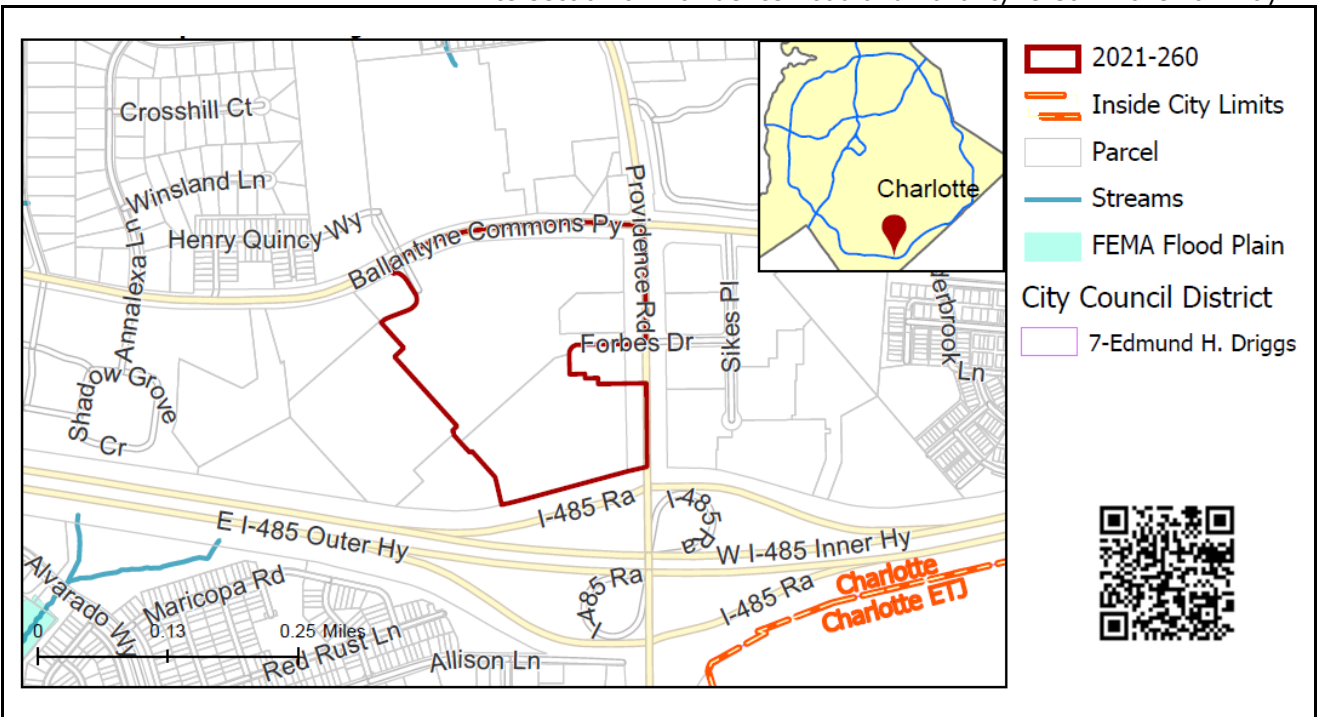


**REQUEST**

Current Zoning: CC SPA (commercial center, site plan amendment)  
Proposed Zoning: CC SPA (commercial center, site plan amendment)

**LOCATION**

Approximately 27.6 acres located on the southwestern corner of the intersection of Providence Road and Ballantyne Commons Parkway.



**SUMMARY OF PETITION**

The petition proposes to amend a previously approved plan to allow for one additional restaurant with a drive through window.

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

Promenade Shopping Center LLC  
Promenade Shopping Center LLC  
Bridget Grant

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 0.

**STAFF RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the overall Community Activity Center place type recommendation of the 2040 Policy Map.

Rationale for Recommendation

- The proposed addition for a restaurant space is consistent with the community activity center place type and supports the overall goal that is meant to provide goods, services, dining, and entertainment along major roadways.
- The site is located at an interstate interchange area where retail and drive-thru services are compatible with the surrounding development pattern, given the right design standards.

- The proposed site plan amendment does not increase square footage and keeps the design standards already established for the site.

