

<b>REQUEST</b>	Current Zoning: NS (neighborhood services) Proposed Zoning: R-17MF(CD) (multi-family residential, conditional)
<b>LOCATION</b>	Approximately 11.05 acres located on the southeast corner of the intersection of Highland Creek Parkway and Eastfield Road. (Council District 4 - Phipps)
<b>SUMMARY OF PETITION</b>	The petition proposes to allow up to 190 age-restricted multi-family units in a single building on a vacant site located adjacent the Highland Creek community.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Highland Creek Investors, LLC Stream Realty Partners John Carmichael
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 26
<b>STATEMENT OF CONSISTENCY</b>	<p>The Zoning Committee found the proposed land use to be consistent with the <i>Prosperity Hucks Area Plan</i>, and the density to be inconsistent with the adopted Plan based on information from the staff analysis and the public hearing, and because:</p> <ul style="list-style-type: none"> <li>• The plan recommends residential development as an alternative to office/retail land use for this site; and</li> <li>• The plan recommends a density of up to eight units per acre.</li> </ul> <p>However, 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:</p> <ul style="list-style-type: none"> <li>• The site is located within the predominately residential Highland Creek development; and</li> <li>• It is currently zoned to allow up to 112,000 square feet of commercial uses; and</li> <li>• The proposed age-restricted residential use is appropriate as the site is located between two single family subdivisions; and</li> <li>• Although the adopted plan recommended a lower density for residential use, the nature of the proposed age-restricted use will minimize the impacts to the adjacent single family residential properties. Specifically:             <ul style="list-style-type: none"> <li>• The proposed use significantly decreases the traffic generation; and</li> <li>• It retains buffers abutting single family homes;</li> </ul> </li> </ul> <p>By a 6-0 vote of the Zoning Committee (motion by Fryday seconded by Wiggins).</p>

<b>ZONING COMMITTEE ACTION</b>	<p>The Zoning Committee voted 6-0 to recommend <b>APPROVAL</b> of this petition with the following modifications:</p> <ol style="list-style-type: none"> <li>1. The petitioner has provided language on the site plan stating placement and configuration of vehicular access points are subject to approval by Charlotte Department of Transportation (CDOT) and NCDOT (North Carolina Department of Transportation).</li> <li>2. The petitioner now shows 15% tree save (1.66 acres) on-site, based on gross acres.</li> <li>3. Petitioner has removed the carports along Highland Creek Parkway.</li> <li>4. The petitioner has provided an elevation of a combination wall and planting screen along parking area vehicular areas facing public streets.</li> </ol>
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**VOTE**

Motion/Second: Spencer / Fryday  
 Yeas: Fryday, Majeed, McClure, Spencer, Watkins and Wiggins  
 Nays: None  
 Absent: Lathrop  
 Recused: None

**ZONING COMMITTEE DISCUSSION**

Staff presented this item to the Committee, noting that all outstanding issues had been addressed by the petitioner. Staff also noted the land use is consistent with the *Prosperity Hucks Area Plan*, and the requested density inconsistent with the adopted plan. A Commissioner expressed concern about the design of the proposed structure, stating that it appears “boxy” and that it could use improvement. Staff noted that this concern would be forwarded to the urban design staff on the review team for this project.

Another Commissioner inquired into access to transportation, such as a shuttle service. Staff responded that facilities such as this one typically provide some type of transportation service. Another Commissioner noted that persons in such communities utilize CATS service. There was no further discussion of this petition.

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**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

**FINAL STAFF ANALYSIS**  
 (Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW**

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Up to 190 age restricted multi-family residential units in a single building with drop off area, parking areas, garage units and carports.
- Gated parking areas with provisions for emergency access.
- Maximum building height of four (4) stories and 54 feet.
- Proposed ingress/egress points onto Eastfield Road and Highland Creek Parkway.
- Installation of a southbound left-turn lane on Eastfield Road at its intersection with Highland Creek Parkway.
- Commitment to fund the total cost to implement a traffic signal, at the intersection of Eastfield Road and Highland Creek Parkway.
- Dedication and conveyance of right-of-way measuring 58 feet from the existing centerline of Eastfield Road.
- “Class C” buffers proposed along property lines abutting lots in residential use and/or with residential zoning.
- Provided exterior building elevations facing Eastfield Road, Highland Creek Road, north and east. Labels proposed materials including Hardie siding, brick, local stone, and alternate stone.
- Notes vinyl, EIFS or Masonite may not be used as an exterior building material on the building. Vinyl may be used on windows, soffits, trim and railings.
- Provides an elevation of a combination wall and planting screen along parking and vehicular areas facing public streets.
- Limits freestanding lighting to 21 feet.

- **Public Plans and Policies**

- The *Prosperity Hucks Area Plan* (2015) recommends office/retail land uses for this site, recognizing the previously adopted rezoning petition 2008-068.
- The area plan also specified that residential uses including single family homes, townhomes, and other housing forms at a density of up to eight units per acre is appropriate at this location.

- **TRANSPORTATION CONSIDERATIONS**

- The petitioner has agreed to implement several necessary transportation improvements near the site, including a warranted traffic signal at the Eastfield Road/Highland Creek Parkway intersection, a 150-foot southbound Eastfield Road left-turn lane, and enhanced pedestrian improvements prior to the first CO being issued.

- The site is located in the northeast quadrant of Eastfield Road, a major thoroughfare, and Highland Creek Parkway, a major collector street. The site is also located within a Wedge, per the Centers, Corridors and Wedges Growth Framework, outside Route 4, and falls within the *Prosperity Hucks Area Plan*. The site was previously rezoned in 2008, requiring a Traffic Impact Study (petition 2008-068). The existing zoning required off-site transportation improvements, including intersection improvements and a new traffic signal at Eastfield Road/Highland Creek Parkway. The site's projected trip generation has been reduced due to the proposed land use. Eastfield Road is a state-maintained facility and therefore NCDOT will be involved with the subject petition.
- **Vehicle Trip Generation:**  
Current Zoning:  
Use: 0 trips per day (based on vacant land).  
Entitlement: 6,190 trips per day (based on 81,000 square feet of retail, 57,000 square feet of office, 12,500 square feet of daycare, and 18,000 square feet of recreation uses).  
Proposed Zoning: 655 trips per day (based on 190 age-restricted apartments).

**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 issues.
  - **Charlotte-Mecklenburg Schools:** Not applicable.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 12-inch water distribution main located along Highland Creek Parkway. In relation to the parcel under review, Charlotte Water has sanitary sewer system availability for the rezoning boundary via an existing eight-inch gravity sewer main located in the eastern portion of Parcel 029-641-10.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No comments received.
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**Attachments Online at [www.rezoning.org](http://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 Fire Department Review
  - Charlotte-Mecklenburg Storm Water Services Review
  - Charlotte Water Review
  - Engineering and Property Management Review
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Transportation Review

**Planner:** Claire Lyte-Graham (704) 336-3782