres located east of E W.T. Harris Boulevard, and north of Idlewild Road, and south of Meadowdale Lane.



SUMMARY OF PETITION

The petition proposes to allow a vehicle fueling facility with 4 pumps and a building that includes a commercial kitchen and retail space. The site is currently developed with one single-family dwelling.

PROPERTY OWNER

Eugene S Kim and Sonya K Kim

PETITIONER

Harold Jordan

AGENT/REPRESENTATIVE

Harold Jordan

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 3

**STAFF
RECOMMENDATION**

Staff does not recommend approval of this petition in its current form.

Plan Consistency

The petition is **inconsistent** with the *2040 Policy Map* recommendation for the Neighborhood 1 Place Type.

Rationale for Recommendation

- The petition is inconsistent with the *2040 Policy Map* recommendation for the Neighborhood 1 Place Type. The proposed use, a vehicle fueling facility, is not permitted in the Neighborhood 1 zoning district.
- The site is abutting other Neighborhood 1 Place Type at the northeast corner of the intersection of East WT Harris Boulevard and Idlewild Road.
- Vehicle Fueling Facilities are permitted in the NC zoning district under prescribed conditions that are intended to improve site design for these uses. The constraints of the site, including variables such as the size, utility easements, and required landscape yards, may create challenges to

accommodate the type of design that could better support the goals of the Neighborhood Center Place Type which intend to support walkable, mixed-use environments that serve surrounding neighborhoods with a mix of residential, retail, office, and civic uses.

- The petition could improve access to essential goods and services, which is identified as a priority in this area.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
 - 1: 10 Minute Neighborhoods

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from the Neighborhood 1 Place Type to the Neighborhood Center Place Type for the site.

