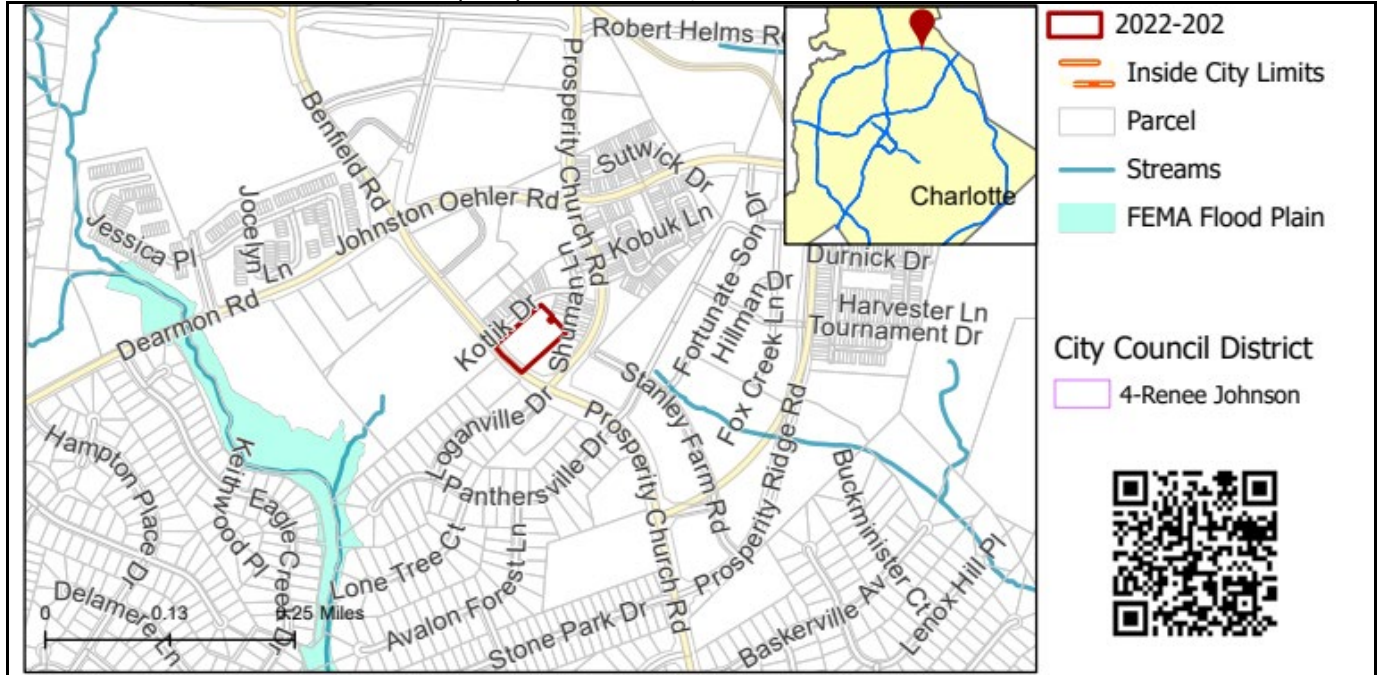


**REQUEST**

Current Zoning: N1-A (Neighborhood 1)  
Proposed Zoning: CAC-1 (CD) (Community Activity Center, Conditional)

**LOCATION**

Approximately 1.98 acres located on the east side of Benfield Road, west of Prosperity Church Road, and south of Johnston Oehler Road.



**SUMMARY OF PETITION**

The petition proposes uses permitted by right and under prescribed conditions in the CAC-1 (Community Activity Center) zoning district, with the exception of uses prohibited in the conditional notes.

**PROPERTY OWNER**

Mizelle F Wade

**PETITIONER**

Sam's Mart

**AGENT/REPRESENTATIVE**

Anthony Fox, Parker Poe

**COMMUNITY MEETING**

Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 0

**STAFF RECOMMENDATION**

Staff recommends approval of this petition upon resolution of outstanding issues related to land use.

