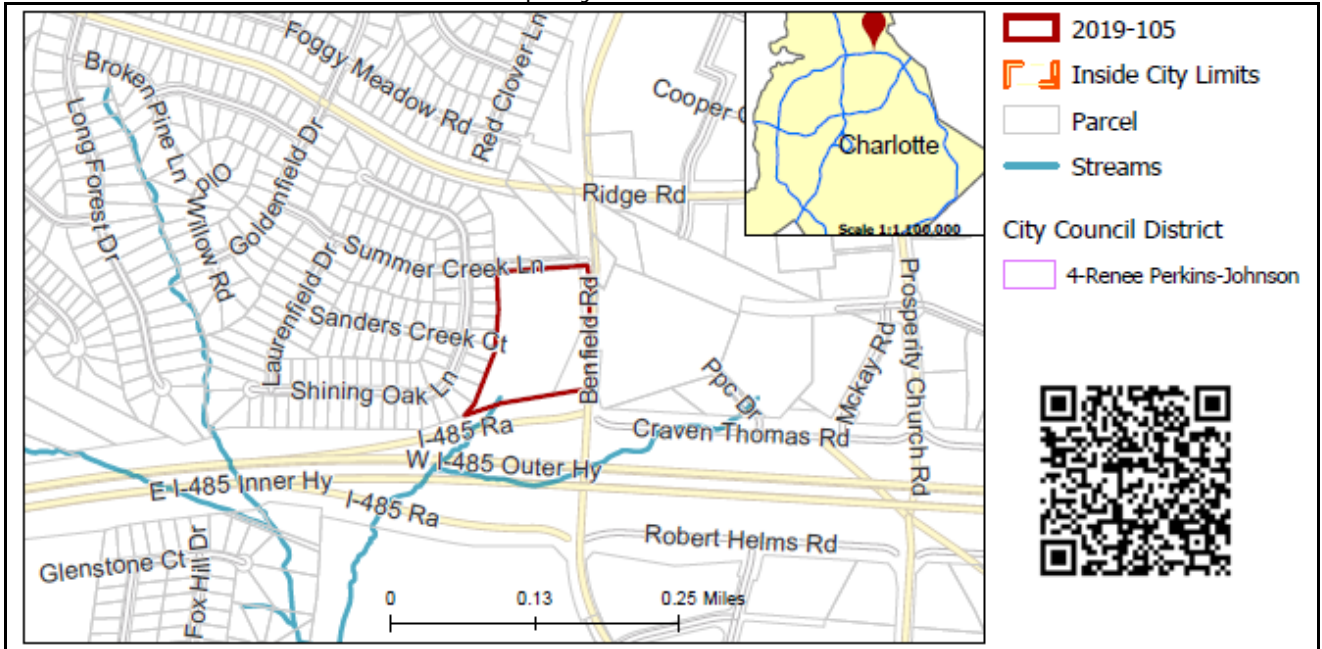


**REQUEST**

Current Zoning: R-4 (single-family residential)  
Proposed Zoning: NS (Neighborhood Services)

**LOCATION**

Approximately 5.14 acres located on the west side of Benfield Road, south of Summer Creek Lane and north of Interstate 485, west of Prosperity Church Road.



**SUMMARY OF PETITION**

The petition proposes to allow 84 multi-family residential units, 48,000 square feet of office uses, and 12,607 square feet of commercial uses including: retail, office, and EDEE.

**PROPERTY OWNER  
PETITIONER  
AGENT/REPRESENTATIVE**

Wagener Properties Charlotte, LLC  
The Greenstone Group, LLC  
Collin Brown, Alexander Ricks PLLC

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 4

**STAFF  
RECOMMENDATION**

Staff does not recommend approval of this petition in its current form.

Plan Consistency

The petition is **inconsistent** with the *Prosperity Hucks Area Plan (2015)* recommendation for residential uses up to eight dwelling units per acre.

Rationale for Recommendation

- At 15 dwelling units per acre, the residential component of this petition is denser than the eight dwelling units per acre that the adopted area plan recommends for the site.
- The plan notes that a secondary retail and/or office component facing Benfield Road could be appropriate if designed and integrated with the residential uses to create a unified walkable place. However, the location of parking between the street and the mixed-use building and the free-standing office building do not create an integrated, walkable environment. The office building

proposed for the corner of I-485 and Benefield road is not designed to be a secondary use to the petition's residential component, as the plan recommended. At 48,000 square feet with its own entrance and parking lot, this is a primary use.

- The petition's maximum height of 65-feet is inappropriate due to the site's location immediately adjacent to a single-family neighborhood.

The approval of this petition will revise the adopted future land use as specified by the *Prosperity Hucks Area Plan (2015)*, from residential uses at up to eight dwelling units per acre to residential/office/retail uses for the site.

