

**REQUEST**

Current Zoning: B-1 (neighborhood business)  
Proposed Zoning: NS (neighborhood services)

**LOCATION**

Approximately .370 acres located at the eastern intersection of The Plaza and Shamrock Drive in the Plaza-Shamrock neighborhood.



**SUMMARY OF PETITION**

The petition proposes to adaptively reuse a former tire depot store into an EDEE and to allow for other specified uses, both permitted by right and under prescribed conditions, in the neighborhood services district.

**PROPERTY OWNER**

Greg Godley

**PETITIONER**

James Doyle

**AGENT/REPRESENTATIVE**

Greg Godley, Legacy CRE

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 19

**STAFF RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design.

Plan Consistency

The petition is **consistent** with the *Central District Plan's* (1993) recommendation for retail uses at the site.

Rationale for Recommendation

- The petition's proposal accomplished the Plan's goal of "...preserving the character and quality of neighborhoods..." through the redevelopment of older commercial areas.
- The petition proposes to adaptively reuse a vacant tire repair shop to allow for the placement of additional neighborhood retail/commercial uses along The Plaza.

- The proposed reuse creates a retail opportunity along a major thoroughfare that is within walking distance from many detached single family homes in the Plaza-Shamrock neighborhood.
- The request is in line with adopted future land use policy and matches the surrounding retail context of most parcels with frontage along The Plaza.
- The petitioner has agreed to exclude high trip generating auto-oriented uses from being utilized at the site including accessory drive through windows and fueling stations.
- The request fulfills the *Central District Plan's* policy of improving commercial corridor redevelopment.

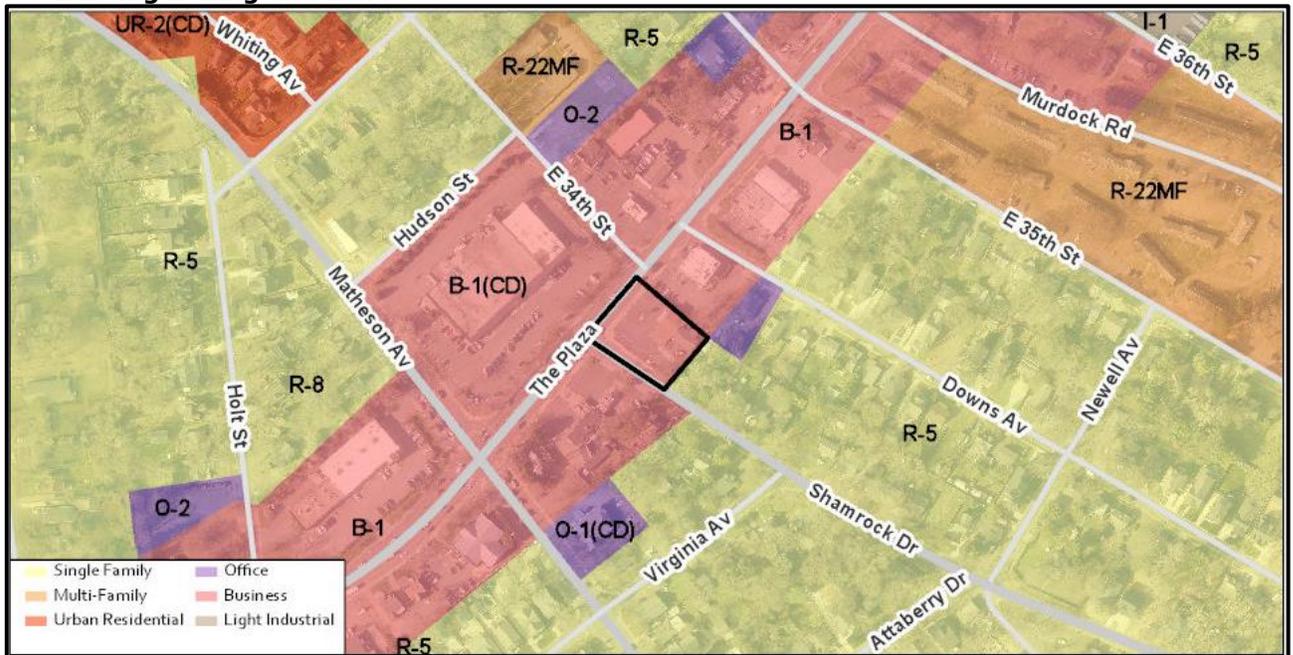
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