Plan Consistency

The petition is **inconsistent** with the 2040 Policy Map recommendation for Neighborhood 1 place type.

Rationale for Recommendation

- CAC-1 place types are utilized for transitioning away from automobile-centric orientation toward a more walkable, well-connected, moderate intensity, mix of retail, restaurant, entertainment, office, and personal service uses, including some residential uses.
- The Community Activity Center place type could be considered appropriate for this site given that the surrounding parcels are designated for the Community Activity Center place type and this rezoning would help further align the place type recommendation toward the intersection of Prosperity Church Rd. and Benfield Rd.

- The small acreage of the site and the limited access could limit the intensity of the proposed CAC-1 uses.
- The petition could facilitate the following *2040 Comprehensive Plan* Goals:
  - 1: 10 Minute Neighborhoods
  - 8: Diverse & Resilient Economic Opportunity

The approval of this petition will revise the recommended place type as specified by the *2040 Policy Map*, from Neighborhood 1 Place Type to Community Activity Center for the site.

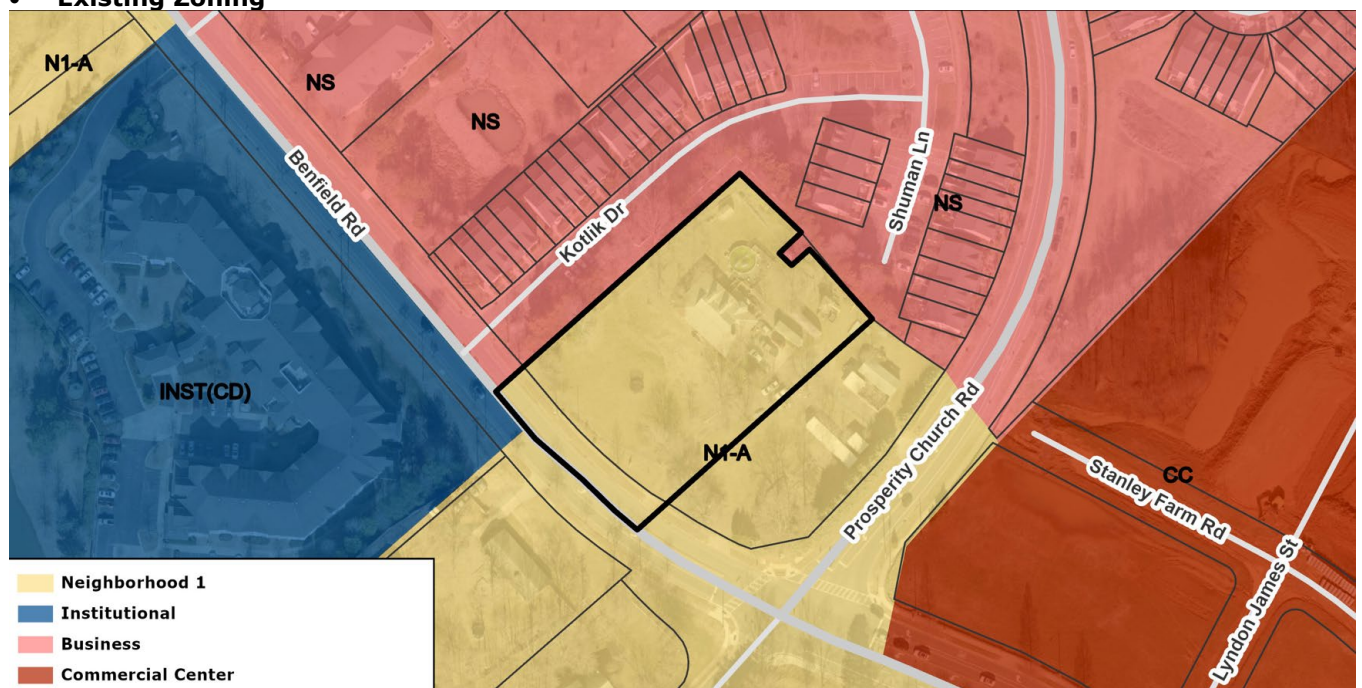
**PLANNING STAFF REVIEW**

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

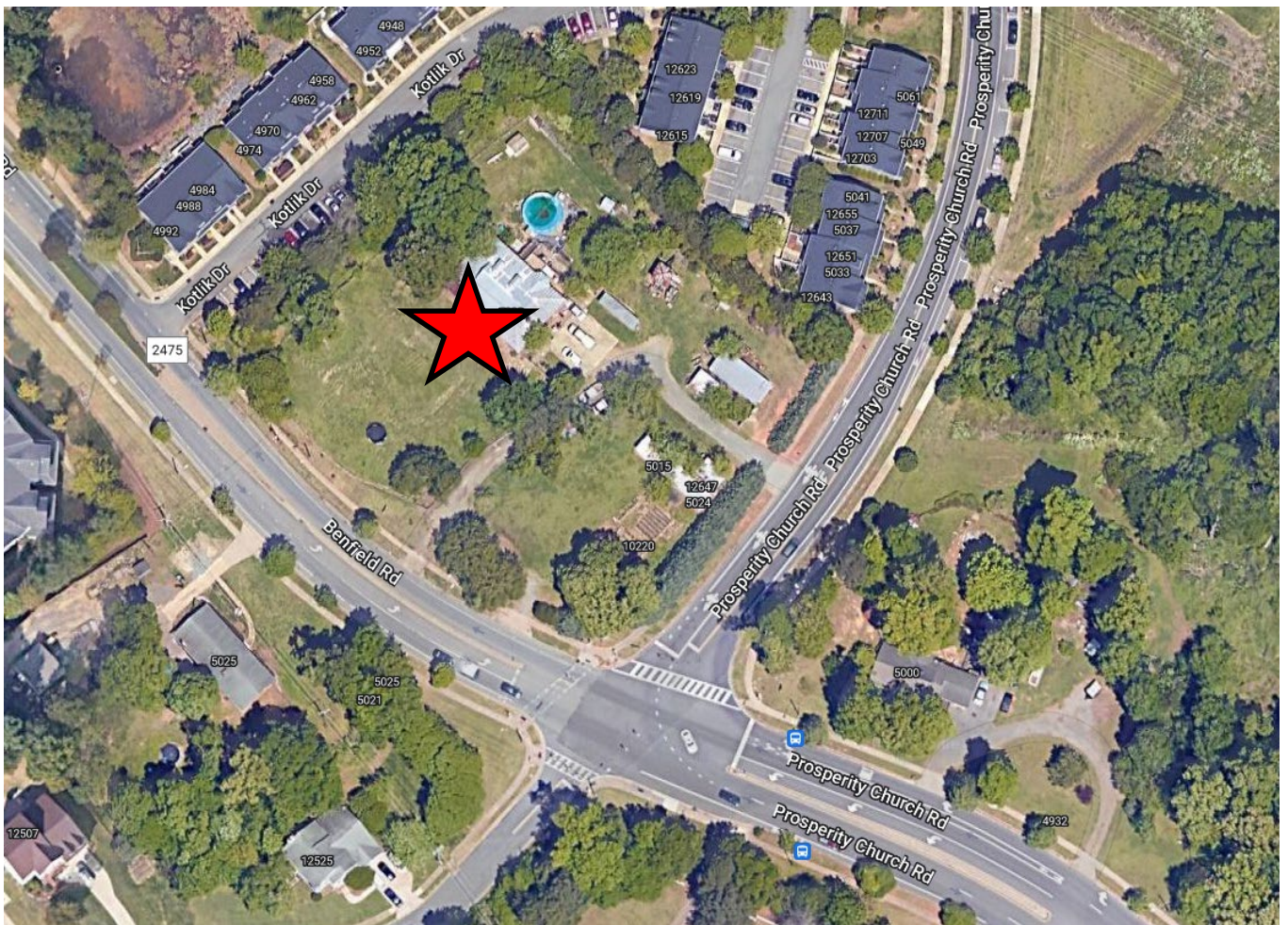
- All uses permitted by right and under prescribed conditions in the CAC district with the exception of the following:
  - Hotel/motel
  - Gas Station
  - Vehicle dealership enclosed
  - Place of worship
  - Domestic violence center
  - Live performance venue/indoor
  - Vehicle repair facility: major
  - Correctional facility
  - Addiction treatment facility/residential
  - Alternative correction facility
  - Domestic violence shelter
  - Drug treatment center
  - Halfway house
  - Homeless shelter
  - Landfill, land clearing and inert debris (LCID)
  - Driving range
  - Mobile car wash