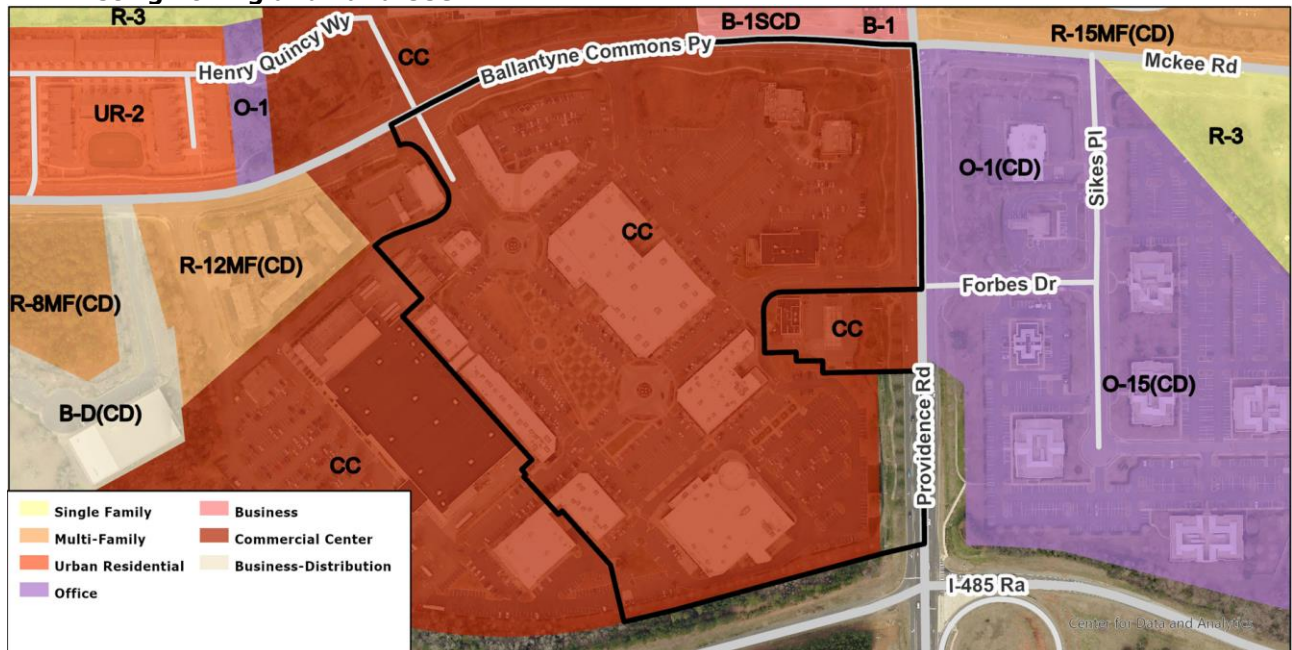
## PLANNING STAFF REVIEW

### • Proposed Request Details

The site plan amendment contains the following changes:

- Proposes minor modifications to 27.6 acres of the larger 52.25 acre site that was rezoned by petition 1998-49C and subsequently by 2017-090.
- Proposes to modify a restaurant to add a drive through on the site. The overall square footage entitlements established in prior rezonings would remain unchanged.

### • Existing Zoning and Land Use



The site has undergone two rezonings beginning with petition 1998-49C that rezoned a larger 52.25 acre site and 2017-090. The latter petition allowed redevelopment of a building and reduction of the tree planting area along Ballantyne Commons Parkway. It also permitted signage modifications and reconfiguring of the central plaza to accommodate additional parking.





The site, marked by a red star, is part of a larger commercial activity center surrounding the intersection of Providence Road and Ballantyne Commons Parkway / McKee Road. A mix of commercial, office, and multifamily residential uses occupy surrounding properties.



View of the site looking south from Ballantyne Commons Parkway.



The properties to the north and east of the site are developed with commercial and office uses.



