

REQUEST	Current Zoning: R-3 (single family residential) Proposed Zoning: MUDD-O (mixed use development, optional)
LOCATION	Approximately 2.52 acres located on the west side of Prosperity Church Road between Johnston Oehler Road and Interstate 485. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes to allow a mixture of street front retail and office uses, with self-storage uses located on the interior of the site. The subject site is located in the Prosperity Church Road Activity Center and is currently vacant.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Bonnie J. Dobbs et al. Real Estate Investment Fund, LLC Collin Brown/Bailey Patrick, Jr.
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 8
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • The Zoning Committee found this petition to be consistent with the <i>Prosperity Hucks Area Plan</i>, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The plan recommends a mix of uses at this site. • Therefore, this petition was found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The subject site is located along Robert Helms Road and Docia Crossing Road, fronting on I-485; and • The site is located within the growing Prosperity Church Road Activity Center, and the proposal supports the adopted Plan's policies regarding development that should be compact, pedestrian oriented and well-connected internally, and to surrounding development; and • This site's location within a Mixed Use Activity Center, will provide a mixture of uses that yield shorter vehicle trip lengths that are less impactful than accommodating the same uses spread over greater distances; and • The proposed rezoning of the site to MUDD-O (mixed use development, optional) to allow for a climate controlled storage facility and ground floor accessory retail uses is in a format that is consistent with the design policies detailed in the <i>Prosperity Hucks Area Plan</i>; <p>By a 6-0 vote of the Zoning Committee (motion by Sullivan seconded by Labovitz).</p>

ZONING COMMITTEE ACTION	<p>The Zoning Committee voted 6-0 to recommend APPROVAL of this petition with the following modifications:</p> <p>Transportation</p> <ol style="list-style-type: none"> 1. The petitioner has amended the site plan to widen Prosperity Crossing Road to a local collector street typical section requiring a minimum 51 feet of right-of-way; this street section allows recessed on-street parallel parking on both sides of the street. The future back of curb along the site's Prosperity Crossing Drive's frontage will be located 37 feet from the existing back of curb on the south side Prosperity Crossing Drive. 2. The petitioner shows 51 feet of total right-of-way as measured from Prosperity Crossing Road's exiting "southern" right-of-way line. The public sidewalk along the site's Prosperity Crossing Road frontage can be placed in a permanent Sidewalk Utility Easement
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or additional right-of-way. The petitioner has revised the site plan to depict and label future right-of-way and/or permanent Sidewalk Utility Easements along the site's Prosperity Crossing Road frontage.

3. The petitioner has revised the site plan to depict and label a permanent Sidewalk Utility Easement or additional right-of-way to include the entire six-foot public sidewalk along the site's Docia Crossing Road frontage.
4. The petitioner has agreed to work with CDOT on how the existing curb line of Prosperity Crossing Road, west of Docia Crossing Road, will properly align with the new curblines proposed east of Docia Crossing Road.

Site and Building Design

5. The petitioner has deleted the third optional request because it does not match the site plan drawing. The petitioner has provided a minimum 16-foot setback from back of curb in order to accommodate required street trees.

Requested Technical Revisions

6. The petitioner has removed the third paragraph under General Provisions heading that read "The technical data sheet..."
7. The petitioner has moved Architectural Standards/Streetscape and Landscaping Note 7j under Permitted Uses heading where language lists prohibited uses.
8. The petitioner has revised site plan to show paved surface next to on-street parking with trees in grates or planters.
9. Architectural Standards/Streetscape and Landscaping Note 7.c. regarding dumpster areas has been modified by adding language that states: "...gates or doors shall be opaque and shall lock in order to limit access during non-business hours."
10. Lighting Note 11.c. has been modified to read: "All decorative exterior, building-mounted lighting shall incorporate globe lanterns or other similar style that adequately illuminate pedestrian areas and reduce shadows along building frontages."
11. Parking Note 13.b. has been added that states: "Petitioner will provide a minimum of one (1) conveniently-located parking space reserved for 'clean commuters' (which shall include carpool, vanpool, hybrid vehicles and electric vehicles), otherwise, parking will meet all ordinance standards."