• **Existing Zoning**



- The site is currently surrounded by commercial center and business to the east, , institutional (conditional) to the north-west, Neighborhood Services (NS) to the west and neighborhood 1 zoning to the south.





The property to the northwest of the site along Prosperity Church Road is developed with a large development of townhomes. To the north, along Benfield road, there are additional town homes. To the west of the site, there is a large institutional use.





The site is currently zoned R-3 with a single-family structure present on the site.



North of the site on Prosperity Church road is a residential neighborhood, primarily with single family attached homes.





South of the site on Loganville drive are individual single-family homes.



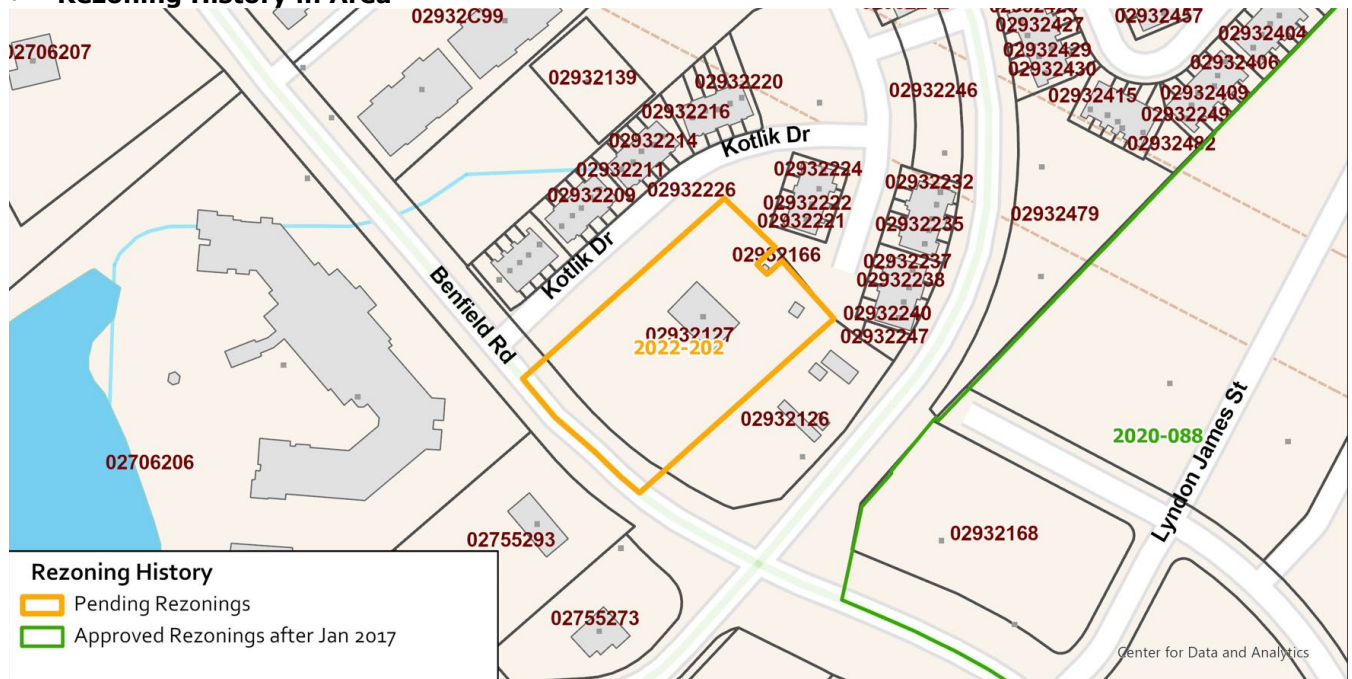
East of the site on Prosperity Church Road there are additional single-family homes with a large undeveloped space adjacent.





