



Zoning Committee

REQUEST

Current Zoning: MX-1 (mixed use) and R-3 (single family residential)
Proposed Zoning: CC (commercial center) and UR-2(CD) (urban residential, conditional) with five-years vested rights.

LOCATION

Approximately 58.04 acres located along the northeast side of Prosperity Church Road and the south side of Johnston Oehler Road.
(Council District 4 - Johnson)

PETITIONER

WSB Retail Partners, LLC

ZONING COMMITTEE ACTION/ STATEMENT OF CONSISTENCY

The Zoning Committee voted 7-0 to recommend APPROVAL of this petition and adopt the consistency statement as follows:

In this petition Development Areas B, D, and E are consistent with the *Prosperity Hucks Area Plan* (2015) recommendation of residential uses, but inconsistent with the recommendation of up to 8 dwelling units per acre. The proposed commercial and retail uses (Development Areas A and C) are inconsistent with the land use recommendation of the *Prosperity Hucks Area Plan* for residential uses based on the information from the staff analysis and the public hearing, and because:

- The plan recommends residential uses up to 8 dwelling units per acre.

However, we find this petition to be reasonable and in the public interest, based on the information from the staff analysis and the public hearing, and because:

- This petition proposes up to 432 multi-family and single family attached dwelling units on development areas B and D, and a variety of multi-family residential, commercial, and retail uses on development areas A and C. Development area E is dedicated to open space, tree save, and parks, greenways, and trails.
- The overall residential density for this site is 7.46 DUA, but the residential density for development areas B and D is 15.66 DUA, making the proposed density inconsistent with the area plan recommendation of residential density up to 8 DUA.
- The increased density in development areas B and D are appropriate because of the site's adjacency to the Prosperity Hucks Activity Center, where higher densities are

recommended, and because of the site’s commitment to connectivity between existing neighborhoods.

- The proposed commercial and retail uses, while not consistent with the future land use recommendation, are appropriate due to this site’s adjacency to the Prosperity Hucks Activity Center, as indicated in the area plan.
- This petition helps fulfill the area plan’s goals to build a network of local streets in this location, by committing to construct an extension of Prosperity Ridge Road throughout the development which will connect to Johnston-Oehler road.
- This petition proposes a minimum of a 6-foot sidewalk and 8-foot planting strip on both sides of the Prosperity Road Extension, which will secure a safe pedestrian experience when walking on this road.
- The petition commits to providing internal sidewalks and pedestrian connections as generally depicted on the rezoning plan.
- Prior to the issuance of the certificate of occupancy for the sixth new building constructed on the site and subject to the approval of Mecklenburg County, the petitioner commits to conveying a 2-acre portion of the site to Mecklenburg County for a future passive public park.

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 8 DUA to Residential up to 17 DUA for Development Areas B and D, and from Residential up to 8 DUA to Residential/Office/Retail for Development Areas A, C, and E.

Motion/Second: Nwasike / Blumenthal
 Yeas: Barbee, Blumenthal, Kelly, McMillan, Nwasike, Samuel, and Welton
 Nays: None
 Absent: None
 Recused: None

ZONING COMMITTEE DISCUSSION

Staff provided a summary of the petition and noted that it consistent with the *Prosperity Hucks Area Plan (2015)* recommendation of residential uses, but inconsistent with the recommendation of up to 8 dwelling units per acre.

There was no further discussion of this petition.

PLANNER

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