

REQUEST	Current Zoning: B-1SCD (business shopping center) Proposed Zoning: NS (neighborhood services)
LOCATION	Approximately 2.23 acres located at the northeast intersection of Ballantyne Commons Parkway and Rea Road. (Council District 7 - Driggs)
SUMMARY OF PETITION	The petition proposes to allow the development of pedestrian scale amenities such as pathways and small structures for outdoor activity within an area previously set aside as a landscaped buffer at Rea Road and Ballantyne Commons Parkway across from the Stonecrest Shopping Center south of I-485.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Colony at Piper Glen, LLC Colony at Piper Glen, LLC Walter Fields, Walter Fields Group, Inc.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: None.

STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of the requested technical revisions related to site design and transportation. <u>Plan Consistency</u> The petition is consistent with the <i>South District Plan</i> recommendation of office use in that an open space amenity is an allowable and typical use within office development. <u>Rationale for Recommendation</u> • The area proposed for rezoning was previously established as a landscaped buffer. This petition allows this area located between the public streets, parking, and buildings on the site to be developed as open space with pedestrian scale amenities. • Other rezonings in the past, north of the site, along Rea Road have reduced the previously established buffer width to add pedestrian amenities such as walkways, plazas, and fountains. • The petition provides a park-like amenity and gathering space on the eastern side of Rea Road that will serve the nearby office tenants and other visitors to the site.
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PLANNING STAFF REVIEW

• Proposed Request Details

The site plan accompanying this petition contains the following provisions:

- Changes the use of the area between Rea Road and Ballantyne Commons Parkway and the parking lot from a landscaped buffer to improved open space.
- Allows the installation of pathways and up to three small structures such as gazebos, picnic shelters, foot bridges, performance stages, and other amenities for tenants and visitors of the office park. The exact location of the structures will be determined during permitting.
- Vehicular access is provided via driveways off Piper Station Drive and Ballantyne Commons Parkway.
- Maintains existing sidewalks along Rea Road and Piper Station Drive.
- Specifies that lighting will utilize full cut-off luminaries, except that architectural lighting on the exterior of structures will be permitted. Pedestrian scale, ornamental landscape, and decorative lighting will be permitted throughout the site.

• Existing Zoning and Land Use

- The property is located within the Stonecrest Mixed Use Activity Center. The area was zoned B-1SCD (business shopping center) as part of petition 1989-17C, which encompassed about 1,120 acres including the Stonecrest shopping center and much of the residential area north of what is now I-485. The rezoning provided a 100-foot landscaped buffer for the subject site and all other commercial properties fronting Rea Road.

- The subject property is part of a parcel developed with two office buildings built in the late 1990's, and still in the B-1SCD (business shopping center) zoning. Another portion of the parcel at the intersection of Rea Road and Piper Station Drive was rezoned to NS (neighborhood services) in 2014 to allow for retail shops built up to the sidewalk, effectively eliminating the original 100-foot buffer strip along its frontage. The property that is the subject of this rezoning is essentially the remaining element of the 100-foot buffer around the office buildings along Rea Road and Ballantyne Commons Parkway frontages.
- To the north along Piper Station Drive are parcels in the same B-1SCD (business shopping center) zoning including a gasoline service station, a tire service facility, a strip shopping center, a Residence Inn hotel, and an apartment complex. An Autobell car wash is on a parcel rezoned to B-2(CD) (general business, conditional). There is also a site rezoned MUDD-O (mixed use development, optional) by petition 2017-005 for a new hotel.
- To the west is a multi-family development zoned R-17MF (multi-family residential). To the south across Ballantyne Commons Parkway are two small office developments and the Chesterbrook Academy, zoned O-1(CD) and O-2(CD) (office, conditional).
- Across Rea Road to the west is the Stonecrest shopping center incorporating big box and specialty retail, movie theater, and restaurant uses, which was rezoned from the original 1989 zoning of B-1SCD (business shopping center) to CC (commercial center) in 1997. The rezoning reduced the original 100-foot buffer along Rea Road to 50-feet for buildings, parking, driveways, and hardscape. The site plan allows pedestrian amenities and public open space to encroach within the 50-foot buffer.
- See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
 - Petition 2017-005 rezoned property located north of the subject site on Piper Station Drive to MUDD-O (mixed used development, optional) to allow for a 135-room hotel.
 - Petition 2016-148 rezoned property located south of the subject site on Elm Lane and Williams Pond Lane to NS (SPA) neighborhood services, site plan amendment) to allow for a revised retail establishment as part of a retail/mixed use development.
 - Petition 2015-007 rezoned property south of the subject site on Rea Road and Williams Pond Lane to NS SPA neighborhood services, site plan amendment) to allow for a revised layout and minor expansion of a retail/mixed use development.
 - Petition 2014-033 rezoned property north of the subject property at the southeast corner of Rea Road and Piper Station Drive to NS SPA (neighborhood services, site plan amendment) for 9,000 square feet of retail and office uses.
 - Petition 2013-030 rezoned property east of the subject site on Ballantyne Commons Parkway to R-17MF(CD) (multi-family residential, conditional) to allow for 120 multi-family dwelling units.
- **Public Plans and Policies**
 - The *South District Plan* (1993) recommends office use for the subject parcel.
- **TRANSPORTATION CONSIDERATIONS**
 - The site is located at the intersection of Ballantyne Commons Parkway and Rea Road, both major thoroughfares. The proposed zoning is not anticipated to generate many trips. In lieu of upgrading the existing planting strip and sidewalk to current standards, CDOT requests the petitioner provide easements along the site frontage for construction and maintenance of a future buffered bike lane, eight-foot planting strip, and six-foot sidewalk to be constructed by others upon request from the City.
 - See Requested Technical Revisions, Note 4.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: 0 trips per day (based on vacant land).
 - Entitlement: 0 trips per day (based on buffer).
 - Proposed Zoning: 20 trips per day (based on accessory recreational use).