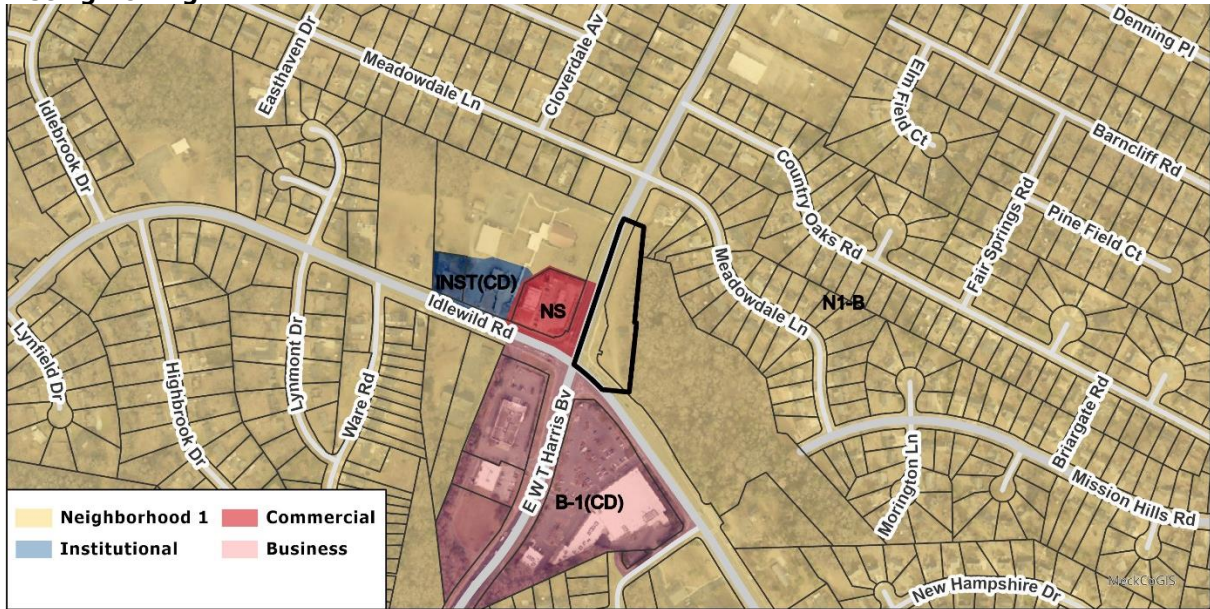
PLANNING STAFF REVIEW

• Proposed Request Details

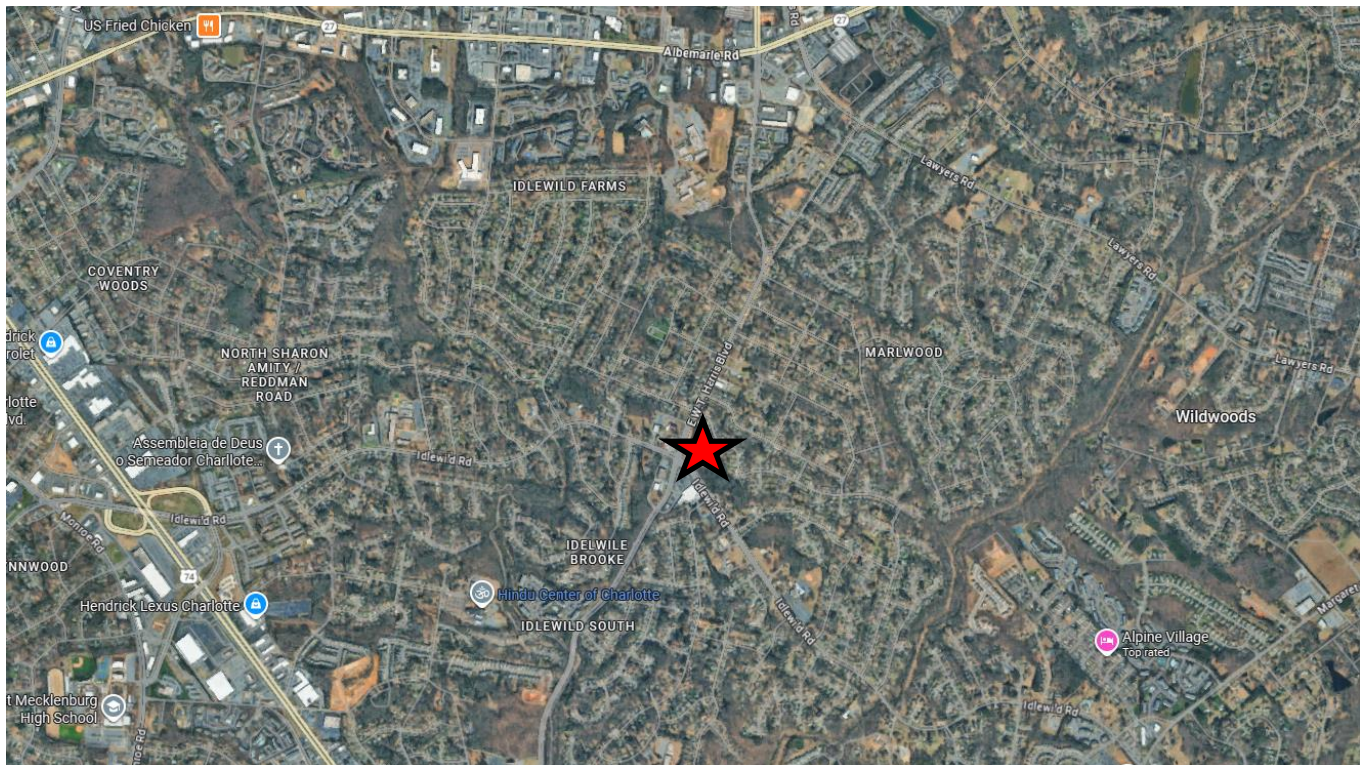
The development standards accompanying this petition contain the following provisions:

