

<b>REQUEST</b>	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.
<b>LOCATION</b>	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)
<b>SUMMARY OF PETITION</b>	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.
<b>PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE</b>	Cambridge-Eastfield, LLC Cambridge-Eastfield, LLC Walter Fields
<b>COMMUNITY MEETING</b>	Meeting is required and has been held. Report available online. Number of people attending the Community Meeting: 14

<b>STAFF RECOMMENDATION</b>	<p>Staff recommends approval of this petition upon resolution of outstanding issues related to transportation and urban design.</p> <p><u>Plan Consistency</u> 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 <i>Prosperity Hucks Area Plan</i>.</p> <p><u>Rationale for Recommendation</u></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• The proposed development incorporates new east-west and north-south street connections, carrying forward the plan's proposed street network for the Activity Center.</li> </ul>
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**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:
  - 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.
  - Provides a minimum 80% building frontage along Johnston-Oehler Road and Prosperity Ridge Road.
  - Prohibits parking areas from being located between any building and Johnston-Oehler Road and Prosperity Ridge Road. Parking areas will be allowed to front no more than 20% of the site along those rights-of-way.
  - Provides a minimum 24-foot building setback behind the existing back of curb of Johnston-Oehler Road and Prosperity Ridge Road.
  - 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.
- **Existing Zoning and Land Use**
  - The site is currently vacant and was previously rezoned via petition 2002-085 in order to allow up to 111 for sale townhomes. The site is located within the growing Prosperity Church Road mixed use activity center.
  - To the north are Interstate 485, single family detached residences, townhomes, apartments, retail uses, and vacant land zoned R-3 (single family residential), R-5(CD) (single family residential, conditional), UR-2(CD) (urban residential, conditional), R-22MF(CD) (multi-family residential, conditional), NS (neighborhood services), B-1(CD) (neighborhood business), and CC (commercial center).
  - East are low density, single family homes, an educational facility, and vacant land zoned R-3 (single family residential).
  - South and west are single family detached residential neighborhoods, townhomes, a retirement community, retail uses, and vacant land zoned R-3 (single family residential), MX-1 (mixed use), Inst(CD) (institutional, conditional), NS (neighborhood services), and MUDD-O (mixed use development, optional).
  - See "Rezoning Map" for existing zoning in the area.
- **Rezoning History in Area**
  - Petition 2016-055 rezoned approximately 2.52 acres located on the west side of Prosperity Church Road between Johnston Oehler Road and Interstate 485 from R-3 (single family residential) to MUDD-O (mixed use development, optional) in order to allow a mixture of street front retail and office uses, with self-storage uses located on the interior of the site.
  - Petition 2016-001 approved an NS SPA (neighborhood services, site plan amendment) on approximately 3.65 acres located on the south side of Johnston-Oehler Road and east of Prosperity Church Road in order to allow retail or office uses on a vacant parcel within an existing retail/office development.
- **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 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 113 students, while the development allowed under the proposed zoning will produce 25 students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is 35 students.
  - The proposed development is projected to increase the school utilization (without mobile classroom units) as follows:
    - Croft Community School from 90% to 93%
    - J.M. Alexander Middle from 76% to 76%
    - 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:** See Outstanding Issues, Note 1.
  - **Storm Water Services:** See Outstanding Issues, Note 1.
  - **Urban Forestry:** No comments received.
- **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
- **Mecklenburg County Park and Recreation Department:** No issues.

**OUTSTANDING ISSUES**

Infrastructure

1. Please remove Note 7c in its entirety and replace with the following: "The petitioner shall comply with the Charlotte City Council approved and adopted Post Construction Stormwater Ordinance. The location, size, and type of storm water management systems depicted on the Rezoning Plan are subject to review and approval as part of the full development plan submittal and are not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points."

Site and Building Design

2. Amend the site plan so that the residential density and/or proposed uses are in greater compliance with the adopted plan.
3. Show only building frontage as discussed on both blocks.
4. Sidewalk extensions should be provided between all street trees on all public and private network required streets when parking is adjacent.
5. If ground floor units are providing outdoor, deck, or balcony features, those units must be connected via sidewalk to public and private network required streets.
6. Revise Note 6. C. to read "...shall not have expanses of blank walls greater than ~~40~~ 20 feet in all directions..."

**REQUESTED TECHNICAL REVISIONS**

7. Amend acreage on site plan to note 8.96 acres to be consistent with the application.
  8. Remove 5-year vested rights from site plan and application.
  9. Under Site Data note the maximum building height on the site plan.
  10. Under Site Data note that proposed zoning is UR-2(CD) SPA with five-year vested rights.
  11. Note 7.b. references Open Space, but this area is not labeled on Sheet RZ-1 or RZ-3. Verify if the open space is the area in the northeastern portion of the site (on sheet RZ-1). Also, provide a minimum amount of usable urban open space to be provided on the site.
  12. Transportation Note 4.b. states that parking areas are generally indicated on the illustrative site plan (Sheet RZ-3 color perspective). However, there are conflicts between Sheet RZ-1 and RZ-3 on where parking envelope locations exist. Amend accordingly so sheets are consistent.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Locator Map
- 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 Water Review
  - Engineering and Property Management Review
    - City Arborist Review
    - Erosion Control
    - Land Development
    - Storm Water
  - Mecklenburg County Land Use and Environmental Services Agency Review
  - Mecklenburg County Park and Recreation Review
  - Transportation Review

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