VOTE

Motion/Second: Wiggins / Majeed
 Yeas: Eschert, Labovitz, Lathrop, Majeed, Sullivan, and Wiggins
 Nays: None
 Absent: Dodson
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff reviewed the request noting that the property is located in the Prosperity Church Road Mixed Use Activity Center. The changes since the public hearing were reviewed. Staff noted the one outstanding issues related to the existing curblines of Prosperity Crossing Road, properly aligning with the new curblines proposed east of Docia Crossing Road.

One Commissioner noted that the map in the notebook showed the old alignment for Prosperity Church Road. Another Commissioner stated that staff did not recommend approval of another climate controlled storage facility. In this case, the neighbors to the right of the property were very opposed to the storage facility. The Commissioners asked if staff knew why. Staff responded that the lady that spoke at the public hearing said they have been involved area plan development, the storage would be detrimental to their property values and this is not what was envisioned for the area. The Commissioner noted that the storage facility was going to be camouflaged.

Another Commissioner noted that it is a good use of the land because of the amount of noise from Interstate 485. Another asked about the

comments made at the hearing regarding the police officers concerns about security. Staff noted that the petitioner reached out to the officer and was working through the concerns. These types of concerns are too detailed for the rezoning process and are not land use issues so they are worked out individually with the developer.

STAFF OPINION

Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW**• Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Proposes a development project which incorporates street front retail and office uses designed to be pedestrian friendly, with climate controlled self-storage on the interior of the site.
- Allows up to 17,400 square feet of commercial uses including office, retail, eating/drinking/entertainment establishments, brewery, or personal services uses.
- Allows 101,000 square feet of self-storage uses.
- Prohibits car washes, automobile services stations, drive-through service windows, and eating/drinking/entertainment establishments with drive-through service windows.
- Proposes a maximum building height of two stories (45 feet).
- The following optional provisions are being requested:
 - Allow up to 150 square feet of wall-mounted signage on each building façade facing Robert Helms Road and Docia Crossing Road. Ordinance allows signs located on any building wall of a structure to have a maximum sign surface of all signs on one wall not to exceed 5% of building wall to which the sign is attached up to a maximum of 100 square feet.
 - Allow a five-foot rear yard due to the fact that the adopted land use plan does not recommend residential uses on the adjacent property. Ordinance requires a 10-foot building separation adjacent to a residential use.
- Provides access via proposed driveway connections onto Robert Helms Road, Docia Crossing Road, and Prosperity Crossing Road.
- Includes a note that a minimum of one (1) conveniently-located parking space reserved for "clean commuters" (which shall include carpool, vanpool, hybrid vehicles and electric vehicles), will be provided.
- Provides a conceptual rendering of the development proposal and architectural standards as follow:
 - Exterior building materials to consist of primarily glass, brick, stucco, metal and composite panels, and/or cementitious siding.
 - Design elements to be incorporated for certain street front building facades within the site include those that seek to create a traditional "Town Center" concept to the site and buildings.
 - There will be a mix of transparent and solid materials to provide visual interest for the community and durability to serve building occupants. Primary among these elements include expanses of street front glass and access doors.
 - The building façade will consist of brick veneer in a variety of colors with accent masonry banding at mid-height, and include canvas awnings, tenant signage, and decorative accent lighting.
 - Second floor windows will have spandrel glass, and be designed in a traditional configuration.
 - The building top will be defined by cornice molding and stepped parapet heights to enhance the differentiation among the retail bays.
 - The ground floors of building facades facing Docia Crossing Road and Prosperity Crossing Road will be designed to encourage and complement pedestrian interest and activity. Any exterior doors in those locations shall remain open during business hours.
 - Transparent glass shall be used on ground floor windows so that the uses are visible from the street.
 - At the building occupying the Docia Crossing/Prosperity Crossing Corner, the extent of storefront glass and doors to access tenants shall constitute a minimum of 60% of first floor frontage along Docia Crossing Road.
 - Each business will have a minimum one three (3) foot by seven (7) foot entry door. In addition, each storefront window/door shall have a transparent glass transom above of at least one foot in height.

