

REQUEST	Current Zoning: UR-2(CD) (urban residential, conditional) Proposed Zoning: UR-2(CD) SPA (urban residential, conditional, site plan amendment), with five-year vested rights.
LOCATION	Approximately 8.96 acres located on the northeast side at the intersection of Prosperity Ridge Road and Johnston Oehler Road, south of Interstate 485. (Council District 4 - Phipps)
SUMMARY OF PETITION	The petition proposes to allow the construction of a 260-unit multi-family residential community on a vacant parcel of land located in the Prosperity Road Activity Center.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Cambridge-Eastfield, LLC Cambridge-Eastfield, LLC Walter Fields
COMMUNITY MEETING	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 14
STATEMENT OF CONSISTENCY	<ul style="list-style-type: none"> • The Zoning Committee found the proposed residential land use to be consistent with the <i>Prosperity Hucks Area Plan</i> but the density inconsistent with the adopted plan, based on information from the staff analysis and the public hearing, and because: <ul style="list-style-type: none"> • The plan recommends residential land use up to 12 units per acre. • 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: <ul style="list-style-type: none"> • The site is located at the intersection of Prosperity Ridge Road and Johnston Oehler Road, and along an on-ramp to Interstate 485 at Prosperity Ridge Road, within the Prosperity Hucks Activity Center; and • The intent for the Activity Center south core area (where this site is located) is for highly integrated and walkable places with a mix of uses and a focus on employment and supporting uses; and • The proposed development, while higher in density than the adopted future land use for the site, is in keeping with the desired pedestrian-oriented character of the Prosperity Church Road Mixed Use Activity Center and is appropriate for a prominent location at the intersection of a thoroughfare and interstate on-ramp; and • The proposed development begins to establish a more walkable and pedestrian friendly development pattern within the Activity Center south core area by expanding the number of compact urban developments in this area and begins to establish an edge for the activity center along Prosperity Ridge Road, one of the three principal roads crossing I-485; and • The proposed development incorporates new east-west and north-south street connections, carrying forward the plan's proposed street network for the Activity Center; <p>By a 7-0 vote of the Zoning Committee (motion by Fryday seconded by Majeed).</p>

ZONING COMMITTEE ACTION	The Zoning Committee voted 7-0 to recommend APPROVAL of this petition with the following modifications: 1. Petitioner committed to address Storm Water Services' comment by
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- removing Note 7c in its entirety.
2. Petitioner has added a note stating that buildings shall front a minimum of 80% of the site along Johnston-Oehler Road and Prosperity Ridge Road (exclusive of driveways, pedestrian access points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities). Parking areas will not be located between any building and Johnston-Oehler Road and Prosperity Ridge Road. Parking areas beside and between buildings will front no more than 20% of the site along Johnston-Oehler Road and Prosperity Ridge Road.
 3. Petitioner has added a note stating that sidewalk connectors will be installed between the sidewalk and the curb on external streets that include parallel parking. These connectors will be spaced equidistant between street trees but in no case less than 40 feet apart.
 4. Note 6c has been amended to state that buildings facing Johnston-Oehler Road and Prosperity Ridge Road will not have expanses of blank walls greater than 20 feet along the street level and 40 feet in all other directions and architectural features such as but limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
 5. Amended acreage on site plan to note 8.96 acres to be consistent with the application.
 6. Under Site Data site plan now notes that proposed zoning is UR-2(CD) SPA with five-year vested rights.
 7. Petitioner has added note stating the open space area will include, but not be limited to, urban spaces, pool and pool deck, BMP (best management practices; storm water facilities), open space between buildings, passive areas, and public and private streets. The exact location, configuration, and contents of the open space areas will be determined during the design development and review phase.

VOTE

Motion/Second: Majeed / Sullivan
 Yeas: Fryday, Majeed, McClung, McMillan, Nelson, Spencer, and Sullivan
 Nays: None
 Absent: None
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff reviewed this petition with the Committee noting that all outstanding issues had been addressed by the petitioner. Staff noted that the proposed residential land use is consistent with the adopted land use but the density is inconsistent with the recommended 12 units per acre for this site, as per the *Prosperity Hucks Area Plan*.

There was no discussion of this request.

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:

- Construct up to 260 multi-family residential units at a density of 29 units per acre.
- Proposes maximum of four stories.
- Proposes to include the following amenities: club house, outdoor pool and pool deck area, and passive open space.
- Identifies proposed building and parking frontage areas.
- Locates proposed parking envelope.