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 on-street parking on roads with less than a 26-foot clear width.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via existing eight-inch water distribution mains located along Piper Station Drive and Ballantyne

Commons Parkway. Charlotte Water has sewer system availability for the rezoning boundary via existing eight-inch gravity sewer mains located along Ballantyne Commons Parkway, Rea Road, Piper Station Drive, and within the rezoning boundary.

- **Engineering and Property Management:**

- **Arborist:** No trees can be removed from or planted in the right-of-way of all State maintained streets (Ballantyne Commons Parkway and Rea Road) 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. See Requested Technical Revisions, Note 5.
- **Erosion Control:** No issues.
- **Land Development:** See Requested Technical Revisions, Note 6.
- **Storm Water Services:** See Requested Technical Revisions, Note 6.
- **Urban Forestry:** No issues.

- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.

- **Mecklenburg County Parks and Recreation Department:** No issues.

OUTSTANDING ISSUES

Site and Building Design

1. Add a note to 6. Streetscape and Landscaping on the site plan that says the area will remain landscaped with grass, shrubs, trees and other landscaping in order to maintain an open, greenspace with meandering pathways.

REQUESTED TECHNICAL REVISIONS

Site and Building Design

2. Clarify the discrepancy between the legend, which says up to three structure locations are allowed and Note 3. Permitted Uses which says that exact number and specific locations will be determined during design and development phase by modifying the second sentence in note 3 to say, "The exact number (up to 3 total) and specific location will be determined during the design and development phase."
3. Add an additional note to 3. Permitted Uses limiting the height of freestanding lighting to 21 feet.
4. Delete the second sentence of Note 1.b. under General Provisions that reads, "These are not zoning regulations, are not administered by the Zoning Administrator, and are not separate zoning conditions imposed by this site plan."

Transportation

5. Replace Piper Station Drive with Ballantyne Commons Parkway in Note 4.b. related to existing sidewalks to remain as the rezoning site abuts Ballantyne Commons Parkway and not Piper Station Drive.
6. Add a note to allow easements for construction and maintenance of a future 16-foot planting strip (eight-foot buffered bike lane and eight-foot planting strip) and six-foot sidewalk to be constructed by others upon request from the City.

Environment

7. Submit a tree survey for all trees two-inches or larger located in the rights-of-way.
8. The proposed site plan indicates a greenway trail/path system located within the 35-foot PCSO Buffer. Add a note under Section 7. Environmental Features: "Development or disturbance within the PCSO Buffer shall be coordinated with Charlotte-Mecklenburg Storm Water Services and mitigated if required by City ordinance."

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 Water Review
 - Engineering and Property Management Review
 - City Arborist Review
 - Erosion Control
 - Land Development

- Storm Water
- Urban Forestry
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Transportation Review

Planner: John Kinley (704) 336-8311