

**REQUEST** Current Zoning: MUDD-O (mixed use development, optional) with five-year vested rights  
Proposed Zoning: MUDD-O SPA (mixed use development, optional, site plan amendment) with five-year vested rights

**LOCATION** Approximately 47.55 acres located on the east side of Providence Road between Providence Country Club Drive and Allison Woods Drive and across from Ardrey Kell Road.  
(Council District 7 - Driggs)

**SUMMARY OF PETITION** The petition proposes to modify the development standards for a portion of the Waverly Development, in regards to setbacks and location of a possible drive-through service window.

**PROPERTY OWNER** Providence Road Farms, LLC, SLV NC 1 LLC, Waverly MOB, LLC  
**PETITIONER** Providence Road Farms, LLC  
**AGENT/REPRESENTATIVE** Keith MacVean and Jeff Brown/ Moore & Van Allen

**COMMUNITY MEETING** Meeting is required and has been held. Report available online.  
Number of people attending the Community Meeting: 4

**STATEMENT OF CONSISTENCY** This petition is found to be consistent with the *Providence Road/I-485 Plan*, based on information from the staff analysis and the public hearing, and because:

- The plan recommends residential, office, and retail for the site.

Therefore, this petition is found to be reasonable and in the public interest, based on information from the staff analysis and the public hearing, and because:

- The petition allows minor changes to the previously approved site plan;

By a 7-0 vote of the Zoning Committee (motion by Commissioner Ryan seconded by Commissioner Labovitz).

**ZONING COMMITTEE ACTION** The Zoning Committee voted 7-0 to recommend **APPROVAL** of this petition with the following modifications:

1. Note 3(iii) has been modified to clarify that the proposed drive-through use will not be allowed between the building and Ardrey Kell Road.
2. Modified notes to allow glazing on windows fronting in Providence Road.
3. Modified notes to allow drive-through and maneuvering in development Area D.
4. Modified noted to remove a 10-foot buffer as a result of significant grade changes.
5. Removed a note permitting service areas along Ardrey Kell Road.
6. Landscaping with wall will be provided along development Area B.

**VOTE**

Motion/Second:	Ryan/Labovitz
Yeas:	Dodson, Eschert, Labovitz, Nelson, Ryan, Sullivan, and Walker
Nays:	None
Absent:	None
Recused:	None

**ZONING COMMITTEE DISCUSSION** Staff presented this item and stated that all the outstanding issues had been addressed. Staff reviewed the modifications to the site plan since

---

the public hearing. There was no further discussion of the petition.

**STAFF OPINION**

Staff agrees with the recommendation of the Zoning Committee.

---

**FINAL STAFF ANALYSIS**  
(Pre-Hearing Analysis online at [www.rezoning.org](http://www.rezoning.org))

**PLANNING STAFF REVIEW****• Background**

- The Waverly Development was originally approved in April of 2014 under petition 2013-085. This petition allows up to 560,000 square feet of office and commercial land uses, which includes 330,000 square feet of office and 230,000 square feet of non-office commercial land uses (i.e. retail, restaurant, and personal services). The approved site plan also allows a hotel with up to 150 rooms. Up to 561 residential dwelling units are permitted with 471 units of all types within the MUDD-O (mixed use development, optional) portion of the site and 90 detached/attached units within the MX-2 (mixed use) portion of the site.

**• Proposed Request Details**

The site plan amendment contains the following changes:

- Modification to the MUDD-O (mixed use development, optional) portion of the original petition generally located along Providence Road and the proposed Ardrey Kell Extension.
- Urban Character guidebook, which provides details of light fixtures, tree guards, site benches, tree grate fixtures, bollards, and master signage program, has been added to the rezoning.
- A modification allowing accessory drive-through windows in development areas "E" and "F" from the previously approved note, which allowed the use in areas "A through D".
- A modification limiting where accessory drive-through windows can be located in the development areas "A" through "F".
- A note allowing a limited service restaurant in development area "A" and "F" which will be limited to a maximum of 4,300 square feet.
- Modification that will allow the back of curb to be located 29.5 feet from the centerline of Ardrey Kell Road extension; however, location of the back of curb may be reduced to 23.5 from the centerline of Ardrey Kell Road north of the proposed one lane round-about.
- Modification of the two required 20-foot pedestrian paths, to allow one path with a width of 40 feet.
- Allow glazing on windows fronting along Providence Road.
- Removal of a 10-foot buffer.
- Landscaping with a wall will be provided along development Area B.
- Modification of the required fenestration for the retail buildings.
  - Primary frontage will have 60 percent fenestration with doors and windows.
  - Secondary frontage will have 30 percent fenestration measured in aggregate. One half of the area will be required to be unobstructed.
  - The critical corridor will have a 45 percent minimum fenestration measured in aggregate.
  - The Ardrey Kell (Limited Access and Out Parcel) will have a 60 percent minimum fenestration measured in aggregate.
- **Public Plans and Policies**
  - The *Providence Road/I-485 Plan* (2000), as amended by petition 2013-085, recommends residential, office, and retail for the subject site.
  - This petition is consistent with the *Providence Road/I-485 Plan*.

---

**DEPARTMENT COMMENTS** (see full department reports online)

- **Charlotte Area Transit System:** No issues.
- **Charlotte Department of Neighborhood & Business Services:** No issues.
- **Transportation:** No issues.
- **Charlotte Fire Department:** No comments received.

- **Charlotte-Mecklenburg Schools:** Not applicable.
  - **Charlotte-Mecklenburg Storm Water Services:** No issues.
  - **Charlotte Water:** No issues.
  - **Engineering and Property Management:** No issues.
  - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
  - **Mecklenburg County Parks and Recreation Department:** No issues.
  - **Urban Forestry:** No issues.
- 

**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**

- No issues.
- 

**Attachments Online at [www.rezoning.org](http://www.rezoning.org)**

- Application
- Pre-Hearing Staff Analysis
- Locator Map
- Site Plan
- Community Meeting Report
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Transportation Review
- Charlotte-Mecklenburg Storm Water Services Review
- Charlotte Water Review
- Engineering and Property Management Review
- Mecklenburg County Land Use and Environmental Services Agency Review
- Mecklenburg County Parks and Recreation Review
- Urban Forestry Review

**Planner:** Solomon Fortune (704) 336-8326