

**REQUEST** Current Zoning: R-5 (single family residential) and B-1(CD) (neighborhood business, conditional)  
 Proposed Zoning: B-1(CD) (neighborhood business, conditional) and B-1(CD) SPA (neighborhood business, conditional, site plan amendment).

**LOCATION** Approximately 2.045 acres located on the northeast corner at the intersection of Brookshire Boulevard and North Hoskins Road.  
 (Council District 2 - Harlow)



**SUMMARY OF PETITION**

The petition proposes to redevelop a portion of a single family parcel off North Cloudman Street, north of I-85, for incorporation into the development of the abutting, approved convenience store with gasoline sales. It also modifies the approved site plan for the store to adjust parking, maneuvering, tree save, and buffers.

**PROPERTY OWNER**  
**PETITIONER**  
**AGENT/REPRESENTATIVE**

QuikTrip Corporation and Dorothy R. Keistler  
 QuikTrip Corporation  
 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: 13

**STAFF  
 RECOMMENDATION**

Staff does not recommend approval of this petition as the proposal expands the parking for the previously approved commercial use and further extends commercial zoning into an established neighborhood.

Plan Consistency

The portion of the subject property that includes the approved convenience store and gas sales is consistent with the recommendation for retail land uses as per the *Thomasboro/Hoskins Area Plan* and *Northwest District Plan* as amended by rezoning petition 2016-084. However, the remaining portion of the property, currently zoned R-5 (single family residential) is inconsistent with the adopted land use recommendation for single family residential at up to six dwelling units per acre, as per the *Northwest District Plan*.

Rationale for Recommendation

- The recent rezoning for the QuikTrip store was partially consistent

- and partly inconsistent with the adopted area plan.
- Staff did not recommend approval of rezoning for the QuikTrip because the rezoning expanded commercial use and zoning into the established neighborhood.
  - The subject rezoning expands the number of parking spaces to be provided on the site and widens the proposed drive behind the building to accommodate employees, visitors, and deliveries.
  - A portion of the proposed buffer to be provided along the rear of the site near North Hoskins Road is reduced from previously approved 33 feet to 30 feet.
  - A portion of the proposed tree save area to be provided along the rear of the site near North Hoskins Road is reduced from previously approved 40 feet to 33 feet and 30 feet.
  - Although the subject rezoning slightly modifies the parking and maneuvering area, the modifications are such that further encroachment of commercial zoning into the neighborhood is required to provide tree save and buffer areas.

