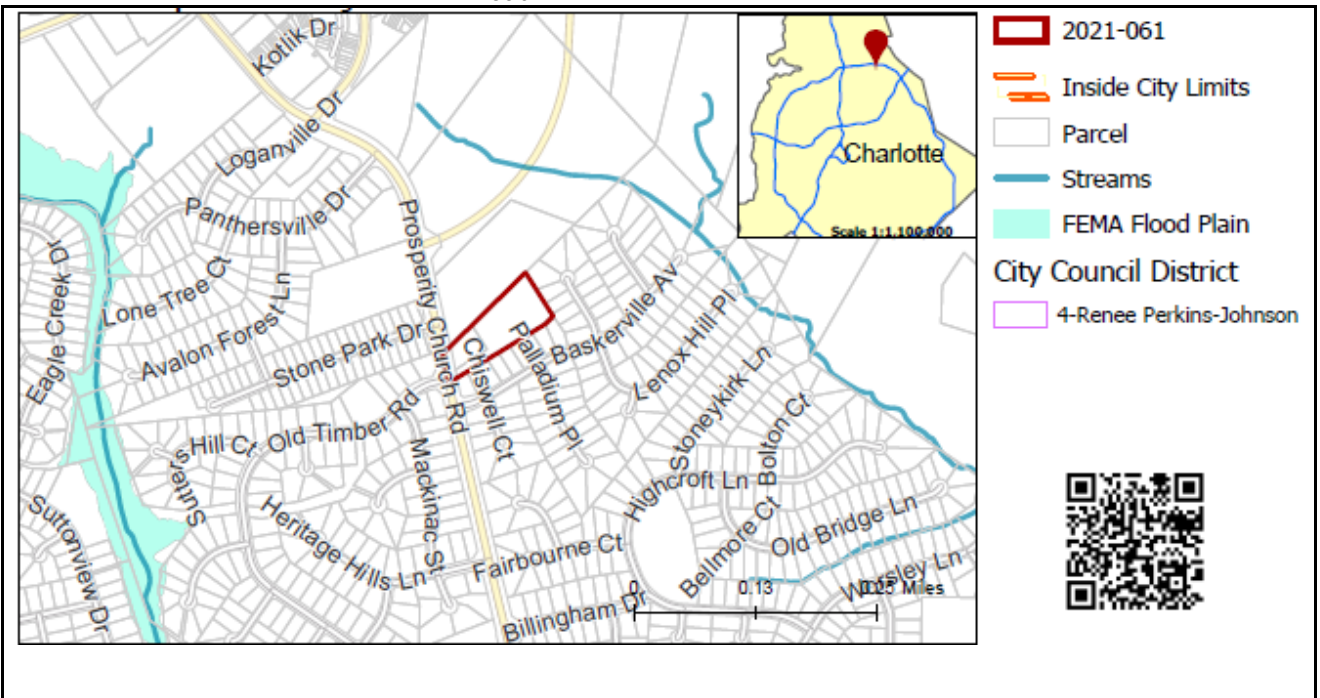


REQUEST

Current Zoning: R-3 (single family residential)
Proposed Zoning: UR-2(CD) (urban residential, conditional)

LOCATION

Approximately 3.05 acres located on the east side of Prosperity Church Road, south of Interstate 485, and west of Mallard Creek Road.



SUMMARY OF PETITION

The petition proposes a residential community containing up to 24 townhome units with a density of 8 dwelling units per acre.

PROPERTY OWNER

Jerry Ellis, Paul Ellis, and Eddy Ellis

PETITIONER

Sunny Investments, LLC

AGENT/REPRESENTATIVE

Naga Nalla

COMMUNITY MEETING

Meeting is required and has been held. Report available online.
Number of people attending the Community Meeting: 6

**STAFF
RECOMMENDATION**

Staff recommends approval of this petition.

Plan Consistency

The petition is **consistent** with the *Prosperity Hucks Area Plan* (2015) recommendation of residential use, but the proposed density of 8 dwelling units per acre (DUA) is **inconsistent** with the plan's recommended density of up to 4 DUA.

