
REQUEST	Current Zoning: CC, commercial center Proposed Zoning: NS, neighborhood services
LOCATION	Approximately 9.0 acres located on the southeast corner at the intersection of Rea Road and Ardrey Kell Road.
SUMMARY OF PETITION	The petition proposes to allow up to 22,000 square feet of retail/business, restaurant, financial institution, and personal service uses with up to two drive-through accessory windows.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding site plan issues. The petition is consistent with the <i>South District Plan</i> .
PROPERTY OWNER	Blakeney Heath Limited Partnership
PETITIONER	Blakeney Heath, LLP c/o Tim Sittema and Peter B. Pappas
AGENT/REPRESENTATIVE	Keith H. MacVean and Jeff Brown, King & Spalding, LLP
COMMUNITY MEETING	Meeting is required and has been held. Report available online.

PLANNING STAFF REVIEW

- **Background**

A rezoning was approved in 1994 (Petition 94-46c) that contains the following provisions:

 - Maximum 17,000 square feet of building area located within one building.
 - Permitted uses limited to civic, social service and fraternal facilities, medical/dental and optical clinics, cultural facilities, financial institutions, offices, post offices and restaurants.
- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

 - A maximum of 22,000 square feet for retail, financial institution, restaurant, automobile service, and personal service uses in up to four principal buildings
 - Gas stations and/or convenience stores are prohibited.
 - Maximum of two uses with accessory drive-through windows. One restaurant with drive-through window permitted on the site.
 - Automotive service uses limited to Development Area C.
 - Access points on Ardrey Kell Road and Rea Road.
 - Vehicular and pedestrian access provided to the abutting multi-family development.
 - Internal private drive with sidewalks and planting strips.
 - Road improvements consisting of a west bound directional cross-over on Ardrey Kell Road and an 11-foot wide east bound right turn lane on Ardrey Kell Road.
 - Architectural standards for proposed principal and accessory buildings.
 - A 20-foot landscaped setback along Rea Road and Ardrey Kell Road.
 - A six-foot sidewalk and eight-foot planting strip along Rea Road and Ardrey Kell Road.
 - Greenway dedication to Park and Recreation.
 - Detached lighting not to exceed 25 feet in height.
 - Variance from the Subdivision Ordinance may be sought for the sidewalk requirements along Ardrey Kell Road as it crosses Flat Branch.
- **Existing Zoning and Land Use**
 - The subject property is zoned CC and is vacant. Properties on the north side of Ardrey Kell Road are zoned R-9(CD), CC and MX-2 Innovative and developed with single family dwellings and commercial uses. Properties on the south side of Ardrey Kell Road are zoned R-3, R-9(CD), R-12MF(CD), MX-2 Innovative, O-1(CD) and CC and developed with single family and multi-family dwellings, office uses or are vacant.
- **Rezoning History in Area**

Recent rezonings approved in the area include:

 - Petition 2007-033 approved a CC site plan amendment at the northeast corner of Ardrey Kell and Rea Road to allow up to 95,000 square feet of retail uses.

- **Public Plans and Policies**

- The *South District Plan* (1993), as amended by Petition 1994-46(c), recommends retail uses as part of a Community Center. The plan further limits uses to civic, social service and fraternal facilities, medical/dental and optical clinics, cultural facilities, financial institutions, offices, post offices and restaurants.
 - The petition is consistent with the *South District Plan*.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Charlotte Department of Transportation:**
 - Provide continuous five-foot sidewalks on both sides of the proposed new internal street from Ardrey Kell Road to Rea Road and provide a sidewalk connection from the existing sidewalk system at the southwest corner of the Rea Road and Ardrey Kell intersection to the site's closest proposed building.
 - Provide a continuous pedestrian/bike connection between the north and south sides of Ardrey Kell Road using an existing road culvert.
 - The proposed driveway connection to the adjacent multi-family property needs to be in the form of a recorded joint access easement.
 - All transportation improvements including the three new improvements listed above need to be implemented before the issuance of the site's first building certificate of occupancy.
 - **Vehicle Trip Generation:**
Current Zoning: Not available.
Proposed Zoning: 3,400 trips per day.
 - **Connectivity:** Vehicular and pedestrian access from the adjacent multi-family development is allowed.
 - **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:** Remove Notes 6b and 6c under Environmental Features.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
 - **Mecklenburg County Parks and Recreation Department:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
 - Protects/restores environmentally sensitive areas by preserving environmentally sensitive areas consisting of a 200-foot wildlife buffer, delineation of wetland areas, and dedication of greenway.
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OUTSTANDING ISSUES

- The petitioner should:
 1. Amend Note 1C to allow up to one accessory structure per principal building.
 2. Amend Note 2D to delete the paragraph referring to gross floor area, as it is defined in the zoning ordinance.
 3. Delete reference to Chapter 19 in Note 15.
 4. Amend Note 5A to specify the ratio and type of plant material to be provided in the landscaped setback.
 5. Address CDOT comments.
 6. Address Storm Water comments.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review

- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Department

Planner: Sonja Sanders (704) 336-8327