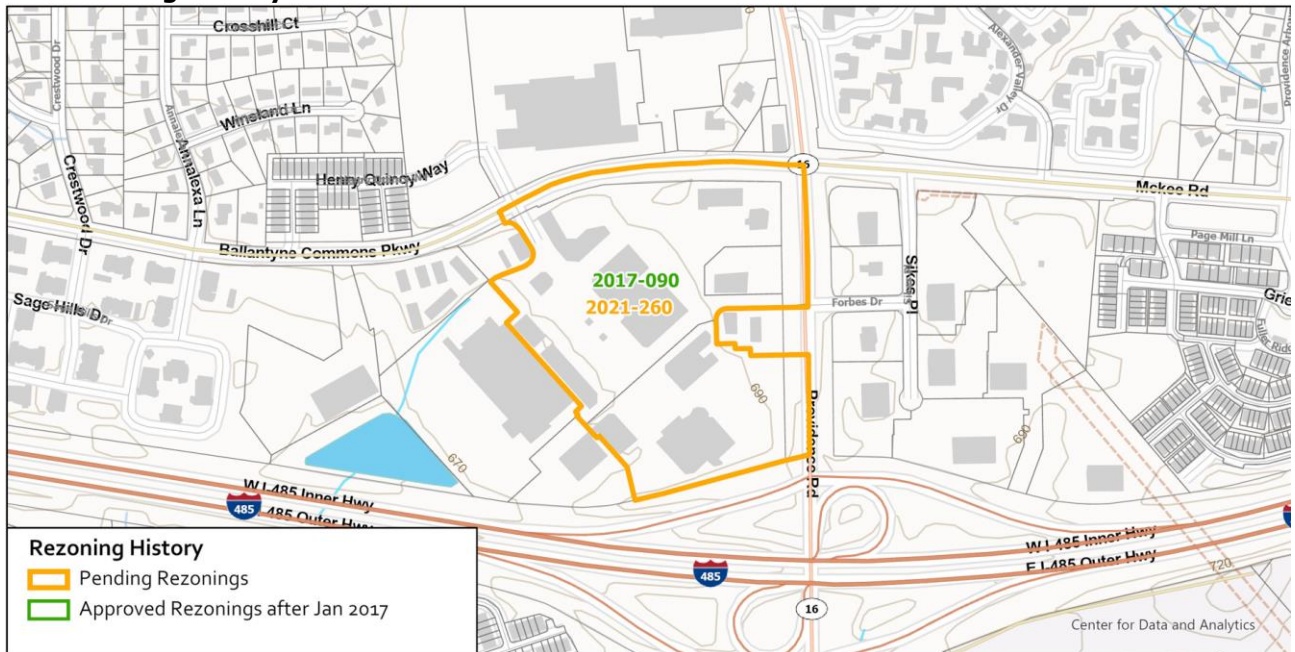
I-485 is immediately south of the site.





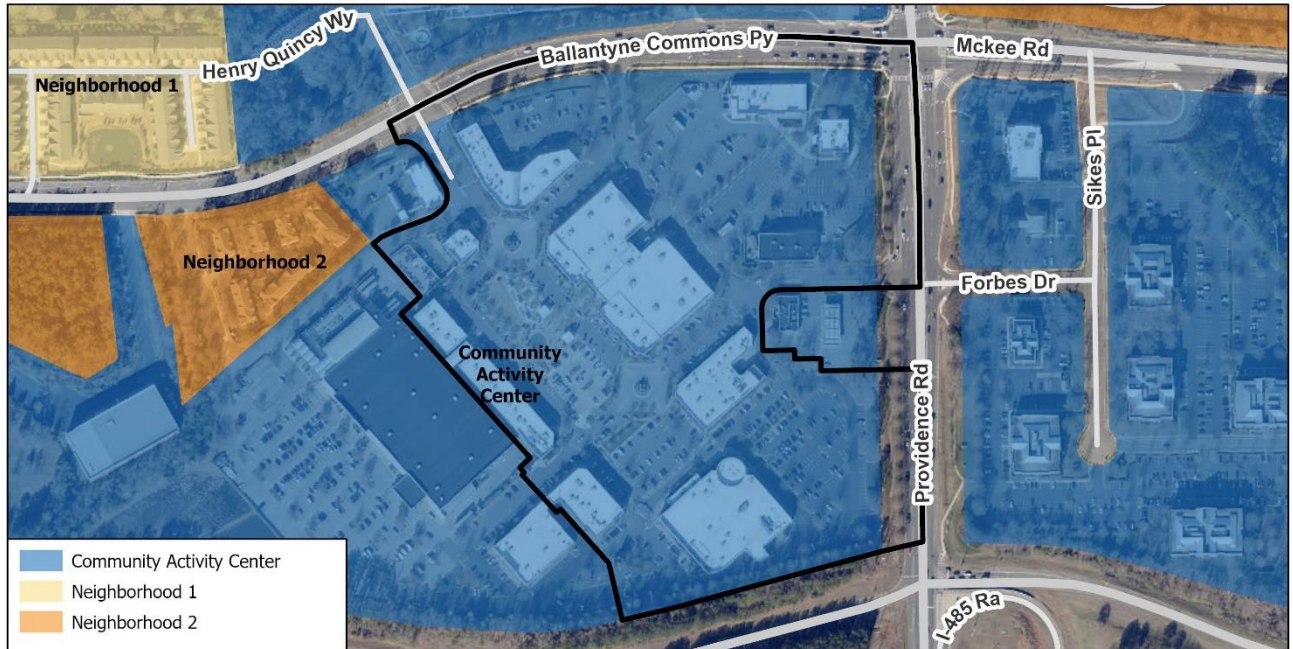
The properties to the west of the site are developed with commercial and multifamily residential uses.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2017-090	Petition to amend an approved plan to allow for the redevelopment of a building, reduction of tree planting area, modification of signage, reconfiguring of parking area.	Approved

- **Public Plans and Policies**



The 2040 Policy Map recommends Community Activity Center place type for the site.