Rationale for Recommendation

- While the proposed density for this petition is inconsistent with the area plan's recommendation of up to 4 DUA, the area plan does say that small clusters of slightly higher density residential are appropriate at strategic locations as elements of a larger development.
- The recently approved rezoning (2020-088) to the northwest of the site will be constructed as a mixed-use, slightly higher density

development, so this lower-density proposal will be an appropriate transition to the single-family neighborhoods to the southeast of the site.

- This petition helps fulfill the area plan's goals to build a network of local streets in this location by proposing to have a full access driveway to the future Prosperity Ridge Road Extension, which was approved in Rezoning 2020-088.
- This petition proposes a minimum of a 6-foot sidewalk and 8-foot planting strip along the site's frontages on Prosperity Road Extension as well as internal sidewalks and pedestrian connections, which will ensure safety for pedestrians.
- The single family attached dwelling units that front Prosperity Ridge Road Extension or Prosperity Church Road shall be rear loaded, enhancing the pedestrian experience.

The approval of this petition will revise the adopted future land use as specified by the *Prosperity Hucks Area Plan (2015)*, from Residential up to 4 DUA to Residential up to 8 DUA for the site.

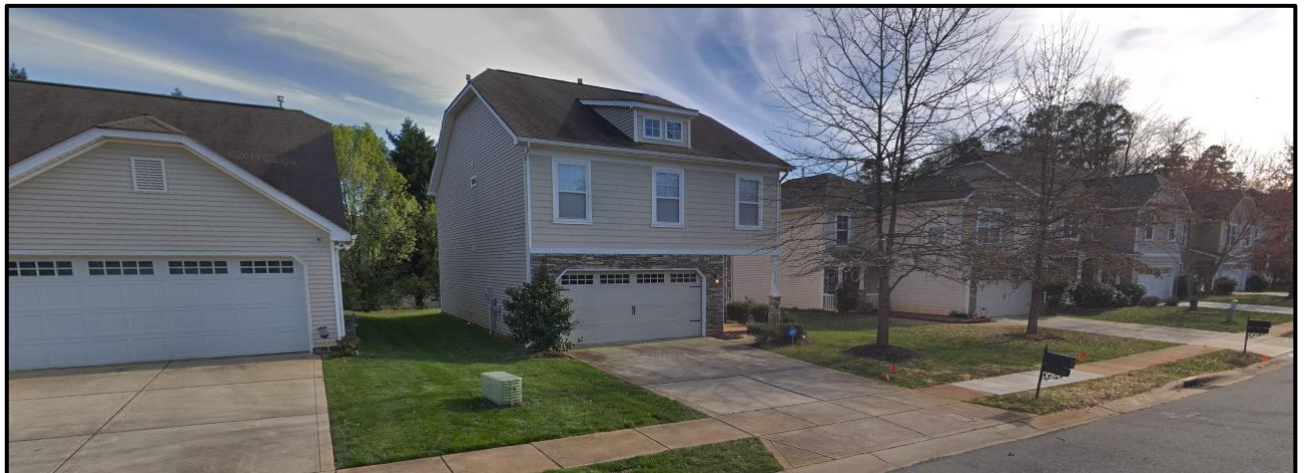
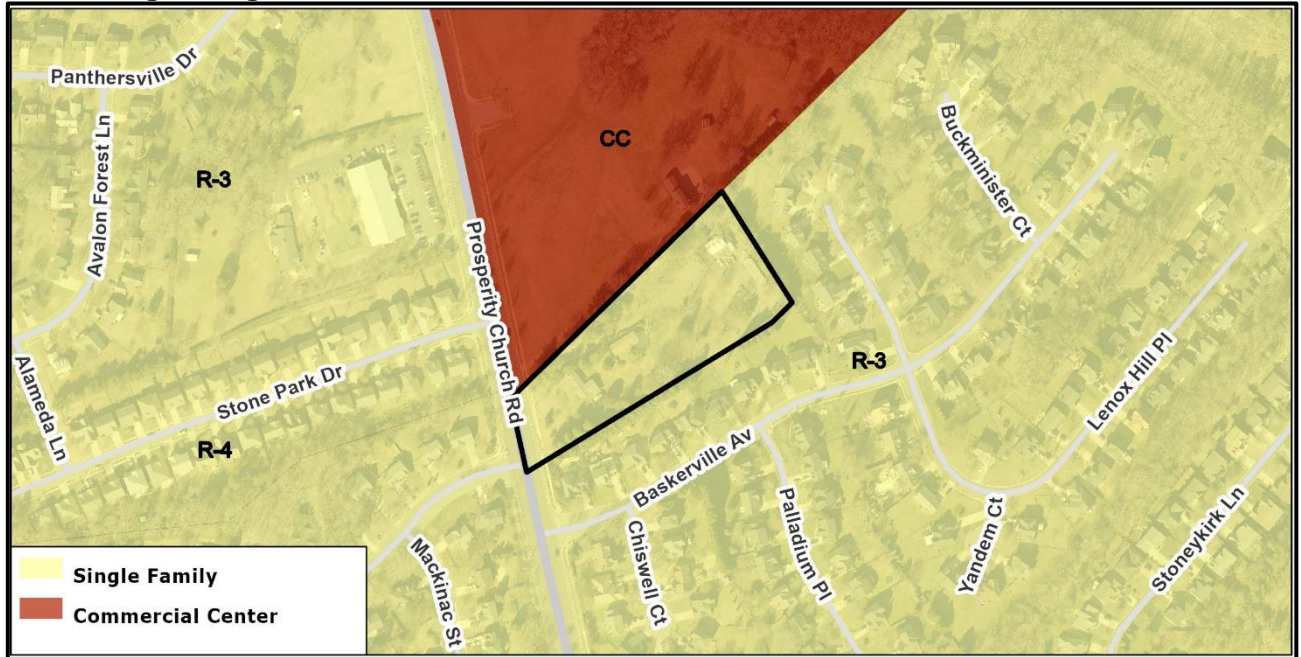
PLANNING STAFF REVIEW