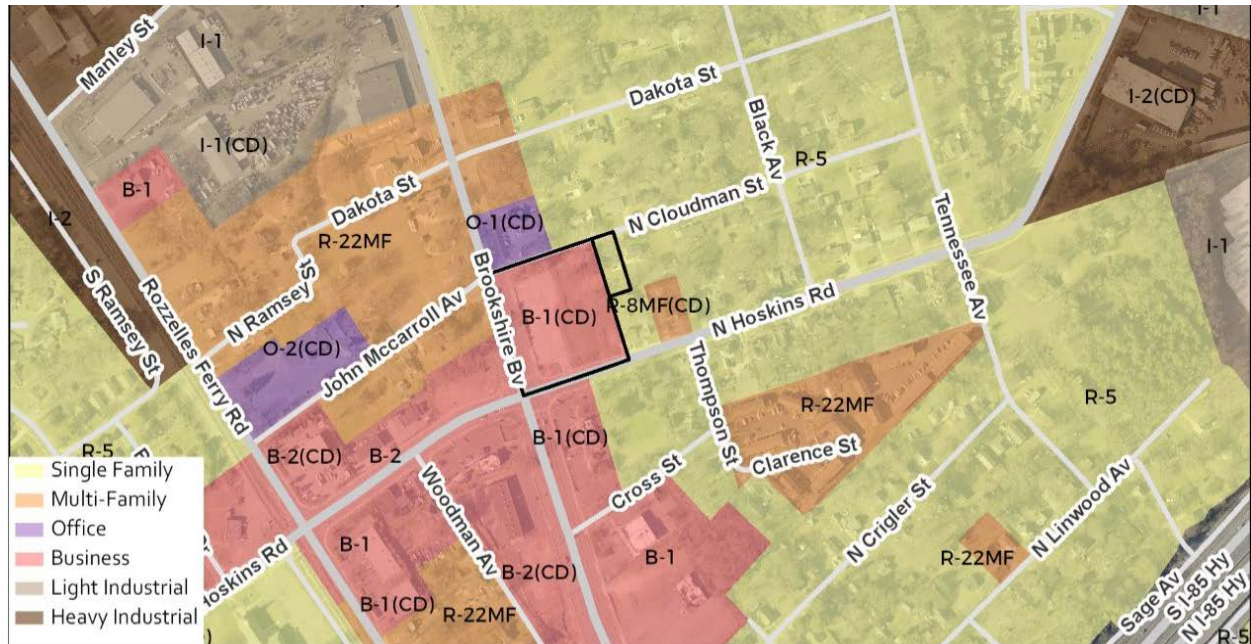
## PLANNING STAFF REVIEW

### • **Proposed Request Details**

The site plan amendment contains the following changes:

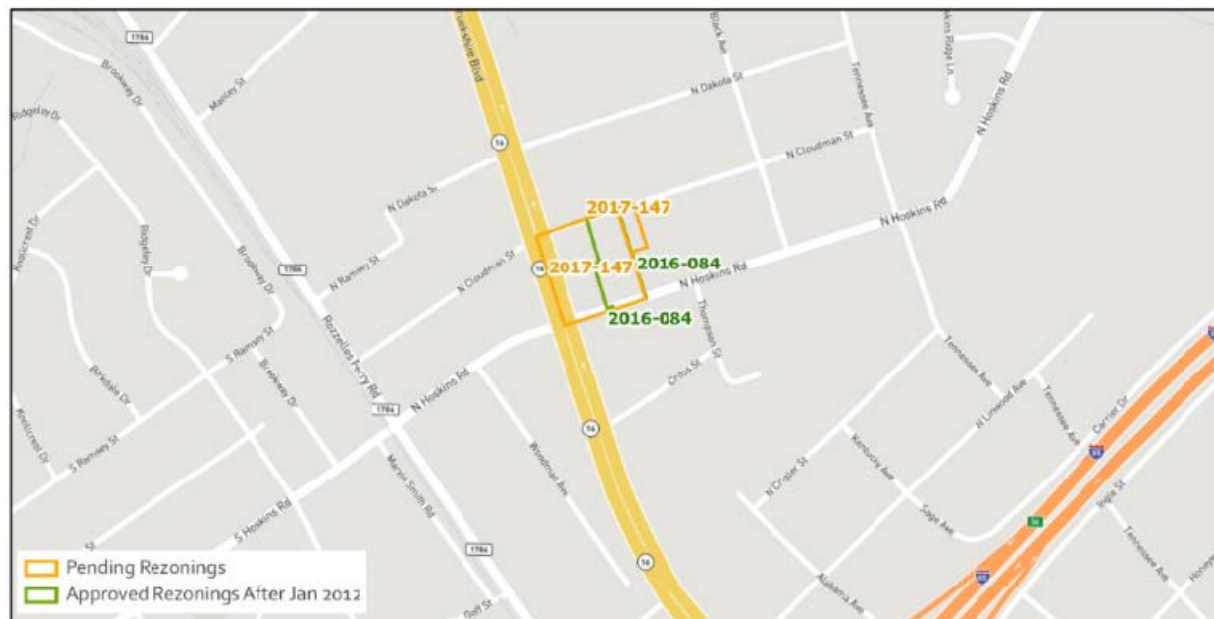
- Rezones and incorporates a 0.226 acre portion of a residential lot off North Cloudman Street into the site plan for the QuikTrip. Specifies that the portion will only be devoted to tree save, buffer, and open space.
- Increases the width of the rear drive aisle from 15 to 25 feet to provide additional maneuvering and loading space. This change results in a reduction of a portion of the buffer and tree save area along the rear of the site, provided with the previously approved plan.
- Reduces a portion of the buffer at the rear of the site from 33-feet to 30-feet with a provision of a fence. The remaining portions of the buffer shall not be reduced.
- Reduces a portion of the tree save area near North Hoskins Road at the rear of the site from 40 feet to 33 feet and 30 feet.
- Adds eight non-required parking spaces to serve the store. This change results in reduction of the buffer and tree save area along the rear of the site, provided with the previously approved plan.
- Provides a 75-foot Class B buffer between the eight new parking spaces and the residential property off North Cloudman Street.
- Relocates the tree save area to the 0.226 acre portion being added to the site plan.
- Extends the sidewalk and planting strip provided along North Cloudman Street to the new eastern edge of the site.