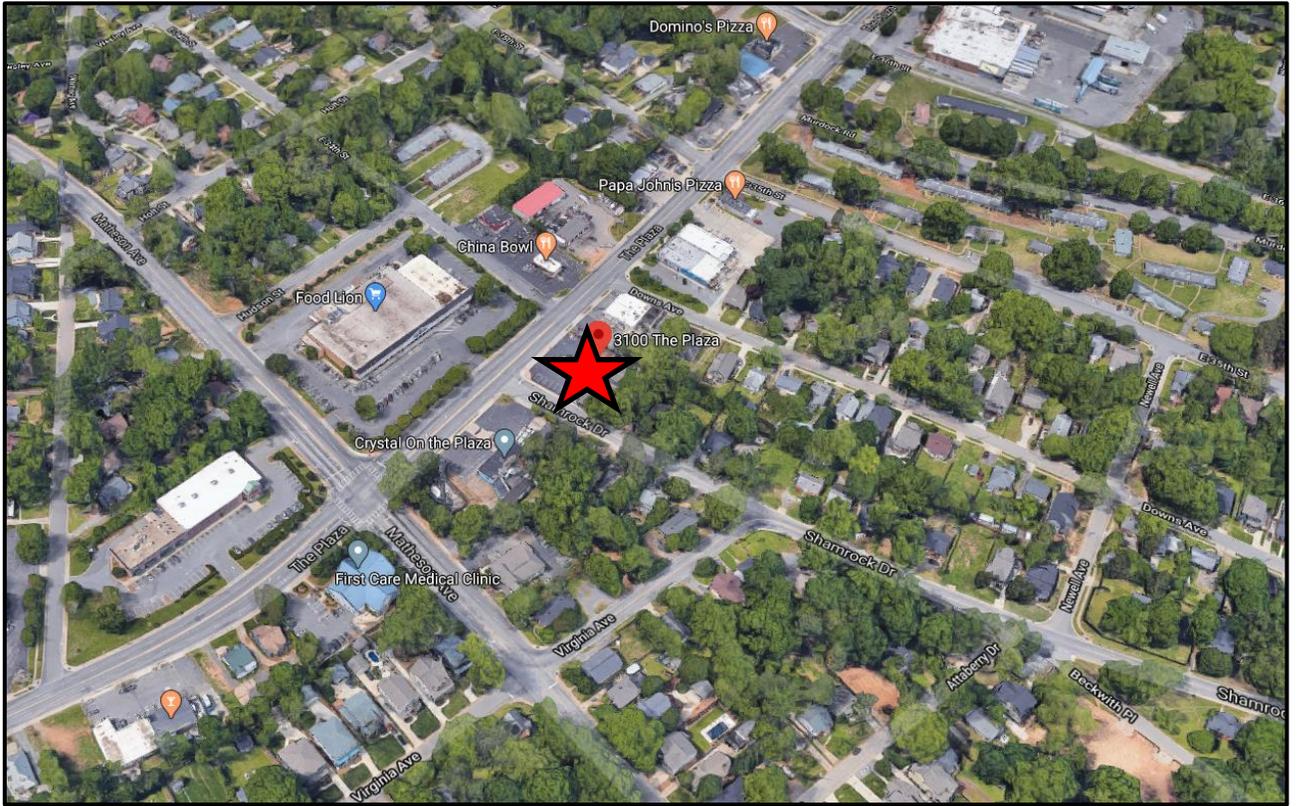
The site plan accompanying this petition contains the following provisions:

- Proposes to utilize the site for all uses permitted by-right or through prescribed conditions within the NS zoning district while prohibiting auto-centric uses such as accessory drive through windows and gas stations that would not be compatible with the surrounding residential uses. Additionally, the plan disallows residential uses on the site.
- Provides 8-foot planting strip and 6-foot sidewalk along the property's frontage with The Plaza and Shamrock Drive along with a marked pedestrian connection with the sidewalk to the entrance of the establishment.
- Commits to full cutoff-type lighting for both freestanding and attached lighting fixtures.