• **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

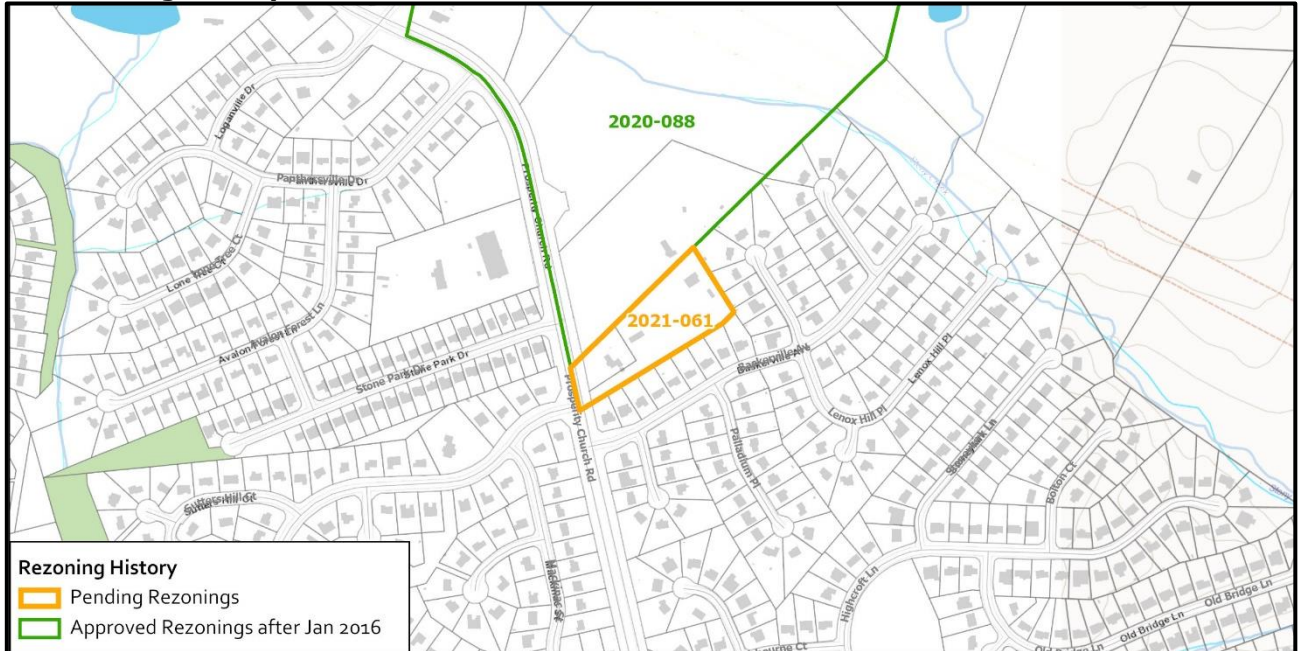
- Allows up to 24 townhome units.
- Proposes a minimum of a 6-foot sidewalk and 8-foot planting strip along the site's frontages.
- Provides walkways to connect all residential entrances to sidewalks along all streets.
- Commits to construction of an ADA compliant CATS bus pad along Prosperity Church Road.
- Provides 6,969 square-feet of open space with park benches.
- Provides a 10-foot landscaped buffer to abutting single family residential homes.
- Provides all rear loaded units on Prosperity Church Road and Prosperity Ridge Road Extension.
- Architectural Standards:
 - Building materials include brick veneer, and other similar masonry products, manufactured stone, stucco and cementitious siding.
 - Each unit will have a covered front stoop. The front stoop may be covered by an awning, canopy, roof extension, or other architectural feature.
 - To provide privacy, all residential entrances within 15-feet of the sidewalk must be raised from the average sidewalk grade a minimum of 24-inches.
 - All corner/end units that face a public or private street should have a porch or stoop that wraps a portion of the front and side of the unit or provide blank wall provisions that limit the maximum blank wall expanse to 10-feet on all building levels.
 - Pitched roofs, if provided, shall be symmetrically sloped no less than 5:12, except that roofs for porches and attached sheds may be no less than 2:12, unless a flat roof architectural style is employed.