- Existing Zoning and Land Use



- The properties fronting on Brookshire Boulevard are zoned for commercial uses with single and multi-family residential to the north and east of the site.
- A portion of the subject property was occupied by a convenience store with gasoline sales as part of a retail strip along Brookshire Boulevard. Single family neighborhoods adjoin the retail development in several directions, including to the east directly behind the subject property.

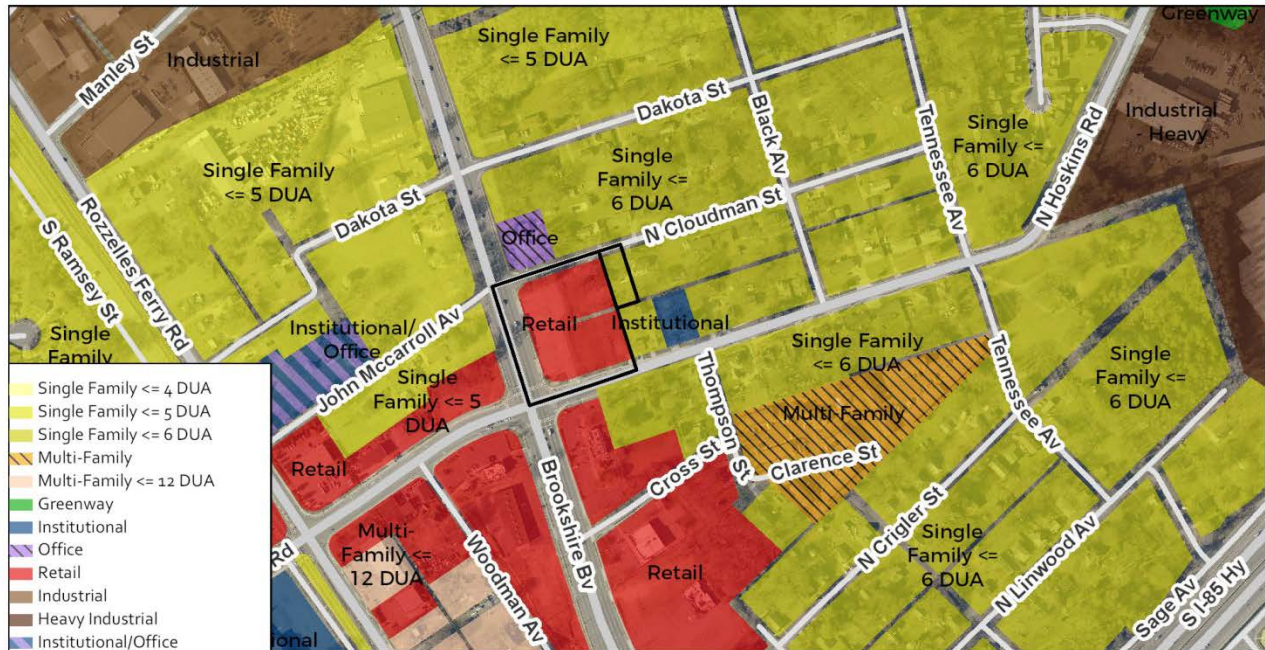
- Rezoning History in Area



Petition Number	Summary of Petition	Status
2016-084	Rezoned 1.85 acres from B-2(CD) (general business, conditional) and R-5 (single family residential) to B-1(CD) (neighborhood business) to allow a QuikTrip convenience store with gasoline sales.	Approved



