

REQUEST	Current Zoning: R-3, single-family residential Proposed Zoning: NS, neighborhood services
LOCATION	Approximately 5.94 acres located at the intersection of Eastfield Road and Prosperity Church Road. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes a 22,000-square foot commercial development in two buildings, and allows all uses permitted in the NS (neighborhood services) district.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. This petition is consistent with the draft <i>Prosperity Hucks Area Plan</i> ; however, it is inconsistent with the adopted <i>Northeast Area Plan</i> which recommends residential land uses.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Full Moon of Union, LLC Full Moon of Union, LLC Keith MacVean/Moore & Van Allen, PLLC
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 15

PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Two buildings with a total square footage not to exceed 22,000 square feet.
- All allowed uses in the NS (neighborhood services) district, except convenience stores with gasoline sales, automobile service stations, pet crematoriums, funeral homes, nightclubs, bars and lounges.
- Building edges located and architecturally oriented toward Eastfield Road with no parking between the building and the street.
- Both buildings may have accessory drive-through service windows.
- A 20-foot minimum build-to line along Eastfield Road.
- A proposed plaza amenity area.
- 30-foot Class B landscape buffer adjacent to the existing R-3 (single family residential) development.
- A maximum height of 25 feet for all detached lighting fixtures.
- An eight-foot planting strip and six-foot wide internal sidewalk system.
- Three-foot low masonry screening wall with shrubs to screen parking areas adjacent to the public right-of-way for Eastfield Road and Prosperity Church Road.
- Building materials consisting of brick, architectural concrete block, and/or stucco.
- A note stating blank walls over twenty feet will not be permitted for the proposed structures.
- Two buildings to be developed with similar building materials, architectural style and color.
- Dedication of 55 and 60 feet from the centerline of right-of-way along the site's frontage for Eastfield Road and Prosperity Church Road.
- Maximum building height of 60 feet.
- Access to the site via two limited access driveways on Eastfield Road and a full access driveway on Prosperity Church Road.

• **Existing Zoning and Land Use**

The subject property is currently zoned R-3 (single family residential) and developed with a residential structure. The surrounding properties are zoned R-3 (single family residential), R-8MF(CD) (multi-family residential, conditional), MX-2 (mixed use), and NS (neighborhood services), and are developed with various residential and commercial uses.

• **Rezoning History in Area**

There have been multiple rezonings in the area over the past several years.

- Across Eastfield Road in the jurisdiction of the Town of Huntersville, a petition for Huntersville

Market allowed the development of 29 acres and up to 168,000 square feet for office and retail uses. The buildings in the development will front along Eastfield Road and the proposed extension of Prosperity Church Road.

- Petition 2011-022 rezoned 0.55 acres east of the subject site to NS (neighborhood services) to allow the development of an 8,000-square foot commercial structure.
- **Public Plans and Policies**
 - The draft *Prosperity Hucks Area Plan* recommends a mixture of uses such as residential, office, and retail on the subject property.
 - The *Northeast District Plan* (1996) recommends residential for the subject property.
 - The proposed petition is consistent with the draft *Prosperity Hucks Area Plan*.
 - The petition is inconsistent with the adopted *Northeast Area Plan*.

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 Solid Waste Services:** No issues.
- **Transportation:** The petitioner should address the following issues.
 - Provide a conditional note and label on the site plan:
 - Eastfield Road's ultimate eastbound alignment and travel lane requirements at Prosperity Church Road are: four (4) travel lanes (i.e. a left-turn lane, two thru lanes and a right-turn lane), a four-foot wide raised center median, a five-foot wide bike lane, a two and a half-foot curb and gutter, an eight-foot planting strip, and a six-foot sidewalk.
 - Right-in/Right-out access onto Eastfield Road will need to be accomplished via a continuous four-foot wide raised concrete median along Eastfield Road from the intersection of Eastfield Road and Prosperity Church Road to the westernmost proposed driveway. An Eastfield Road westbound directional left-over will need to be constructed at the westernmost proposed driveway using NCDOT/CDOT design standards.
 - Construct a left-turn lane with 150 feet of storage along Prosperity Church Road at Arbor Creek Drive.
 - Construct Eastfield Road right-turn lanes along the site's two entry points.
 - Dedicate in fee simple any additional right-of-way, once the Eastfield alignment and future curbline is established with the petitioner.
 - **Vehicle Trip Generation:**
Current Zoning: 2,400 trips per day.
Proposed Zoning: 4,930 trips per day.
 - **Connectivity:** No issues.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
- **Charlotte-Mecklenburg Storm Water Services:** No issues.
- **Charlotte-Mecklenburg Utilities:** No issues.
- **Engineering and Property Management:** No issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

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*.
 - Facilitates the use of alternative modes of transportation by providing a six-foot internal sidewalk network throughout the site.

OUTSTANDING ISSUES

- The petitioner should:
 1. Modify and reduce the proposed building envelope lines for the proposed area of development.
 2. Add a note that the proposed buildings on the site will front on Eastfield Road.
 3. Add a note that the proposed buildings along the frontage of Eastfield Road will provide customer entry doors, will include a minimum of 40% clear vision windows for the façade, and will activate the street frontage.
 4. Add a note that any circulation for an accessory service window will not be permitted between the public-right-of-way and the building.
 5. Add a note stating the proposed public plaza area will be a minimum of 6,000 square feet.
 6. Modify conditional note 6A to identify the location of the public/plaza area.
 7. Provide a landscaping and amenity detail for the proposed public plaza area.
 8. Clearly show and label the proposed masonry wall along Eastfield and Prosperity Church Road.
 9. Extend the three-foot masonry wall along Prosperity Church Road and Eastfield Road to screen all parking and drive aisles adjacent to the public right-of-way.
 10. Show and label the proposed loading dock areas for the proposed buildings.
 11. Add a note that any proposed loading dock areas will not be located adjacent to any public right-of-way.
 12. Add a note that the proposed dumpsters will not be located adjacent to the 30-foot landscape buffer.
 13. Reduce the parking area on the site so that it does not extend beyond the Eastfield Road face of the proposed western building.
 14. Provide building elevations.
 15. Provide eight-foot planting strip and six-foot sidewalk on both sides of the internal street running between the buildings. Also, revise parking layout to allow a more continuous internal sidewalk.
 16. Address Transportation 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 Solid Waste Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte-Mecklenburg Utilities Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review

Planner: Solomon Fortune (704) 336-8326