

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.
STAFF RECOMMENDATION	Staff recommends approval of this petition upon resolution of outstanding issues. The petition is consistent with <i>the Providence Road/I-485 Area Plan</i> as amended.
PROPERTY OWNER PETITIONER AGENT/REPRESENTATIVE	Providence Road Farms, LLC, SLV NC 1 LLC, Waverly MOB, LLC Providence Road Farms, LLC Keith MacVean & 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

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.
 - 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.
- **Existing Zoning and Land Use**

- The subject site is vacant. Properties north and east of the site are zoned R-3 (single family residential) and are vacant. Two institutional uses (i.e. an assisted living facility and a childcare center) are south of the rezoning area and are zoned INST (CD) (institutional, conditional). West of the site, across Providence Road, is a mix of land uses that include commercial, office, townhomes, and single family residential. The commercial and office land uses are located north of Ardrey Kell Road and are zoned NS (neighborhood services) and B-2(CD) (general business, conditional). The residential land uses are south of Ardrey Kell Road and are zoned UR-2(CD) (urban residential, conditional) and R-3 (single family residential).
- **Rezoning History in Area**
 - Petition 2015-022 rezoned approximately 194 acres located on the north side of Ardrey Kell Road near the intersection of Providence Road and Ardrey Kell Road west of the subject site to allow the development of a mixed-use center with up to 954,000 square feet of office and retail, up to four drive-through service windows, 265,000 square feet of institutional uses, 250,000 square feet of outdoor and indoor recreational uses, 700 residential dwelling units, and 300 age restricted residential units.
 - Petition 2011-064 rezoned approximately 12 acres located on the southwest corner of Providence Road and Ardrey Kell Road. This petition was a site plan amendment to a previously approved UR-2(CD) (urban residential, conditional) rezoning from 2006 to increase the maximum number of townhome buildings while maintaining the number of dwelling units at 53.
 - Petition 2011-021 rezoned approximately 22.7 acres located on the east side of Providence Road and south of Providence Country Club Drive from R-3 (single family residential) to R-3(CD) (single family residential, conditional) and INST(CD) (institutional, conditional). This petition allowed for a continuing care retirement center consisting of 109 independent living units and 80 dependent beds and all other uses permitted in the R-3 (single-family residential) zoning district. This rezoning petition is bounded by the southern property line of the current rezoning petition.
- **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.
 - **Vehicle Trip Generation:**
Current Zoning: 19,400 trips per day.
Proposed Zoning: 19,400 trips per day.
- **Charlotte Fire Department:** No comments received.
- **Charlotte-Mecklenburg Schools:** No comments received.
- **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

- The petitioner should:
 1. Modify note 3(iii) to clarify if circulation for the proposed drive-thru use will be allowed between the building and Ardrey Kell Road. The current note conflicts with schematic drawing of the proposed building.
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Attachments Online at www.rezoning.org

- Application
- Site Plan
- Locator Map
- 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 Parks and Recreation Review
- Urban Forestry Review

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