- Existing Zoning and Land Use



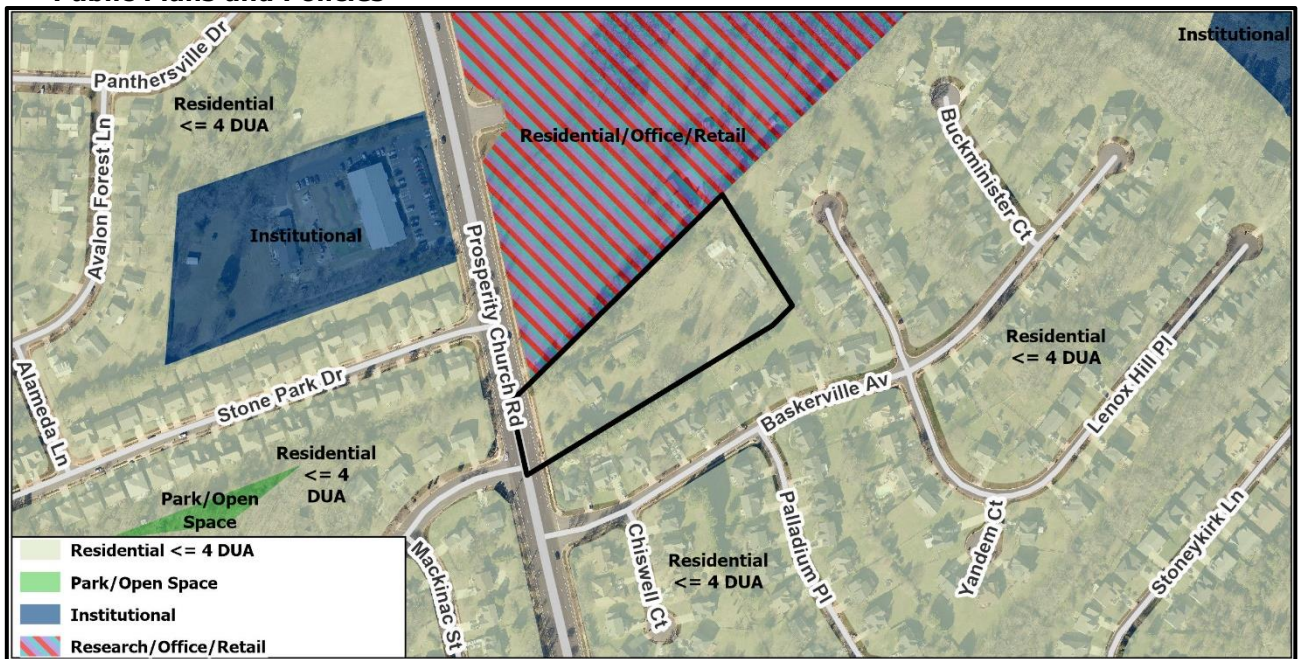
The property to the west along Stone Park Drive is developed with single family homes.