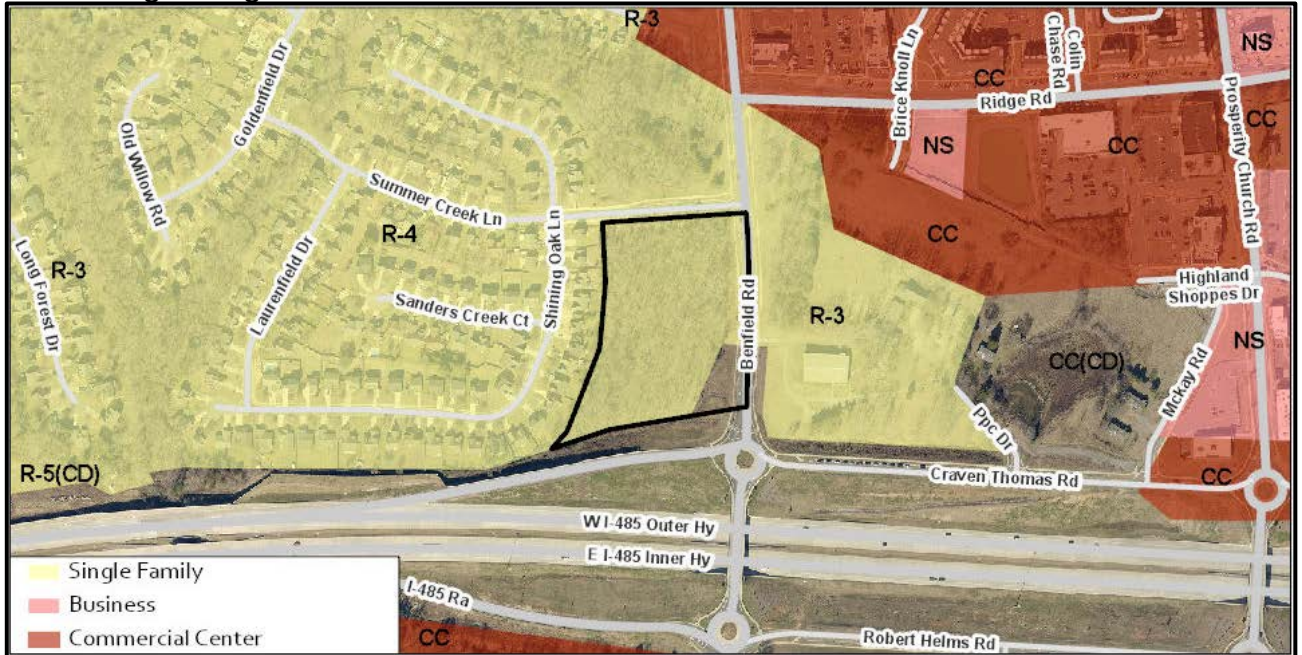
## PLANNING STAFF REVIEW

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Allows up to 84 residential units, 48,000 square feet of office uses, and 12,607 square feet of additional commercial uses including retail, office, and EDEE.
- Locates the 48,000 square feet of office uses to the commercial/office building along the freeway access road and Benfield Road.
- Locates the additional 12,607 square feet of commercial/office uses to the mixed-use building along Benfield Road, and Summer Creek Lane.
- Allows any unused office square footage to be converted to additional residential units at a rate of 1,000 square feet of office to one residential unit not to exceed 100 total units.
- Prohibits car washes, automotive service stations, and EDEE's with accessory drive-through windows.
- Access will be provided along Benfield Road and Summer Creek Lane.
- Commits to extending the median on Benfield Road to have controlled access to the driveways.
- Provides a left-turn lane on to Summer Creek Lane.
- Provisions for building height: The mixed-use building will be restricted to 5-stories oriented to Benfield Road and 3-stories facing Summer Creek lane. The commercial/office building will be 4-stories.
- Commits to the following building materials: a minimum 20% of façade using brick, natural stone, synthetic stone, stucco, cementous products.
- Prohibits vinyl siding except handrails, windows, or door trim.
- Commits to placing buildings to present a front or side façade to Benfield Road.
- Provides modulations (such as recesses, projections, architectural details) of the building massing/façade in buildings exceeding 120-feet in length.
- Provides roof articulations to avoid the appearance of a large monolithic roof structure.
- Commits to pedestrian scale lighting within the site. Free standing lighting will not exceed 26-feet.

• Existing Zoning and Land Use



The subject property is zoned R-3 (single-family, residential). The surrounding land uses are single-family residential, a church, retail, and multi-family.



The subject property (denoted by red star) is undeveloped.



The property to the north along Benfield is undeveloped.



The property to the west along Summer Creek Lane is developed with single-family homes.

