

<b>REQUEST</b>	Current Zoning: B-1SCD, shopping center district Proposed Zoning: B-1 (CD), neighborhood business, conditional
<b>LOCATION</b>	Approximately 1.24 acres located on the northwest corner of Providence Road and Arboretum Shopping Center Drive.
<b>CENTER, CORRIDOR OR WEDGE</b>	Center
<b>SUMMARY OF PETITION</b>	This petition proposes to allow the reconstruction of a fast food restaurant that was destroyed by fire.
<b>Property Owner</b>	Taco Bell of American (A subsidiary of YUM! Brands, Inc.)
<b>Petitioner</b>	YUM! Brands, Inc. David Bohanon
<b>Agent/Representative</b>	Walter Fields and Susan Cannon
<b>Community Meeting</b>	Meeting is required and has been held. Report available online.

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted unanimously to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <p style="padding-left: 40px;">The building setback, buffer and covenant setbacks have been correctly labeled.</p> <p style="padding-left: 40px;">The area staff asked the petitioner to label as the patio is actually where the sidewalks joins and is not a patio.</p> <p style="padding-left: 40px;">There is existing screening for the parking from Providence Road and of the drive-thru from internal driveways.</p>
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<b>VOTE</b>	<table border="0"> <tr> <td>Motion/Second:</td> <td>Griffith/Walker</td> </tr> <tr> <td>Yeas:</td> <td>Allen, Griffith, Howard, Locher, Simmons and Walker</td> </tr> <tr> <td>Nays:</td> <td>None</td> </tr> <tr> <td>Absent:</td> <td>Rosenburgh</td> </tr> <tr> <td>Recused:</td> <td>None</td> </tr> </table>	Motion/Second:	Griffith/Walker	Yeas:	Allen, Griffith, Howard, Locher, Simmons and Walker	Nays:	None	Absent:	Rosenburgh	Recused:	None
Motion/Second:	Griffith/Walker										
Yeas:	Allen, Griffith, Howard, Locher, Simmons and Walker										
Nays:	None										
Absent:	Rosenburgh										
Recused:	None										
<b>ZONING COMMITTEE DISCUSSION</b>	Staff reviewed the petition and noted that the outstanding issues had been addressed as noted above. The petition is consistent with the <i>South District Plan</i> and staff recommended approval as modified.										
<b>STATEMENT OF CONSISTENCY</b>	This petition is found to be consistent with the <i>South District Plan</i> and to be reasonable and in the public interest, by a unanimous vote of the Zoning Committee (motion by Commissioner Simmons seconded by Commissioner Locher)										
<b>STAFF OPINION</b>	Staff agrees with the recommendation of the Zoning Committee.										

**FINAL STAFF ANALYSIS**

(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Proposed Request Details**  
The site plan accompanying this petition contains the following provisions:
  - Building will not exceed 2,900 square feet.

All conditions, covenants, and restrictions from the original rezoning for the Arboretum Shopping Center (rezoning petition 1986-112) are still applicable.  
Detached lighting will be limited to 30 feet in height and will be full cutoff fixtures.  
No wall pak lighting will be permitted.  
Parking requirements will be met on site.  
Elevations are provided.

**Public Plans and Policies**

The South *District Plan* (1993) recommends retail land uses for this location. *The South District Plan* was updated by rezoning petition 86-112, which approved a conditional plan for a retail center at this location, also known as the Arboretum Shopping Center. The approved zoning district, B-1SCD - Business (shopping center w/over 100,000 sq. ft.) (conditional zoning) - restricts the available retail space for this site.  
This petition is consistent with the *South District Plan*.

**STAFF RECOMMENDATION (Updated)**

Staff agrees with the recommendation of the Zoning Committee.

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**PUBLIC INFRASTRUCTURE UPDATES** (see full department reports online)

**CDOT:** No issues.

**Charlotte Fire Department:** No issues.

**CATS:** No issues.

**Connectivity:** No issues.

**Schools:** No issues.

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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

**Storm Water:** No issues.

**LUESA:** No issues.

**Site Design:** No issues.

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**OUTSTANDING ISSUES**

No issues.

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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application Form
- CATS Review
- CDOT Review
- Charlotte Fire Department Review
- Community Meeting Report
- LUESA Review
- Pre-Hearing Staff Analysis
- Site Plan
- Storm Water Review

**Planner:** Tammie Keplinger (704) 336-5967