• **Existing Zoning and Land Use**



The subject property was most recently rezoned in 2018 (2018-021) from B-1(CD) to B-1 to allow for all uses permitted in the neighborhood business district. The Plaza is largely a commercial corridor with similarly zoned parcels along either side. The area outside the commercial corridor is single family residential with a number of multi-family units along Murdock Road.



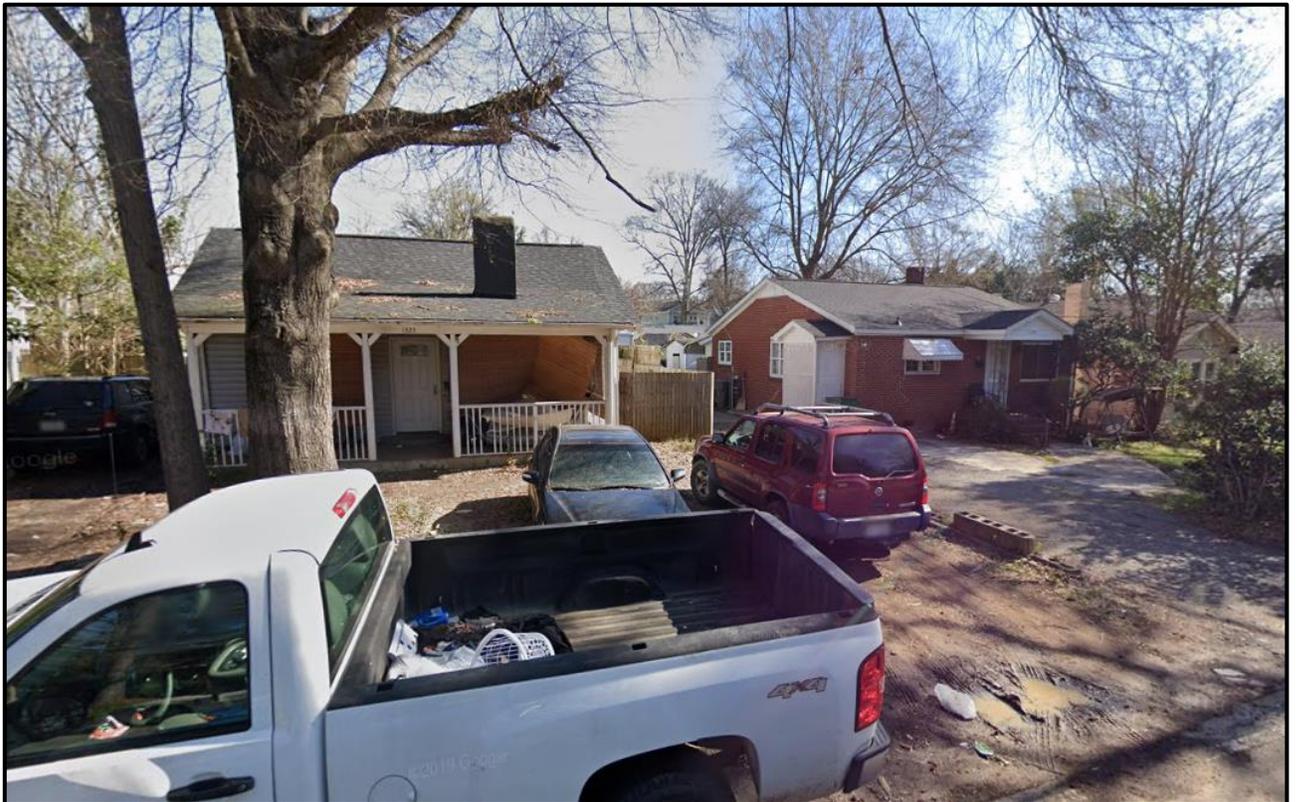
General location of subject property denoted by red star.