- The petition proposes to permit a vehicle fueling facility with 4 pump islands and a principal building that includes a commercial kitchen and retail space.
- The following transportation improvements are proposed:
 - Access to the site will be provided via East WT Harris Boulevard and Idlewild Road as generally depicted on the site plan.
 - The petitioner will dedicate a 53-foot right-of-way from the centerline of East WT Harris Boulevard and a 52-foot right-of-way from the centerline of Idlewild Rd, with a 2' sidewalk utility easement behind the sidewalk.
 - A 12-foot multi-use path will be constructed along East WT Harris Boulevard.
 - An 8-foot planting strip and 6-foot sidewalk will be constructed along Idlewild Road.
 - All transportation improvements shall be substantially constructed prior to the issuance of the site's first building certificate of occupancy.
- The following architectural and landscaping standards are proposed:
 - A 25-foot Class B Landscape Yard will be provided along the eastern property boundary abutting the Neighborhood 1 Place Type.
 - Prohibited building materials include vinyl siding and unfinished concrete blocks.
 - Rooftop mechanical units will be screened from view.

- Existing Zoning**



- The site is currently zoned N1-B (Neighborhood 1-B) and is developed with one single-family dwelling. The site is adjacent to N1-B zoning to the north, east, and west across East WT Harris Boulevard. The site is also adjacent to commercial and institutional zoning districts. B-1(CD) (Neighborhood Business, conditional) to the south and southwest across Idlewild Road. NS (Neighborhood Services) and INST(CD) (Institutional, conditional) is located to the west across East WT Harris Boulevard).



The subject site (indicated by a red star) is located on the northeast corner of the intersection of Idlewild Road and East WT Harris Boulevard. Approximately 1-1/4-mile south of Albemarle Road and 1-1/2-mile northeast for Independence Boulevard. The surrounding area includes commercial and institutional uses to the west and south, including a gas station, religious institution, and retail services. To the north, east, and northwest the area is predominantly developed with single-family residential subdivisions.



View of the site looking northeast from the intersection of Idlewild Road and East WT Harris Boulevard. The site is developed with a single-family dwelling and some wooded area.



View of a vehicle fueling facility and religious institution located to the west of the site across East WT Harris Boulevard zoned NS (Neighborhood Services) and INST(CD) (Institutional, conditional), respectively.



View of a shopping center containing a grocery store and a commercial development containing and auto parts store located south of the site across Idlewild Road zoned B-1(CD) (Neighborhood Business, conditional).