- Rezoning History in Area**



Petition Number	Summary of Petition	Status
2020-088	Rezoned 58.04 acres to allow up to 300 multi-family dwelling units and 132 single-family dwelling units (townhomes), and a maximum 145,000 square feet of commercial and retail uses.	Approved

- Public Plans and Policies**



- The *Prosperity Hucks Area Plan (2015)* calls for Residential up to 4 DUA.

- **TRANSPORTATION SUMMARY**

- The site will be located at the intersection of Prosperity Church Road and the future Prosperity Ridge Road Extension, City-maintained major and minor thoroughfares, respectively. The petitioner has been coordinating with WSB Retail Partners, LLC, the owner of RZP 2020-088 responsible for constructing the Prosperity Ridge Road Extension, to accommodate the access off the future Prosperity Ridge Road Extension. Additionally, the petitioner has committed to the construction of pedestrian infrastructure, in accordance with the City's WALKS and Vision Zero Policies, and City Ordinances. Site plan revisions were made to label and dimension the right-of-way and reflect an 8-foot planting strip and 8-foot sidewalk along site's frontage of Prosperity Church Road. All outstanding CDOT comments have been addressed.
- **Active Projects:**
- Prosperity Ridge Road Extension - Extension of Prosperity Ridge Road, that includes a three-lane section with bike lanes and sidewalks, from Johnston Oehler Road to Prosperity Church Road.
 - Project is currently in the permitting process and will be constructed with the WSB Retail Partners, LLC, development associated with approved RZP-2020-088.
- **Transportation Considerations**
~~○ See Outstanding Issues, Notes 1-4~~ Addressed
- **Vehicle Trip Generation:**
 Current Zoning:
 Existing Use: 20 trips per day (based on 2 single family dwellings).
 Entitlement: 115 trips per day (based on 9 single family dwellings).
 Proposed Zoning: 145 trips per day (based on 24 townhome units).

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:** No outstanding issues.
- **Charlotte Fire Department:** See advisory comments at www.rezoning.org
- **Charlotte-Mecklenburg Schools:** The development allowed under the existing zoning could generate 5 students, while the development allowed under the proposed zoning may produce 4 students. Therefore, this proposal does not increase the number of students.
 - The proposed development is not projected to increase the school utilization over existing conditions (without mobile classroom units) as follows:
 - Croft Community School remains at 72%.
 - Ridge Road Middle remains at 125%.
 - Mallard Creek High remains at 121%.
- **Charlotte Water:** Charlotte Water has accessible water system infrastructure for the rezoning boundary via an existing 24-inch water distribution main located along Prosperity Church Road. Charlotte Water has sanitary sewer system infrastructure accessible for the rezoning boundary via an existing 8-inch gravity sewer main located along Prosperity Church Road. See advisory comments at www.rezoning.org
- **City Arborist:** See advisory comments at www.rezoning.org
- **Erosion Control:** No outstanding issues.
- **Mecklenburg County Land Use and Environmental Services Agency:** No outstanding issues.
- **Mecklenburg County Parks and Recreation Department:** No outstanding issues.
- **Stormwater Services Land Development Engineering:** No outstanding issues.
- **Storm Water Services:** See advisory comments at www.rezoning.org
- **Urban Forestry:** See advisory comments at www.rezoning.org

OUTSTANDING ISSUES

Transportation

- ~~1. Prosperity Ridge Road Extension: Revise the site plan and conditional notes to dedicate 40 feet of right-of-way, measured from the existing road centerline, along the site's frontage.~~ Addressed
- ~~2. Label and dimension the right-of-way from the centerline of each road on the site plan.~~ Addressed

- ~~3. Revise site plan and conditional note(s) to commit to construct an 8-foot planting strip, an 8-foot sidewalk along the site's frontage of Prosperity Church Road, per City Ordinance. The sidewalk and planting strip should be located relative to the future back of curb location. The site plan shall label and dimension both items from the back of curb and gutter and road centerline.~~