Streetview looking east from The Plaza toward the subject property.

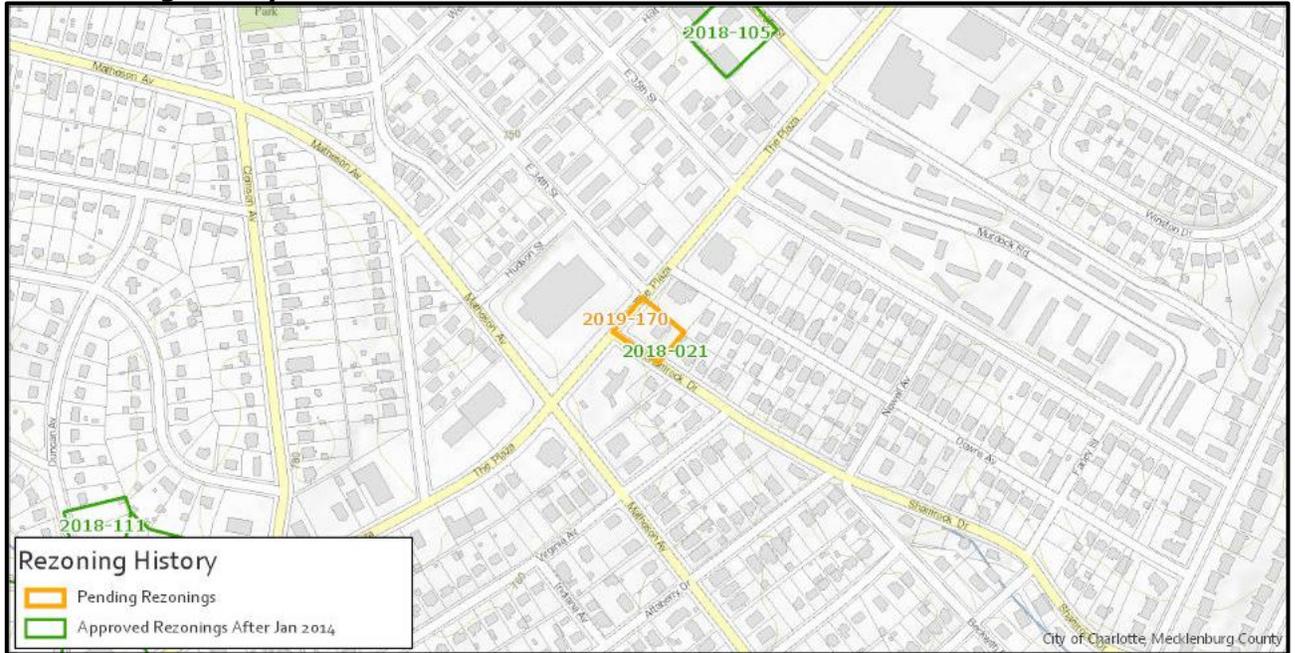


Streetview looking west from the subject property across The Plaza. The corridor is largely made up of similar auto-centric retail/commercial uses.