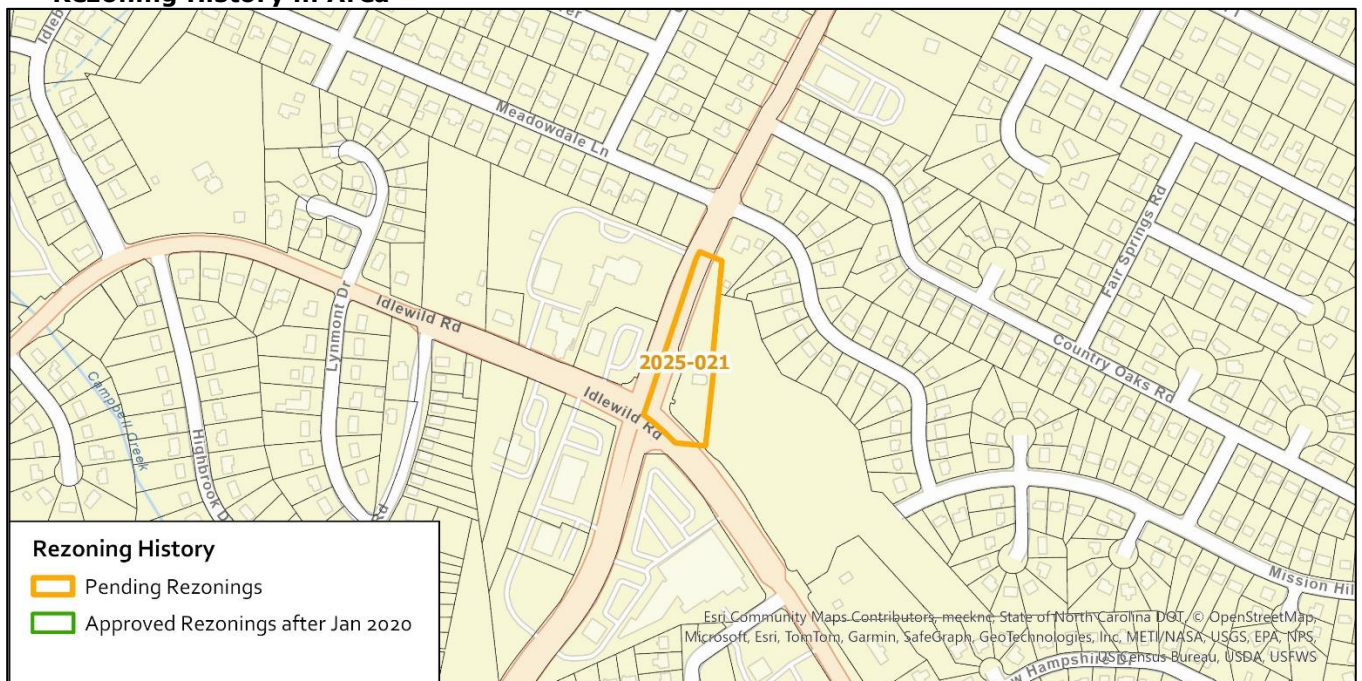


View of single-family dwelling located northeast of the site along Meadowdale Lane zoned N1-B (Neighborhood 1-B). Single-family subdivisions are the predominate development type in the area.



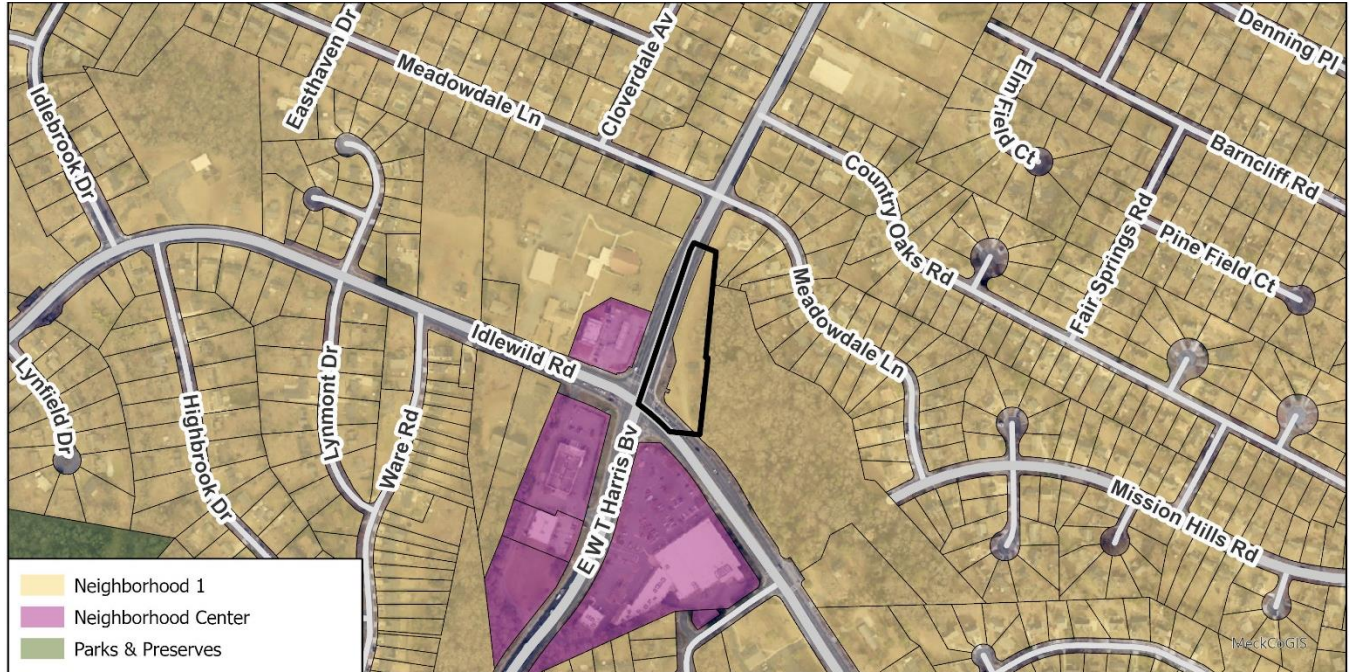
View of a wooded property abutting the site to the east zoned N1-B (Neighborhood 1-B). The 2040 Policy Map calls for the Neighborhood 1 Place Type for this property and the subject site.