West of the site on Benfield road is a cluster of condos/townhome units.

• **Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-088	58.04 acres; from MX-1 (mixed use) and R-3 (single family residential) to CC (commercial center) and UR-2 (CD) (urban residential, conditional) with five-year vested rights.	Approved



• **Public Plans and Policies**



- The 2040 Policy Map (2022) calls for the Neighborhood 1 place type.

• **TRANSPORTATION SUMMARY**

- The site is located adjacent to Benfield Road, a City-maintained minor throughfare, and west of Prosperity Church Road, a City-maintained minor throughfare. The petition is located in a Prosperity Church Road Activity Center outside of Route 4, within the Prosperity Hucks Area Plan

• **Active Projects:**

- Convenience Store Prosperity Church Rd
  - Commercial project for a convenience store located on the 4700 block of Prosperity Church Road
- Prosperity Ridge Mixed Use
  - Mixed use subdivision project
- DeArmon Road Complete Street Improvements
  - Improvements on Dearmon Road from Browne Road to Benfield Road
  - Currently in design phase, project schedule to be complete in mid-2028
- Craven Thomas Road and Robert Helms Road Streetscape
  - Streetscape improvements along Craven Thomas Road and Robert Helms Road
  - Currently under construction schedule for completion in mid-2023

• **Transportation Considerations**

- No outstanding issues.

• **Vehicle Trip Generation:**

Current Zoning:

Existing Use: 10 trips per day (based on N1-A).

Entitlement: 50 trips per day (based on N1-A).

Proposed Zoning: 805 trips per day (based on CAC-1).

**DEPARTMENT COMMENTS**

- **Charlotte Area Transit System:** No comments submitted.
- **Charlotte Department of Housing and Neighborhood Services:** No comments submitted.
- **Charlotte Department of Solid Waste Services:** No comments submitted.
- **Charlotte-Douglas International Airport:** No comments submitted.
- **Charlotte Fire Department:** No comments submitted.
- **Charlotte-Mecklenburg Historic Landmarks:** No comments submitted.
- **Charlotte-Mecklenburg Police Department:** No comments submitted.

- **Charlotte-Mecklenburg Schools:** This conditional district allows a variety of uses; therefore, the impact on local schools cannot be determined.
- **Charlotte Water:** No comments submitted.
- **Erosion Control:** No comments submitted.
- **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 comments submitted.
- **Stormwater Services Land Development Engineering:** No comments submitted.
- **Storm Water Services:** No comments submitted.
- **Urban Forestry / City Arborist:** No comments submitted.

**OUTSTANDING ISSUES**Land Use

1. Remove "Landfill, Land Clearing, and Inert Debris (LCID), Driving Range, and Mobile Car Wash" from the conditional notes because these uses are not currently allowed in the CAC District.
  2. Change the proposed zoning on the conditional notes from CAC(CD) to CAC-1(CD)
- 

**Additional information (department memos, site plans, maps etc.) online at [www.rezoning.org](http://www.rezoning.org)**

**Planner:** Emma Knauerhase (704)-432-1163