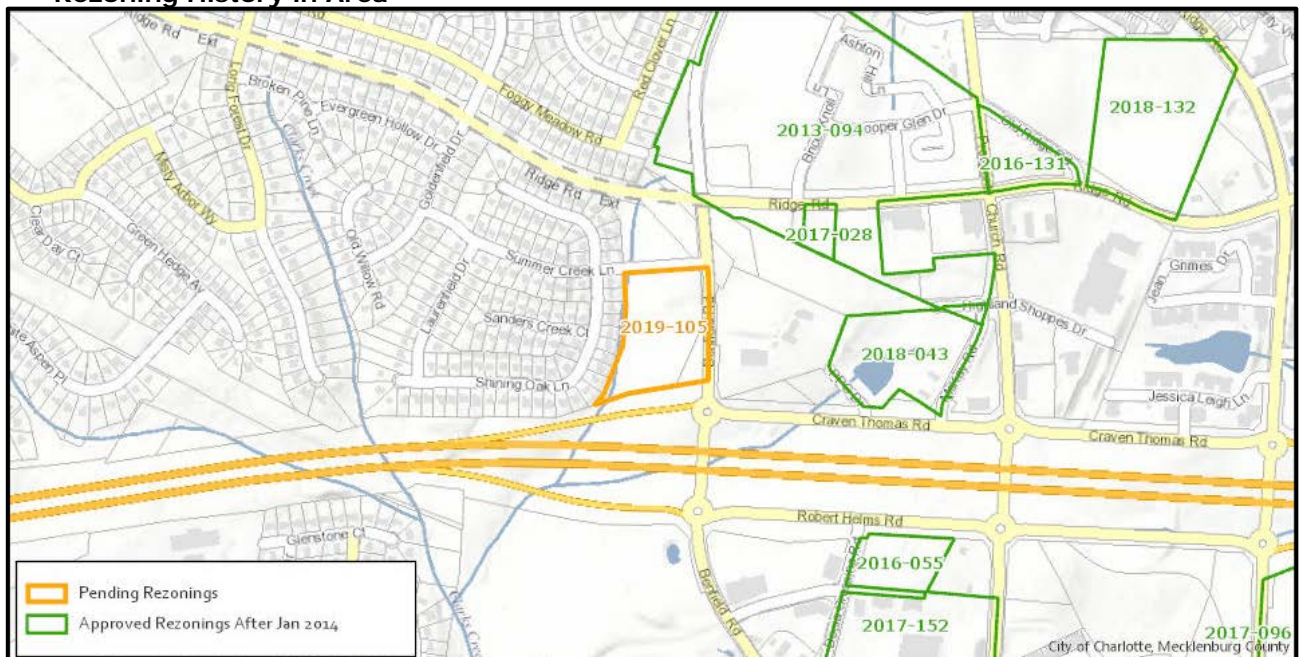


The property is bordered by Interstate 485 to the south.



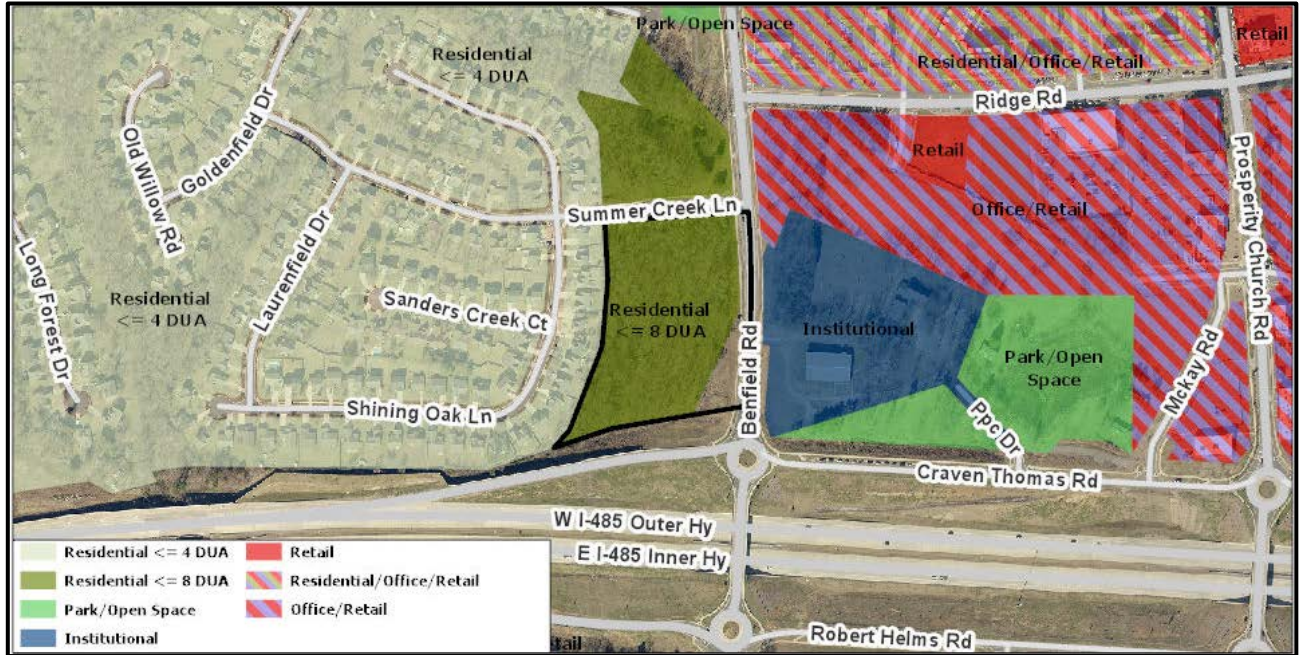
The property to the east along Benfield Road is developed with a religious institution.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2013-094	Rezoned 33.84 acres to allow 100,000 square feet of office, retail/commercial/personal services, EDEE uses and up to 292 multi-family units.	Approved
2016-055	Rezoned 2.52 acres to allow retail/offices uses with a self-storage use on the interior of the site.	Approved
2016-132	Rezoned 2.01 acres to allow up to 16 attached townhome units.	Approved
2017-028	Rezoned 0.77 acres to allow 4,500 square foot of retail, office, EDEE uses.	Approved
2017-096	Rezoned 8.96 acres to allow up to 260 multi-family units.	Approved
2017-152	Rezoned 8.91 acres to allow the reuse of an existing building for a movie theater or other uses as permitted in the MUDD zoning district and allows the complete build out of the previously approved commercial center.	Approved
2018-043	Rezoned 5.85 acres to allow a nursery/greenhouse and a building with retail, office, EDEE, and personal services.	Approved
2018-132	Rezoned 10.50 acres to allow a mixed-use development.	Approved