- **TRANSPORTATION SUMMARY**

- The site is located at the southwest quadrant of two State maintained Major thoroughfares, Ballantyne Commons Parkway and Providence Road. A Traffic Technical Memorandum (TTM) was required due to access and queuing concerns. The TTM concluded that the proposed on-site staking for 22 vehicles will be adequate. The TTM was reviewed and approved by CDOT on June 15, 2022. CDOT has no outstanding comments. **Active Projects:**
- N/A

- **Transportation Considerations**

- No outstanding issues.

- **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 17,125 trips per day (based on 19,182 SF high turnover sit down restaurant, 216,489 SF retail, 27,399 SF supermarket, 10,730 SF pharmacy with drive thru, 1,945 SF coffee shop without drive thru).

Entitlement: 17,125 trips per day (based on 19,182 SF high turnover sit down restaurant, 216,489 SF retail, 27,399 SF supermarket, 10,730 SF pharmacy with drive thru, 1,945 SF coffee shop without drive thru).

Proposed Zoning: 18,015 trips per day (based on 19,182 SF high turnover sit down restaurant, 216,489 SF retail, 27,399 SF supermarket, 10,730 SF pharmacy with drive thru, 1,945 SF coffee shop with drive thru).

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

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.
- **Charlotte-Mecklenburg Schools:** Nonresidential petitions do not impact the number of students generated.

- **Charlotte Water:** The proposed rezoning has the potential to significantly impact the capacity of the local sanitary sewer collection system. It is recommended that the applicant contact the Charlotte Water New Services group for further information and to discuss options regarding sanitary sewer system capacity. Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 16-inch water distribution main located along Ballantyne Commons Pkwy. Charlotte Water has accessible sanitary sewer system infrastructure for the rezoning boundary via an existing 8-inch gravity sewer main located along Ballantyne Commons Pkwy. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Erosion Control:** No comments submitted.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Urban Forestry / City Arborist:** No comments submitted.

## OUTSTANDING ISSUES

### Transportation

- ~~1. Label and dimension the curb and gutter from the centerline for each road on the site plan.~~ **ADDRESSED**
- ~~2. Incorporate traffic mitigation comments from approved TTM.~~ **ADDRESSED**
- ~~3. Revise site plan and conditional notes to provide on-site stacking without queueing within the roundabout or the Promenade Drive stem toward Ballantyne Commons Parkway.~~ **ADDRESSED**
- ~~4. Add a site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued as needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~ **ADDRESSED**
- ~~5. Add conditional note "All public roadway improvements will be subject to the standards and criteria of CDOT and NCDOT, as applicable, to the roadway improvements within their respective road system authority. It is understood that such improvements may be undertaken by the Petitioner on its own or in conjunction with other development or roadway projects taking place within the broad south Mecklenburg area, by way of a private/public partnership effort or other public sector project support."~~ **ADDRESSED**

### Land Use

- ~~6. Clarify the number of number of restaurants with drive through that are proposed. Note 1.a indicates two restaurants with a drive through while Note 4.d states one.~~ **ADDRESSED**

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





**Planner:** Joe Mangum (704) 353-1908









## Goals Relevant to Rezoning Determinations Petition 2021-260

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when Policy Mapping is completed (February 2022) and when the **Policy Map** is effective (adopted March 28, 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	<b>Goal 1: 10- Minute Neighborhoods</b> All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	N/A
	<b>Goal 2: Neighborhood Diversity &amp; Inclusion</b> Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	N/A
	<b>Goal 3: Housing Access for All</b> Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	N/A
	<b>Goal 4: Trail &amp; Transit Oriented Development (2-TOD)</b> Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p><b>Goal 5: Safe &amp; Equitable Mobility</b></p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	<p>N/A</p>
	<p><b>Goal 6: Healthy, Safe &amp; Active Communities</b></p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	<p>N/A</p>
	<p><b>Goal 7: Integrated Natural &amp; Built Environments</b></p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p><b>Goal 8: Diverse &amp; Resilient Economic Opportunity</b></p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>✓</p>
	<p><b>Goal 9: Retain Our Identity &amp; Charm</b></p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p><b>Goal 10: Fiscally Responsible</b></p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>