

| | |
|---|--|
| REQUEST | Current Zoning: CC (commercial center) Proposed Zoning: NS (neighborhood services) |
| LOCATION | Approximately 0.77 acres on the southeast corner at the intersection of Ridge Road and Brice Knoll Lane. (Council District 4 - Phipps) |
| SUMMARY OF PETITION | The petition proposes to allow a 4,500-square foot retail building to allow retail, office and/or EDEE (eating/drinking/entertainment establishment) use on a vacant lot in the Prosperity Village area. |
| PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE | HEPVS, LLC TAG Ventures, LLC Keith MacVean & Jeff Brown, Moore & Van Allen, PLLC |
| COMMUNITY MEETING | Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 3 |

| | |
|---------------------------------|---|
| STAFF RECOMMENDATION | <p>Staff recommends approval of this petition upon resolution of outstanding issues related to site and building design.</p> <p><u>Plan Consistency</u> The petition is consistent with the recommendation for a mix of uses including retail/service, office, and institutional uses for the area in which this site is located. However, the proposed drive-through facilities are inconsistent with the plan recommendation for no additional drive-through facilities at this location.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> • This property is located in the Prosperity Village Area which is intended to be a walkable, mixed-use activity center. • The area plan does not support an additional drive-through facility at this location because, typically, a drive-through use would not support pedestrian activity. • However, in this case the proposed building has been designed to be pedestrian oriented and minimize the impact of the accessory drive-through by: <ul style="list-style-type: none"> • Placing the use with a drive-through in a multi-tenant building; • Providing a canopy for the drive-through area to give the appearance of extending the building along the street; • Committing to a screen wall on Ridge Road to separate the sidewalk from the vehicular area; • Placing building at back of sidewalk and prohibiting maneuvering between building and street. • As designed, the proposed retail development will provide neighborhood services for nearby residents. |
|---------------------------------|---|

PLANNING STAFF REVIEW

- **Proposed Request Details**
The site plan accompanying this petition contains the following provisions:
 - 4,500 square feet of for all uses in the NS (neighborhood services district) uses with an accessory drive-through window for a personal service use.
 - Prohibits automotive service stations, and an EDEE (eating/drinking/entertainment establishment) or retail with accessory drive-through windows.
 - Building elevations with proposed building materials annotated.
 - Three-foot screen wall along Ridge Road to screen the proposed drive-through lanes.
 - Maneuvering will not occur between the building and the street.
 - Architectural standards for percentage of clear vision glass and entrances along Ridge Road to provide building activation along the public streets.
 - 14-foot setback along Brice Knoll Lane and Ridge Road with a six-foot sidewalk and eight-foot planting strip.

- Detached lighting limited to 26 feet.
- **Existing Zoning and Land Use**
 - The subject site was part of a larger area rezoned under petition 2013-094 to CC (commercial center) to allow the development of a shopping center up to 100,000 square feet with up to three accessory drive-through windows and 292 residential multi-family units.
 - The petition allowed for non-residential uses on the subject site which is currently vacant.
 - The surrounding property was also zoned CC (commercial center) under petition 2013-094, and the area to the north, east and west is under construction for a shopping center and multi-family residential units.
 - Abutting the subject to the east is a small site intended for stormwater detention, and a supermarket and pharmacy.
 - The site to the south is developed with single family residential structures.
 - See “Rezoning Map” for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2016-131 proposes to rezone 1.63 acres located on the northeast corner of Ridge Road and Prosperity Church Road. The petition proposes to allow 15,000 square feet and one accessory drive-through window for a proposed EDEE (eating/drinking/entertainment establishment) and retail uses.
- **Public Plans and Policies**
 - The adopted land use as per the *Prosperity Hucks Area Plan (2015)* recommends a mix of uses for the area in which this site is located, including retail/service, office and institutional; the plan indicates that residential uses are only appropriate if vertically integrated with other uses.
 - The plan specifies that land uses with drive-through facilities and/or gasoline pumps are not appropriate at this location.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located along a local public street that creates the fourth leg at the intersection of a recently constructed major thoroughfare. This site layout complies with the transportation system envisioned as part of the approved rezoning on this site which included pedestrian improvements and several public and private “network” streets within the development. The current site plan incorporates all of CDOT’s requests and maintains the complete streets and pedestrian/bike friendly amenities within the existing Prosperity Village area.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: 905 trips per day (based on 4,500 square feet of retail).
 - Proposed Zoning: 905 trips per day (based on 4,500 square feet of retail).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business 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-Mecklenburg Storm Water Services:** No issues.
- **Charlotte Water:** The site currently does not have water or sewer system availability for the subject property. The closest existing water main is located approximately 350 feet east of the property on Ridge Road. The closest existing sewer main is located approximately 510 feet east of the property on Ridge Road.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No comments received.
- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Show and label 54-foot “Class B” buffer along the rear of the site.
2. Add a note stating that doors will not swing into the sidewalks.

Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

Planner: Solomon Fortune (704) 336-8326