Addressed

- ~~4. A site plan note specifying that all transportation improvements will be approved and constructed before the site's first building certificate of occupancy is issued is needed. The petitioner may phase transportation improvements if said improvements and phasing are explicitly described in site plan notes.~~

Addressed

Site and Building Design

- ~~5. Please provide details on the height and material of the wall and amount of landscaping that will be provided.~~

Addressed

- ~~6. Please depict the location, size, and note the amenities that will be provided for improved open space area(s).~~

Addressed

- ~~7. A 5-foot internal sidewalk connection is required to all public streets that abut the site.~~

Addressed

See Attachments (applications, department memos, maps etc.) Online at www.rezoning.org





Planner: Michael Russell (704) 353-0225








Goals Relevant to Rezoning Determinations

Rezoning Petition # 2021-061

The following table represents an overview of the relationship between the **Charlotte Future 2040 Comprehensive Plan** and **Rezoning Petitions**. This is an evolving analysis that is expected to be refined when **Policy Mapping** is completed and adopted (anticipated early 2022).

Please note: not all goals will apply to all rezoning petitions.

Goals	Goal Description	Relationship to Charlotte Future 2040 Comprehensive Plan
	Goal 1: 10- Minute Neighborhoods All Charlotte households should have access to essential amenities, goods, and services within a comfortable and tree-shaded 10-minute walk, bike, or transit trip by 2040. Not all neighborhoods are expected to include every essential amenity, good, or service, but every resident should have access within a ½ mile walk or a 2-mile bike or transit ride.	✓
	Goal 2: Neighborhood Diversity & Inclusion Charlotte will strive for all neighborhoods to have a diversity of housing options by increasing the presence of middle density housing (e.g. duplexes, triplexes, fourplexes, townhomes, accessory dwelling units, and other small lot housing types) and ensuring land use regulations allow for flexibility in creation of housing within existing neighborhoods.	✓
	Goal 3: Housing Access for All Charlotte will ensure opportunities for residents of all incomes to access affordable housing through the preservation of naturally occurring affordable and workforce housing and increasing the number of affordable and workforce housing units through new construction.	X
	Goal 4: Trail & Transit Oriented Development (2-TOD) Charlotte will promote moderate to high-intensity, compact, mixed-use urban development along high-performance transit lines and near separated shared-use paths or trails.	N/A

	<p>Goal 5: Safe & Equitable Mobility</p> <p>Charlotte will provide safe and equitable mobility options for all travelers regardless of age, income, ability, race, where they live, or how they choose to travel. An integrated system of transit and tree-shaded bikeways, sidewalks, shared-use paths, and streets will support a sustainable, connected, prosperous, and innovative network that connects all Charlotteans to each other, jobs, housing, amenities, goods, services and the region.</p>	
	<p>Goal 6: Healthy, Safe & Active Communities</p> <p>All Charlotteans will live and work in safe and resilient neighborhoods that enable healthy and active lifestyles by reducing exposure to harmful environmental contaminants, expanding and improving the quality of tree canopy, encouraging investment in walking, cycling, and recreation facilities, and providing access to healthy food options and healthcare services.</p>	
	<p>Goal 7: Integrated Natural & Built Environments</p> <p>Charlotte will protect and enhance its surface water quality, tree canopy, and natural areas with a variety of trees, plantings, green infrastructure, green building practices, and open space at different scales throughout the entire community as a component of sustainable city infrastructure that addresses the threat of climate change.</p>	<p>N/A</p>
	<p>Goal 8: Diverse & Resilient Economic Opportunity</p> <p>Charlotteans will have opportunity for upward economic mobility through access to a diverse mix of jobs and careers that align with education and skill levels of residents and the economic strengths of the region.</p>	<p>N/A</p>
	<p>Goal 9: Retain Our Identity & Charm</p> <p>Charlotte will cultivate community-driven placemaking and identity, while limiting displacement and retaining the essence of existing neighborhoods by intentionally directing redevelopment.</p>	<p>N/A</p>
	<p>Goal 10: Fiscally Responsible</p> <p>Charlotte will align capital investments with the adopted growth strategy and ensure the benefit of public and private sector investments benefit all residents and limit the public costs of accommodating growth</p>	<p>N/A</p>