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| <b>REQUEST</b>              | Current Zoning: R-3, single family residential<br>Proposed Zoning: INST(CD), institutional, conditional, with five-year vested rights  |
| <b>LOCATION</b>             | Approximately 1.97 acres located on the north corner at the intersection of Providence Road and Westbury Road.<br>(Council District 6 - Dulin)   |
| <b>SUMMARY OF PETITION</b>  | The petition proposes to allow a 13,500-square foot preschool/child development center accommodating approximately 178 children.   |
| <b>STAFF RECOMMENDATION</b> | Staff recommends approval of this petition upon resolution of outstanding issues. The petition is inconsistent with the <i>South District Plan</i> . However, area plans frequently do not specify locations for institutional uses. |
| <b>PROPERTY OWNER</b>       | Pearson Properties-Cainhoy 1, LLC  |
| <b>PETITIONER</b>           | Providence Preparatory School, LLC   |
| <b>AGENT/REPRESENTATIVE</b> | Andrew H. Weathersbee  |
| <b>COMMUNITY MEETING</b>    | Meeting is required and has been held. Report available online.  |

#### **PLANNING STAFF REVIEW**

- **Background**

The abutting property to the northwest was rezoned in 2011 (rezoning petition 2011-030) in order to allow the construction of a preschool and child development center for up to 220 children.

- **Proposed Request Details**

The site plan accompanying this petition contains the following provisions:

- Construct a preschool/child development center accommodating approximately 178 children, infant through pre-kindergarten, and an afterschool program for elementary school age children, in a maximum 13,000 square-foot building.
- Proposed maximum building height of 30 feet.
- Off-street parking area consisting of 52 spaces (including 3 handicap spaces).
- Proposed abandonment of remaining portion of Bermuda Road right-of-way to be incorporated into rezoning site for improvements associated with new development, resulting in an increase in the size of the rezoning area from 1.86 acres to 1.968 acres.
- Construction of a five-foot high brick wall along Westbury Road, increasing to six feet in height where it borders the play area. Proposed interruptions in brick wall along Westbury Road will accommodate facility pathways connecting to new sidewalk along Westbury. Landscape plantings are proposed along sections of the wall that will be facing Westbury.
- Access to the site proposed from Providence Road via an existing driveway constructed with the existing school.
- Internal pedestrian and vehicular connections between existing and proposed facilities via a new two-way drive and pedestrian path.
- A 20-foot class "C" buffer along rear property line.
- A five-foot sidewalk and eight-foot planting strip along Westbury Road. Planting strip may be reduced to six feet and sidewalk may meander in order to preserve existing trees.
- Four-sided architecture proposed with exterior building materials primarily brick with accents of precast stone or concrete and synthetic stucco. Visible roof materials will be architectural shingles.
- Identification of tree save areas.
- Five-year vested rights.

- **Existing Zoning and Land Use**

The site is currently vacant and surrounded by single family and multi-family residential developments, institutional office and commercial uses zoned R-3, R-17MF, O-1, O-2, INST(CD), B-1, and MUDD(CD).

- **Rezoning History in Area**

The abutting property to the northwest was rezoned in 2011 (rezoning petition 2011-030) in order to allow the construction of a preschool and child development center for up to 220 children.

- **Public Plans and Policies**

- The *South District Plan* (1993) recommends multi-family residential uses on the rezoning site.
  - The petition is inconsistent with the *South District Plan*. However, area plans frequently do not specify locations for institutional uses and the proposed development is compatible with surrounding uses.
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**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No comments received.
  - **Charlotte Department of Neighborhood & Business Services:** No issues.
  - **Transportation:** CDOT has the following request:  
The petitioner shall install a six-foot sidewalk along Westbury Road from the site's property line on Westbury Road to the intersection of Westbury and Crosby Roads.
    - **Vehicle Trip Generation:**  
Current Zoning: 60 trips per day.  
Proposed Zoning: 1,070 trips per day.
    - **Connectivity:** No issues.
  - **Charlotte Fire Department:** No issues.
  - **Charlotte-Mecklenburg Schools:** Non-residential petitions do not impact the number of students attending local schools.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
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**ENVIRONMENTALLY SENSITIVE SITE DESIGN** (see full department reports online)

- **Site Design:** The following explains how the petition addresses the environmentally sensitive site design guidance in the *General Development Policies-Environment*.
  - This site meets minimum ordinance standards.

**OUTSTANDING ISSUES**

- The petitioner should:
    1. Modify the information under *Maximum Building Height* to state "Not to exceed ~~30~~ 40 feet ~~above finished floor elevation. Cupola may sit on and extend as much as 5 feet above the ridge of the primary central roof.~~"
    2. Revise labeling on site plan to indicate "Up to 13,500 square-foot building" (remove "12,500 to 13,500 sf").
    3. Revise labeling on site plan to state possible tree save areas.
    4. Identify trees within existing eight-foot planting strip noted along Providence Road.
    5. Address Transportation comment.
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**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Site Plan
- Community Meeting Report
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Park and Recreation Review

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