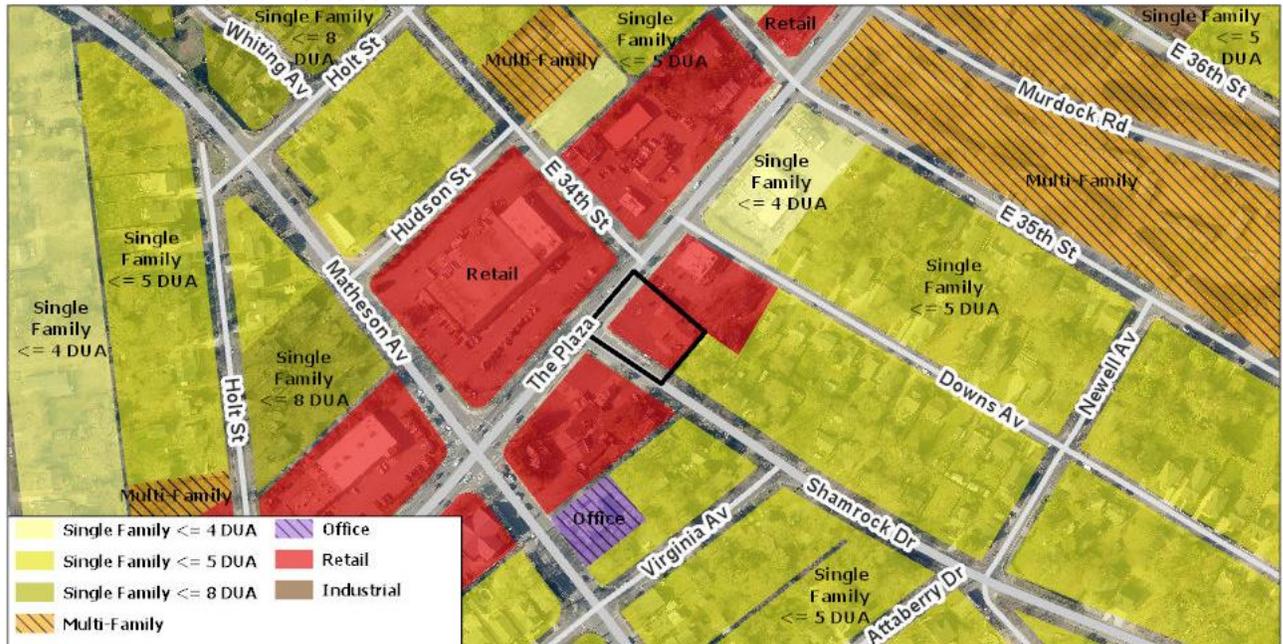
Streetview looking north from Shamrock Drive. These homes are located immediately behind the subject property.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2018-111	Petition to allow development 70 total dwelling units on 5.79 acres at a density of 12 DUA.	Approved
2018-105	Petition to reuse and expand existing building for EDEE uses.	Approved
2018-021	Previous rezoning of subject property to a conventional zoning district.	Approved

• **Public Plans and Policies**



- The *Central District Plan* (1993) recommends retail uses for the site.

- **TRANSPORTATION SUMMARY**
  - The site is location on a major thoroughfare. The petitioner is providing the required streetscape along The Plaza and Shamrock Drive.
- **Active Projects:**
  - There is a Shamrock-Plaza-Matheson Intersection Study in the planning phase.
- **Transportation Considerations**
- No outstanding issues.
- **Vehicle Trip Generation:**
  - Current Zoning:
    - Existing Use: 0 trips per day (based on vacant storefront).
    - Entitlement: 640 trips per day (based on 3,700 SF retail).
  - Proposed Zoning: 560 trips per day (based on 5,000 SF restaurant use).

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

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 12-inch water distribution main located along Shamrock Drive and via an existing 12-inch water distribution main located along The Plaza Road and via an existing 6-inch water distribution main located along The Plaza Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along The Plaza Road. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No outstanding issues.
  - **Land Development:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
  - **Urban Forestry:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org). Please make note of substantial comments from Ground Water Services.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**

Site and Building Design

1. Confirm adequate spacing exists and, if so, denote a minimum 5-foot separation between dumpster location and property line.
2. Screening wall along Shamrock Drive should be 4-foot in height and 100% opaque. Please adjust design accordingly. Parking buffer along The Plaza should be widened to 5 feet.
3. Commit to replacing wood privacy fence (8' in height) along SE property line as fence is in poor condition. Remove option to repair.

**REQUESTED TECHNICAL REVISIONS**

Land Use

4. Denote surrounding parcel's zoning districts.

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** William Linville (704) 336-4090