- The Docia Crossing Street elevation will also be enhanced with colored canvas awnings for at least 25% of the storefront bays.
- Tenant signage will be incorporated into a band above the glazing, suspended above the awning, or be applied directly to the glazing or awnings.
- The Prosperity Crossing elevation will include more traditional windows for viewing access from the office activities within. It will have two sets of doors to access offices and back-of-house retail functions.
- Provides approximately 1,200 square feet of amenitized urban open space adjacent to the intersection of Docia Crossing Road and Prosperity Crossing Road. Open space area will include planter areas with landscaping and trees, as well as public seating. The walking surface of the designated open space along Docia Crossing in front of the building will incorporate a different color and/or texture to differentiate it from the public sidewalk.
- Pedestrian scale lighting will be decoratively configured, with a widened base, fluted shaft, and ornamental top with a matching light housing. On Docia Crossing Road, the shaft will include brackets to mount elements such as flower pots or banners. Light poles will be a maximum 18 feet in height, and will be spaced at a maximum area.
- **Public Plans and Policies**
 - The Prosperity Hucks Area Plan (2015) recommends a mix of uses (retail/service, office, hotel and institutional) for the area in which this site is located.
 - The plan calls for development that is compact, pedestrian oriented and well-connected internally and to surrounding development.
 - The plan also calls for the ground floor of buildings to be designed to activate streets and open space through a combination of design techniques that include: non-residential ground floor uses with clear glass windows and prominent entrances with operable doors allowing access from the sidewalk; building corners that features prominent entrances; and distinctive architectural design.
- **TRANSPORTATION CONSIDERATIONS**
 - This site is located within a Mixed Use Activity Center. Generally CDOT supports greater density in Mixed Use Activity Centers since the mixture of uses yields shorter vehicle trip lengths that are less impactful than accommodating the same uses spread over greater distances. Further, if the design of the development sites can be done with safe, comfortable, and convenient facilities for pedestrians and cyclists, the rate of automobile usage per square foot of development can be reduced.
 - This petition improves the walkability of this site by implementing on-street parking and planting strips and sidewalks along the property frontages, consistent with the adopted area plan.
 - **Vehicle Trip Generation:**
Current Zoning: 90 trips per day (based on seven single family homes).
Proposed Zoning: 1,920 trips per day.

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 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 Water:** See Advisory Comments, Note 9.
- **Engineering and Property Management:** See Advisory Comments, Note 10.
- **Mecklenburg County Land Use and Environmental Services Agency:** See Advisory Comments, Note 11.
- **Mecklenburg County Parks and Recreation Department:** No issues.

ADVISORY COMMENTS

1. Charlotte Water does not currently have sewer system availability for the parcel under review. The closest sewer main is approximately 150 feet west of the southwest corner of the property
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on Prosperity Crossing Drive. The applicant should contact Charlotte Water's New Services at (704) 432-5801 for more information regarding accessibility to sewer system connections.

2. Development of the site shall comply with the requirements of the City of Charlotte Tree Ordinance.
 3. Because the proposed development will likely attract commuter trips, Mecklenburg County Air Quality recommends that the petitioner be required to provide "preferred" (attractive, conveniently located, or reduced cost) parking for "Clean Commuters" (carpool, vanpool, hybrid vehicles and/or electric vehicles).
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Department Comments
 - Charlotte Area Transit System Review
 - Charlotte Department of Neighborhood & Business Services Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - Mecklenburg County Land Use and Environmental Services Agency Review
 - Mecklenburg County Parks and Recreation Review
 - Transportation Review

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