- **Public Plans and Policies**



- The adopted land use for a portion of the site is for retail as per the *Thomasboro/Hoskins Area Plan* (adopted 2002) and the *Northwest District Plan* (adopted 1991), as amended by rezoning petition 2016-084. The other portion of the site is recommended for single family land uses up to six dwelling units per acre, as per the *Northwest District Plan* (adopted 1991).
- **TRANSPORTATION CONSIDERATIONS**
  - This site is on a major thoroughfare between a signalized intersection with a minor thoroughfare and an unsignalized intersection with a local street. CDOT requests that the petitioner commit to reconstruction of the curb ramps at the site's curb return on North Cloudman Street to support the City's project for curb ramp reconstruction on the other corners.
  - See Outstanding Issues, Note 4.
  - **Vehicle Trip Generation:**
    - Current Zoning:
      - Existing Use: 0 trips per day (based on vacant land).
      - Entitlement: 8,700 trips per day (based on convenience store with gasoline pumps, 16 fueling stations).
    - Proposed Zoning: 8,700 trips per day (based on convenience store with gasoline pumps, 16 fueling stations).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No issues.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte Water:** Charlotte Water has water system infrastructure accessible for the rezoning boundary via existing eight-inch water distribution mains located along Cloudman Street, Hoskins Road, and Brookshire Boulevard. Charlotte Water has sanitary sewer system accessible for the rezoning boundary via existing eight-inch gravity sewer mains located along Cloudman Street and Hoskins Road.
- **Engineering and Property Management:**
  - **Arborist:** Trees cannot be removed from or planted in the right-of-way of any state maintained streets (Brookshire Boulevard) without permission of NC Department of Transportation 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 issues.
- **Land Development:** No issues.
- **Storm Water Services:** No comments received.
- **Urban Forestry:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

## OUTSTANDING ISSUES

### Land Use

1. Remove the portion of the parcel recommended for residential use from the proposed rezoning. **Not addressed. Petitioner's response: The petitioner states that they are unable to address the issue, as a purpose of the rezoning request is to allow the tree save and buffer areas for the QuikTrip to be located on the parcel recommended for residential use.**

### Site and Building Design

2. Remove the reduction of the 33-foot buffer from the proposed site plan. **Not addressed. Petitioner's response: The petitioner states that due to site constraints they are unable to increase the relevant portion of the buffer from 30 feet to 33 feet.**
3. Remove the parking and drive aisle from the area previously established as tree save and buffer area. **Not addressed. Petitioner's response: The petitioner states that they are unable to address the issue, as a purpose of the rezoning request is to allow parking and drive aisle to be located in the area previously established as tree save and buffer areas for the store.**

### Transportation

4. ~~Revise the site plan and add conditional note(s) to provide two directional accessible ramps on the site's corner of Brookshire Highway and North Cloudman Street. These ramps will align with ramps currently being constructed at the corner adjacent to the site.~~ **Addressed. The petitioner has coordinated with CDOT to add the following note: Prior to the issuance of a permit for the construction of the 8 parking spaces to be located near the eastern edge of the Site adjacent to the 75 foot wide Class B buffer, Petitioner shall pay to CDOT a sum equal to CDOT's estimated cost for the construction of an accessible ramp on the southwest quadrant of the intersection of North Cloudman Street and Brookshire Boulevard (the "Ramp Payment"). Petitioner shall have no obligation to construct the accessible ramp. In no event shall the amount of the Ramp Payment exceed \$5,000, even if the estimated cost to construct the accessible ramp exceeds \$5,000.**

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

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Pre-hearing staff analysis
- 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
    - Urban Forestry
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Parks and Recreation Review
  - Transportation Review