• **Public Plans and Policies**



- The *Prosperity Hucks Area Plan* (2015) recommends residential uses up to eight dwelling units per acre.
- **TRANSPORTATION CONSIDERATIONS**
  - This site is located along a local road and minor thoroughfare. The petitioner is committing to extending the median to have safer access to the driveways on their site along Benefield Road. A traffic impact study was required as part of CDOT’s review, for the development to mitigate the additional traffic it is going to generate. The development commits to roadway improvements; however, the site plan and conditional notes need to be updated to reflect the improvements.
  - See Requested Technical Revisions, Note 5.
  - **Vehicle Trip Generation:**  
 Current Zoning:  
     Existing Use: 0 trips per day (based on vacant land).  
     Entitlement: 240 trips per day (based on 20 single-family dwellings).  
 Proposed Zoning: 2,450 trips per day (based on 84 multi-family dwellings, 48,000 square feet of office, and 12,600 square feet of retail).

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No outstanding issues.
- **Charlotte Department of Housing and Neighborhood Services:** No outstanding issues.
- **Charlotte Department of Solid Waste Services:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte Fire Department:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 10 students, while the development allowed under the proposed zoning may produce 25 students. Therefore, the net increase in the number of students generated from existing zoning to proposed is 15 students.
  - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
    - Legette Blythe Elementary from 116% to 114%
    - J.M. Alexander Middle remain at 90%
    - North Mecklenburg High remain at 115%.

- **Charlotte Water:** Charlotte Water currently does not have water system accessible for the rezoning boundary under review. The closest water distribution main is approximately 60 feet west of the rezoning boundary along Summer Creek Lane. A developer donated project will be required in cases there is not direct service. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing eight-inch gravity sewer main running through the western part of the parcel and an existing eight-inch gravity sewer main running through the southern part of the parcel. See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Engineering and Property Management:**
  - **Arborist:** No comments submitted.
  - **Erosion Control:** No comments submitted.
  - **Land Development:** No outstanding issues.
  - **Storm Water Services:** No outstanding issues.
  - **Urban Forestry:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** See advisory comments at [www.rezoning.org](http://www.rezoning.org)
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.

**OUTSTANDING ISSUES**Land Use

1. Reduce density to be consistent with the land use plan.
2. Reduce the square footage of the office building proposed for the corner of I-485 and Benefield Road.

Site and Building Design

3. Remove parking/driveways between building and Benfield Road.
4. Reduce maximum height of building.

**REQUESTED TECHNICAL REVISIONS**Transportation

5. Add the recommended improvements to the conditional notes from the approved Traffic Impact Study.

Site and Building Design

6. Delete "preferred" from note V.A
7. Remove note C.2 under Architectural and Streetscape Standards. The building doesn't "front" Benefield Road with parking in between the street and the building.

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**See Attachments (applications, department memos, maps etc.) Online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Michael Russell (704) 353-0225