6. Request for Decision for Rezoning Petition 2011-022

Action:	**Render a decision on proposed rezoning 2011-022 by Cambridge-Eastfield, LLC for a NS SPA, neighborhood services, site plan amendment for approximately .55 acres located on the southeast corner of Prosperity Church Road and Arbor Creek Drive.**

Staff Resource: Tammie Keplinger, Planning Coordinator, Planning Department

Explanation

- Due to an advertising error by the Charlotte Observer, the public hearing on this petition was deferred from April 25 to May 16.
- The decision for this petition has been scheduled for the May 23 Council meeting in order to avoid any further delays for the petitioner.
- This petition is found to be consistent with the *Northeast District Plan* and to be reasonable and in the public interest, by a unanimous vote 5-0 of the Zoning Committee.
- The Zoning Committee voted unanimously to recommend **APPROVAL** of this petition with the following modifications:
    - Note 1 has been amended to specify proposed zoning as NS SPA.
    - A note has been added indicating that the total building square footage will not exceed 8,000 square feet, and that all uses are allowed in the NS district as permitted by the zoning ordinance, with the exception of a gas station or a restaurant with drive thru.
    - A proposed dumpster location is now shown on the site plan.
    - "Brick color" and "precast stone" have been added to Note 3 to identify some of the proposed building materials.
    - Complete notes (previously references to the approved 2006 site plan) have been added as they pertain to permitted uses, development of buffer areas, detached lighting, and rooftop mechanical equipment screening.
    - A separate note prohibiting a gas station and any restaurant with a drive through service has been removed, and this information has been incorporated into Note 3 as it relates to uses on the site.
    - A note has been added stating the existing six-foot sidewalks along Prosperity Church Road and Arbor Creek Drive will remain.
    - Note 1 has been corrected to reference Arbor Creek Drive (not Prosperity Church Road) where applicable.
    - Note 1 has been modified to state the width of the proposed median break (40') and acknowledge relocation of the curb cut on Arbor Creek Drive to align with this median break.
    - Note 13 has been modified to state that all transportation improvements will be implemented prior to the issuance of the certificate of occupancy.

Attachments
Zoning Committee Recommendation
Vicinity Map
Locator Map
Site Plan