- **Rezoning History in Area**



- There have not been any rezoning petitions in the area in the past 5 years.

- **Public Plans and Policies**



- The 2040 Policy Map (2022) recommends Neighborhood 1 Place Type.

- **TRANSPORTATION SUMMARY**

- The site is located adjacent to East W.T. Harris Boulevard, a City-maintained major arterial, north of Idlewild Road, a City-maintained major arterial. A Comprehensive Transportation Review (CTR) is required for this site due to the site falling within the medium to high intensity development. Based on the 1,481 daily trips (after 30% TDM reduction), this will trigger a Tier 2 multimodal assessment and Tier 2 transportation demand management (TDM) assessment. Site plan revision needed to address SUE issues.

- **Active Projects:**

- Not Applicable

- **Transportation Considerations**

- See Outstanding Issues, Note 1-5.

- **Vehicle Trip Generation:**

Current Zoning: N1-B

Existing Use: 15 trips per day (based on 1 Single Family Dwelling).

Entitlement: 52 trips per day (based on 4 Single Family Dwellings).

Proposed Zoning: NC(CD). 2,116 trips per day (based on ~~2,500~~ 2,000 square foot convenience store with 8 fueling spots).

DEPARTMENT COMMENTS

- **Charlotte Area Transit System:** See advisory comments at www.rezoning.org
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Water and sewer service is accessible for this rezoning boundary. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 8-inch water distribution main along inside the zoning property boundary. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located inside the zoning property boundary. See advisory comments at www.rezoning.org
- **Erosion Control:** No comments submitted.

- **Long Range Planning:** See advisory comments at www.rezoning.org
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at www.rezoning.org
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** No comments submitted.
- **Urban Forestry / City Arborist:** See advisory comments at www.rezoning.org

OUTSTANDING ISSUES PRIOR TO PUBLIC HEARING

Transportation

1. ~~CDOT: Revise the site plan and conditional notes to reflect a 12' shared use path (SUP) along E WT Harris Blvd. The site plan currently shows a 6' sidewalk, which does not meet Charlotte Streets Manual requirements.~~ Addressed
2. ~~CDOT: Add internal protected stem of 50' from the future back of curb on E WT Harris Blvd. Stem is only shown on Idlewild Rd.~~ Addressed
3. ~~CDOT: Correct labeling and dimensions of curb and gutter lines from centerline along both E WT Harris Blvd and Idlewild Rd.~~ Addressed
4. ~~CDOT: Update conditional notes to reflect 4 fueling pumps, not 4-6, as confirmed in CDOT correspondence.~~ Addressed
5. ~~CDOT: Revise conditional notes to commit to right of way dedication (53' from E WT Harris Blvd and 52' from Idlewild Rd centerlines), with 2' SUE behind sidewalk.~~ Addressed

Site and Building Design

6. ~~Entitlement Services: Confirm on site plan that sewer right of way is a minimum of 35 feet in width along the frontage and therefore Footnote 4 of Table 10-1 applies. Label plan.~~ Addressed

OUTSTANDING ISSUES AFTER PUBLIC HEARING

Transportation

7. CDOT: Current plans show the 2' SUE extending and turning into the toe of the gutter pan. Please correct and include 2' SUE for the 6' sidewalk along Idlewild Road.

Additional information (department memos, site plans, maps etc.) online at www.rezoning.org

Planner: Maxx Oliver 704-336-3818