- Commits to the following transportation improvements:
 - Dedicates a 71-foot right-of-way and constructs Public Street 1 connecting from Prosperity Ridge Road to the eastern edge of the site as shown on the site plan.
 - Dedicates a 71-foot right-of-way and constructs Public Street 2 connecting from Johnston-Oehler Road north to Public Street 1 as shown on the site plan.
 - Dedicates and conveys fee simple interest for any right-of-way along the site's frontage that does not already comply with City standards prior to issuance of certificate of occupancy. If standard right-of-way is not dedicated, the additional right-of-way will be set at two feet behind the back of edge of existing sidewalk on Johnston-Oehler Road and Prosperity Ridge Road.
 - Reserves right to install a "speed table" or raised intersection on Street 1 to serve as a traffic calming device and to define and identify the entrances to the site, subject to CDOT approval.
- Commits to the following Architectural and Site Design Standards:
 - Provides a minimum 24-foot building setback behind the existing back of curb of Johnston-Oehler Road and Prosperity Ridge Road.
 - Proposes all principal and accessory buildings abutting Johnston-Oehler Road and Prosperity Ridge Road have a minimum of 30% of that building's entire façade facing such roads using brick, pre-cast concrete, natural stone (or its synthetic equivalent), stucco or other material approved by the Planning Director.
 - Prohibits use of vinyl siding (except for vinyl hand rails, windows or door trim) and concrete masonry units not architecturally finished.
 - Places buildings with a front or side façade to Johnston-Oehler Road and Prosperity Ridge Road.
 - Buildings facing Johnston-Oehler Road and Prosperity Ridge Road will not have expanses of blank walls greater than 20 feet along the street level and 40 feet in all other directions and architectural features such as but limited to banding, medallions or design features or materials will be provided to avoid a sterile, unarticulated blank treatment of such walls.
 - Buildings exceeding 120 feet in length will include modulations of the building massing/façade plane. Modulations will be a minimum of 10 feet wide and will project or recess a minimum of three feet extending through the building.
 - Buildings will front a minimum of 80% of the site along Johnston-Oehler Road and Prosperity Ridge Road (exclusive of driveways, pedestrian access points, accessible open space, tree save or natural areas, tree replanting areas and storm water facilities). Parking areas will not be located between any building and Johnston-Oehler Road and Prosperity Ridge Road. Parking areas beside and between buildings will front no more than 20% of the site along Johnston-Oehler Road and Prosperity Ridge Road.
 - Notes that sidewalk connectors will be installed between the sidewalk and the curb on external streets that include parallel parking. These connectors will be spaced equidistant between street trees but in no case less than 40 feet apart.
- **Public Plans and Policies**
 - The Prosperity Hucks Area Plan (2015) recommends residential land use up to 12 dwelling units per acre for this site. Other land use recommendations include the following: residential development could have a secondary retail and/or office component fronting Prosperity Ridge Road if designed and integrated with the residential uses to create a unified walkable place; the mix of uses may be vertically or horizontally integrated. The plan notes that multi-unit residential buildings such as apartments are not appropriate at these locations. Community Design guidelines in the Prosperity Hucks Area Plan (2015) include the following: compact development that is pedestrian oriented, and well connected internally, and to surrounding development; buildings should be oriented towards the streets, with the majority of parking located to side or rear of buildings; shared parking is encouraged; and the ground floor of buildings should be designed to activate streets and open space.
- **TRANSPORTATION CONSIDERATIONS**
 - This site is bounded by minor thoroughfares and an I-485 on-ramp. The current site plan carries the commitment for construction of two public streets sections through the site from the prior rezoning (petition 2002-085) to develop local multi-modal connections between Prosperity Ridge Road and Johnston Oehler Road as envisioned by the Prosperity/Hucks Area Plan.
 - **Vehicle Trip Generation:**
 - Current Zoning:
 - Existing Use: N/A trips per day (based on vacant land).
 - Entitlement: 720 trips per day (based on 113 townhomes).
 - Proposed Zoning: 1,700 trips per day (based on 260 apartment units).

DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Housing and Neighborhood Services:** No issues.
- **Charlotte Fire Department:** No on street parking on roads less than 26 feet clear width.
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning would generate 25 students, while the development allowed under the proposed zoning will produce 35 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 10 students.
 - The proposed development is projected to increase the school utilization (without mobile classroom units) over existing conditions as follows:
 - Croft Community School from 90% to 93%
 - J.M. Alexander Middle to remain at 76%; and
 - Mallard Creek High from 123% to 124%.
- **Charlotte Water:** Charlotte Water has water system availability for the rezoning boundary via an existing 12-inch water distribution main located along Johnston Oehler Road. Charlotte Water has sewer system availability for the rezoning boundary via an existing eight-inch gravity sewer main located along Johnston Oehler Road and an existing eight-inch gravity sewer main located within the rezoning boundary along the Interstate 485 ramp.
- **Engineering and Property Management:**
 - **Arborist:** No trees can be planted in the right-of-way of I-485 without permission of NC Department of Transportation and the City Arborist's office. Trees must be planted to meet NCDOT planting guidelines. Contact Laurie Reid (704-336-5753) at 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. Contact the City Arborist's office for a planting permit if trees will be planted in the right-of-way on a City of Charlotte maintained street (Prosperity Ridge and Johnson-Oehler Roads).
 - **Erosion Control:** No issues.
 - **Land Development:** No issues.
 - **Storm Water Services:** No issues.
 - **Urban Forestry:** No comments received.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Parks and Recreation Department:** No issues.

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 Housing and Neighborhood Services Review
 - Charlotte Fire Department Review
 - Charlotte-Mecklenburg Schools Review
 - Charlotte-Mecklenburg Storm Water Services Review
 - Charlotte Water Review
 - Engineering and Property Management Review
 - City Arborist
 - 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