

**ZONING COMMITTEE  
RECOMMENDATION  
February 27, 2008**

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**Rezoning Petition No. 2008-023**

**Property Owner:** Louis M. Helms, Jr.  
Anita B. Helms  
Curlee/Swayne/Cherry, LLC c/o EVCO Construction Co. Inc.

**Petitioner:** Frank T. Ellett  
Charlotte Truck Center

**Location:** Approximately 28.70 acres located on the northwest corner of  
Equipment Drive and Jeremiah Boulevard

**Center, Corridor,  
or Wedge:** Corridor

**Request:** BP, business park to I-1(CD), light industrial, conditional and  
B-2(CD), general business, conditional

**Action:** The Zoning Committee recommended **APPROVAL** of this  
petition with the following modifications:

- Addition of building footprints and parking area shown on  
Parcel B
- Addition of storm water language
- Prohibiting of residential development on Parcel B
- Potential vehicular connection shown between Parcels A and B
- Addition of note prohibiting operation of truck sales/service  
center on Sundays
- Addition of note regarding front elevation of buildings to be  
comprised of brick, precast or other masonry materials, stucco  
or a stucco type product or a combination of such materials.  
Split face block shall not be a permitted exterior building  
material on the front elevations of such buildings.
- Provision of 15% tree save area and addition of storm water  
retention area on Parcel B
- The petitioner must satisfactorily addressing required screening  
of parking areas from the adjacent right-of-way.

**Vote:** Yeas: Howard, Johnson, Lipton, Loflin, Rosenburgh, and Sheild

Nays: None

Absent: Randolph

## **Summary of Petition**

The petitioner is requesting to rezone the subject parcel in order to allow development of limited commercial uses. A portion of the site is currently developed with a 19,895 square-foot commercial building built in 2001 and the remaining acreage is undeveloped. The site plan provides the following development details:

- Creation of Parcel A, consisting of approximately 8.693 acres to be rezoned I-1(CD) and allowing uses in the I-1 zoning district
- Creation Parcel B, consisting of approximately 20.037 acres to be rezoned to B-2(CD), proposing up to 110,000 square feet of gross floor area and allowing sales of truck chassis and parts (prohibiting sales on Sundays), truck repair and servicing, and any accessory uses as permitted in the B-2 zoning district
- Prohibited uses on Parcels A and B to include motels and hotels; fast food restaurants with drive through facilities; convenience stores with gasoline sales; car washes as a principal use; automotive service stations; adult establishments; and nightclubs
- Minimum 15% tree save area proposed on Parcel B
- Provision of Class C buffer along property lines adjacent and abutting properties zoned Institutional

The proposal is inconsistent with the *Northeast District Plan* recommendation for office/business park land use, but can be supported as the petitioner has agreed to limits to the functions of the business and has provided adequate buffers between this site and the adjacent institutional uses.

## **Zoning Committee Discussion/Rationale**

Ms. Lyte-Graham reviewed the petition and noted modifications made to the site plan since City Council public hearing, which included:

- Addition of building footprints and parking area shown on Parcel B
- Addition of storm water language
- Prohibiting of residential development on Parcel B
- Potential vehicular connection shown between Parcels A and B
- Addition of note prohibiting operation of truck sales/service center on Sundays
- Addition of note regarding front elevation of buildings to be comprised of brick, precast or other masonry materials, stucco or a stucco type product or a combination of such materials. Split face block shall not be a permitted exterior building material on the front elevations of such buildings.
- Provision of 15% tree save area and addition of storm water retention area on Parcel B

Ms. Lyte-Graham indicated that outstanding items remaining included storm water language and required screening of proposed parking area from adjacent right-of-way. The Zoning Committee asked for clarification of these items, and Ms. Lyte-Graham stated that the petitioner was receptive to adequately addressing the outstanding storm water and screening items. There was no further discussion of the petition.

### **Statement of Consistency**

Upon a motion made by Commissioner Sheild and seconded by Commissioner Loflin the Zoning Committee unanimously found this petition to be inconsistent with the *Northeast District Plan* but reasonable and in the public interest.

### **Vote**

**Upon a motion made by Commissioner Sheild and seconded by Commissioner Loflin the Zoning Committee voted unanimously to recommend APPROVAL of this petition with modifications.**

### **Staff Opinion**

Staff agrees with the recommendation of the Zoning Committee.